



at the EU level might demand representation not only of different societal groups but also of different geographical macro regions such as Central and Eastern Europe.

As the challenges related to EU governance are similar for all non-state actors, this study covers CSOs in the broadest sense, as also employed by the European Commission, namely as comprising not only non-governmental organizations (NGOs) but also social partners (i.e. trade unions and employers' associations) and other non-state actors from business and society (European Commission 2001). Accordingly, the term 'civil society organizations' is used synonymously with interest groups and (collective) non-state actors.

A comparison of the Eastern enlargement with earlier enlargement waves, however, is of only very limited value, as the challenges during earlier waves were quite different, owing to the number and nature of the countries involved and, much more importantly, to the fact that CSOs began to play a more important role in EU governance only at the time of the run-up to the Eastern enlargement.<sup>2</sup>

### Research so far

Though there is ample research on civil society in the Central and East European EU member states, its primary focus has been on the national democratization process. Its studies have examined the capacity of CSOs to foster the transformation from authoritarian regimes with centrally planned economies to pluralist democracies with liberal market economies. The results of these studies unequivocally expose the structural weaknesses of CSOs in Central and Eastern Europe. An assessment of related public and academic debates is offered by the contribution of Ost (Chapter 9 in this volume). For an overview of the state-of-the-art literature, see, for example, Mudde (2007b). More detailed analyses are offered by Crowley (2004), Drauss (2002), Glenn (2001), Howard (2003), Kopecký and Mudde (2003), Meier-Dallach and Juchler (2002); Mendelson and Glenn (2002) and Zimmer and Priller (2004), among others. A vast number of case studies on specific civil society groups or movements in CEE have also been conducted.

The complexities of the decision-making processes at the EU level have also been analysed in depth. A comprehensive summary of the research on the role of CSOs in EU governance is given by Charrad and Eisele (2007), Eising (2008b), Finke (2007) and Greenwood (2007a). Broader analyses of different aspects of the role of interest groups at the EU level include those of Beyers (2008), Bouwen (2004), Christiansen and Piattoni (2004), Compston and Greenwood (2001), Dur (2008), Eising and Kohler-Koch (2005), Knodt and Finke (2005), Michalowitz (2004a, b), Ruzza (2004a), Saurugger (2008b), Smismans (2006a) and Warntjen and Wonka (2004). There are also numerous policy field-specific analyses of political decision-making processes and the involvement of interest groups at the EU level.

In summary, there is an abundance of literature on civil society in Central and Eastern Europe, and there is also a huge amount of analysis of the role of

non-state actors in political decision making at the EU level. However, there are still very few substantial empirical studies on the integration of civil society groups from the new Central and East European member states into EU governance.

There are some studies that focus on the pre-accession preparations, such as Borragán (2003), Chołuj (2003), Hallstrom (2004) and Hicks (2004). They describe the measures the European Union initiated to improve the integration of CSOs into EU governance, namely integration into EU-wide networks, training for leading civil society representatives and, last but not least, financial support. As all studies were written prior to the actual accession, they voice more or less substantial doubts about the sufficiency of EU measures, but are not able to assess actual success after accession. Later studies of the actual engagement of CSOs in EU governance do not explicitly link their performance to pre-accession measures by the European Union. Some thoughts on the issue are included in the case studies by Raik (2006), Einbock and Lis (2007), Iankova (2007) and Yakova (2007).

However, the only systematic assessment of the EU's pre-accession support of civil society organizations is offered by Kutter and Trappmann. They argue that

[t]he EU's impact was highly ambivalent. Although the EU aid and EU-induced policy reform levelled the way for established actors' involvement in multilevel politics, it reinforced some of the barriers to development that the civil society organisations face in CEE. In particular, EU measures have failed to address the lack of sustainable income, of formalised interactions with the state and of grassroots support.

(2010: 41)

Academic coverage of the actual integration of civil society organizations from new member states into EU governance is highly selective and focuses on the strongest CSOs from the biggest new member states in just three to six policy fields. Most analyses focus on just two out of the ten new member states, namely Poland and Hungary as the biggest and most prominent accession countries of the 2004 enlargement. At the same time, most case studies focus on policy fields where non-state actors are especially active and where the European Union has substantial competences, namely environment (Börzel 2009; Börzel and Buzogany 2010; Carmin 2010; Hallstrom 2004; Hicks 2004; Pleines and Bušková 2007), labour and social affairs (Einbock and Lis 2007; Grosse 2010; Kuszniir and Pleines 2008; Sissenich 2006), and, to a much lesser degree, gender policy (Fuchs and Payer 2007; Kakucs 2009; Sudbery 2010), business regulation (Koutalakis 2010), agricultural policy (Pleines 2007; Yakova 2007) and regional development (Gašior-Niemiec 2007; Gašior-Niemiec and Gliński 2007).

