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Research Article

# Beyond the Brussels Bubble? National Civil Society Organisations in the European Union

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# **Abstract**

Mainstream research on the roles and contribution of civil society in the EU is characterised by a strong focus on European civil society in Brussels. Studies looking at activities and roles of national CSOs in the European Union (EU) depart from mainstream analytical and conceptual perspectives and rarely talk to each other. The contributions of this special issue attempt to bridge empirical and analytical gaps between existing studies on European civil society beyond Brussels. They show that the involvement of national CSOs in EU policymaking and democratisation is broader and more diverse than is usually thought. They approach the object of study from an original analytical perspective: a research agenda inspired by sociological approaches. This agenda hinges on an interactionist and pragmatic analytical framework, a pluralist approach to causality and takes into account the peculiarities and effects of context. Moving beyond Brussels and adopting diverse analytical perspectives, the contributions provide new evidence on the diversity of functions, roles and responses of national CSOs to the EU, and the roles and motivations of national CSOs implementing EU policies.

# **Keywords**

Civil society organisations; Democratisation; European Union; Europeanization; Political sociology

Studies of civil society actors in the European Union (EU) have proliferated during the last decade. These Brussels-centred studies cover interest groups' activities, strategies and influence on EU decision-making. The prolific academic output of this well-developed field of inquiry has already been the subject of multiple compilations and reviews (Beyers, Eising and Maloney 2008; Coen and Richardson 2009). From the 2000s, the research focus shifted to civil society organisations (CSOs) in light of debates on improving the EU's democratic legitimacy and reducing the democratic deficit. Scholars' attention moved to Brussels-based participatory governance and the efforts of the European Commission in particular to promote civil society involvement in EU policymaking (Kohler-Koch and Quittkat 2013; Ruzza 2004).

The Brussels focus of these two branches of research is twofold: firstly, EU decision-making processes or participatory techniques and, secondly, EU-based CSOs. While Brussels-centred studies have the merit of drawing attention to the complex relationships between EU institutions and EU-based CSOs, most do not explicitly cover the EU-related activities of national CSOs. Thus, while relevant and interesting, the mainstream focus on Brussels-based CSOs does not represent the whole picture. Furthermore, an increasing amount of scholarship has shown that the EU-related activities of national CSOs are just as relevant. Until now, however, there has been little crossfertilisation and cumulative knowledge generation across these studies on the contribution, roles and actions of national CSOs in the EU. There is also little conceptual discussion about appropriate theoretical and analytical frameworks that can better help to understand and explain the drivers, trajectories, patterns and inner logic of national CSOs' participation in EU processes.

This special issue overcomes this existing compartmentalisation of research on national CSOs. We argue that bringing national CSOs into the picture contributes new understandings of the role of CSOs in Europe. Firstly, a move beyond Brussels highlights CSOs' functions that have been largely overlooked by focusing exclusively on Brussels dynamics. These include CSOs' involvement in policy implementation, their engagement in politicisation dynamics and their exercise of scrutiny and

oversight of EU policies at the national level. Secondly, we argue that a change of analytical perspective, namely adopting a pragmatic sociological approach, challenges several assumptions about the role of European civil society. This includes assumptions about how the EU transforms and shapes CSOs and how CSOs contribute to the democratisation of the EU.

These arguments are advanced on the basis of an extensive literature review of over 100 academic sources. This showed that a more nuanced and fine-grained understanding of the nature and role of CSOs emerges once scholars move beyond the Brussels bubble. In the first section, we discuss the challenges and opportunities of conceptualising 'national CSOs in the EU', as well as the academic contribution of the study of national CSOs to European studies. In the second section, we show how the main findings of existing research on national CSOs challenge some of the main assumptions of Brussels-centred research. We also propose a new research agenda to address this challenge illustrated by the articles included in this special issue. We argue that given the multi-faceted character of national CSOs in the EU and the variety of theoretical and analytical perspectives from which they are studied, it is difficult to identify general patterns and offer an overarching conceptualisation that captures both the nature and EU strategies of national CSOs. To overcome these challenges, we propose a pragmatic research agenda inspired by recent work on the sociology of the EU (Guiraudon and Favell 2009; Saurugger 2009).

#### **EUROPEAN CIVIL SOCIETY BEYOND BRUSSELS: DOES IT REALLY MATTER?**

This section addresses two challenges. Firstly, we discuss the possibility of establishing a heuristic conceptual distinction between CSOs in Brussels and CSOs beyond Brussels. Secondly, we argue that research on national CSOs in the EU contributes to a more complete and nuanced understanding of the role and functions of CSOs in the EU.

#### Civil Society beyond Brussels: A Heuristic Concept?

For the purpose of this special issue, CSOs are actors outside of the public and market sectors that pursue public policy goals. CSOs are formally democratically accountable and involve some degree of voluntary participation. This definition includes a large range of organisations, such as public interest groups, non-governmental organisations, voluntary organisations and social movements. National CSOs are also broadly understood as including all types of CSOs that have some degree of activity at the local and national levels.

While national CSOs can be analysed separately from EU umbrellas and delegations, the analytical distinction between CSOs in Brussels and national CSOs involved in EU politics is not self-evident. It could be argued that national CSOs involved in EU politics are also active in Brussels. However, recent research shows that the population of CSOs active at the national level working on EU issues is substantially different from the population of CSOs active in Brussels, since national CSOs rarely engage in multi-venue shopping (Binderkrantz and Rasmussen 2015). Even in cases where national CSOs are active in Brussels, it is relevant to establish a distinction between activities directed towards EU institutions in Brussels and the EU-related activities taking place within national and local contexts. National CSOs are not always based in EU member states. Many studies have analysed how the EU has contributed to the transformation of CSOs in third countries in areas such as regional cooperation, the promotion of development and democracy and strengthening civil society (Bruszt and Vedres 2013; Kyris 2013; Sanchez Salgado and Parthenay 2013; Scott 2011).

The focus of this special issue is on the EU. National CSOs deal with EU affairs in multiple ways. They can get involved in the implementation of EU policies or in EU-instigated participation processes. CSOs can also simply try to engage in processes of politicisation of the EU, with more or less success. The analysis of national CSOs in the EU can also highlight many of the classical conceptual challenges related to the concept of CSOs. The study of CSOs beyond Brussels calls for a more differentiated perspective in understanding CSOs in EU studies. For example, to determine to what extent the EU may be excluding relevant grassroots organisations, it is necessary to study CSOs at the national and local levels.

Without seeking to establish a sharp conceptual distinction between European civil society *in* and *beyond* Brussels, the contributors in this special issue opt for placing the emphasis on national CSOs whose EU-related activities are performed at the national or local levels. These EU-related activities can include a whole spectrum of involvement in EU policymaking and implementation processes or politicisation and claims-making about the EU and its policies.

#### The Study of National CSOs in the EU: Academic Contribution

The study of national CSOs in the EU considers a broader set of themes and topics and changes our understanding of CSOs in the EU multilevel system. Firstly, when attention is directed towards CSOs beyond Brussels, the analysis tends to shift from an exclusive focus on EU decision-making procedures to a more inclusive focus emphasising CSOs' role in the transposition and implementation of EU policies. Secondly, when analysing the main findings of existing research, it becomes clear that the study of CSOs beyond Brussels has contributed to broadening the Brussels-centred understanding of how CSOs contribute to the democratisation of the EU.

Only articles with a specific focus on national CSOs cover the topic of how national CSOs contribute to the implementation of EU policies. The majority of existing studies cover the Open Method of Coordination (OMC) (Armstrong 2006; Brandsen, Pavolini, Ranci, Sitterman et al. 2009; Jacobsson and Johansson 2009) and cohesion policy and structural funds (Gasior-Niemiec 2010; Royles 2006). Interestingly, when the attention is turned away from decision-making at the EU level, existing studies show that CSOs' functions go beyond those that are conventionally discussed by the Brussels-centred studies (the provision of expertise, aggregation and representation of interests and advocacy of public causes). At the national and local levels, CSOs play two additional roles: they contribute to public service delivery and they act as watchdogs. The Brussels approach to CSOs' participation in decision-making offers a picture of an elite-pluralist system of interest representation with a strong business bias (Dür and Mateo 2014; Eising 2007). That being said, an overall quantitative advantage of business interests does not necessarily always translate into increased influence on specific EU legislative acts (Dür, Bernhagen and Marshall 2015). As we will explain, a focus on the national and local levels leads to different conclusions. National CSOs have developed multiple ways to participate in EU politics that cannot be simply characterised as an elitepluralist system. While analysing how the EU shapes CSOs, Brussels-centred studies also tend to conclude that the EU is promoting a cozy relationship between policymakers and CSOs based on working together (Wolff 2013). The few studies that analyse how the EU has contributed to the transformation of national CSOs beyond Brussels show that the effects of the EU on CSOs are much more diverse (Sanchez Salgado 2014a; Trenz 2007).

Most EU-centred studies, while assessing the democratic potential of CSOs, focus on Brussels-based mechanisms of consultation and participation. While these studies give an interesting picture of the role of CSOs in Brussels, their conclusions need to be nuanced. Their pessimistic account of CSOs' role in the democratisation of the EU overlooks a significant number of participatory channels sometimes exclusively available at the national level. Regarding possible channels, CSOs can perform

a representative function, articulating the interest of their members. On this topic, existing articles often refer to national CSOs as members of bigger umbrella associations in Brussels (Johansson and Lee 2014; Kröger 2014). Much less is known about the role of national CSOs in the articulation of interests of their members (Jentges 2012).

The few articles that investigate the relations between CSOs and their members focus on attitudes towards Europe or on the diffusion of an EU identity (Caiani and Ferrer-Fons 2010; Iglic 2010; Maloney and van Deth 2008) as well as on levels of trust (Zmerli 2010), rather than on the articulation of interests on EU issues (Warleigh 2001). CSOs beyond Brussels are also believed to contribute to the democratisation of the EU through initiating wide debates and deliberation about EU policies. In this way, they contribute to the emergence of an EU public sphere as a space for debate, contestation and exchange of various claims of legitimacy and representation (Fossum and Trenz 2006).

#### NATIONAL CSOS IN THE EU: A NEW RESEARCH AGENDA

When the attention is turned to national CSOs in the EU, it is remarkable that CSOs have not been investigated in their own right, but rather as a means to explain the processes of European integration and Europeanization. This special issue takes into account recent moves in EU studies to integrate sociological approaches. Sociological approaches refer both to the focus on typically sociological objects of study such as social stratification, social networks or social movements and political fields and to novel research designs that permit scholars to grasp the full range of social effects of the EU (Giraudon and Favell 2009). These sociological approaches are rather heterogeneous (Saurugger 2009). When applied to the study of national CSOs, sociological approaches imply, firstly, a new understanding of Europeanization, not only as a process characterised by top-down or bottom-up dynamics but as the result of the interaction between the organisational and institutional dimensions and the individual dimension. Secondly, they take the national and local context into account, which translates into a pragmatic (pluralistic) approach to causality.

#### From Top-down Europeanization to an Interactionist and Pragmatic Approach

Most studies analysing national CSOs in the EU have drawn on Europeanization as their main approach (Beyers and Kerremans 2012; Caiani and della Porta 2007; Dür and Mateo 2014; Gąsior-Niemiec 2010; Sanchez Salgado 2014a). However, the Europeanization approach has not been used as a specifically delineated analytical framework. The classical model for the analysis of Europeanization processes was designed for the analysis of EU impact on public policies or national administrations (Featherstone and Radaelli 2003). Europeanization was indeed originally understood as a top-down process, broken down into the analysis of EU pressures, the goodness of fit between these pressures and national policies and politics, and the analysis of facilitating or mediating factors. This model cannot be applied automatically to the study of national CSOs in the EU. While analysing CSOs, Europeanization does not lead to integration and convergence, and national pathways are so differentiated that it is difficult to reach collective categorisations which apply across all member states (Kendall 2010).

The analysis of the EU's impact on social actors required research designs making it possible to grasp fully the social effects of the EU (Sanchez Salgado 2014a). Europeanization has been combined with other concepts more adapted to this purpose such as political opportunities, multilevel governance, venue shopping or usages of Europe (Beyers, Eising and Maloney 2008; Bouza Garcia 2015; Princen

and Kerremans 2008; Sanchez Salgado 2014a; Woll and Jacquot 2010). The main research question is then: given the existence of new EU opportunities, to what extent, how and why have CSOs decided to turn their attention and activities to the EU level? While interesting, these studies only cover one specific dimension of the Europeanization process: the use of EU opportunities. In sum, it seems most authors agree that there are relevant EU opportunities for national CSOs. Thus, it is not only important to look at European political opportunities, it is also necessary to analyse how these opportunities unfold and for this, sociological approaches can be useful.

One of the main contributions to many studies on national CSOs in the EU concerns the integration of sociological approaches to EU studies. Sociological approaches reveal the difficulties related to making clear-cut distinctions between the top-down and bottom-up logics of Europeanization (Saurugger 2009). As a way to address this challenge, sociological approaches focus on collective actors' intentions and perceptions, and integrate the individual dimension to the study of the Europeanization process.

The relevant role of domestic actors in using creatively European opportunities has already been stressed by the 'usages of Europe' approach (Sanchez Salgado 2014b; Woll and Jacquot 2010). The integration in the analysis of actors' intentions and perceptions also reveals the need to move from a normative understanding of the role of CSOs to a more contextual and realistic picture. Scholars arrive at radically different conclusions when they do not assume in advance what constitutes the democratisation effect of CSOs' involvement, but actually take stock of existing practices of participation or, alternatively, inquire how actors themselves conceptualise democracy and participation. For instance, CSOs in central and eastern European (CEE) member states viewed the partnership principle as a tool for exercising scrutiny and oversight over the domestic authorities and Structural Funds spending (Batory and Cartwright 2011). This type of scrutiny was the primary way of democratising EU-related policymaking. Demidov (2016) finds that a close inspection of actors' self-perceptions and institutional identities explains how they see their democratising role. These findings nuance existing research concluding that involvement of civil society actors does not really democratise EU policymaking.

#### Taking Contexts Seriously: a Pluralistic Approach to Causality

Although the qualitative case-study methodology adopted by most studies on CSOs beyond Brussels may be seen as problematic for wider generalisation (Beyers and Kerremans 2012), when considered together, these studies cover a wide range of policies and member states. Some conclusions can be established about the role of national CSOs in the EU.

#### The Predominance of Diversity

While Brussels-based research is done within the relatively homogeneous context of the Brussels bubble, research on national CSOs in the EU takes into account a diversity of national contexts in old and new member states and in third countries. It is therefore not surprising that diversity of EU effects is the most remarkable finding (Batory and Cartwright 2011; Brandsen, Pavolini, Ranci, Sitterman et al. 2005; Sanchez Salgado 2014b). The type of impact differs in old and new member states (Mahoney and Beckstrand 2011) and in pre-accession and post-accession contexts (Kyris 2013). This diversity seems to be even greater when external relations are taken into account, since the EU also promotes different types of relationships between the state and civil society depending on geopolitical interests. Overall, the EU's geopolitics seems to be largely indeterminate and leaves much room for negotiation and mutual accommodation between the EU and third countries (Scott 2011).

In contrast to studies of CSOs active in Brussels, studies of national CSOs draw attention to the contribution of CSOs to OMC processes, the implementation of EU directives and potential effects of EU funding opportunities. Member states have implemented EU norms and procedures in different ways, leading to highly differentiated involvement of CSOs in EU policymaking at the national level (Brandsen, Pavolini, Ranci, Sitterman et al. 2005). EU funds are generally considered to be excessively demanding and bureaucratic, but they have different effects in different contexts. Seemingly fair and transparent EU funds favour organisations that have consistently worked with the state while CSOs that possess expertise in the field remain excluded (Rumbul 2013). However, some CSOs have been able to use European funding opportunities successfully to develop their own activities and have not only adopted, but also contributed to the professionalisation process (Sanchez Salgado 2014b).

Existing research also conveys a mixed message regarding the democratising potential of national CSOs. Some consider that CSOs' internal governance procedures are insufficiently democratic (Warleigh 2001) or that national CSOs are not mobilising citizens as much as they could (Maloney and van Deth 2008). Others have found that CSOs contribute to the socialisation of their members, resulting in more engaged European citizens and citizens more open to a European identity (Caiani and Ferrer-Fons 2010, Iglic 2010). More often than not, national CSOs have experienced many problems in taking advantage of new participatory opportunities because of external blockages and internal weaknesses (Gąsior-Niemiec 2010). However, on some occasions, EU processes have provided CSOs with reasons to mobilise, develop a common agenda and act (Bruszt and Vedres 2013; Johansson and Lee 2014). The EU has also contributed to the empowerment of social movements in EU accession processes (Parau 2009). Regarding CSOs' politicisation function, it is often argued that national CSOs do not appear to be contributing to the democratisation of the EU through co-creation of its public sphere. However, national CSOs can be considered as active politicisers of EU agendas when they campaign for or against EU legislative proposals (della Porta and Caiani 2009).

#### From EU-level Generalisations to Context-based Multiple Causal Pathways

While it is tempting to analyse the influence of potential explanatory factors leading to generalisations, this task seems difficult to accomplish when national and local levels are the primary focus of the analysis. A few European general trends can still be established, but these trends have very different manifestations in different member states since there are several national factors that lead to different outcomes. For example, from an exclusive EU perspective, it can be claimed that the more EU opportunities are developed in a specific policy area, the more effects or interactions there are in this area (Mahoney 2004; Sanchez Salgado 2014b). CSOs' participation is thus more developed in particular policy areas such as cohesion policy, the OMC on social protection and social inclusion, and within the framework of specific pieces of legislation such as the Water Framework Directive. However, while trying to explain how and why CSOs engage in EU policies, it is too complex to identify the most relevant explanatory factors.

Given the difficulty in reaching generalisations, the study of national CSOs in the EU calls for developing new ways of approaching causality. In this respect, sociological approaches in EU studies are based on a pluralistic epistemology but at the same time call for rigorous research designs, including quantitative surveys and qualitative case studies based on interviews (Saurugger 2009). The establishment of causal paths seems to be more of a pragmatic research goal than the establishment of general patterns. Instead of trying to find a single relevant explanatory factor determining why national organisations decide to engage in EU issues, a context-sensitive analysis envisages different types of engagement with EU issues at the national level, as well as distinct causal pathways. Until now, most of the attention has been given to one single causal pathway: the European route where national CSOs go to Brussels with the ambition to influence EU policymaking.

However, there are many other different routes to Europe that deserve further attention (Ruzza and Bozzini 2008), including the national route in which national CSOs participate in national politics with the ambition of influencing EU policymaking.

Regarding EU shaping of national CSOs and their potential contribution to the democratic process, there seems to be at least two relevant causal pathways. First, exclusionary dynamics where organisational resources and relational variables have substantial explanatory power. This causal pathway can also include confrontation between EU institutions and stakeholders and strategic usages and instrumentalisation of EU resources and opportunities. Second, a causal pathway leading to empowerment: weak access to domestic policymakers and lack of economic resources leads to seeking funding and access at the EU level. The empowerment pathway would also imply learning dynamics in which new organisational models, priorities and strategies are the result of regular interactions between EU officials and CSOs. These ideal-type causal pathways can take multiple forms depending on the specific combination of the most relevant variables at work.

#### **OVERVIEW OF THE SPECIAL ISSUE**

The first series of articles in this special issue analyses the participation of national CSOs in EU policymaking beyond Brussels, with a particular focus on the routes that national CSOs take for such engagement. Most importantly, they focus on how national and local contexts affect these choices. Bringing up the cases of Sweden, Spain and Slovenia and employing various methods, including survey data, semi-structured interviews and social network analysis, these contributions seek to establish what affects decisions of national CSOs to Europeanize by scrutinising the specifics of the national route and the influence of national contexts. These context-sensitive analyses show that although oft-mentioned factors such as economic resources undoubtedly trigger national CSOs' decision to mobilise at the EU level and seek influence in Brussels, there is a plethora of overlooked context-specific factors.

Asking how Swedish CSOs choose routes of gaining political influence in the EU, Johansson, Scaramuzzino and Wennerhag corroborate the assumption that although being embedded in a multilevel context and having access to multiple routes of influence, Swedish CSOs mostly use national channels to target EU policies and remain rooted in the national setting. However, when asking which factors affect these choices, they highlight the importance of organisational factors such as type of organisation, organisational resources and level of activity. Importantly, they stress the analytical significance of how CSOs perceive different levels, a highly context-specific factor in itself. The authors find that Swedish CSOs are more willing and ready to engage in influencing EU policies when these policies are in conflict with national ones, thus highlighting the decisive role of the level of contention between the EU and national levels.

Similarly, Oleart and Bouza Garcia ask how Spanish CSOs mobilise around EU issues and whether this mobilisation is similar to that around strictly national issues. They scrutinise this by looking at the dynamics of Spanish CSOs' politicisation in the case of the negotiations about the Transatlantic Trade and Investment Partnership and find that the positioning of Spanish CSOs towards the EU has changed and the era of 'permissive consensus' regarding the EU among Spanish CSOs has ended. The authors find that this process was far from being exclusively top-down or initiated by professional Spanish CSOs, but that socially skilled EU-critical cause entrepreneurs contributed to a campaign more critical of the EU and led to a greater politicisation of Spanish civil society, especially in the field of EU politics.

Novak and Lajh's article discusses the inclusion of Slovenian CSOs in the formation of national positions and in the transposition and implementation of EU legislation. As expected by mainstream research, there is little direct participation in Brussels from Slovenian CSOs and thus it can be concluded that organisational resources and relational variables play a significant role in explaining exclusionary dynamics when direct participation in Brussels is concerned. However, Novak and Lajh also show that Slovenian CSOs are not completely silent regarding EU politics. They participate in EU policymaking using the national route, including participation in EU umbrella organisations and contacts with national policymakers.

The second series of articles focuses on the meanings that members and leaders of national organisations attribute to their involvement in EU issues. By including CSOs from western Europe (Belgium and France), eastern Europe (Hungary, Slovenia, Slovakia and Poland) and third countries (Georgia, Armenia and Ukraine), they illustrate the variety of perceptions and meanings attributed by national CSOs to the EU, including their potential to contribute to the reduction of the democratic deficit.

Defacqz unpacks the concept of organisational legitimacy and asks how Belgian CSOs perceive their European networks. Analysing actors' perceptions, he arrives at an interesting conclusion about the assumed relationship between the European networks of CSOs and their national members. Belgian CSOs do not see their EU-level umbrella platforms as transmitters between national CSOs and the EU institutions but rather legitimise them as champions of greater policy objectives. Odasso, employing ethnographic methods and looking at how French CSOs 'use Europe' when deciding to join a European network of CSOs, finds that apart from more conventional factors such as economic and human resources, views and perceptions of individuals working in French CSOs, which are closely linked to their age, education and organisational positions, are just as important for understanding why national CSOs seek membership in EU-wide networks. Lafon, in turn, shows how national CSOs react and adapt to newly created EU networks in the case of the French and Belgian CSOs and European Women's Lobby. Drawing on rich empirical data, she compares two distinct outcomes of Europeanization and identifies three causal paths: cultural, organisational and individual.

Looking at how engagement of civil society relates to the legitimacy of EU policymaking, Demidov analyses how national actors, including CSOs, perceive the purpose of and their role in implementation of the EU civil society requirements, namely the partnership principle for the Structural Funds in four CEE member states. He finds that these perceptions differ across countries, types of actors (state officials vs. CSOs), and within groups of actors (types of CSOs), thus also emphasising the importance of national and local contexts.

Moving not only beyond Brussels but also beyond the EU, Buzogány asks what happens to the EU civil society agenda abroad and what civil society actors make of it. Looking at how CSOs in Georgia and Ukraine react to internal changes of the EU civil society discourse, Buzogány finds that local CSOs in the Neighbourhood countries readily accept the new role of watchdogs imposed by the EU, yet also immediately direct their scrutiny and oversight towards the EU itself.

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#### **ENDNOTES**

<sup>1</sup> Using the Social Sciences Citation Index (SSCI) a search with the criteria 'civil society' and 'European Union' produced around 70 relevant results. Additional articles were added with the criteria 'interest groups' and 'European Union', leading to a total of around 99 relevant articles. In addition, we reviewed a range of book chapters and edited collections. We limit ourselves in this introduction to providing an overview of the main themes in this literature.

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Research Article

Multilevel Strategies for Political Influence: How and Why Do Domestic Civil Society Organisations Seek Political Influence at National and EU Levels?

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## **Abstract**

This article addresses domestic civil society organisations (CSOs) and their multilevel strategies for gaining political influence in the European Union. Drawing on a theoretical framework identifying different 'routes' that CSOs can take in a multilevel system of EU governance, this article analyses which routes or combination of routes CSOs take and investigates what organisational factors can explain similarities and differences among domestic CSOs' multilevel strategies for political influence. Factors like type of organisation, organisational resources, level of activity and perceived relevance of national and EU political levels are combined. The article shows that CSOs tend to choose a combination of routes and that most of them also participate at the national level when trying to influence EU policy. The article furthermore finds that domestic CSOs seek to influence EU policies above all when they organise around issues that face potential conflicts between national and EU policies, illustrating the analytical significance of how CSOs perceive different political levels.

# Keywords

Multilevel strategies, Civil society organisations, Political influence, EU, Sweden, Organisational factors

Domestic civil societies and civil society organisations (CSOs) are increasingly embedded in international, transnational and European structures and relations. This is certainly true regarding CSOs in European Union (EU) member states because the influence of the EU has grown considerably and now constitutes a key level for political decisions. The EU holds an ambitious civil society agenda and expresses a clear interest in engaging CSOs – both at the EU and domestic levels – in policymaking and policy delivery (Kohler-Koch and Rittberger 2007; Sánchez-Salgado 2014; 2007; Smismans 2003). The European Commission and other EU institutions provide funding as well as opportunities for access and consultation for domestic CSOs (Ruzza 2006). Besides providing expertise and knowledge, civil society is expected to mediate, or even overcome the distance between the EU and domestic societies by 'bring[ing] Europe much closer to the people' and thereby alleviating the criticism towards the EU of being a project for the elite (European Commission 2000: 4; see also Johansson and Lee 2014; Kohler-Koch 2009; Rodekamp 2014).

Although academic interest in EU and civil society has been thriving (Johansson and Kalm 2015), research has primarily addressed what takes place 'in Brussels' and less attention has been paid to what takes place 'beyond Brussels'. We thus have less knowledge about the relevance of the national context for CSOs' engagements with the EU, what types of CSOs seek to influence EU policies and why some CSOs are heavily engaged in influencing EU policies while others remain embedded in their national context.

This article provides one of the first comprehensive analyses of domestic CSOs' strategies to obtain political influence in a multilevel context. The purpose is to analyse how and to what extent domestic CSOs use strategies to influence policies at the national and/or the EU levels. However, we argue that such an investigation into multilevel advocacy strategies analytically needs to separate between the political *level* domestic CSOs seek to influence and the *locus* where their activities take

place (Ruzza and Bozzini 2008). That is to say, the different routes to political influence. Some CSOs might take a 'European route up', as they seek to influence EU policies at the EU level, while others might take a 'national route' by trying to influence EU policies by being active at national level.

The article combines such an investigation with a novel take on how organisational factors can explain similarities and differences among domestic CSOs' multilevel strategies for political influence. Previous research into these matters tends to focus on one organisational factor such as organisational type, resources or level of activity, or two of these in combination. This article combines all of these and adds an additional factor by paying attention to how CSOs perceive and value the relevance of either the EU or the national level in seeking to pursue their aims. Our analysis opens up debate about whether CSOs' political strategies could best be explained by organisational tangibles or whether there is also a need to include more subjective dimensions of how they value current multilevel political opportunities (Scaramuzzino and Wennerhag 2015).

The article draws on a unique survey among a representative sample of more than 6,000 Swedish CSOs and provides a systematic analysis across a broad spectrum of domestic CSOs. Our investigation thus employed research input from one of the largest surveys addressing the relevance of the EU for domestic CSOs and topics of Europeanization and formed part of the research programme 'Beyond the welfare state: Europeanization of Swedish civil society organisations (EUROCIV)' funded by the Swedish Research Council.

#### **ROUTES AND ORGANISATIONAL FACTORS – TAKING STOCK OF EXISTING RESEARCH**

There are different ways to conceptualise the EU as an arena for domestic CSOs' political advocacy strategies. Theories of political opportunity structures are a frequently used framework to explain political mobilisation and social movement activities in both national and European settings. Besides viewing the EU as an additional opportunity structure per se, scholars stress that domestic CSOs' EU engagement provides them with access to new tangible and intangible resources, a wider scope for political representation, and complementary avenues for mobilisation of followers at 'home' and 'away' (Imig and Tarrow 2001; Teune 2010; della Porta and Caiani 2009, 2007). Investigations have however found that although the EU constitutes a new arena, most social movement protest activities continue to be staged at the national level (Imig and Tarrow 2001) and only a small share of domestic CSOs have managed to enter the 'Brussels bubble' (Scaramuzzino and Wennerhag 2015).

The scholarly debate on interest groups has added institutional factors into the analysis, linked to particular EU institutions or policy processes at the EU and national levels. Some argue that it is of importance to analyse the structural access a group has to EU institutions (Marks and McAdam 1996; Rucht 2001), the formal mandate the EU has on a particular issue and the general policy receptivity of the EU to particular issues (Beyers and Kerremans 2007; Binderkrantz and Rasmussen 2015; Dür and Mateo 2012, Princen and Kerremans 2008). Klüver (2010) argues that one needs to take into account the EU and national political institutional factors in conjunction and address the receptivity of the EU and national political system to claims made by domestic CSOs (see also Lundberg and Sedelius 2014).

These analytical perspectives indicate that domestic CSOs have the opportunity to combine advocacy strategies at the national and/or the EU level. Terms like a 'boomerang effect' (Keck and Sikkink 1998), a 'ping-pong effect' (Zippel 2004), and 'dual strategy' (Kohler-Koch 1997) have been used to identify such multilevel strategies. Della Porta and Caiani (2009) use the notion of 'crossed influence' as they argue that current protest activities entail both an element of 'domestication of protest' as social movements continue to approach national governments but with a European

agenda and 'externalisation of protest' as domestic actors mobilise at the EU level in an attempt to put pressure on national governments. While these perspectives have their benefits, following Ruzza and Bozzini (2008), we argue that it is of importance to differentiate between the 'locus' and 'target' of a political advocacy strategy, particularly when addressing strategies for political influence in a European context (Table 1).

Table 1: Routes to Europe (source: Ruzza and Bozzini 2008)

|                      |          | Territorial level targeted |                   |  |  |  |
|----------------------|----------|----------------------------|-------------------|--|--|--|
|                      |          | Influencing national       | Influencing EU    |  |  |  |
|                      |          | policies policies          |                   |  |  |  |
| Territorial level of | National | Traditional route          | National route    |  |  |  |
| participation        | EU       | European route down        | European route up |  |  |  |

A traditional route implies that CSOs participate in national politics with the ambition to influence national policymaking. A national route means that CSOs participate in national politics with the ambition to influence EU policymaking (similar to the domestication of protest). The European route up denotes that CSOs participate in EU politics with the ambition to influence EU policymaking. Lastly, the European route down emphasises that CSOs participate in EU politics with the ambition to influence national policymaking (a form of externalisation of protest). This framework thus offers us four distinct alternatives for understanding domestic CSOs' political strategies.

Research into why domestic CSOs seek political influence at the national or the EU level has not only understood such activities as responses to changing political opportunity structures or related to institutional arrangements, but also emphasised organisational factors (Arvidson, Johansson and Scaramuzzino 2017; Scaramuzzino and Wennerhag 2015). Four sets of factors dominate the discussions and form the basis for our analytical framework and construction of dependent variables.

First, much research suggests that *organisational type* influences whether an actor is present and active at different levels (Beyers 2004; Beyers and Kerremans 2007). While this observation usually includes distinctions between diffuse and specific interests, lobby groups, advocacy groups, social movement organisations and so on, discussions on organisational types with regard to CSOs become somewhat more complex because such discussions have to include the CSOs' aims, activities and relations with their members and beneficiaries. In fact, it has been argued that if the issue a CSO is involved in is threatened by potentially costly policy changes, the organisation is more likely to engage at supranational level (Beyers and Kerremans 2012).

Second, the degree of *organisational resources* is seen as a key factor and studies tend to conclude that large and powerful domestic organisations, with plenty of resources and capacity to act, are the ones that engage in EU politics (Klüver 2010; Kriesi, Tresch and Jochum 2007). Financial resources (money), administrative resources (personnel) and representativeness (membership) are put forward as central to the analysis of whether domestic CSOs' seek influence at different levels, and above all the EU level (Klüver 2010). This assumes that CSOs which interact with the EU tend to exchange resources for influence in a relationship based on interdependency.

Third, studies also stress *level of organisational activity*. Beyers and Kerremans' (2012) study of interest groups shows that domestic interest groups tend to lobby proximate or nearby venues rather than venues that are located further away. They find a cumulative effect as 'proximate venues tend to be addressed first before organisations start lobbying additional and more distant venues' (Beyers and Kerremans 2012: 283). In the EU, domestic CSOs are furthermore often

members of EU based umbrella networks, and one can anticipate a certain degree of division of labour between national and EU branches (Ruzza 2015).

Fourth, a less discussed factor is whether domestic actors deem different *political levels as relevant* for them and the aims they seek to accomplish. Opportunities are not only structural 'facts' and institutionally embedded, but they are also assessed, framed and understood within a specific cultural and political context and can thus be understood differently by different actors even within the same movement (Gamson and Meyer 1996). Though a domestic CSO might be resource-rich and have the capacity to engage in multilevel politics, the EU might not be perceived as important for the CSO's policy agenda or compatible with the aims it seeks to accomplish. This suggests the importance of studying the perceived relevance of the EU for domestic CSOs' activities.

These four sets of factors combined constitute the analytical framework for this article, used to explain what routes domestic CSOs take to influence policies at national and EU levels.

#### **SWEDEN AND THE ROUTES TO POLITICAL INFLUENCE**

The relationship between the EU and its member states follows particular traits, largely defined by countries' social, political and economic institutional setting. Sweden has been a member of the EU since the mid-1990s. However, public debates and national politics have since been coloured by a certain distance towards what takes place in Brussels, and politicians have frequently noted the mismatch between national and EU policies, for instance with regards to welfare, employment policies, gender equality and alcohol and drug policies.

Domestic relations between the Swedish state and civil society are coloured by Sweden's corporatist historical legacy and governments at various levels have invited civil society representatives to join public committees and public boards to discuss and implement policies. Such inclusive and cordial relations have obviously engaged unions, but also senior citizen organisations, women's groups, disability movement organisations and immigrant and ethnic organisations (Feltenius 2008, Scaramuzzino 2012). Despite this general sense of inclusion, the Swedish system for interest representation has given different groups partly different access points, different avenues for political influence, different systems for funding (Danielson, Zetterberg and Amnå 2009) and different incitements to organise around certain particular issues. The women's movement, for instance, especially since the 1980s, has developed around the general need to work against gender-based violence and to organise women's shelters in local municipalities (Hedlund 2009).

Moreover, Swedish civil society is largely marked by a Scandinavian 'popular movement' tradition with large membership-based associations functioning as representatives of certain groups and/or interests vis-à-vis the state in a relationship characterised by a high level of trust (Trägårdh 2007). Unlike their counterparts in many European countries, Swedish CSOs only rarely employ large numbers of staff and the sector constitutes only a small part of the total national workforce because few actors are engaged in providing services based on public contracts, although this is slowly increasing (Johansson, Kassman and Scaramuzzino 2011). This suggests a receptive environment for Swedish CSOs' claims and increases their opportunities to engage and potentially be included in national politics and policymaking. This might in turn reduce their interest in being active at the EU level. Given that Sweden has in general been a reluctant member of the EU and that civil society traditionally has enjoyed relatively close and cordial relations with state authorities, one might anticipate that the interest and incitement to seek political influence in or through Brussels ought to be lower than in many other European countries that do not share these characteristics.

#### **RESEARCH DESIGN AND METHOD**

The survey from which the empirical data for this paper derives was one of the largest civil society surveys ever conducted in Sweden. In total 2,791 Swedish CSOs answered the survey in 2012-2013. Although the survey was conducted five years ago, radical changes in Swedish CSOs advocacy behaviour are unlikely. Hence it is reasonable to regard the data presented as still actual. The sample for the survey is constructed on the categories used by Statistics Sweden (SCB) in their register of Swedish organisations (*Företagsregistret*) that was used to get information about Swedish CSOs. The aim with the sample was to include the Swedish CSOs one could expect to be engaged in mostly social welfare issues and interest representation. In line with this aim, we included two types of organisations: associations (*ideella föreningar*) and religious congregations (*registrerade trossamfund*). The sample included only the CSOs categorised by Statistics Sweden as associations involved in 'social service and care', associations involved in 'interest representation' and religious congregations. Through these choices, our total population of CSOs was 80,015 associations, which represent approximately 40 per cent of formally organised Swedish civil society. According to Statistics Sweden's calculations, Swedish civil society includes about 217,000 formal organisations (SCB 2010).

The survey questionnaire was sent by mail to a stratified sample of 6,180 randomly chosen Swedish CSOs. 2,791 questionnaires were returned. Because of faulty postal addresses and because some organisations had ceased to exist or changed their associational form, these CSOs were excluded from the sample because they no longer belonged to our population. The final response rate was therefore 51.3 per cent. The data analyses presented in this paper include only cases from the associations/congregations that answered positively to a question about whether the organisation had had any activities at all during the year of the survey in 2012 (this meant that we excluded 40 cases from the analysis).

#### **EXPLORING DEPENDENT AND INDEPENDENT VARIABLES**

Based on the review of current research, the following discussion presents the dependent and independent variables for the article. The dependent variables originate from the four routes for political influence (see Table 1) and have been operationalised through a series of questions in our survey. The **targeted level** was explored through two main questions:

- National level targeted: 'How often does your organisation use the following means to influence Swedish policies?'
- European level targeted: 'How often does your organisation use the following means to influence EU policies?'

These two questions were followed by a series of sub-questions presenting different strategies for influencing policies. These sub-questions addressed the **level of participation** as presented in Table 2. To be able to explore the importance of street protest for influencing both national and EU policymaking, we introduced two additional routes as shown in the following table (Table 2) under the label 'Protest'. Since we are foremost interested in CSOs' overall use of specific strategies and not how frequently they use such strategies, we will be using dichotomised variables that show whether the CSOs have at all used certain strategies. The alternatives "often", "sometimes" and "rarely" have thus been merged into a single value, to be contrasted to "never". In one of the tables, however, we also show the figures for those that "often" use these strategies.

Table 2: Dependent variables

|                   | Territorial level targeted |                             |                                 |  |  |  |  |  |
|-------------------|----------------------------|-----------------------------|---------------------------------|--|--|--|--|--|
|                   |                            | Influencing Swedish         | Influencing EU policies         |  |  |  |  |  |
|                   |                            | policies                    |                                 |  |  |  |  |  |
| Territorial level | National                   | 'Contacted politicians at   | 'Contacted Swedish authorities  |  |  |  |  |  |
| of participation  |                            | the national level'         | or Swedish political parties'   |  |  |  |  |  |
|                   | EU                         | 'Contacted EU institutions' | 'Contacted MEPs or groups       |  |  |  |  |  |
|                   |                            |                             | within the European Parliament' |  |  |  |  |  |
| Protest           |                            | 'Staged demonstrations'     | 'Staged demonstrations'         |  |  |  |  |  |

The strategies considered under territorial level of participation are all related to so-called 'inside lobbying', while protest participation falls under the category of 'outside lobbying' (Dür and Mateo 2012). Many of the organisations that were included in this study are social movement organisations, such as trade unions, which besides inside lobbying strategies also tend to use more contentious forms of political participation such as street protests and demonstrations (Beyers, Eising and Maloney 2008; Snow, Soule and Kriesi 2004). Compared to inside lobbying and making direct contact with politicians, street protests are often less geographically bound to the site of the political-administrative level that is targeted during the protest. This difference should, however, not be exaggerated. When the CSOs have contacted politicians, both national parliamentarians and MEPs, such contact could just as well have been made outside of the parliaments and in the parliamentarians' local constituencies. Even though protests are sometimes staged outside of such sites (in Sweden, outside the national parliament; in the EU, outside the buildings of the EU institutions, or in Brussels in general), it is — particularly in Sweden — more common that street protests are quite geographically dispersed over the country (Wennerhag 2012).

