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Civil Society Organisations beyond the European Union: Normative Expectations and Local Realities

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Abstract

This article analyses the development of the EU's external civil society agenda and how this is interpreted by various actors. Using qualitative interviews carried out in Ukraine, Georgia and Brussels, the article shows how the EU's external civil society agenda has developed in parallel with the EU's internal 'governance turn'. Changes in this narrative from a partnership-orientated role towards a more political watchdog-role for civil society organisations are (re)interpreted differently by EU actors, EU-based civil society organisations and those in the neighbourhood countries. By focusing on localised interpretations and the inherent contradictions this policy produces, this article shows that civil society's new watchdog role is not only directed towards controlling domestic governments but also the EU.

Keywords

European Neighborhood Policy; Civil Society; Europeanization; Georgia; Ukraine

The starting point for many studies of Civil Society Organisations (CSOs) is a normative one: civil society, understood usually as an associational sphere located between the private and the political, is often regarded as a 'cradle of democracy' which has encouraging effects on the development and long-term maintenance of a vibrant democracy in the national context and, by extension, also at the European Union (EU) level. CSOs contribute to deliberations in the public sphere. They also play an active role in policy processes by mediating conflict, putting checks on power and promoting social learning. Scholars of European Studies have described these democracy and partnership related roles of CSOs and their dynamics both at the EU and the domestic level, i.e. the EU member or candidate states (for a good overview, see Heidbreder 2012). These studies show how at the EU level, CSOs can contribute to planning, implementing and assessing EU policies. At the same time, the stronger involvement of CSOs is described as part of the Commission's effort both to achieve higher effectiveness of its policies by tapping into their knowledge base and to address criticism of the EU's so-called democratic deficit (Kohler-Koch and Quittkat 2013). At the domestic level, studies analysing civil society 'on the ground' show that Europeanization of CSOs can happen both indirectly and directly. Indirectly, the EU can be influential in altering the domestic structures that govern CSOs (Marks and McAdam 1996). More directly, it can also provide attention, training or financial support for these organisations, raising their capacity to become active in policymaking (Axyonova and Bossuyt 2016; Börzel and Buzogány 2010; Sanchez Salgado 2017; Wunsch 2015).

At the same time, studies of CSOs in the EU often rest on taken-for-granted assumptions derived from realities of Western European political and economic contexts (O'Dowd and Dimitrovova 2011). The limits of such generalisations are shown in work on CSOs in the Central and Eastern European (CEE) EU accession states (Fagan 2006; Guasti 2016). Not only was the participation in CSOs and their organisational capacities regarded as inferior to those in Western Europe (Howard 2003; Sissenich 2010) but perhaps more importantly, public trust in CSOs in Eastern Europe has also been found to be alarmingly low (Mishler and Rose 1997). Adding to this, as civil society has largely emerged in opposition to the authoritarian state in many post-socialist countries, many CSOs still regard themselves as being autonomous from rather than partners of the state (Falk 2003). At the same time, despite the existing differences between East and West, various studies show EU impacts on

CSOs during the pre- and the post-accession period (Demidov 2017; Dimitrova and Buzogány 2014), nuancing somehow the image of an overly weak civil society in the region (Foa and Ekiert 2017).

While such findings partly contest essentialist views assuming the weakness of CSOs in the region by default, most research has focused on the CEE states, where the EU accession process and later EU membership have created very specific opportunity structures (Börzel and Buzogány 2010; Císař 2010; Noutcheva 2016; Wunsch 2016). However, except for emerging research on the Western Balkans (Fagan 2010; Fagan and Sircar 2016; Wunsch 2015) or Turkey (Boşnak 2016; Ketola 2013), there is still limited knowledge about the substantive impact of the EU on CSOs in countries beyond EU borders. To fill this gap, this contribution focuses both on the institutional framework that governs the EU's external civil society policy in the context of its Eastern Partnership (EaP)¹ and the practical consequences this has on CSOs in two countries, Ukraine and Georgia. Going beyond the simplistic top-down Europeanization perspective that asks whether political opportunity structures provided by the EU are used (or not) by domestic CSOs, this contribution offers a more nuanced and practice-focused view that links institutional arrangements with micro-practices on the ground (see also Demidov and Sanchez Salgado, this issue). While building on findings from the institutionalist literature mentioned above, the article engages with a more sociological perspective that zooms in on meaning-making and the strategic usage of narratives by CSOs. This 'bottom-up' perspective is more actor-centred than traditional approaches of Europeanization as it perceives CSOs not merely as passive subjects of external influence, but regards them as actors making active usage of EU norms by redefinition and reinterpretation (Lombardo and Forest 2011; Woll and Jacquot 2010; see also Buzogány 2012). The benefit of combining such a discourse-focused perspective with a more institutional one is to build on the strength of both approaches and explore their mutual interconnectedness.

Using this dual perspective, the article claims that since the inception of the EU's neighbourhood policy there has been a gradual shift in how the EU perceives CSOs. The shift from a more partnership-orientated role towards a more watchdog-orientated one has been a result of internal developments within the EU but also of external developments taking place in the EU's neighbourhood, such as the Arab Spring and various conflicts in the post-Soviet area. The contribution also highlights the differences and contradictions in how the EU and CSOs perceive their own roles. While the EU's official discourse frames the watchdog role as instrumental in keeping the implementation of policies on track by putting pressure on domestic governments, EU-based CSOs and domestic CSOs reinterpret this watchdog role as not only orientated towards the domestic government, but increasingly also towards the EU itself. In effect, this can provide domestic CSOs and the transnational networks they are embedded into with leverage not only over domestic governments in the neighbourhood countries but, indirectly, also over EU decision-making.

