

EU SPORT POLICY ACCORDING TO NEOFUNCTIONALISTS

The foundation of the Erasmus+ Sport Programme

*Niels De Kind
Jeroen Scheerder
Hendrik Vos*

2017

In cooperation with



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PREFACE

This study examines how neofunctionalism provides for the Council, the European Commission, the European Parliament and the European Court of Justice, an explanation for the foundation of the Erasmus + Sport Programme. This research demonstrates how neofunctionalists explain the foundation of sport as a European competence, by using the Erasmus+ Sport Programme as case study. In this study the following neofunctionalist concepts will be used: *political spillover*, *cultivated spillover*, *functional spillover* and *spillback* (EB Haas & Schmitter, 1964; Schmitter, 1970). Each in their own specific way, the different spillover concepts try to explain why European cooperation arises in a sport programme. By making use of two qualitative research methods, i.e. a qualitative elite interview in combination with a document analysis, this study investigates which neofunctionalist motives each European actor used in the foundation of the programme. The foundation of the Erasmus + Sport Programme itself can be explained by three neofunctionalist concepts. Before the Lisbon Treaty, the foundation of the programme can be defined by a *cultivated spillover*, with strong neofunctionalist motives of the European Commission. The Commission used all its tactical instruments in the starting point of sport cooperation. After the Lisbon Treaty, the foundation of the programme can be defined by a *political spillover*, with strong neofunctionalist motives of the Council. The programme was forced by making a package deal. Nevertheless, the European Parliament and the European Court of Justice evoked a *functional spillover* as a tactical instrument to foster political action of the European Commission. Sport cooperation was needed to fulfill other policy objectives. According to neofunctionalists, the European Commission, the European Parliament, the Council and the European Court of Justice have each played a significant role in the development of the Erasmus+ Sport Programme.

CHAPTER 1

INTRODUCTION

In the European Union (EU), power is distributed at various levels of governance (Marks, Hooghe, & White, 1996). Similarly, in sport policy there is no actor - or set of actors - which has enough power to largely control the developments in sport policy (Deroo, 2012-2013; Parrish, 2003). This argument is also extant in neofunctionalism which assigns an explicit role to pluralism. Pluralism recognizes an important role of formal European institutions (Eilstrup-Sangiovanni, 2005; García & Weatherill, 2012; EB Haas, 1967; Schmitter, 1969). Even though for many years it was believed that corporatism as model of interest representation would promote European integration, pluralism seems to be established as the prominent pattern of interest representation within the EU framework (Chatzigianni, 2014). Although at first purely corporatism, the development of European institutional activity in the field of sport has influenced the articulation of new sport interests in Europe. At this point, the European policy-making mechanism amplifies the pluralist features of European sport-related interest representation (Chatzigianni, 2014). Therefore, the rise of sport policy on the European agenda will be examined by the *grand theory* of the European integration, namely neofunctionalism (Risse, 2005). Neofunctionalism is a sophisticated and dynamic theory and recognizes the importance of several actors in the European decision-making process. Moreover, neofunctionalism is considered to be the first *founding father* theory of the European integration. It inspired other European movements and theories, positively as well as negatively.

Neofunctionalist researchers have criticized and improved each other's studies (Schmitter, 2005). Nevertheless, neofunctionalist researchers have a common goal and their theory is based on key assumptions. The key assumptions of neofunctionalism are: (1) the importance and well-functioning of the economy (2) the importance of the political elites (3) the importance of European cooperation (4) the importance of pluralism and (5) the importance of especially formal actors. These elements have the ultimate goal of creating a European political union at the supranational level. This political union is established automatically by the enhanced cooperation of the formal actors throughout European history (Rosamond, 2000).

European institutions have a long road of history in the construction of the European Union. In the past, the emphasis of the EU construction was more on formal European institutions. Nowadays, also

informal organizations have an increasing effect on the European system (Antoniades, 2003; Coen, 2007; AM Haas, 1992). History has shown that the development of the European integration is associated with political conflicts. These conflicts arose due to the different short-term interests of political actors (Risse, 2005). According to neofunctionalists, this process is very normal in the development of the European construction and is called *politicization*. Every actor has different rational motives that they want to pursue and push forward in the right direction in accordance with their short-term interests. In case of conflicts between the European actors, the European integration could be pushed further, namely by providing “Europeanisation” as the key solution to conflicts. Due to the “Europeanisation”, cooperation on the EU level was further strengthened.

Neofunctionalists will focus mostly on the political elite as the most relevant actors in the European integration process (Richardson, 2015). Neofunctionalists are convinced that *politicization* would mainly take place within this group. Moreover, the goal is to enhance the European cooperation (Stephenson, 2010). Nevertheless, neofunctionalists emphasize that the various actors will automatically consider “Europeanisation” to be the best solution through the European integration process. According to this point of view, it is assumed that EU politicians, national officials and interest groups will fill up their values differently because there is more cooperation at the EU level. Each actor will give different values to the European identity. Nevertheless, in the European integration process neofunctionalists are convinced that actors will shape a new European identity. In addition, actors will handle and change in accordance with the “Europeanisation” way of thinking. (EB Haas, 1967).

In this study, neofunctionalist assumptions will be practically tested on the foundation of the Erasmus + Sport Programme, an actual sport programme founded by the European Commission for the period 2014-2020. Neofunctionalism was originally intended to explain European economic integration which lead to a political union on the supranational level, but do these assumptions also apply for a social competence like sport? Sport was to be understood as “all forms of physical activity which, through casual or organized participation, aim at expressing or improving physical fitness and mental well-being, formal social relationships or obtaining results in competition of all levels”. (Scheerder et al., 2011). Sport is in this definition described as a social competence. The actors and concepts are selected based on the relevance and involvement in the Erasmus + Sport Programme, which will be discussed further. It is important to mention that this study is one of the first neofunctionalist studies in social competences. In this study there will not be referred directly to certain neofunctionalist researchers as such, but rather to neofunctionalist concepts. These concepts are built by different neofunctionalist investigators like Haas, Schmitter, Risse, so these researchers will be discussed indirectly.

CHAPTER 2

NEOFUNCTIONALIST MOTIVES

Sport and European integration theories, it seems to be a strange combination at first view. The European integration theories are meant to explain the current European construction and have a quite long history (Baljé, 1973). Since the Lisbon Treaty (2009), sport has become a European competence and has a fairly formal recent European history (European Union, 2010). The various theories about the dynamics of the European integration process are largely traceable to the classic debate between neofunctionalism and intergovernmentalism. This historical battle between these two theories can be observed in several European competences. Where neofunctionalists seek the cause of progress and dynamism in the integration process itself, the intergovernmentalists emphasize the important role of national governments in the European decision-making process (Vermeersch, 2009).

In this chapter, each European actor is discussed separately. These European actors are: the Council of Ministers, the European Commission, the European Parliament and the European Court of Justice (ECJ). No reference will be made to the European Council, the European Committee of the Regions and the European Economic and Social Committee. These entities have a less direct impact on sport policy, hence they are not considered as powerful actors in sport policy in this study. The discussed actors are important for both neofunctionalism and the European sport policy. For neofunctionalists because each institution played a significant role in the current construction of the European Union (Schmitter, 2005). For every European institution, there will be a brief reference to the actions they have already undertaken in the past in sport policy. On the basis of these historical actions, the European institutions will be assigned neofunctionalist concept(s). These concepts are determined by consulting historical neofunctionalist literature, historical sport policy literature and European decision-making literature.

1. Functional spillover

The *functional spillover* wants to offer an explanation why European integration in a particular competence evokes problems of well-functioning. According to this tactic, these problems can only be solved by a strengthened corporation of (related) competences at the supranational level (Niemann, 1998; Rosamond, 2000; Vilpišauskas, 2013). For example, in 1951 the European project began in the collaboration of the six founding-father countries (Belgium, The Netherlands, France, Italy,

Luxembourg and West Germany) in the European Coal and Steel Community (ECSC). This ECSC cooperation was organized at the supranational European level. Therefore new supranational institutions were created (into the High Authority). This cooperation at the European level, with new supranational institutions, was originally created to monitor the war industry of West Germany (EB Haas, 1967; Rosamond, 2000). To preserve the original goal of this functional cooperation, the founding father countries had to make new partnerships in other (related) policy competences, otherwise difficulties would arise soon. To maintain a functional ECSC cooperation, the founding father countries had to create a new partnership in the transport competence to maintain the ECSC cooperation.