In the first part of the analysis, we will explore Swedish domestic CSOs' use of different routes based on survey data from 1,704 CSOs. The cases on which the analysis is based are presented in Table 3 grouped in 10 organisational types representing different issue specific contexts (Vogel, Amnå, Munck and Häll 2003).

Table 3: Organisational types considered, and the number of CSOs for each type

| Category                                 | N.  |
|--|-----|
| Disability and patients' organisations   | 167 |
| Temperance and anti-drug organisations   | 72  |
| Trade unions                             | 110 |
| Women's organisations                    | 90  |
| Victim-support organisations             | 56  |
| Other interest organisations             | 148 |
| Humanitarian organisations               | 450 |
| Social service organisations             | 78  |
| Religious associations and congregations | 533 |

The first six types of CSOs work for and represent the specific interests of particular social groups in the population. These are disability organisations, temperance and anti-drug organisations, trade unions, victim support organisations, women's organisations and other interest organisations (such

as pensioners', immigrants' and LGBT organisations). We also include three other types of CSOs representing more diffuse interests: humanitarian organisations, social service organisations and religious associations and congregations. Compared to organisations representing specific interests, humanitarian organisations do not seek to primarily represent a specific group and are often providing aid and help for vulnerable groups both in Sweden and abroad. Social service organisations instead have the primary aim of providing specific social welfare services (such as elderly and child care) on the basis of a non-profit organisational logic, often on behalf of and funded by the public sector. Many of these organisations define themselves as cooperatives. Religious associations and congregations are usually engaged in social welfare issues regardless of their denomination. Organisations connected to the Church of Sweden are also, since the separation of church and state in 2000, voluntary organisations.

Our typology is based on organisational aims and the issues with which CSOs are involved, which we interpret as being broader than the policy fields in which they might be active. As will be shown in the analysis, however, CSOs involved in different issues tend to have different characteristics because different policy fields tend to structure CSOs according to certain institutional logics.

In our final analysis, we explore what independent variables explain the use of different routes. Following our analytical framework discussed above, the following independent variables are analysed.

- 1. Organisational type was assessed manually through answers in the survey about the aim of the organisation and from the CSOs' own webpages.
- 2. Organisational resources, including *membership base* (representativeness) and *employed staff* (personnel) were stated by the CSOs themselves in the questionnaire in response to the following questions: 'How many members does your organisation have? [Individuals; Organisations]' and 'How many full-time employed staff does your organisation have?' The variables have been dichotomised around the values 1,000 individual members and more than 0 employees, and a separate variable was created for CSOs with only organisations as members (i.e. meta-organisations).<sup>2</sup>
- **3. Organisational level of activity** was assessed manually through answers in the survey about the main territorial level of activity and from the CSOs' own webpages.
- **4. Perceived importance of political level** was measured by the question 'How important are the following levels of political decision making for solving the problems or issues that your organisation works with? [National level; European level].'

#### **ANALYSIS**

In this section, we will first discuss our results regarding different routes that CSOs take when trying to influence policies at the national and/or EU levels. In the second part, we will scrutinise the correlation between the use of one route and the use of other routes. The final part examines whether our four sets of factors affect the CSOs' choices of different routes to influence policies. We

used binary logistic regression models to determine the different factors' relative impact on the CSOs' likelihood to take different routes for attempting to influence EU and national policies.

#### **COMPARING ROUTES FOR POLITICAL INFLUENCE**

A common feature for Swedish CSOs' engagement in a multilevel political opportunity structure is their main orientation towards the national political-territorial level, rather than the EU level. We find that CSOs more often try to influence national policies (varying between 12 per cent and 39 per cent, depending on route) than EU policies (varying between 13 per cent and 32 per cent, depending on route) (see Table 4 below).

Table 4: The CSOs' use of various forms of advocacy to influence national policies (national level targeted) and EU policies (EU level targeted). Percent

|               |          | Level targeted                |                                   |  |  |  |  |  |
|---------------|----------|-------------------------------|-----------------------------------|--|--|--|--|--|
|               |          | Influencing Swedish policies  | Influencing EU policies           |  |  |  |  |  |
| Level of      | National | 'Contacted politicians at the | 'Contacted Swedish authorities or |  |  |  |  |  |
| participation |          | national level'               | Swedish political parties'        |  |  |  |  |  |
|               |          | 39%                           | 32%                               |  |  |  |  |  |
|               |          | (6 %)                         | (3%)                              |  |  |  |  |  |
|               |          | Total N = 1,531               | Total N = 1,457                   |  |  |  |  |  |
|               | EU       | 'Contacted EU institutions'   | 'Contacted MEPs or groups within  |  |  |  |  |  |
|               |          |                               | the European Parliament'          |  |  |  |  |  |
|               |          | 12%                           | 13%                               |  |  |  |  |  |
|               |          | (0.5%)                        | (0.5%)                            |  |  |  |  |  |
|               |          | Total N = 1,489               | Total N = 1,441                   |  |  |  |  |  |
| Prote         | est      | 'Staged demonstrations'       | 'Staged demonstrations'           |  |  |  |  |  |
|               |          | 32%                           | 17%                               |  |  |  |  |  |
|               |          | (3%)                          | (1%)                              |  |  |  |  |  |
|               |          | Total N = 1,554               | Total N = 1,465                   |  |  |  |  |  |

The bold figures show the percentage of CSOs that have *at all* (often, sometimes, or rarely) used the mentioned strategies to influence national and EU policies. The italicised figures within brackets show the percentage of CSOs that have *often* used these strategies.

It is most common for Swedish CSOs to follow 'a traditional route', implying that they directly contact domestic politicians to influence national policies. With the intention to influence national policies, we also find that approximately one third of the CSOs engage in demonstrations, a proportion only somewhat less than those contacting politicians. The relevance of the 'national route', or what della Porta and Caiani (2009) label 'domestication of protest', is thus striking, as engaging in national politics is the most common strategy among Swedish CSOs. Our analysis shows that the proportion of Swedish CSOs that engage in a 'European route down', by contacting EU institutions to influence national policies, is much lower, as 12 per cent reported they engaged in such advocacy activities. To use the EU as a vehicle for pressuring the Swedish government, which can be seen as the opposite of the 'domestication of protest' discussed above and implies an 'externalisation of protest', is therefore less common.

However, being active at the national level does not prevent ambitions and intentions to influence EU policies, as this appears to be almost as common as seeking to influence Swedish policies. Considering that we analysed a representative sample of domestic CSOs, it is remarkable that as much as 32 per cent report that they have contacted Swedish authorities or political parties to

influence EU policies (a national route). We find that arranging protests is not uncommon in this respect. Although this strategy is less common than contacting Swedish politicians, it is used more frequently to influence EU policies than contacting MEPs or the EU institutions themselves (European route up).

#### IS THERE A TRADE-OFF BETWEEN THE DIFFERENT ROUTES?

It is important to address whether the EU and the national political levels form two, potentially separate levels of a multilevel opportunity structure and how one can understand the relationship between the different ways of influencing national and/or EU policies. Are CSOs that use one route for addressing the EU level more likely to also use other routes that involve national politics and vice versa? Or, on the contrary, does attention to one level of political opportunities lead to less use of another?

Table 5: Correlations between different forms of advocacy to influence national and EU policies

|                            | Correlations  | Influenc               | ing Swedish p             | olicies              | Influencing EU policies |                   |                      |         |
|----------------------------|---|------------------------|---------------------------|----------------------|-------------------------|-------------------|----------------------|---------|
|                            |   |                        | European<br>route<br>down | Traditional<br>route | Protest                 | National<br>route | European<br>route up | Protest |
| Influencing<br>Swedish     | European route down:  | Pearson<br>Correlation | 1                         |                      |                         |                   |                      |         |
| policies                   | Contacted EU institutions   | Observations<br>(N)    | 1,489                     |                      |                         |                   |                      |         |
|                            | Traditional route:  | Pearson<br>Correlation | .436**                    | 1                    |                         |                   |                      |         |
|                            | Contacted politicians working at the national level                 | Observations<br>(N)    | 1,470                     | 1,531                |                         |                   |                      |         |
|                            | Protest:<br>Staged  | Pearson<br>Correlation | .309**                    | .441**               | 1                       |                   |                      |         |
|                            | demonstratio<br>ns  | Observations (N)       | 1,473                     | 1,514                | 1,554                   |                   |                      |         |
| Influencing<br>EU policies | National route:   | Pearson<br>Correlation | .406**                    | .512**               | .391**                  | 1                 |                      |         |
|                            | Contacted Swedish authorities or Swedish political parties          | Observations<br>(N)    | 1,376                     | 1,397                | 1,406                   | 1,457             |                      |         |
|                            | European route up:  | Pearson<br>Correlation | .505**                    | .413**               | .366**                  | .578**            | 1                    |         |
|                            | Contacted<br>MEPs or<br>groups within<br>the European<br>Parliament | Observations<br>(N)    | 1,368                     | 1,382                | 1,392                   | 1,435             | 1,441                |         |
|                            | Protest:<br>Staged  | Pearson<br>Correlation | .348**                    | .372**               | .543**                  | .512**            | .530**               | 1       |
|                            | demonstratio<br>ns  | Observations (N)       | 1,383                     | 1,405                | 1,417                   | 1,443             | 1,434                | 1,465   |

<sup>\*\*</sup> Correlation is significant at the 0.01 level (2-tailed).

The relationships between various routes seem to be fairly integrated and with extensive spillover effects, because we can show that there are positive correlations between the use of all routes (Pearson's r varies between .309 and .578). This suggests that the use of one route makes it more likely for a CSO also to use other routes. For instance, CSOs trying to influence national policies are also more likely to be trying to influence EU policies and vice versa. The correlations are positive for all routes and there is no direct trade-off between the uses of different forms of advocacy.

We however find the strongest correlation between the 'European route up' and the 'national route'. This suggests that CSOs that target the EU are also highly likely to adopt national strategies for the same purpose. It can also be noted that the correlations are strong between the different forms of advocacy used to influence EU policies. CSOs trying to do this are more likely to simultaneously use different types of strategies, including both 'inside lobbying' (contacts with politicians and institutions) and 'outside lobbying' (protests). Our findings thus suggest that CSOs that seek to influence EU policies are also active at the national level and inclined to use a variety of strategies for their purposes.

#### **EXPLORING ORGANISATIONAL FACTORS**

The kinds of organisational factors that provide us with insight into how to explain different routes are presented in separate regression models for CSOs' attempts to influence national policies (Table 6) and EU policies (Table 7). Each of the models test for the factors discussed above (organisational type, organisational resources, organisational level of activity and perceived importance of the policy level in question). Humanitarian organisations were chosen as the reference in all regression models because CSOs within this category use advocacy less than CSOs representing and working for specific interests (Scaramuzzino and Wennerhag forthcoming). The significant differences thereby show whether other types of CSOs are using the different ways of influencing policies more or less than humanitarian organisations.

When it comes to the impact of organisational type, this differs both between the targeted policy level (national or EU) and the type of advocacy used (contacting politicians or protest). Table 6 shows our results for CSOs that aim to influence national policies, but act at different territorial levels. It is apparent that there are no statistically significant differences between the types of CSOs that use a 'European route down', by making contacts with EU institutions in order to influence national policies. Somewhat stronger differences appear with regard to the types of CSOs that use a 'traditional route', with CSOs contacting national politicians in order to influence policy at the national level. Here the trade unions and temperance/anti-drug organisations stand out, but also women's organisations that are more likely to stage demonstrations in this respect.

The connection between organisational type and CSOs' ambitions to use various routes for influencing EU policies (Table 7) follows a similar pattern. Once again, we find that women's organisations are much more likely than the reference category to use all routes for targeting EU policies, including staging demonstrations. Trade unions and disability organisations are also in general more likely to address policies at this level, both when it comes to contacting politicians at the national level (national route) and when staging demonstrations, but not when it comes to contacting politicians at the EU level (European route up). The largest differences between types of CSOs are regarding the use of protest as a way to influence policies, both nationally and at the EU level. In comparison to the reference category (humanitarian organisations), women's organisations, trade unions and temperance/anti-drug organisations are several times more likely to stage demonstrations.

Table 6: The most important factors influencing CSOs' attempts to influence national policies. Binary logistic regression

|                                       | Model 1A: European route down |     |            | Model 1   | ional route | Model 1C: Protest |                       |     |        |  |
|---------------------------------------|-------------------------------|-----|------------|---|-------------|-------------------|-----------------------|-----|--------|--|
|                                       | Contacte                      |     | stitutions | Contacted politicians working at the national level |             |                   | Staged demonstrations |     |        |  |
| Variable                              | В                             |     | Exp(B)     | В   |             | Exp(B)            | В                     |     | Exp(B) |  |
| CSO type<br>(Humanitarian             |                               |     |            |   |             |                   |                       |     |        |  |
| org. = ref.)                          | 0.042                         |     | 0.050      | 0.007   |             | 1 102             | 0.463                 | +   | 1 507  |  |
| Disability org.                       | -0.043                        |     | 0.958      | 0.097   | *           | 1.102             | 0.462                 | *   | 1.587  |  |
| Temperance and                        | 0.524                         |     | 1.689      | 0.844   | Ť           | 2.326             | 0.832                 | *   | 2.299  |  |
| anti-drug org.                        | 0.404                         |     | 4.620      | 0.740   | **          | 2.442             | 4.050                 | *** | 6.262  |  |
| Trade unions                          | 0.494                         |     | 1.639      | 0.748   | **          | 2.113             | 1.850                 | *** | 6.362  |  |
| Victim-support org.                   | -0.489                        |     | 0.613      | -0.079  |             | 0.924             | -0.384                |     | 0.681  |  |
| Women's org.                          | 0.351                         |     | 1.420      | 0.419   |             | 1.521             | 2.107                 | *** | 8.225  |  |
| Other interest                        | -0.308                        |     | 0.735      | 0.866   | ***         | 2.378             | 1.200                 | *** | 3.321  |  |
| org. Social service org.              | 0.684                         | *   | 1.981      | -0.029  |             | 0.972             | -1.310                | *   | 0.270  |  |
|                                       |                               |     | 1.501      | -0.029  |             | 0.972             |                       |     |        |  |
| Religious associations and            | 0.406                         |     | 1.501      | -0.258  |             | 0.772             | 0.109                 |     | 1.115  |  |
| congregations                         |                               |     |            |   |             |                   |                       |     |        |  |
| Organisational level                  |                               |     |            |   |             |                   |                       |     |        |  |
| Organisational level                  | (local                        |     |            |   |             |                   |                       |     |        |  |
| organisation = ref.)                  |                               |     |            |   |             |                   |                       |     |        |  |
| Regional                              | 1.013                         | **  | 2.755      | 1.078   | ***         | 2.938             | 0.772                 | **  | 2.165  |  |
| organisation                          |                               |     |            |   |             |                   |                       |     |        |  |
| National organisation                 | 1.759                         | *** | 5.807      | 1.671   | ***         | 5.319             | 0.064                 |     | 1.066  |  |
| Organisational                        |                               |     |            |   |             |                   |                       |     |        |  |
| resources                             |                               |     |            |   |             |                   |                       |     |        |  |
| No. of members (1–<br>999 = ref.)     |                               |     |            |   |             |                   |                       |     |        |  |
| ≥ 1000 members                        | 0.058                         |     | 1.060      | 0.234   |             | 1.263             | 0.417                 | *   | 1.517  |  |
| Meta-organisation                     | 0.656                         | +   | 1.928      | 0.103   |             | 1.109             | 0.091                 |     | 1.096  |  |
| Employed staff (0 = ref.)             | 0.030                         | ·   | 1.520      | 0.103   |             | 1.103             | 0.031                 |     | 1.030  |  |
| Have employed                         | 0.478                         | *   | 1.613      | 0.965   | ***         | 2.624             | 0.550                 | *** | 1.734  |  |
| staff                                 |                               |     |            |   |             |                   |                       |     |        |  |
| Perceived                             |                               |     |            |   |             |                   |                       |     |        |  |
| importance of the<br>national level   |                               |     |            |   |             |                   |                       |     |        |  |
| The national level is                 | 2.157                         | *** | 8.649      | 1.570   | ***         | 4.807             | 1.406                 | *** | 4.080  |  |
| perceived as                          | 2.15/                         |     | 0.049      | 1.570   |             | 4.607             | 1.400                 |     | 4.080  |  |
| important                             |                               |     |            |   |             |                   |                       |     |        |  |
| <u> </u>                              | 4 5 4 4                       | *** | 0.011      | 2 224   | ***         | 0.007             | 2.064                 | *** | 0.057  |  |
| Constant                              | -4.544                        |     | 0.011      | -2.334  |             | 0.097             | -2.864                |     | 0.057  |  |
| Observations                          | 1,283                         |     |            | 1,312   |             |                   | 1,327                 |     |        |  |
| Nagelkerke's<br>pseudo R <sup>2</sup> | 0.213                         |     |            | 0.284   |             | columns †10%      | 0.269                 |     |        |  |

Binary logistic regression. Standardised beta-coefficients are shown in the columns. <sup>†</sup>10% significance. \*5% significance. \*\*1% significance. \*\*\*0.1% significance.

Table 7: The most important factors influencing CSOs' attempts to influence EU policies. Binary logistic regression

|  | Model 2A: National route |                                     |         | Model 2B: European route<br>up |                                 |        | Model 2C: Protest |     |        |
|--|--------------------------|-------------------------------------|---------|--------------------------------|---------------------------------|--------|-------------------|-----|--------|
|  | author                   | acted Sw<br>ities or S<br>tical pai | Swedish | withi                          | ed MEPs<br>n the Eu<br>Parliame |        |                   |     |        |
| Variable   | В                        |                                     | Exp(B)  | В                              |                                 | Exp(B) | В                 |     | Exp(B) |
| CSO type<br>(Humanitarian org. =<br>ref.)        |                          |                                     |         |                                |                                 |        |                   |     |        |
| Disability org.                                  | 0.780                    | **                                  | 2.182   | 0.128                          |                                 | 1.137  | 1.071             | **  | 2.918  |
| Temperance and anti-drug org.                    | 0.751                    | *                                   | 2.119   | 0.138                          |                                 | 1.148  | 1.208             | **  | 3.348  |
| Trade unions                                     | 1.049                    | ***                                 | 2.855   | 0.561                          |                                 | 1.752  | 1.727             | *** | 5.626  |
| Victim-support org.                              | -0.677                   |                                     | 0.508   | -19.295                        |                                 | 0.000  | -18.776           |     | 0.000  |
| Women's org.                                     | 1.108                    | ***                                 | 3.027   | 1.275                          | ***                             | 3.578  | 1.665             | *** | 5.284  |
| Other interest org.                              | 0.915                    | ***                                 | 2.497   | 0.533                          |                                 | 1.704  | 1.290             | *** | 3.634  |
| Social service org.                              | 0.447                    |                                     | 1.563   | -0.131                         |                                 | 0.877  | -0.441            |     | 0.643  |
| Religious associations and congregations         | 0.039                    |                                     | 1.040   | -0.158                         |                                 | 0.854  | 0.725             | *   | 2.065  |
| Organisational level                             |                          |                                     |         |                                |                                 |        |                   |     |        |
| Organisational level (local organisation = ref.) |                          |                                     |         |                                |                                 |        |                   |     |        |
| Regional organisation                            | 0.322                    |                                     | 1.380   | 0.375                          |                                 | 1.454  | 0.116             |     | 1.123  |
| National organisation                            | 0.823                    | **                                  | 2.278   | 0.560                          | *                               | 1.751  | -0.223            |     | 0.800  |
| Organisational resources                         |                          |                                     |         |                                |                                 |        |                   |     |        |
| No. of members (1–999 = ref.)                    |                          |                                     |         |                                |                                 |        |                   |     |        |
| ≥ 1000 members                                   | 0.299                    |                                     | 1.348   | 0.402                          |                                 | 1.494  | 0.289             |     | 1.335  |
| Meta-organisation                                | 0.483                    |                                     | 1.622   | 0.444                          |                                 | 1.559  | -0.407            |     | 0.666  |
| Employed staff (0 = ref.)                        |                          |                                     |         |                                |                                 |        |                   |     |        |
| Have employed staff                              | 0.516                    | **                                  | 1.675   | 0.786                          | ***                             | 2.194  | 0.504             | *   | 1.655  |
| Perceived importance of the European level       |                          |                                     |         |                                |                                 |        |                   |     |        |
| The European level is perceived as important     | 1.393                    | ***                                 | 4.028   | 1.689                          | ***                             | 5.414  | 1.378             | *** | 3.966  |
| Constant   | -2.185                   | ***                                 | 0.112   | -3.429                         | ***                             | 0.032  | -3.442            | *** | 0.032  |
| Observations                                     | 1,215                    |                                     |         | 1,203                          |                                 |        | 1,221             |     |        |
| Nagelkerke's pseudo R <sup>2</sup>               | 0.253                    |                                     |         | 0.266                          |                                 |        | 0.223             |     |        |

Binary logistic regression. Standardised beta-coefficients are shown in the columns. <sup>†</sup>10% significance. \*5% significance. \*\*1% significance. \*\*\*0.1% significance.

Factors related to organisational resources also affect CSOs' likelihood to use different routes. In all of the models, the factor that makes it most likely for CSOs to attempt to influence policies is the existence of employed staff. A large number of members does not affect the probability of a CSO trying to influence policies, except for in the case of staging demonstrations to influence national policies. When it comes to the organisational level, in all models it is mostly through 'inside lobbying' that nationally based organisations seek to influence both national and EU policies. This is, however, not the case for staging demonstrations, where the CSOs' organisational level has less impact on their likelihood to engage in such activities. Once again, the staging of political protests seems to be following slightly different patterns than other forms of advocacy.

Finally, the regression models show that the perceived importance of the political level for addressing the issues that the CSOs are working with is a key factor and the fact that a CSO perceives a specific level as important makes them more likely to address that level for all types of advocacy.

To value and rank different sets of factors is a methodologically sensitive issue, yet our analysis suggests that organisational type and perceived relevance of the political level have most explanatory power, while organisational resources and level of activity explains less. However, the pattern differs somewhat depending on whether it concerns domestic CSOs' ambitions to influence national policies or EU policies.

#### **ORGANISATIONAL FACTORS WITHIN NATIONAL CONTEXTS**

The development of EU policies, discourses and governance arrangements for participation have offered domestic CSOs new opportunities to mobilise around and a further arena for political influence. Despite the fact that EU and national policymaking processes are increasingly intertwined, most CSOs' political activities continue to take place at the national level. Swedish CSOs are clearly embedded in national political, cultural and social settings and primarily use their access to national channels to obtain political influence. This is hardly surprising and in line with previous research. Yet a key finding from our analysis is that such embeddedness does not contradict ambitions to influence EU policies. On the contrary, influencing EU policies is given almost the same priority as influencing national policies. While the ambitions to influence national and EU policies suggest a certain balance between national and EU politics in this respect, the gap is more sizeable regarding where the activities take place. The locus for CSOs' activities tends to be rooted in a national setting even when the ambition is to influence EU policies. Demonstrations, however, seem to follow a partly different logic. The use of demonstrations as a form of outside, and more contentious, strategy is more frequent than contacting EU institutions or MEPs. Demonstrations can thus bridge political and territorial divides as demonstrations are staged with the intention to influence EU policies, but are not necessarily taking place in Brussels.

It appears that CSOs do not actively choose between either being active at the EU or the national level. On the contrary, our analysis of potential trade-off between routes shows that those who are active in seeking to influence policies at one political level, are also involved in seeking to influence policies at the other political level. Assumptions that domestic organisations are active at the EU or the national level, or use inside or outside tactics, are thus only partly true. Rather the act of seeking to influence EU policies follows a cumulative logic for domestic CSOs. Those who are engaged in trying to influence EU policies are equally active at national level. Furthermore, they also use both inside and outside strategies to a high degree. CSOs that engage in influencing EU policies can in this respect be seen as the most politically active, using all opportunities (national and EU) and means (insider and outsider) to try to influence policies.

A key objective for this article was to further explain why some CSOs sought to influence EU policies and we find a combination of factors that explain why some go to Brussels. Taking us back to discussions on what organisational factors that have explanatory power, organisational type seems to be a key factor.

Our results however challenge previous research on diffuse and specific interests, since our study indicates a mix of both the usual suspects and odd cases that highlight the relevance of organisational type to explain CSOs' activities. For instance, for many years Swedish trade unions have been engaged and involved in EU level politics and with clear access points at both the national and EU levels. They have been particularly active in recent years in getting businesses from other EU member states to agree to Swedish labour market rules and norms when delivering services in Sweden. This is especially important because EU integration is often perceived as a threat to the Swedish model and social contract (Trägårdh 2007).

We find that women's organisations (national route, European route up and protest) and temperance organisations (national route and protest) also stand out as being likely to engage at both the national and EU levels. This is in line with other studies on Swedish CSOs (Karlberg and Jacobsson 2014; Scaramuzzino and Scaramuzzino 2015) that suggest that Swedish women's organisations have both engaged in and been particularly successful in addressing the EU level for the purpose of 'exporting' Swedish norms concerning gender equality to EU institutions. The EU has also been ambitious when it comes to working for gender equality, for instance when it comes to labour market inclusion and anti-discrimination (Bygnes 2013).

The temperance movement has similar rationales for engaging at the EU level because the temperance movement has been active in defending the Swedish way of treating alcohol and drug dependency. Even if Swedish politics is still characterised by a consensus that alcohol consumption needs to be restricted to improve the health of the citizens, anti-alcohol policies have over time lost their saliency as a central political issue in Sweden. Most public discussions have focused on how Sweden's membership in the EU since 1995 affects the possibility to maintain restrictive alcohol policies, for example to maintain exceptions from the rules of the local market such as the statemanaged system of selling alcoholic beverages (Cisneros Örnberg 2009). For the organisations of the temperance movement, this has made EU policies an important target for their lobbying, mainly through the Swedish politicians involved in EU politics, but also through European CSO networks.

This suggests that there is something more in the notion of organisational type, since organisational type links to particular issue specific contexts. This is consistent with Beyers and Kerremans' (2012: 268) argument that the 'issue specific context in which interest groups develop their political strategies [...] explains the origins of political strategies including multilevel venue shopping'.

However, there is something more profound in this. Explanations of why domestic CSOs engage in EU politics cannot only be referred to CSO types, issue characteristics, formal access at EU level or to organisational factors. To have organisational *resources* and capacity constitutes, of course, a kind of threshold, but, as we can demonstrate, it is not the strongest factor in explaining domestic CSOs' willingness to seek to influence EU policies (Scaramuzzino and Wennerhag 2015). Of much greater importance is whether the CSOs perceive the EU as *relevant* for solving the problems and claims that they address. Such a 'cognitive threshold' has a higher impact on CSOs' use of all routes considered in this article compared to the other organisational factors analysed (type, resources and level). This shows that while organisations might have the skills or the resources to act at different levels, the perception of relevance for the issues they work with is the strongest enabling (or hampering factor) for CSOs' engagement in multilevel strategies. The large majority of Swedish CSOs seek political influence domestically and continue to be firmly rooted and embedded in national structures. The triggering effect kicks in when national values linked to specific policy issues become threatened. It is then that CSOs first engage and become involved beyond the national sphere.

#### **CONCLUSIONS**

This article shows the importance of both adopting the perspectives of 'routes to Europe' and focusing on organisational factors within the particular national context in which CSOs are embedded in order to capture fully the advocacy activities undertaken by domestic CSOs. Our model with different routes that combine the level of participation with inside and outside lobbying strategies and the target level shows that the answer to the question of to what extent Swedish CSOs are Europeanized or not is not unequivocal. Depending on the route chosen, we find not only different extents of advocacy activities but also slightly different organisational types. Combining this route-orientated approach with an analysis of the factors behind different strategies shows that

the patterns are quite similar, at least when it comes to inside lobbying. It is also evident that the new set of opportunities for Swedish CSOs at the EU level are within their grasp through multilevel strategies and that there is no trade-off with traditional nationally bound advocacy activities.

These findings are of key importance considering that this article draws on a representative sample of domestic Swedish CSOs where a large majority of them (83 per cent) are locally based associations, 9 per cent are active at regional level and 8 per cent at national level. Because the sample of organisations studied here are not the most likely to engage in politics or to be active at the supranational level (as is often the case in previous research), it is not surprising that the majority of them do not engage with either national or EU politics. Elsewhere (Scaramuzzino and Wennerhag forthcoming), we have shown that Swedish CSOs primarily make contacts with politicians and officials at the local level. Taking this into account, it is remarkable that as many as one in three of the organisations target EU policies, although this is done through their national channels. This suggests that while the EU is present as a political opportunity structure for Swedish CSOs, Brussels is still distant and the bubble difficult to burst.

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#### **ENDNOTES**

<sup>1</sup> Although the terms 'domestic' and 'national' are often used as synonymous, in this article we make an important distinction between national and domestic levels both concerning levels of government and organisational levels. By domestic levels we mean all levels within the Swedish context including local, regional and national levels. By national level we mean the central or state level.

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<sup>&</sup>lt;sup>2</sup> Regarding members, 82 per cent of the CSOs had 1–999 individual members, 15 per cent had 1,000 members or more, and 4 per cent of the CSOs were meta-organisations. Regarding employed staff, 69 per cent of the CSOs had no employed staff, while 31 per cent had staff employed.

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Research Article

# From the 2005 Constitution's 'Permissive Consensus' to TTIP's 'Empowering Dissensus': The EU as a Playing Field for Spanish Civil Society

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### **Abstract**

The negotiations of the Transatlantic Trade and Investment Partnership (TTIP) saw the development of a transnational campaign that gained momentum as the negotiations reached a critical status, including in Spain. The Spanish anti-TTIP campaign is interesting in that it has gained some salience among media, civil society, trade unions and some political parties in a country where trade and EU affairs are rarely controversial. In order to explain the transformation of the attitudes of Spanish civil society vis-à-vis the EU in the case of TTIP, we formulated descriptive and explanatory research questions, respectively: how is the mobilisation against TTIP different from the traditional involvement of Spanish civil society actors in EU issues? Why have actors which did not work together in previous campaigns cooperated in the case of TTIP? We analyse the Spanish anti-TTIP campaign, and we argue that the change of positions of Spanish civil society actors in relation to the EU in the case of TTIP can be explained on the basis of a change in the field, a notion that is suggestive because of the degree of continuity in the identity of the entrepreneurs of the anti-TTIP campaign in relation to past EU-critical mobilisations. Rather than an increased political cost of EU decision-making at national level, we argue that the introduction of EU-critical ideas can lead to an 'empowering dissensus' where the ability to mobilise citizens on EU issues acquires a renewed importance. We tackle our puzzle through a combination of methods, using semi-structured interviews and network analysis.

# Keywords

Democratic legitimacy; Europeanization; Civil society; Stop TTIP; Network analysis

The contestation of the European Union (EU) and its policies has traditionally been weak in Spain. The 2005 referendum on the European Constitutional Treaty ended with 82 per cent of the votes supporting it (on a low turnout, of 42 per cent), despite the campaign led by alter-globalisation actors (such as Ecologistas en Acción or ATTAC) against it. The mainstream political parties, Partido Socialista Obrero Español (PSOE) and Partido Popular (PP), government and leader of the opposition, and the two biggest trade unions, Comisiones Obreras (CCOO) and Unión General de Trabajadores (UGT) supported the 'yes' vote for the Constitutional Treaty, while civil society actors in most cases remained silent about it, an attitude that is consistent with the idea of the 'permissive consensus' (Hooghe and Marks 2009). As a result, the political field in relation to the EU generally marginalised the opponents of the European Constitutional Treaty as 'Eurosceptics'. However, ten years later, the Transatlantic Trade and Investment Partnership (TTIP) negotiations, a trade agreement with the United States (US) negotiated on the European side by the European Commission triggered massive contestation in Europe, including in Spain. TTIP is a unique case of a long-lasting mobilisation that has maintained considerable energy over time, from the announcement of the negotiations (February 2013) until the negotiations were frozen (November 2016). According to the Commission, the aim of TTIP was

to increase trade and investment between the EU and the US by unleashing the untapped potential of a truly transatlantic market place. The agreement is expected to create jobs and growth by delivering better access to the US market, achieving greater regulatory compatibility between the EU and the US (European Commission 2013).

However, civil society critics of TTIP (such as those present in our analysis) have argued that it followed a Neoliberal paradigm that could reduce or bypass some social, environmental, consumer or labour protections, increasing the power of corporations. For this reason, the European Stop TTIP coalition has argued that TTIP is 'a threat to democracy, the rule of law, the environment, health, public services as well as consumer and labour rights' (STOP TTIP 2014).

The Spanish coalition against TTIP ('No al TTIP') was composed in December 2016 by 340 organisations from a wide array of sectors, such as trade unions, environmental protection organisations and political parties. The campaign collected 90,868 signatures in Spain for the selforganised European Citizens' Initiative STOP TTIP<sup>1</sup> and organised several demonstrations against the Treaty. The organisation of EU-critical demonstrations had no precedent in Spain before the 2011 anti-austerity protests that led to the Indignados movement. The intensity of the politicisation of the issue is attested by the involvement of Podemos (the emerging left-wing party) in the contestation of TTIP, along with trade unions that actively supported the 2005 EU Constitutional Treaty. As we will see, the STOP TTIP mobilisation in Spain resulted from the convergence of two streams of civil society activists that do not often mobilise together: institutionalised actors such as CCOO or Greenpeace and actors close to social movements, such as Ecologistas en Acción (EeA) or the Spanish chapter of ATTAC. In order to explain the transformation of the attitudes of Spanish civil society vis-àvis the EU in the case of TTIP, we formulated descriptive and explanatory research questions, respectively: How is the mobilisation against TTIP different from the traditional involvement of Spanish civil society actors in EU issues? Why have actors which did not work together in previous campaigns cooperated in the case of TTIP?

We address these questions by analysing the network of actors mobilised against TTIP. We contextualise it with the mobilisation of actors in the 2005 EU Constitution Referendum and the 2011 Indignados Movement. We argue that the success of the anti-TTIP campaign can be explained by a transformation of the forms of involvement of Spanish civil society in the field of EU affairs, providing a favourable opportunity to the small group of EU-critical cause entrepreneurs that had been involved since at least the early 2000s. In this light the ongoing transformation of the field results from national level changes in the attitudes of Spanish civil society actors towards the EU, and also changes in the type of connection between the field of civil society and the pan-European field of protest and activism. This unusual mobilisation results from the transformation and re-assignment of the transnational mobilisation resources of Spanish civil society activists, therefore changing the types of resources that are valued in the field. Rather than simply channeling EU affairs through its vertical membership in Brussels-based umbrella organisations, national organisations can improve their position in the Spanish civil society field by encouraging the politicisation of EU issues at the national level.

Our research shifts attention from the role that EU institutions play in encouraging civil society participation in EU policymaking (Armstrong 2002; Kohler-Koch & Quittkat 2013; Ruzza 2004; Smismans 2006), a process that essentially takes place in Brussels, towards the involvement of national civil society organisations (CSOs) in EU policymaking (Sánchez Salgado 2014), taking into account not only the vertical relationships between national and EU level organisations, but also horizontal dynamics. Then we assume that protests triggered by civil society actors beyond the 'Brussels bubble' on EU issues follow both national and transnational dynamics (Sanchez Salgado & Demidov in this special issue). Such a position is coherent with the understanding of the process of Europeanisation (Coman, Kostini and Tomini 2013) as a dialectical interaction between EU and national level actors, where both influence and shape each other.

Following the introduction of our research focus, the second section will outline the involvement of Spanish civil society actors working on EU affairs in the domestic arena, which we conceive as a field

(Fligstein & McAdam 2012). The third section will describe the end of the 'permissive consensus' in the field, the explored hypotheses and the used methodology in order to respond to the two research questions. The fourth section, divided into two subsections, presents the empirical analysis undertaken, leading to an explanation of the atypical cooperation and competition patterns in the anti-TTIP mobilisation. Lastly, we summarise the main findings in the conclusion.

#### THE CHANGING FIELD OF EU AFFAIRS IN SPAIN AND TTIP

This section introduces existing literature on the evolution of mobilisation on European issues in Spain. This preliminary review is essential to understand to what extent the mobilisation against TTIP was atypical. We approach it by employing the theoretical notion of a field.

We conceive fields as the social space where actors compete for positions following a set of 'rules of the game' that make full sense within this field. Field theory bridges agency and structure by assuming that the field is the result of the actors' agency and that their strategies are heavily influenced by the structural properties of the field, such as their relative position in comparison to other actors and available resources embedded in the field. Field approaches have been applied to EU integration for more than a decade in order to account for how the construction of EU markets (Fligstein 2008) and day-to-day work in EU institutions (Georgakakis and Rowell 2013) are the result of competition and strategic behaviour by actors involved in regular patterns of interaction. This approach has recently been applied to the analysis of the competition and cooperation patterns of Brussels-based CSOs (Johansson and Kalm 2015), but not to the involvement of civil society on EU issues beyond Brussels. We follow the approach of Fligstein and McAdam (2012) rather than approaches inspired by Bourdieu's work (Georgakakis and Rowell 2013) because they deliver greater emphasis on agency and strategic behaviour by comparison to the conditions of structure.

Following this approach, we assume that the involvement of Spanish civil society in the domestic debate on EU affairs reflects its traditionally weak position in the national political field. Despite a strong role in opposition to Francoism and in the transition to democracy (Laraña 1999; Pastor 1999), most organisations experienced a strong demobilisation during the 1980s and 1990s, as some of the members of the organisations were co-opted into the new political parties. Just as the PSOE co-opted the members of the neighbourhood associations in the 1980s, all the contestation against the Maastricht Treaty was expressed via the newly formed leftist coalition Izquierda Unida (IU) that emerged out of the co-optation of activism against NATO in the late 1980s (Vázquez 2010: 156-158). Contestation by civil society regained salience in the late 1990s, around the emerging alterglobalisation movement (Adell 2000). These years mark a turning point in the normalisation of protest. They also introduce a key feature of Spanish civil society: a cleavage between organisations institutionalised into semi-corporatist arrangements in areas such as the labour market, consumer protection and international cooperation on the one hand and those in emerging areas such as the environment, global justice, anti-poverty and coalitions of users and employees of public services on the other hand. The latter group of organised civil society has little recognition from the authorities and is thus more prone to contestation. This cleaved field results in differentiated forms of mobilisation and resource levels, with organisations involved in semi-corporatist arrangements enjoying higher levels of resources, expertise and access to the policy process, but left in a situation of structural dependence on state authorities (McDonough, Barnes & López Pina 1984). This general cleavage was strongly epitomised by the Indignados movement that started in Madrid in 2011: a strongly decentralised network of alter-globalisation, youth and internet culture activists led a strong social movement (Flesher Fominaya 2015) that associated traditional groups such as trade unions, left-wing parties and cultural organisations in their challenge to the national authorities.

