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European Civil Society

- A glance at recent literature -

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European civil society – a glance at recent literature

The aim of this paper is to give an overview of writings on European civil society. Its main interest, the relation between the European Union and civil society, will be approached after some consideration of civil society, civil societies in Europe, and European civil society.

The first section will trace the contexts in which civil society is discussed before relating civil society to Europe and the transformation processes in Central and Eastern European countries. The second section gives a glimpse on of the scope of different civil societies in Europe. In the third section, the focus shifts from European civil societies to European civil society – can one speak of a European civil society as such? If so, how did it evolve and what are its perspectives?

The European Union, finally, is the focal point of the forth section. It addresses topics such as governance, participation, and the debates around the most prominent EU course settings putting civil society on the scene in the past years: the White Paper on European Governance and the Convention elaborating a Draft Treaty for a European Convention. A short conclusion rounds up this article.

1. Civil society: Definitions and contexts of discussion

At the beginning of this section, I cannot but repeat what anyone writing on civil society states at the beginning of their accounts: „The social arrangements found huddling under the umbrella of 'civil society' are so diverse that the danger of conceptual stretching becomes very real." (Kubik 2000:181). „Despite the growth of a cottage industry among political theorists bent on tracing the roots of the concept and providing a definite reading of its meaning, the precise meaning of 'civil society' remains elusive" (White 2004:8). The definitions and the attempts of differentiation and typology are so manifold that listing them would fill volumes. Therefore, I will try to give a miniature syllabus of what is understood by civil society and then move on to the contexts in which it is discussed.

At least two broad meanings of the term „civil society" can be distinguished, but they mingle often enough: Civil society in a more normative sense and civil society in an analytical sense. Kubik further differentiates the analytical types of definitions in firstly „civil society as a public space, institutionally protected from the state's arbitrary encroachment, within which individuals can freely form their associations", in a Haber-

masian sense, and secondly, „civil society as a set of social groups, whose members deliberate or act collectively to accomplish common goals" (Kubik 2000:182).

Generally, the following elements are considered essential for civil society: Civil society is a sphere of societal self-organisation, opposed to the state. It addresses the public and aims at communicative action. Associations of civil society do not apply violence – at least not against living beings – to promote their causes as part of a certain minimal consensus on values. And the issues, causes and actions of civil society stand in relation with what is called the common weal or the res publica (Merkel and Lauth 1998; Gosewinkel, Rucht et al. 2004). It should be noted that conceptions of civil society vary widely; some authors do not distinguish between civil society, the market and the state while others include market, but exclude state spheres. One example of a perspective diverging from the one mentioned above is Pérez-Díaz' who, labelling himself a „generalist", describes civil society as „the ideal type of a society characterised by a set of *socio-political* institutions such as the rule of law, limited and accountable public authority, economic markets, social pluralism and a public sphere" (Pérez-Díaz 1998:211).

As an analytical concept, civil society attracts scholars from very different disciplines and one finds under its title works emanating from political science, sociology, history, philosophy, law, ethnology (Kaelble 2004:272) and even economics. In the following paragraphs, I can only give a very limited account of several aspects of the concept, namely civil society's demarcation from the state, the third sector and the social capital aspect. For a more detailed account, also on the historical development of the term, see e.g. the writings of Beyme, Kocka and Schade (Beyme 2000; Kocka 2000; Schade 2002).[1]

First of all, civil society is often defined in contrast to the state, as being an autonomous societal sphere distinct from state order. On the other hand, „states may play an important role in shaping civil society as well as vice-versa" (White 2004:11). Often, civil society associations address not only the public, but also the state. Depending on changing state conceptions as constitutional state, cooperative state, warranting state („Gewährleistungsstaat") and activating state, different and changing

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[1]   For a detailed account on the concept of civil society and its relation with democratic theory, see Klein, A. (2001). Der Diskurs der Zivilgesellschaft. Politische Hintergründe und demokratietheoretische Folgerungen. Opladen, Leske + Budrich.

roles are allotted to civil society organisations, as Schuppert points out (after Anheier and Freise 2004:133).[2]

The second main aspect under which civil society is discussed is the context with the third sector. This concept distinguishes a third sector apart from the societal spheres of state, market, and commonly also from family and the private sphere. Each of these sectors follows a different functional logic. The third sector, which is composed of a multitude of different organisations, is often described as the infrastructure of civil society. Sometimes, the terms „civil society" and „third sector" even seem to be interchangeable.