The European Court of Justice (ECJ) is viewed from a neofunctionalist perspective as a major agenda-setter in the European Union. The ECJ determines not only the content of policy, but also the conditions for the development of policy. In addition, the ECJ has a large, systematic and substantial effect on national policies of member states (Stone Sweet & Brunell, 2012). The main goal of the ECJ is to monitor the right application and interpretation of European laws. Due to the competences of the ECJ, neofunctionalists assign an important *intermediate function* to this institution. From a neofunctionalist point of view, the ECJ can evoke *a functional spillover*, due to their judicial and agenda-setting role. It's important to note that a spillover as a global concept is no essential part of the European project. But in order to achieve a specific objective in a policy competence, the European actors came to the conclusion that the current form of cooperation is not strong enough. In order to achieve the original target, two things may occur. First, a more powerful cooperation in the competence. Second, more cooperation in a related competence to fulfil the goals of the original competence. Hence, each actor has other motives in different power ratios. *Functional spillover* wants to offer an explanation why European integration to some particular competences could create difficulties when there is insufficient cooperation in the original competence. According to this concept, these difficulties arise in a particular competence, and can only be solved by working together on other (related) competences (Niemann, 1998; Rosamond, 2000; Vilpišauskas, 2013). Such cooperation is necessary to avoid endangering the original targeted policy objectives. It bears its name, because it is a functional cooperation between member states in terms of achieving common goals. In most cases neofunctionalists will argue that the ECJ will improve European cooperation in other policy competences to ensure the uniformity application of European laws. Hence, according to neofunctionalists, it increases the interdependence between the member states and the EU, whereby Europe increases its influence on the member states national policies (Schmitter, 2005). Neofunctionalists will argue that the ECJ and the European Commission help member states in their disputes, which could lead to foster more "Europeanisation" as the appropriate solution. In addition,

the European political project will increase. Nevertheless, the ECJ is dependent on the European Commission, because of the exclusive right of initiative in legislation of the Commission (Coen, 2007; Garcia, 2007; Levermore & Millward, 2007).

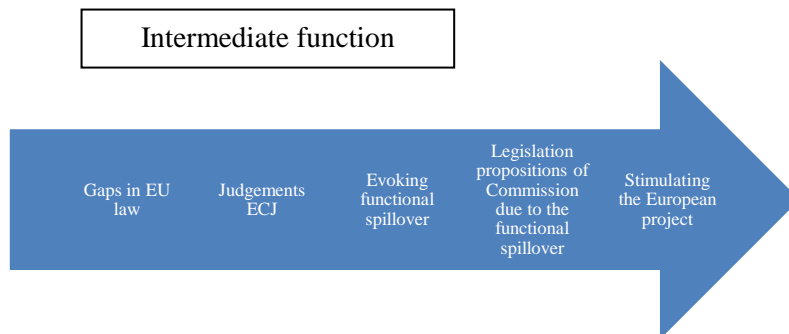
The European Court of Justice was one of the first institutions to place sport on the European agenda. Hereby, the various judgments of the ECJ made an important contribution to this process. According to many various sport actors (federations, advocacy groups, football organizations,..), the judgement of sport has some unique features whereby sport doesn't have to cope with the single market provisions and rules (García & Weatherill, 2012; Parrish, 2003; Vermeersch, 2009). The ECJ judgments have ruled that sport herein is not unique and will get no exceptions. This interpretation of the ECJ can be seen as a starting point to give clear direction regarding sport rules. Sport-related policy was driven by the decisions of the ECJ, which were based on single market laws and mainly the decisions related to the freedom of movement and competition (Chatzigianni, 2014).

The increasing commercialization and professionalization of some sport activities and the growing economic importance of sport in the member states was an important starting point through which sport came to the direct attention of the ECJ. The judgment of the Court of Justice in two sport-related matters made it clear that sport did not fall entirely outside the scope of EU law (Scheerder et al, 2007). In 1974, in the case of *Walrave and Koch*, the ECJ judged that sport is bound under EU law concerning economic activities. In 1976, in the case of *Donà t. Mantero*, the ECJ reconfirmed the economic judgment in sport. Although these cases formed the basis for the application of European economical laws on sports, they met with little response. It took the *Bosman* ruling to switch the mindset. For a long time, the judicial impact of the ECJ judgements on sport was ignored. The European Commission chose to do nothing with the judgements of the ECJ and therefore opted for a compromise with various sport authorities (Parrish, 2003). The *Bosman* ruling has changed this mindset. That judgment concludes that sport must comply with EU legislation as long as it contains economical components of EU laws (Deroo, 2012-2013). The *Bosman* ruling was the start of the debate for sport as a European competence. The freedom of movement had a clear impact on sport authorities were contrary to the ECJ's ruling that the nationality clauses and some aspects of the transfer system in football. As a consequence, the European Union no longer had to justify why sport is a subject of EU legislation. On the contrary, from then on sport federations had to prove and justify why they should be exempted of EU legislation (Deroo, 2012-2013; Parrish, 2003). After this judgement, the Commission was obliged to respond because there was no clear legislation about this subject (Parrish, 2003). The ECJ judgement was the trigger for other European institutions to think about the place of sport in the European construction. As a result of this debate, sport appeared on the European political agenda in the second half of the 1990's. It encouraged political leaders of member states to think about sport in a European

scope, which led to two legal non-binding declarations at the IGC of Nice and Amsterdam, where the social significance and specific characteristics of sport were recognized. Beside the debate about the eventual creation of a European constitution, other discussions took place. First, the discussion about a more elaborate sport policy. Second, whether or not sport had to provide an exemption regarding the application of the former European laws on freedom of movement and competition. The political leaders and the European players decided to take an important decision at the conferences. One day sport would become a European competence. Hence, sport was included in the list of future competences whereby the EU shall have a supporting, coordinating or complementary competence. Nevertheless, this process was delayed due to the negative ratification process of the European Constitution in France and the Netherlands. In 2007, these sport principles were further anchored in the White Paper on Sport. In this policy document, they emphasized (1) the social role of sport, (2) the economic dimension of sport and (3) the governance of the sport sector. The White Paper was the main instrument for the subsequent legal provisions within the European sport policy. Sport was to be understood as “all forms of physical activity which, through casual or organized participation, aim at expressing or improving physical fitness and mental well-being, formal social relationships or obtaining results in competition of all levels”. (Scheerder et al, 2011). In addition, the White Paper on Sport had the objective to enhance the visibility of sport in EU policies, programs and actions and better illustrate the potential of sport in social and economic terms. The White Paper on Sport resulted in the “Pierre de Coubertin” Action Plan with 53 actions to be implemented or supported by the European Commission (Scheerder et al, 2011). Later on, the sport provisions were marked as article 6 and 165 in the Lisbon Treaty (2009) (European Union, 2010). Concerning these historic sporting events, neofunctionalists will conclude that this would never have been possible without the *intermediate role* of the ECJ as the main European agenda-setter.

The chart below demonstrates that the law of the ECJ may evoke a *functional spillover*. The ECJ can indirectly stimulate the European Commission. This is only possible when legislation gaps arise in EU laws. The Commission takes its cue from the judgments of the ECJ to create new law propositions. In this law propositions the European Commission will implement new initiatives and proposals for further cooperation in other (related) competences to accomplish the mainstream objectives.

Scenario 1.1. *Neofunctionalist influence of the EU process in point of view of the European Court of Justice (Source: own processing)*



The main goal of the European Parliament is to strengthen, influence and increase its role in as many competences as possible (Richardson, 2015). To achieve this goal, the institution will use all its policy instruments, because it is in many competences a co-decision maker. The principle is simple, if many policy competences are organized at the European level, the more power and influence the European Parliament will obtain. In historical neofunctionalist resources, neofunctionalists do not explicit refer to the European Parliament as an important actor (EB Haas, 1967; Lindberg, 1967; Schmitter, 1970). In the 60s and 70s the European Parliament had no hard power and was not a co-decision maker as it is today. Hence, in those years, neofunctionalists seriously neglected the importance of this institution in the European integration process.