Within Spanish civil society, the field of European affairs at the national level is particularly unfit for mobilisation by non-institutional actors. As a multilevel transnational field, EU affairs are particularly prone to venue shopping as national level mobilisation is only one of at least three options, thus making mobilisations more difficult to follow up. However, because of strategic considerations and weak EU opportunity structures, most national CSOs often have no chance of being involved in both fields at the same time (Karamichas 2007; Liebert 2011; Poloni-Staudinger 2008). National organisations endowed with weak European resources (Dür & Mateo 2012; Eising 2009) tend to concentrate on the national arena unless faced with very favourable political opportunity structures at EU level (Marks & McAdam 1999). In normal conditions, the opportunity structures favouring a stronger involvement of national organisations are membership in EU level groups (Dür & Mateo 2012; Eising 2007, 2009; Liebert 2011) and the combination of favourable venues at EU level with a weak position in the national field (Karamichas 2007; Poloni-Staudinger 2008). Because CSOs at the EU level have similar levels of professionalisation as EU business groups (Klüver 2013) and rarely engage in protest activities, the connection between national CSOs and EU level CSOs tends to be vertical, given that most participation of national CSOs is channelled through membership of EU level CSOs rather than by shared membership in multilevel mobilisations (Johansson and Lee 2014; Karlberg & Jacobsson 2015; Kröger 2013, 2014). In the case of Spain, membership in EU level groups reproduces the incumbent / challenger division in the field since organisations in semi-corporatist arrangements such as Caritas, ONCE or trade unions such as CCOO and UGT are embedded in EU level organisations and institutions. The vertical contacts established by incumbent national actors contrasts with national EU-critical (rather than anti-EU) cause entrepreneurs, organisations embedded in transnational networks that create strong horizontal connections between national and European fields of activism. Transnational networks provide these organisations with resources, frames of reference and political support that transform the strategic considerations related to transnational activism (Keck and Sikkink 1998) and create organisational isomorphism pressures typical of organisational fields (Di Maggio & Powell 1983).

This has traditionally resulted in dual mobilisations where resource endowed organisations were involved in institutionalised EU and national policy-making arenas whereas outsider groups elaborated EU critical frameworks in direct mobilisation. This cleavage has also resulted in a fragmented debate on EU affairs both at the public and activist level given the lack of clear focal points. This is well exemplified by the national referendum on the Constitutional Treaty for Europe (2005). The Treaty received overwhelming support (82 per cent yes) but it experienced the weakest mobilisation in Spanish political participation history (42 per cent turnout). This national referendum is interesting since it confirms the patterns of relations between hegemonic and peripheral actors in the national field. The coalition opposing the Treaty was composed of actors strongly involved in the Global Justice Movement and replicated frames resonating with the social movement against the Iraq war in 2002-2003; for instance, the Constitution adopted the 'preemptive strikes' doctrine and aimed to build the EU into a military superpower (Asamblea contra la globalización y la Guerra 2004). Other arguments of the campaign suggest a strong replication of the French campaign against the 2005 EU Constitution (Dufour 2010). However, unlike the campaign for 'no' in France (supported by a wing of the French Socialist party), the Spanish campaign failed to achieve support among political parties. On the other hand, most of the 'insider' organisations such as ONCE, Caritas or the CONGD expressed their support for the Treaty, even claiming influence on the EU level convention that drafted it, but failed to contribute to the national public debate and mobilisation.

#### FROM PERMISSIVE CONSENSUS TO EMPOWERING DISSENSUS: HYPOTHESES AND METHODOLOGY

#### **Hypotheses**

As mentioned above, the stop TTIP coalition is atypical in many aspects. One of them is that it has mobilised a significant number of organisations despite the low salience of trade in Spanish politics. Trade issues are among the most central issues for the networks of transnational activism usually labelled anti- or alter-globalisation, including Spanish civil society activists since the 1990s (Adell 2000). However, they have never been salient in the Spanish public or political agendas (Chaqués-Bonafont, Palau and Baumgartner 2015: 56-61). According to the data of the Spanish Policy Agendas Project, trade issues were the object of only 20 bills in Parliament out of 2,529 legislative proposals from 1980 to 2015. If this is a testimony to the very fact that trade is an EU competence, the lack of interest of political actors in the affairs is more obvious in the fact that in the same period there were just 151 parliamentary questions on trade out of a total of 16,870 (Chaqués-Bonafont, Palau and Muñoz 2014). This is also reflected in the growing presence of TTIP in the media as mobilisation increased, as measured by the number of articles published by the leading mainstream newspaper in Spain, EL PAÍS (figure 1 includes articles where TTIP is mentioned in the title, subtitle or image in the online version of EL PAÍS). The importance of agency in the politicisation of TTIP is reflected by the fact that EL PAÍS did not report much on it until Greenpeace leaked official documents of the negotiation exclusively to the Spanish leading mainstream newspaper. The leak seems to have provided an opportunity for journalists within EL PAÍS to give a voice to civil society actors. The implications of this atypical case study are twofold: on the one hand, it is clear that we cannot extend our findings to other areas. On the other hand, however, the salience of an unexpected issue such as TTIP implies that a transformation is going on in the field beyond trade issues. We come back to this question in the conclusion.

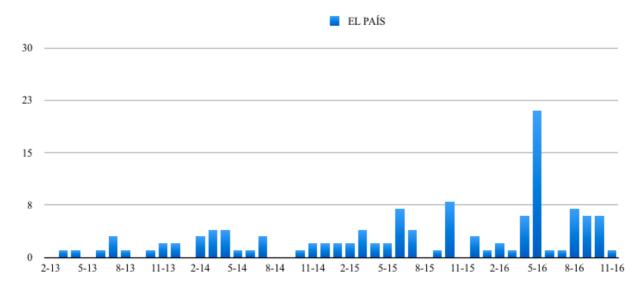


Figure 1. Number of articles that refer directly to TTIP in the online version of EL PAÍS in the title, subtitle or the main image per month February 2013 - November 2016

The Spanish civil society field vis-à-vis European affairs therefore leaves us with a situation by which organisations with structurally different positions are also expected to have differentiated mobilisation structures and where the ability to challenge the agenda of the EU by mobilising citizens

in protest has gained importance in a more politicised environment. In this context, the mobilisation against TTIP has constituted a meeting point for two streams of Spanish civil society that rarely work together, a puzzle that will be tackled both descriptively and explanatorily. We analyse what has changed in the field and how can we explain the atypical cooperation and competition patterns via the following two hypotheses.

Firstly, we expect organisations with EU level membership not to engage directly in the mobilisation against TTIP at the national level (Sánchez Salgado 2014: 169-196), while CSOs lacking vertical contacts with EU groups will use national mobilisation. If this hypothesis is to be confirmed, we expect the traditional EU-critical actors to engage in national protest, while the incumbents of the field will remain in a distinguishable neutral position at the national level, trying to influence TTIP through its EU level membership organisations rather than engaging in protest. The discussion of this hypothesis does not imply a quantification and direct comparison of vertical ties to EU groups versus horizontal ones in the context of protest campaigns: these are clearly different forms of collective action and thus it would be impossible to compare them simply in terms of number of ties. Instead, our approach is to discuss whether patterns in the form of networking – related to repertoires of collective action – correspond with the position of the actors in the field.

Our second hypothesis is that the 'empowering dissensus' context has an effect on the cooperation and competition patterns in the field, increasing the value of collective action. This change would empower national actors to engage in the EU policymaking process through dissensus at the national level, contributing to the generation of new critical forms of engagement with the EU (Oleart and Bouza 2017). In this way, politicisation would have transformed the meaning of EU-critical protest at the national level: unlike in previous EU-critical campaigns, to mobilise against TTIP would not imply opposing the EU as a whole. This hypothesis would be confirmed if we see both incumbent and EU-critical cause entrepreneurs joining forces in the anti-TTIP campaign, which could be seen as a success of the latter given its capacity to attract incumbent actors to their preferred playing field: collective action.

The mobilisation is not the result of a sudden change in the salience of trade issues but rather of the effects of the politicisation of EU affairs among Spanish civil society actors. The pan-European mobilisation against TTIP reflects more EU-related concerns than principled opposition to stronger exchanges relating to the EU's bargaining power (Eliasson and García-Duran 2017: 2-5). Similarly, the contestation of TTIP in the Spanish arena is related to changing attitudes towards the EU by activists and citizens in general: net trust on EU institutions (those trusting them minus those who distrust) went from +42 points in favour to -50 distrust (Torreblanca 2014: 119). This indicates that the EU in the Spanish context is starting to enter the cycle of politicisation, understood as 'making collectively binding decisions a matter or and [sic] object of public discussion' (Zürn, Binder and Ecker-Ehrhardt 2012: 74). An interviewee from Greenpeace gave us an explanation of how the positions on TTIP have been politicised from the bottom-up by saying that contestation emerged from a coalition of CSOs, gained salience by attracting left wing parties like IU and Podemos and forced parties such as the PSOE to take their own stance.

#### **METHODOLOGY**

To explore these hypotheses, we need to measure the number of actors involved in the field, the type of relations that Spanish organisations have among them and with European level organisations and the type of resources that organisations obtain via their distinct types of contacts. This empirical approach is suitable for a combination of quantitative and qualitative approaches as a way of operationalising the notion of a field of EU affairs in the multilevel forms of collective action.

Network analysis is an excellent way to analyse the dynamics of competition and cooperation in a field. However, the relationship between both approaches is controversial in relation to the debate on structure and agency: whereas Bourdieu and Wacquant argued that network analysis paid insufficient attention to structure in comparison to his field approach (Bourdieu and Wacquant 1992: 114), social movement network theorists argue that networks are the underlying social structure in collective action (Gould 2003: 240-241). We use network analysis as a methodological tool for charting the field, analysing resource exchange and agency patterns (Fligstein and McAdam 2012: 29-30) rather than as a theoretical model (see Diani 2003) because of our interest in agency rather than in the structural preconditions of collective action. We use social network analysis to represent: the structure of the field (allowing for a test of the structural position of the actors in terms of centrality); the type of capital of each actor (relating to their relational capital measured in terms of degree and of specific brokering positions measured by betweenness centrality); and the forms of collective action of the organisations (by focusing on the type of relations with other European organisations). We complete the analysis of these positions in the field by analysing the strategies of collective action of the actors by distinguishing between different types of links in the network (we thus distinguish between coalitions and oppositions) and by discussing the motivations of the organisations and their attitudes to protest and the EU.

The mixed methods approach is also reflected in our type of data. We use public data on the membership of the coalition available on the website of the Spanish campaign against TTIP (No al TTIP 2014) and data on membership in EU level groups and involvement in the previous campaigns from public registers and secondary sources (Bouza García 2014). These data on membership in the Stop TTIP campaign and involvement in previous campaigns on EU issues at the national level have also been used to determine the boundary of the domestic EU affairs field. The data allow us to construct an affiliation matrix indicating the position of the organisations in the context of EU affairs in the campaigns we analyse. However, these data must be triangulated for confirmation (sometimes protest websites are unreliable) and to understand the types of relations among and the strategies and motivations of actors. To do this we conducted 17 semi-structured interviews and one focus group discussion with organisations connected in one way or another to the Spanish anti-TTIP campaign (see the list in annex 1). We have coded interview data about contacts with other organisations in the context of the campaigns into the matrix to triangulate the affiliation data, confirm or reject the existence of some links and to determine the type of interaction suggested by the affiliations or lack of contacts.

#### THE MOBILISATION AGAINST TTIP IN SPAIN

The headline of the Spanish manifesto of the anti-TTIP campaign signed by 340 organisations was the following: 'People, the environment and democracy before profits and the rights of corporations'. Such a framing resembles strongly the ideas put forward in previous EU-critical campaigns (Strange 2011). In 2005, the campaign for 'no' in the referendum for the EU Constitutional Treaty (Mateo Gonzalez 2008) was organised by EeA, arguing that '(B)ehind the great declarations of principles (...) it is evident that this Europe that they are trying to sell responds much more to the interests of capital than that of the citizens' (López Marijuán 2005). The Indignados movement of 2011 had a strong European dimension – with up to 200, 000 demonstrators across the country against the 'Euro pact' on 19/06/2011, a first for EU issues (Ortega Dolz 2011), which is reflected in demands and frames such as 'Europe for the citizens and not for the markets' (see figure 2). Therefore, the anti-TTIP campaign does not build on a vacuum but on a growing stream of activism of EU-critical campaigning.



Figure 2. Posters for the June 19th 2011 demonstrations against the "Euro Pact"

The presentation of the empirical analysis results will be presented in two subsections. The first will descriptively present through a network analysis how the campaign against TTIP differs from past mobilisations that have been previously discussed: the campaigns (for and against) the 2005 Constitutional Treaty and the 2011 Indignados movement. While not aiming to compare all the campaigns empirically, we put our case study, the anti-TTIP mobilisation, in perspective, in order to exemplify the traditional differentiated mobilisation patterns in the Spanish civil society field on EU affairs. Secondly, the Spanish anti-TTIP campaign will be thoroughly analysed. We focus on the cooperation and competition patterns in the Spanish civil society field, while also providing an explanation for this atypical mobilisation.

#### 'No al TTIP': an Atypical Wave in a Quiet Pond

As discussed above, we use a network graph (figure 3) to represent the field in which the campaign against TTIP (figure 4) took place. Figure 3 represents a diachronic two-mode network where Spanish organisations involved in the national field of EU affairs are represented as yellow circles and European organisations as blue ones. Meanwhile, the three campaigns (for and against the EU Constitution of 2005, and the anti-TTIP campaign) and the Indignados social movement are represented as red squares, indicating these are not 'actors' but events to which organisations were affiliated. The decision to analyse the anti-TTIP campaign in the context of the four campaigns as one network is not only grounded in the theoretical consideration of conceiving of Spanish civil society in relation to EU issues as a field. It is grounded also in empirical reasons, as some organisations were involved in more than one of the campaigns and all organisations are connected directly or indirectly between them. We do not seek to represent the relations among organisations in general – since organisations involved in the field are among the largest and more influential groups in Spain we assume the organisations have frequent contacts – but rather the contacts in the context of the campaigns considered. Thus, such a network does not represent the whole Spanish civil society field, but rather the organisations that have been active in any of the campaigns analysed.

The fact that the entire network is connected confirms the existence of a social space beyond the four individual campaigns since relations of cooperation and competition are established across and beyond the campaigns. Secondly, the network shows different profiles for each campaign which are coherent with the assumption that in a field incumbents and challengers occupy these positions because of their different social traits (Fligstein & McAdam 2012:13-14). Except for Ecologistas en

Acción, the central EU-critical cause entrepreneur in the field, most of the organisations show similar measures of connection to the rest of the network in terms of closeness centrality, represented by the size of the nodes. Thirdly, the network shows that there is a visible difference between the vertical contacts of Caritas or ONCE, and also Ecologistas en Acción or Greenpeace, that are in the position of gatekeepers for EU contacts in their policy area, in contrast to the more horizontal involvement of the protest network Seattle to Brussels (S2B). Rather than being connected with a national member of the network, S2B is connected directly to the Spanish anti-TTIP campaign and has contacts with a greater number and a more diverse type of groups than the other European organisations.

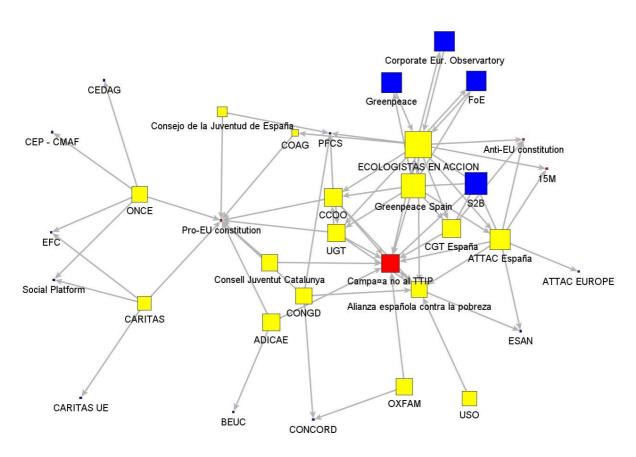


Figure 3. 2005 – 2017: an enlarged and more competitive field for EU affairs and civil society

Among the campaigns, 'No al TTIP' stands out because it was supported by more organisations with different profiles, including a novel involvement of transnational activist networks like S2B and Spanish institutionalised actors such as ADICAE, Greenpeace or CCOO. These new patterns of EU networking do not only imply changes in vertical contacts (including EU level organisations), but also horizontal. The campaign against TTIP was not only supported by European protest networks but also by other national organisations from other countries. While not being the focus of the article, several interviewees pointed out the importance of foreign institutionalised actors (such as the German trade union DGB) in the decision of Spanish institutionalised actors to participate in the campaign. By contrast with the EU-critical campaigns against the Constitution (2005) and the Indignados movement, the campaign against TTIP has seen an unprecedented group of actors working together. Ecologistas en Acción kickstarted the Spanish anti-TTIP campaign thanks to its involvement in the European network, Seattle to Brussels (S2B). ATTAC and the CGT (the leading Spanish anarcho-

syndicalist trade union, historically opposed to the Spanish mainstream trade unions, CCOO and UGT) were the initial partners at the national level. However, a significant number of organisations in more institutionalised positions such as Greenpeace, CONGD, Alianza Española contra la Pobreza or CCOO joined the campaign gradually, ending with 340 organisations supporting it, an unprecedented politicisation of an EU issue in Spain.

Having shown the way in which the anti-TTIP campaign broadly differs from past mobilisations in Spanish civil society on EU affairs, we now discuss in detail the Spanish anti-TTIP campaign, focusing on the (new) cooperation and competition patterns that have been established.

#### 'No al TTIP': New Patterns of Cooperation and Competition

The centrality in the network of a small group of well-connected cause entrepreneurs that are active in the three campaigns from an EU-critical perspective confirms our expectations that the role of Spanish EU-critical cause entrepreneurs, namely Ecologistas en accion, is crucial in the success of the Spanish anti-TTIP campaign. This has also been confirmed by several interviews. The success of the anti-TTIP campaign cannot be explained on the basis of agency alone: the campaign against TTIP gained salience and visibility because of the participation of actors that were usually not involved in the field and by the involvement of incumbents, such as Greenpeace or CCOO.

Figure 4 represents the network of the actors involved in the Spanish anti-TTIP campaign. This figure is a one-mode network (all members are actors except the central node, which represents the Spanish anti-TTIP campaign) representing the national campaign against TTIP. It includes organisations that have no European connections and were not involved in the previous debate such as taxi drivers or public health system associations. The different colours represent different types of relationships: turquoise links imply contacts in the context of the campaign in the form of engagement in debates and other informal exchanges. Yellow links imply formal membership in a coalition, whereas red ones imply strategic collective action such as shared resources, coordinated action or leadership in the organisation of a coalition.

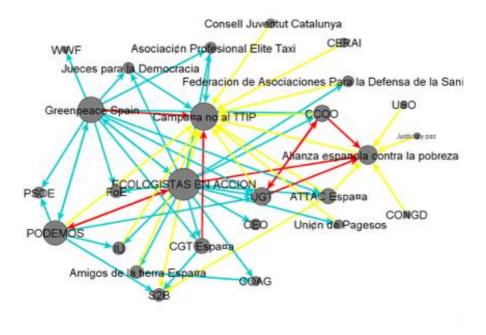


Figure 4. Network of the anti-TTIP campaign in Spain

Even though political parties are not part of our analysis, we asked interviewees about their role in the campaign to gain reliability by considering other factors. We asked interviewees to assess the role of Podemos as an emergent force (both in the European and the Spanish parliaments) that openly advocates against TTIP. The results clearly indicate that none of the left wing political parties is in the leading position, and interviews show that it was the campaign that obliged political parties to enter the public debate. The peripheral position of most incumbent organisations (UGT, CCOO, Greenpeace) is the result of the centrality of the EU-critical cause entrepreneurs (EeA and ATTAC, mainly) that dragged many other actors with them to the anti-TTIP coalition. The leading EU-critical cause entrepreneur in Spain is EeA, mainly due to its capacity to connect with different types of actors and drag certain powerful actors towards the anti-TTIP campaign, being the main driver of the transformation of the field in the case of TTIP. This is confirmed by the semi-structured interview that we undertook with one of the EeA members: 'I see the fight against TTIP and CETA as an entry point to increase criticism to the EU and a critical and anti-capitalist reflection of the European project'. Referring to the success of the anti-TTIP campaign in pulling certain incumbents, this member argued that

many militants of CCOO and UGT are close to ATTAC and EeA, and I think we did a very good job from the beginning as a campaign ['No al TTIP'], and this has had an impact in the trade unions. Sooner or later they wanted to join the campaign.

Furthermore, a member of ATTAC Spain confirms how these entrepreneurs were aware of the strategic importance of gaining support by key incumbents:

For us it is a real pleasure to see that trade unions that do not often cooperate start doing it. The fact that CCOO and CGT sit down and work together is a demonstration that we have a common goal.

The graphs present very significant findings concerning our two hypotheses, neither of which can be fully validated or rejected. Organisations channelling their EU affairs engagement through EU level membership are well connected to large EU organisations such as CONCORD, ETUC or the Social Platform. On the other hand, national EU-critical cause entrepreneurs such as EeA and ATTAC also have vertical contacts but are immersed in a denser network of ties. As a result, the former find themselves in the periphery of the graph whereas the latter are at the centre in terms of closeness, measuring the ability of any organisation to access any other organisation in the graph. This is true even for alliances or organisations with a large number of contacts (represented by the size of the node), such as the campaign in favour of the EU Constitution or ONCE. Obviously, this finding must be qualified to the context of this research: we do not argue that the incumbents in the field have only vertical ties. Instead we consider that actors have sufficient social skills to choose the repertoire of action per campaign and that in this context some of the pro-European incumbents opted to be in touch with their EU level organisations rather than, for instance, organise a pro-TTIP campaign. This is in itself telling of the dynamics of the multilevel field: when national organisations are satisfied with the state of affairs at EU level they rarely have incentives for activism at the national level, leaving more room for contentious action.

The figure shows EU-critical actors tend to act as a network and exchange resources and support campaigns in a horizontal way. This implies that organisations are not merely supporting one or another event but cooperating and engaging in collective action. While affiliation with a European organisation has traditionally been seen as an 'uploading' factor facilitating organisations' choice of whether to engage in EU campaigns or not, these also have 'download' effects in that they may push organisations into national advocacy for EU issues (Sánchez Salgado 2014). However, these networks are not a novelty in themselves. We argue that membership in these transnational networks is

'thicker' for the organisations than membership in EU groups for two reasons. First, in a context of increased contestation of EU issues, the ability to mobilise and engage citizens directly beyond Brussels-based groups already involved in EU affairs is a resource that is more valued today than 15 years earlier (Imig and Tarrow 2001). In a sense these networks do not only facilitate flows of information of frame amplification but are a new type of resource-pooling coalition (Mahoney 2007). Second, the result of politicisation is that domestic EU affairs are not only connected to the Brussels civil society field, but also to other EU-related transnational mobilisations (Della Porta 2007; Della Porta and Caiani 2009). The mobilisation of civil society on EU issues in one country can create opportunities for transnational networking among CSOs of different countries and EU level CSOs. Consistent with Keck and Sikkink's (1998) 'boomerang effect' and DiMaggio and Powell's institutional isomorphism (1983), we argue that successful mobilisation in one country encourages collective action in other countries, providing leverage to the national actors that are connected to the transnational mobilisation. In our case Ecologistas en Acción and the national chapters of Friends of the Earth (FoE) and ATTAC (all of them connected vertically to the Seattle to Brussels network) are the leading national EU-critical cause entrepreneurs.

The graph also provides an important finding about the evolution of the field, in that organisations such as CCOO, UGT and the anti-poverty and youth constituencies have moved from supporting the EU Constitution into the campaigns against TTIP. For some organisations such as the trade unions, this change of position is the result of the horizontal contacts with other European organisations: an interviewee from CCOO confirmed that Spanish trade unions experienced intense pressure from German unions to join in the campaign against TTIP. From this point of view, the prominence of the Spanish anti-TTIP campaign can be interpreted as the result of the involvement in protest of more organisations from both the national and EU level, which is atypical because of the differentiated patterns of incumbents and challengers in the field. Similarly, figure 4 shows that the national organisations leading a strong EU-critical position were successful at attracting new organisations to the field such as taxi drivers associations protesting against Uber, judges or anti-poverty groups. Our interviews suggest that this change is the effect of politicisation (which confirms the transformation in attitudes towards the EU and its policies by Spanish civil society), pressure from grassroots members in trade unions and of the successful mobilisation in other countries. Field related changes (the growing contention of issues together with the strong mobilisation in similar sectors in other countries) imply that the cause entrepreneurs could successfully make the framing of TTIP as a danger for taxi drivers or ability to judge corporations both more credible and less risk-prone. In a sense, challenging TTIP was no longer perceived by these new constituencies as a form of marginal Euroscepticism but as a legitimate and potentially successful cause.

The new value of mobilisation resources at national and EU level allows organisations to combine national and EU activism rather than having to engage in a venue-shopping strategy choosing between vertical channels through EU level groups and national protest. As for horizontal networks, the ability to engage both in national and EU campaigns is not a novelty in itself: successful advocacy groups are those that can combine grassroots mobilisations and inside lobbying, by using the European citizens initiative, for instance (Oleart and Bouza 2017). However, what we consider an 'empowering dissensus' is different in that there are also national advantages associated with EU contention. However, given that our research is based on a single case study, the fact that the mobilisation against TTIP has attracted several national institutionalised actors does not necessarily indicate that the change in the field is structural and permanent. As we have shown, the anti-TTIP campaign has changed the way in which actors in the Spanish civil society field on EU affairs engage in it, but the extent to which such change will be reproduced in other EU policies is nonetheless unknown.

#### **CONCLUSION**

Whereas during the 2000s the field of Spanish civil society concerned with EU affairs was characterised by the involvement of a few professionalised organisations along with some alterglobalisation activists (as was empirically demonstrated through the 2005 pro- and anti-EU Constitution campaigns), coherent with the idea of the 'permissive consensus', the Indignados Movement of 2011 was the first Spanish mass mobilisation where EU-critical ideas were present. Subsequently, the STOP TTIP mobilisation took place, and it is of particular importance for Spain because it constituted a meeting point for two streams of civil society activists that do not often mobilise together: institutionalised actors (such as CCOO or the anti-poverty networks) and protest actors (EeA or ATTAC).

The present article has aimed at explaining the wide EU-critical contestation that took place in Spain regarding the TTIP negotiations, a real puzzle considering the generally 'permissive consensus' stance of Spanish civil society actors in the past. Rather than arguing that the anti-TTIP campaign has created a new field or changed the identities of the incumbents and challengers in this field, we have shown that this campaign has brought about a new type of resource in the Spanish civil society field vis-à-vis EU affairs: the ability to mobilise citizens on EU issues at the national level. This is confirmed by our analysis, in which we have found that a small group of cause entrepreneurs (essentially led by EeA) have managed to sweep along incumbent actors towards their EU-critical campaign ('No al TTIP'). A good example of this process is the engagement in the Spanish anti-TTIP campaign of several organisations that supported the 'yes' vote in the 2005 Spanish EU Constitutional Treaty referendum, such as CCOO, UGT (the biggest Spanish trade unions) or ADICAE (a consumer organisation). The change in the Spanish civil society field in relation to the EU can largely be explained as a result of the politicisation of Spanish civil society, induced initially by the Indignados movement and later expanded by the anti-TTIP coalition, which incentivised EU-critical cause entrepreneurs involved in the movement (ATTAC and EeA) to amplify the movement's frames of protest towards the EU. Spanish civil society actors increasingly see the EU as a normal polity and no longer as a benevolent entity. As a result, it is possible to challenge its policies without being labelled as 'Eurosceptic'. This is an atypical mobilisation: a successful campaign against the agenda of the Commission in a country known for its pro-European attitudes and a protest against trade in a political system where this issue has low salience. As such, we do not pretend that these findings can be generalised to all forms of mobilisation. But we do not think that it is a black swan; rather than an exception, we think the mobilisation is telling about ongoing transformations in the field. Our research has shown that the politicisation of the EU is not simply a vertical process, but that the agency of socially skilled EU-critical cause entrepreneurs is key in transforming politicisation into a national resource in the national field of EU politics. Further research on contention by Spanish civil society on other EU policies is required to assess the magnitude of that change.

Contrary to the thesis that politicisation of EU issues will lead to a national 'constraining dissensus' (Hooghe & Marks 2009) in terms of an increased political cost of EU decision making, we argue that the introduction of EU-critical ideas can lead to an 'empowering dissensus' where the ability to mobilise citizens – a rare resource for most Brussels-based organisations – on EU issues acquires a renewed importance. The politicisation of EU policies at the national level would then be a symptom of the normalisation of the EU as a playing field (Imig and Tarrow 2001), where the dominant arguments are EU-critical, rather than anti-EU, in such a way that the EU is accepted as the legitimate framework of action. In the case of TTIP's 'empowering dissensus', both the supporters and the opponents of TTIP accept the EU as the playing field, therefore enlarging the field and 'empowering' European issues to be considered matters worth discussing at the national level. The introduction of

political conflict over EU issues at the national level normalises the EU as a polity, and it is therefore good news for European democracy.

#### **ACKNOWLEDGEMENTS**

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#### **ENDNOTES**

 $^{1}$  The ECI was active from 7th October 2014 until 6th October 2015.

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<sup>&</sup>lt;sup>2</sup> Original in Spanish, authors' translation.

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#### LIST OF INTERVIEWS AND FOCUS GROUPS

Representative of Campaña no al TTIP, Madrid
Representative of Ecologistas en Acción (2), Madrid and Barcelona
Representative of UGT, Madrid
Representative of CCOO, Madrid
Representative of Alianza Española contra la pobreza, Madrid
Representative of ATTAC España, Madrid
Representative of CEO, Brussels
Representative of CGT España, Madrid
Representative of S2B, Brussels
Representative of Podemos (2), Madrid and Brussels
Representative of PSOE, Madrid
Representative of Greenpeace (2), Madrid

Representative of COAG, Madrid Representative of CONGD, Madrid

Representative of CJU, Madrid

Focus group with representatives of ATTAC Spain, USO, Justicia y Paz and CONGD

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Research Article

## The Participation of Slovenian Civil Society Organisations in EU Policymaking: Explaining their Different Routes

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## **Abstract**

While discussing the inclusion of civil society organisations (CSOs) in EU policymaking, academic research has chiefly focused on EU-level umbrella CSOs and activities organised at the EU level. In this article, we show that the activities of national CSOs involved in EU politics are also relevant when it comes to EU policymaking. Some scholars note that national CSOs may use different routes to advocate their interests in EU policymaking. In this article, we take an empirical approach and examine the routes to which Slovenian CSOs are turning their attention and activities on EU issues during the policy formulation and policy implementation stages. The Europeanization process has transformed national CSOs to make them become involved in EU policymaking in different ways. The results show that, despite CSOs being characterised as weak in Central and Eastern Europe and as only rarely contacting EU institutions directly, they participate in EU policymaking by engaging in other ways: either through membership in EU-level umbrella CSOs or by becoming more active at the national level by directing their activities to national decision-makers. Some differences can also be observed among the policy fields under study.

## Keywords

Civil society organisations; Europeanization; EU policymaking; Slovenia

Membership in the European Union (EU) means that national governments no longer hold a monopoly on policymaking. At the same time, national civil society organisations (CSOs) are given the opportunity to participate in EU policymaking as new access points to decision-makers become available (Beyers 2002). EU institutions and policies create additional opportunities for national CSOs to influence policymaking. In fact, national CSOs can now follow a 'dual strategy' and promote their interests in relation to national and EU institutions (Eising 2008; Kohler-Koch 1997). EU policymaking is not only influenced by EU-level umbrella CSOs and CSOs with headquarters in Brussels, but the EUrelated activities of national CSOs are also becoming equally relevant in EU politics. Not all national CSOs manage to become present in Brussels. Although not every national CSO decides to take advantage of all the new access points opened up by the EU decision-making arena (Beyers & Kerremans 2007), especially the opportunities for multi-venue shopping (Binderkrantz & Rasmussen 2015), they may also participate in EU policymaking by remaining predominantly active at the national level. After all, the population of CSOs active in EU policymaking exceeds the population of CSOs active in Brussels (Hafner-Fink, Novak, Fink-Hafner, Eising et al. 2016; Binderkrantz & Rasmussen 2015). Although lobbying in Brussels is the most direct way of influencing EU policies, many national CSOs prefer to contact national policymakers in charge of EU policies. The EU not only affects professionalised CSOs that lobby in Brussels, but has also contributed to transforming national CSOs in a variety of ways (Sanchez Salgado 2014: 277). The Europeanization process impacts national CSOs through EU opportunity structures such as access opportunities, protest and funding opportunities (Sanchez Salgado & Demidov 2018). CSO activities have been transformed by involvement in EU policymaking in the direction of lobbying national actors and institutions or by active participation in EU-level umbrella CSOs. EU-level activity or membership in EU-level umbrella CSOs may also be used at the national level to influence the processes of transposing and implementing EU policies (Beyers 2002; Beyers & Kerremans 2007) or, in general, when pursuing interests in national policymaking (Fink-Hafner 2007: 33). CSOs' inclusion in EU-level policymaking differs greatly by member state for the following reasons: the varying distances from Brussels, economic resources, population size, and national political structures (Hafner-Fink et al. 2016;

Wessels 2004; Wonka, Baumgartner, Mahoney & Berkhout 2010). Strategies used by national CSOs to influence EU public policies therefore do not depend solely on the EU environment, but largely on national institutional factors and CSO access to national policymakers (Beyers 2002).

This article discusses the inclusion of national CSOs in EU policymaking beyond lobbying in Brussels. While some scholars have already predicted different ways for national CSOs to participate in EU policymaking (e.g. Balme & Chabanet 2008; Beyers 2002; Ruzza & Bozzini 2008; Wessels 2004), in this article we fill a gap concerning top-down Europeanization – by taking an empirical approach and showing that the EU integration process has transformed national CSOs to make them become involved in EU policymaking in different ways. The data are drawn from a survey on the inclusion of 23 Slovenian CSOs in the formation of national positions and in the transposition and implementation of EU legislation in three policy areas: environment & energy, finance & economy and rights. Slovenia provides an interesting case since it is one of the newer member states with a socialist past and a neo-corporatist system. CSOs from Central and Eastern Europe traditionally use fewer EU funding and access opportunities and are under-represented in Brussels (Wonka et al. 2010) compared to those in older member states. At the same time, CSOs are traditionally perceived as weak with low levels of membership and participation (Howard 2003). On the other hand, national CSOs from neo-corporatist systems are less motivated to contact EU-level authorities (Beyers & Keremans 2012). Despite indicators suggesting Slovenian CSOs are less included in EU policymaking, the 'transactional activism' of CSOs from Central and Eastern Europe is more robust than individuallevel participation, challenging the claim of a weakness in civil society (Petrova & Tarrow 2007). In addition, the support of foreign CSOs that would, in fact, have hindered the development of national CSOs (Petrova 2007; McMahon 2001) has almost been absent in Slovenia.

Civil society in Slovenia – as was the case with Western civil societies – has been built from the bottom up, and was quite lively already before the 1980s. Today, the number of CSOs in Slovenia is one of the highest per capita in Europe (Črnak-Meglič & Rakar 2009; Meyer, Moder, Neumayr, Traxler et al. 2017) and networking with EU-level umbrella CSOs has helped strengthen the visibility and influence of national CSOs in the policymaking process ever since the mid-1990s (Fink-Hafner 1998). While most statistics show the Slovenian civil society sector is vibrant, the inclusion of CSOs in decision-making processes in practice, at either the national or EU level, is unclear. Previous studies have found little evidence of Slovenian CSOs having direct access to EU institutions (e.g. Hafner-Fink et al. 2016; Mihelič 2016).

In this article, we focus on other ways Slovenian CSOs can become involved in EU policymaking and implementation and show that Slovenian CSOs participate in EU policies in multiple ways. Our main research question is thus: how has the EU affected Slovenian CSOs' participation in the EU policy process at different levels across policy fields and stages of the policy process? To answer this research question, we apply a Europeanization analytical framework and focus on different opportunities available for Slovenian CSOs' participation in EU policymaking, such as a direct route by lobbying EU institutions; an indirect route by participating in EU-level umbrella CSOs; and a national route by influencing national-level authorities (Beyers 2002; Ruzza & Bozzini 2008) during the policy formulation and policy implementation phases. Since there may be significant variations between policy sectors, we will observe legislative proposals in three different, highly salient policy fields on the EU agenda between 2008 and 2010: environment & energy; finance & economy; and rights (human rights, patients' rights and animal rights). Our argument is that, despite Slovenian CSOs rarely being in direct contact with EU institutions, they still remain relevant actors in EU policymaking by using more affordable routes to influence EU policymaking such as contacting national officials and via membership in EU-level umbrella CSOs. Although in this article we focus on conventional strategies of CSOs for inclusion in EU policymaking, CSOs use also other strategies such as mobilisation protest and contentious strategies. Some variations across policy fields are expected.

The article is structured as follows. In the second section, we present the analytical framework for studying the Europeanization effects on national CSOs and the involvement of national civil society in EU policymaking. The third section brings an empirical analysis of Slovenian CSOs' participation in EU policymaking, where we show that Slovenian CSOs are active in EU policymaking despite not actually being present in Brussels. Finally, the fourth section summarises the main findings and explains the inclusion of national CSOs in EU policymaking.

#### **ANALYTICAL FRAMEWORK**

Considering that Slovenia is a newer member state and that we are interested in the effects of European integration processes on the transformation of civil society, we apply a top-down Europeanization-effect analytical framework. The concept of Europeanization attracts many different definitions. In their definition of Europeanization, Maurer, Mittag and Wessels (2003: 54) discuss the importance of policy actors. They state that Europeanization is a process in which governmental, parliamentarian and civil society actors shift their attention to EU decision-making, an area in which they invest their time and resources. This definition is also useful for our study when we observe the Europeanization effects on CSOs. We understand the Europeanization of CSOs as the increased role of national civil society in EU policymaking and taking on the European dimension instead of the national (Warleigh 2001: 260), as well as the use of EU opportunities for national CSOs (Johansson & Jacobsson 2016). The Europeanization process may transform CSOs' strategies into four different types: 1) internalisation - CSOs are predominantly active at the domestic level; 2) externalisation -CSOs bypass the national level and are active at the EU level; 3) supranationalisation - CSOs join associations at the EU level to influence EU policies; and 4) transnationalisation - CSOs transform into a global actor (Balme & Chabanet 2008). This implies that the Europeanization process sees CSOs tailor their strategies to their involvement in EU policies. CSOs are not only shaped by European policies but also participate in their shaping. Their all-present role in Europeanization processes is thus seen as 'subject, objects and mediators' (Johansson & Jacobsson 2016: 7). They are not simply regulated by rules and legislation but may also receive different opportunities such as funding opportunities through EU programmes and projects, networking opportunities by joining EU-level umbrella CSOs, or by newly opened arenas for advocating their interests (Johansson & Jacobsson 2016: 7-8).