A major aspect of third sector organisations is that they are not oriented towards profit (non-profit-organisations) and do not distribute their profits to stakeholders or members which is why this sector is also called the non-profit sector. Due to the fact that membership and engagement in this sector are voluntary, it is called voluntary sector, mostly in Great Britain. There are many attempts to further classify and differ-entiate this sector in organisation categories; for the research project Future of Civil Society, Sachße suggested the – analytical, not empirical – classification in member-ship organisations, interest organisations, service organisations, and support organi-sations, with most organisations being „mixed-type" (Sachße 2004).

In research focusing on the third sector, a certain tendency to identify the third sector with non-profit social service providers and to adopt a perspective framed by de-mand-offer, industrial societies' and organisational structures can be observed (e.g. Anheier 2002).

Other strands of research describe associations of civil society as having positive im-pacts on political attitudes and behaviour in many respects: They train social and po-litical capabilities/virtues, produce social ties and provide opportunities for mobilisa-tion and collective action.

A third context in which civil society is often discussed is the concept of social capital. This term, in today's research coined by Robert Putnam, suggests that social net-works represent an important capital which can be enjoyed for its own sake and used

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[2]   Civil society can also be distinguished from society more generally as well as from political society (White, G. (2004). Civil Society, Democratization and Development: Clearing the Analytical Background. Civil Society in Democratization. P. Burnell and P. Calvert. London, Frank Cass: 6-21.)

for material advantage by individuals and social groups (e.g. Putnam 2001). This concept evoked a rich body of research which generally suggests a positive association between civil society and democracy. In their macro perspective, these studies tend to focus on the „strength rather than the composition of civil society" (Bermeo 2000:237) and neglect the specific character of the particular association body. They are accused of being too idealistic.

This idealising view on civil society can be contrasted by the more critical approach of several authors. There is no equation between civil society and a healthy democratic society. Publications on „real civil societies" and „uncivil societies" (Alexander 1998; Kopecký and Mudde 2003) put forward that civil society is not in all respects an autonomous sphere, but subject to ambiguous influences from the other societal spheres, and that associations also have their dark sides (Roth 2003): They may enhance social segregation and foster uncivil attitudes like racism (Dimitrov 2003). Furthermore, the – often inexplicitly referred to – „perfect" „legal transparent civil society" does not subsume all forms of civil society that help citizens to try to solve their problems (Kubik 2000).

The idealistic concept that civil society organisations give voice to the poor and integrate the underprivileged is contrasted by empirical findings of the third sector's strong middle class bias and of the correlation between economic well-doing and civic engagement. Still, non-profit organisations that provide shelter for the homeless or that arrange sponsorships of „first world" individuals for „third world" children can bring some relief.

After this glance at the main discussion contexts of civil society and critical accounts referring to them, I will now move on to the meaning of civil society in European transformation processes.

The renaissance of the term „civil society" is closely connected to the recent political upheavals in Europe: Civil society played a key role in the transformation processes in Central and Eastern Europe. The term „civil society" was rediscovered and brought to life by dissidents and protest movements in countries of the former Eastern bloc which is one of the main reasons for its high ranking on the scientific agenda nowadays. There is an important body of literature emphasising the role of civil society in democratisation and transformation processes in European as well as in African, Latin American and East Asian world regions (Pietrzyk 2003; Burnell and Calvert

2004). The development of a strong civil society is mostly seen as a condition for the democratic und cultural development of societies: „The successful future of Central and Eastern Europe's communities is based on a dynamic civil society from which emanates a decisive impulse for empowerment, democracy, cultural exchange, and mutual understanding" (Zimmer 2004:11). Therefore, extern support for civil society is to support democratisation (Freise 2004).

The relation between civil society associations and democracy is more closely examined by Fung who identifies different contributions to democratic governance as well as different visions of democracy and considers political contexts, thereby differentiating the general equation of civil society and democracy (Fung 2003).