The contribution proceeds in five steps. The next section reviews the main discussions concerning the external effects on civil societies in literatures on the EU external governance, democracy-promotion and on civil society in (semi-)authoritarian settings. It also develops a conceptual framework for the contribution which is derived from classic conceptions of civil society. The following section discusses research design and methods. The fourth section presents the development of the EU policies towards CSOs in its neighbourhood policy, while the fifth offers empirical findings on how different actors involved relate to this. The last section summarises.

EUROPEANIZATION OF CSOS BEYOND EU BORDERS

The participation and inclusion of organised civil society in the European Union has received increased attention in the literature focusing on the institutional development and democratisation

of the EU (Heidbreder 2012). This literature clearly shows that the civil society narrative has become powerful on the EU level mainly because of functional reasons – both as a tool to overcome the democratic deficit and to make implementation of EU policies more effective and legitimate. Policy implementation also provides the link to the domestic level: participatory processes are not restricted to the EU-level: they hold important implications for the member states which show very different traditions of state-society relations, reaching from more corporatist to more etatist or pluralist forms (Demidov 2017; Saurugger 2007).

In contrast to the burgeoning literature on the above topic (see the Introduction to this special issue for an overview), much less attention has been paid to the Europeanization of CSOs beyond the EU's borders. However, the participatory principle, even if rather vaguely defined, has started to play an important role not only within the EU itself, but also in EU foreign policymaking or in EU neighbourhood relations. The literature on policymaking in fields with obvious external impact, such as EU development cooperation or foreign and security policy, describes the increasing activism of non-state actors even in initially strongly intergovernmental arenas and notices linkages between internal developments within the EU and its external policies (Joachim and Dembinski 2011; Shapovalova and Youngs 2014). While the emphasis here is still mostly on EU-based non-state actors, the external governance literature makes even more clear the case for including non-EU actors into the analysis of how EU norms are extended towards other states (Lavenex 2004). On the policy level, this functional spill-over ranges from migration and internal security (Ademmer and Delcour 2016; Wetzel 2016) over energy and environmental policy (Buzogány 2016; Schulze and Tosun 2013), to judicial reforms (Natorski 2013). At the same time, policy-transfer is rarely restricted to transplanting EU legal frameworks but also leads to the adoption of more overarching EU meta-norms of democratic governance, such as transparency, accountability and participation (Freyburg, Lavenex, Schimmelfennig, Skripka et al. 2015). Signalling allegiance, at least symbolically, towards these meta-norms by governments provides leverage to new groups of domestic actors, including CSOs, which typically enjoyed little formalised access to the domestic policy process. However, while the concept of external governance is explicitly open to include a variety of different, state and non-state actors inside and outside the EU's formal boundaries, most research to date has still been focused on intergovernmental activities in the first place (for notable exceptions, see Aliyev 2015; Beichelt, Hahn, Schimmelfennig and Worschech 2014; Kostanyan 2014; Rommens 2014; Smith 2011).

The literature on external democracy-promotion and particularly on the role of CSOs herein is helpful to identify the mechanisms that stand behind the empowerment of CSOs. As prominently shown by research on transnational advocacy networks (Keck and Sikkink 1998), international attention offers the chance for domestically constrained non-state actors to use the so-called 'boomerang-effect' to induce external pressure via 'naming and shaming' at the national level. Such networks are particularly promising to catalyse transnational social learning processes, e.g. by identifying and amplifying issues, connecting different stakeholders or monitoring policy implementation (Brown and Timmer 2006). In its outward-orientated policies, the EU provides international resonance for select CSOs from the target countries. Adding to this, not only does the EU watch eagerly the implementation of common agreements itself but it also reaches out to NGOs, which act as local agents of Europeanization (Dimitrova and Buzogány 2014; Wunsch 2016).

One part of the literature on external democracy-promotion cautions against imposing overly heroic expectations on CSOs in transition or developing states. Thus, the focus on CSOs in Eastern Europe, where civil society experienced different developmental trajectories to Western European ones, calls for a more differentiated perspective. Related to this contribution's geographic focus, there is a canonical literature addressing the weaknesses of civil society in Eastern Europe (Howard 2003). It became a commonplace to argue that civil society is either weak and forceless, or alternatively, to

posit that if it is not weak and forceless, it is externally driven. Looking at the effects of international influence, the specialised literature has contradictory findings about whether this has strengthened such groups (Císař 2010) or ultimately hijacked their agendas (Fagan 2006). Particularly the latter literature on NGOisation underlines the dangers which come with exclusive reliance on external donors in settings where civil society is historically weak. More recent studies, however, also show that internal differentiation is taking place between more grassroots-orientated and more professionalised, i.e. policy-orientated, parts of the civil society (Petrova and Tarrow 2007).

The literature on civil society under (semi-)authoritarian rule provides the flipside to the above discussion on the external influence on CSOs. The question here is how independent civil society can develop and act under politically difficult domestic conditions (for an overview, see Lewis 2013). While one part of this literature assumes a direct link between civil society (promotion) and democratisation, others argue in contrast that external civil society support often backfires and tends to legitimise authoritarian regimes (Cavatorta 2012) or that such regimes often co-opt CSOs or set up so-called government-owned NGOs (Stewart and Dollbaum 2017).