The preliminary picture emerging from these studies will be outlined below. It is grouped into three sections, which follow the main directions of empirical research on the topic. The first section deals with the role of civil society organizations in the integration of their respective country into the European Union.

1 The second section looks at the representation of CSOs from the new member  
2 states at the EU level. And finally, the third section examines the Europeaniza-  
3 tion of civil society in the new member states – that is, the effect engagement in  
4 EU governance is having on them. However, before I analyse the role of CSOs  
5 from the new member states in EU governance, it is vital to give a brief over-  
6 view of their capacities to engage in politics.

### **The capacities of civil society organizations**

7 Three major prerequisites determine the capacity of CSOs to successfully engage  
8 in EU governance. The first is a general ability to engage in political decision-  
9 making processes. The second is the capacity to engage at the EU level and the  
0 third is the fulfilment of EU eligibility criteria regulating access to different con-  
1 sultation processes in EU governance (Obradovic and Pleines 2007).

2 In chronological order, most CSOs develop the general capacity to engage in  
3 political decision-making processes first. In most cases, they start at the national  
4 or subnational level and develop a policy-related position that they wish to com-  
5 municate to political decision makers. They then have to identify the relevant  
6 decision makers and suitable modes of communication – that is, they have to  
7 develop a basic understanding of political processes. Common strategies for  
8 gaining access to political decision makers include the provision of expertise,  
9 public protest actions and media attention. All of these tactics require specific  
0 resources, ranging from expertise to an active membership base and from finan-  
1 cial resources to public relations skills.

2 Engagement at the EU level demands additional personnel and financial  
3 resources as well as new competences. The latter include basic skills, such as  
4 knowledge of English and of EU decision-making structures, as well as more  
5 refined ones, such as the ability to network in a multinational arena. The  
6 difficulties of multilevel governance are illustrated by the inability of almost all  
7 CSOs to organize protest actions at the EU level (in contrast to the national  
8 level). This means that engagement at the EU level cannot simply be treated as a  
9 logical continuation of national activities in policy fields that are becoming  
0 increasingly regulated by the EU. Engagement in EU governance demands new  
1 capacities. CSOs are continually striving to overcome barriers to access and are  
2 engaged in learning processes.

3 The European Commission has (at least on paper) erected another barrier to  
4 access via the imposition of minimum requirements for civil society organiza-  
5 tions wishing to participate in EU governance. The corresponding Code of  
6 Conduct, adopted in 2002 (European Commission 2002a), makes civil society  
7 organizations active at the EU level subject to the principles of good governance,  
8 which include transparency, accountability and representativeness. However, the  
9 eligibility criteria themselves remain very abstract and vague. It thus cannot be  
0 determined with certainty which organizations actually fulfil them. Accordingly,  
1 the actual implications for the capacity of civil society organizations to engage  
2 in EU governance remain unclear (Obradovic and Vizcaino 2007).

The capacity of CSOs from the new member states to engage in politics and in EU governance specifically is heavily influenced by their socialist legacy, as, for example, Lane argues:

Civil society associations in the new Central and East European members of the European Union have had a different trajectory from those of the 'old' members. All of the latter have had relatively robust (though differently constituted) forms of civil society associations before joining the Union. In the former, most public associations were highly dependent on, and controlled by, the state.

(2007: 109)

Accordingly, the end of the socialist system led to a considerable change in the organization of CSOs. On the one hand, there were a number of interests that had not existed or been organized before; on the other hand, already existing organizations had to restructure in order to perform new tasks in a new environment, and often they had to cope with a loss of legitimacy because of their close proximity to the old system. At the same time, the public image of civil society did not support the assumption of an intermediary role between politics and society, as Ost argues in Chapter 9 in this volume.

As a result, most of the CSOs in these countries face the same debilitating problems: they lack financial sustainability, exacerbated by a decreasing number of donors. Thus, they rely most heavily on state funding, with only a small portion of support coming from private sponsors or membership fees. Because of their tight budgets, the organizations remain chronically understaffed; lacking the funds to pay full-time employees, their staffs primarily consist of volunteers or part-timers. The civil society sector in the post-socialist member states therefore accounts for a much smaller percentage of employment than the EU average. Furthermore, their members' activities are mostly limited to attendance at annual meetings. To summarize, in an EU-wide comparison the civil society sector in the Central and East European member states still retains a relatively low profile. Their organizations are poorly financed, lacking in transparency and hampered by having ill-qualified as well as too few staff members.<sup>3</sup>

However, it is important to keep in mind that the capacity to engage in EU governance typically varies between different forms of organizations and between different policy fields. Though civil society in the post-socialist countries is unquestionably weak, the individual capacity of post-socialist civil society organizations to act at the EU level nonetheless has to be examined on a case-by-case basis.