Merkel and Lauth focus on one particular aspect of democratisation and civil society, namely the role of civil society in transformation processes from autocratic to democratic systems, which will be given some attention in the following paragraphs (Merkel and Lauth 1998). Their main thesis is that the precise contribution of civil societies to democratisation processes is dependent on the regime context. Thus, due to a fundamental change in structure and function of civil society in the course of democratic transformation, one cannot picture a universal, ideal type of civil society (Merkel and Lauth 1998:12). In each of the three phases generally distinguished by transformation scholars – liberalisation of the autocratic regime, institutionalisation of democracy, consolidation of democracy – , different functions of civil society are essential for the promotion of democratisation, which results in a different structure and conception of civil society to be „ideal" for each phase. During the liberalisation of the autocratic regime, the capability of civil society to act strategically as a counterpart to the old system (in Locke's sense) is essential. Therefore, more important than the inner democratic structure of civil society is its efficiency; differences within civil society should stand behind the common goal of liberalisation and democratisation, fundamental and non-cooperative facets should be controlled, and a dominance of one or few players can even help to bring about efficiency and international solidarity. Civil society should, in this phase, not cooperate in any terms with the *ancien regime*, but make demands on the formally guaranteed freedoms. This sort of civil society is named „strategic civil society" (Merkel and Lauth 1998:8).

During the institutionalisation of democracy, a „constructive civil society" can help to install a new democratic institutional order and to establish a new constitution (acting

as Montesquieu's „corps intermédiaires"), favoured by the vacuum left by the withering of the old rule. In this phase, communication and cooperation with reform forces including those from the old ruling elites can be necessary. Civil society is still stronger when acting in unity, but sensitivity to particular interests within it is developing as part of the plural spectre of interests characteristic for liberal democracies.

During the consolidation of democracy, civil society can act in a Tocquevilleian sense as „schools of democracy" for the formation and establishment of democratic virtues and to accumulate social capital. While maintaining a basic consensus, the field of civil society will differentiate into particular issues and conceptions. Civil society can now develop a different concept of state in order to help it in its democratic function founded on the rule of law. Besides recruiting elites for state functions and shaping state policy, civil society can take on tasks, especially in the social sphere, for state relief and thus undertake self-organisation. This „reflexive civil society" is to create a public in a Habermasian sense, keeping a critical distance to the state and criticising certain developments while still, in case of conflict with democratically made state decisions, ultimately accepting the – democratically better legitimised – state rule along with its sanction power (cf. Lauth 1999).

This sort of prescription of the ideal type of civil society for each transformation phase from outsiders may be of analytical value for the scientific community, but it may not sit well with civil society players in Central and Eastern European countries when understood as foreign imposed „manual" as to what civil society to construe. Generally, Eastern European concepts of civil society are partly very different from Western European concepts: Eastern European dissidents embraced the term civil society as the counter-ideal opposed to socialist repression, as the public space open for free political articulation and activity opposed to state surveillance. Therefore, in many Eastern European conceptions of civil society, there persists a strong idealistic moment (Havel and Klaus 1996) and often a strict dichotomy between civil society and the state, a reminiscent of „anti-politics" (Mazowiecki 1998). These divergent perspectives are rooted in different historical developments (Bunce 2000). Obviously, these divergences can bring about conflict – thus, there have been claims that the Western model of civil society is imposed on Eastern European countries where a different grasp of civil society prevails.

2. Empirical findings: Different civil societies

After describing what is generally understood by civil society, in which contexts it is discussed and what its impact in transformation processes is supposed to be, I will now outline which different civil societies can be found in Europe. Obviously, the comparison of different civil societies faces difficulties as to the multitude of terminologies, organisational structures, varying legal and formal status and respective functions that organisations have in different countries. A prominent approach to come to terms with these differences has been the terminology developed for the Johns Hopkins Comparative Nonprofit Sector Project by Lester Salamon and Helmut Anheier. It has inspired many other publications dealing with civil society in a comparative perspective.

One main result of such comparative research is that, if compared to Western Europe, although there was a burgeoning of civil society in Eastern Europe after the breakdown of the socialist regimes, civil society there is weak in terms of membership in organisations, employment capacity of the non-profit sector as well as state funding (Mansfeldová, Nalecz et al. 2004). How come?

Howard lists several reasons for this comparable weakness (Howard 2003): Under state socialism and the often described retreat into the private sphere, networks of families and friendships have not only been a space in which free speech was more often possible than in the public space, and people were more willing to engage in them than in the public space, but also did such networks have a certain importance in economic terms. They could be used to obtain rare goods in the context of economies of short supplies. These networks of families and friends persist in today's post-socialist societies as a central part of life. Voluntary associations are not perceived as having advantages vis-à-vis existing social ties.

Another reason Howard lists for the low level of participation in voluntary associations is wide-spread mistrust towards formal organisations. It derives from socialist times when membership in stately controlled socialist organisations such as trade unions and youth clubs was practically compulsory and often determined career opportunities.