The main tension emerging from the above mentioned literatures is the question of how CSOs manoeuvre between various external expectations and domestic constraints. While the existing policy-orientated literature on CSOs in the context of the ENP identifies important aspects of this nexus, its main concern remains the EU's policy framework (Bousac, Delcour, Rihácková, Solonenko and Ter-Gabrielyan 2012; Falkenhain and Solonenko 2012; Rihácková 2014). This contribution is interested in how EU civil society policies are perceived by CSO actors involved in policymaking at the EU level and in the neighbourhood countries. This includes the different roles they may play – such as debating, planning, implementing and assessing of policies – but also their perception of their own roles as CSOs in these processes. In doing so, the article is inspired by the sociological perspective popularised in European Studies by Woll and Jacquot (2010) which posits that actors 'make use of Europe' and cognitively transform discourses through redefining, interpreting, coding and decoding its often contradictory and ambiguous meaning. This attention given to the discursive construction of their roles underpins pleas in the literature for a stronger orientation towards actor- and discourse-centred perspectives which are outlined in the Introduction as well as several contributions in this special issue (see also Lewis 2013).

In order to make full use of such a perspective, we conceptualise the meaning of civil society, which is a central point of reference both in discourses of the EU and among the CSOs themselves. Classic readings of political theory present us with different understandings of what civil society could mean (Merkel and Lauth 1998). From a classical liberal perspective in the Lockean tradition, civil society is regarded as a means of defensive protection from the state, while a Montesquieu-orientated reading more strongly underscores the controlling aspect of civil society when encountering the state. Other theorists emphasise the communicative aspect of civil society, starting with Tocqueville's classic work on civil society as a school of democracy or Habermas's conceptualisation of civil society as the public sphere (Lewis 2013).

For the purposes of this article,² it suffices to distinguish between two main concepts of civil society that are prevalent in the EU's CSO related policies: civil society as a 'watchdog' and civil society as a 'partner' (cf. Table 1). This conceptualisation largely overlaps with Knodt and Jünemann's (2008) differentiation between a 'dichotomous' and an 'integrative' perspective on state-CSO relations (see also Axyonova and Bossuyt 2016; Hahn-Fuhr and Worschech 2014). Perceiving civil society as a *watchdog* underlines civil society's role in controlling state action by presenting perceived shortcomings before the wider public. This is derived from the classical liberal perspective emphasising civil society's autonomy from the state (Hahn-Fuhr and Worschech 2014). While the watchdog role stresses the opposition between state and civil society and the controlling aspect of

civil society, the *partnership* role highlights just the opposite, the inclusion of civil society in policy processes and its potential to co-shape policy output. The partnership role is thus seen as civil society complementing the state through service provision. Service provision can mean offering resources, including specific knowledge and expertise un-available to policymakers, in exchange for influence over the policy process or its outcomes (Hahn-Fuhr and Worschech 2014). By becoming part of the policy process, civil-society participation can increase the legitimacy of the policy itself and help public actors to defend their goals both publicly and intra-institutionally.

Table 1: Overview of the two ideal-typical conceptions of civil society

	Watchdog	Partner
Intellectual tradition	Liberal (Locke, Montesquieu)	Republican (Tocqueville, Putnam)
State-CSO relationship	Independent dichotomous	Dependent integrative
CSO role in policymaking	Controlling the state: monitoring	Complementing the state: service provision, mediation

Source: own compilation based on Knodt and Jünemann (2008) and Hahn-Fuhr and Worschech (2014)

The institutionalist literature on CSOs within the EU has placed an emphasis on discussing the pros and cons of the partnership model of state-society relations by asking, for example, which kinds of governance modes can be established between state and society at the EU or member state level (Kohler-Koch and Quittkat 2013). At the same time, when deriving the above two ideal-types from the literature, we need to bear in mind that in practice there might be overlaps between these roles (Knodt and Jünemann 2008). While establishing cooperative relations between civil society actors and the state has been one of the main goals in EU external civil society promotion policies (Ketola 2013; Wunsch 2015), the EU might support both the ‘watchdog’ and the ‘partnership’-orientated spectrum of civil society (Knodt and Jünemann 2008: 262).

What a sociological approach can add to this perspective is the stronger focus on actors’ framing of institutional arrangements that shape state-society relations. This helps to uncover the possible contradictions not only between these arrangements, but also between normative expectations voiced towards these institutional arrangements and local realities. The empirical section explores how these different conceptions of civil society (and their normative implications) can be applied to EU civil society policies and to actors’ perceptions on the ground.

RESEARCH METHODS AND DESIGN

The empirical section of this contribution relies on qualitative methods. It uses triangulation of policy documents, written reports, stakeholder interviews and participant observation of EaP events in a multi-sited research that took place both at the EU level in Brussels and two EU neighbourhood states (Georgia and Ukraine). In order to accomplish the above-mentioned goals, i.e. describe the institutional arrangements *and* capture the framing of these by the involved actors, the article draws on two main research steps. First, the institutional arrangements governing civil society relations are analysed in order to establish the baseline assessment of EU concepts introduced above. This mainly concerns the EU’s general policy towards external civil society promotion in the framework of the ENP.

Second, to establish how these institutional arrangements are perceived by different actors, the article relies on in-depth interviews with CSOs and representatives of EU institutions carried out

between 2009 and 2013 within the framework of a larger research project (see Buzogány 2016, 2018). CSOs from Ukraine and Georgia, Commission officials and EU level CSO representatives directly or indirectly dealing with EaP matters were interviewed. This was complemented by participant observation of several EaP events. Altogether, 22 face-to-face, telephone/Skype or e-mail interviews were carried out at the EU level and in Ukraine and Georgia (see Table 2). All CSOs interviewed were heavily involved with EU-related processes in Brussels or in Ukraine or Georgia, the large majority being participants in the National Platforms of the Civil Society Forums which were established under the EaP.³ In addition, interviews with two sectorally specialised civil society umbrella organisations working at the EU level, one large transnational CSO with offices in Brussels and a political foundation affiliated with a German political party were carried out to capture the voices of EU-based CSOs active in the EaP Civil Society Forum. EU officials included both Brussels-based ones (N=3) and those working in the Delegation of the European Commission in Kyiv and Tbilisi (N=3). Their tasks were closely related to the implementation of EU policies in the EaP framework, either by focusing on substantive policies or working at the interface of EU-civil society relations, for example as liaison officers in charge of contacts with civil society.