State-organized trade unions, for example, had existed in all of the countries. However, in Poland Solidarity, an independent counter-trade union, had already been organized in the early 1980s. In 1989, it became the main actor of system change. Trade union leader Lech Wałęsa became the Polish president (Pańków and Gąciarz 2001). Accordingly, Solidarność had the capacity to act at the EU level and was the first trade union from a post-socialist country to join the Euro-

pean Trade Union Confederation (ETUC), the European umbrella organization. It was also the first CEE trade union to have a representative in the ETUC leadership.

While trade unions already existed under the socialist system, business associations had to be organized from scratch after the end of socialism. As a first consequence, there arose a multitude of small, poorly organized unions in all the countries concerned. A lack of success on the one hand and a demand for consultancy services and participation in state organized bodies on the other hand led to a certain degree of consolidation by the mid-1990s (Organisation for Economic Co-operation and Development 1994).

While thus even the social partners had to cope with organizational deficits and as a rule gained only limited access to policy-making processes prior to EU accession, other non-state actors were even less influential (Pleines 2004). There are only a few exceptions, most notably environmental groups, which in several countries formed an important part of the opposition movement against the socialist regime (Carmin 2010; Fagan 2004, 2005).

### Supporting enlargement

For new member states, the most important aspect of the enlargement process is obviously the adoption of the *acquis communautaire* before accession and actual participation in EU multilevel governance after accession. Especially for states with weak administrative capacities or with a regulatory environment and political culture not too close to the variety represented within the European Union, integration forms a serious challenge. Here CSOs can in principle play a vital role:

Accession countries face great difficulties in restructuring their economic and political institutions in order to meet the conditions for EU membership. The systematic involvement of non-state actors in the adoption of and adaptation to EU requirements was thought to be a remedy for the problems of European Enlargement towards 'weak' transition countries. Companies and civil society organizations could provide the governments of the accession countries with important resources (money, information, expertise and support) that are necessary to make EU policies work.

(Börzel and Buzogany 2010: 158)

However, the research team led by Börzel has conducted several case studies, nearly all of which demonstrate that CSOs in the post-socialist accession states were not able to provide substantial support for the integration of their countries into the EU (see the collection of studies in Börzel 2009, 2010). This is not only the result of the limited capacities of CSOs as depicted above, but is also due to a rather exclusive policy-making style adopted by most state actors in these countries. Accordingly, Börzel talks of a 'double weakness' of transition countries that lack governance capacity in the state as well as in the non-state sector.<sup>4</sup> This leads Börzel and her team to a rather pessimistic assessment:

If this assumption holds, transition countries face a serious dilemma or even paradox: low state capacities create a demand for non-state actor involvement, which is, however, unlikely to be met precisely because neither state nor non-state actors have sufficient capacities and trust to engage with each other. Thus, the potential of the EU to empower civil society in (weak) accession countries is compromised.

(Börzel and Buzogany 2010: 176)

Others support this view. Based on a case study of regional development policy (EU structural funds) in Poland, Gašior-Niemiec and Gliński assess the attitude of the state in a case where EU regulation demands the participation of civil society actors:

The European options have been translated [by civil society organizations] into both institutional weight in decision-making and the access to financial resources which civil society actors have gained after Poland's accession to the EU. However, civil society actors have not been granted a footing equal with that of market and public administration actors [...], their position is outnumbered, underweight and overshadowed by discretionary powers on part of the public administration.

(2007: 44)

At the same time, the EU Commission is marked by a very specific approach to CSOs, as Hallstrom concludes in his case study of EU environmental policy:

The view of CEE environmental NGOs as generally weak and of limited use by EU officials is not entirely unfounded, but hinges largely on a very specific set of ideas and preferences about the role(s) for citizen based groups in the integration and policymaking process. Environmental NGOs that are not consistent with these ideas and preferences, particularly those that do not bring technical expertise or knowledge to the policy process, are typically viewed as recipients, rather than providers, of policy-relevant information.

(2004: 182)

However, if we start the assessment not from the EU point of view of what is needed to ensure smooth integration, but from the new member states' perspective of what their CSOs might be able to contribute to integration, the glass is probably already half full and not half empty. This becomes obvious in comparisons with other post-socialist states outside the European Union, which portray the new EU member states as the success case.