Considering the link between economic development and volunteering, as established by Hirschman, it seems rather logical that the level of participation in civil society organisations is lower in Central and Eastern than in Western Europe. Another

explanatory factor is citizens' disappointment with state performance after the change to liberal-democratic systems, especially as regards welfare performance. For more detailed accounts on the development of civil society in one or more Central and Eastern European countries; see, besides the contributions to the focs project[3], (Mansfeldová 1998; Szabó 1998; Mansfeldová and Szabó 2000; Fehr 2004; Weßels 2004; Einhorn and Sever 2005).

On the other hand, there is no Western European standard, either. Indicators for third sector size and characteristics as well as socio-economical structures vary importantly not only between Western European countries on the one hand and Central and Eastern European countries on the other hand, but also between different „old" EU member states. Political culture is another important piece in that puzzle. In Germany for instance, there is a strong tradition of subsidiarity; governmental authorities and civil society organisations work closely together and state funding is a major source of income for the third sector (Zimmer, Gärtner et al. 2004). In France, as another example, there is a strong tradition of "économie sociale" and mutuelles form a prominent part of the civil society/ third sector community. These are peculiar traits which are, in this degree, not shared by other civil society country profiles.

3. European civil society – historically and as prefigurative of a global civil society

Against this backdrop of different national civil societies, in what way can one speak of a really European civil society as such?

As Schuppert claims, processes of Europeanisation can be observed in different areas relevant for the formation of a European civil society: Growing elite and expert publics on the European level form elements of a European public.[4] National law orders are being increasingly Europeanised, with EU laws impacting in such genuine national fields as the German civil service regulations. The European passport, flag, common currency and recently constitution function as identity-generating symbols. Civil society actors are associating in the form of a multitude of networks, if less in

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[3] Zimmer, A. and E. Priller, Eds. (2004). Future of Civil Society. Making Central European Nonprofit-Organisations Work. Wiesbaden, VS Verlag für Sozialwissenschaften.

[4] For a contrasting detailed account on the shortcomings of the European public, referring to relevant contributions to the academic debate on that topic, see Gerhards, J. (2002). Das Öffentlichkeitsdefizit der EU im Horizont normativer Öffentlichkeitstheorien. Transnationale Öffentlichkeiten und Identitäten im 20. Jahrhundert. H. Kaelble, M. Kirsch and A. Schmidt-Gernig. Frankfurt a.M., Campus: 135-158.

the form of explicit European parties or covered by European mass media. Schuppert interprets these evolutions as proof of the formation of a European civil society which the state can, and should, promote by fostering society's capacity of self-regulation, e.g. by creating the organisational form of a „European association" (Schuppert 2001).

Rumford focuses on European society and emphasises, contrasting Schuppert's positive findings, the „multiple, disaggregated and fragmented nature of European social spaces" (Rumford 2001:215)[5] to which, in his view, the concept of civil society is not deployable: „As such, the preference for talking of a European civil society seems doubly naïve, given its association not simply with the society of the nation-state, but more importantly with an integrated and structured community of interest" (Rumford 2003:37). He examines the discourse of European society in the contexts of EU governance, post-national citizenship and the democratic deficit and appeals for moving away from the paradigm of integration or cohesiveness.

There are little theoretically profound accounts of EU-European civil society as such. One interesting attempt to connect European civil society with a meta-theoretical perspective is outlined by Geyer who adopts a „complexity perspective". He claims that "European civil society works because it reflects and enhances the growing complexity of advanced industrial economies and societies and creates a form of 'symbiotic competition' between the state, market and civil society system". Therefore, the EU should „provide a framework for actively promoting and defending the European civil society against the market and the state" which could „encourage innovation and learning within the market and state system as well" (Geyer 2003:1).[6] One might want to object that the EU itself bears many traits of the state and that the present promotion and close ties between the EU and European Brussels-based civil society lead rather to questioning the autonomy of civil society towards the state than to fos-

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[5]   The relation European civil society to a European public space is also discussed by scholars such as Closa, Pérez-Díaz and Soysal (Pérez-Díaz, V. (1998). The Public Sphere and a European Civil Society. Real Civil Societies. Dilemmas of Institutionalization. J. C. Alexander. London, Sage: 211-238, Closa, C. (2001). Requirements of a European public sphere. Civil society, self, and the institutionalization of citizenship. European citizenship between national legacies and postnational projects. K. Eder and B. Giesen. Oxford, Oxford University Press: 180-204, Soysal, Y. N. (2001). Changing boundaries of participation in European public spheres. Reflections on citizenship and civil society. European citizenship between national legacies and postnational projects. K. Eder and B. Giesen. Oxford, Oxford University Press: 159-179.)