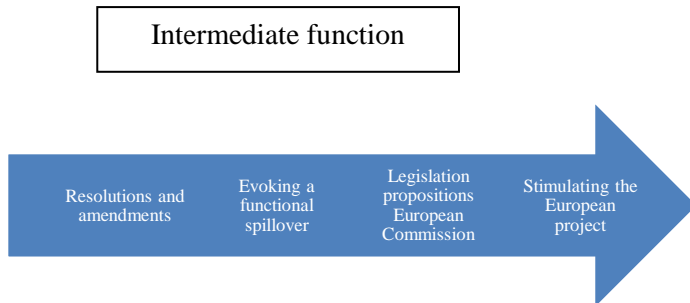
In 1992, after the Maastricht Treaty, neofunctionalist resources emphasized the role of the European Parliament in the European integration process. The political power of this entity increased after the Treaty (Richardson, 2015; Vermeersch, 2009). Due to this Treaty, the European Parliament became an important institution in neofunctionalist literature, because it is, together with the European Commission, the most supranational institution. The European Parliament makes lots of resolutions and amendments. The central idea of these amendments and resolutions is to strengthen the European dimension in the various levels of power. According to these resources, the European Parliament wants to strengthen stronger and powerful "Europeanisation" in policy competences (Richardson, 2015). It gives a signal to the European Commission to take legislative propositions to foster the European dimension in policies. In addition, the individual power of the European Parliament will in most cases improve.

Neofunctionalists are convinced that the European Parliament has an *intermediate function*, like the ECJ, in the European integration process. The ECJ by emphasizing gaps of EU laws in policy competences. The European Parliament by emphasizing "Europeanisation" as key solution of problems

in policy competences (Richardson, 2015). By acting in this way, both entities are trying to evoke a *functional spillover*. Supranational institutions like the European Commission, the ECJ and the European Parliament are important stakeholders in the decision-making process and are not seen as powers of the national governments of member states (Vermeersch, 2009).

Sport resolutions of the European Parliament contain mostly arguments whereby policy objectives cannot be achieved without cooperation in other related competences. For example, tackling vandalism in sport can only be through further European cooperation against vandalism in other areas of competences. European institutions, mainly the Commission, and sport interests are working closely to respond and adapt to the challenges imposed on the sport sector from the increasing influence of EU policy (Chatzigianni, 2014). According to Chatzigianni, the European Parliament stated that sport policy was produced either as a relevant outcome of relevant ECJ' judgements, or in association with other European policies such as education, youth, equal opportunities, public health, training, employment, environmental and culture (Chatzigianni, 2014). This encourages the European Parliament to evoke a *functional spillover* as neofunctionalist concept. The strong socio-cultural tradition of sport dominates the sport agenda of the European Parliament (Levermore & Millward, 2007). Sport is an important competence for the European Parliament to co-achieve policy objectives in other competences and to bring the EU closer to EU citizens (Garcia, 2007; Parrish, 2003). In particular, the European Parliament supported the European Commission's White Paper. The EC attempted in the White Paper 'to give strategic orientation on the role of sport in Europe, to encourage debate on specific problems, to enhance the visibility of sport in EU policy-making and to raise public awareness of the needs and specificities of the sector, makes particular reference to, and makes recommendations on, several matters related to the welfare of young athletes (Platts & Smith, 2009). The European Parliament contributes to the social cohesion of sport. Integration is one of the aims of the EU, and as such sport can be utilized for the purposes of promoting this aim. EU funding initiatives such as the European Regional Development Fund and the European Social Fund can be used to promote social inclusion through sport (Rogulski & Miettinen, 2009). Again, the *functional spillover* is emphasized as an important concept for this institution. The scheme below illustrates this process.

Scenario 1.2. *Neofunctionalist influence process in point of view of the European Parliament (Source: own processing)*



2. Cultivated spillover

The *cultivated spillover* aims to obtain more power for the supranational institutions in policy competences (Rosamond, 2000). Most of time, the current European conjunction is sufficient enough at this level. However, the supranational institutions insist on further cooperation in order to achieve the policy objectives in a more efficient manner, so that the power of the supranational institution(s) increases in the meantime (Niemann, 1998; Rosamond, 2000; Stephenson, 2010). For example, the recent terrorist attacks demonstrate that the current European partnerships are not sufficiently strong enough in the combat of terrorism attacks. To solve this, the supranational institutions (usually the European Commission and / or European Parliament) will launch new law proposals (European Commission) or amendments (European Parliament) for a further capacity increase of European agencies like Europol. Europol is monitored by the European Union, so if Europol obtains more competences, the power of the supranational entities will also improve despite the individual powers of member states. If the member states agree, the power of the member states will decrease in proportion to the supranational institutions. As a tactic, the Commission uses a *window of opportunity*, like terrorism attacks to increase the power of the supranational level in response to the European terror threats.

Neofunctionalists consider the European Commission (EC) as the most important institution – the central bureaucracy – at EU level. The EC frequently gives a boost to European integration by formulating new law propositions. The neofunctionalist concepts that are attributable to the EC are the *functional spillover* and the *cultivated spillover* (PM Haas, 1992; Schmitter, 2005). The strength of the European Commission is that they proceed this process in a very subtle manner in cultivating these type of spillovers (EB Haas, 1967; Niemann, 1998). The difference between a *functional spillover* and

cultivated spillover is small. The transfer of power doesn't go "automatically" to the European Union by using a *cultivated spillover*. Nor with a *functional spillover*, but further cooperation in other competences is in function of pursuing the original objective in a policy competence. When using a *cultivated spillover*, supranational institutions want to increase their power and handle with full consciousness to accomplish cultivated goals (Rosamond, 2000). This process is not by accident. On the contrary, most of the time the current cooperation form is sufficient to achieve objectives in competences. However, the supranational actors insist on further European cooperation in order to achieve the objectives in a more "Europeanisation" manner (Niemann, 1998; Rosamond, 2000; Stephenson, 2010). If this process is fulfilled, the power of supranational institution (s) increases. The Commission wants to encourage a sense of "European identity" in the member states and is convinced that European cooperation is the way to achieve this (EB Haas, 1967; Richardson, 2015; Risse, 2005).

Because the Commission is the center of the European decision-making process, it tries to stimulate the "European identity" in member states. To encourage this, the EC uses European values and standards to ensure that state nationalism is concealed within the member states (EB Haas, 1967). Instead, the institution tries to create a common European identity among the member states with shared values and norms, as illustrated by the following quote: "... *The process whereby political actors in several member states distinct national settings and shift their loyalties, expectations and political activities toward a new center, ...*" (EB Haas, 1967). This brief quote from Haas stipulates that the European Commission plays an important role in the creation of that identity. To create this common identity, the Commission can: (1) launch new legislative proposals (2) act as an executive actor in certain competences (Competition and Trade) and (3) monitor member states if they are in compliance with European legislation. In addition, the EC also uses its unique technical expertise, thanks to its knowledge as the central bureaucracy (Marks et al., 1996). Since the Commission has these tools, it is easier to evoke a *functional spillover*. Due to its central position and expertise, the Commission will argue to use the "European" solution to prevent and avoid political problems between member states (PM Haas, 1992; Lindberg, 1967; Schmitter, 1970; Strobby Jensen, 2000). According to neofunctionalists, the foundations for a political union are created. Nevertheless, the Commission has still many other instruments to accomplish its goal of "Europeanisation". First, as previously mentioned, it can use its strategic position as European distributor, because of its role as central information collector. Second, it can also act as a neutral arbiter. Third, it can position itself as an objective representative of European interest (Vermeersch, 2009). This does not mean that the European level is objectively the most appropriate policy-level to address a particular problem. Neofunctionalists argue that it is difficult for member states to set up alternative alliances outside the Union. The European Commission is aware of this, and will strengthen its power and influence in policy competences. It is important to emphasize

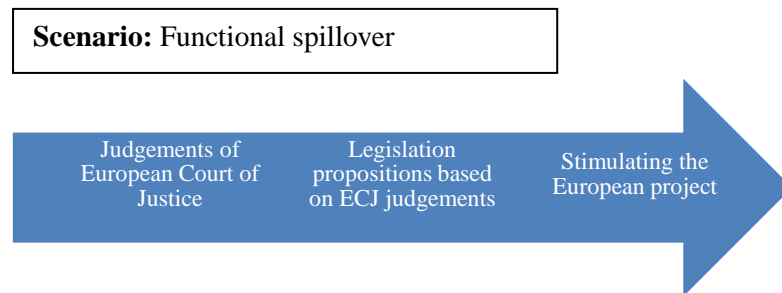
that it is an self-reinforcing process (Lindberg, 1967). Figuratively it can be seen as a snowball that grows over time. The European Commission is at front to make the snowball bigger. The bigger the snowball is the more power and influence the Commission obtains, despite of the member states. In that case, it is harder for the member states to break the snowball.