Table 2: Overview of interviews

	Commission	EU CSO	Domestic CSO	N
Ukraine	1	-	6	7
Georgia	2	1	5	8
EU-level	3	4	-	7
	6	5	11	22

According to the literature, the situation of CSOs in both Ukraine and Georgia is comparatively benign by post-Soviet standards (Shapovalova and Youngs 2014; Stewart and Dollbaum 2017). Both countries were front-runners in the EU approximation process and show relatively strong CSO participation in the implementation process (Lovitt 2013). While the two countries also differ in a number of characteristics, the emphasis in this article is not so much on country variation but on strategies and discourses of the interviewed actors focusing on the specific question of Europeanization of CSOs. While acknowledging the multitude of formal organisations or informal groups forming the larger universe of civil society in the two countries (such as citizen groups, grassroots organisations, charities, social movements, etc.), the article deliberately focuses on a relatively small part of this universe. All CSOs interviewed in Georgia and Ukraine were organisations working on issue areas that have received attention in EU policies. This selection made sure that these organisations were likely to know and be able to judge EU activities on the ground in their respective fields of expertise. Thus, the interviews are not necessarily representative of CSOs active in the EU neighbourhood countries or in Ukraine or Georgia, but only of a small elite of them that actively participates in the EU process in similar contexts. This selection also restricts this contribution from addressing pertinent issues mentioned in the literature such as the gap between EU-orientated CSOs and domestic grassroots groups, or from making generalisable claims that go beyond a strongly elitist segment of civil society in the neighbourhood countries.

The interviewees were asked in open-ended, semi-structured interviews⁴ to reflect upon the implementation of EU related policies in their field of activity and on the role CSOs are playing in this process. While the interviews also covered other, more technical aspects of policy implementation which are not addressed here (but see Buzogány 2013, 2016), the respondents were asked to assess 1) their relations with EU institutions, 2) the domestic government, 3) other CSOs active in the field and 4) their own role. In addition to the analytical framework outlined above which builds on the two conceptualisations of civil society, the interviews also included questions regarding the

organisation's historical development, their fields of activity, funding, management and network ties.

EU-CIVIL SOCIETY RELATIONS: FROM PARTNER TO WATCHDOG?

This section focuses on the institutional framework designed by the EU concerning civil society in the eastern neighbourhood countries. Initially, the civil society narrative played a limited role when relations between the EU and the post-Soviet states were established in the early 1990s. The Partnership and Cooperation Agreements were mainly targeted towards partnerships with governments, not with civil societies. EU programmes such as the Technical Assistance to the Commonwealth of Independent States (TACIS) also provided small grants for civil society projects, e.g. in the field of environmental protection or women rights (Ishkanian 2008), but they were rather limited in their scope. A more prominent focus on these policies has only developed in parallel to the internal participation agenda following the European Commission's 2001 White Paper on European Governance, which has laid out a new paradigm of state CSO relations (Smismans 2006). Even though the document was first and foremost conceived for internal use, i.e. thought to be an answer to the EU's domestic legitimacy and effectiveness problems, this internal development has also had an effect on the external relations of the EU. In December 2002, the Copenhagen European Council agreed upon the main lines of the Wider Europe initiative, defining a long-term vision towards the EU's neighbouring countries. While only scarce references to civil society were made in this document and the term remained essentially undefined, the 'good governance' agenda was understood to include civil society as well. Later on, ENP-related policy documents continued to mention civil society, albeit in a 'supplementary and ancilliary' manner (Kaca and Kazmierkiewicz 2010: 7). In 2006, the European Commission issued a non-paper on 'Strengthening the Civil Society Dimension of the ENP', which included more concrete ideas on the inclusion of civil society organisations into the policy process (European Commission 2006). EU decision-makers have started calling more regularly for the inclusion of civil society, also under the influence of the Orange and Rose revolutions in Ukraine and Georgia, where pro-Western, pro-democracy CSOs played an important role. Supporting this development, EU regulations on funding available under the European Neighbourhood Policy Instrument (ENPI) have explicitly asked for the '(...) involvement of national, regional and local authorities and social partners, civil society and other relevant bodies [...] in the preparation, implementation and monitoring of programmes and projects' (ibid, Art. 4.3). Also, in the Communication to the Council and the European Parliament, the Commission underlined the need 'to allow appropriate participation by civil society representatives as partners in the reform process, whether in the preparation of legislation, the monitoring of its implementation or in developing national or regional initiatives related to the ENP' (ibid, COM (2006)726). The ENP Strategy Paper in 2006 also called upon governments to include civil society as partners and 'to allow appropriate participation by civil society representatives as stakeholders in the reform process' (European Commission 2006: 6–8). This framing of civil society as a 'stakeholder' represented a significant step beyond regarding CSOs vaguely as part of the 'cultural sphere' or as being helpful in establishing 'people to people contacts' between West and East, which was the case during most of the 1990s.