The EU has created bigger opportunities for national CSOs to participate in policymaking. However, not all national organisations take advantage of the EU access points open to them in Brussels. How CSOs participate in EU policymaking is determined not solely by the EU political system but by the role of CSOs in the national context as well (Beyers & Kerremans 2007: 460). The majority of organisations start advocating their interests at the national level and prefer to use the national level have the opportunity to invest in their network at the EU level and use a direct route to EU decision-makers (Beyers 2002: 608). Therefore, national structural conditions have a considerable impact on EU public policymaking. Yet previous research also shows that some organisations bypass the national level and are active at the EU level (the compensation hypothesis). According to the compensation hypothesis, organisations that are weak in the national context and enjoy limited access to national decision-makers may compensate for their lack of influence at home by actively participating in Brussels (Beyers 2002: 592). Yet while an important share of organisations remains active only at the national level, this does not mean they do not influence EU policymaking.

Accessing the EU level is a demanding task. CSOs need funds, human resources and expert knowledge, which are often in short supply (Dür 2008; Lundberg & Sedelius 2014). This does not refer exclusively to monetary resources but also permanent employees who during their career can

upgrade their knowledge and expertise by participating in different educational opportunities and can use and extend networks they have established. Expert knowledge can be generated by different studies and surveys CSOs may conduct in order to obtain relevant knowledge and expertise, which are later exchanged for access to policy-makers.

EU public policymaking is quite complex in terms of skills and knowledge and requires these organisations to make an impact in the competitive environment at the EU level (Beyers & Kerremans 2007: 462). CSOs may thus prefer to use less demanding ways to participate in EU policymaking, either by taking an indirect route to EU policies through membership in EU-level organisations where the costs are shared with other members, or by influencing national decision-makers (national route). After all, even though national governments no longer have a monopoly on policymaking, they still play a decisive role (Beyers 2002: 591) and have an active role during the policy negotiation stage as part of the Council of the EU.

The EU may be an attractive policymaking venue for a wide range of actors and issues, but this depends on what the actor wants to achieve and whether the EU can help in achieving that objective. The particular CSOs and other stakeholders engaging in a policy process vary with the type of policy at stake. In the EU, the policy in question also influences the level of governance at which authority lies and which decision rules apply at the EU level (Young 2010: 50). Political actors may also have different motives for moving what are essentially domestic issues up to the EU decision-making level. Princen (2009: 28–29) discerns three such motives: circumventing domestic constraints, providing a 'level playing field' and missionary zeal. Whether the EU is the most attractive venue for a specific policy actor also depends on the institutional opportunities available at the EU level (Princen 2009: 30–31).

However, although an actor may want to place an issue high on the EU agenda, this does not mean it will be successful. Determining what to decide is crucial and constitutes the first part of the policymaking process (Young 2010: 52). This usually requires two steps: 1) policy initiation, the agenda-setting process; and 2) policy formulation, the process of writing the policy proposal. Policy initiation indicates the 'institutional setting' responsible for the initial thinking that new rules, regulations or directives need to be pursued (Chari & Kritzinger 2006: 6). Policy initiation in the EU is frequently linked to agenda-setting in domestic politics and its three concepts: conflict expansion, issue framing, and institutional opportunities and constraints (see Princen 2009: 31–35). It includes a significant number of policy entrepreneurs – politicians, bureaucrats, members of civil society and others – identifying and exploiting opportunities to push for a policy and framing it in a way that resounds politically. Although the Council or the European Parliament can ask the European Commission to advance a policy initiative, the European Commission is the pre-eminent policy entrepreneur in the EU and actively frames policy proposals to construct political support (Young 2010: 52–53). Before policy decisions can be made, the range of alternatives must be narrowed.

The policy formulation stage is marked by consultation procedures and the use of expertise. As in the policy initiation stage, the European Commission is also the central actor in policy formulation. This gives the European Commission a significant say in many EU policies, even if its role in decision-making is limited (Hix 2005; Wallace, Pollack & Young 2010). During the policy negotiation stage, the European Parliament and the Council of the EU take over the role of decision-maker in the ordinary legislative procedure. CSOs' representatives may approach members of the European Parliament based on ideological, geographical and sectoral cleavages, either the party group of which they are a member, the country they come from or the committee membership. They may even take advantage of petitions at the European Parliament and file a complaint over the implementation of EU policies.

Since the decision-making role is shared with the Council, the CSOs may contact ministers or officials from Permanent Representations in Brussels. CSOs that decide to take the national route may

contact the national officials responsible for preparing national positions negotiated at Council meetings (Lajh & Novak 2015). However, according to the legislative arrangement of the coordination of EU affairs in Slovenia (Lajh & Novak 2016), Slovenian civil society actors are excluded from the formal process of forming national positions on EU legislative proposals. The current legislation defining relations between the executive and the national parliament as well as the existing internal governmental acts defining the coordination of EU affairs does not assign any role to civil society actors. Hence, CSOs require a proactive approach, employing different strategies for influencing decision-makers at either the bureaucratic or political level (Lajh & Novak 2016). CSOs unsuccessful at the stages of policy formulation and policy negotiations can still pursue their interests by being active during the transposition of European legislation or in the policy implementation phase. Unlike EU regulations, EU directives take the differences in member states' legal and administrative systems into account and leave them at least some space to transfer the legislation in line with their interests (Craig & de Burca 2008).

#### **METHOD AND DATA**

To answer our research question, we use data gathered within the framework of two surveys:

- 1. The INTEREURO survey (Beyers, Chaqués Bonafont, Dür, Eising et al. 2014a; Intereuro 2014): Based on a sample of the 20 most salient EU legislative proposals on the EU agenda between 2008 and 2010 (Beyers, Dür, Marshall & Wonka 2014b), we selected the most salient EU legislative proposals according to their mass media prominence. We decided on policy-centred sampling and to include the most salient issues to ensure that lobbying would take place (Beyers et al. 2014b). If we had used a simple random sample of EU-level legislation, this might have resulted in a highly technical proposal that could mean the mobilisation of fewer or no CSOs. After all, many pieces of EU legislation are very technical and not of much interest to the public. Although our study focuses on the case of Slovenia, the measure of saliency was not based on Slovenian national media sources because EU topics, in particular issues relating to EU legislative proposals, are not sufficiently covered by Slovenian national sources. For this reason, we selected proposals covered by at least one European source (Agence Europe or European Voice), and by at least two national sources (Frankfurter Allgemeine Zeitung, Le Monde or the Financial Times)<sup>2</sup>. After the sampling, we crosschecked the presence of selected EU legislative proposals in the Slovenian national daily newspapers Delo and Dnevnik.3 19 of 20 legislative proposals were mentioned in at least one of these newspapers, showing these issues were also salient in Slovenia. The most salient proposals cover three policy sectors: (1) energy & the environment; (2) finance & economy; and (3) rights.<sup>4</sup> Depending on the EU legislative proposals selected, we conducted 23 face-to-face structured interviews<sup>5</sup> involving a combination of closed questions, open-ended questions and recorded comments of respondents within national CSOs<sup>6</sup> recognised by national officials as being active in relation to these directives and 35 interviews with national policy officials responsible for these proposed directives. All interviews were conducted by one interviewer. The interviews were conducted between July 2013 and July 2014.
- 2. Formation of Policy Networks and Lobbying in Slovenia (Fink-Hafner, Lajh, Hafner-Fink, Kustec Lipicer et al. 2012), where standardised interviews with representatives of 97 selected Slovenian CSOs<sup>7</sup> were conducted on their activities and organisational maintenance in general (not limited to the 20 selected proposed directives).

The data obtained from the surveys were supported by analyses of three stakeholder meetings with representatives of legislative authorities, ministries and Slovenian CSOs conducted in 2013 and 2015 in Ljubljana.

In line with our research question, we analysed the different routes national CSOs may take to participate in the EU policy formulation and implementation stages. We operationalised each route using interview questions posed to 23 CSOs from the INTEREURO survey (Beyers et al. 2014a). Those routes and questions are:

- Direct route operationalised by direct contacts with EU institutions during policy formulation (how regularly have you provided information to the European Parliament, the European Commission, and the Council of the European Union?). We understand the direct route similarly to Beyers's (2002) definition of the direct route as advocating interests in EU policymaking via contacts with EU institutions. Although the specific structure of the Council of the European Union means national ministers are members who can also be targeted at the national level, we understand contacts with the Council as a direct route since the national minister represents only a small segment of this institution. At the same time working groups and COREPER where officials from Permanent representations are represented are located and active in Brussels.
- Indirect route operationalised by participation in EU policymaking through membership in EU-level umbrella CSOs during policy formulation (are you a member of at least one EU-level group that has sought to influence the outcome of a legislative proposal? During the time when the proposal has been/was debated and passed, has your organisation been represented (at least for some time) on the executive board of the EU-level group, the policy committees of the EU-level group that have dealt with this Directive proposal, any delegation that presented the position of the EU-level group on this proposal to the EU institutions? When your organisation formed its position on that proposal, to what extent did you adopt the position of the EU-level group that was most important to the representation of your interests at the EU level on these issues? During the time the proposal was being debated and passed, was your organisation represented on (at least for some time) an executive board, policy committee or delegation?). We understand the indirect route similarly to Beyers's (2002) definition of it as advocacy in EU policymaking through EU-level umbrella CSOs.
- National route operationalised by resources used at the national level during the policy formulation and policy implementation stages (If you consider all the resources that your organisation spent on getting its message across on this proposal, roughly what percentage was spent on policy formulation and what on policy implementation at the national level, at the EU level, and outside the EU?). Resources are understood very broadly, ranging from monetary resources to human resources as well as knowledge and expertise. We understand the national route similarly to Ruzza and Bozzini's (2008) definition of it as CSOs' influence on EU policymaking by being active at the national level.

We perform simple descriptive analysis to present an overview regarding Slovenian CSOs' inclusion in EU policymaking and implementation and combine it with in-depth interviews to explain the findings. Three policy fields are compared.

#### PARTICIPATION OF NATIONAL CSOS IN EU POLICY FORMULATION AND IMPLEMENTATION

#### **Direct Route**

As expected and shown by previous research (Hafner-Fink et al. 2016), Slovenian CSOs rarely employ a direct route in EU policy formulation in comparison to their counterparts in Germany and Great Britain and even in the Netherlands and Sweden (see Hafner-Fink et al. 2016). What we noticed is that, when they do use such a route, they contact Slovenian representatives working for EU institutions. EU institutions are relatively distant from Slovenia, and air tickets from Ljubljana to Brussels are quite expensive, while establishing contacts with EU-level officials requires knowledge of the functioning of relevant institutions and of foreign languages. These were identified as important obstacles (stakeholder meeting 2015a). When all of these obstacles are considered, it is no surprise that direct contacts with EU institutions in the Slovenian case are quite rare. As many as 15 of the organisations interviewed (more than two-thirds) had never approached any EU institution (Beyers et al. 2014a). The most active are organisations from the environment & energy policy field (see Table 1). Namely, one organisation from this policy field had approached six contacts at the EU level even if only rarely, one organisation had approached five contacts, one organisation had approached four contacts, two organisations had approached three contacts and two organisations had approached two contacts at the EU level, at least rarely. In addition, one organisation from the policy field of rights had approached three contacts at the EU level, at least rarely. Four organisations from the policy field of finances & economy had never approached any institution at the EU level regarding the 20 analysed legislative proposals. Slovenian CSOs have little contact with EU officials since most contacts seem to be directed toward individual MEPs (five organisations, see Table 1) and national officials in specialised working groups of the Council. In both cases, organisations approach national contacts (Slovenian MEPs and Slovenian ministers in the Council), who function as a bridge to EU institutions (Beyers et al. 2014a).

Table 1: Provision of information to officials at EU institutions by policy sector

| Frequency            | Rarely | Sometimes | Frequently | Very frequently |
|----------------------|--------|-----------|------------|-----------------|
| Policy sector        |        |           |            |                 |
| Environment & energy | 11     | 5         | 1          | /               |
| Finance & economy    | /      | /         | /          | /               |
| Rights               | 2      | 5         | 1          | /               |

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

Further, when we compare these figures with an analysis of 97 interest groups (Fink-Hafner et al. 2012), contacts with EU-level institutions are similarly rare. The low levels of lobbying EU-level institutions can be related to a lack of knowledge about the EU and its institutional framework. In the words of one CSO representative: 'I found the questions about political structure at the EU level hard. I did not know some actors. I did not even know they existed, with the exception of the Commissioner from Slovenia' (interview 6, 2013). Another common reason for the low levels of direct EU lobbying is the lack of staff and resources. CSOs are forced to prioritise and, although inclusion in EU policymaking may take place, this only occurs through national access points:

There was one directive ... where we had a very big interest, and it was very important for us; thus, we targeted all levels. ... When a proposal is really in our interest, we monitor the whole process and use all possible channels (interview 41, 2014).

Despite the low levels of contacts between CSOs and EU institutions, this does not mean that Slovenian CSOs are not included in EU policymaking. We will also analyse the remaining two routes (indirect and national) to demonstrate that Europeanization has an effect on the activities of CSOs.

Table 2: Provision of information to officials at EU institutions

| Frequency   | Rarely | Sometimes | Frequently | Very frequently |  |
|---|--------|-----------|------------|-----------------|--|
| Information provided to   |        |           |            |                 |  |
| Rapporteur of the EP  | 2      | /         | 1          | /               |  |
| Committee in charge of proposal                                 |        |           |            |                 |  |
| Shadow-rapporteur of the EP                                     | 2      | /         | /          | /               |  |
| Individual MEPs   | 2      | 3         | /          | /               |  |
| Alliance of Liberals and<br>Democrats for Europe (ALDE)         | 1      | /         | /          | /               |  |
| Greens European Free Alliance (Greens-EFA)                      | /      | 1         | /          | /               |  |
| European Commission's DG  | 1      | 1         | /          | /               |  |
| Commissioner and/or their Cabinet                               | /      | 3         | /          | /               |  |
| National officials in specialised working groups of the Council | 2      | 1         | 1          | /               |  |
| Ministers, the ministerial level of the Council of the EU       | 1      | 1         | /          | /               |  |
| Presidency of the Council of the EU                             | /      | /         | 1          | /               |  |
| European Economic and Social Committee                          | 1      | /         | /          | /               |  |
| Committee of Regions  | 1      | /         | /          | /               |  |
| European regulatory agencies                                    | 1      | /         | /          | /               |  |

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

#### **Indirect Route**

Using a direct route to EU-level lobbying is not the only way national CSOs can participate in the EU policymaking process during the policy formulation stage. When advocating their interests in EU policymaking, Slovenian CSOs more often rely on an indirect route and work through EU-level umbrella CSOs. Their membership in EU umbrella CSOs may represent a more feasible option for advocating their interests in Brussels since resources, knowledge and expertise are shared in this way. Moreover, contact with representatives of the European Parliament and the European Commission may happen through EU-level umbrella CSOs. This was demonstrated in one interview in the area of environment & energy: 'Through the EU umbrella organisation, we have meetings twice a year. Based on them, we prepare some decisions and communicate about the politics in Brussels' (interview 7, 2013). Members of EU-level CSOs may even divide up their lobbying activities, especially when trying to influence decisions of the Council of the EU. Each national CSO can contact national representatives in the Council while the umbrella organisation may be in charge of approaching the officials in Brussels. A survey of 97 selected CSOs (Fink-Hafner et al. 2012) revealed that 76.3 per cent

of the CSOs are members of international or EU-level organisations, and 49.48 per cent of them obtain support from EU-level CSOs or CSOs from EU member states. This support mostly takes the form of knowledge, information and expertise (Fink-Hafner, Hafner-Fink & Novak 2015). CSOs also rely on EU umbrella CSOs when trying to influence EU-level policymaking — not just because solo activity at the EU level may be too demanding, but also because national institutions may be too closed for CSOs (stakeholder meeting 2015a). Therefore, they also use an indirect way to bypass national institutions and compensate for their lack of influence at the national level, which is in line with the compensation hypothesis (Beyers 2002: 592). In our case, more than half the organisations network with EU-level CSOs when participating in EU-level policy outcomes.

Table 3: Membership in EU-level umbrella CSOs

|                      | Not a member | Member of EU level CSOs |
|----------------------|--------------|-------------------------|
| Environment & energy | 5            | 7                       |
| Finance & economy    | 1            | 3                       |
| Rights               | 1            | 6                       |
| Total                | 7            | 16                      |

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

EU legislative processes are often characterised by several lines of conflict around specific issues in the same legislative proposal. For example, in the case of a Proposal for a Directive of the European Parliament and of the Council on the energy performance of buildings (recast) (European Commission 2008), the following conflicting issues were identified: issue 1: competence of the EU in legislating building requirements (EU legislation vs. national rights — subsidiarity issues); issue 2: inclusiveness of the proposal (only technical requirements vs. technical and financial requirements); and issue 3: 'level of ambition' (how much should the directive intervene in the energy performance of buildings?) (Beyers et al. 2014a).

In order to advocate their interests relative to individual conflicting issues, national CSOs formed their positions. When there was general agreement on an issue, Slovenian CSOs did not form a special position on the issues (Beyers et al. 2014a). Although this is not always the case, EU umbrella CSOs often influence the position taken by Slovenian CSOs. Slovenian CSOs assume the positions of EU umbrella CSOs regarding particular issues relating to each legislative proposal for the following reasons: in some cases, national CSOs adopt the position because they have a staff shortage, in other cases the process of forming the position of the EU umbrella CSO is a joint effort of all national members, or national CSOs adopt the position of EU umbrella CSOs because they share goals. National CSOs sometimes do not completely adopt the EU umbrella CSO's position because they adapt it to some national circumstances or their own interests. CSOs that relied on EU umbrella CSOs when influencing legislative proposals adopted the positions of EU umbrella organisations to some extent in 10 cases, to a great extent in 15 cases, fully in two cases and not at all in one case. CSOs in the area of rights formed a position on most issues, and, at least to some extent, adopted it from EUlevel umbrella CSOs (Beyers et al. 2014a). Membership in EU-level umbrella CSOs may also mean inclusion at the policy initiation stage because the European Commission might consult relevant stakeholders before preparing legislative proposals. Inclusion at this stage of policy initiation may be advantageous in relation to other CSOs because, at this stage, an actor can have the greatest influence on legislative outcomes (interview 14, 2013).

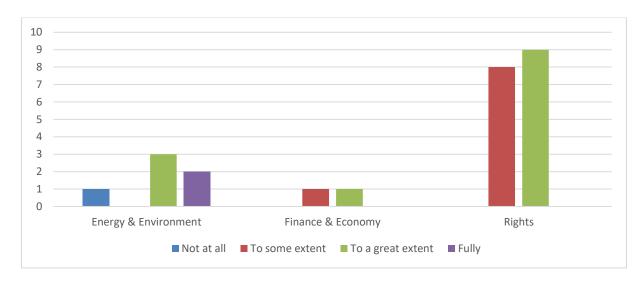


Figure 1: National CSOs' adoption of EU-level organisations' position on individual issues

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

EU-level umbrella CSOs along with actors from the national government have been the most important information sources for CSOs. Slovenian CSOs rely on EU umbrella CSOs to supply information because they do not receive much information from national institutions: 'For us, the most important source of information has been the EU-level umbrella CSO. All other information we have received has been from the national agency and ministry, but this is very little information' (interview 31, 2014).

Some Slovenian CSOs, although they share efforts with other national CSOs as members of EU umbrella CSOs, are fairly active in this set-up since they are represented on executive boards, policy committees or delegations of EU umbrella organisations and are thereby more strongly involved in the activities of EU umbrella CSOs. Five Slovenian CSOs were members of executive boards, two organisations of policy committees, and three of delegations when advocating an EU legislative outcome (Beyers et al. 2014a). The active role of national CSOs in EU umbrella CSOs is important especially in respect of representation. National or even local CSOs are the ones that have direct contacts with their members, while the interest of the constituency in EU policymaking can be lost through layers of organisations and a longer chain of delegation (Kohler-Koch 2010: 111). When national CSOs take active part in umbrella CSOs it is more likely that the interest of members will not be filtered once the lobbying is taken over by the umbrella organisation. However, the level of activity of a national CSO depends on its resources and the level of its professionalisation:

Some members are very passive and do not respond to questions about the organisation's activity. For some phases, this is characteristic of us. After all, we are only amateurs in this field, not professionals. That is to say that we work for our organisation in the afternoon, which poses a difficulty in terms of traveling. Meetings are organised in Brussels, and we have a limited budget allowing three or four meetings a year. If you were not at the meeting, you were not able to express your interests. Organisations with bigger budgets are more effective in expressing their interests (interview 7, 2013).

In addition:

Our organisation's handicap is that we were not as active in the umbrella organisation. We were a member but, due to a staff shortage and lack of finances and other skills, we did not have an opportunity to act as intensively and as well (interview 33, 2014).

2

| Executive board of EU umbrella organization
| Policy committee of EU umbrella organization
| Policy committee of EU umbrella organization
| Delegation of EU-level group

Figure 2: Representation in EU-level organisations when influencing an EU legislative proposal

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

#### **NATIONAL ROUTE**

Although we can observe that networking and participation in EU policymaking through EU-level CSOs is quite present among Slovenian CSOs, Slovenian CSOs mainly employ the national route. This is evident from the resources spent at the national level in comparison to those spent at the EU level during the policy formulation and policy implementation stages. Slovenian CSOs are also more engaged at the stage of forming national positions on EU legislative proposals, and the implementation and transposition stages than in the drafting of an EU legislative proposal itself. All the policy stages mentioned are to a greater extent connected with national institutions. Although Slovenia's normative arrangement does not foresee the inclusion of CSOs in forming national positions on a proposal by the European Commission, national officials may decide and consult with civil society (Lajh & Novak 2016) or CSOs may proactively approach national officials and communicate their message. Influencing the national official position that is later negotiated at the Council meetings is one way CSOs can contribute to EU policymaking. A legislative proposal goes through several stages of the policy process: from policy initiation and policy formulation to policy implementation. Not all CSOs are active in all stages. According to Graver (2002), some are more active in the process of policy initiation; for others, the most feasible stages of involvement are policy transposition and implementation, the two stages that fall within the responsibility of national and subnational governments, administrations and their agencies:

We always acted in such a way that we would receive the European Commission's legislative proposal from the ministry. In fact, we did not directly influence the content of the directive. This means we did not participate during the process of preparing the directive, but only during its transposition. ... As an association, we deal with a lot of content. Given the amount of legislation that is relevant to us, we simply cannot act in detail during the preparation of a directive (interview 33, 2014).

Interviews with national officials responsible for 20 policy proposals (Beyers et al. 2014a) revealed CSOs' different levels of engagement at various stages of the policy process. The finance & economy area stands out in particular for engaging CSOs at the stage of drafting the national position. Due to the closed circle of civil society actors in the finance & economy area, they are often invited by the ministry to send their feedback on the European Commission's proposal and contribute to the national position. Actors in the field of energy & environment are more active in the transposition and implementation stages (Beyers et al. 2014a). CSOs from the environment & energy area also take on the role of watchdog during the transposition and implementation phases as they turn to and refer to EU legislation when trying to enforce their interests at home (stakeholder meeting 2013). In the area of rights, actors are mostly active at the stages of drafting a national position and of transposition (Beyers et al. 2014a).

Table 4: Engagement of CSOs in different phases of the policy process, as detected by policy officials

|                      | Drafting of the<br>European<br>Commission's<br>proposal | Drafting of the national position | Transposition | Implementation |
|----------------------|---|-----------------------------------|---------------|----------------|
| Energy & environment | 19  | 39                                | 53            | 64             |
| Finance & economy    | 6   | 20                                | 7             | 3              |
| Rights               | 6   | 27                                | 24            | 17             |

Source: Interviews with 35 national officials, Intereuro; Beyers et al. 2014a.

CSOs spend most of their resources at the national level (Beyers et al. 2014a). Advocacy activities at the national level demand fewer resources while at the same time EU-level activities can be shared with EU-level umbrella CSOs:

I would say that, at this moment, due to a lack of human resources, we have spent more resources at the national level. We turn to the EU level only when EU-level umbrella CSOs ask us to, if they need our support (interview 41 2014).

However, the proportion of resources spent at the national level vs. the European level is slightly different for the policy formulation stage than for the policy implementation stage. Whereas approximately 70 per cent is spent at the national level in the policy formulation stage, as much as 85 per cent is spent at the national level in the policy implementation stage (Beyers et al. 2014a). This is expected since the implementation stage is more closely bound to the national level, whereas the EU can be present in the monitoring role.

Table 5: Resources for advocating spent in the policy formulation stage, in per cent (mean value)

|                   | National level | European level | Outside EU |
|-------------------|----------------|----------------|------------|
| Energy &          | 72.73          | 26.36          | 0.91       |
| environment       | (N=11)         | (N=11)         | (N=11)     |
| Finance & economy | 70.00          | 30.00          | 0.00       |
|                   | (N=4)          | (N=4)          | (N=4)      |
| Rights            | 77.50          | 22.50          | 0.00       |
|                   | (N=4)          | (N=4)          | (N=4)      |

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

Table 6: Resources for advocating spent in the policy implementation stage, in per cent (mean value)

|                   | National level | European level | Outside EU |
|-------------------|----------------|----------------|------------|
| Energy &          | 87.78          | 11.11          | 1.11       |
| environment       | (N=9)          | (N=9)          | (N=9)      |
| Finance & economy | 90.00          | 10.00          | 0.00       |
|                   | (N=4)          | (N=4)          | (N=4)      |
| Rights            | 80.00          | 20.00          | 0.00       |
|                   | (N=7)          | (N=7)          | (N=7)      |

Source: Interviews with 23 CSOs, Intereuro; Beyers et al. 2014a.

When looking at the opportunities used by CSOs in EU policymaking, no large differences among policy fields are seen. Direct contacts with EU institutions and actors are rarely used when influencing legislative proposals. Membership in EU-level CSOs is more frequently used to advocate organisations' interests in EU policymaking. CSOs spend their resources at the national level more than at the EU level. This is more evident at the stage of implementation where the EU can only play a monitoring role than at the stages of policy formulation and formulation of a national position. To enter the EU level and directly advocate a legislative outcome requires a great deal of resources, staff, expertise, knowledge and experience. It thus comes as no surprise that national CSOs remain more active at the national level and try to promote their interests from there because that demands fewer resources or they use an indirect route and advocate their interest via EU-level umbrella CSOs:

This legislative proposal was not a priority for us. My colleagues from Brussels have been active on this proposal as they have more resources and influence. As a small association, we have to make priorities. Anyway, most of our activities are national activities (interview 28, 2014).

#### **CONCLUSION**

While previous research on Slovenian CSOs' participation revealed they are chiefly inactive at the EU level (Hafner-Fink et al. 2016; Mihelič 2016), this study shows this does not necessarily mean they are excluded from EU policymaking processes. This article did not analyse the whole population of Slovenian CSOs, but instead focussed on the small portion of CSOs we identified as being active in EU policymaking. Our primary research question considered the effects of the EU integration process on the transformation of Slovenian CSOs. Although we did not find much activity of national CSOs at the EU level in Brussels, we managed to show that Slovenian CSOs contact Slovenian representatives of EU institutions and frequently use an indirect route by participating in EU-level umbrella CSOs and a national route by directing their activities to the national level and towards national decision-makers when participating in EU policymaking. When CSOs decide to approach an EU-level institution, it is usually one that also has a national representative; for example, members of the European Parliament and national officials in the Council's specialised working groups. Inclusion in EU-level umbrella CSOs is more common. Membership in EU-level umbrella CSOs turned out to be significant for national organisations, even before full membership in the EU, because information and knowledge were passed from professionalised organisations to newly established ones (Fink-Hafner et al. 2015; Fink-Hafner 2007). Even today, membership in EU-level umbrella CSOs often means an opportunity to obtain first-hand information, but also an opportunity to be included in EU policymaking despite a lack of resources. Some organisations also adopt the position of EU-level umbrella CSOs and present it as their own interest. Membership in an EU umbrella CSO does not mean passive inclusion in EU policymaking as a number of Slovenian CSOs are or were represented on the executive board, policy committees or delegations of EU-level umbrella CSOs.

It seems that, although Slovenian CSOs lack the capacity to be permanently present in Brussels, they find different routes to participate in EU policymaking; namely, by contacting institutions containing Slovenian representatives, being active at the stage of formulating the national position, the implementation and transposition stages, directing their activities to the national level and through active membership in EU-level umbrella CSOs. European integration has a clear effect on the transformation of national CSOs in Slovenia (also see Fink-Hafner et al. 2015). Although the majority of CSOs do not become involved in EU-level policymaking and contact EU institutions, they remain a relevant actor in EU policymaking. The European integration process has transformed them predominantly into internalisation and supranationalisation types (Balme & Chabanet 2008): the result is that national CSOs are becoming increasingly involved in EU policymaking and, although they primarily take the national route, this still means a European dimension (Warleigh 2001: 620). CSOs are thus at the same time shaped by European policies and actively participate in their shaping. Although these findings refer to the sample of Slovenia, a similar effect should be visible on national CSOs from other member states.

#### **ACKNOWLEDGEMENTS**

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#### **ENDNOTES**

<sup>1</sup> Here we differentiate between the policy initiation stage and the policy formulation stage in EU policymaking as two stages with different characteristics (see Chari & Kritzinger 2006: 6). Yet in the article we focus on the policy formulation stage, starting with the European Commission's official legislative proposal.

<sup>&</sup>lt;sup>2</sup> The media prominence of legislative proposals has been checked in two European sources: *Agence Europe* or *European Voice* and three internationally known national sources, *Frankfurter Allgemeine Zeitung*, *Le Monde* or the *Financial Times*. National, non-English media sources have been important to avoid a sample biased towards the interest of some countries (Beyers et al. 2014a).

<sup>&</sup>lt;sup>3</sup> For the media prominence of legislative proposals in Slovenian media space we checked for a presence in the two most read daily broadsheet national newspapers, *Delo* and *Dnevnik*.

<sup>&</sup>lt;sup>4</sup> Twelve interviews with CSOs were conducted for the policy sector of environment & energy, four interviews for the policy sector of finance & economy, and seven interviews for the policy sector of rights. Thirteen interviews with national officials were carried out in the policy sector of environment & energy, eight interviews for the policy sector of finance & economy and fourteen for rights.

In fact, we conducted 40 interviews with non-state stakeholders. By 'non-state stakeholders', we mean non-state policy advocates, such as interest groups, firms, civil society organisations, regional representations and non-parliamentary parties. Because this definition is too broad for analysing the inclusion of CSOs in EU policymaking, we only considered interviews conducted with CSO representatives. We approached CSOs that in the interviews with national officials on the 20 legislative proposals were identified as being active in the formation of the final versions of legislative proposals.

<sup>&</sup>lt;sup>6</sup> We define national CSOs in line with this special issue's proposal as 'actors outside of the public and the market sector that pursue public policy goals and are formally democratically accountable and involve some degree of voluntary participation' (Sanchez Salgado & Demidov 2018). This may include also professional and business associations in the public

interest (ibid). We also take into account the definition of CSOs by Kohler- Koch (2010: 106) where CSOs bring citizens' interests into the formal political decision-making process.

Face-to-face interviews were conducted among selected CSOs from 11 policy fields (economic, social, housing and agricultural policy, policy on the disabled, environmental protection, health, education, culture, sports policy and policy in the field of marketing/public relations) from March to May 2012. CSOs identified as active in previous research or by consulting experts were invited to participate in the survey (also see Fink-Hafner et al. 2015). This survey data shows us a more general image of CSOs' activities in contrast to the INTEREURO survey data that are limited to 20 EU legislative proposals.

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#### **LIST OF INTERVIEWS**

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Research Article

# The Legitimacy of European Networks: Perspectives from Belgian Civil Society Organisations

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### **Abstract**

This article identifies how Belgian civil society organisations (CSOs) legitimise their European networks (ENs). European networks are understood as European umbrella associations gathering together national CSOs and representing them at the EU level. This article unpacks the concept of organisational legitimacy by empirically analysing Belgian CSOs' discourse about their ENs. EU institutions consider ENs as appropriate organisations to link the European policymaking process to the requests and opinions expressed by national CSOs and their constituents. Existing studies draw negative conclusions about the transmitter role of ENs and highlight the malfunction of the accountability channel and an unfair representative balance among members. This empirical analysis qualifies these two arguments. The results show that Belgian CSOs legitimise their ENs in two ways: the function they hold in Brussels and their efficiency. ENs are thus not legitimised as accurate transmitters between national CSOs and European officials but as efficient champions of general political objectives, to which Belgian CSOs broadly adhere. These results are based on an inductive qualitative analysis of interviews with staff from five Belgian environmental CSOs.

## Keywords

Legitimacy; European networks; Environmental CSO; Belgium

This article analyses how Belgian civil society organisations (CSOs) legitimise their European networks (ENs). The article unpacks the concept of organisational legitimacy following an empirical approach. Analysing the structural arrangement between national CSOs and ENs is crucial to acquire a more comprehensive picture of CSOs' role and input in the political system of the European Union (EU). On one hand, the EU official discourse supports the view that ENs endorse the role of legitimate transmitters of the opinions expressed by national CSOs. On the other hand, existing literature draws negative conclusions about this intermediary role of ENs. Previous research identified an unbalanced representation regarding member organisations and the lack of effective accountability channels in the internal structure of ENs (Rodekamp 2013). However, we know little about the views and perceptions of the members of these ENs and if their opinions match the discourse of EU institutions or the conclusions of previous analyses. Therefore, from a bottom-up perspective, this article explores the perceptions of CSOs by asking the following question: how do national CSOs perceive their European networks? The role of national CSOs within ENs has been largely overlooked by EU studies. Nevertheless, addressing the perceptions national members have of their European umbrellas is crucial to put the EU's official discourse and normative conclusions in existing studies into perspective.

This empirical analysis of organisational legitimacy assesses the ENs' intermediary role from the perspective of ENs' members themselves. This article finds Belgian CSOs' attitudes towards ENs do not necessarily correspond with the EU's official discourse. In fact, though EU institutions assume that ENs are 'super-conducting transmitters' between domestic CSOs and European officials, Belgian member organisations consider them as autonomous and trusted political champions at the EU level. This central argument, developed following an empirical approach in line with this special issue (see the introduction by Sanchez-Salgado and Demidov), nuances and questions the normative

conclusions of previous research that highlights the biased input of ENs in the EU's policy-making process.

The first part of the article provides a brief review of EU institutions' discourse on the role of ENs within the European political system and the normative conclusions of existing literature on the subject. The second part outlines the research design and explains the empirical approach employed by this article to analyse ENs' legitimacy. The third part is dedicated to the empirical analysis of the discourse of Belgian CSOs about their ENs. The results of this analysis are discussed in the fourth and concluding part.

### NATIONAL CIVIL SOCIETY ORGANISATIONS, EUROPEAN NETWORKS AND THE EUROPEAN UNION: A LEGITIMACY PUZZLE

The EU is regularly criticised for its 'lack of legitimacy'. However, 'structural limitations in models of representative democracy have enhanced the space for other mechanisms of legitimacy in the European Union, including participatory models in which organized civil society interests are significant players' (Greenwood 2007: 333). As a response to this legitimacy crisis, the Treaty of Lisbon strives to increase the legitimacy of the EU by underlining the importance of dialogue between European institutions and civil society. Even before 2007, the European Commission used its discourse on civil society participation for two purposes: first to build support for social policymaking and second as means of administrative reform and legitimisation in response to Brussels' legitimacy crisis (Smismans 2003: 503). For years now, the Commission and other EU institutions have informed, consulted and worked with pan-European representative structures: European networks of civil society organisations. Moreover, the European Commission prefers to deal with associations representing EU-wide constituencies rather than with individual organisations or national CSOs (Greenwood 2010; Hallstrom 2004; Kröger 2012). As a consequence, a large majority of national and regional CSOs representing individuals or local organisations joined EU-level umbrella associations (such as The European Environmental Bureau or Transport & Environment) to monitor and influence EU policies (Eising 2004). EU lobbying activities are thus delegated to umbrella organisations (Kohler-Koch, Quittkat and Kurczewska 2013). Expertise and information from CSOs are transmitted to EU institutions through different process of consultation. The official discourse of the EU is that this participatory model enhances the legitimacy and quality of decisions taken by its institutions. They consider ENs as a link between EU policies and the genuine needs, requests and opinions expressed by national CSOs and their constituencies. The European Commission notes in its 2001 White Paper on European Governance that CSOs have 'an important role in giving voice to the concerns of citizens' (European Commission 2001).

In line with this official discourse, several scholars take for granted that European associations are 'super-conducting transmitters' (Lowery and Marchetti 2012) linking the issues of concern of national CSOs – and their constituencies – to EU officials. But the role of ENs in the 'legitimacy building' of the EU is also broadly discussed in the literature. As Greenwood (2007: 333) observes:

To some observers, such actors are likely only to aggravate already problematic input legitimacy. A range of less hostile approaches also prevail, from a neutral standpoint through to those sharing the perspective of EU policy practice where such actors are seen as a complementary mechanism of democratic input.

The participation of these organisations in the EU's policymaking process is also depicted as enhancing the output legitimacy of the EU, for instance when CSOs are involved in the implementation of European legislation. Many contributions in the literature analysed interest

representation by CSOs or economic interest groups from a normative-democratic perspective (see for instance Grossman and Saurugger 2006; Jordan and Maloney 2007; Kohler-Koch and Quittkat 2013; Rodekamp 2013; Saurugger 2007; Smismans 2003, 2006; Wiercx 2011; Wolff 2013). These authors assess the performance of interest groups and CSOs regarding different democratic standards in terms of representation and accountability that are usually theoretically set and discussed in terms of: participation, transparency, geographic distribution of membership, descriptive similarities and so on.

For instance, Rodekamp (2013) assesses the representativeness and the internal accountability of European umbrella organisations regarding different criteria. She finds that within ENs, member organisations from large countries dominate over those from small, remote and new member states. She also notes that accountability channels in CSOs lack formalisation as some members participate very little and member organisations receive too much and too sophisticated information, too late from their Brussels offices. Rodekamp (2013: 262) concludes: 'From a democratic theory perspective, this means that interest aggregation is imperfect, which must be assessed negatively. EU-level CSOs are the voice of some of their members more than others'.

Contrary to some normative-democratic studies of representation, Kröger (2016) adopts an empirical approach of representation by exploring what conceptions of representation British and German CSOs actors have. She found that CSOs representing 'members', 'weak interests' or a 'cause' conceive representation in three different ways. 'Cause' groups see themselves as representing an issue rather than people, as 'members' and 'weak interests' organisations do; but these two types of organisations have different conceptions of the constituency they represent, the first has a narrow definition, the last a broad definition of their constituency (Kröger 2016: 178-179). These multiple conceptions of representation by actors from different types of organisations imply different conceptions of their own legitimacy. Staff from 'members' organisations locate the legitimacy of their organisation in the mandate received by their constituency. Staff members from 'cause' or 'weak interests' organisations see the source of their legitimacy in the mandate received from formal membership or the wider society while others see it in the expertise of CSOs. Fewer think their legitimacy is generated from a societal mandate or the involvement of the people they represent. While Kröger (2016) has an empirical approach in her analysis, she applies a normative approach in her conclusions as she states that CSOs fail in their potential contribution to EU democracy.

Two visions of the legitimacy of ENs confront each other. On the one hand, the EU official discourse consider ENs as legitimate transmitters of the opinions expressed by national CSOs, thus filling the gap between domestic actors and EU policy-processes. On the other hand, normative conclusions based on high theoretical standards draw negative conclusions about the intermediary role of ENs. However, one perspective is missing to acquire a comprehensive understanding of the role of CSOs in the EU political system: an empirical analysis of the perceptions of national CSOs within ENs. This bottom-up perspective is precisely what this article proposes.