The Commission is very happy with sudden crises that prevail within member states. The supranational institution will try to formulate the most “Europeanisation” solution, to foster the European project. This tactic is what neofunctionalists call *the window of opportunity* (Lindberg, 1967; Meijerink, 2005; Risse, 2005). In crisis situations, neofunctionalists argue that the Commission will try to take more European initiatives so that European policy is further strengthened. According to neofunctionalism, this tactic is used to evoke a *cultivated spillover*. However strange it might be, the Commission loves to have political conflicts within member states. In that case, it sees opportunities to play its role as “reconciler”, also called *broker* in neofunctionalist motives (Lindberg, 1967). Within political disagreements, the Commission takes its inspiration to formulate creative European solutions (Schmitter, 2005). Thanks to its creative role in conflicts, the Commission will act as a *policy entrepreneur* of the conflict. The EC will try to find a solution to the greatest common denominator of the member states, better known among neofunctionalists as *upgrading of the common interests* (Niemann, 1998; Richardson, 2015). The Commission can do this because they have the knowledge and expertise about what is happening within and between member states. In addition, they can also use the *side payment* tactic by compensating concessions in competences by giving something in return. The EC makes full use of its supranational bureaucracy power in order to influence the outcome of a more collaborative Europe. Moreover neofunctionalism places pluralism as central idea, which means that multiple actors are involved in the European decision-making process. The more formal and informal actors are involved in conflicts, the easier it is for the Commission to play its role as *policy entrepreneur*. In this framework, the creation of European Committees and EU Working Groups in several areas of European policy-making serve the interest of the Commission as *policy entrepreneur* because they legitimize and further expand European interest group activity (Chatzigianni, 2014). This political conflict between actors forms the legal basis for the European Commission for further integration at the EU-level.

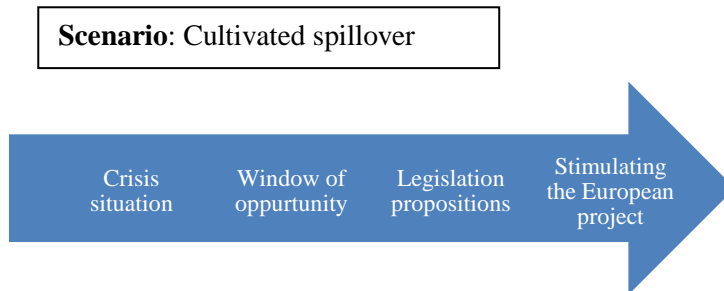
In the past, the European Commission has already been involved in sports-related themes. It has made several policy documents, whereby the White Paper on Sport and the Green Paper on Sport are the best known (European Union, 2014). The White Paper was the formal starting point of the Commission's main commitment for future actions in the field of sport. The White Paper, which represented the Commission's ‘first systematic treatment of the connection between sport and the regional integration process in Europe’ (Thomas & Guett, 2014). In addition, the Commission sees itself

as guardian of the European Model of Sport (Deroo, 2012-2013; Vermeersch, 2009). In 2011, the EC started its communication “Developing the European dimension in sport”. The European Commission expressed its conviction that in order to implement the sport provisions in the Lisbon Treaty, comparable EU-wide data on social and economic aspects of sport are very much required. While respecting the competences of member states, the European Commission believes that a sound European evidence base will support member states’ actions, as well as help developing the sport sector. This view calls for data and monitoring systems at European level (Scheerder et al., 2011). These European Commission’s viewpoints were confirmed in an EU Conference on Sport Statistics in 2011. Representatives, both from policy and research highlighted the demand for a European sport monitoring function to strengthen evidence-based policy making, and provided valuable ideas for its possible content. Monitoring is essential both to policy development and to policy evaluation. Monitoring and evaluation are fundamental aspects on an evidence-based sport policy (Scheerder et al, 2011). The competences of the Commission in sport policy are restricted, as the principle of subsidiarity should be taken into account. Also the Commission played a specific role in the disability policy. In this example, the Commission currently encourages member states to “promote the participation of people with disabilities in European sporting events as well as the organization of disability-specific events, in particular through supporting transnational projects and networks”. In addition, the Commission promotes the development and dissemination of “standards for accessibility of sport, leisure and recreation organizations, activities, events and venues through the European Disability Strategy” (Thomas, Guett, 2014). However, neofunctionalists use these examples as examples of the supervisory and executive role that the Commission has among member states. The Commission will take opportunities to formulate new legislation propositions and initiatives for further European integration due to conflicts that exist between the member states and the lack of clear EU laws. Which neofunctionalist concept the EC uses, varies from situation to situation. The Commission's tactics are schematically shown below.

Scenario 2.1. *Neofunctionalist influence process from a functional spillover point of view of the European Commission (Source: own processing)*



Scenario 2.2. *Neofunctionalist influence process from a cultivated spillover point of view of the European Commission (Source: own processing)*



3. Political spillover

The *political spillover* starts from a different position than the other spillover concepts. Within this concept, collaboration is not based on functionality, but the collaboration is “forced” in a policy competence by the political elite. This European cooperation is pursued consciously in this form as part of a *package deal* (Schmitter, 1970). For example, before the foundation of the euro Germany had a strong currency, namely the German mark. At that time, the German mark was so strong that the other member states based their national currency on the German mark. If the Bundesbank decided to devalue the German mark, the other countries also devalued their national currency. Yet, it is remarkable that Germany agreed to abolish their strong currency and also opted for a new common European currency. One explanation is the package deal that was made between Germany and France. In exchange for French approval of German reunification, which was in disadvantage of the French powers in the EU, the German government had to agree to abandon the German mark and to create a new European currency. In this example, the euro is not a symbolic step towards a federal Europe,

but the result of a classic negotiation about the different interests of the two European powers (Niemann, 1998; Vilpišauskas, 2013).

The Council is the political institution that contains the most obstacles about the European integration process (Richardson, 2015; Vermeersch, 2009). This is due to the different interests of the member states that are represented in this institution. Because countries often have different interests at this level, it is more difficult to find a compromise between them. Unlike the European Parliament, the Council will vote more amendments against further strengthening European policy competences (Marks et al, 1996;. Richardson, 2015). Nevertheless, the principle of disintegration is not always excluded in neofunctionalism. For a long time, neofunctionalists had difficulties by explaining certain issues of economic integration. As a way to explain these difficulties, the concept *spillback* came up (Caporaso, 1971; Lindberg, 1967; Rosamond, 2000). This concept raised the possibility to return certain competences to the member state level because it would damage the European project too much if these competences were still being (co-) organized at the European level (Eilstrup-Sangiovanni, 2005; Rosamond, 2000; Vilpišauskas, 2013; Wiener, 2004).

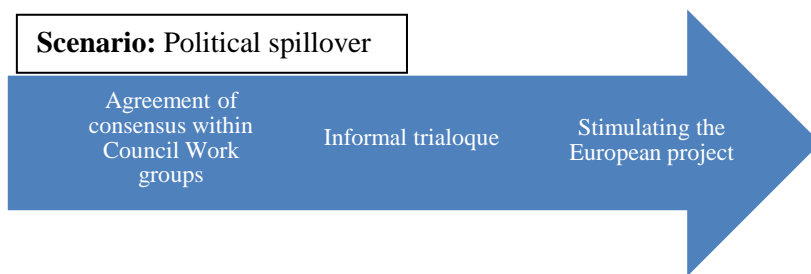
However, cooperation in this institution could also be organized in a different way. Neofunctionalists formulate this process as a *political spillover*. A *political spillover* is “forced” to promote European integration in a given competence. In this way European cooperation is pursued consciously by the political elites of the member states, as part of making a *package deal* (Schmitter, 1970). Further integration requires political action of the elites (Rosamond, 2000). The further development of a European policy is in this concept only functional to meet the interests of various stakeholders, as part of the *package deal* (general agreement). This is because this institution wants to find consensus in cooperation among other actors. These deals are usually concluded between the Council, the European Commission and the European Parliament in an informal trialogue (Coen, 2007; Richardson, 2015). In the trialogue, actors can make a *package deal* which also includes the *political spillover*. Because of the conflicts between actors, the Commission plays her role as *broker* to find a “European” solution. In addition to this solution the European competence is strengthened (Richardson, 2015). Often they will be supported by the European Parliament. In 2009, Rogulski and Miettinen stipulated in their article that the preparation for the Lisbon Treaty involves preparatory actions inspired by a “possible future EU sport programme”, and preparing for a new institutional framework between the Council and other institutions that will facilitate greater co-operation. At this institution, *political spillovers* are not ruled out.