Framing CSOs as stakeholders or partners in the neighbourhood policy was followed by establishing the Civil Society Forum (CSF) at the EaP Summit in 2009 in Prague. According to its founding documents, the CSF was conceived to strengthen the multilateral track of the EaP and add a cooperative space to the strongly governmental and bilateral character of EU relations with the Eastern neighbourhood countries. The goal was not only 'to promote contacts among CSOs and facilitate their dialogue with public authorities' (European Commission 2008:14) but also to provide

a 'Common Space', where representatives of CSOs from the EU and the ENP countries but also EU officials could meet. This gave EaP CSOs the chance to become part of the negotiation process about EU-EaP partner state relations.

As in the following years EU relations with some governments in the region cooled down significantly and the European Commission became repeatedly criticised by the public (and also the European Court of Audit) for slow and bureaucratic delivery of civil society assistance, calls for a reforming and strengthening of the external civil society agenda became louder. An additional driver was the increasing recognition that previous external aid, often directed towards governments, was largely unsuccessful (Muskhelishvili and Jorjoliani 2009). The Arab Spring also seemed to provide evidence that relying on governments in the region might stabilise autocrats. These developments fuelled a thorough review of the ENP in 2011 and led to the establishment of several civil society-related innovations. In the following year, the Neighbourhood Civil Society Facility, a new thematic programme on Non-State Actors and Local Authorities (NSA & LA) and the European Endowment for Democracy (EED) were launched. Rhetorically, the Commission went even further by prominently seeking 'partnership with societies alongside the relations with governments' to promote government accountability, inclusive policymaking and economic growth. According to observers, the emphasis on 'partnership with societies' (and not with governments) came to underpin the new ENP (Bousac et al. 2012). By elevating the role of civil society in the traditionally government-centred perspective used in such documents to be on a par with governments, the EU has stepped beyond promoting partnerships on the domestic level between governments and CSOs towards encouraging more conflictive roles of CSOs.

To summarise the above, the EU's civil society narrative towards the countries located in its regional proximity has developed largely in parallel to the internal discourse on the participation and inclusion of civil society actors which started with the EU's White Paper. At the same time, external factors, such as contingent developments in the Neighbourhood region, both South and East, have called for a move beyond understanding CSOs as merely acting as partners of domestic governments and of the EU. While this is still a limited trend that is cushioned in the central 'partner' role, these developments have strengthened a more political understanding of CSOs' roles, emphasising their importance in holding governments accountable and acting as domestic 'watchdogs' on behalf of the EU. At the same time, establishing institutional arrangements, such as the EaP Civil Society Forum, which provides space for collaboration and exchange of perspectives both domestically and regionally, has increased the capacity of CSOs to live up to this role.

LOCAL REALITIES

In terms of the analytical framework outlined above, the conceptualisation of CSO roles in EU documents includes the main aspects of the partnership and watchdog-orientated roles. In this section, we focus on how the involved actors perceive and make sense of EU's civil society policy, as well as how they define their own role. The section is organised to cover three groups of actors: European Commission, EU-based CSOs and domestic (Ukrainian and Georgian) CSOs.

European Commission Staff

As expected by the literature on 'street-level bureaucrats' (Lipsky 1980), the perceptions of Commission officials working in the field does not necessarily overlap with the above-mentioned official discourse towards civil society in the EaP. There are marked differences within different branches of the Commission in how they regard their own organisation's civil society policies. Due to

the limited number of the interviews carried out, it is of course impossible to clarify whether these differences result from location (Brussels vs. Georgia/Ukraine), rank, area of activity, personal background or experience, but one of the main difference seems to be whether CSOs should be regarded as ‘partners’ or more as political actors, such as ‘watchdogs’. EU policies towards the inclusion of civil society have shifted from merely inviting CSOs for dialogue, towards a stronger attention to capacity-building measures and the establishment of potent advocacy-type organisation which might be able to confront national governments (Shapovalova and Youngs 2014). However, for most EU officials keeping good relations with government officials is still regarded as the most important means of achieving change, even if they sympathise with CSOs. There are several justifications given for the relative neglect of CSOs as political actors. While acknowledging that some of the CSOs representatives have gathered substantial policy knowledge in their fields of expertise as ‘they are here and say the same since the breakdown of the USSR – and now it turns out they’re right’,⁵ other CSOs are regarded as being unstable partners, mainly as they cannot agree on common positions: ‘Frankly, I don’t know what they mean when they say ‘civil society’. There seem to be at least five different civil societies in this country’.⁶ This also underscores how Commission staff are unclear about which actors to regard as legitimate civil society actors.

At the same time, Commission officials acknowledge that the capacity-building efforts have created a professionalised network of organisations in the neighbourhood countries which act as ‘watchdogs’: they are involved in a number of consultancy-type tasks, such as information-gathering and monitoring, which are of high relevance for the daily work of the Commission. This change in the profile of CSOs reflects what Shapovalova and Young (2014) describe as changing trends in EU support from quasi-third-sector type organisations dealing with vulnerable groups with little ability to establish themselves in the political discourse, to the emergence of new CSOs in the policy process focusing more strongly on harmonisation with EU templates. All interviewed officials highlighted the importance of these monitoring activities. But while it was proudly pointed out that the EU’s approach towards civil society in the EaP context is ‘innovative and radical in a way that would be unthinkable in most of the EU member states’⁷ [as it largely circumvents national governments], the relationship with CSOs is mostly seen in functionalistic terms. While there is acknowledgement of a change from a partnership-orientated perspective of CSOs towards a more political watchdog role, this is far from undisputed internally.