[6]   Learning effects between market and civil society organisations are one of the potential outcomes of a research project carried through by the European Centre for Public Affairs (Spencer, T. (2000). "Governance and civil society." Journal of Public Affairs 1(2): 187-188.)

tering it. The contrast Geyer maintains between the EU and state thus seems questionable. Nevertheless, the conclusions Geyer draws as to how the EU should promote European civil society are noteworthy.

In the following, two accounts on European civil society in its narrower sense will be given some attention: The first focuses, from a historical point of view, on the evolution of European civil society and the second directs the attention to its perspectives against the backdrop of a possibly emerging global civil society. A third contribution questions whether the concept is applicable.

Kaelble examines whether the concept of civil society, coined in national contexts, is applicable for a transnational level like that of the European Union (Kaelble 2004). The core elements of civil society in his view – the non-stateliness of civil society, its autonomy towards public institutions, the market and the private sphere, its autonomous civic values, its decentralised character and its link to the public – are conceivable for the European as well as for the national level. The controversial questions surrounding the concept of civil society can be posed with the same justification on the European as on the national level. Kaelble states the necessity to modify the concept for the European level in regard to the following three aspects: (1) As the EU is not a state, European civil society could be less in danger of losing its autonomy and being controlled by the state than on a national level – whilst on the other hand, with the European Commission often initiating European unions of civil society organisations, civil society could risk losing autonomy not by repression, but by lack of distance. European civil society could – more than on the national level where it competes with the state for the perceived representation of common weal interests – represent particular interests very boldly. European institutions are accessible to European civil society associations in a very different way than national institutions. (2) The European public – if existing as such and not merely as the sum of national publics – is more oriented towards expertise and this fact impacts on civil society. (3) Even more than on the national level, European civil society is characterised by pluralist and decentralised structures with the nation states' arrangements remaining essential determining factors. [7]

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[7] Rumford, on the contrary, states that the concept of civil society is not apt to understand European society as it is „embedded in the category of the nation-state" and „ignores its complicity in forms of rule and domination" (Rumford, C. (2001). "Social Spaces beyond Civil Society: European

Kaelble retraces the development of a civil society on the European level since the 1950s in three epochs, aware of the fact that already before the realisation of the European integration project, there have been traces of European civil society:

(1) Throughout the 1950s and 1960s when Europe and its civil societies were split along national, political and denominational cleavages, a European civil society in the purview of European integration emerged from the Europe movements on the one hand, which had very limited influence on European policies and concentrated on the aim of creating a unified Europe, and from industrial and agrarian interest groups on the other hand, COPA and UNICE, umbrella organisations which focused completely on the European Economic Community. Most parts of the then transnational European civil society such as the Red Cross and the Rotary clubs had, though, no link to the EEC and addressed the national governments and the public.

(2) From the end of the 1960s until around 1985, European civil society in the purview of European integration expanded, due more to its own and less to state-issued impulse than before. A multitude of associations on the European level was founded, amongst others the European Trade Union Confederation. As the European Community had very limited competencies and was centred on the creation of a common economic market, only the concerned interest groups entered into a direct dialogue with the European institutions and opened Brussels offices.

(3) Since the end of the 1980s, the competencies of the European Communities and later European Union grew dramatically and expanded to policy fields such as security, social and education policy; European citizens were mobilised by direct parliamentary elections and a growing number of referenda on treaties and accessions. Political developments impacted on European civil society in the form of better conditions, as the division into East and West was overcome and technical means accelerated communication, but also in the form of greater participatory demands. European civil society expanded further during this last epoch[8], it diversified and became more professional. Simultaneously, the link between European civil society and European integration grew stronger – deliberations on the European constitution are

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Integration, Globalization and the Sociology of European Society." Innovation 14(3): 205-218.:211).

[8]   Between 1995 and 2000, the number of intermediary groups with Brussels offices rose from around 2,200 to around 3,500 (Kaelble, H. (2004). Gibt es eine europäische Zivilgesellschaft? Zivilgesellschaft - national und transnational. D. Gosewinkel, D. Rucht, W. v. d. Daele and J. Kocka. Berlin, edition sigma: 267-284.:277).

the main example. This added more relevance to the question whether European civil society was sufficiently developed and inclusive to influence day-to-day Union decisions and to be a robust partner for it.