Before the EU had a competence in sport, the sport ministers of each member state came together informally (Deroo, 2012-2013; Parrish, 2003). Those informal meetings were important to the

Convention which preceded the Lisbon Treaty. According to Deroo the Council has taken over the general legislative impact on sport without being the aim of it (Deroo, 2012-2013). When sport ministers met each other informally for a long time and still didn't want to give more powers to the European level, it can be assumed that sport ministers acted on a *spillback* basis. On the one side, the *political spillover* is equally applicable because the institution tries always to reach a compromise in all cases.

As shown by the diagram below, this entity has two possible scenarios. On the one hand, the conflicts between member states in the informal trialogue, that could bring European cooperation in danger. This leads to *spillback* and European disintegration. On the other hand, a *political spillover* is applied because of the natural attitude to find a consensus with other parties through an informal trialogue. Hence, the European project will be further strengthened.

Scenario 3.1. *Neofunctionalist influence process from a political spillover point of view of the Council*
(Source: own processing)



Scenario 3.2. *Neofunctionalist influence process from a spillback point of view of the Council* (Source: own processing)



4. Summary

The table below provides a general summary of the literature. The neofunctionalist concepts are ordered by each European actor.

Figure 4.1. Summary spillover table (source: own processing)

<u>European actors</u>	
European Court of Justice	
• Functional spillover	
European Commission	
• Functional spillover	
• Cultivated spillover	
European Parliament	
• Functional spillover	
Council of Ministers	
• Political spillover	
• Spillback	

CHAPTER 3

ERASMUS+ SPORT PROGRAMME

The Erasmus+ Programme Guide is an integrated programme for competences like Education, Training, Youth, Health, Culture and Sport for the European Union policy 2014-2020 (European Commission, 2016). Erasmus+ Sport Programme is part of the overall Erasmus+ Programme Guide. Erasmus + Programme Guide contains a number of European competences which the Commission suggests at first sight that these competences are interlinked together to generate optimal functioning goals of the Sport Programme. With this initiative, the Commission tries to promote common shared values, culture and identity to boost European integration to EU citizens. The purpose of the programme is to encourage organizations of several member states to work together in projects. For the Erasmus+ Programme Guide, the DG Education and Culture provides a budget of over 265 million euros. Part of that budget is intended to launch European sport projects between organizations in member states. The Sport Programme can be seen as an instrument to pursue the sport goals, which are written down in the Lisbon Treaty. These objectives are: (1) Tackle cross-border threats to the integrity of sport, such as doping, match-fixing and violence, as well as all kinds of intolerance and discrimination (2) to promote and support good governance in sport and dual careers of athletes (3) to promote voluntary activities in sport, together with social inclusion, equal opportunities and awareness of the importance of health-enhancing physical activity, through increased participation in, and equal access to sport for all. Focus is to be given to the grassroots sport (European Union, 2010).

To achieve these objectives, the Erasmus + Sport Programme supports different types of activities:

- 1) **(Small) Collaborative Partnerships**
- 2) Not-for-profit European sport events
- 3) Facilitate the dialogue on sport at EU-level

As neofunctionalists emphasize partnerships and collaboration, the first activity will be explained.

1. (Small) collaborative partnerships

The Commission funds a majority of partnerships between member states. The aim is that many organizations of different member states learn from each other through the participation in the sport programme. For example, learning about each other's management of sport data, the exchange of sport techniques and, equally important, learning about the culture and identity of member states. Governments are also participants in the projects, every government can learn about each other's sport policy. Projects consist of at least five organizations from five different member states and programme countries. The duration of a project is maximum three years. Organizations can only participate in one project per policy period. The EU is co-financing up to 80% of the project, for a maximum of 500,000 euros (European Commission, 2016). Because the Commission is funding projects to a large extent, it is interesting for most organizations to participate.

The theme projects of 2015 were:

Table 1.1. Theme projects (Source: own processing)

Health-enhancing physical activity (HEPA)
Dual careers for athletes
European Week of Sport
The prevention against doping in recreational sport
Prevention and awareness of match fixing
Promotion of voluntary work
Innovative and educational initiatives to combat racism, violence, discrimination and intolerance
Improving good governance
Promoting social inclusion and equal opportunities in sport, focusing on the EU strategies on gender equality and persons with disabilities

The table above shows that project themes contain more competences than only sport. Project themes consist of a set of competences that are integrated into sport such as health, gender equality, social inclusion, ... Every year there are new project themes, depending on the needs of participants. If a project is fulfilled, the organizations can evaluate the success of the project by filling in an evaluation form in which they can provide input on possible new themes for the next year. However, the projects are always based on the same policy competences, only the themes in the project selection may change annually (European Commission, 2016).

2. Which organizations and countries are participants in the partnership?

Public organizations and non-profit organizations from EU countries may be leader or partner of a project theme. These organizations may have different backgrounds and do not necessarily come from the sport sector. National, regional and local governments may also participate. Only two authorities from the same country who participate may not be grouped at one project (European Commission, 2016). The participants are primarily organizations from the 28, soon 27 (due to Brexit) member states. In addition, also organizations of not EU member state countries may participate in a project. These organizations are so called organizations of programme countries. These countries do not belong to the European Union, but are EU neighbourhood countries. These programme countries are: Liechtenstein, Macedonia, Iceland, Norway and Turkey. The organizations of the programme countries are only entitled to participate in a project, but can not organize a project themselves (European Commission, 2016).

In the literature, researchers stipulated that the foundation of the sport programme was just a question of time. The White Paper was just the beginning of an increased EU sport policy. In the article: *The EU and sport: the implementation of the White Paper on Sport and future prospects* of Rogulski and Miettinen (2009), they already thought that the foundation of a sport programme in the follow-up of the White Paper was a matter of time. Both researchers stated like this: *“the Commission has prepared a preparatory action for 2009 that could pave the way toward a future EU sport programme. The coming years up to and including 2011 are likely to be tentative, and will involve testing whether particular actions are feasible as well as creating the conditions for an effective implementation of such a programme. If the new Treaty provisions enter into force, any sports programme is likely to remain modest in size, with a societal orientation. It would probably be geared towards experimentation and the identification and promotion of good practices. As the supporting and co-ordinating nature of the competence suggests, the focus of an EU sport programme would probably be on supporting structures and networks rather than direct action. The programme would probably seek a leverage effect by complementing and influencing national, regional and local sports policies. Such an approach would implement the provisions on sport in the new Treaty while taking into account the EU’s general priorities.”* (Rogulski, Miettinen, 2009).

CHAPTER 4

METHOD AND DATA

This study wants to examine which neofunctionalist motives the European Commission, the European Parliament, the Council and the European Court of Justice used in the foundation of the Erasmus+ Sport Programme. In the literature, neofunctionalist concept(s) were linked to each European actor. In the past, neofunctionalism was linked to European economic corporation in the creation of a new political union at the supranational level. But do these neofunctionalist assumptions also apply to the foundation of a social sport programme? In this study, document analysis in combination with qualitative interviews are opted for as research methods. The document analysis is taken because of little existing documentation about the historical foundation of the Erasmus + Sport Programme. These documents are created by the European Commission and the European Parliament. Due to little existing documentation, qualitative interviews were taken in addition.

1. Document analysis

In the document analysis, a few policy documents were analyzed, without exaggerating in currently existing numbers. Most documents about the Erasmus + Sport Programme can be found on the website of the European Commission and the European Parliament. Examples of the analyzed documents are: *"Annual work programme 2016 for implementation of Erasmus+ Sport Programme"*, *"Erasmus + Programme Guide,"* *"Resolutions on good governance in sport organizations",...*

The policy document *"2016 annual work programme for the implementation of 'Erasmus: the Union Programme for Education, Training, Youth and Sport'"* describe the conditions participants must fulfil to participate on a sport project. In this policy document the importance of cooperation between the organizations is essential, if organizations should jointly submit a project (European Commission, 2014). The document *"Erasmus + Programme Guide"* is an integrated document which includes several policy documents, the Erasmus + Sport Programme being a part of it. The central idea is to bring European citizens closer together. To achieve this, the exchange and promotion of sport projects between organizations is considered as an important part. Sport is seen as an very important tool to learn different values, norms, culture and identity of other member states (European Commission,

2015). The more Europeans learn from each other's values, norms and culture, the more likely a common identity among Europeans will emerge.