EU-Based CSOs

An important link between internal governance in the EU and its ‘external governance’ are Brussels-based CSOs or CSO umbrellas which are also active in the neighbourhood states. Some of the more well-known among these actors are the World Wildlife Foundation for Nature, Transparency International, the Open Society Foundation or German political foundations, such as the Friedrich-Ebert-Foundation or the Heinrich-Böll-Foundation. These CSOs were influential in connecting the internal civil society agenda, which was gaining ground in the late 2000s, with the emergence of the ENP. In order to do so, these CSOs made efforts to organise themselves effectively and build coalitions of interests seeking representation both on behalf of the CSO community in Brussels working on regional projects targeting the post-Soviet countries and for their regional partners in the target states. On the one hand, EU-based CSOs lobbied the European Commission with the argument of representing the weak neighbourhood civil society – whose alleged weakness also became a goal in itself, serving as a good argument for asking for additional funding. On the other hand, neighbourhood CSOs were needed as ‘local partners’ in carrying out projects that were won by EU civil society organisations. These efforts were actively supported by the European Commission, which was interested in establishing reliable and legitimate partners in the region.

One of the main achievements of establishing the civil society agenda beyond securing funding lines for CSO activities was the establishment of the EaP Civil Society Forum. This was first organised as an annual meeting but later became institutionalised with a secretariat located in Brussels which coordinates monitoring of the activities of the CSOs organised in National Platforms. While the initial conception did not place an emphasis on the National Platforms of the CSF, these were eventually established in each EaP state, usually based on previously existing civil society networks. Much of the CSF's work takes place at the Working Group level,⁸ which are functionally organised along policy fields. Importantly, the membership in the Working Groups brings together EU-based CSOs active in the EaP countries and local ones; the leadership positions of the Working Groups are also shared. From the perspective of EU-based CSOs, the CSF has parallels with many other EU consultation bodies where CSOs are invited to participate, the difference being that non-EU CSOs are allowed to have a seat as well.⁹ This obviously relates to the civil society as 'partnership' concept, which is well-entrenched in EU governance. At the same time, EU CSOs strongly emphasise their role in facilitating dialogue and self-organisation of the different voices within civil society. Mentioning the CSF, one respondent pointed out: 'This is something like a parliament, at least that's what it should be at one point. It gives you the possibility to debate common positions with organisations from all the countries involved'.¹⁰ As described also by Kostanyan (2014) and Smith (2011), these common structures are or can be conducive to socialisation and learning. This is also important for the division of work between EU and EaP CSOs, which seems to involve mutual learning: 'We learn from them, they learn from us. We could not work without them. It's like yin and yang'.¹¹

EU CSOs also highlight the growing relevance of the watchdog role of civil society. However, they tend to give this role a different twist: While much of the work in the EaP context centres on monitoring government activities related to implementation of EU-related policy goals in countries like Georgia and Ukraine, CSO respondents emphasise the importance of also being watchdogs of the EU's activities abroad. Such watchdog activities range from procedural issues (like overseeing the due involvement of local civil society in policy planning and evaluation) to substantive policy issues (such as criticising EU-backed investments in unsustainable development measures). This shows that the perception of civil society roles for the EU-based CSOs bridging internal and external EU governance arrangements varies with activity focus. While watchdog activities towards the EU are also used in the neighbourhood policy context, this is additionally complemented by supporting CSOs in the neighbourhood countries.

Domestic CSOs in Ukraine and Georgia

Virtually all CSO interviewees regard the EU as the most important driver of political changes in the neighbourhood countries. They also tend to underline that the EU is their 'natural partner' (Fuhr-Hahn and May 2012) and that the EU offers the possibility of making their voices be heard. CSOs' contributions to the Commission's yearly Progress Reports, on which the Commission was eager to consult with members of civil society, were pointed out particularly often as a clear sign of influence. CSOs' assessments were included in the Progress Reports – often verbatim. Relating to the EaP process, the CSF is also seen as a promising structure, helping to access EU institutions. In this sense, upgrading CSO participation in the EaP process from a largely symbolic event to a more political issue seems to be highly valued by the CSOs in Ukraine and Georgia. However, as several respondents have claimed, the most important issue was not the empowerment of CSOs per se, but the change in the political agenda, which included conditionality-like elements in EU-Georgia and EU-Ukraine relations. This shows that the way CSOs perceive their role as not only related to the EU framework regarding EU-CSO relations, but also to the implementation of EU policies on ground. Based on its 'conditionality-lite' approach (Sasse 2008), the EU defined concrete policy goals in

different policy fields. By emphasising the watchdog role of civil society, monitoring the fulfilment of these goals was a task where the EU strongly relied on domestic CSOs.

Thus, complaining to the EU has emerged as a new, promising CSO strategy. As one interviewee put it: 'It's like having an older brother'.¹² The case of the adaptation of Ukraine's National Environmental Policy Strategy illustrates this dynamic well. Adaptation of the National Environmental Policy Strategy and of a National Action Plan 2009–2012 was a key commitment made by Ukraine under the Association Agenda and a major condition for Ukraine to receive sectoral budget support from the EU. After being neglected in the planning process, the CSOs 'National Ecological Centre of Ukraine' and MAMA-86 complained to the European Commission. The threat of losing budget support alerted the government and finally led to the inclusion of CSOs in the planning process (for details, see Buzogány 2013; Nizhnikau 2015).