#### RESEARCH DESIGN - AN EMPIRICAL ANALYSIS OF THE LEGITIMACY OF EUROPEAN NETWORKS

#### Studying Legitimacy: a Diversity of Approaches

As reflected in social science literature, legitimacy is a difficult concept to grasp. While some authors argue that it should not be used at all in academic research (O'Kane 1993), others point to legitimacy as the central question of political science (Steffek and Hahn 2010: 7). Legitimacy could be analysed through normative lenses or empirically. This epistemological divergence distinguishes two types of

studies about legitimacy. On the one hand, legitimacy can be analysed against normative criteria independent from context, or at least without directly considering the perception of actors. This is the normative approach mobilised by scholars mentioned above. On the other hand, legitimacy can be analysed through the perceptions of groups or individuals. This is an empirical approach, which does not assume an a priori conception of legitimacy – in the sense of 'what is or is not legitimate'. Steffek and Hahn (2010: 7) note that legitimacy in an empirical sense 'is a concept that captures the beliefs of people and the actions motivated by those beliefs'. This empirical approach is mobilised in this article. The objective is to analyse the perception of national CSOs and identify how they legitimise their ENs. It is not to analyse if ENs either are or are not legitimate against normative criteria. For this analysis, organisational legitimacy refers to the conditions under which organisations – here, ENs – gain acceptance or support from the actors with whom they interact – in this case, Belgian CSOs. In this sense, legitimacy is a concept that captures the beliefs of people about the conformity of an organisation with certain values, norms and standards. Kohler-Koch notes that studies on interest organisations have to 'point out not just the mechanisms that translate the interests of a multitude of actors into the positions of interest groups and efficient lobbying strategies, but also the mechanisms of social validation' within interest organisations (Lowery, Baumgartner, Berkhout, Berry et al. 2015: 1221). This article adopts this empirical approach aiming to identify the discourses of national CSOs that legitimise their ENs. These perceptions are anchored in the dyadic relations between each CSO and its EN. In fact, legitimacy is a matter of relations. As Schrader and Denskus (2010: 46-47) argue, 'legitimacy can only be granted and revoked within the relation of different actors: it is produced and transformed in a specific situation and context'.

As a starting point, this analysis of the legitimacy of ENs scrutinises dyadic relations between the represented (the CSO) and a representative (the EN). In fact, this structural arrangement linking an EN and a CSO is a representation relationship. In other words, the intrinsic purpose of ENs is to represent the interests of their membership at the EU level. However, this article is not restricted to the assessment of the quality of representation (and accountability) within ENs regarding their national CSOs. 'Legitimacy' (of ENs) will be used as an encompassing concept. As noted by Steffek and Hahn (2010), the notion of 'organisational legitimacy' provides a conceptual umbrella under which accountability and representation may be subsumed:

It is quite clear that accountability and representation are necessary elements, or at least important aspects, of organisational legitimacy, and it makes little sense to argue the reverse, that is, that legitimacy is an aspect of either accountability or representation (Steffek and Hahn 2010: 8).

To summarise, 'legitimacy' is the core concept that will be unpacked in this analysis which focuses on the perceptions of ENs held by national civil society actors. It is important to note that the objective of this empirical approach is not to analyse what ENs should be but to understand their relationships with their members. The research design of this article is consequently empirically grounded.

Empirically, the legitimacy of an organisation has to be addressed for each relevant audience of that organisation. An organisation's audience is a group which receives or is aware of the message or actions produced by this organisation. According to institutionalist theories, actors perceive legitimacy 'within some socially constructed system of norms, values, beliefs, and definitions' (Suchman 1995). Each audience – or each actor within this audience – is facing a particular context and could mobilise different rationales to consider the legitimacy of an organisation. Moreover, organisational legitimacy is not static. The audiences of an organisation could always argue that an organisation is not – or is no longer – legitimate. Legitimacy can never be fully 'achieved'. Legitimacy is not a given but is contestable and contested. This article therefore aims to address the empirical

dimension of legitimacy of ENs by analysing the perceptions of their membership at the national and regional levels. The focus is thus on

the perception of legitimacy, not legitimacy according to a standard that is posited as independent of the context in which the question arises. Within this usage, it may well be more accurate to speak about 'legitimation', which is an open-ended process (Saward 2010: 144).

Steffek and Hahn (2010: 7) note that: 'Legitimation is a term that denotes the activity of making a social institution appear to be legitimate'. To analyse legitimacy empirically, it has to be observed through the *perceptions* of legitimacy by appropriate audiences, through the different discourses which make ENs legitimate in the eyes of their members. Consequently, the concept of legitimation *discourse* will be used to designate different types of rationales used by CSOs to legitimise their ENs. The output of this analysis is the identification of different discourses mobilised by national member organisations to legitimise ENs.

#### **Methodology and Data Collection**

Since an empirical approach of organisational legitimacy requires no predetermined conception of legitimacy, the method has to be inductive. The issue of legitimacy is addressed as firmly located in context. Actors perceive reality within socially constructed system of norms and values. Their perception of the legitimacy of ENs is thus anchored in their environment. CSOs from different countries may not perceive legitimacy in the same way. Consequently, this analysis is focused on similar organisations operating within the same environment, namely the political context of Belgium. The objective is to get a comprehensive picture of the situation of CSOs evolving in this particular context. The analysis aims to identify a potential combination of different discourses to legitimise ENs. Qualitative methods are used to analyse these discourses. These methods offer powerful tools for context-sensitive analysis. This article follows the epistemological paradigm of qualitative methods which 'attach primary importance to the perspective of conscious actors who attach subjective meaning to their actions and interpret their own situations and that of others' (Devine 2002: 201).

In order to identify the discourses of CSOs that legitimise ENs, a thematic analysis (Paillé and Mucchielli 2016: 234-317) was conducted on transcripts of the interviews with staff members of Belgian CSOs. This analysis consists of the attribution of a theme to different units of meaning within the transcripts of interviews and the simultaneous building of the thematic list (by grouping themes). The first step is dedicated to a descriptive coding, listing the elements stated by the different interviewees. A second scanning of the transcripts refines and checks the previous coding. In a third step, the different categories of codes are interpreted. This inductive method is in line with the ambition to develop an empirically anchored analysis of legitimacy.

Each CSO is analysed based on an interview with the coordinator of the organisation or the person in charge of European Affairs. The interviewees are key actors who have the broadest perspective and a global knowledge on the relationship between their organisation and their EN. These staff members are responsible for communication and advocacy (including consultation with members, writing positions and communicating them). The interview schedule was relatively stable even if the objective was to give important room to the respondent to develop their views and perceptions. Care was taken to ensure interviewees were not led by directed questions which could evoke a particular conception of legitimacy and particular legitimation discourses. The questions were about the functioning of the organisation, the relations between the organisation and its EN and the general lobbying strategy (towards regional, national and EU levels). The concluding part of the

interviews focused on a public consultation launched by the European Commission during spring 2015. The objective was to obtain the big picture of CSOs' situations and identify the perceptions held by interviewees about their ENs.

#### **Case Selection**

Five Belgian CSOs constitute the cases under scrutiny. Belgium represents a unique case. Brussels is the capital of the EU, the federal state and the Flemish and Brussels-Capital regions. Namur, the capital of the Walloon Region, is only 65 km from Brussels. The cases under scrutiny are all established in these cities or nearby. Among Belgians, the positive attitude towards the EU is above the European average. Elites across the political spectrum are also highly supportive of EU integration (Crespy 2011). Given this setting, Belgian organisations are interesting cases to analyse, since they face no physical barrier to contact with EU-level organisations (and institutions) and they work in a Europhile environment. The conclusions of this analysis may be applicable to other CSOs operating in similar environments but may not apply to other national contexts with different characteristics. Nevertheless, this study provides interesting foundations for further comparative analysis including CSOs from other EU member states.

The CSOs selected are associations organised at the regional level (within the federal structure of Belgium) in Wallonia or in Brussels and gather together individuals or local organisations. Cases were selected from a consultation launched by the European Commission during the spring of 2015: the consultation on the 'fitness check' of the EU Nature Legislation. The aim of this consultation was to gather opinions on the Birds Directive and the Habitats Directive and their implementation to date. This legislation is part of a highly Europeanised policy field. The EU level constitutes the most pertinent level to target in terms of lobbying for this legislation. Moreover, the *Nature Alert* campaign following this consultation was the scene of intense exchanges between national and European CSOs thus providing an interesting context to study the internal dynamics of ENs.

The consultation was processed as follows. During 'phase one', the Commission contacted 45 EU-level organisations requesting a reply to a questionnaire. Among those 45 organisations, four were ENs of national CSOs. 'Phase two' was a public consultation. The cases selected were from among the Belgian CSOs represented by four ENs chosen to participate in phase one of the consultation. Using the consultation as a basis for case selection in this way permits the analysis of Belgian CSOs by keeping policy-specific and overall European context idiosyncrasies under control. All Belgian CSOs which were active at the federal level or within Walloon or Brussels-Capital regions and which were members of the four ENs responding to the Commission's consultation were contacted. Five organisations were contacted since one of the four ENs selected has a member organisation in Wallonia and one in Brussels. Five interviews were conducted with key players of these organisations (one interview per CSO).

The rationale behind the selection of few cases is to acquire a comprehensive understanding of how Belgian civil society actors perceive ENs in a particular context. Even if the cases share different features, they also differ on others. The cases differ in terms of resources (operationalised by the number of full-time equivalent staff, where data is available) and in terms of membership. Some Belgian CSOs have individual supporters as members, while others are umbrella organisations gathering together local associations at the regional level. Each organisation under scrutiny is directly a member of its EN (without being member of any intermediary umbrella organisations in Belgium). It has to be noted that one of these organisations is organised at the federal level in its day-to-day activity but is legally divided into a Flemish association and a French-speaking

association. In fact, except for very few cases, the civil society actors are highly regionalised in Belgium.

Table 1. Belgian Civil Society Organisations under Scrutiny

| Case  | Staff (*FTE) | Membership   | Members | Policy issues<br>(Environment) |
|-------|--------------|--|---------|--------------------------------|
| BCSOa | 80           | Individual supporters (gathered by local offices)      | 19,000  | General range                  |
| BCSOb | 3.5*         | Individual supporters (gathered by local associations) | 600     | General range                  |
| BCSOc | 39           | Individual supporters                                  | 90,000  | Biodiversity                   |
| BCSOd | 20*          | Local/regional associations                            | 150     | General range                  |
| BCSOe | 14*          | Local/regional associations                            | 80      | General range                  |

#### ANALYSIS – HOW BELGIAN CIVIL SOCIETY ORGANISATIONS LEGITIMISE EUROPEAN NETWORKS

This section presents two categories of legitimation discourses used by staff members in Belgian CSOs to speak about their ENs: functional legitimation and efficiency legitimation. These categories of legitimation discourse were drawn by grouping the different themes identified through the thematic analysis of the interview transcripts. The different legitimation discourses are illustrated by quotes from interviews (which were all translated and anonymised by the author). The analysis was thus empirically driven and the label of the legitimation discourses was given afterwards to synthesise the themes identified in the interviews (see Table 2). Moreover, staff members from one Belgian CSO were not aware of the activities of their EN: no legitimation elements could thus be traced in their interview. Nevertheless, this case is still pertinent to analyse to understand the (absence of) legitimation of ENs in the perspective of a Belgian organisation. This case will be analysed at the end of this part.

Table 2. Discourses of Belgian CSOs Legitimising their European Networks

| Discourses              | Themes   |  |
|-------------------------|--|--|
| Functional              | The EN is a collector of information from member states          |  |
| legitimation discourse  | The EN defines autonomously and advocates policy positions on EU |  |
|                         | issues   |  |
| Efficiency legitimation | fficiency legitimation The EN's staff members are experts        |  |
| discourse               | The EN is a reliable source of information on EU issues          |  |
|                         | The EN is an efficient advocacy organisation                     |  |

#### **Functional Legitimation**

The functional legitimation discourse concerns two themes: the identification of ENs as (1) collectors of information from member states and as (2) organisations advocating and defining autonomously policy positions on EU issues. Belgian CSOs have a passive role regarding the definition of European policy positions. However, if Belgian CSOs do not systematically take part in the definition of policy positions on EU issues, it does not mean that they are inactive at all within the structure of ENs. The participation of Belgian CSOs is mainly circumscribed at information provision to their ENs, which collect data among their membership: 'As soon as I have a relevant information to say to [the EN] or a question, it goes up [to the EN]' (interview 4). Belgian staff members see their role not as

producers of policy positions that have to be relayed to the EU level by their ENs but as information providers to support opinions developed by these networks. Another interviewee explains that the EN is 'monitoring' the positions of its members, rather than performing an 'aggregation' of these positions. Nevertheless, they add: 'I think that [the EN] is listening more and more to the national members too, because they are aware that applying only a top-down approach, it does not work very well' (interview 3). They note that their organisation is also sometimes participating in 'task forces' where member organisations could amend the EN's policy positions. It shows that the positions of ENs are not taken in total independence, but as another staff member says: 'Often, we are in easy postures, we say "we have to do more and better"' (interview 4). ENs are mainly considered as building their position based on information gathered locally by national CSOs but not through the aggregation of political positions developed upstream by their members. Belgian CSOs dedicate a small part of their time to managing EU issues and are mainly passive on this matter. The principal focus of their advocacy work is the regional (and federal) level, as noted by one interviewee:

[Our organisation] is not very active at the European level. I have to say, we are going to meetings from time to time, but as I said, it's not our priority. Our priority is the regional level, and we are overwhelmed with work. Thus, when choices have to be made, going to the [EN's] meeting is not the priority. (interview 1)

Staff members of Belgian CSOs concede that they do not participate on a regular basis in activities of their ENs.

It's been quite a few years since we have a desire to get closer to them [(the EN)], to be much more in touch. But there is nothing established, or structural. So every staff member is quite free to be involved or not. (interview 2)

The geographic location of Belgian organisations is only mentioned by one interviewee as an advantage facilitating the contact with the EN. All other staff members perceive themselves as less engaged in ENs than staff members from other countries, despite the proximity of Brussels. ENs are thus considered by Belgian CSOs as autonomous but trusted organisations to define policy position on EU issues: '[The EN] takes its position, which it will advocate at the European level. [...] Thus, they have the issue under control at the European level, we have to trust them on this' (interview 1). Another interviewee explains that advocacy is not their primary mission: 'The political aspect, in the classical meaning, we don't work on it very much. Because we do not have this advocacy aim. As do particularly our international and European network' (interview 2). Belgian CSOs legitimise ENs not because they represent their political positions but because they are perceived as representing, broadly speaking, the same political objective. The issue on which those CSOs are active – namely the environment, a highly Europeanised issue – is also an element that explains the trust of CSOs towards their ENs. An interviewee explains: 'The situation of the environment is, in my view, so catastrophic, there is so little political will, our expectations are huge. [...] So we do not discuss about details, and all opportunities are good to take' (interview 4). Moreover, the delegation of action by Belgian CSOs to ENs is also explained by the 'Eurocratisation' of environmental policies (Hallstrom 2004). For instance, another staff member describes the political alignment between the Belgian CSO and the EN:

There are positions that are taken by [the EN], but anyway, for which we are not competent because we do not follow these issues. Therefore, impossible to say whether we agree or not because we do not have the issue under control. [...] Finally, there are plenty of issues that are monitored by [the EN], that we do not follow particularly (interview 1).

ENs are legitimised in the discourse of Belgian civil society actors through the function they are performing, namely building policy positions that they will advocate at the EU level, and not as substitutes for their activity at an upper level or as *stricto sensu* representative organisations. In fact, ENs are primarily perceived by Belgian actors as working in a field that would be unexploited without the activity of these ENs. ENs are considered as holding the advocacy function at the EU level with a high degree of autonomy. Belgian CSOs do not outsource their European political activities to ENs. Rather these ENs assume political activities that would not otherwise have been managed by Belgian organisations. This high degree of autonomy of ENs to define and advocate positions may induce contestation from some member organisations in different member states (Sanchez-Salgado 2014: 185), but not from the perspective of Belgian CSOs which are satisfied with this situation. This functional distribution of labour and the positive perception of the autonomy of ENs can be explained by the lack of time and the relatively low leverage of Belgian actors within EU structures (Sanchez-Salgado 2014: 185-186).

#### **Efficiency Legitimation**

This legitimation discourse encompasses three themes: (1) the acknowledgement of the expertise of ENs' staff members; (2) the identification of ENs as a reliable source of information and; (3) the recognition of ENs as efficient advocacy organisations. Firstly, staff in ENs are perceived as 'professional' and 'dynamic' (interview 2) or 'doing a good job' (interview 3). When one staff member from a Belgian CSO was asked about their overall perception of the quality of the work of the EN, they replied: 'What I do know, is that currently, the people with whom I am in touch at [the EN] are doing an amazing job' (interview 4). Concerning membership management, the work of the EN inspires this staff member: 'Concerning their work as an umbrella organisation, for me, it's a source of inspiration' (interview 4). Secondly, ENs are considered by Belgian CSOs as a source of information about EU issues: 'So that's really [the EN's] role, they have the European expertise, they know what's going to come out' (interview 3). More generally, ENs are identified as their unique reliable source of information on these issues:

And so, as soon as there is relevant information, it is dropped in the mailbox. So, [the EN] is a real war machine for this, with highly competent people who are exemplary in terms of communication with their member associations (interview 4).

We're flooded with e-mails every day, I'll say, by [the EN]. And so they alert us ... they are in fact ... our European vigilance, it's [the EN]. So it's clear that we get the information, they are the ones who draw our attention ... They react very, very upstream (interview 1).

Thirdly, Belgian CSOs acknowledge the efficiency of their ENs regarding their advocacy activities:

I think they're doing a good job, they seem to be a credible organisation. [...] Among all the lobby groups swarming at the level of Europe, [our EN] was the first NGO, while we have 1000 times fewer resources than other large lobby groups. So it means they can open doors, they can be heard (interview 3).

We also trust them to identify what are the issues that are the touchiest, what is the most important, the arguments that are the strongest, which will be the most efficient. Because you have to know your network, your polity to determine what will work and what will not (interview 1).

One interviewee describes the EN as even more efficient at the EU level than its own organisation in Belgium: 'I would say that they are doing better. More systematically' (interview 4). Following a top-down stream, Belgian CSOs use information and arguments developed by their ENs in their advocacy activities at the regional level or to support and relay the work of their ENs at the national level:

Let's say that we will relay, vis-à-vis MEPs, or vis-à-vis the competent minister, the positions of [the EN]. [...] *a priori*, we take these positions as our positions. As a [regional] federation, we are the interlocutor of the MPs (interview 4).

Of course, we use information that comes from [the EN]. Because they have a vigilance at the European level [...]. What is happening at the European level, for me, is always precursor of what will happen to us in the Walloon Region. So, of course, when we have arguments that come from Europe, there are points that make sense for us. And we know that it can influence, or have an impact on our policies. And yes, we use them, it's obvious (interview 1).

Consultation practices at the EU level as well as the important role of technical expertise in environmental advocacy (Berny 2013b) induce a pressure concerning the way the policy positions have to be advocated towards EU institutions. ENs have the know-how and the expertise to engage in lobbying in Brussels. For instance, the usage of the so-called 'European jargon' and the predominance of English, make European organisations more able to lobby EU institutions than national CSOs. Belgian CSOs are conscious of the particularities of the European political structures and this participates in the legitimation of their ENs. The 'Brussels bubble' is perceived as an Anglo-Saxon (or international) structure with different logics to which ENs respond better. It is also interesting to note that Belgian CSOs do not identify ENs as efficient transmitters of their policy positions at the EU level, but as organisations generating policy positions that could be used afterwards by the CSO. More generally, as in the case of the *Nature Alert* campaign, national CSOs are reflectors in member states of political campaigns designed in Brussels (Parks 2015). To sum up, Belgian CSOs legitimise ENs regarding the efficiency of their activities in Brussels, arising from their expertise, their ability to get and circulate information and the efficiency of their advocacy work.

#### The Absence of Legitimation Discourse

As mentioned above, staff members from one of the Belgian CSOs under scrutiny were not aware of the activities of their EN. The membership of this organisation to the EN was though confirmed by the interviewees from that Belgian CSO and by the membership manager of the EN who e-mailed the details of their 'contact person' in their member organisation. That contact person was precisely one of the CSO staff members interviewed (two staff members were interviewed together for this case). An interesting observation is that one of the staff member identifies clearly the function of the EN:

I think that is probably a pity that we are not more in relation with them, because we're on the field and we could for example, explain them what should be improved in practice. For instance, here, there are Directives that we're implementing, but there are things we find inappropriate. (interview 5)

However, they are not able to identify clearly why they are not at all involved in the activities of the EN. When questioned about a possible reassessment of their membership to the EN, this interviewee answered:

But in fact, it's true we do not talk about it and that is something we should nevertheless once put on the table, in fact. So what, why don't we have stronger relations in fact, to bring issues at an upper level? (interview 5).

The other staff member of the organisation explains: 'Yes, but to tell you something, I wasn't even aware about the existence of the [EN] while I have been working here for four years!' (interview 5). It is also interesting to note that despite the absence of a link with their EN, the organisation has integrated the European dimension. For instance, they have brought a case of the breach of a directive by the regional authorities before the European Court of Justice (but without any assistance or coordination with their EN). This case reveals another situation: the disconnect between ENs and some of their members at the national level. The causes of the absent link between the EN and the Belgian CSO are related to the internal context of the national organisation rather than to the perception about the actions and attributes of the EN. Furthermore, despite the lack of tangible connections with the EN, staff members from this CSO express no negative opinion against their EN that would challenge its legitimacy. While multiple arenas of European politics coexist rather than just a single one, national CSOs can work on EU issues without being part of the 'European society' of which ENs are part (Fligstein 2008).

#### **DISCUSSION — EUROPEAN NETWORKS AS TRUSTED POLITICAL CHAMPIONS**

This article set out to analyse the legitimacy of ENs in an empirical perspective without adopting the theoretical assumptions (based on democratic considerations) used by previous studies. The inductive method of this research leads to the identification of elements of organisational legitimacy currently ignored by existing literature, and which are not in line with the official discourse of EU institutions. Before discussing Belgian CSOs' discourse, it is interesting to note that their differing level of resources seems to have no effect on their perception of their ENs. This can be explained by the fact that Belgian organisations do not pass the critical financial threshold that allows their staff to engage directly with the EU institutions, even if they have at least enough economical resources to integrate the European dimension (Sanchez-Salgado 2007). The limited number of cases analysed does not allow the drawing of general conclusions on this issue. As noted by previous research on French Environmental CSOs, availability of resources is not a sine qua non condition for involvement on EU issues (Berny 2013a).

The analysis here leads to the identification of two legitimation discourses of Belgian CSOs regarding their ENs: the function they hold in Brussels and their efficiency. These two elements are related. An organisation could be perceived as legitimate because of the functions it fulfils, but also because it is perceived as efficient in the way these functions are performed.

On the one hand, ENs are legitimised in the discourse of Belgian CSOs through the functions they hold: to define and advocate policy positions at the EU level. This may appear straightforward but it reveals a crucial conclusion: European associations are not legitimised as substitutes of Belgian CSOs at the EU level or as transmitters of aggregated policy positions from CSOs of different member states. ENs are legitimised as trusted champions of broad political objectives, to which Belgian CSOs generally adhere. ENs are not considered by Belgian CSOs as faithful representatives of multiple national positions, but as EU-level organisations advocating positions that meet the same overall objectives as their national members.

On the other hand, from the perspective of Belgian organisations, the legitimacy of ENs is based on their efficiency. Belgian CSOs acknowledge the expertise of the ENs' staff, identify ENs as their main source of information on EU issues and they recognise ENs as efficient advocacy organisations. EN staff are perceived as dynamic and highly-skilled, responding to the Anglo-Saxon or international

standards of the 'Brussels bubble', as opposed to a divergent Belgian associative culture. The expert knowledge inherent to environmental advocacy and the highly Europeanised character of environmental issues also explain this trust towards ENs. ENs are thus trusted concerning their advocacy work with EU institutions and are identified by Belgian CSOs as a source of reliable information and pertinent policy positions that could be used at the national or regional level.

Though EU institutions' discourse assume that ENs are 'super-conducting transmitters' between domestic CSOs and European officials, it appears that is not the role assigned to them by their Belgian members. In fact, Belgian CSOs do not consider themselves as producers of policy positions that have to be relayed to the EU level by their ENs but as information providers to support positions developed by their networks. The fact that the CSOs under scrutiny are active on environmental issues – which are highly institutionalised at the EU level and for which the demands of civil society are very high – explains the trust of these national organisations in their delegation of action towards their ENs.

Moreover, one Belgian CSO under scrutiny was totally disconnected from its EN. Yet, despite the lack of tangible connections with the EN, staff members from this CSO expressed no negative opinion challenging the legitimacy of their EN. These results demonstrate a gap between the focus of previous studies on European organisations — mainly related to representativeness — and the actual concerns of actors involved in EN: the efficiency of these organisations when performing their function of trusted political champions at the EU level. Nevertheless, considering the perspective of the actors themselves, this distribution of labour between Belgian CSOs and ENs should not be conceived as problematic.

Overall, this empirical analysis of the legitimacy of ENs based on the perspectives of their members on the one hand calls into question the normative conclusions of previous studies on the subject and, on the other hand, highlights the gap between the official discourse of the EU institutions about their consultation regime and the concerns of the actors involved. Since this research on ENs is anchored in a Belgian context, a comprehensive understanding of European civil society requires other context-sensitive studies in other member states and concerning other policy fields. The insights of this empirical analysis of the legitimation of ENs feeds the normative debate about the legitimacy of European organisations within the EU consultation regime and highlights some elements that could contribute to the emergence of an effective European civil society beyond Brussels.

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#### **ENDNOTES**

<sup>1</sup> Interview 1, staff member from BCSOa (8 January 2016); Interview 2, staff member from BCSOb (13 January 2016); Interview 3, staff member from BCSOc (26 January 2016); Interview 4, staff member from BCSOd (27 January 2016); Interview 5, staff members from BCSOe (4 February 2016).

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Research Article

## Views of Europe: National Civil Society Organisations for Binational Family Rights on the Road to Brussels

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### **Abstract**

Employing a sociological actor-centred approach, this article explores the interrelations between individual and organisational dynamics by investigating how national civil society organisations' (CSOs) leaders, board and rank-and-file members' views of Europe(s) contribute to the CSOs' process of reaching consensus about going European. Bottom-up Europeanization and social movement studies are employed to analyse the case of a French CSO joining a European network of national CSOs in order to defend the rights of binational couples. These couples, composed of a European and an extra-European citizen, have been particularly affected since mid-1990 by restrictive policies that the EU has attempted to harmonise, but that remain nationally rooted. Thanks to an in-depth ethnography and drawing on the 'usages of Europe' and the 'Europeanness' literature, three views of Europe, arguments to use or not to use Europe in CSOs, have been identified. These views, defined as instrumental, pro-European and Euro-sceptical, depend on individuals' generation and education, as well as on their motives for engagement and their roles in the CSO. The national CSO leadership and board have to negotiate with this plurality of views before defining activities. In so doing, they have to consider economic and human resource shortages. Thus, beyond divergent positions towards Europe, consensus is reached on the possibility of using Europe as an instrument for national policy changes and CSO visibility. Such dynamics, employed to harmonise disparate views of Europe, are reproduced once national CSOs are acting in the European network and tend to create a weak experience of Europeanization, mainly based on the transnationalisation of the CSO's activities.

### **Keywords**

Usages of Europe; Transnationalisation; Europeanization; Europeanness; Vocabulary of motives; Family migration

In Europe over the past two decades, in the framework of a general tightening of immigration rules, several specific reforms of union verification and family entrance conditions have restricted marriage migration (Wray 2015). Although marriage control had existed for a long time (Slama 2017), its new codification (de Hart 2006) and enforcement (d'Aoust 2013) were driven by the growing rate of residence permits granted to foreign partners of European citizens (Kraler 2010) and the concern that marriages or civil partnerships with a European citizen were the last loophole for undesirable foreigners' entry or stay in an era of migratory risk containment (d'Aoust 2012; Odasso 2017a). These institutional interventions have resulted from European and national legislative processes (Bonjour and Block 2013; Wray, Hutton and Agoston 2014). For its part, the European Union (EU), bearing in mind the provisions of the 1993 Copenhagen resolution on the harmonization of national family migration policies, in 1997 issued a resolution on measures to be adopted by EU states to combat marriages of convenience, proposing a list of factors (which may provide grounds for believing that a marriage is one of convenience) to be evaluated before a marriage is performed. A few years later, two directives imposed new conditions on family reunification (EU Dir. 2003/86/EC) and on the right of citizens of the Union and their family members to move and reside freely within the territory of the member states (EU Dir. 2004/38/EC). For their parts, member states have transposed EU provisions into national law while keeping some freedom to cope with national specificity and interests (Vink, Bonjour and Adam 2014). Hence, bi-national family migration law implementation and resultant practices differ from state to state (d'Aoust 2013; Maskens 2013); such changes are also observed from one locality to another (Odasso 2016). In addition to this diversity, a general

decrease of family migration rights of citizens in Europe is observed (Bonjour and Block 2016). In fact, the administrative and legal government of binational couples is marked by conditions that need to be fulfilled by both partners and by discretional institutional practices that affect not only the foreigner, but also his/her European citizen future spouse (Ferran 2009; Odasso 2016) and sometimes their children (Wray, Grant, Kofman and Peel 2015).

In the wake of this tightening of policy, Civil Society Organisations (CSOs) have emerged to offer support to binational couples and to lobby locally and nationally for changes in policy and practice. Some of these CSOs ask binational couples to participate directly in defending their own cause (Odasso 2017b). These CSOs are concerned with the dynamics governing family migration policies design and implementation that remain largely grounded at the national level, even if EU institutions and courts, concretely and symbolically, influence them. Due to their field-rooted knowledge and ideologies, such CSOs occupy an intermediate position between the institutions and the couples that drive their logic and aims. This article is interested in the activities of a number of such CSOs that are reunited in a European network, the *European Conference for Binational/Bicultural Relationships* (ECB),<sup>2</sup> whose goals are to share socio-legal knowledge concerning the situation of binational couples Europe wide, and to look for common solutions to questions raised in relation to immigration policy both nationally and at European level.

Along with the rise of legal constraints for binational couples in Europe and in a context where migration has demanded more and more European reflection, the number of CSOs interested in joining the ECB has increased. But for national CSOs, the purpose of 'going European' has not been a smooth process. In the following, the expression 'going European' has to be understood as applying to the CSOs which consider the opportunity of widening the focus of their campaigns from the national to the European level through participation in a European collaborative CSO network. I argue that the main constraints of this process are: a) discordant views towards Europe displayed by CSO members and b) internal CSO dynamics of reaching consensus. These constraints are reproduced within ECB dynamics, as it functions as a wider CSO, and thus impact attempts at Europeanization.

The article begins by presenting the relevance of a sociological actor-centered approach to examine the national CSOs' bottom-up Europeanization(s) and by clarifying the chosen theoretical framework, namely the 'usages of Europe' and the distinctions and relations between 'transnationalisation' and 'Europeanization'. After introducing the case studies chosen, of a French CSO Amoureaux au Ban Public (ABP), which decided to join the ECB, and after detailing the methodologies used for data collection, the three views of Europe displayed by CSO members which emerged through analysis are presented. The second part of this article discusses the interaction between these individual views of Europe and organisational consensus building dynamics and decisions. It is also shown how this nationally rooted interplay between individual and organisational dynamics is replicated in the European network decision-making process. The article concludes with a heuristic insight provided by a sociological qualitative analysis of the link between individual and organisation dynamics, into the complex processes of 'Europeanization beyond Brussels'.

#### A SOCIOLOGICAL ACTOR-CENTRED APPROACH TO EUROPEANIZATION(S)

This article combines studies on bottom-up Europeanization and social movement studies in the frame of a pragmatic sociological actor-centred approach (Little 2014). Such an approach investigates national CSOs' efforts to Europeanize as a social process, having 'micro-foundations' at the level of the actors (ibid) who constitute the CSOs, namely their members. It examines the ways these actors represent Europe and pro-marriage migration activism, what motivates them to

participate and how they arrive at certain decisions and actions individually and then collectively thanks to organisation dynamics, such as 'internal democracy' (della Porta 2015). To place the actors at the centre of the observation does not mean merely to proceed from the individual to the society, but to articulate and connect individual logics and the structures that impact on their freedom of decision, with CSO functions, EU policies and EU participation processes at large.

In the sociology of the EU, national CSOs are rarely studied in their own right (Salgado and Demidov, this issue). This article aims to do this by focusing on the specific interactions between the individual and the organisational dimensions in national CSOs that make the gamble to go European. CSOs cannot be considered as wholly homogeneous actors as they are foremost groups of individuals who share a collective identity (Melucci 1995) and voluntarily cooperate around a specific problem. In contrast to institutional bodies, CSOs are 'embedded in society and EU cannot directly affect them, but rather offers them some incentives' (Sanchez Salgado 2014: 8) that they can choose to use. This choice is the result of an upstream internal consensus-building process within the CSOs' membership. Through negotiations about members' opinions and maximal participation in collective deliberations, such a constitutive step of a CSO democratic dynamic allows a common strategy to be attained and thereby sustains CSO cohesion over time. To assess the dynamics of such a process, the members' agency and the 'vocabulary of motives' (Mills 1940; Trom 2001) lying behind their participation has to be considered, as well as their roles (leaders, boards and rank-and-file members), social characteristics (e.g. gender, generation, ethnicity, class), affiliations (e.g. professional category, activists, national citizens and EU citizens), and experienced spaces of socialisation (Lahire 1998). The notion of generation (Mannheim 1952) is particularly relevant to highlight how social cohorts of individuals with similar ages are influenced by historical events and experiences that characterise their attitudes and actions.

CSO members' arguments for going European, or not, are shaped by their specific attitudes towards Europe. In this regard, it is worth noting that terms such as Europe and EU are ambiguously employed in the narrative of CSOs' members. As already noted elsewhere (Karolewski and Kaina 2006), this becomes problematic for the analysis of arguments for 'going European' - which may refer to the targeting of EU institutions as interlocutors, to investing in Europe as a champ for empowering CSOs' campaigns (thanks to EU-related activities in national and local contexts and/or in a transnational space), or the contemplation of the EU as a source of funding. In most cases, these arguments are legitimised by a certain utility. In this respect, the notion of 'usages of Europe' (Jacquot and Woll 2004) is theoretically useful to grasp national actors' interests and logics in moving towards the EU. Usages are defined as 'social practices that seize the EU as a set of opportunities, be they institutional, ideological, political or organisational' (Woll and Jacquot 2010: 116). According to their functionality, three main usages of Europe are classified: 'strategic, cognitive, and legitimating' motivated by 'influence, positioning, and justification' logics (ibid: 117). These usages imply intentionality and depend upon immaterial (e.g. discursive references, ideas, public sphere) or material (e.g. institutions, policy instruments, funding) elements. Both in rhetoric and in practice, the emphasis of this analytical frame is on the idea that there is 'no impact without usages' (Jacquot and Woll 2004). Paying attention to 'how EU is instrumentalized by domestic actors' (Salgado 2014: 19), the notion of usage is here extensively applied not only to domestic actors such as CSOs (Graziano, Jacquot and Palier 2011), but also to those individuals who compose these CSOs, in order to understand how they justify the process of Europeanization.

Usages have to be combined with other dimensions to avoid a solely instrumental view of Europe. In particular, the 'diffusion of a sense of European identity [Europeanness] on the same level as the sense of national or local belonging' (Piasecki and Woroniecki 2016: 67) may impact views and decisions to seize European opportunity. The EU identity turns into a general 'openness towards Europe often 'related to variables such as education, socio-economic background, media exposure,

transnational networking, participation and experiencing Europe' (Scalise 2015). Those members who show a high degree of 'Europeanness' can promote a positive view of Europe in a CSO. But, the picture is more contradictory and complex than expected. Individuals can recognise the fundamental values of the EU, but not trust the current EU institutions and policies at large. This is particularly true in the field of migration and family. In that respect, some questions overlap: migration and family are highly nationally grounded policies, everyday law implementation produces differential treatments that seldom reach EU courts to be contested, and migration policy at EU level is also marked by a restrictive turn.

Heterogeneous views of Europe, national and local contexts, CSOs' structures and their economic and human resources all play a pivotal role in the decision to move from a national field of action to a transnational and/or Brussels-centred one (Caiani and Ferrer-Fons 2010). In this article, this distinction between 'transnationalism' and 'Europeanization' is an important 'Transnationalisation' is generally described as a horizontal process of diffusion of ideas and action repertoires among CSOs based in different EU member states allowing them to 'learn from the goals and the strategies pursued by CSOs in other States' (Holzhacker 2007: 3). 'Europeanization', instead, is identified as a more structured process of working together to target the EU and its institutions: a 're-orientation of sub-national actors' champ d'activité towards supranational [namely European] institutions, politics or policy-making' (McCauley 2011: 1020). These two processes are highly linked to the extent that some consider transnationalisation as 'Europeanization on the cheap' (Sanchez Salgado 2014: 59) or as a specific kind of Europeanization wherein actors transform themselves to overcome the national context (Balme, Chabanet and Wright 2002: 104-106). Transnationalisation, along with externalisation, internalisation and supranationalisation, is a kind of Europeanization defined on the basis of the strategies the actors employ to change their level of mobilisation, their action repertoires and the aims and challenges of their mobilisation (Monforte 2010; Balme et al. 2002). Such a frame has been employed to examine the Europeanization of national CSOs in the domain of asylum policies (Monforte 2014) and has shown that activists interested in European migration policies have first had to create their own European network before developing collective actions at the European level. This is because the organisations and groups already Brussels-based were closed to them (Monforte 2010: 138). The same process has been undertaken by the national CSOs observed for this article who participate in and consolidate a European network as an attempt to go European. This constitutes the empirical section of the article where the linkage between individuals' views of Europe, the organisational dynamics and their outcomes in terms of Europeanization are detailed.

#### **CASE STUDIES AND METHODOLOGY**

The empirical material underpinning this article is a section of the data collected during two researches conducted in France and Italy respectively (2009-2013) and in Belgium, France and Italy (2014-2016). While researching the impact of migration laws on binational couples and on the activities of some of the national CSOs supporting these couples, the author observed a French CSO attempt to enlarge its campaign in Europe by participating in the European network ECB. A multisited ethnography was conducted (Marcus 1995) to grasp the discourses and practices surrounding binational couples' management in Europe. The author has attended parliamentary hearings, analysed national and European documents, monitored media and spoken with state agents in charge of law enforcement in France, as well as in other European countries. Yet to understand deeply the national CSOs' positioning logic, it was essential to explore thoroughly members' motives towards Europe, their views of Europe and the consequent CSO collective decisions. It was not

possible to understand fully the dynamics and the logics behind these processes 'without actually being there and being involved' (Majic 2017: 104) to witness contextualised member interactions.

As this article focuses on ABP and ECB perspectives, the following boxes briefly present these case studies, then the section goes on to clarify the methodologies employed for data collection and analysis.