The policy document "*EU Work Plan for Sport (2014-2017)* ", is an important document because it indicates the importance of sport as a coherent competence related to other competences. The Erasmus + Sport Programme is the practical application of the theoretical sport policy as described in the White Paper on Sport. Nevertheless, projects are organized that are in compliance with the European Treaty provisions on sport, such as: (1) good governance in sport organizations (2) anti-campaign against competition distortions (match-fixing) (3) health-enhancing physical activity and (4) sport and social education. (Council of Ministers of Sport, 2014). These objectives were also formulated in the policy document "*EU Work Plan for Sport (2011-2014)*". This document stipulates, for the first time, the correspondence between the various European actors. Sport is set up in this document as a major European competence to bring EU citizens and institutions together, despite the fact that the official European propositions are limited.

The European Parliament has also endorsed a regulation on the establishment of the Erasmus + Programme. (No. 1288/2013 of the European Parliament and the Council). The regulation shall bear the name ". *Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC*". The European Parliament and the Council are convinced on the objectives of the Commission's decisions in sport and sees sport as an important element in achieving the Europe 2020 objectives (European Parliament, 2013). Sport is an important tool to enhance people's social skills. By doing sport activities, people can boost their social skills and that can help them in finding a job (European Parliament, 2013). The European Parliament also recognizes that, by doing sport activities, disadvantaged groups (people with disabilities, immigrants, etc.), are better accepted in society.

2. Qualitative interviews

The additional research method is qualitative interviews. The choice of this second research method is adopted because there is not much documentation available about the history of the sport programme and the role of certain actors in the foundation of the programme. The respondents were selected based on their knowledge about the history of the Erasmus + Sport Programme and knowledge about the European actor (s) that were discussed in the literature. The respondents were all involved in the foundation of the programme. In addition, the respondents are all experts in

European sport policy, due to the fact that they work in the European sport environment. Each respondent has a different background: a respondent of the Flemish Sports Office, respondents from the Flemish Sports Administration, a member of European Parliament. What the respondents have in common is their knowledge and expertise on the Erasmus + Sport Programme. The diagram below shows the organization, function and the representation of the actor (s) of each respondent in the study.

Table 2.1. Respondents (Source: own processing)

Organization:	Function :	Representation of actor (s) of study:
Flemish Government of Sports (Sport Flanders) / KICS	Former attaché of the Flemish Government on Sports in the European Union (2013-2016)	Council of Ministers
Flemish Government of Sports (Sport Flanders) / KICS	Director and former attaché of the Flemish Government on Sports in the European Union (2009-2013)	Council of Ministers
Cabinet Flemish Minister of Sport/Ghent University	Counselor / lecturer	European Court of Justice, Council of Ministers
European Olympic Committees EU Office (EOC EU Office)	Deputy Director	Knowledge about all European actors (great expertise about the history of the sport programme)
European Parliament	Member and Co-Chair of the Intergroup Sports	European Parliament

The answers of all respondents were compared in the analysis of the foundation of the Sport Programme. Only the European Commission had no respondent, despite several attempts, which is the biggest limitation of this study. Nevertheless, most policy documents about the foundation of the sport programme were created by the European Commission. In addition, each respondent was questioned about the motives of the European Commission in the creation of the Sport Programme.

Preparation of the interviews:

The approach of the interview had been done via a semi-structured manner of interviewing. This means that the interview is not over structured, but there is enough space for the respondent to structure the interview personally (Mortelmans, 2013). Nevertheless, the semi-structured interview had a more or less defined set of subjects on which respondents were interviewed, in this case: (1) questions about the global foundation of the Sport Programme, (2) the motives of the organization they represent in the study, (3) the motives of other European actors. The semi-structured interview method is the dominant form of interviewing in the qualitative research method tradition (Mortelmans, 2013). To structure the key elements of the interview, a questions protocol was used.

Even though there is ample opportunity for each respondent to tell their own story, yet the researcher provides a starting point for the interview (Mortelmans, 2013). The biggest advantage was that the answers of all respondents were easier to compare in the analysis.

CHAPTER 5

RESULTS

The foundation history of the sports programme had already been started before sport officially became a European competence, hence the period before the Lisbon Treaty. This can be explained by the different political actions of the European Commission, before the Lisbon Treaty to clarify its sport intentions. Before the Lisbon Treaty, the European Commission evoked a *cultivated spillover* with many political intentions whereby the Erasmus+ Sport Programme was a result of it. The reasons will be explained further on in this study. After sport became an official European competence, the real foundation of the sport programme was evoked by a *political spillover*. In fact, two motives played an important role and were mixed, namely the *cultivated spillover* and the *political spillover*. There were differences between the European actors which motives they used. Each European actor perceived the foundation of the programme differently. The European Commission and the Council were both very involved in the development of the sport programme. The period before the Lisbon Treaty was characterized by a strong influence of the European Commission. The period after the Lisbon Treaty was characterized by a strong influence of the Council. It is no coincidence that these neofunctionalist motives were connected with these institutions in the literature. In the literature, a distinction was made about the neofunctionalist motives of each European actor. Each of the actor's motives will be discussed in the foundation of the sport programme. In addition, a comparison will be made with the neofunctionalistic concepts from the literature.

1. Council of Ministers

In the literature, the Council had obtained the neofunctionalist concepts *spillback* and *political spillover*. The Council has found a clear motive in the *political spillover*. In the Council, agreement was quickly reached as to how the content of the sport programme should look like. For example, Belgium was in favour of an anti-doping policy and match fixing policy into the programme. Around these policies, collaborative projects needed to be launched. Nevertheless, there were member states that made substantive objections. Mainly the Nordic member states, such as Sweden, wanted minimalistic actions coordinated from the European Commission to guarantee the freedom of the sport sector as much as possible. However, this policy disagreement between the member states has had no negative

influence on the positive consensus attitude within the Council working groups. A quote of the former Belgian attaché confirms: *"Almost every member state was very positive about the development of sport at the EU level. Not all countries were equally enthusiastic, but this did not ensure that the consensus attitude disappeared in the COREPER groups."*

Although the effective negotiations were part of the informal dialogue, there was a quick agreement within the sport group that the attention in the sport programme should go to the transnational projects. However, the negotiations of the sport programme were not led by the working group Sport. Once it became clear that the sport programme would be a part of the Erasmus + Programme Guide, the negotiations were conducted by the working groups Education and Youth. The reason is that the competences Education and Youth are proportionally larger than sport in the Erasmus+ Programme Guide. According to the respondents, it was the occasion for the Commission to play his role as *broker* (conciliator) during the negotiations. Because the policy competences Education and Youth didn't obtain a separate programme, the sport programme couldn't get one either. In this case, the Commission played a successful role as *broker*.

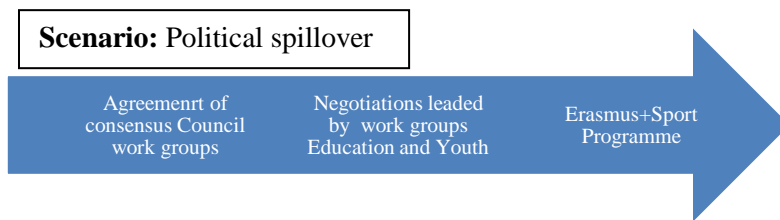
As mentioned above, the negotiations were not directly negotiated by the sport group. According to the respondents, there was a simple reason. Most sport attachés had initially no knowledge about the functioning of the European Union. That also played in favour of the Commission to act as *a broker* and as a *neutral arbiter*, but actually the intention was to pursue its own agenda of task expansions. Contrary to the literature, the Commission strengthened its power level not directly. In the negotiations, a *package deal* was made about the subsidy budget. It was determined that 10% of the total subsidy budget amount would go to major events of major sport organizations. In exchange for this, the subsidy budget of the sport programme would increase for the following years.