This is not simply a consequence of EU conditionality. 'Instead, the EU should be perceived as a transnational integration regime that alters domestic capacities and incentives regarding institutional change very differently across candidate and neighbouring countries' (Langbein forthcoming). Business interests in accession states that cooperate with transnational business associations have on several occasions been able to shape the implementation of EU regula-

tion at the national level through cooperation with EU and national authorities (Koutalakis 2010; Langbein forthcoming).

Some non-state actors in the new member states have assumed the role of a watchdog for the EU Commission, monitoring the implementation of EU policies at the national and subnational level and putting pressure on the respective domestic governments to stick to EU regulations. Trade unions and employers' associations alike have pressured their national governments to implement specific EU regulations and perceive the European Union as a helpful ally in domestic politics (Pleines 2008: 160). The prime example of a systematically performed watchdog function is the role environmental NGOs play in several CEE countries (Pleines and Bušková 2007).

However, successful cooperation between the European Commission and non-state actors in the new member states seems to be restricted mainly to social and environmental policy and specific aspects of business regulation. Even in the case of gender and equal opportunities policies, where women's organizations are relatively well developed in the new member states, they have not been able to have a substantial impact on the adoption of respective EU regulation (Fuchs and Payer 2007; Kakucs 2009). In other cases, such as agricultural policy, national interest groups are in opposition to EU policies (Pleines 2007; Yakova 2007).

In summary, the monitoring of national compliance with EU regulation can be seen as the most important contribution of non-state actors to EU integration in the new member states. However, this contribution is restricted to very few actors and to a limited number of policy fields. Moreover, it is in most cases based not on a partnership with national or subnational governments, but on a confrontational attitude, which might alienate CSOs from the national political elite and foster their image as EU agents.

The constructive relationship between the European Union and these CSOs in the new member states can be attributed to common interests, as both want to strengthen specific regulation. But this situation has important implications for an analysis of the role of CSOs from the new member states in EU multilevel governance. Most importantly, it demonstrates that the integration of NGOs can be in the direct political interest of the European Commission, as it can, at least in some policy fields, use NGOs to monitor the implementation of EU policies at the national and regional level. Thus, NGOs not only, and perhaps not even primarily, provide a link between national societies and the European Commission, but also offer a further control mechanism between the European Commission and the national and regional governments. This assessment casts doubt on the claim by the European Commission that the integration of CSOs is the best way to increase the democratic legitimacy of EU decision making. However, an analysis of this question has to take into account the participation of CSOs at the EU level.

### Participation at the EU level

Different categories can be established in order to evaluate how effectively civil society organizations from Central and Eastern Europe participate in



decision-making processes at the EU level. In terms of organizational structures, Greenwood (2007a) differentiates between, first, national organizations that exert influence at the EU level via national cooperation with their governments; second, national organizations that have direct contact with EU organs; third, transnational organizations; and fourth, international trade union umbrella organizations represented in Brussels. This differentiation is rather general, and the distinction between the third and fourth types is not conclusive. For an analysis of actual participation patterns, it might therefore make more sense to categorize organizations according to their channels of influence.

In principle, there are four or five channels through which civil society organizations can exert influence on political decision-making processes at the EU level: direct consultations with the European Commission, direct consultations with national representatives in the Council of Ministers, direct consultations with the European Parliament, involvement in the European Economic and Social Committee (EESC), and, in the case of trade unions and employers' associations, also participation in the EU Social Dialogue. Membership in EU-wide umbrella organizations and an office in Brussels are also frequently cited as channels of influence. However, neither automatically ensures involvement in decision-making processes; instead, they can facilitate access to the five channels of influence listed above.

Full data are not available concerning the more informal participation of civil society groups in EU decision-making processes – that is, access to the first three of the channels listed above. The European Commission does not provide comprehensive data on direct consultations. Even the registry of standing expert groups does not give any details about the civil society organizations involved.<sup>5</sup> The national representatives in the Council of Ministers are not accountable concerning their consultation practices. The European Parliament has a register of lobbyists, but as every non-member who wants to enter the building has to register, this register does not allow conclusions to be drawn about actual consultations. Moreover, 'dialogue with parliamentary intergroups is characterised by a low degree of formalisation and transparency, which contrasts with their role as the main existing structured dialogue channel between Members of the European Parliament (MEPs) and civil society organisations' (Fazi and Smith 2006: 32).

Participation in the EESC and the EU Social Dialogue, by contrast, is based on clear membership rules for non-state actors. As a result, civil society organizations from new member states are automatically integrated. However, both forums have been sidelined in EU decision-making processes (Greenwood 2007a).