#### CASE STUDY 1. A national CSO: the French Amoureux au Ban Public (ABP)

The ABP was informally established in 2007 within the Montpellier section of La Cimade (a wellestablished French organisation defending refugees and migrants' rights) and formalised into an organisation able to access public and private funds in 2010. ABP's main goals are: to facilitate access to law and justice for French-foreigner couples by offering legal advice, to raise awareness about the rights of binational couples in public opinion, to monitor legal changes and to lobby for policy improvement and more transparent administrative procedures. The peculiarity of ABP's approach and aim is the direct participation of binational couples in the activities (Odasso 2017b). The majority of members are French women (Odasso 2018). ABP groups (20 in 2008, 8 nowadays) involving both binational couples and volunteers operate in different areas of French territory under Paris-based coordination that, beyond providing an effective linkage between such local groups, deals with fund-raising, national projects' management and national-centred actions of lobbying. The coordination has changed three times up to now and is supported by a six member board which meets monthly to discuss administration and strategies. Their decisions are validated by the members: an on-line forum offers a virtual space for answering on current topics, while pillar issues are debated during the national meetings. ABP joined the ECB in 2012, considering it to be a good means to Europeanise, even though the organisation had already contacted French EU deputies during its lobbying activities which suggests that it already believed in some 'going European' strategy.

## CASE STUDY 2. A European network: European Conference for Binational/Bicultural Relationships (ECB)

ECB was established in 1990 as a network of French,<sup>4</sup> Austrian, Italian, Swiss, Greek, Belgian, Dutch, German and Tunisian CSOs supporting binational and bicultural relationships. These CSOs share similar attitudes towards EU policies and institutions and promote similar activities (e.g. offering legal and administrative advice, monitoring legislation, encouraging couples' participation, raising awareness). At the beginning, ECB was affiliated to the Brussels-based *European coordination for foreigners' rights to family life* in order to enjoy the benefits of an international non-profit organisation, but it then became an independent organisation managed on a voluntary basis under the guidance of a rotating national CSO presidency (ABP held the ECB annual presidency in 2016-2017). Annual meetings, social network and technical tools permit the sharing of information and action repertoires (Verband 2001). In 2012, new national CSOs from France (namely ABP), Spain, Denmark and Norway were invited to join the ECB due to the new relevance assumed by the binational union's Europe-wide governance. Nowadays, the ECB counts nine national CSOs members; its activists are aged 30 to 65 and the majority are women (an average of 15 women among 18 regular participants) (Woesthoff 2013).

After analysis of the ABP documents and website, participant observation was undertaken during regular activities and public events in Paris and locally, mainly in Strasbourg and in Marseille. Meanwhile, in-depth interviews were collected with both the leadership teams and twenty members, inviting them to evaluate the effects of national and European migration policies through the method of 'biographical policies evaluation' (Apitzsch, Inowlocki and Kontos 2008). They were then asked to explain the motives for their engagement and their opinions about the opportunities to participate in an EU network to enlarge the focus of the ABP campaign to the European level. The choice of the interviewees was guided by the aim of collecting the narratives of individuals of different generations, gender, nationality and different roles in the organisation. Concretely, two thirds of the respondents were women and French nationals in their thirties. Such a proportion is representative of the pattern of ABP active members (Odasso 2018). Beyond the interviews, interactions in situ with other members during observations permitted a wider understanding of the clusters of motives behind their actions and views of Europe. Such motives were not only 'an individual state or a subjective process of internal personal elaboration of the action, but a real grammar that contributed to build the sociality of the actions and their agents' (Quéré 1993: 69) within internal decision-making processes.

Furthermore, the author took the opportunity to participate with other two ABP members in ECB annual meetings and to follow the regular exchanges with the network. Such a socio-anthropological approach has permitted very fruitful observation 'from the inside' of micro-interactions between several CSO members from several EU states, avoiding the modification of dynamics through a presence as external observer, but instead 'experienc[ing] and observ[ing] their own and others' coparticipation within the ethnographic encounter' (Tedlock 1991: 69). A distance from the field was taken during data analysis in acknowledgement of the tension between the two roles, activist and academic, and the theme of role expectations and conflicts properly considered (Heyman 2011).

A data-driven thematic analysis (Braun and Clark 2006) of the in-depth interviews identified three main views of Europe among ABP members related to their roles and characteristics. These views were clearly illustrated from ethnographic field notes concerning discourses and practices observed firstly in the ABP and, successively, in the ECB. Personal views, arguments and CSO negotiations towards collective decisions acquired an informing value regarding the relationship between actor-centered agency and collective decisions to go European. Some additional elements issued from informal exchanges with other European CSO members participating in the ECB helped to put the proposed typology of views of Europe into perspective, confirming the replicability of the dynamics found in the ABP and prompting further reflection on the prospects of generalisations.

### THE THREE VIEWS OF EUROPE IN THE ARGUMENTS IN FAVOUR OF AND AGAINST GOING EUROPEAN

From data analysis, three views of Europe have been identified that mark individual attitudes in ABP towards joining the European network ECB and going European: (i) instrumental; (ii) pro-European; and (iii) Euro-sceptical. These terms, and the logics behind them, are based on the theoretical frame previously explained: (i) the legitimating 'usages' of Europe; (ii) the affective perception of Europe based on European belonging; and (iii) on national attachment. In the next three subsections, the features of these three views are presented through some illustrative quotes drawn from the indepth interviews and confirmed by participant observations. Subsequently, the following section shows the connection between such individual views and organisational dynamics, as national CSOs, even while considering individual members' wills and opinions, have to reach a coherent, collective decision about Europe. The outcomes of such a process define a certain way to Europeanise (or not).

#### The Instrumental View: Europe as an Opportunity for National Changes

In accordance with its statute, APB are devoted to French-foreigner couples, but they have also been increasingly confronted by other European citizens living in France in a couple with foreigners. Thus, they realised the differential treatment given under French law to these two typologies of couple and, in 2008, the organisation appealed to the *Défenseur de Droit*, the national ombudsman in charge of prevention of discrimination, to denounce the 'reverse discrimination' suffered by French citizens compared to European citizens in France. The aim was to use European law as a means to enhance national law. In marrying a TCN, French citizens have, in fact, to satisfy more and stricter conditions than European citizens based in France, as the EU 2004/38 directive is applied to the latter and national migration law is applied to French nationals. Only in 2014, with a non-binding decision, did the Ombudsman reply, deploring such discrimination and recommending the French authorities improve the situation of disparity between European citizens and French nationals. Even though the government did not change any points in its law, for the ABP, the Ombudsman's answer was symbolically important in introducing new ways for advocacy.

The ABP coordinator at that time was further motivated to solve national constraints and to give visibility to what he described as the deplorable situation of French citizens in a binational couple by observing the situations in other European countries both for nationals and for Europeans in free movement, explaining:

We should enhance European juridical comparison to map and describe the problems in other states. To do this we need the involvement of those members able to manage different languages to search for information online and around in other organisations (Nicolas, 45 year old lawyer, APB leader between 2007 and 2010).

While sharing this idea with other national CSOs during a European meeting in Murcia in 2010 during which an ABP leader was invited to present the French case, he reinforced his strategic, instrumental view of Europe. The awareness of differential treatments among juridical categories (foreigner, national citizen, EU citizen in movement) and the common administrative suspicion experienced by binational couples in several states led them to consider Europe, and in particular EU institutions, as the proper actors to target to instigate national policy changes. Europe becomes a supranational, somehow independent, entity that can be exploited to solve national problems when national decision-makers seem deaf to the requests of the organisation. Furthermore, the knowledge of EU courts' jurisprudence and EU functioning is an asset in this view.

The board and other CSO members who share this view of Europe with the leadership are already used to dealing with EU authorities and believe in the democratic opportunities offered by the activity of the European courts more than in those offered by EU decision-making. Educational and specific professional capitals are constitutive of this instrumental view of Europe that is highly related to EU integration. The participation in a EU network, such as the ECB, could be a good means to realise this purpose. Such a position has been stably maintained and defended by successive leadership teams. But it implies a reorganisation of the CSOs' priorities and the acquisition of new specific competences.

#### The Pro-European View: Europe as an Experienced Field for Action

On the same wavelength, while arguing that the opportunity to join the ECB and to act in Europe was useful for the organisation, some members clearly displayed a strong Europeanness. These activists mainly belong to a generation that have grown up in a 'European' educational setting, from which

they could possibly have directly benefited, for instance experiencing intra-European mobility for study or for work with Erasmus or Leonardo programmes or just for improving their skills, e.g. with the Youth in Action exchange programme. Their view of Europe is closely linked to those possibilities they have had to 'live' abroad in Europe as European citizens. They have specific competences, such as foreign language proficiency, education on project management and new media, and technical competencies which are essential when dealing with European mobility and its instruments. They often know how other European collective movements function and, even if worried about the national-rooted aspect of binational couples' control, they conceive it within a wider European regulatory framework in which they can be included. Marta, a 30 year old freelance translator, argues:

The rights of binational couples are a European matter too; we cannot solve the issue in France. We have to go on to fight locally; but it will not be enough! We have to reach Brussels. It is not easy, but not impossible. There are many programmes and we can apply for them.

In Marta's view, Europe is seen as a stepping-stone in changing the national situation, while Anne, a 34-year-old social assistant in a binational couple, underlined that her local ABP group had already contacted a European deputy because, 'we would like to make an interpellation. We have the right to do this as French and European citizens'. A European sense of belonging and an attachment to European citizenship increases the probability of undertaking such an advocacy line. Feeling a broader sense of citizen responsibility, these members depict Europe as the right *champ* to protest against binational couples and families' mistreatments as Europe can intervene in domestic affairs. Some of these members have followed a training session on building advocacy campaigns delivered by a European agency for family rights in order to learn an operational method that will serve ABP needs once they will be ready to go European.

Members that I include in this 'view' are more or less in favour of a pressure strategy on EU institutions, but they agree on spreading ABP protest around Europe by publicising and raising awareness via social and mass media.

Visibility and mediatisation are key actions. It is better to extend events through Europe than to do an action in our corner. I am not sure that the institutions are what we are looking for, but European public opinion yes,

affirms Mark, a 36-year-old computer engineer and one of the first members of the organisation.

#### The Euro-Sceptical View: Europe as a Distant Complex Machine

As expected, the picture is not all bright however. Some members distrust EU opportunities for least for two reasons. Firstly, they perceive EU values – in which they believe – as a theoretical discourse not put into practice, confirming the idea that 'EU integration has failed to transfer its focus from cooperation between governments to a care for what EU citizens think and feel' (Fligstein 2008: VIII, in Piasecki and Woroniecki 2016: 48). Wider migration policies or economic issues are often cited as examples to demonstrate how EU institutions have a real problem being a credible voice and maintaining an influential supranational political power. Second, Europe – as Brussels and Strasbourg based institutions producing policies and documents – is a 'bureaucratic machine' that has little to do with their daily concerns as activists for binational couples' rights. Instead, their actions in the organisation are motivated by fighting injustices that are locally and nationally embedded. When

using these arguments, some activists do not perceive the additional value of widening their protest to Europe.

How can they be able in Brussels to change what happens in the municipality of a French town! These are our problems: bureaucrats that do what they want, administrations that block files for months, policemen that control in a rude manner houses and people ... I think that we have to look for a change here before [reaching Brussels]. Europe is far. And more, we have few human resources how can we make it? (Roland, 64-year-old pensioner, married to Sandra, a Cameroonian.)

Furthermore, the European arena is perceived as locked and a prerogative for just a few experts or international organisations. To prioritise ABP actions and to save the organisation human and economic resources, these members propose focusing on local and national campaigns where couples encounter their main problems, as planning actions at the European level will de-naturalise the original aim of the organisation. These members who focused on a nation-centric view belong to the generation of around 50 years old who have followed the evolution of the EU and the successes and failures of European policies over time.

The three views of Europe presented are not static. Being part of an organisation helps the members to question and even to change their view during the internal national CSOs' process for reaching a collective consensus on whether to act in Europe. With this in mind, the next section presents the interrelations among individual views in consensus building dynamics. Subsequently, some ECB dynamics are outlined to show how even at this first 'European level', individual CSO views of Europe are effective in shaping network dynamics and resolution to be effective in Europe.

### INTERRELATIONS BETWEEN INDIVIDUAL AND ORGANISATIONAL DYNAMICS ABOUT GOING EUROPEAN

Each of the views of Europe shown by ABP members is rooted not only in their past experiences but also in their motives for engagement and in their roles within the organisation. Considering this, one needs to remember that participation in a CSO is based on the degree of correspondence between individuals' attitudes and ideologies about a given issue and the ideologies and perspective proposed by a CSO to deal with it (Cefaï and Trom 2001). Should general CSO ideologies change, members may decide to abandon the CSO. However, leaders, board and rank-and-file members have different functions and weights in the organisation dynamics for deciding on aims and activities.

Considering that, firstly, I observe how the three views identified are taken into account and translated in the ABP process to join the ECB. Secondly, as evidence has been found that similar individual views and organisational dynamics of consensus exist in other CSOs belonging to ECB, I explain what the interaction among these individuals' views entails for the Europeanization of such a network.

#### Interrelations between Individual and Organisational Dynamics within the ABP

The organisational dynamics behind decision-making are not immune from power relations and influencing logics that operate even when a CSO follows a process that is considered democratic. In the first instance, ABP leaders and board discussed on their own the possibility of joining the ECB. Then, they presented their views to a few pro-European members, likely to constitute a small pro-Europe interest group in the organisation and, as observed at the very beginning, to commit to exploring the meaning of participation in the ECB. This sub-group and the leadership interacted

regularly but their 'plans' had not been immediately included in CSO collective discussions – except for some updates posted on the on-line forum read by very few members. But when ECB participation required more consistency and before engaging in precise European actions, the time had arrived in the ABP to listen to all the members' opinions and views of Europe. First of all, in the ABP annual meeting, the leader presented the pertinence for the organisation of approaching EU authorities as follows:

No country wants to be the worst in Europe; no politician wants to see the country that he represents placed in the lowest rank of implementation and practices. France already does not treat a French citizen as if he is also a European one. We need to take a chance on Europe (Nicolas, leader between 2007 and 2010).

Employing a 'shaming strategy', the final goal hidden within pressurising Europe was to impact on the French government and its policies, making instrumental usage of Europe, thereby legitimating it with national-based influence logic (Woll and Jacquot 2010).

Some of the members — displaying a Euro-sceptical view — expressed their misgivings, as to go European would have meant an alteration of APB ideology as well as a misuse of its resources. Furthermore, such members pointed out that the dysfunctional family migration policies affecting French-foreigner binational couples are entrenched in local and national situations that they know well due to their strong engagement in the field. More focused on nationally rooted solutions, these members remain key proponents for one ABP principal aim: to support couples and to invite them to act to defend their rights. As pillars members, the leadership has to comply with their will. Therefore as actions to go European were almost in place, the coordination tried to convince such members that Europe would be a useful *champ d'action* by using a more explicit 'justification strategy' (Jacquot and Woll 2004), arguing about new visibility for the ABP campaign, new interlocutors and even new opportunities to receive funds to combat the shortage of economic and human resources. In sum, their aim was to highlight the potential positive impact of an instrumental usage of Europe not only on national policy changes, but even on the national activities of the CSO itself.

At the very end, consensus on going European was reached through a two-level strategy to attempt somehow to go European while keeping the CSO's identity that motivates all members' engagement. Regarding members, each one has to continue to be involved in those actions that better respond to his/her reasons for participating; a long-lasting interest for European activities was displayed mainly by the already 'pro-European' members. With respect to ABP action, French policies and their implementation should have remained the main focus and EU opportunities been used to pressurise national institutions (Monforte 2014: 9-11). But the organisation's dynamic led to the negotiation of the aspirations of Europeanization, resulting in the reduction to a collaboration with other European CSOs for the ECB in action repertoire learning and EU-related activities in national context.

#### The Interaction of Individual and Organisational Dynamics in ECB Europeanization

The views of Europe displayed by members of other national CSOs were quite close to those reported by ABP members confirming the weight of associative role, knowledge and generation in their views of Europe. For example, the Spanish CSO leader, Carlos, a 40 year old statistician, attributed an 'instrumental potential' to the usage of Europe related to his perspective based on his personal skills. Like the French CSO first leader and jurist, Carlos grounded his justifications in EU juridical apparatus and based his argument on EU statistics. In his words:

We need efficient data, homogeneous from all European countries, which is not the case nowadays, to have good material to compare European countries and to prove the discrepancies existing among them ... Having a sort of database with organisational aims, people, funding, and actions is a powerful tool to start this process.

Thus, the Spanish CSO, which joined the ECB in 2012, regularly promoted the enhancement of data collection on binational couples and their children to ameliorate the situation of these individuals in Spain. A favourable view of Europe was also recurrently observed relative to generation and experience. The younger ECB newcomers want to 'embark on the European road', as in the case of Nora, a 30-year-old member of the Danish CSO, who was convinced that 'only learning European advocacy mechanism can help to improve the campaigns to defend the rights of binational couples in Europe, but also in Denmark'. Instead, some older members were more sceptical about EU opportunities, even if they still believed that intra-European collaborative activities and information sharing were essential. Judith, a 55-year-old member of the Austrian CSO, affirmed:

For years, we are trying to reach EU institutions; we have even had a period of internal tensions for this history ECB past. [...] Now, personally I am scared about what the EU can do: we would do well to protest against the EU.

The restrictive turn of EU migration policy worries some ECB members who do not want to use European means as they have doubts about Europe as a valid interlocutor. Thus, they prefer to limit their going European to a collaboration Europe-wide with other CSOs, questioning, if necessary, which Europe should be the target.

Over time, the construction of a 'European movement' (Monforte 2014: 11) was made difficult by the heterogeneity of national CSO members (some of whom are employees while others are volunteers), by structural weaknesses such as a lack of resources and the emergence of contradictory attitudes towards European opportunities for CSOs. Furthermore, the everyday tasks and the short-term innovative projects demanded from national CSOs take precedence over the negotiation of contention in the EU arena. 'It is essential to communicate and collaborate across the borders, but this means an extra engagement for our members. It implies time, skills and human resources' (Judith, 55 year old, retired, member of the Austrian CSO). For years, CSOs in the ECB have discussed the possibility of employing a full-time person, but to establish a more formalised structure would signify a need to apply for funds, a delicate topic in the ECB history. It has been difficult to go European when there is an economic issue on the table regarding a lack of resources.

To avoid conflict and to take into account multiple views of Europe existing among members, ECB Europeanization was cautious, and preferred to establish horizontal collaborative paths among CSOs to improve transnational EU-related activities in national contexts. Such an empowering stream is marked by efforts to appeal to European public opinion rather than address actions directly to Brussels-based institutions. For instance, in recent years, following the Dutch example, on June 12 in different European cities, the CSO members of ECB have simultaneously organised celebrations for the Loving Day. That is the anniversary of the 1967 United States Supreme Court Decision Loving v. Virginia which gave the right to celebrate marriages between the Black American and White American populations. These actions have been considered more suitable for reaching European citizens and in turn national governments, by mobilising ideals of anti-racism and equality of rights without debating precise legal issues less comprehensible to public opinion.

In opting for this type of action, the ECB responds to the scepticism towards EU institutions shown by some of the members of its CSOs and maintains its stability. Thus, both CSOs and the EU network

have resized Europeanization by starting from a more modest position: to use Europe as a 'stage and scenario' for awareness-raising actions that, while remaining located at a national level, acquire a new European visibility and impact.

#### **CONCLUSIONS**

Adopting an actor-centred sociological approach to bottom-up Europeanization, this article has offered a heuristic insight into the interactions between the individual dimension and the organisational dimensions when a national CSO considers entry into a EU network. In this respect, the composition of national CSOs and their strategies to consider and solve internal divergences over activities and aims are important (Jacquot and Vitale 2014). Due to the heterogeneity of the CSOs, whose actors are made up of several individualities, it is fruitful firstly to grasp the individual views of Europe and Europeanization and subsequently, to understand what the impact of these particular views is on the organisational collective dynamics of consensus.

Three views of Europe have been identified: an *instrumental* view developed by the leaders and the board that legitimate the 'usage Europe'; and *pro-European;* and *Euro-sceptical* views that are carried by rank-and-file members who in their narratives refer more to feelings of belonging, values and experiences towards Europe. Such views vary according to members' motives for engagement and their roles in the CSO, as well as generation and education. A correspondence between life course events and the evolution of Europe(s) forges views which are also 'locally embedded and influenced by subjective autonomy, experience and structural social conditioning' (Scalise 2015: 594).

Furthermore, the observation of the power relations at play, when an organisation balances its members' views for designing actions, allows the disentanglement of the micro-dynamics that lead to decisions to go European or not. Safeguarding the national CSO nature and members' motives is crucial. Considering the sceptical arguments of some members and the multilevel governmental and societal dynamics of marriage migration, the usage of Europe is put forward for its positive national impact. With regards to Europe, national CSOs prefer to reach European citizens over EU institutions. Issues surrounding economic concerns can also be employed to legitimate symbolically the enlargement of such a European *champ d'activité*.

CSOs' views of Europe that have already been negotiated nationally reappear and need to be reconsidered once the CSOs are reunited in a European network. Divergent views of Europe, internal democracy dynamics both in the national CSOs and in a EU network, and their structural weaknesses, lead to a 'Europeanization on the cheap' (Sanchez Salgado 2014) as a transnational social movement is created for the instrumental usage of Europe for national aims and visibility.

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#### **ENDNOTES**

<sup>1</sup> For instance, in Belgium, the Netherlands, Norway, Denmark and the United Kingdom practices for accessing residence status for the extra-EU partner of a citizen are assimilated to those of family reunification. Conditions of minimum age, income and housing – introduced when these states transposed dir. 2003/86 – are placed on the citizen partner. However, other countries, such as France, Italy and Spain, have a specific procedure for ruling on unions with a citizen. Furthermore, each national immigration system produces some specific problems for the couples, depending on the administrative apparatus.

<sup>2</sup> In 2016, the name changed to *European Network for Binational- Bicultural Couples and Families* (ENB).

<sup>3</sup> In the literature, the expression 'going European' (Balme et al. 2002) is employed to describe the 'moment in which CSOs make the decision to use European opportunities' (Sanchez Salgado 2014: 25). The EU seems to affect social practices only if actors, such as CSOs, seize European opportunities. This process is a narrow form of Europeanisation in which 'the transfer of allegiance to the EU level (CSOs becoming more European) cannot be separated from European impact if European pressures are intended to give a European dimension to CSOs (Ibid. 2014: 26).

<sup>4</sup>The French CSO member of ECB when the network was created is no longer active, having been replaced by the ABP in 2012.

<sup>5</sup>To understand better the issue of reverse discrimination concerning binational families and the possible legal solutions, see Berneri, 2014.

<sup>6</sup>The names of the interviewees are anonymised except for those of the CSO leaders.

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Research Article

Europeanization through the European Women's Lobby: A Sociological Comparison of the French and Belgian National Coordinations

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### **Abstract**

What impact has the creation of the European Women's Lobby (EWL) had on national feminist Civil Society Organizations (CSOs) in France and Belgium? To find this out, I examine how the national CSOs' coordinations have adapted their practices, discourses, strategies and internal organisation to be part of European Civil Society. Drawing on 40 interviews and two internships within both French and Belgian EWL intermediary coordinations, I put forward an actor-based sociological perspective focusing on three causal paths in order to explain the findings derived from comparing the Europeanization of the CSOs in France and in Belgium. If identical effects of this Europeanization were identified in both coordinations, the French coordination appears to be more proactive on EU issues and more EWL-orientated than the Belgian. These two distinctive outcomes can be explained by three factors: cultural, organisational and individual. While cultural factors explain some long-term Europeanization outcomes, factors to do with actors' individualities also highlight the mutability of the Europeanization process.

### Keywords

European Women's Lobby; Europeanization; Feminism; CSOs; Proactivity

European institutions are widely criticised for being distant and technocratic. Since the 1990s, however, the European Commission has been eager to address this legitimacy gap by making funding for European Civil Society Organizations (CSOs) such as the European Anti-Poverty Network contingent on their representativeness.

The European Women's Lobby (EWL) was created in 1990 with the Commission's financial support. Representing 2,700 women's CSOs through 19 European-wide thematic networks (e.g., the European Network of Migrant Women), 31 national coordinations in the 28 EU member states and three candidate countries for accession to the EU (the Republic of Macedonia, Serbia and Turkey), it has become 'the largest European umbrella network of women's associations' (EWL website). The coordinations are defined by their geographical membership, in other words, one organisation per country relaying to the EWL secretariat in Brussels the needs of the national CSOs it represents. By looking at the EWL's impact at the national level, this article investigates how and to what extent the EWL national coordinations have engaged in a Europeanization process, integrating a European dimension into their own action repertoires, discourses, strategies and internal organisation. Since the national coordinations experience Europe mainly by interacting with the EWL, Europeanization is here understood as their EWL (more or less active) membership and identification. The EWL case is specific regarding Europeanization since the network is working on an area of social policy that has receded in importance and subsidisation at the EU level in the past decade. We could then expect all the coordinations to become less Europeanized but, while all of them wax and wane in their adherence to the EWL, these variations seem to differ from one national coordination to another. Therefore, the core research question on the EWL's impact at the national level leads to various subquestions based on the fact that each national coordination interacts with the EWL in its own way. Can common trends among all EWL coordinations be identified? What are the variations from one coordination to another? Finally, what are the main factors that can explain these variations?

To answer these questions, I compare the French and Belgian coordinations by using participatory observations and in-depth enquiries into specific non-consensual topics on which the EWL has taken strong stands: abortion, surrogacy and prostitution. Because positions are by default only expected in areas covered by European directives and public policies, controversial ones such as the latter, i.e. in areas with no dedicated European competency, make the study of Europeanization through the EWL case even more compelling. Furthermore, as EU umbrella organisations are mostly considered top-down, this article is original in arguing that the relationship between the EWL and its national members can take different paths and could be better understood through a more interactional and sociological perspective, by focusing as much on individual or cultural factors as organisational ones. Since these three factors are in continuous interaction, the effects of Europeanization are multiple and impermanent and this sociological, actor-centred and comparative 'onboard research' aims to go beyond the macroscopic perspective that considers European institutions and lobbies as a whole and overlooks nuances. This method helps challenge the mainstream top-down approaches to Europeanization by rediscovering the individual's and groups' political capacity to adapt - and sometimes be passive or resistant - to EU pressures. It also helps focus on the complexity of the Europeanization process at the EWL level: its content (political values, practices or internal organisation influenced by the EU umbrella organisation), its diversity and mutability (from one national coordination to another or from one person to another) and its three different causal paths where several types of factors interact.

In this article, I first highlight the relevance of both the interactional sociological perspective and the comparative 'onboard' research method in order both to identify the different Europeanization processes and outcomes at the EWL and, thereafter, to explain these through three different causal paths: one where both coordinations are similarly impacted in a typical top-down way and two others where they are impacted differently depending on their degree of proactivity towards the EU/EWL. Second, I illustrate these causal paths through three types of factors: organisational, cultural and individual.

#### UNDERSTANDING THE MULTIFACTORIAL EUROPEANIZATION OF THE FEMINIST CSOS

The Europeanization concept is relevant here in order to study the relations between the EWL national and European levels because it is sufficiently flexible to accommodate inductive research methods. When Europeanization is approached as 'something to be explained' rather than as 'something that explains' (Radaelli 2004: 2), this concept covers both top-down and bottom-up processes, as well as organisational, cultural and individual factors.

# An Interactional and Sociological Perspective on Europeanization: Bringing the Uploading Mechanism and Actors' Choices back into the Analysis

When studying impacts attributed to Europe, scholars have usually chosen the top-down Europeanization approach either to study what happens at the European level and the implications for the feminist CSOs participating in an EU umbrella organisation (Hoskyns 1996; Jacquot 2001; Ramot 2006), or to study what happens at the national level when Europe hits home, giving more or less power to CSOs according to the political opportunity context for gender equality in the EU

(Cullen 2014) or changing the inter-organisational relations between women's CSOs in the country (Císař and Vráblíková 2010; Karlberg and Jacobsson 2015). Indeed, the few studies analysing the EWL focus on the supranational level, i.e., the EWL lobbying strategies, its professionalisation and its Brussels secretariat (Cavaillé 2005; Helfferich and Kolb 2001; Pauget 2009; Strid 2009) or on the EWL organisational impacts on its Swedish coordination (Karlberg 2013). There is however a new trend focusing on bottom-up Europeanization. Mixing both, this article is constructed around an interactional approach that emphasises the need to analyse the 'internal dynamics of organisational relationships' (Eising 2008: 177) and conceive of Europeanization as a 'two-way process' (Duez, Paye and Verdure 2014; Radaelli 2006). Consequently, I study the ongoing circular interactions between the actors forming the two levels of the EWL: the European EWL Secretariat and its national coordinations. I argue that these interactions, leading to the Europeanization of CSOs, are facilitated by national actors labelled 'mediators'. These actors are national delegates, sent to the EWL meetings to vote on the European programme and motions that will later become EWL public position papers. These mediators perceive their roles in the EWL in very different ways according to their own national context or individual profile. As such, this article extends the Europeanization notion (mostly focused on structures and practices) to discourses, beliefs, identity or memory. It analyses not only the impact of the European level on national CSOs' structures, but also the impact on individual EWL coordinations' employees and delegates: their non-automatic agreement to the EWL feminist political positions, their memory of the EWL and its coordinations or the meanings they give to the EWL's role and their own role in it. Finally, it analyses these actors' involvement in the Europeanization (passive or proactive, adapting or resisting).

Thus, this article adopts the recent sociological actor-centred design which defines Europeanization as 'the whole set of institutional, strategic, normative [to which Hassenteufel (2011: 259) added 'cognitive'] adjustments induced by the European integration' (Palier and Surel 2007: 39). I therefore bring actors' choices back into the analysis to study how they 'fed, modified or refused the European resources' (Weisbein and Mischi 2004). This design models its 'from below' Europeanization perception and its interest in socialisation on sociology and it takes a focus on memory, identity and national context-based specificity from EU history.

The actor-centred perspective can enrich the general notion of Europeanization: because social activities are embedded in small territories and long histories, 'Europe' has different meanings and entails different impacts and kind of mobilization' which can be better analysed through 'in-depth enquiries and ethnography (Georgakakis and Weisbein 2010: 104-105).

This perspective challenges the mainstream macroscopic approaches to Europeanization and helps rediscover individuals' and groups' political capacity to adapt to and resist EU pressures. Taking cognitive Europeanization into account helps to study the ways in which national actors can create impact through references, discourses and stories. It helps in analysing the EWL benchmarking logic that highlights EWL 'best practices', favouring persuasion and practice appropriation by individuals over constraints to change (Guigner 2007).

Finally, this article is inspired by a chronological analysis of the Europeanization process at the EWL, built for my [unpublished] doctoral thesis. Indeed, this three-step analysis already combined top-down and bottom-up processes with three types of elements (organisational, cultural and individual). First, it showed that the EWL originally emerged through a top-down process in 1990, created by some women working within the European Commission. During this first stage, the EWL identity was more organisational in nature due to the priority placed on organising feminist CSOs into national coordinations rather than producing a common ideology. Second, I distinguished bottom-up Europeanization since the EWL's political identity was and still is evolving thanks to some EWL coordinations having enough organisational resources (i.e. salaried staff) and individual skills (e.g.

multilingualism) to upload their positions by sending their delegates to convince others at the EWL annual meeting. And third, I assumed that these national delegates, gaining 'European status' by being labelled 'mediators', disseminated the terminology, the tools and the good practices elaborated at the EWL European meetings. This third stage of the analysis is also limited by several organisational factors (e.g. too long a chain of representation down to the grassroots) and cultural factors (e.g. different coordinations' history). Thus, this chronological analysis inspired the article's comparative method of focusing on three types of factors, which showed that the potential for Europeanization is not equal among coordinations as it is dependent on organisational and cultural backgrounds as well as on individuals' ability to upload perceptions, positions and practices into the EWL decision-making process.

## A Novel Comparative 'Onboard Research': Focusing on Three Causal Paths where Three Types of Factors Interact to Explain the Different European Impacts on Coordinations

To compare the EWL impacts from one national coordination to another, this article draws on an analytical framework of three causal paths leading to different Europeanization outcomes. While the first casual path explains why both coordinations are similarly affected in some areas, the second and third causal paths explain why one coordination adopted a proactive stance, while the other did not. Each outcome can be explained by the combination of three types of factors mentioned earlier: organisational (structures, procedures, geographic distance from the EWL Secretariat and the grassroots), cultural (national histories and habits, linguistic divisions, political cultures of CSOs) and individual (skill sets such as multilingualism, previous European socialization, perceptions, status, intimate relationships). While this analytical distinction may help to grasp causal paths better, it is important to keep in mind that these factors are interrelated and that the outcome of the Europeanization process depends on this interaction. For instance, when certain cultural and organisational factors (such as an environment that gives incentives to engage proactively in the Europeanization process) do not encourage a Europeanization process, we expect individual factors (such as the possession of skills to act upon these incentives) to have much less impact. Moreover, organisational factors seem to enable the rest of factors. As Eva Karlberg (2013) suggests, Europeanization is to be conceived as a 'process which imposes meta-organisational structures<sup>1</sup> on domestic-level civil society'.

My first finding is organisational: Europeanization has a greater impact on such new 'metaorganisational structures' than on older and better organised coordinations and this partly explains the coordinations' different resulting levels of proactivity when engaging in relations with the EWL. Finally, I expect organisational factors to be more relevant in top-down Europeanization; and the cultural and individual factors to be more relevant for explaining differences in both casual paths on proactivity.

We will see if these expectations correspond to reality or not by comparing the French Coordination of the EWL (CLEF) in Paris with the French-speaking Belgium Council of Women (CFFB) in Brussels. Both cases under analysis are western country coordinations with a similar perspective on religion (Belgian neutrality and French laicity). They are also founding members of the EWL and use French as their working language. The most salient difference is that they represent two different structural models at the EWL. Indeed, like most EWL national coordinations, the CLEF was created in 1991 in order to join the EWL. In Belgium, however, as in eight other countries, the national grassroots women's CSOs chose an existing structure — established as 'National Women Councils' since the nineteenth century — to represent them at the EWL secretariat.

The originality of my study lies in its sociological perspective which focuses on three types of factors while Eva Karlberg's current thesis project also compares two EWL coordinations (the Polish and the Swedish ones) but only to study the organisational consequences of the Europeanization of CSOs. Moreover, she has chosen not to focus on any specific topics while I conducted in-depth enquiries into specific non-consensual topics on which the EWL has taken strong stands: abortion, surrogacy and prostitution. Indeed, although the network is vast and favours consensus, some of its ideological positions are in fact bones of contention within the feminist world. For instance, the EWL declared itself against surrogacy (2013), in favour of abortion rights (2002) and for the abolition of all forms of prostitution (1998). When internal disagreements arise within the EWL on those issues or when members believe their countries are not 'ready' for these positions, they usually express their divergent stands by abstaining from voting in order not to prevent other members from moving forward. Accordingly, the last motion on prostitution was adopted in 2014 with 70 votes in favour and no votes against but with 25 abstentions including the Dutch and German delegates.

Another factor of originality in this article is that it compares two EWL coordinations through 'onboard research', meaning that I was working inside and with the object of my research. As such, the data was collected during two three-month long internships at both coordinations and 40 semistructured interviews derived from these internships.<sup>2</sup> Being a researcher embedded in my field, combining both a colleague's and a scientist's status, implies difficulty in being objective but permits direct access to the object. Unlike the Weberian neutrality approach which claims that science must disconnect research from politics and neutralise the effects of the researchers' social integration, this article is inspired by Delphine Naudier and Maud Simonet (2011) who suggested that researchers' personal involvements with the actors they study do not endanger the scientific legitimacy of their work but, to the contrary, lead to deeper knowledge. Additionally, participant observations during both national and European annual meetings and the study of EWL internal documents have allowed me to list the changes and difficulties national members have encountered in adapting to the European technocracy disseminated by the EWL Secretariat. Finally, collecting biographies helped build a prosopography of the EWL 'founding mothers' and national coordinations' delegates. The same way Adrian Favell and Virginie Guiraudon (2009) collected biographies to underline the differences in individual investment in Erasmus friendships and networks, I wanted to put faces to the actors who built Europe day by day, who translate it more or less proactively at the domestic level and who sometimes refuse to invest in European processes. This biographical method enables us to grasp cognitive Europeanization as defined by individual criteria such as perceptions or socialisation.

### ILLUSTRATIONS OF THE CAUSAL PATHS OF EUROPEANIZATION AT THE EUROPEAN WOMEN'S LOBBY

# A Top-Down Causal Path to Explain Similar Changes in Both National Coordinations' Relations with the EWL

Some Europeanization outcomes were identical in France and in Belgium and to explain these common trends, I first highlight a top-down causal path where both coordinations were equally impacted by European organisational and individual factors. For instance, some organisational and individual European factors affected all national coordinations' representativeness. Indeed, from the start, the individual features of the elite women who created the EWL (rich, well-educated, working white women with political influence) influenced the profile of the coordinations' individual members. Accordingly, the women who first joined the EWL coordinations had much in common with their founding mothers. Then the inception of EU funding opportunities aimed exclusively at European umbrella organisations that voiced the concerns of excluded citizens (organisational factor), combined with criticism in the media of an EWL European delegate over the glaring lack of

women from ethnic minorities (Hoskyns 1996 – individual factor), contributed to 'disciplining' all national coordinations. Consequently, both factors forced the EWL to adopt new requirements in 1999 demanding better representativeness of old, migrant or poor women. These EWL requirements 'changed the way Women organized at the domestic level' (Strid 2009: 186), making the French as well as the Belgian coordinations begin to focus on representativeness and integrate CSOs representing ethnic minorities. I witnessed frequent discussions about representation issues during both internships and at the EWL annual meetings. The French coordination now prides itself on counting among its CSOs' members the Franco-African Women's Association of Paris and the Iranian Women's League for Democracy. Likewise, CSOs representing Zairian and Rwandan Women in Brussels are members of the Belgium Women's Council. Furthermore, both national coordinations created a working committee on 'migrant women'.

Another top-down impact is the increase in networking among national coordinations that was almost nonexistent before. Once again, this Europeanization's outcome, visible in both France and Belgium, can be explained by European organisational and individual factors. The EWL enlargement to Eastern European countries made the previous voting mechanism, in which each national branch had to put forward a motion at the EWL annual meeting, untenable due to lack of time. Instead, a draft motion must now be approved by at least five other EWL members in order to be submitted to a vote. This change has fostered horizontal networking and the need to reach a consensus among coordinations ahead of annual meetings. For instance, at the 2015 EWL meeting in Lisbon, the French coordination presented a motion proposing to lobby EU institutions to include abortion rights in the EU's Charter of Fundamental Rights. This motion, notably supported by Belgium, Sweden and Portugal, was adopted even though 14 members abstained from voting.

Finally, the last Europeanization outcome common to both coordinations relates to national delegates' knowledge and common discourse on UE issues and the EWL. Stemming from organisational factors this outcome is one of 'European socialisation' planned by the EWL Secretariat. The staff aims to disseminate EWL specific vocabulary and political positions through lobbying kits sent to the coordinations. These kits include draft lobbying letters aimed at national governments and lists of key arguments to use at national meetings to help disseminate a wide ranging Europeanized framework among the members. In addition, a seminar is traditionally planned during each EWL annual meeting that aims to achieve a similar dissemination, as was the case in 1998 when the EWL Secretariat organized a European Summit on Women Employment. The European socialisation described is also due to the characteristics and proactivity of some EWL Secretariat's employees (individual factors), leading to improved national adaptation to EU methods and better knowledge of EWL vocabulary in both countries. For instance, to circulate the EWL's abolitionist position successfully, an EWL secretariat employee travelled to Paris during the French coordination's 2013 annual meeting to advise the French feminists to talk about prostitution as 'violence against women' and never to associate it with 'human trafficking' thereby creating a 'discourse opportunity structure' for the members to adopt (Koopmans and Statham 1999: 228). This same staff member frequently attended a Belgian coordination's working group (unrelated to the EWL) on violence against women where she proposed the drafting of a document inspired by work she had done for the EWL. Although she claims she completed this work in her personal time and not as an EWL staff member, she nevertheless disseminated the EWL ideological arguments and its specific language.