Kaelble states that European civil society is commonly underestimated for the reason that it is measured against the model of national civil societies and so judged being underdeveloped and incomplete. The peculiar demands and logic of European civil society can be spelt out as follows: As the European integration project started out in the sphere of economic integration and remained limited to it for decades, neither the asymmetry of European civil society with a persisting heavy weight of agrarian and industrial associations nor the fact that for a long time, other civil society organisations had practically no relation to European institutions seem surprising. The second peculiarity of European civil society, its unspectacular activity and its different relation to the public, derives from the fact that European umbrella organisations do not have direct members or local branches and can hardly be characterised as movements. Furthermore, for most of the past decades, out of the European institutions only the Commission, an administrative apparatus, has been a promising point of contact for European civil society, and implementation of European decisions is mostly up to national administrations which leaves little room for manoeuvre in this respect. As to its autonomy, European civil society, coming less in contact with citizens than national civil societies, had to demonstrate its autonomy to a lesser extent and is rather at risk of losing autonomy versus the European Commission as the latter supports it strongly. The fourth peculiarity of European civil society is its strong decentralised and multi-polar character due to different national backgrounds and the interference with national civil society organisations acting on the European level. Still, Kaelble appeals not to underestimate European civil society and its history.

Rootes who measures the existing European civil society in the environmental field with the help of a rather restrictive definition of social movements comes to a more pessimistic conclusion. He poses the question how the development of a supranational political system impacts on civil society and movement activity. The existence of a European environmental movement could, in this point of view, be regarded as prefigurative of a global environmental movement. Social movements – Rootes' central term and instrument of analysis – are regarded as phenomena of civil society as well as „the vehicles by which civil society is introduced, as democratic practices and politically relevant skills may be learned and trust built up in the course of mobiliza-

tion in circumstances in which civil society is at best embryonic" (Rootes 2002:413). Starting out from a definition of social movement as a network that is engaged in collective action and motivated by shared concern, Rootes finds that environmental movement organisations' (EMOs) „networks within the EU are neither very dense nor very active" as „most are highly specialized and most EMOs remain primarily oriented toward the national rather than the European stage" (417). Furthermore, they are lacking resources for an effective European collaboration and their cooperation is hindered by persisting national differences. Collective action mainly takes place within nation-states – which makes sense as implementation of the largely European environmental policy is a matter of national and local authorities – and does only scarcely target the EU. As regards shared concerns and mobilisation for protests, no convergence can be observed, let alone a common European environmental consciousness.

4. The European Union and its relation to civil society

On the level of the European Union, the term „civil society organisations" was coined by European institutions without being a coherent concept.[9] Since a couple of years, civil society ranks high on the agenda of EU institutions and in the Commission's documents.[10] The European Commission tried to institutionalise NGO structures along policy fields (NGO „families") and built up the CONECCS database in order to facilitate dialogue with European civil society. It also includes economic associations which would not be included in a more restrictive understanding of civil society.

The functions ascribed to civil society are very attractive for actors trying to build a stronger and more integrated European political community: „First and foremost, organised civil society offers avenues for civic engagement and active citizenship, thus facilitating integration and participation for the individual citizen, both of which are necessary prerequisites for the deepening and strengthening of democracy. Moreover, organised civil society is in the position to satisfy those needs and demands of citizens that neither the market nor the state is able or willing to serve. And finally or-

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[9]   It was first used in the 1999 Opinion of the Economic and Social Committee on „The role and contribution of civil society organisations in the building of Europe".

[10] There are also interesting conference reports sketching many aspects of the relation of civil society to the European Union (Heddenhausen, M. (2003). "Die Zivilgesellschaft und die Europäische Union: Zwischen Legitimierung und Interessenvermittlung." Integration 26(3): 264-271, Knodt, M. and B. Finke (2003). "Europäisierung der Zivilgesellschaften oder Europäische Zivilgesellschaft? Ein Tagungsbericht." Zeitschrift für Internationale Beziehungen 10(2): 413-420.).

ganised civil society is able to buffer those societal shocks and upheavals that always accompany processes of political, economic and societal transition and modernization" (Zimmer 2004:12). These potentials of civil society are stressed in the 1999 communication of the Economic and Social Committee on „The Role and Contribution of Civil Society Organisations in the Building of Europe".