In reaction to the lack of data on access to actual decision-making bodies, the participation of civil society groups from new member states in EU-wide umbrella organizations has been taken as a first proxy to assess their quantitative engagement at the EU level. An analysis of the major EU-level umbrella organizations for NGOs shows that the Eastern enlargement has led to a considerable influx of new NGOs. The Social Platform (the Platform of European Social NGOs) has 428 member organizations from the ten Central and East European

1 member states that joined in 2004 and 2007, Concord (the European NGO Con-  
2 federation for Relief and Development) has 234, the Green 10 (ten leading envi-  
3 ronmental non-governmental organizations) has 100 and the HRDN (Human  
4 Rights and Democracy Network) has 97. As a result, 15–24 per cent of the  
5 member organizations of the four biggest European umbrella organizations are  
6 now from CEE (Pleines 2010).<sup>6</sup>

7 As the CEE member states are rather small, with four of them having a popu-  
8 lation of less than 4 million, and all eight that joined in 2004 together having  
9 fewer inhabitants than Germany, it seems justified to adjust figures to population  
0 size. The figures for the number of NGO member organizations in EU umbrella  
1 organizations adjusted to population size show that in most cases the CEE states  
2 are within or above the range set by the ‘old’ member states. Accordingly, there  
3 are no signs of a gross underrepresentation of the new member states in EU-wide  
4 umbrella organizations of NGOs (Pleines 2010). The rapid inclusion of a consid-  
5 erable number of new member organizations can lead to organizational chal-  
6 lenges and may change the resources and agenda of the umbrella organizations  
7 (Blavoukos and Pagoulatos 2008).

8 At the same time, for most CEE civil society organizations, inclusion in an  
9 umbrella organization at the EU level has so far meant only symbolic representa-  
0 tion in decision-making processes at the EU level. Only representatives from a  
1 very few CEE civil society organizations are physically present in Brussels for  
2 more than a couple of days a year; hardly any have leadership positions in Euro-  
3 pean umbrella organizations or direct access to key EU decision makers.

4 Concerning channels of influence, case studies of trade unions, employers’  
5 associations and environmental NGOs (for a summary, see Pleines 2010) have  
6 shown that even the strongest civil society organizations from CEE find it hard  
7 to get independent access to EU decision-making bodies. Only a handful of them  
8 have contacts in the European Commission or the European Parliament, mainly  
9 through personal acquaintance with an EU bureaucrat or a member of the Parlia-  
0 ment (MEP). With the exception of one trade union and two employers’ associ-  
1 ations, none claims to be able to represent interests at the EU level on its own.  
2 Instead, environmental NGOs and most trade unions rely primarily on support  
3 from European umbrella organizations, while the remaining trade unions and the  
4 employers’ associations forge bi- or multilateral alliances with suitable partners.

5 This is different for civil society organizations from the large, ‘old’ member  
6 states. For example, a study of German and British environmental NGOs con-  
7 ducted in 2000–1 showed that about half of the major organizations had regular  
8 contact with the European Commission and the European Parliament, with  
9 slightly fewer being connected to the Council of Ministers (Roose 2003). All of  
0 the large German trade unions, included as a control case in the study mentioned  
1 above, exert influence via direct consultations with the European Commission  
2 and with national representatives in the Council of Ministers and the European  
3 Parliament (Pleines 2010). However, the major organizations from the large  
4 member states are the clear outliers and, for example, the trade unions from CEE  
5 fit into the general picture as summarized by Greenwood (2007a: 173): ‘Labour

organization as a whole is over-reliant upon ETUC [the European umbrella organization] to directly engage the European level.’

In addition, as CEE civil society organizations are largely satisfied with EU policies, it can be argued that many of them do not see a need for active participation at the EU level. This illustrates an important difference. While CSOs in the large, ‘old’ member states have already consolidated their influence at the national level and have already contributed to the introduction of high-standard regulation in their respective policy fields, the civil society organizations in the CEE member states (and to a certain degree also in Southern member states) profit from EU guidelines and standards that bolster their position in negotiations with the national government and they also support the implementation of EU regulation in their policy fields, as EU standards are regularly higher than their respective national standards. Accordingly, the most important task for CEE civil society organizations is – in their own perception – not to participate in EU governance, but to support reforms at the national and subnational level. And for this task, the European Commission is on many occasions a very powerful and helpful ally.

At the same time, the focus on civil society organizations that are represented at the EU level ignores large parts of civil society in the member states. As Carmin (2010: 183) argues on the basis of an analysis of 632 environmental NGOs in four CEE countries,

Two clusters of organizations have emerged. The first cluster consists of a small cadre of highly professionalized and internationalized organizations that engage in policymaking in the international and national arenas. The second cluster of NGOs tends to sponsor activities and take action on behalf of their members and provide environmental and government support services at the local level. While the former cluster is comprised of well-capacitated organizations, NGOs in the latter group often are overlooked by agencies, governments, and foundations, even though they make important contributions to environmental governance.