According to the respondents, the Council will not take actions in the future to provide a spillback attitude. This neofunctionalist attitude means that European powers in the European sport policy could decrease. The Council stipulates that this hypothesis is not realistic because it is convinced that the current European partnerships provide a boost for the European project but also for the own national sport policy. An additional hypothesis is the following quotation: *"Once a sport policy is created at European level, it is difficult to abolish it. That's always been the case, once something has become a European competence, it is not easy to remove it."*

Respondents had different opinions about the importance of the Council in the foundation of the sport programme. One part of respondents thinks that the foundation of the sport programme will further strengthen the national sport policy. The other part of the respondents think that the sport programme is a logical consequence of the provisions in the Lisbon Treaty and this programme is not necessarily

created to strengthen the national sport policy. However, the European Council has presented fewer amendments regarding the foundation of the programme, because sport mainly continues a member state competence. It can be concluded that the concept *political spillover* is the most suitable to the Council, despite a *spillback* attitude. The diagram below indicates this.

Scenario 1.1. *Neofunctionalist influence process by a political spillover in the foundation of the Erasmus + Sport programme, according to the Council of Ministers (Source: own processing)*



2. European Commission

In the literature, the European Commission obtained the neofunctionalist motives *functional spillover* and *cultivated spillover*.

As previously discussed, the neofunctionalist concept *cultivated spillover* was used by the European Commission before the Lisbon Treaty. The motives of the Commission in the foundation of the sport programme were extremely important. All respondents stated that the European Commission was a major initiator of organizing sport at European level. In addition, this institution wanted to convert its European negotiated sport policy bringing into practice with the foundation of the Erasmus+ Sport Programme as result. The Commission was very active in the pre-Lisbon period. This was mainly characterized through the numerous preparatory actions. In previous statements, the Commission had already committed to organize sport at some moment at the European level. After the Lisbon Treaty, at which sport became a European competence, the Commission has acted according to the legal provisions of the Treaty, namely (1) create European added value and (2) co-subsidize sport activities (Article 11 and 12). The Commission has a large interest in the well-functioning of the sport programme. If the sport programme is perceived positively by national sport actors of member states, it is possible that the Commission will take further initiatives to increase its role in sport policy behind the scenes. In the past, the Commission has already repeatedly done that by providing a "strategic position" in sport for people with a mental / functional limitation, as mentioned in the literature. The following quotes give this opportunity again. Nevertheless, it's important to note that the Commission is legally bound to the provisions of the Lisbon Treaty.

"Before sport was an authority of the European Union, the Commission has always been the trigger and the coordinator for sport and the policy around."

"In fact, the pragmatic question is: is the sport programme necessary for the Commission to continue its work on sport? That programme will play a big part in her role as initiator. "

"I think the Erasmus + Sport programme can play an important role in the implementation of certain EU laws, but legislation is perhaps not the right word in this case. The documents adopted by the Council or the European Parliament have little legal value. If the programme fulfils its goals, I think the Commission has an important statement to foster further legislative initiatives in the sport policy. "

As was mentioned in the literature, the Commission is trying to stimulate the European identity also in the sport competence, in cooperation with the European Parliament. Both institutions provided activities in the programme that had the goal to stimulate the European identity. Examples of activities were: the European Day of Sport and the European Week of Sport implemented in the sport programme. Both activities were initially not planned as part of the sport programme. Next quote indicates the intention goals of both activities: *"The intention of the Commission in the implementation of these activities is that they want to show that you can get added-value from collaboration and learn from sport activities from other member states so you immediately learn about other cultures. "* As the literature indicates, the Commission is trying to make its European identity in sport apply through the sport programme. In addition, they stimulate "Europeanisation" as solution and boost the European project. To act, the European Commission uses its tactics as *neutral arbiter*. The following quote of a respondent indicates this: *"Member States have so many private interests that the EU needs a neutral arbitrator. The Commission sees itself to fulfil this role. Nevertheless, the Commission is not completely neutral, but it should be because it is more than each member state."* As indicated in the literature, the Commission used "Europeanisation" as a solution to increase its power in a competence. The Commission used also this instrument in the foundation of the Erasmus+ Sport Programme. In this case, the Commission made a condition which stipulated that the sport programme can only be considered as a part of the Erasmus + Programme Guide and couldn't be a fully independent programme. If this was not the case, the Commission would give less subsidy budget.

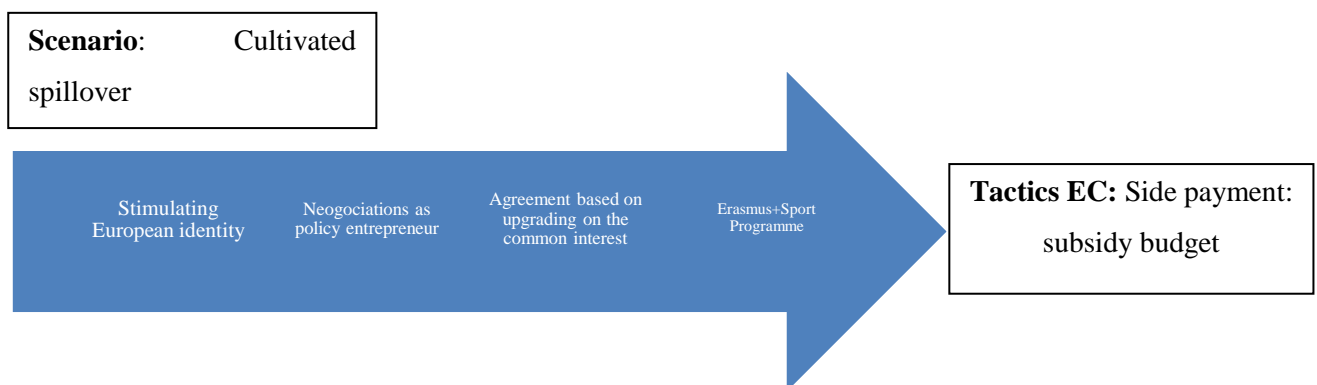
During the negotiations the Commission was looking for the greatest common divisor, which is called by neofunctionalists *the upgrading of the common interests*. Due to the many direct (informal dialogue) and indirect (advocacy groups) actors consulted in the negotiations, the Commission used her motive as *policy entrepreneur*. The foundation of the Erasmus+ Sport Programme is a first crucial argument for the Commission for task expansions in the European sport policy. Giving subsidies as a *side payment tactic* was used to convince the member states of the further development of the

programme. All respondents stated that if there was no subsidy budget originated from the Commission, the sport programme probably wouldn't exist.

According to the respondents, the *window of opportunity* didn't play an important role in the foundation of the programme. All respondents stipulated that the foundation of the programme was a logical consequence of the European powers into the European sport competence. As previously mentioned, the respondents notified that the Commission can't act completely reckless. However, the Commission has still limited legislative powers in sport. That illustrates the following quote: "*Eventually the member states pay for the well-functioning of the programme. They monitor the acts of the Commission closely. It's not supposed that the Commission will put its mark on the sport programme.*"

According to the respondents, the foundation of the Erasmus+ Sport Programme was no reason for the Commission to pursue policy objectives in other policy competences. This excludes the *functional spillover* as operative reason. Due to this argument, only the *cultivated spillover* remains, despite the other neofunctionalist concept.

Scenario 2.1. *Neofunctionalist influence process by a cultivated spillover in the foundation of the Erasmus + Sport Programme, according to the European Commission (Source: own processing)*



3. European Parliament

The European Parliament has obtained a special motive in the literature, like the ECJ, namely an *intermediate function* that could evoke a *functional spillover*. In this case, the European Parliament used this motive. The citations of the respondents indicate this:

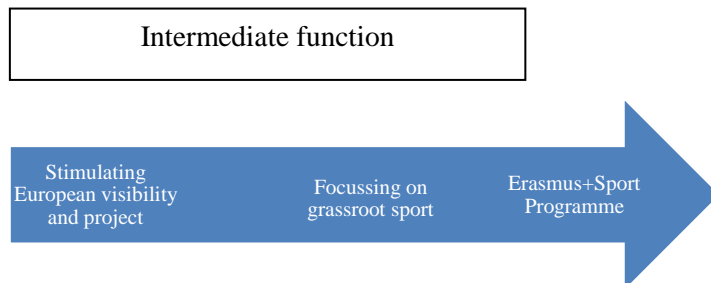
"In general, but also at this case, the European Parliament and the ECJ used his special role to influence the process."

"I would give the ECJ and European Parliament a special status to more fundamental discussions."