Top-down impacts are often studied in the literature, for instance, the disciplining effect of EU funds in matters of representation for EU-level CSOs (Sanchez Salgado 2014). This article goes further in explaining how representation practices are actually changing in national coordinations, taking into account a variety of factors. While both French and Belgian coordinations are affected by certain European factors, the degree to which they are affected differs according to other (mostly bottomup) factors. For example, if the EWL's voting mechanism does foster relationships between

coordinations, these relationships also depend on the delegates' characteristics and skills that can help or prevent them from relating to and negotiating with others. To give one example, a French delegate who was fluent in Spanish due to growing up in South America caused the French coordination to get on well with the Spanish coordination and sit at the same table during the EWL meetings. Similarly, with regards to European socialisation, other individual factors (such as the delegates' capacity to incorporate new practices or their perceptions that their role is important enough to invest time in it) interact with other bottom-up organisational factors (national delegates' designation procedures or legal time 'in office') to explain how and why the French coordination is affected differently from the Belgian.

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Anyway, if there are no cultural factors described in this top-down causal path explaining similar changes in both coordinations, it seems to be because this type of factor only contributes to distinguish France from Belgium.

# Passive or Proactive? How to Distinguish the French from the Belgian CSOs in their Relations with the EWL

The main finding of an actor-centred sociological approach on Europeanization is that EU impact on the national CSOs' structures, action repertoires and identities differ from country to country. Being more proactive on European issues and participating in EWL work, the French coordination has a different relationship with the EWL than the Belgium platform. However, the other two causal paths identified above can explain these proactivity differences by detailing the combinations of organisational, individual and cultural factors.

Firstly, to come back to the differential outcomes observed, the French coordination is more proactive as its EWL delegates made bigger efforts to fulfil their 'mediator' roles. While the Belgian coordination's paid staff understands the Belgium EWL delegates' mission to be to take a seat at the EWL meetings once a year (leaving the day-to-day work and the contacts with the EWL Secretariat to them), the French EWL delegates showed enthusiasm towards Europeanizing their structure and its members. In 2011 for example, the EWL secretariat staff asked their national coordinations to modify their own structures in order to enhance EWL internal communication. To that end, the secretariat recommended the creation within coordinations of an EWL team whose role would be to translate EWL documents from English into their own national language to better disseminate knowledge of the EWL's processes and its tools. The French coordination tried to follow this recommendation in 2013 by creating a strategic cell within which national delegates to EWL meetings would present the EWL's tools and priorities to the heads of the CLEF working committees. No such initiative was implemented in Belgium. This French pro-activism is also present in the CLEF's will to put forward numerous motions at the EWL's General Assembly. Indeed, within the twenty years' worth of motions' archives analysed, the CLEF proposed 22 while the Belgian coordination proposed only seven. The CLEF also frequently invites EWL staff members to France to give training sessions on EU Affairs, but the Belgian coordination does not. Finally, the exchange of good practices only succeeded in inspiring such organisation in some countries. It was in fact the French coordination that proposed the creation of a European Centre on Violence against Women, founded by the EWL in March 1997 (Ramot 2006: 88). This European centre in turn produced related synergies on national agendas and structures as shown by the creation of national centres on violence against women in Ireland and Denmark in 2002, then in Greece and France in 2003. This trend however did not spread uniformly since such centres were not created everywhere. In Belgium for instance, there exists only a federal institute for equality between men and women, created in 2002, and no specific observatory on violence against women.

Secondly, differential impacts of Europeanization through proactivity can be explained thanks to three types of factors: organisational, cultural and individual.

To begin with, the CLEF is more proactive due to organisational factors. Indeed, this smaller ad hoc organisation with clear objectives regarding the EWL and mostly voluntary workers is more proactive than older organisations which may have a large pool of paid administrative staff but for which the EWL is but one membership among others. In line with this, even though the Belgian coordination was better at producing deliverables and organising conferences, most of them were not EWL or even Europe-related during my internship there. This Belgian platform then had 15 workers while there was only one subsidised position at the French Coordination, created in 1991 specifically to join the EWL. And the elected CLEF members were and are acutely aware that their coordination exists in order to work as the EWL's intermediary in France. They described the CLEF's main objectives as such. For instance, the French employee told me: 'we represent the EWL in France. We are a part of it, its voice here' (informal exchange with the French employee, 2015, my translation). By contrast, I never heard the Belgian actors describing their platform (created in 1905<sup>3</sup> as a 'National Women's Council' which only later assumed 'EWL coordination' status) in relation to the EWL. The meaning given to the EWL membership varies between France and Belgium, which illustrates how the coordinations' own histories have helped build, through a cognitive socialisation process, different organisational cultures. Each platforms' staff and members have a different perception of what the EWL coordination's objectives are and what the role of its delegates is. Accordingly, French proactivism clearly stands out when looking at the two coordinations' websites. The CLEF website does not present any historical national heroine, while the CFFB website presents itself primarily as a member of the International Women's Council, with its own national history and memory dating to before European institutions even existed. It thus puts emphasis on the Belgian feminist 'pioneer' who created the Belgium Women's Council: Marie Popelin (CFFB website). It may therefore be the absence of a pre-EWL organisational history that motivated the French coordination's members to take a more active part in the EWL story than the Belgians. Finally, another organisational factor explaining the CLEF's proactivity is its geographic dispersion. In such a context, proactivity seemed necessary for the new coordination as it exists as a vast feminist associative map of geographically spread out French CSO offices together with a remote EWL office. By contrast, the old Belgian Council is better known by feminist grassroots CSOs than the CLEF is in France because of the smaller Belgian territory and the historical geographic concentration of feminist CSOs' offices in two addresses in Brussels: rue Blanche and rue du Méridien at Amazone House, where the EWL Belgian coordination has its office along with twenty other feminist CSOs. Importantly, the Belgian Council office is only two streets away from the EWL office. Thanks to this proximity, Belgians were naturally invited by the EWL secretariat to join in the protests organised by the European staff in Brussels in 2015. To compensate for the geographical distance creating gaps in media coverage and a lack of proximity to the grassroots and the EWL office, the French coordination needs to be more proactive than the Belgian in answering EWL questions and becoming more EU-orientated.

The French proactivity may also be explained by cultural factors, as delegate positions and proactive reactions may vary according to the national political culture or the ideological positions expressed by its government.

The EWL staff asked all the coordinations to translate our abolitionist video into their mother tongue. Not many of the EWL employees speak Dutch but the NVR (Belgian Flemish coordination) translated the sentence 'prostitution is violence' into Dutch. Then I received the Netherlands' translation and I saw that it's different from what the NVR did. They added discreetly a word to mean 'Forced prostitution is violence! (informal exchange with an EWL staff member, 2016, my translation).

This quote shows that the Dutch EWL delegate's position is similar to her country's on prostitution and that her proactive strategy to bypass the opposing stance of EWL is to discreetly re-appropriate the motion. By contrast, Belgium took a more open but less proactive reaction to a disagreement with an EWL position by accepting the opposition and remaining on the sidelines at the EU level. For instance, I observed two different ideological positions on surrogacy within the Belgian coordination. With the EWL, the French-speaking branch stands against surrogacy, while the Flemish branch is in favour of it. The Flemish delegate therefore notified the EWL staff that the Flemish branch of the coordination would not act on this stand and instead would let the EWL and its Walloon counterpart do so. This passive stand is what some Belgian feminists I worked with called the 'Belgian consensual spirit', referring to arrangements or policies of small steps. These culturally-inherited habits, in a country where three linguistic communities coexist and where the feminist movement appeared in a more moderate way than in France, translate to fewer decisions and a slower decision process. Indeed, Belgian feminism appeared in a stable political context, unlike in France with 'the revolutionary feminist traditions of 1789, 1830, 1848' (Gubin, Piette and Jacques 1997: 36; 66). Without these revolutionary phases, Belgian feminism, more linked to political parties and Christianity, seems 'quiet, dull, less visible' (Gubin, Piette and Jacques 1997: 66). By contrast, the 'French spirit of revolution and protest' – described by the international press (as The Guardian's article entitled 'Why do the French protest so much?' in February 2016) and to which some French feminists I met during my internship at the CLEF referred<sup>4</sup> – may play a role in the French proactivity. This 'protester spirit' appears to be confirmed by official statistics<sup>5</sup> (ETUI 2016) which consider France the country with the most numerous strikes. In addition, many CLEF representatives have referred to a historical 'fear of losing control of the feminist fight to politicians' or an excessively powerful and professionalised secretariat. While the Belgians seemed to consider this professionalisation to be part of the EWL's success, the fear of it led the French coordination to develop more horizontal projects with other coordinations and without the secretariat's help:

That seems great to do things, not only in a vertical way through the EWL, but also between us directly because we (CSOs members) are supposed to decide. I am sometimes afraid that the EWL will become too professional because it will then be more distant. Now, we are working directly with the Germans on an experts' exchange on 'women and cities' (informal exchange with a French coordination member, 2015, my translation).

There are possibly also important individual factors involved, since the French proactivity also depends on specific individual profiles. For instance, if the French coordination was a central actor in the vote of the abolitionist motion at the EWL, it is partly because of Denise Fuchs. This English teacher was elected to the EWL presidency from 1998 to 2003. During that period, she was seconded by the French Ministry of Education to the EWL. This unusual status gave her enough time and financial resources to push through a draft motion written by the EWL staff on the abolition of prostitution, to set up a strategy with the French delegate and to convince the other EWL delegates. It is worth noting that such individual factors seem less relevant in Belgium because the other factors (cultural and organisational) are less relevant. If individuals have little incentive to engage in a proactive Europeanization process, it matters less if they have the language skills, the time, finances or even the personal connections to do so.

Furthermore, just as individual factors are subject to changes, so are outcomes. Accordingly, as the relationship between the EWL and its French coordination has recently become somewhat tense, the French coordination has adopted a less proactive attitude. This could be explained by an evolution of the individual profile of the French coordination's delegates and presidents.

[Current CLEF president and delegate to the EWL meetings:] We have several project managers in the EWL staff who are very professional women. But when we meet in annual meetings, there is a lot of friction between the staff and the elected group'.

[Previous CLEF delegate to the EWL meetings]: 'Really? We've never known of that kind of relationship with the staff in my time.'

(Interview with two CLEF members, 2013, my translation).

The first French delegates appear to have had a better socialisation experience at the EWL than current delegates. Holders of generalist degrees from French 'Grandes Écoles' and prestigious universities (Science Po, Cambridge, École Nationale d'Administration) travelled a lot, were multilingual and worked for ministries and parties on EU and UN-related issues directly with the EWL 'founding mothers'. By contrast, the current delegates to the EWL meetings have vocational/practical degrees (social worker, business or librarian trainee) and are in some cases not even fluent in English, the EWL working language. The French coordination even chose a woman without previous European experience and with very limited English to become its delegate to the EWL meetings for six years. When other delegates highlighted the importance of lobbying work during coffee breaks and meals around the meetings, she was in fact unable to take advantage of these windows of opportunity and had difficulties communicating with the other delegates during working groups, where interpreters were not present. The previous French delegates belonged to an elite microcosm similar to that of the EWL founding mothers and understood the importance of feminist institutionalisation and professionalisation. By contrast, the recent French appointed delegates have seemed threatened by the EWL staff's professionalisation and proactivity, something that is not noticeable in the Belgian coordination. For instance, in order to be more efficient, some EWL staff members reach out to powerful national feminists with whom they have close relationships but who are, however, not members of any EWL national coordination. This shortcut has, as a consequence, made the coordination members feel useless and excluded from the network, resulting in them being less proactive. Several members of the French coordination have indeed expressed their feeling of being 'excluded' by over-controlling members of staff on some issues. An example of this is a paid EWL Manager who, in order to disseminate the EWL's abolitionist position, chose to work with her boyfriend; an important manager of the French abolitionist CSO Le Mouvement du Nid, not a member of the EWL French Coordination. The French coordination did not appreciate being kept out of the French abolitionist fight and tensions rose between the Secretariat and the national coordination that led to a less efficient chain of practices and data circulation through the coordination down to the grassroots. This therefore impeded the Europeanization process and the organisation's proactivity.

The relationship between EWL staff and one national platform can therefore evolve. Europeanization may, for example, have been stronger before (and proactivity higher) at the CLEF because of the original delegates' strong former European socialisation, which could be a sign of delegates' profile normalisation.

I was not able to identify any variation of the delegates' status or skills in Belgium. Unlike the French delegates, the Belgians have good linguistic skills, which could be explained by cultural factors, since the historical linguistic division and the presence of EU institutions in Brussels forces Belgians to be multilingual. The evolution between previous and current delegates may also be more obvious in France because their first delegates had closer relationships to the six EWL founding mothers than the Belgians. Five out of the six founding mothers happened to be French.<sup>7</sup> It is therefore no surprise that the Europeanization of the French feminist movement through the EWL is very distinct from that of the Belgians. Whatever the reasons behind the dissimilar evolution of the Belgian profile, the French delegates' evolution is evidence that Europeanization's outcomes are impermanent. Thus,

Europeanization seems more complex because it may be affected by specific individuals and their skills, capacity and previous socialisation. It may be impacted by coordination members' individual choices to appoint bilingual and Europe-focused persons as 'delegates to the EWL meetings' or not, since there are no enforced guidelines in the EWL statutes for delegates' selection. These individual factors are therefore relevant when analysing the Europeanization process because they show its mutability. They show that Europeanization is a process that requires actors to learn what it means, care about its relevance and act upon it on organisational and cultural contexts. These actors can choose not to sustain Europeanization's reach at national level, leading to tensions and backlashes. However, the previous socialisation only seems to have a real impact when the structures and its priorities are clearly European.

#### **CONCLUSION**

In the case of the EWL, considered mostly as a top-down organisation, this article's contribution lies in its demonstration that the relationships between the umbrella organisation and its members (the national coordinations) can take multiple paths. This article also argues that these complex relationships are best understood from a more interactional, actor-centred, sociological perspective on Europeanization and by using a compared onboard research method that distinguishes three causal paths which combine three types of factors, to explain both similar and different top-down impacts between the French and Belgian EWL coordinations regarding their proactivity towards the EU and the EWL. The summary table below illustrates the three causal paths.

This approach distinguishing causal paths helps enrich Europeanization's organisational dimensions – already studied by Eva Karlberg and Kerstin Jacobsson (2015) – with individual and cultural elements. It helps bring national historical contexts and cultures back into the analysis. It even widens the Europeanization framework to include the analysis of dimensions such as socialisation, biography, storytelling of the national CSOs, memory and the meanings actors attribute to their involvement in European issues and in the EWL; dimensions not usually studied by scholars. Consequently, my main conclusion is that smaller structures with fewer paid employees and no storytelling or constructed memory about their national organisation and 'founding mothers' seem to have clearer objectives in relation to the EWL and make more efforts to adapt to the EU level, to integrate the European socialisation and to become EWL 'mediators'. By contrast, bigger, emblematic and well institutionalised structures at the national level tend to take this EU mediator label for granted due to their national standing. Yet they do not seem to prioritise this role in actions. Thus, the relevance of cultural and individual factors depends on this organisational factor, since the previous European socialisation of actors seems to have a real incidence only when the priority of the structure is clearly European.

Further, because of these organisational, cultural and individual factors, the effects and outcomes of Europeanization are multiple: I witnessed elements that were truly 'Europeanized' and others which displayed contradicting national perseverance, or even decreased Europeanization compared to before. Thus, Europeanization is not immutable, as it relies on individual and cultural factors as much as on organisational causes.

Summary Table. Three Causal Paths Combining Three Types of Factors to Explain the French and Belgian Specific Relations with the EWL

| Outcomes       | Top-Down Causal Path   | Proactive Causal Path  | Passive Causal Path   |
|----------------|--|--|---|
|                | Both coordinations are impacted by European factors.   | The French coordination has adopted a proactive stand towards the EU/EWL.  | The coordination has not adopted a proactive stand (in Belgium) or is adopting a less proactive stand than before (in France).  |
|                |  | Types of Factors   |   |
| Organisational | The EU funds demanding more representation of old, migrant or poor women disciplined all national coordinations.  The EU enlargement changes the EWL voting mechanism, which previously fostered horizontal networking between coordinations.  | Smallest ad hoc coordinations, with clear objectives regarding the EWL and mostly voluntary workers, are more proactive towards the EU/EWL.  The geographic distance from the EWL secretariat and from the grassroots CSOs (in a vast country)   | Oldest coordinations with large, paid administrative staff and for which the EWL is only one membership among others are less proactive.  The national office's geographic location near the EWL Secretariat and the small associative territory – where the CSOs are regrouped in few houses – does not stimulate the national coordinations' staff.   |
|                | between coordinations.   | makes proactivity necessary.   | the national coordinations' staff.  |
| Cultural       | Apart from a 'culture of consensus' that may come from the EU or be strengthened by the EU, I did not witness any European cultural background affecting outcomes similarly in both coordinations. The inter-cultural character of the EU seems to be the primary source of differences. | The 'French protester spirit' inspires proactivity.  The French feminists' historical fear of losing control over the feminist fight to politicians or professionalised staff led them to develop more horizontal projects with other national coordinations.  | The 'Belgian consensual spirit' implies fewer decisions and a slower decision-making process.  Linguistic communities' divisions within a national coordination led to different ideological positions on important issues that made proactivity difficult.   |
| Individual     | The female elites who created the EWL at first imposed their model (white, rich, working, well-educated) to all the coordinations' members.  Some EWL employees' features and proactivity led to a better national adaptation to the EU's methods and vocabulary.                        | Delegates socialised to Europe and politics through prestigious general studies in international relations or political science, multilingualism and jobs at ministries or linked to the EU or the UN make proactivity easier and more effective.  Specific individuals' status and opportunities (such as being seconded from a ministry to the EWL) can give time and money to be proactive. | Delegates' previous socialisation which is not linked to the EU or to politics is an obstacle to the national coordinations' proactivity (practical studies and poor English).  The EWL staff members' intimate relations with powerful feminists in the country but not affiliated to the national coordination make the coordination's members feel excluded from the network, so less proactive. |

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#### **ENDNOTES**

- <sup>1</sup> Kalsberg's definition was inspired by Göran Ahrne and Nils Brunsson (2005) who conceptualised umbrella organisations as 'meta-organisations' (organisation of organisations).
- <sup>2</sup> These 40 women (employees of the EWL secretariat in Brussels and members of its French and Belgian coordinations) were interviewed between April 2013 and June 2017 for my PhD research. They consisted mostly of women elected to the national General Assembly for those within the coordinations and many were chosen to represent their coordination at the European EWL General Assembly. All the interviews quoted in this article were recorded and the respondents were informed that they may be used in the thesis and any publications related to this PhD.
- <sup>3</sup> This national Council was divided in 1974 between a Walloon French-speaking branch (CFFB) and a Flemish Dutch-speaking branch (Vrouwenraad), but these two coordinating structures stood as one national coordination to be a member of the EWL and the International Women's Council.
- <sup>4</sup> For instance, when *Charlie Hebdo* suffered a terrorist attack in January 2015, a French feminist following the news told me: 'Loyal to our French habits of protest, we will very soon be on the streets to defend the freedom of the press'. Later, talking about another country's recent backlash on women's rights, she said 'for that same issue, we French people would already have been on the streets'.
- <sup>5</sup> The European Trade Unions Institute estimated that 139 working days were lost in France due to strikes for 1000 employees from 2005-2012, making France the first protester country, far from Belgium with its 71 days lost.
- <sup>6</sup> This stand on prostitution was also possible because of the arrival at the EWL of the Scandinavian countries where an abolitionist law was being discussed.
- <sup>7</sup> They are M. Devaud, J. Lansier, J. Chaton, I. de Lipkowski and J. Nonon.

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Research Article

Partnership with Civil Society and the Legitimacy of EU Policymaking: Exploring Actors' Normative Arguments in Four Member States

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## **Abstract**

Existing research on how the involvement of civil society actors improves EU democratic legitimacy produces controversial results. This is the outcome of a top-down analytical strategy. Scholars regularly gauge partnership practices against different concepts of legitimacy, but rarely ask how actors themselves perceive and construct partnership, let alone how these understandings relate to existing concepts of legitimacy. Utilising a bottom-up sociological perspective, this article examines how actors in four central and eastern EU member states understand the partnership principle for European Structural and Investment Funds and how these understandings relate to different conceptualisations of legitimacy. A reconstruction of actors' normative arguments shows that representatives of three groups (state officials, civil society organisations and social partners) prioritise different legitimacy effects which trigger contestation about the proper formats of partnership. While state officials focus on input legitimacy, civil society organisations insist on throughput and social partners emphasise output legitimacy. Variation across countries and within groups of actors further complicates this picture. This has implications for our understanding of Europeanization and the role of European civil society.

## Keywords

Civil society; Legitimacy; EU; Partnership, Central and Eastern Europe, EU Structural and Investment Funds

The EU has declared partnership with civil society as a mechanism that can help to re-establish democracy in times of deepening alienation from its citizens, and supported it through various policy and legal instruments (Armstrong 2002; Kohler-Koch 2012; Smismans 2003). Nowadays the European Commission expects partnership, or the partnership principle in EU parlance, to be implemented across several policy areas, including cohesion policy, maritime and fisheries, agriculture and even the European Neighbourhood Policy (Batory and Cartwright 2011; Dąbrowski 2014; Scott 1998).

However, there is little agreement among scholars of European civil society about whether the involvement of civil society actors in EU policymaking processes enhances the EU's overall legitimacy. Empirical results are contradictory. Looking at how civil society actors operate within various policymaking structures in Brussels, scholars conclude that this EU expectation of greater legitimacy is naïve and overly optimistic (Jentges 2012; Kohler-Koch 2009). They argue that neither the institutional format of such involvement nor how civil society actors themselves function in terms of organisational structures or practices of decision-making, increase democratic legitimacy. The literature on the implementation of partnership echoes these conclusions. Scholars of cohesion policy claim that implementation of partnership leads to clientelism and informality, a loss of

legitimacy of cohesion policymaking, shrinking of accountability and transparency and further alienation of the EU from its citizenry (Bauer 2002; Dąbrowski 2014; Milio 2014).

At the same time, there is no paucity of studies claiming the opposite. Studies of the practice and effects of the Open Method of Coordination (OMC) or 'new modes of governance' are some examples (Idema and Kelemen 2006; Smismans 2008). Many scholars convincingly demonstrate that engagement with civil society and, generally, non-state actors significantly enhances the quality of policymaking, the inclusion of a variety of citizens' views, the deliberative character of decision-making, the accountability of EU institutions, oversight and the quality of implementation of the EU policies. The same can be found in the studies of partnership in cohesion policy (Demidov 2017).

These controversies are hardly functions of empirical weaknesses in exiting studies nor of a pure 'window-dressing' and 'rubber-stamping' character of engagement with civil society in EU policymaking, although the latter argument is quite widespread. Rather, they highlight the lack of conceptual agreement about legitimacy, mechanisms and instruments of its generation in the EU context, and the role of civil society in this process (Greenwood 2007). Although scholars have discussed the contested character of the concept of legitimacy, it is surprising that there are few studies taking this contestedeness as their starting point for analysis. For the case of partnership with civil society and its legitimacy-generating effects, this analytical approach would mean a shift from assessing how existing practices of partnership with civil society enhance or, conversely, erode abstractly defined legitimacy to what actors themselves make out of partnership with each other and, importantly, how their perceptions relate to different conceptualisations of legitimacy.

This article addresses the lack of bottom-up studies on actors' understandings of partnership, and how they fit into and reflect existing conceptualisations of legitimacy. It focuses on actors' perceptions and ideas of partnership in the context of cohesion policy implementation in four central and eastern European (CEE) member states. The practices of implementation of the partnership principle for the European Structural and Investment Funds (ESIF) is an excellent case for answering the question what kinds of legitimacy the involved actors prioritise. When introducing the partnership principle, the European Commission explicitly stated that it was expected to enhance the legitimacy of cohesion policy (Bache 2010), and designed to give civil society actors space to take part and influence EU policies (Newig and Koontz 2014). Exploration of how actors themselves perceive partnership in the context of cohesion policy and what kind of legitimacy they think their cooperation should generate can enrich our knowledge of similar dynamics in other contexts.

The case of CEE member states is interesting for several reasons. Firstly, studies on CEE member states highlight the above controversy regarding the legitimising role of civil society involvement in EU policymaking in the region. Taking implementation of partnership as a manifestation of Europeanization, scholars present a plethora of both successful and unsuccessful examples (Dąbrowski 2014). The same can be seen in studies on modes of European governance in the region (Börzel and Buzogány 2010; Börzel and Fagan 2015; Buzogány 2015). Secondly, the lack of studies informed by more bottom-up analytical approaches, especially in the domain of EU policymaking and the role of civil society, is especially pronounced in the CEE case. The shift from top-down to more bottom-up approaches is only starting to take place (Jezierska 2015; Kubik 2015). This lack of in-depth bottom-up analytical engagement with perceptions of civil society actors is highly surprising given civil society actors have historically been an important agent of democratisation in the region.

Existing literature posits that partnership with civil society can enhance legitimacy in three ways each corresponding to the elements of the triadic formula of types of legitimacy: input, output, and throughput (Scharpf 1997; Schmidt 2013). Firstly, partnership enhances input legitimacy as it ensures that the interests and constituencies affected by certain policies are represented and heard

(Smismans 2003). Secondly, partnership enhances output legitimacy through channeling and use of civil society actors' expertise. Thirdly, partnership can improve throughput legitimacy as it provides space for deliberation and discussion and, thus, leads to greater epistemic quality of decisions, transparency and overall accountability (Steffek and Ferretti 2009). Therefore the major purpose of the article is to establish how and to what extent actors' own perceptions of partnership reflect these normative expectations.

The article addresses the central research question drawing on data acquired through 90 interviews with actors involved in the implementation of partnership for ESIF in Hungary, Poland, Slovakia and Slovenia. Respondents belonged to three main groups mentioned in the EU Regulations on partnership, namely state officials, social partners and civil society organisations (CSOs) (Bache 2010).

The article is organised as follows. The first and second sections review the existing academic literature and discuss the main normative arguments behind the partnership with civil society. The third section briefly discusses the research design and methods. The fourth section summarises the main empirical findings. The last section discusses the implications of the empirical findings for the scholarly debates on European civil society and its legitimising function.

#### THE PARTNERSHIP PRINCIPLE IN THE EU CONTEXT

There is no lack of studies exploring the fate of implementation of EU requirements such as the partnership principle, and analysis of what happens when the EU rules and requirements 'hit the ground' in (prospective) member states is rich. After all, the CEE countries constitute significant cases for studies of Europeanization, including studies on the Europeanization of interest mediation (Borragán Perez-Solarzano 2004; Demidov 2017), social dialogue and industrial realtions (lankova 2004), civil society and social movements (Cisar and Vrablikova 2010; Fink-Hafner and Novak 2015) and a rich literature on Europeanization of modes of governance (Andreou and Bache 2010; Bruszt 2008; Buzogány 2015; Dobre 2010; Sotirov, Lovric and Winkel 2015). A small but growing body of literature examines the practices of partnership in greater detail (Cartwright and Batory 2012).

Existing studies of partnership are preoccupied with what makes its implementation successful. These accounts highlight a number of driving forces and impediments to successful partnership implementation. Among them are mainly structural domestic factors such as entrenched traditions of interest intermediation, the degree of centralised policymaking and, correspondingly, regionalisation as a pattern of domestic power-sharing between the central and regional actors. Bache and Olsson (2001), for instance, compare partnership implementation in Sweden and the UK and find that the Swedish tradition of corporatism led to a more successful implementation of partnership and acceptance of social partners as fully-fledged participants of cohesion policy. However, Andreou and Bache (2010) find that 'compound' character of the Slovenian polity and its corporatist tradition did not have much impact on the governance of Structural Funds. Similarly, Bauer (2002) and Batory and Cartwright (2011) reject that corporatist traditions in Germany and Austria helped partnership to become a successful practice. Several scholars claim that centralist traditions in Romania and Hungary hinder meaningful inclusion of civil society actors and social partners (Dobre 2010). The case of Poland stands out as a more regionalised and, consequently, 'friendlier' context for complex multi-actor interactions (Dabrowski 2007), just like the Czech Republic (Bruszt 2008).

The strength and capacities of actors is another macro-structural factor that often features in accounts of partnerhsip implementaiton in the CEE context. Börzel and Fagan (2015) and Buzogány

(2015) find that implementation of partnership in environmental policy is hindered by 'weak states'. Kutter and Trapman (2010) find that the chronic weakness of civil society actors stops their involvement from becoming meaningful. At the same time, scholars often differentiate between CEE countries, some of which traditionally rank high (Poland and Slovenia) and some low (Hungary, Bulgaria, Romania) in terms of civil society development (Lane 2010).

The selected cases for this study feature many of the discussed domestic factors that could potentially affect implementation of partnership and actors' perceptions of it. From the political economy literature we know that Slovenia exhibits many features of a corporatist polity and Poland, Hungary and Slovakia represent more centralised polities (Bohle and Greskovits 2012). At the same time, the literature on cohesion policy highlights that Poland is the most decentralised polity. Polish regions enjoy wide powers and engage in intensive political struggles with central actors; both levels are often willing to mobilise support from civil society actors (Bailey and De Propris 2002; Brusis 2002). These dynamcis between central and regional actors give another impluse to development of partnership practices. In this framework, Hungary and Slovenia represent rather centralised polities with Slovakia occupying a middle position. Finally, in terms of the strength of actors, both public and civil society, Slovenia and Poland traditionally score higher than Hungary and Slovakia. In any case, there is lack of studies testing these assumptions from a different analytical perspective, a challenge this contribution addresses.

#### PARTNERSHIP WITH CIVIL SOCIETY AND LEGITIMACY: THEORETICAL EXPECTATIONS

How does the partnership with civil society help to solve the problem of low democratic legitimacy? More specifically, what are the theoretical expectations behind this nexus in the EU context? This section briefly discusses three major answers to this question found in the academic literature and proposes several operationalisable indicators for future empirical analysis. It also briefly discusses the power of these arguments vis-à-vis the empirical context of ESIF implementation.

The starting point for conceptual divisions between these arguments is the nature of legitimacy problems that the EU is facing. In thinking about the legitimising role of civil society, scholars depart from the broad conventional understanding of legitimacy as a belief in the appropriateness of a certain (political) order. The most known typology of legitimacy encompasses its input, output and throughput types (Schmidt 2013). Input legitimacy is achieved through proper citizens' participation in rule-making or participatory qualities (government of the people) whereas output legitimacy refers to 'achieving the goals that citizens collectively care about (government for the people)' (Scharpf 1997: 19). In contrast, throughput legitimacy refers to what is happening in the 'black box' of governance, 'in the space between the political input and policy output' (Schmidt 2013: 5). This is a process-oriented type of legitimacy, referring to the quality of interactions between actors busy with rule-making and producing policy outputs rather than how their political agendas come about or whether their policy products or rules have any sufficient problem-solving potential. Normatively speaking, throughput legitimacy is achieved if the process meets the criteria of transparency, inclusiveness, deliberative quality and accountability (Schmidt 2013). The European Commission never unpacks what it refers to in its policy guidelines regarding partnership and its contribution to legitimacy. Theoretically, then, one can expect partnership with civil society to enhance all three types of legitimacy.

The literature operates with several normative arguments about how this enhancement happens. They can be tentatively grouped into: 1) representation arguments, 2) functionalist arguments and

3) democratic process arguments. All of them differ along two dimensions: 1) the conceptualisation of civil society actors and their functions and 2) the institutional format of their involvement.

In the first set of arguments, civil society actors are essentially representatives of the groups affected by a policy, often referred to as 'affected parties'. In the context of EU policymaking, the primary contribution is channeling the voices of Europeans by providing important policy input which would otherwise be overlooked or neglected (Smismans 2003). This leads to the emergence of a wide consensus on policy goals and more comprehensive, encompassing and accepted policy agendas through the incorporation of a wide variety of views, opinions, interests, needs and demands. Civil society actors channel, articulate and voice interests and oversee incorporation of their constituents' aspirations into policy programmes. Kohler-Koch (2009: 50) underlines the assumption that 'they participate in agenda-setting debates and in policy consultation but not in decision-making'. This engagement is quite institutionalised, mostly in the format of wide public consultations to which civil society actors are invited (Kohler-Koch 2009).

The second set of arguments see that involvement of civil society significantly enhances output legitimacy through the incorporation of expertise and knowledge of civil society actors. Civil society actors in this conceptualisation appear not so much as articulators but primarily as experts and providers of highly specific knowledge, skills or technologies of problem-solving that they possess (Smismans 2003). This view shifts the overall attention from how civil society actors voice demands of their constituents to what they do (functions) and, consequently, highlights their organisational capacities and knowledge. This view is closely linked to the third sector branch of the civil society scholarship. It conceptualises associations between the state and the market as clusters of experts that emerge because of failures to individually supply efficient solutions to social problems and because of their individual inflexibility, the scarce capacity to innovate and experiment or lack of resources (Salamon and Anheier 1998). Partnership with these actors thus takes the form of outsourcing implementation of policy programmes to civil society actors who become the main implementers and translate wide policy objectives into concrete projects, technologies and instruments. Importantly, this understanding of civil society engagement does not emphasise any institutionalisation of partnership with civil society actors. Interactions are rather ad hoc, and civil society actors do not enjoy access to strictly institutionalised regular fora of collaboration.

Finally, the third group of arguments conceive civil society actors as guardians of certain democratic qualities of the policymaking process such as openness and fairness. In this conceptualisation, they are every often referred to as whistleblowers, watchdogs, scrutinisers and observers of accountability. The main focus is how civil society actors improve the process of decision-making; not in a sense of whether it is based on hearing everyone's voices or using their expertise but in terms of deliberative qualities, transparency, fairness and accountability. By being present in (institutionalised) partnership structures and having an opportunity to argue, raise concerns and propose alternative ideas, civil society actors increase the epistemic quality of decisions; they scrutinise the transparency of negotiations, monitor their consequences for citizens and pressure to disclose documents (Steffek and Ferretti 2009). By doing this, the argument goes, they contribute to increased public scrutiny and contestation over political and policy decisions and enhance overall accountability. The institutional format of partnership matters in this conceptualisation as the space for deliberation and discussions. However, the focus here lies on its operational dynamics in terms of mechanisms and routines of opinion exchange, feedback provision, procedures of decision-making and so on, rather than access to it or its representative character. Table 1 summarises these arguments as a list of the keywords for the empirical analysis.

Table 1. Partnership with civil society: the keywords for three groups of arguments

| Representation arguments  | Functionalist arguments  | Democratic process arguments  |  |  |  |
|---|--|---|--|--|--|
| Civil society actors and their functions  |  |   |  |  |  |
| Representatives of the marginalised groups of the public; carriers/reservoirs of policy input | Problem-solvers and implementers of projects; experts and carriers of knowledge and technology | Whistleblowers, scrutinisers, observers and watchdogs over transparency; improvers of the epistemic quality of decisions    |  |  |  |
| 2. The institutional format   |  |   |  |  |  |
| Strictly institutionalised public consultations with regulated access                         | Ad hoc, problem-based interactions; the system of outsourcing/contracting out                  | Deliberative fora and platforms with clear, fair and transparent procedures of policy input provision and feedback exchange |  |  |  |

How do these expectations surface in the EU conceptualisation of the partnership principle for ESIF? The literature points to a persistent vagueness of the EU's legitimacy expectations. Against the background of a plethora of interpretations about how civil society can legitimise and democratise the EU, the EU's position on the legitimacy-generating effect of the partnership principle is even more vague (Smismans 2003). EU documents and opinions on partnership expect civil society actors to enhance representation, channel the voice of marginalised groups, ensure effective allocation of funds, ensure the choice of the most appropriate instruments and ensure overall transparency and fairness of the process (European Commission, 2012). Moreover, the empirical overview of partnership implementation on the ground clearly shows that actors are very aware of this vagueness and actively contest forms and formats of partnership advancing different understandings of it (Batory and Cartwright 2011; Demidov 2017). However, existing studies still overlook this important element of the empirical reality and keep investing in measuring whether partnership practices generate one or another type of legitimacy.

The article problematises this state of affairs and argues it would be more productive to approach the reality of partnership implementation from a bottom-up and more sociological perspective. In methodological terms, this implies a move from judging whether practices of partnership generate either type of legitimacy to empirical investigation of how actors perceive those practices and how those perceptions reflect the discussed types of legitimacy.

#### **RESEARCH DESIGN AND METHODS**

The article analyses the structure and contents of actors' perceptions of partnership with civil society in the context of EU policymaking. The case is the implementation of the partnership principle for ESIF in Hungary, Poland, Slovakia and Slovenia.

The empirical data comes from interviews and close reading of policy documents (minutes and protocols of the meetings, research reports, position papers and various reports on the implementation of partnership, produced by both governmental and societal actors). 90 semi-structured interviews were conducted between 2011 and 2014 in four countries (Poland N=21, Hungary N=22, Slovenia N=25, Slovakia N= 22) with three main groups of actors involved in partnership implementation: state officials (N=25), CSOs (N=44) and social partners (N=21). The interview sample was constructed bearing in mind the challenges and peculiarities of partnership implementation in ESIF, namely 1) three types of partnership interactions (partnership for programming, implementation or processing of money disbursement for projects and monitoring), 2) the multi-actor character or presence of actors from three main groups (state officials, social partners and CSOs), 3) multiple levels of partnership (national, regional and project) and 4) partnership implementation across policy areas. Thus, the sample includes actors from four countries, both capitals- and regions-based, representing all three main groups and involved in all three types of partnership interactions and across two major policy areas – social inclusion and environment as covered by relevant Operational Programmes (OPs).

Semi-structured and conversational interviews were chosen for uncovering actors' perceptions. Interviews were conducted in English, both in countries under scrutiny and over phone/Skype and lasted between 45 minutes and one and a half hours. Respondents were asked two groups of openended questions about actors' experiences with partnership (i.e. 'how is your organisation involved in partnership?'), its forms and methods, and about their views on purposes and meanings of partnership (i.e. 'what is the purpose of partnership, in your view?').

Open coding was used for the data analysis (Charmaz 2000). This technique does not imply quick word counting as in conventional quantitative content analysis but a line-by-line scrutiny identifying the theme of a passage, paragraph, sentence and so on in an interview and its correspondence to previously identified keywords (Richards 2005; Ryan and Russel Bernard 2002). Table 1 guided the analysis. Respondents' answers were coded as reflecting on either of three arguments on their combinations or concepts/themes beyond the utilised three-fold framework.

#### NORMATIVE ARGUMENTS FOR PARTNERSHIP WITH CIVIL SOCIETY

This section summarises the results of a qualitative analysis of actors' perceptions of partnership with civil society and their normative underpinnings. It firstly summarises the main findings – normative convergence exemplified by the fact that actors' perceptions contain references to all three arguments yet visible normative divergence in terms of how representatives of different groups of actors prioritise different arguments. It then proceeds with a more detailed illustration of how this variation works and discusses how practices of partnership reflect these perceptions.

#### **Normative Convergence and Divergence**

The analysis of the interview data clearly points to a visible normative convergence, both across the country cases and groups of actors. All actors resort to all three normative arguments when they elaborate on the purpose of partnership and share their views on what constitutes a true and

successful or, conversely, failed partnership. Besides declarations of their commitment to the spirit of partnership, actors unfailingly assert that partnership significantly improves quality of OPs through the inclusion of voices and interests of the affected stakeholders, leads to better project implementation through accumulation of stakeholder's expertise and knowledge and, finally, makes the process of money allocation and disbursement more transparent and accountable.