### **Europeanization of civil society**

The transfer of EU regulation into national law is seen as a central step of Europeanization. Accordingly, doubts about the integration potential of the new member states focus primarily on the real implementation of formally adopted EU law at the national level (see, for example, Hughes *et al.* 2005). However, the perspective changes if the definition of Europeanization is not exclusively focused on formal regulations. Radaelli’s now-classical definition demonstrates this:

Europeanisation consists of processes of a) construction, b) diffusion and c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’, and shared beliefs and norms which

are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies.

(2004: 3–4)

Here the formal adoption of EU regulation is just one transmission belt for Europeanization processes, and one that by definition cannot fully cover the informal rules or shared beliefs and norms included by Radaelli.<sup>7</sup>

In addition, as Sudbery (2009) rightly criticizes:

Europeanisation studies on the new member states have largely focused on top down effects at the domestic level largely ignoring horizontal or bottom up dynamics. For the main part, such studies assume from the outset that Europeanisation results from top down pressures, often choosing their area of study accordingly. [...] Such a perspective fails to account for the complex multilevel web of actors and institutions that produces EU policy. As such, it cannot capture the role that domestic non-state actors can play in creating pressures for change. Secondly, the top down model considers the strength or weakness of these actors on the domestic opportunity structure to determine their influence on Europeanisation patterns, rather than taking into account that Europeanisation itself may strengthen or weaken this position. Finally, it tends to view national institutions (and to a certain extent actors), as resilient to change, which cannot be assumed in the post-soviet countries where these institutions are not historically entrenched. The result is that only a partial picture is available of how EU membership is actually affecting political opportunity structures in the new member states. A particular gap remains in knowledge about the role played by non state actors in change processes resulting from EU membership in former-Soviet countries.

Accordingly, Sudbery shows in a case study of the actions of Polish women's NGOs concerning anti-discrimination legislation and sexual and reproductive rights that NGOs assume an active (though not necessarily successful) role as change agents. Focusing on opportunity structures in the decision-making process, she argues that the existence of clear EU regulation empowers NGOs vis-à-vis the national government, offering greater resources and legitimacy, but drastically reduces their ability to promote alternative policy options. At the same time, the lack of an EU model does not prevent NGOs from using the European Union as a resource; indeed, it enables them to use it as a resource more creatively, and their activities escape government control (Sudbery 2010).

Whereas Sudbery focuses on the role of civil society organizations in policy-making processes related to Europeanization, Pleines (2008) analyses the effects of Europeanization on the agenda of civil society organizations from new member states. On the basis of a case study of trade unions, three forms of Europeanization are distinguished: promotion of the transfer of EU regulation to the

national level; transfer of information from the EU level to the national and sub-national level; and development of European solidarity in the trade union movement.

According to this study, an important form of Europeanization is support of the transfer of EU regulation to the national level. This is, however, not a blind acceptance of EU regulation, but instrumental use of selected EU policies to improve the organization's own bargaining position in the national arena. Accordingly, it can be expected that this form of Europeanization will lose most of its relevance as the harmonization of national regulations and EU standards increases and trade unions will cease to benefit from the adoption of, or reference to, EU standards.

Another aspect of Europeanization, primarily related to membership in EU-level umbrella organizations, is the transfer of information from the EU level to lower levels. This form of passive profiting from membership is predominant. However, it will most likely cease to be important in the long term once the trade unions' EU competence grows and interest in adopting EU regulations, as described above, wanes.

At the same time, membership in European umbrella organizations also means active involvement at the EU level, especially for the large Polish trade unions. In this case, an internalized Europeanization based on shared norms and beliefs and strengthened via networking and collaboration is more likely to occur. For trade unions in the new member states, the debate on the EU service directive became a first crystallization point for the development of a European solidarity of trade unions (Pleines 2008).<sup>8</sup>

However, the development of European trade union solidarity in the post-socialist member states should not be overestimated. First of all, it requires an EU-wide, unified trade union position, which can rarely be obtained. Second, active European solidarity in the post-socialist EU member states is limited – including in the case of the service directive – to the few large trade unions that have the capacity for engagement at the EU level.