The main goal of the European Parliament through the negotiations on the programme was to expand the subsidy budget, but the member states used their veto. The European Parliament wanted to increase its visibility by implementing the programme. In addition, it wanted to strengthen the European identity. The following quote illustrates this statement: *"The European Parliament has supported the Erasmus + Sport Programme, because they knew that the programme would be a part of the Erasmus + Programme Guide. The Erasmus + Programme Guide is better known among the European citizens and if we want to keep stimulating the global European project, we need to convince citizens by giving more subsidy budget for the sport programme. "*

During the sport programme negotiations, the European Parliament emphasized grassroots sport. Several respondents stated that the Parliament has influenced the European Commission behind the scenes to emphasize grassroots sport in the programme. In previous legislative initiatives of the Commission, the focus was initially on a better cooperation between the major sport organizations. Due to the negotiations of the MEPs from the CULT Committee, the sport programme was mainly intended for grassroots level sport. The European Parliament as institution didn't perform in the negotiations as a full-fledged actor. Mainly in the period before the Lisbon Treaty, when sport was not yet a European competence, the European Parliament acted as a full-fledged actor. The goals of that period were to lift sport at the European level. Since sport became a European co-authority, the Parliament has acquired influence and was a co-decision maker in the decision-making process. The main purpose of the European Parliament is therefore achieved. As long as the European visibility and European identity is further stimulated, the European Parliament is satisfied. The foundation of the Erasmus + Sport Programme, the European Week of Sport and European Day of Sport, are signals that indicates European identity and European visibility. As explained in the literature, the European Parliament is good at cultivating the European Commission with the aim to increase its own power. By exerting informal pressure on the Commission and by providing more subsidy budget for the programme, the European project will further increase.

Scenario 3.1. *Neofunctionalist influence process by a functional spillover in the foundation of the Erasmus + Sport Programme, according to the European Parliament (Source: own processing)*



4. European Court of Justice

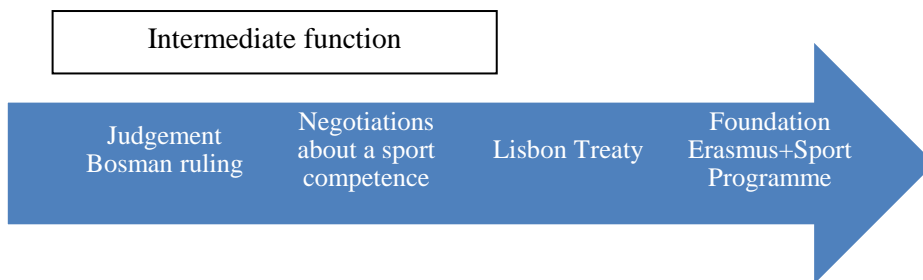
According to the literature, the ECJ had a special *intermediate function* to evoke the *functional spillover*. At the conclusion of the foundation of the Erasmus+ Sport Programme, all respondents stated that the ECJ had no direct influence. Moreover, the ECJ doesn't obtain more power in the foundation of the programme. That is due to the fact that the ECJ has no legislative powers in policy competences. Nevertheless, the ECJ gave an important trigger to consider sport as a European competence. Previous judgments like *Walrave and Koch*, but mostly the *Bosman* ruling was a major judgement catalyst for the European Commission as a starting-point to think about legislating themselves to engage competences in sport. Also the literature emphasized the importance of this judgement. The statements of the respondents were clear.

"After the Bosman ruling, a political war situation was created when you read some press statements. The judgment has certainly led to an increased focus from the EU on sport. That judgement ultimately led to a real concrete instrument namely, the Erasmus + Sport Programme. "

The European sport policy arose in the ECJ point of view from the *Bosman* ruling. The sport programme is a practical tool that is part of the European sport policy. Its function is to convert the theoretical European sport policy objectives into practice. For a long time, the EU had no competences in sport, but the judgement cases of the ECJ were an important game switcher for the European Commission to consider doing something about the European sport policy because of the interpretation gaps in EU laws. According to neofunctionalists, the foundation of the general sport policy was evoked by a *functional spillover* thanks to the ECJ. This is motivated by two reasons. First, the judgement of the ECJ stated the specificity of sport. Second, ECJ judgement made clear that it was necessary that the European Commission could take some legislative initiatives in the sport policy to ensure and protect

the correct interpretation of the single market rules and competition policy in the sport sector. This had been too often ignored in the past. If the EU has powers and competences in sport, the European laws across all sectors, including sport, would be clearly interpreted. That is the reason why sport had also to be considered as a European competence. As the literature indicated, the past ECJ judgments have significantly contributed to bring sport also to the European level. The foundation of the sport programme is partly caused by the legal competence the EU has in sport, which was officially obtained by the Lisbon Treaty. The European Court of Justice has played an indirect influence in the foundation of sport at the European level by its earlier cases. The diagram below indicates this process.

Scenario 4.1. *Neofunctionalist influence process by a functional spillover in the foundation of the Erasmus + Sport Programme, according to the European Court of Justice (Source: own processing)*



CHAPTER 6

CONCLUSION

In the process of realizing a common European sport policy, the impact of the ECJ by evoking a *functional spillover* should not be underestimated. Thanks to the judgements of the European Court of Justice on the correct interpretation of EU laws concerning the single market, freedom of movement and competition in the sport sector, it was a trigger point for the Commission to think about sport as a European competence. The European Commission has dealt to take initiatives in formulating a sport policy. This can be partly explained because of the limited former laws about the autonomy of sport organizations. In this case, as it was stipulated in the literature, the ECJ is an enormous agenda setter of new European competences in compliance with the single market regulations. Also in this case study, the gaps of single market regulations in the sport sector were the starting-point to not only consider sport as a full-fledged member state competence.

The European Commission obtained a *cultivated spillover* as concept, despite the *functional spillover*. As explained previously, this is due to the long intentional actions that started already before sport became an official competence of the EU. The foundation of the programme was not intended to fulfil objectives in other policy competences. Since the Lisbon Treaty, the Commission was legally bounded to the provisions of the Treaty. Nevertheless, at the moment, they use their instruments and tactics behind the scenes to foster cooperation in sport policy themes. The European Parliament wanted to guarantee the European visibility and wanted to boost the global European project with the sport programme. However, it was very important for this institution to emphasize the grassroots sport in the foundation of the programme. The confusing single market regulations in the sport sector were not important in the point of view of the European Parliament. Sport was a new instrument for the European Parliament to boost the European project and visibility. Although the European Parliament and the ECJ evoked the *functional spillover*, the motives behind the concept were otherwise interpreted. The Council only reserves the concept *political spillover* despite the *spillback* attitude as explained in the literature. Within the Council there was no evidence that could lead to the abolition of sport authority and a decrease in power in a European competence. According to the council, the foundation of the programme is not only a boost to make sport collaborative partnerships, but the programme will also boost the national sport policy of member states. This summary below stated the neofunctionalist motives of the European actors in the foundation of the Erasmus+ Sport Programme according to neofunctionalists. What has been proven by doing this study, is that neofunctionalist are

not only capable of explaining the European economic integration, but also the European social integration like sport. It concludes that not one motive or one concept can be used in the foundation of the sport programme, but it is a mixture of concepts and motives. This by investigating the neofunctionalist motives of each European actor in accordance with their historical European sport initiatives, neofunctionalist importance and function in the European decision-making process.

Figure 1.1. Summary table of neofunctionalist concepts in the foundation of the sport programme
(Source: own processing)

<u>European actors</u>	
European Court of Justice	
• Functional spillover	
European Commission	
• Cultivated spillover	
European Parliament	
• Functional spillover	
Council of Ministers	
• Political spillover	

CHAPTER 7

THE WAY AHEAD

This study wanted to explain the foundation of the Erasmus+ Sport Programme from a neofunctionalist point of view. According to this view, this study is unique because there are no many neofunctionalist research studies who investigated the foundation of a social competence at EU level. To further confirm this study, a future research agenda needs to contain the following topics:

- The Erasmus+ Programme Guide includes also other social programmes from other social policy competences like, the Youth Programme and the Education Programme. These programmes are the two other components of the Erasmus + Programme Guide. Further research can also be applied to examine the foundation of the Youth and Education Programme according to neofunctionalist assumptions. The results of these cases can come to other outcomes or reconfirm the results.
- The study can also be tested by using other European integration theories like (liberal) intergovernmentalism, the greatest counterpart of neofunctionalism, and this could lead to different results.

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