Domestic CSO were encouraged through capacity-building by the EU, but also by EU-based CSOs, such as the Open Society Foundation (OSF) and Transparency International, to organise local coalitions and institutionalise civil society participation in monitoring their government's progress in harmonising domestic policies with EU ones. This process already had a fairly strong tradition in both Georgia and Ukraine before the re-launch of the ENP in 2011 with the Eurasia Foundation and the Renaissance Foundation (the local branch of OSF) playing central roles (Rommens 2014). The main output was detailed policy implementation reports compiled by different, specialised NGOs, which provided an alternative 'shadow list' to the diplomatic slang used by the EU in its country reports. Preparing these reports included the development of a common methodology for assessing the policy process for certain sectorial aims of the ENP, which were used for monitoring, analysing and evaluating the policies as well as to develop further recommendations. Several CSO consortia were established to fulfil these goals, with partially overlapping scopes (Bousac et al. 2012). For example, the World Wildlife Foundation for Nature (WWF) has been active with local partner organisations to strengthen the environmental dimension of the ENP. In Ukraine, a WWF project developed capacities and formulated a position paper regarding the inclusion of civil society. The local partner of the WWF project, the environmental NGO *Environment – People – Law*, has worked on issues related to civil society participation and environmental integration in Ukraine. In Georgia, the Open Society Foundation, and the Heinrich Böll Foundation were involved in financing several rounds of monitoring reports, and providing know-how and contact through their Brussels offices.

Gaining voice through the 'watchdog' role has also strengthened cooperation among CSOs. The establishment of the CSF and especially of the National Platforms which replicate the CSF's Working Groups was conducive in both Ukraine and Georgia to the empowerment and consolidation of specialised CSOs, which organised regular gatherings and strengthened the internal discourses within the CSO community. Adding to this, the Forum's transregional structure has encouraged learning from other countries' experiences. Comparing the level of policy-change was also the main idea behind establishing the European Integration Index for Eastern Partnership Countries, which was promoted as a 'speedometer' of European integration for EaP countries and allows for comparing developments in different fields related to one country's 'pace' towards EU integration.

At the same time, internal conflicts within domestic and regional civil societies, which were also mentioned by EU officials as a problem (see above), have also surfaced in the CSF. Conflicts related to the legitimacy of representation of domestic civil society's goals among CSOs within National Platforms or in different CSF working groups emerged when governments interfered with the process by delegating their own GONGOs into these bodies both on the national level and at the CSF's Annual Meetings (Ter-Gabrielyan 2012). Confirming previous research (e.g. Fagan 2006; Kostanyan 2014), such conflicts within the CSOs community are not only related to GONGOs but also to the criticism of the EaP's structures by CSOs that consider them as being biased towards large,

capital-city based professionalised organisations. While the respondents interviewed have represented this type of CSO, they argued that the democratically elected nature of representation in the CSF and the rotation principle in selecting participants for the Annual Meetings of the CSF was installed exactly to prevent the 'oligarchisation' of the civil society sector.¹³ At the domestic level, policy conflicts have also emerged, e.g. within the Working Groups related to energy issues, where environmental CSOs and CSOs backed by the energy industry could not agree on common positions.¹⁴ While most of the CSO representatives interviewed regard these conflicts as ineffective or even a sign of an 'immature civil society',¹⁵ others highlighted that it is very productive to have these conflicts in this framework, because 'this is the European way'.¹⁶

While highlighting the benefits of the EU's presence, as well as its emphasis and support provided for CSOs, there is also a strong sense of frustration among domestic CSOs both concerning local constraints CSOs face and the EU's complex governance structure, which is seen to have several structural limitations in pushing the domestic reforms further and more efficiently. This is partly related to conflicts between the role conception of CSOs as partners or 'watchdogs'. Several CSO representatives describe a certain sense of disillusionment after initially holding high expectations and are also very critical of the limits of the watchdog role, which in their view is clearly not about agenda-setting or criticising governments directly, but more something of a quite detailed bureaucratic process of providing technical expertise related to legal harmonisation. As one of the Ukrainian respondent describes: 'I am a lawyer [by training], so I like these legal details. But if you think more deeply about our role here, it's a bit crazy: We, as civil society, fight one bureaucracy with the other one. And we are the foot soldiers (*pehota*)'.¹⁷

At the same time, the interviews also provide evidence of how the watchdog-role, which is orientated towards monitoring domestic governments, gradually became reinterpreted by CSOs. Like some of the EU-based CSOs (see above), their role changes towards becoming a watchdog not only of the implementation of EU policies and of the domestic government, but also of the EU. Some of the frustrations CSOs have are related to the recognition that the EU might fall short on its norms and values, e.g. when political stability is at stake. Others concern procedural rules more, like the difficult and bureaucratic process of grant application or the non-transparent handling of administrative issues relating to the functioning of the CSF. CSOs in Georgia and Ukraine deal with these contradictions in different ways. For some, socialisation within the EU-sponsored CSO networks has also meant contact with EU-based CSOs which are often highly critical of specific EU policies (e.g. trade, regional development, agriculture). A similar spill-over can be witnessed in domestic politics where the same CSOs that have gathered knowledge and capacity in transnational networks related to EU policy implementation, have become involved in similar monitoring activities, even where there was no EU template.¹⁸

CONCLUSION

How do normative expectation and local realities overlap in the case of the EU's Neighbourhood Policy? It has been claimed in the literature that there is a gap between the EU's rhetoric of civil society empowerment and the inclusion of CSOs into the policy process by the EU itself (Rommens 2014). Exploring the nature of this gap, this article has focused on the development of a civil society agenda related to the EU's neighbourhood policy and its localisation by the different actors involved. It was shown that the role of civil society in the EU's Neighbourhood Policy has become more prominent over the years. While external events in the neighbourhood countries have partly triggered the EU's stronger engagement with civil society, this development can also be seen as a result of the EU's internal governance turn. At the same time, not only has the external civil society

agenda become more forceful in the last decade but there were also shifts in the civil society roles the EU has emphasised. While a partnership-based role prevailed at the conception of the Neighbourhood Policy, there has been a gradual shift toward perceiving CSOs as watchdogs in the context of the implementation of EU requirements and policies.