In this context, the Europeanization of CSOs, seen as the adoption of EU-wide accepted norms and values, or positions on specific issues, is seriously hampered by the very limited role of CSOs in a slowly emerging EU-wide public discourse. As Liebert argues in her summary of a large-scale research project on the political communication about Europe in the case of the failed Treaty Establishing a Constitution for Europe (TCE),

Under present conditions the European Union is unlikely to mutate into a novel kind of supranational political community. Yet, in domestic constitutional debates and practices, the case of the TCE indicates that the EU is capable of switching mode, from a union of segmented communication communities into a transnational communication network. Beyond mutual observations across national boundaries we have found considerable transnational discursive exchanges to have taken place during the critical year under investigation. In view of the patterns and dynamics of how political

1 conflict is articulated in public debates, the ‘Europe in contention’ is on the  
2 road towards a transnational public sphere. Constructed by the media and  
3 political elites, and to a more limited degree by civil society and the citizens,  
4 transnational communication networks articulate societal and political con-  
5 flict about Europe and, possibly, will contribute to co-ordinate and negotiate  
6 them, too.

(2007b: 256)

## Conclusion

1 Empirical research on the role of civil society organizations from the Central and  
2 East European member states in EU governance has so far focused almost exclu-  
3 sively on the strongest organizations from the biggest new member states in  
4 policy fields where the European Union plays a major role. As a result, the case  
5 studies present a best-case scenario concerning the role and impact of civil  
6 society organizations in EU governance. That means the results are not repre-  
7 sentative but indicate the maximum degree of representation, participation and  
8 Europeanization to be expected among interest groups from the new member  
9 states.

1 If one keeps this in mind, the case studies conducted so far clearly indicate  
2 that civil society has not been the great remedy to the problems of enlargement  
3 and integration caused by weak post-socialist states. Like the state administra-  
4 tions, CSOs lack the capacities – namely, the financial resources, trained staff  
5 and expertise – necessary for a smooth adoption of the *acquis communautaire*.  
6 Moreover, partly as a legacy from socialist times, state and civil society are not  
7 used to constructive cooperation. While state officials often adopt a rather exclu-  
8 sive policy style, civil society actors are sceptical of the state’s honest interest in  
9 reforms.

1 However, there are exceptions to this general picture, and it is important to  
2 analyse these exceptions, as they may be used to identify the preconditions for a  
3 successful participation of CSOs in the accession of their country to the Euro-  
4 pean Union and its subsequent integration. First, there are some organizations –  
5 in the case of Central and East European member countries, mainly business  
6 associations and trade unions – that have the capacity to play an active and  
7 important role in the adoption of the *acquis communautaire* if they receive  
8 support from the respective European umbrella organization or from peer organ-  
9 izations in ‘old’ member states. Second, it seems to be much easier for CSOs to  
0 monitor national compliance with EU regulations than to cooperate with the  
1 state authorities in the implementation of these regulations. Here it becomes  
2 obvious that EU actors, namely the Commission and umbrella organizations, can  
3 have a large impact on the role CSOs in the new member states play vis-à-vis  
4 their national and subnational governments.

1 When supporting integration into the European Union is generally considered  
2 too demanding, the basic political function of CSOs from the new member states  
3 would be to represent interests and to actively participate in decision-making

processes at the EU level. In this respect, a quantitative assessment indicates that, formally, CSOs from the Central and East European member states have been integrated into EU governance. Compared with the other EU member states, they are in quantitative terms adequately represented in European umbrella organizations and (by statute) in the European Economic and Social Committee.

However, even the strongest CSOs from the Central and East European member states find it hard to obtain direct access to EU decision-making bodies. On the one hand, this can be seen as indicating a lack of resources, for example for an office in Brussels, and missing networks and experience. This perspective implies that formal representation has not (yet) been transformed into meaningful participation. On the other hand, most civil society organizations within the European Union, with the exception of some business actors and some other non-state actors from the largest member states, generally tend to represent their interests at the EU level via EU-wide umbrella organizations. Moreover, CSOs from the new member states are far more satisfied with the present EU regulation than organizations from 'old' member states. Accordingly, it can also be argued that CSOs from the new member states are not particularly visible at the EU level because they have already successfully integrated into umbrella organizations and do not see the need to promote major changes in EU policies.

Accordingly, an assessment of the participation of civil society organizations at the EU level depends on the perspective adopted. On the basis of a judgement of the capacities of CSOs from Central and Eastern Europe to engage in policy making, their smooth formal integration at the EU level can be seen as a success story, proving that the EU Commission's preference for transnational umbrella organizations ensures an open system. However, to judge from the concept of deliberative democracy, it is obvious that some voices are not present because either they do not belong to the mainstream (united in the umbrella organization<sup>9</sup>) or they are too weak to access the EU level.<sup>10</sup> Moreover, a transnational public sphere at the EU level is just starting to develop, and the participation of CSOs in it is considered to be relatively weak (Liebert 2007b). In a normative interpretation, this assessment questions the claim by the European Commission that the integration of CSOs is the best way to increase the democratic legitimacy of EU decision making.