As to the integrative aspect, it is important in this context that civil society organisations can not only work against exclusion on an individual basis, but that they also can provide societal integration on a collective basis in the sense that they „are responsible for systemic integration, which translates into the integration of the various societal communities into the political and cultural system of a respective country, a region or most prominently the European Union" (Zimmer 2004:13). In this sense, they could possibly counteract the centrifugal effects of individualisation as well as of the diverging particular interests in different subgroups of the many different European societies by acting as a centripetal force towards a stronger European society.

Civil society organisations offer avenues for participation. This is of particular importance against the backdrop of claims of a democratic deficit in the political system of the European Union: They could present ways for democratic participation complementing the „traditional" political process which is hard to stretch to a supranational polity in a satisfyingly democratic way. In the face of the diagnosed lack of a European „demos" considered essential for enhancing democracy within the European Union, societal integration and participation via European civil society is regarded as a possible alternative or at least complement.

In this regard, Hurrelmann comes to the conclusion that „it is not sufficient to evade the problem of societal preconditions of European democracy simply by conjuring the integration strength of civil society" (Hurrelmann 2003:687, translation: GE). Similarly, but from a different angle, Rumford states: „However, neither public spheres or [sic] civil society adequately address the issue of where greater democracy will come from, the overriding assumption being that democracy is a contribution that each member-state brings to the Euro-party" (Rumford 2003:38).

There are also accounts questioning the normative grounds of the concept of participation as it is currently understood in the EU context, e.g. the White Paper on Governance. They emphasise the complementarity of interest representation and „classical" territorial representation via elected representatives: Reale, subsuming the social

partners in civil society, considers the social dialogue legislative procedure, as insti-
tutionalised by an annex to the Maastricht treaty[11], an experiment in the search for
governance modes based on participation. She claims that this procedure does not
live up to normative democratic standards as the social partners actually involved
cannot be considered representative and accountable and as the role of EU institu-
tions in the process is limited to a „take it or leave it" choice (Reale 2003).

Smismans adopts a principally critical attitude towards the very usage of the tag „par-
ticipatory democracy" for processes of functional representation: „[R]ather than direct
citizen participation they provide another form of indirect participation, i.e. another
form of participation via representation, namely via representatives of associations
instead of via territorial representatives" (Smismans 2003:494).

Another strand of academic debate focuses on the governance functions of civil so-
ciety. Schuppert describes them in three perspectives: From the civil society point of
view, a „functional privatisation of governance" is taking place with civil society actors
being able to act as a governance partner in the implementation of sector-compre-
hensive steering strategies on different policy levels. From a governance theoretical
point of view, an interactionist steering concept is being established involving actors
from different sectors and using their respective potentials. From a law theoretical
point of view, Schuppert proposes a theory of regulatory choice to answer the ques-
tion which norm producer is best suited for which particular regulatory demand
(Schuppert 2004).

It is essential to note the double function of organised civil society: On the one hand,
civil society associations are active on the input side of a polity. They are able to give
voice to the diverse facets and societal subgroups of European citizens and, as in-
terest and lobby groups, to transport their issues and claims not only to the national,
but also to the European level of policy-making. On the other hand, they are active
on the output side of policies, often working together with public administration. If in
favour of the EU and European integration – which is often optimistically assumed by
its institutions (Smismans 2003:491)[12] – , they could transport European issues and
generally the European cause on the citizens' level. Thus able of acting as a two-way

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[11] This annex was later incorporated into the body of the treaty by the treaty of Amsterdam.
[12] See also Rumford, C. (2003). "European Civil Society or Transnational Social Space?
      Conceptions of Society in Discourses of EU Citizenship, Governance and the Democratic Deficit:
      An Emerging Agenda." European Journal of Social Theory 6(1): 25-43.: 38.

channel bridging the gap between the EU and its citizens, organised civil society is a very attractive intermediary partner for European governance.

This role of organised civil society in European governance was emphasised in the Commission's White Paper on European governance in 2001. Before the White Paper, there have been first tentative EU policies and initiatives addressing the third or civil society sector such as the European Association Statute and involving associations in the allocation of Structural Funds means, but they are hampered by conceptual cleavages, „imported national scripts" and the persistent influence of the national level (Kendall and Anheier 1999).