However, a more in-depth interpretive analysis shows that actors assign different weight to these arguments. The identified normative convergence, thus, represents the first layer of actors' normative preferences. A deeper look beyond this layer reveals a different pattern – actors from different groups clearly prioritise different arguments or, more precisely, organise the arguments in different hierarchies. The general trend is that while state officials perceive partnership as a tool for channeling voices of affected citizens, social partners argue that partnership is meant to make a better use of partners' expertise, and CSOs view it as a tool for ensuring greater transparency, accountability and the deliberative quality of ESIF management and distribution. In light of a larger problematic of the contribution of partnership and European civil society to the legitimacy of EU policymaking, this finding illustrates a surprising combination of both normative convergence and divergence between actors' normative preferences regarding how the legitimacy problem can be solved.

#### State Officials: Partnership for Channeling Citizens' Input

This group of actors across all four states is represented by the central or regional coordination authorities such as national ministries or managing authorities. Importantly, state officials act as the major 'translators' of EU regulations, including those on partnership, and in this light they are the major sources of normative argumentation around partnership.

State officials across the four countries almost uniformly refer to the first group of arguments. Partnership, in their view, is primarily a tool of generating comprehensive OPs and action plans through channeling of necessary knowledge which problems, policy fields or regions require financial interventions and special measures. In line with this argumentation is the view that civil society actors are supposed to bring in this knowledge ('there were no concrete decisions, we were given "growth and jobs" '1, 'we need to collect the right priorities'2, 'we expect them [partners] to show the fields which need to be covered and that we do not see'3). This orientation may, at first sight, depict the instrumental considerations of the state officials given the novelty of cohesion policy processes ('we had no tradition of planning after transition'<sup>4</sup>), the unfamiliar character of cohesion policy priorities and a mere lack of policy input in the form of concrete policy proposals. However, the interview data also illustrates how state officials link the purpose of partnership to that of cohesion policy. The latter is seen as a country development instrument, an opportunity to allocate available finances for the greater benefit of their nations and as an opportunity to satisfy the collective demands of citizens. Partnership, in turn, is the instrument of achieving this as it ensures identification and definition of cohesion policy priorities and drafting of comprehensive and allencompassing policy documents that would reflect citizens' demands and problems. The process of programming is, naturally, seen as the main empirical manifestation of this orientation as it is at this stage when wider EU priorities are translated into more concrete measures and policies. State officials see programming as a complex process of collection of citizens' demands and suggestions about cohesion policy investment directions, and partnership is considered to be a tool of structuring this process through the less costly exercise of communicating with society's representatives.

The main challenge to the integrity of this normative orientation naturally comes from the dilemma of 'whom to involve'. Resolving this is especially problematic when it comes to CSOs due to their diversity. State officials across four countries unanimously underline the difficulty of identifying whom to talk to, especially at the stage of programming. However, the solutions to this puzzle differ across four countries, reflecting domestic dynamics. In Hungary, this dilemma was resolved through wide participation when drafts of policy programmes were discussed nation-wide through various means (online, public debates and so on). In 2007 the process of programming or the process of definition of cohesion policy priorities for the new financial period and drafting of the policy documents was organised as a country-wide participatory process when everyone, not only organised civil society actors, could submit any comments, recommendations or suggestions about potential financial interventions. Polish officials echo these arguments: 'we are seeking to reach every possible partner that can be useful for the programme and give their ideas', we decided not to have a hand in the selection of partners ... everyone is accepted if they are willing to participate'. 6 However, in Poland and Slovakia, state officials opted for less participatory public consultations with selected and specially invited CSOs. This still required that state officials defined the list of the invitees which inevitably made them speculate about the criteria of selection and brought the issue of representativeness back to the table ('we had to decide which partners from that list we used in our Ministry were the most representative ones'7). The challenge was even stronger with the monitoring committees (MCs), the only institutional manifestations of partnership defined in EU regulations. Initially they were also open for any partner willing to participate in their work. Finally, in Slovenia, state officials from the outset refrained from nation-wide participation or purposespecific selection and opted for consulting already-existing platforms of CSOs and social partners. Thus, although sharing the same view on how involvement of civil society should be managed, state officials in the four countries opted for slightly different institutional solutions: 'super wide' involvement in Hungary, 'limited involvement' with selected actors in Poland and Slovakia and 'corporatist involvement' in Slovenia.

However, regardless of how this dilemma was resolved, state officials' view on these interactions is one of a certain type of communication 'so partners can tell us what they want to do in the OPs, how they want to be included'.8 This orientation pervades how these actors see solutions to other dilemmas, not only the one partners choose, but also the procedural side of partnership and deciding about whose and what comments and remarks count. For instance, this influences their view on decision-making rules, especially in the MCs, with a strong preference for majority voting and strong opposition to consensual decision-making ('we cannot put a loaded gun into someone's hands, we are in the end responsible for following the rules and overall implementation'9). Interestingly, there are also some country differences in how state officials responded to this challenge. In Poland, Slovakia and Slovenia, the principle of majority-voting in the MCs became the main decision-making practice, thus producing a lot of struggles and coalition-building within the MCs. Interestingly, in Hungary, according to the national regulations, decision-making should be based on consensus. Despite this, state officials across all four countries shared the view that procedurally partnership should not be organised through majority voting. On the contrary, the power of decision-making should be vested with them since cohesion policy is a matter of shared management between the European Commission and the member states. In line with this argumentation, state officials conceptualise their own role as collectors of input and demands, as arbiters and as mediators between various interests and visions. Thus, when it comes to what comments, suggestions or remarks should be taken into account, partners are expected to channel a certain type of input which state officials defined as 'strategic' as opposed to 'narrow', one that reflects the interests of a particular organisation ('in order to ensure a balanced policy and they should not be so super-occupied with their narrow views', 10 'partners should have the ability to see the linkages within the policy'11).

Two other normative orientations are also present in respondents' elaborations, yet to a much lesser extent. In particular, these orientations are more relevant for other stages of the partnership, such as implementation, and reveal some intra-group divergence. State officials directly dealing with issues such as project selection and project implementation, monitoring and evaluation, stick to these arguments. Respondents from this sub-group emphasise the issue of transparency as something that they intend to increase through the partnership or that partners are major applicants and, consequently, implementers. However, even for these state officials, these considerations give way to ones related to the collection of input and ensuring equal access and balanced representation. Descriptions of concrete practices of interactions, given by the respondents from this group and especially strongly corroborated by societal partners, reveal that even in narrower circles of actors brought together by the task to monitor and select projects, the dominant dynamic is one-way traffic of collecting opinions and input and informing rather than deliberation. The working methods of the MCs are the clearest illustration that state officials approach them as platforms for informing partners about the technical details related to progress of implementation, available funds, the speed of absorption, changes in budget lines and so on, rather than platforms of deliberation about spending or policy priorities.

In sum, state officials across the four countries perceive partnership as a good opportunity to factor citizens' interests and demands into OPs, action plans and calls for proposals. Continuously referring to the argument about centrality of the EU rules and their responsibility to follow them, state officials equate partnership with consultations with the most representative partners, the purpose of which is 'listening', 'collecting remarks and suggestions' and 'informing' partners about policy developments.

#### CSOs: True Partnership as Deliberation and Scrutiny

The population of partners defined and approached by both EU and domestic state officials as CSOs is very diverse in all four countries due to the cross-cutting nature of cohesion policy that attracts a wide variety of actors. CSOs are represented not only by traditional advocacy groups such as those working on environmental issues or human rights but also by social service providers, associations working on gender, ethnic, poverty and social inclusion issues and professional associations. Additionally, these partners are extremely diverse in terms of types of organisations and includes large umbrella associations or nation-wide non-governmental organisations (NGOs), recourse centres like CNVOs or OFOP in Slovenia and Poland, smaller grass-roots organisations, loosely organised national horizontal networks of various CSOs and single big associations.

Despite this diversity, actors' perceptions of partnership are structured around one easily recognisable theme. When asked to elaborate on what they see as the main rationales for partnership or how they see a successful/failed partnership, respondents from CSOs largely refer to the third group arguments. There are three key sub-themes to this larger frame. Firstly, when reflecting on what they see as the major reason why they are invited as partners into partnership structures, be it for programming or as members of the MCs, respondents from all four countries explicitly referred to exercising scrutiny over public spending and control over potential money abuse ('our main topic has always been the meaningful use of the public funds and finances', 'we are interested in monitoring the public procurement and awarding the grants', 'we are in partnership because here in Hungary we have a really serious problem with the use of the money that the EU is giving' 14). As put by one Hungarian respondent, 'partnership should be a watchdog function at all levels'. This is echoed by counterparts from other countries who elaborate how CSOs successfully prevent the abuse of some funds, prevent non-transparent project tendering and

money awards or the re-allocation of money from one priority to another. In their view, CSOs often ascribe to themselves a guardianship role over the EU interest and translators of the EU principles of cohesion. Their primary task, as frequently stated by the respondents, is to ensure that money allocations correspond EU goals. Interestingly, in CSOs' eyes, assuming this role brings CSOs closer to the European Commission and erases the differences between them ('NGOs function as a watchdog, and the Commission tries to serve similar function, and their interests are the same'<sup>16</sup>).

Secondly, respondents from CSOs link exercising control and scrutiny to another main rationale for partnership: ensuring incorporation of alternative policy input. Respondents directly equate successful partnership with incorporation of their suggestions and policy proposals. The opposite is a situation when the state officials compose OPs by themselves ('implementation of partnership is very formal – most of the suggestions are not taken into consideration', '\* we can only comment, and there is no legal obligation to actually take our comments into account' 18). Importantly, CSOs argue that state officials should almost automatically incorporate their input. In their eyes, this input is valuable due to the expertise they can offer ('they do not see us as experts but as amateurs who meddle with their work' 19, 'they [the state officials] should be interested in getting expert guidance on how to set the agenda' 20, 'partnership is when everyone has the right to participate but the real professionals should be contacted' 21). This point of view is noticeably different from that shared by state officials who insist that such default acceptance of input is not an option. Finally, incorporation of their suggestions is equated by CSOs with transparency and signifies that the process of money allocation is open and honest.

Thirdly, another sub-theme that is also closely linked to scrutiny and incorporation of input is that of deliberation and discussion. In fact, incorporation of input and deliberation are simultaneously the purposes of partnership that make the process of money allocation transparent and democratic. The majority of respondents agree that deliberation about the content of policy programmes based on an exchange of facts, expertise and knowledge is a crucial feature of a true partnership. Sometimes this exchange may not necessarily lead to a change in content, but deliberation is nevertheless valued ('the authorities explained their positions, provided the data to back up their arguments, showed us where our propositions could or could not work'<sup>22</sup>). Basically, CSOs praise partnership for being an opportunity to instill deliberation where it never previously occurred in the process of allocating money for development. For this reason, respondents are especially vocal when they received no comments or feedback on how their input has been processed and what became of their policy proposals. They equate them with a failed partnership and a failure of public participation.

Importantly, when describing imaginary successful partnerships, respondents stress the presence of certain procedural elements, which also reveals their normative orientation. In particular, CSOs equate partnership with free, timely and open access to policy documents, clear and transparent rules of providing feedback to CSOs' input and, importantly, fairness of decision-making in terms of equal representation of various parties ('the decision system in the MCs based on majority voting and state institutions have majority in those MCs which does not allow NGOs to get their ideas met'<sup>23</sup>). Taken together, all these measures (deliberation and clear procedures of interactions) constitute a true partnership and are the primary purposes of its implementation for CSOs.

Overall, these themes indicate that in their normative orientations CSOs are closer to the third group of arguments or the idea that partnership with civil society is meant to increase transparency and accountability of the policy process and its deliberative quality through allowing for alternative voices. Interestingly, there is one noticeable difference between the countries. CSOs in Slovenia are less vocal about scrutiny and oversight, a matter of utmost importance for their Polish, Hungarian or

Slovak counterparts, but prioritise access to the process and deliberation. In the Visegrad countries, CSOs primarily define their role in partnership as watchdogs, a finding that reveals peculiarities of civil society development across the CEE countries.

There is a functionalist argumentation in CSOs' accounts of partnership. In all four countries, a group of respondents define outsourcing of money allocation, awarding grants and implementation of policy priorities by CSOs as the primary purpose and feature of partnership. Most frequently, though, this will be related to implementation of the 'strengthening of civil society' priority present in OPs across all four countries. The European Commission insisted on inclusion of this priority almost everywhere in the CEE countries, and CSOs naturally see themselves as the ones who should be entrusted with its implementation, both as primary decision-makers on which projects should be supported and the principal implementers of those projects. It is also important to note that the functionalist argumentation is not found in its pure form as normally CSOs are busy with both advocacy and service provision, and the boundary between these functions gets blurred. Furthermore, this argument is used by a narrow group of CSOs, predominantly by the so-called social CSOs who normally position themselves as service providers.

#### Social Partners: Partnership for Better Implementation

Social partners, represented by confederations of trade unions, employers' associations and associations of small and medium enterprises (SMEs), also make claims about partnership and its proper functioning. Although they are latecomers in this process, as they rarely expressed any interest in partnership until recently, they also get increasingly involved in politics around the partnership.

The interview data, however, shows that, unlike CSOs, social partners depart from different normative orientations in their representations of partnership. More specifically, they stick to the functionalist argument and view the main purpose of partnership and their role in it as the provision of highly specific expertise for better allocation of ESIF and, importantly, as implementers of the projects. Several themes in their elaborations make such normative underpinning especially visible.

Firstly, social partners position themselves as carriers of highly specific knowledge. Representatives of both labour and capital make strong claims they possess necessary information and knowledge about the needs, conditions and aspirations of their members. Involvement in partnership is thus seen as the main instrument of supplying the decision-making, project selection and implementation processes, with necessary and much-needed data on these needs and conditions, for instance during the debates about project selection criteria. Importantly, this is not similar to articulating the interests of their members, be it employees or member associations. Social partners never question that these interests are taken into account when it comes to cohesion policy spending on labour market measures, health and safety at work, life-long learning, skills training, infrastructure building or the introduction of environmental protection measures in various industries. Neither do they normally face the type of exclusion that CSOs complain about. Social partners are obligatory participants of all partnership arrangements, and this secured position is guaranteed by EU regulations on social dialogue. What they question is the evidence, data and information that these decisions are based on. Their involvement in the partnership is justified from the perspective that they possess this expertise.

Secondly, social partners view partnership as their direct involvement in implementation ('we want to implement our policies! Why would we not want our projects if we know the issues on the

ground?',<sup>24</sup> 'my organisation is seeking for a new task in this system, we do not want to be consulted, we want to be responsible for some tasks'<sup>25</sup>). The latter view is especially widely shared by Polish and Slovenian partners that have traditionally been stronger and more developed, unlike their Hungarian and Slovak counterparts. In respondents' view, partnership is essentially a practice of social partners implementing concrete projects in their area of expertise. In other words, they claim they should be project applicants and implementers. Neither do social partners make a secret out of their intention to utilise the funds for the benefit of their members ('we are making it easier for the farmer to apply for the money',<sup>26</sup> 'we want to have concrete influence on different procedures of applications for the Funds for SMEs, this is what a good partnership is'<sup>27</sup>).

Interestingly, social partners rarely resort to any representation-related argumentation to endorse their claims about their role and the goal of partnership. They systematically circumvent the issue of programming as composing and drafting of policy documents and do not see collection of all possible policy input with a view to make the OPs as comprehensive or balanced as possible as the purpose of partnership. Their 'kind' of input is maximally concrete and specific, like knowledge of the capacities of their members to utilise the funds, project selection criteria or measures that need to be funded, rather than general sketches and road maps of how the funds should be spent ('for example, we evaluate project selection criteria, we propose them, we can change what the administration offers'<sup>28</sup>). In their view the purpose of partnership does not lie in 'asking partners what they want'<sup>29</sup> in order to accommodate various interests, a framing endorsed and imposed by state officials, but rather in making the OPs work as in implementing the defined policy priorities. In this light, social partners hardly link partnership with normative issues of wider public participation, let alone the democratisation of cohesion policy through this inclusion. The major normative justification for partnership, their inclusion and cohesion policy in general is proper allocation of the funds for tacking real-life problems of their constituents.

Social partners also express dissatisfaction with the procedural side of the partnership. They mention the same procedural pitfalls of existing interactions, similar to those mentioned by CSOs ('meeting agendas are far too extensive, the thematic variety of discussed issues is too wide, and the domination of the administrative side among members is obvious<sup>30</sup>) and show their disappointment with the deliberative quality ('everything has been decided before and the members of the MCs who are not involved in the daily process, they can only say "yes, we agree or we don't"" 1. They also point to a well-known range of problems with the partnership, such as excessive formalism, a lack of communication in the form of non-existent or, at best, disrupted flows of information about developments in cohesion policy and continuous neglect of partners' attempts to communicate and discuss these problems. These pitfalls, in their opinion, inevitably nullify the democratising potential of partnership as they undermine the transparency of the process and leave state officials unaccountable. However, the issues of transparency and accountability are of utmost importance for CSOs and are the core reasons why partnership should exist, social partners are openly less concerned with issues of corruption, money abuse and the exercise of oversight and scrutiny. Procedural failures of the partnership are seen as disrupting the proper organisation of the process of evidence and expertise provision. A way out of that is, in their opinion, a stricter institutionalisation of interactions through adoption and consistent application of legal rules ('there is no proper institutional format, these consultations are not formalised'32, 'we need a playground which is legally and formally structured'<sup>33</sup>).

#### **CONCLUSIONS**

The analysis of actors' understandings of partnership and how they reflect existing conceptualisations of legitimacy highlights several interesting points. Firstly, different groups of actors, when making claims about successful or failed partnership, appeal to different aspects of a complex phenomenon of legitimacy and prioritise its different dimensions. The larger pattern is the divergence of actors' perceptions between state officials, CSOs and social partners. In a nutshell, state officials prioritise input legitimacy, CSOs refer to throughput legitimacy and social partners prioritise output legitimacy. This picture is complicated by noticeable cross-country and intra-group variation. The difference between how state officials in the four countries resolve the dilemma of partners' selection or how CSOs across four countries prioritise scrutiny, oversight or deliberation as necessary elements of partnership practices are just a few examples of this variation. Analysis of what factors contribute to this divergence, whether it is domestic administrative traditions or institutional setups, as for the state officials, or trajectories of civil society development, as for CSOs, is a matter of a separate empirical analysis.

Secondly, from an analytical perspective, this study demonstrates that changing the analytical approach and moving to engage more closely with actors' perceptions and understandings rather than preconceive them, yields results which can challenge the dominant assumptions found in the literature. First and foremost, adopting a more bottom-up analytical perspective can nuance and potentially refute strong statements about failed or successful Europeanization, entrenchment of new modes of governance in the CEE region or weak civil society. Moreover, it opens up analysis to embracing the fact that Europeanization is a highly contentious process where outcomes cannot be simply defined as 'successes' or 'failures'. For the discussion about European civil society and its role in enhancing legitimacy of the EU, the findings also indicate that this role is a matter of constant renegotiation and contestation. The puzzle is less about whether civil society involvement increases or erodes legitimacy than what element/dimension of legitimacy becomes the pole of consensus among actors as a result of this process of contestation, and under which conditions these poles of consensus alter. The contribution highlights the importance of these considerations for both the EU institutions that try to forge consensus among actors in the member states about the meaning of their requirements and the actors themselves busy with implementing them.

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#### **ENDNOTES**

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<sup>1</sup> Interviewee, state official (SO) Hungary, 26 March 2013.
<sup>2</sup> Interviewee, SO, Slovenia, 5 April 2012.
<sup>3</sup> Interviewee, SO, Slovenia, 9 September 2012.
<sup>4</sup> Interviewee, SO, Hungary, 26 March 2013.
<sup>5</sup> Interviewee, SO, Poland, 11 September 2012.
<sup>6</sup> Interviewee, SO, Poland, 14 June 2013.
<sup>7</sup> Interviewee, SO, Slovakia, 12 July 2012.
<sup>8</sup> Interviewee, SO Slovenia, 4 September 2012.
<sup>9</sup> Interviewee, SO, Hungary, 29 April 2013.
<sup>10</sup>Interviewee, SO, Slovenia, 5 April 2012.
<sup>11</sup>Interviewee, SO, Slovakia, 12 July 2012.
<sup>12</sup>Interviewee, CSO, Slovakia, 16 November 2012.
<sup>13</sup>Interviewee, CSO, Slovakia, 23 November 2012.
<sup>14</sup>Interviewee, CSO, Hungary, 20 April 2011.
<sup>15</sup>Interviewee, CSO, Hungary, 20 April 2011.
<sup>16</sup>Interviewee, CSO, Slovakia, 29 April 2011.
<sup>17</sup>Interviewee, CSO, Slovakia, 14 November 2012.
<sup>18</sup>Interviewee, CSO, Slovenia, 29 September 2011.
<sup>19</sup>Interviewee, CSO, Slovakia, 16 September 2012.
<sup>20</sup>Interviewee, CSO, Slovenia, 29 September 2012.
<sup>21</sup>Interviewee, CSO, Hungary, 4 April 2013.
<sup>22</sup>Interviewee, CSO, Poland, 7 October 2013.
<sup>23</sup>Interviewee, CSO, Slovakia, 6 November 2012.
<sup>24</sup>Interviewee, economic and social partner (ESP), Slovenia, 5 September 2012.
<sup>25</sup>Interviewee, ESP, Poland, 1 October 2013.
<sup>26</sup>Interviewee, ESP, Hungary, 5 October 2011.
<sup>27</sup>Interviewee, ESP, Poland, 19 November 2013.
<sup>28</sup>Interviewes, ESP, Poland, 1 October 2013.
<sup>29</sup>Interviewee, SO, Slovenia, 30 September 2011.
<sup>30</sup>Interviewee, ESP, Slovakia, 12 November 2013.
<sup>31</sup>Interviewee, ESP, Slovenia, 4 April 2012.
<sup>32</sup>Interviewee, ESP, Hungary, 27 November 2013.
<sup>33</sup>Interviewee, ESP, Slovakia, 12 November 2013.
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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)<sup>1</sup> 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 metanorms 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 nonstate 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 actorand 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,<sup>2</sup> 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   | Republican            |  |
|                          | (Locke, Montesquieu)  | (Tocqueville, Putnam) |  |
| State-CSO relationship   | Independent   | Dependent             |  |
|                          | dichotomous   | integrative           |  |
| CSO role in policymaking | <b>cymaking</b> Controlling the state: Complementing the state: |                       |  |
|                          | monitoring  | 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.<sup>3</sup> 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 interviews<sup>4</sup> 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 ancilliatory' 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 societyrelated 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'. 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' [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, 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. This obviously relates to the civil society as 'partnership' concept, which is wellentrenched 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'. 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.<sup>13</sup> 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.<sup>14</sup> While most of the CSO representatives interviewed regard these conflicts as ineffective or even a sign of an 'immature civil society',<sup>15</sup> others highlighted that it is very productive to have these conflicts in this framework, because 'this is the European way'.<sup>16</sup>

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)'.<sup>17</sup>

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.<sup>18</sup>

## **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 EUrelevant 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 2020'<sup>19</sup> 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.<sup>20</sup> 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**

<sup>&</sup>lt;sup>1</sup> The EaP includes Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

<sup>&</sup>lt;sup>2</sup> 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.

<sup>&</sup>lt;sup>3</sup> 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.

<sup>&</sup>lt;sup>4</sup> The interviews were carried out in English or Russian.

 $<sup>^{\</sup>rm 5}$  Interview EU1, Brussels.

<sup>&</sup>lt;sup>6</sup> Interview EU4, Georgia.

<sup>&</sup>lt;sup>7</sup> Interview EU4, Georgia.

<sup>&</sup>lt;sup>8</sup> 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.

<sup>&</sup>lt;sup>9</sup> Interview, EU CSO 1, Brussels.

<sup>&</sup>lt;sup>10</sup> Interview, EU CSO 2, Georgia.

<sup>&</sup>lt;sup>11</sup> Interview, EU CSO 2, Georgia.

<sup>&</sup>lt;sup>12</sup> Interview, UKR CSO1.

<sup>&</sup>lt;sup>13</sup> Interview GEO CSO1, UKR CSO3.

<sup>&</sup>lt;sup>14</sup> Interview, GEO CSO2.

<sup>&</sup>lt;sup>15</sup> Interview, GEO CSO4.

 $<sup>^{16}</sup>$  Interview, GEO CSO1.

<sup>&</sup>lt;sup>17</sup> Interview, UKR CSO1.

<sup>&</sup>lt;sup>18</sup> Interview, GEO CSO1 and GEO CSO4.

<sup>&</sup>lt;sup>29</sup> 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

<sup>&</sup>lt;sup>20</sup> 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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# **Book Review**

Diana Potjomkina, United Nations University Institute on Comparative Regional Integration Studies, Vrije Universiteit Brussel and Ghent University

NGOS AND GLOBAL TRADE: NON-STATE VOICES IN EU TRADE POLICYMAKING

**Author: Erin Hannah** 

# **Abstract**

Erin Hannah offers a timely and thought-provoking analysis of civil society's participation in the European Union's trade policy. Relying on two case studies, the book shows that while the EU has created diverse instruments for engaging with civil society, in practice procedural improvements do not necessarily lead to greater influence for non-governmental organizations (NGOs). Going beyond a purely technical view on NGOs' access to policy-makers, we should also consider the ideational factors at play.

# Keywords

European Union; trade; civil society; NGOs; democracy

Erin Hannah's NGOs and Global Trade: Non-state Voices in EU Trade Policymaking helps advance our thinking on the role that non-governmental stakeholders play in the trade politics of the European Union. As Hannah explains, the expansion of trade agreements into new policy areas, such as environment and health, is accompanied by a growing concern about the legitimacy of these arrangements (p. 1). New non-governmental players have mobilized, with many of them trying to protect the disadvantaged members of the global trade system and promote equitable and sustainable development. Policy-makers respond by creating new formal mechanisms for engaging with civil society and other stakeholders; indeed, multistakeholder governance is now seen as one of the primary responses, if not the primary one, to the perceived democracy deficit. Hannah's book takes on the much-needed task of exploring whether civil society has been able to solve any of the modern trade governance problems.

Going beyond mere description of increased NGO activity, Hannah asks 'whether more open trade policymaking processes that include progressive NGOs lead to a more legitimate and qualitatively enhanced international trade system' (p. 2). Her answer to this question is not particularly optimistic. The author offers a critical and at times bleak assessment of the practical outcomes from NGOs' growing engagement in international trade, and a similarly unfavourable account of policymakers' actual efforts to maintain dialogue with civil society.

Hannah's first chapter, 'Contesting cosmopolitan Europe' is a brief but nonetheless valuable and thought-provoking foray into criteria for democratic international governance and NGOs' role in it. In chapter 2, 'The evolution of EU trade politics' Hannah offers a useful overview of the EU's complex constellation of trade decision-makers and their engagement with stakeholders. She also addresses the increasingly relevant issue of competence. While trade has been the exclusive competence of the European Economic Community / European Union since the Treaty of Rome, recent expansion of trade negotiations into new areas has led to both increased contestation of the EU's trade policy and increased NGOs' interest in lobbying the Union (p. 35). The EU has made attempts to deal with the legitimacy crisis and established several mechanisms for consultations with stakeholders. However, as the next chapters show, NGOs' contribution, overall, remains more potential than real.

Hannah's empirical analysis is built on two major (although somewhat dated) cases, conducting process tracing of NGOs' involvement in the Access to Medicines Campaign and the issue of water services liberalization (respectively, chapters 3 and 4). While both issues arose at the WTO level, Hannah focuses on the EU as one of the key WTO players. In her chosen cases, the author explores whether the formal opportunities for participation created by the EU have an impact on civil society's effectiveness in lobbying for their preferred policy outcomes. In both cases, there are active and well-resourced European NGOs. Hannah coins them as 'progressive' – 'agents of cosmopolitan democracy and social justice, representing global citizens' needs and concerns, and capable of giving voice to otherwise marginalized groups' (p. 17). However, the European Union offered these NGOs unequal opportunities to engage and be heard.

In the first case of Access to Medicines, NGOs were actively engaged in dialogue with the EU and recognized as valuable interlocutors by EU policy-makers. This was not the original intention of the EU, which was more interested in protecting the intellectual property of pharmaceutical companies than ensuring that developing countries could cater to the medical needs of their populations. However, after the NGOs launched a massive campaign in 1999 advocating better access to generic medicine for developing countries, the European Commission acquiesced. It created diverse mechanisms for consultations with NGOs which, in turn, 'provided critical expertise, information, and experience to which European Commission officials would not otherwise have had access' (p. 66-67). This led to some, albeit short-lived, shifts in the EU's actual policy, with the EU committing to improve access to medicines in developing states.

In the case of NGOs opposing the EU's push for water services liberalization in its partner countries, differences in opinion proved insurmountable. While the EU maintained that liberalization of the services sector would be 'a win-win for sustainable development and EU offensive commercial interests' (p. 10), the NGOs argued that this constitutes 'full frontal attacks on democracy and basic human rights' (pp. 91-2). The European Commission prevailed. In Hannah's caustic description, it was 'able to insulate important decisions from public scrutiny and to effectively marginalize and delegitimize NGOs by emphasizing flaws, hyperbole, or misunderstandings in their advocacy' (p. 92). In turn, NGOs decided to resist 'co-optation' and chose to pursue 'outsider' – public protest – strategy. As a result, interaction between NGOs and the Commission was scarce.

In both cases, ultimately, engagement of NGOs did not bring along substantial and long-term policy changes. Even though the EU tweaked its policies during the heyday of the NGO campaigns, once public pressure had subsided (and growing tired of NGOs' mounting criticisms), it reverted to its initial market-oriented, not development-oriented preferences. Developing countries eventually had to limit their imports of generic medicines in line with the WTO TRIPS regulations, and the EU strategy on water services liberalization essentially remained unchanged. Thus, Hannah sees the main contribution of the NGOs in the realm of 'procedural legitimacy', that is, informing the society and providing alternative solutions to decision-makers. Their contribution to the EU's 'substantive legitimacy' or quality of the policy output, ultimately proved marginal.

Hannah's main explanation for the low NGOs' impact is the orthodox free-market thinking that prevails at the EU level and severely limits the possibilities for alternative ideas to take root. Somewhat confusingly, she names it 'legal-liberal episteme' — free market rules enshrined in legislation and thus isolated from political contestation (pp. 24-5). Arguably, this explanation is the greatest strength but also the greatest weakness of the book. Hannah highlights an often ignored yet vital issue: in and of itself, the extraordinary diversity of mechanisms and formats for engagement of civil society is useless insofar as these formats help to maintain, or fail to challenge, orthodoxy. Researchers of trade governance must pay close attention to the underlying power dynamics that regulate which opinions can or cannot be considered legitimate and who is believed to be authorised to express them. In turn, policy-makers cannot claim to operate a *dialogue* with society if they only use multistakeholder fora instrumentally, for legitimizing their policies, and are not ready to change their worldviews.

However, while epistemes certainly 'structure patterns of empowerment in global governance' (p. 117), and Hannah's focus on ideas and expertise is a much-needed call for analysing the discreet but omnipresent biases in international governance, her analysis is overly structure-driven. We cannot discount the importance of NGOs' own strategies, such as choice of timing and interlocutor or quality of expertise, and the imperative for improving these strategies. Civil society is able, and indeed it should try, to 'build bridges' with decision-makers. When reading Hannah's account closely, we can see a markedly adversarial NGO strategy on the issue of water services liberalization (and, perhaps, exaggeration of the prospects and impact of actual liberalization in developing countries) and, in comparison, a constructive and dialogue-oriented NGO campaign for access to medicines. This difference in approach, and not only the 'legal-liberal episteme' probably influenced the EU's willingness to engage, and loss of interest on the part of NGOs might, in part, explain the eventual regress to more free-market policies. Nor should we overestimate the EU's penchant for free market; some other experts, in fact, see the EU's support for developing countries' import of generic drugs as a single example of its generally quite strong development orientation, even if the EU also does sometimes behave as a 'Western hegemony' (see e.g. Meunier & Nicolaïdis 2006). Future research could also engage with unpacking the EU's much-vilified 'liberalism' as well as offering a more critical view on 'progressive' NGOs.

Overall, Erin Hannah's book can certainly be recommended as an insightful, critical and thought-provoking account on the role of NGOs in the European Union's trade policy. It encourages us to look more attentively at the current and potential role of civil society in regional and global governance and at scope conditions that influence civil society's success. With trade deals growing increasingly politicized and salient in domestic politics (even playing a role in Donald Trump being elected as the U.S. president and in the Brexit referendum) and the very idea of free trade being contested on so many sides, the engagement of society is a key step in ensuring that trade policies are legitimate and effective. Hannah's book, therefore, can be useful as food for thought to researchers and practitioners alike.

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# **Book Review**

Andi Hoxhaj, University of Warwick

EU CIVIL SOCIETY: PATTERNS OF COOPERATION, COMPETITION AND CONFLICT

Editors: Sara Kalm and Håkan Johansson

# **Abstract**

EU Civil Society provides a valuable insight into lobbying context in which civil society organisations in Brussels operate. Unfortunately, it does not analyse civil society organisations run the risk of growing detached from their local, regional and national constituencies.

# Keywords

Civil society, citizens' initiative, strategic action fields, EU policy

In the extensive literature on civil society mobilisation, organisation and participation of civil society in policymaking at EU level, this edited volume offers a novel approach to the study of EU civil society and captivates its potential readers with its in-depth analysis on the evolution of civil society in the European Union.

From the introductory chapter, the editors persuasively argue that a relational sociological approach is important for studying civil society organisations at the supranational level. In the book, the editors use three main theoretical models: the network, the coalition and the field. Their approach in using these theoretical models are aimed to describe the different relationships between organisations and platforms which operate at the EU level. The analysis provided by the editors pays specific attention to different types of civil society organisations operating in the EU, making use of these three leading theoretical models. In this edited volume, readers will find in the book several contributions apply the Strategic Action Fields (SAFs) approach by Fligstein and McAdam.

According to this approach used in the volume, relationships with EU institutions, especially the Commission, are relatively solid. These relationships have led to important joint-initiatives which in turn have empowered civil society organisations in the EU. Showing these findings, the editors

explore the behaviour of civil society organisations by taking the European Citizens' Initiative (ECI) as an example. The ECI is an important initiative introduced by the Lisbon Treaty (2009). It offers European citizens the right and tools in proposing legislative measurements to the Commission, in which they must gather at least one million signatures in seven different member states. As an empowering development for civil society organisations in the EU, the ECI receives in-depth analysis towards the final part of the book, that contains a balanced illustration of the ECIs advantages and shortcomings. Regarding the other contributions, the readers of this volume will find that the authors investigate key problems of membership and identity within organisations in the EU. This is a thorough investigation that adds a new perspective to the state of the art of civil society research

The first section of this book explores the different stages of the development of civil society representation and its evolution in the EU. The volume starts with an assessment of civil society representation from the 2001 White Paper on European Governance. It provides key insights about the works of the Convention for the European Constitution and then moves on into developments brought in the Lisbon Treaty. Contributions by Carlo Ruzza and Stefan Bernhard offer several critical assessments to developments and changes of civil society organisations. These changes are associated to the continuous developments of the EU institutional dynamics and processes at supranational and member states level that have influence organisational activity. For example, the increase of Euroscepticism, the impact of the long-lasting economic crisis, thus leading towards low support initiatives at EU level. The book gives examples of sets of policies which are more favourable than others in the current political climate. Furthermore, the book makes an important argument that organisations are fragmented. Generally, there are difficulties in finding common positions, and there is a lack of interest regarding issues of social solidarity. Håkan Johansson and Jayeon Lee in chapter 4 and Pauline Cullen in chapter 5, together with the Rosa Sanchez Salgado, offer key insights into the problems of international solidarity organisations based in the EU. International solidarity organisations have made an effort to solve social issues and bring them closer to the EU agenda, however, as the authors demonstrate, overlapping membership and thriving sub-fields tend to complicate these activities. In this part of the book, it might have helped to learn more clearly why civil society organisation risk of turn into a type of interest representation and lobbying, and as a consequence get detached from their regional and even national constituencies.

In the second part of the volume there is a focus on questions concerning identity and membership of organisations, especially when the book evaluates cases related to women, sex workers and undocumented migrants. The book provides examples of the challenges facing the EU migration policy in the current political climate and describes how different categories of migrants' coexistence in the EU. However, from the book it is difficult to verify how effective advocacy strategies can be made sustainable in the context of EU migration policy. Additionally, it was not clear which impact civil society organisations have in such policy debate at EU level.

In the case of sex workers, the book finds that there is a lack of pressure on EU institutions, because this relation provides few possibilities to apply political influence in support of sex workers. One of the most notable case in the book is presented by Ylva Stubbergaard who writes about women groups and their network. Here, readers will find that there is an interesting comparison between three selected organisations: the European Women's Lobby, the European Network of Migrant Women and the European Forum of Muslim Women. In this part of the book, the author presents the view that there is no harmony and it is difficult to find common grounds on fundamental issues like gender equality, female work and maternity leaves. As a result, there are major differences in respect to identity building, institutional connections and available, sustainable resources. Repeatedly, it becomes clear that active civil society organisations in Brussels run the risk of getting detached from concerns expressed by their local and even national constituencies. This points to a lack of connections with the world outside of Brussels, an issue which remains underexplored in EU

Civil Society. Nevertheless, the volume opens new research avenues to investigate a reoccurring problem faced by many civil society organisations operating in the EU.

The final part the book debates the theoretical options regarding the SAFs model. About the details of the implementation of the ECI can be found in chapter 10 by Luis Bouza García. In chapter 12, Elsa Hedling and Anna Meeuwisse offer persuasive arguments about the resources required to raise the potential of an ECI and its efficacy. It is clear who benefits from the potential of the ECI and how it is effective. Nevertheless, it is Justin Greenwood's contribution that stands out for its clarity in comparison to other contribution in the volume, as it gives an in-depth analysis of the issues concerning civil society initiatives in the EU. He compares the SAFs and supports its approach, providing insightful examples of problems with membership, identity building and diverging. Following Greenwood's account, there should be more focus on the advocacy coalition model; offers some examples where work on the ECI so far has not been as successful as anticipated. In the last chapter of the book, Didier Georgakakis presents a new angle by emphasising the cleavage between sectoral and territorial representation, which remains very important at the EU for future development of civil society.

Throughout the volume, interested readers and researchers in the field of EU civil society will find detailed information about methodological issues and data collection. I consider the SAF approach used by the authors as a useful analytical model for civil society research. Furthermore, the volume offers some valuable insights into discrimination of Muslim women in the EU (pp. 124-125). The book shows how civil society networks can be a useful force in informing non-Muslim citizens about Muslim women, especially about religion clothes such as the hijab headscarf. Future researchers, including anthropologists, political scientists, lawyers, sociologists and even activists who address issues related to Islamophobia, might find relevant information about Muslim women's struggle for respect and equality as citizens in the EU, as well as the right to express and maintain their identity. Furthermore, the volume may encourage a future research agenda, in particular for the Western Balkans to understand how civil society emerges in the context of European enlargement. In general, the volume provides detailed consideration of the conflicts and risks which civil society organisations face in the lobby-based Brussels context. However, EU Civil Society lacks a study of the relations with grassroots organisations and activists in local, regional and national constituencies. The challenges in remaining engaged with the outside world is an issue that deserves further study.

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