But engagement of CSOs at the EU level not only is supposed to have an impact on EU decision-making processes but also is expected to reflect back on the organizations themselves, mainly through the promotion of Europeanization processes. Europeanization studies, as related to CSOs in new member states, can be divided along two lines. First, they can either employ a narrow focus on formal regulation or take a broader perspective, including informal procedures as well as underlying beliefs and norms. Second, they can be based on a top-down or a bottom-up perspective.

There is not enough empirical research on Europeanization processes of civil society from the Central and East European member states to allow generalizations. What is clear is, first, that the status of EU regulation and the actor con-

stellation in a specific policy field have a strong impact on the role of civil society actors and thus on resulting Europeanization effects. Second, Europeanization has a strong pragmatic component in the case of CSOs from the new member states, as the transfer of knowledge and resources from the EU level to the national level is used for domestic empowerment. Instances of a value-based Europeanization, which refers to some kind of transnational discourse and solidarity within the European Union leading to a European identity, are still rare. This means that despite the fact that most CSOs from the new member states that have been integrated into EU governance view the European Union highly favourably, and much more so than their peers from the 'old' member states, they have not (yet) developed a European identity that is focused not on individual advantages but rather on common goals and values at the EU level.

In summary, CSOs from the Central and East European member states are generally too weak to support their national state authorities in the task of integration into the European Union. However, some of them have the capacity to monitor the implementation of EU regulations and may thus assume a watchdog function. At the same time, even relatively weak CSOs from new member states have been able to become formally represented at the EU level through EU-wide umbrella organizations. Though their role as a source of democratic legitimacy for EU decision-making processes is clearly questionable, umbrella organizations offer an effective mechanism for the rapid integration of new CSOs into EU governance. This integration does not, however, necessarily lead to the development of a common (European) identity.

Some tentative lessons can be learned from research on the case of Eastern enlargement concerning the role of CSOs in EU integration. As CSOs in most candidate countries or potential candidate countries are marked by weaknesses similar to those of the organizations in countries that joined in 2004 and 2007, these lessons may be of importance for further rounds of enlargement.

First, CSOs can assume a leading role in the adoption of the *acquis communautaire* only if state administrations and CSOs alike have the necessary capacities. This means that CSOs cannot be promoted into the role of a secret weapon for smooth integration. Second, some CSOs can monitor the implementation of EU regulation at the national and subnational level much better than any other actor. Capacities for the watchdog function can relatively easily be improved through training and integration into EU-wide umbrella organizations. Third, EU-wide umbrella organizations offer an effective way to integrate CSOs from new member states into EU governance. They offer information and practical support and can also provide (at least indirect) access to decision makers at the EU level. Fourth, training by the European Commission and integration into EU-wide umbrella organizations highlight two of the problems of basing the democratic legitimacy of EU-level rule making on the participation of CSOs. On the one hand, some CSOs become more of a watchdog of the Commission than a representative of specific interests. On the other hand, the membership base of EU-wide umbrella organizations is selective. Fifth, smooth integration into EU governance is no guarantee of the development of a European identity among



civil society actors. Participation at the EU level and support for EU actors and rules seem to be based more on pragmatic considerations, focusing on empowerment at the domestic level with EU support, than on the development of common European values.

## Notes

- 1 The Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia joined the European Union in May 2004. Bulgaria and Romania joined in January 2007.
- 2 No enlargement round prior to 2004 included more than three countries. With the exception of the Southern enlargement in the 1980s (Greece, Spain and Portugal), these enlargement rounds included only countries with a civil society no less developed than that of the member states. And with the exception of the 1995 enlargement (Austria, Finland, Sweden), all took place before the system of EU governance was substantially reformed to pay more attention to civil society organizations.
- 3 For a concise overview, see US Agency for International Development (2005) and Howard (2003).
- 4 Börzel (2009), with a focus on environmental policy. The same argument has been made by Sissenich (2006), based on an analysis of social policy.
- 5 See European Commission (2009).
- 6 Data as of July 2008.
- 7 For an overview of different concepts of Europeanization and related research, see, for example, Quaglia *et al.* (2007).
- 8 The case of the service directive is studied in detail by Gajewska (2008, 2009).
- 9 As Fuchs and Payer (2007) show with the example of Polish women's organizations.
- 10 Which is true for large parts of civil society, as Carmin (2010) demonstrates for environmental NGOs from four CEE member states.