The White Paper triggered a burgeoning of discourse on European Civil Society within the scientific community. Crook focuses on the relationship between the Commission and NGOs and spells out the main principles as well as the prerequisites in order to achieve a rewarding cooperation (Crook 2002). Armstrong criticises the top-down approach of the White Paper „instead of [asking] what […the EU] might learn from a civil society rooted as much in the structures and traditions of domestic civil society as in those of transnational organisations" (Armstrong 2001:10). He emphasises the necessity to link different levels of governance instead of transnationalising and governmentalising them. He reproaches the White Paper for dwelling on the institutionalisation of consultation structures between European institutions and civil society on the European level instead of fostering real participatory democracy, fearing that „a transnational civil society is likely to succumb to the same sorts of problems that attend transnational governance, namely dilution of national voices, and remoteness" (Armstrong 2001; Armstrong 2002). To a similar direction, if coming from different considerations, points Greenwood's statement that „[i]ronically, the Commission's need for […civil society] groups to act as bridges to citizens in the member states is hampered by the institutionalised nature of these relationships" (Greenwood 2004:146).

On the contrary, De Schutter who puts forward proposals on how a better involvement of civil society in EU policy-making can be achieved is very much in favour of a stronger structuration of civil society actors on the European level (De Schutter 2002).

In an empirical study, Sudbery focuses on the involvement of NGO families in the process of preparing the White Paper on Governance. This case leads her to ques-

tioning civil society organisations' actual contribution to strengthening input legitimacy in the EU context: As the NGOs under study tend to prioritise their work's outputs over participation, they „contribute rather more to the EU's 'output' than 'input' legitimacy" (Sudbery 2003:94).

Warleigh examines whether NGOs can act as „agents of political socialization in the context of EU policy-making" (Warleigh 2001:619), thus Europeanising civil society. He measures this ability against seven key variables: collaboration with other NGOs and like-minded actors, independence, democratic internal governance, cognitive impact on supporters, concentration on politicisation rather than service delivery, ability to be self-critical, and ability to draw on existing political socialisation. While diagnosing high „scores" in some of these variables, he finds very low results in other variables, coming to a sceptical conclusion as to the catalyst role of NGOs in Europeanising civil society.

Magnette states that although the conception of participation to which the suggestions of the white paper refer is „élitist", stimulating the involvement of organised interests and groups only, the openness and consultation processes proposed in the white paper could enhance accountability in the EU. He proposes a cultural change in the way the Commission presents its decisions: Instead of forging compromises before political deliberation takes place, it should explain the different possible options, encouraging public deliberation along party lines in the EP and Council, in order to politicise the EU and foster public interest and debate on European policies (Magnette 2001).

One should note that there are not only idealistic political aims and aspirations connected to the European rediscovery of civil society, but also very down-to-earth concrete and power-oriented interests. A very insightful account of this aspect is given by Smismans who describes the institutional interests of the different European institutions in their relation to and propagation of civil society (Smismans 2003).

Besides the White Paper on European Governance, the European Convention elaborating a draft treaty for a European Constitution greatly highlighted the involvement of civil society actors in the formation of opinion. Whether their contribution substantially corrected and complemented the dominance of government and parliamentary representatives or whether the „involvement" was a sheer alibi remains a contested question (cf. Venables 2004). Unchallenged are the facts: On the grounds of the

declaration of the European Council of Laeken, a forum of civil societies and the Civil Society Contact Group were established in order to accompany the convention's work, partly supported by Convention and Commission means. At a rather early stage of deliberations, a hearing of civil society organisations at a convention plenary session was organised. Organised by the European Economic and Social Committee, dialogue meetings between convention members and civil society organisations took place. And a multitude of civil society organisations' opinions on the convention suggestions was disseminated via internet. With the official focus on the active participation of civil society organisations versus the „old" „secret diplomacy behind closed doors" of the intergovernmental conferences, it can be argued that a „new qualitative level" in the process of reforming the EU has been achieved (Schmuck 2003:164).

Nurtured by the inclusion of „the principle of participatory democracy" as article I-47 in the draft treaty for a European constitution, debate on this principle in context with European civil society organisations recently flourished. Director of European Citizen Action Service Tony Venables outlines a civil society umbrella organisation's view on how this article should be put into practice (Venables 2004).

5. Conclusion

This article traced a line from different concepts and discussion contexts of civil society and different European civil societies to European civil society and hopes linked with it from part of EU institutions. Whether there exists an original European civil society may be – and is, as shown – contested. Still, the functions ascribed to it in the context of European governance as well as the recent steps putting civil society on the EU scene make this field an intriguing one for further study. Possibly the biggest leeway for EU support linked with shaping of civil societies exists where the legal and societal settings are not yet firmly established, i.e. in the states that recently accessed the Union.

6.   Bibliography

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