Using qualitative interviews carried out in Georgia and Ukraine and in Brussels this article shows how different actors involved with EU policies – EU staff, EU-based CSOs and domestic CSOs – perceive these changes and how they make sense of them. The empirical section illustrates that actors use different filters and interpretations of policies to reflect their position and expertise. Changes in the civil society agenda are not perceived coherently within the interviewed groups. While changes of official EU narratives are well-understood, even EU officials working in the field do not seem to form a cohesive group in interpreting its relevance or the normative content. EU-based CSOs involved in the monitoring of the implementation of EU policies beyond EU borders strive to link their EU-relevant expertise and their expertise built up through the establishment of CSO networks in the neighbourhood countries. Most of their activities are functionally geared towards the EU polity. Domestic CSOs, in turn, have benefited from the upgrading of their role towards becoming watchdogs of the EU at the domestic level. However, there are also numerous inherent contradictions emerging from fulfilling this role, such as restricted capacity to set the agenda. At the same time, Ukrainian and Georgian CSOs have found strategies to balance their external dependence and are starting to act as watchdogs not only of domestic governments but also of the EU itself.

These findings from the Neighbourhood area also relate to recent discussions of EU-CSO relations in other regions of Eastern Europe or the wider European Neighbourhood. First, while literature dealing with CSO empowerment in the CEE states or the Western Balkans has highlighted the role of opportunity structures related to EU membership (Dimitrova and Buzogány 2014) or even more distant membership promise (Hristova and Cekik 2015; Wunsch 2015, 2016), this contribution shows that even without the promise of membership, the empowerment of certain CSOs might work. Second, in contrast to what the literature critical of donor-driven activities, NGOisation and instrumentalisation of civil society would expect, Ukrainian and Georgian CSOs do not seem to be particularly ‘captured’ by the EU but tap into different networks and pragmatically adjust their discourses to the given context. While this finding is certainly constrained by the choice of ‘elite’ CSOs and cannot be generalised to include the full universe of civil society in these countries, it also supports similar findings in CEE (Císař 2010) and calls for more actor-centred analytical choices on civil society activism (see, e.g., Wunsch 2015). In similar vein, recent work from other regions of the EU’s Neighbourhood, such as the Maghreb countries, also underlines the agency of CSOs but also points to inherent mismatches between EU and Tunisian civil society framings of policies (Boiten 2015).

Combining an institutionalist and a pragmatic-sociological perspective, this article has offered an analytical angle that is potentially helpful in taking on board such concerns and goes beyond the narrow institutional focus of analyses focusing on CSOs in the EU context. While the changes in the EU’s civil society policy, including its normative and institutional components, can be interpreted as an upgrade in the opportunity structures of CSOs, a more nuanced analysis shows how differential effects are taking place even within similar groups of actors. Focusing on how actors make sense of EU (normative and institutional) pressures and agendas thus places agency back at the centre of attention and offers a promising integrative perspective bridging institutional and discursive approaches in the analysis of civil society in EU external governance. Empirically, the contribution has provided evidence of the increasing importance of civil society-related discourses and policies not only within the EU but also beyond its borders. This agenda is likely to gain further ground due to the increased emphasis on civil society in policy documents such as the ‘Eastern Partnership - 20

Deliverables for 2020¹⁹ or the recent adoption of 'Civil Society Roadmaps' not only with the neighbouring region, as a step towards a more coherent 'Global Strategy for the European Union's Foreign and Security Policy', but also worldwide.²⁰ Further research should engage with analysing the usage and contestation of this policy by domestic and transnational CSOs using the dual perspective promoted in this contribution.

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ENDNOTES

¹ The EaP includes Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

² There are also other roles of civil society discussed in the literature, including the one on EU foreign policy, which are omitted here due to limited space. See Axyonova and Bossuyt (2016) for an excellent discussion of some of these.

³ As several Ukrainian CSO representatives agreed to speak only under the promise of strict confidentiality, the decision was taken not to disclose the identity of the interview partners as the small number of CSOs working in the identified fields would make identification probable.

⁴ The interviews were carried out in English or Russian.

⁵ Interview EU1, Brussels.

⁶ Interview EU4, Georgia.

⁷ Interview EU4, Georgia.

⁸ There are five working groups: 1) Democracy, human rights, good governance and stability; 2) Economic integration and convergence with EU policies; 3) Environment, climate change and energy security; 4) Contacts between people; and 5) Labour and social issues.

⁹ Interview, EU CSO 1, Brussels.

¹⁰ Interview, EU CSO 2, Georgia.

¹¹ Interview, EU CSO 2, Georgia.

¹² Interview, UKR CSO1.

¹³ Interview GEO CSO1, UKR CSO3.

¹⁴ Interview, GEO CSO2.

¹⁵ Interview, GEO CSO4.

¹⁶ Interview, GEO CSO1.

¹⁷ Interview, UKR CSO1.

¹⁸ Interview, GEO CSO1 and GEO CSO4.

¹⁹ Joint Staff Working Document 'Eastern Partnership - Focusing on key priorities and deliverables', High Representative of the European Union for Foreign Affairs and Security Policy, European Commission, Brussels, 15.12.2016 SWD(2016) 467 final, see https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20_deliverable_for_2020.pdf

²⁰ The Global Strategy for the European Union's Foreign and Security Policy was presented by the High Representative in June 2016.

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