

Emergence and Structure of a European Intermediary Space: the Role of the European Commission

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Abstract

A European intermediary space, as we conceive it, is constituted by the communicative and participatory ties unfolding between EU institutions and intermediary societal actors of different types and levels of organization on the one hand and amongst these intermediary associations on the other. We conceptualize a top-down perspective on the interplay between institutional and societal actors and focus on the structure of an intermediary space attached to the European Commission. We are interested in the Europeanization of this intermediary space. We understand Europeanization in this context as the orientation of a growing number of organized societal actors towards the European political system and the horizontal and vertical densification of societal exchange and communication processes within the European multi-level system. We assume that institutional arrangements and instruments as implemented by the EU Commission affect these processes and interact with the resources and strategies employed by societal actors. However, the character and effects of these interactive processes will vary across policy fields depending on the nature of political conflict and societal involvement. In this paper, we will conceptualize conditions, driving forces and instruments which have stimulated the interaction between the EU Commission and a specific type of societal actors – we call them civic actors – in recent years. Having a first look into the field of European social policy we intend to identify the policy-specific mixes of instruments the EU Commission employs to include civic actors into European politics and try to assess their impact on the structure of an intermediary space attached to the EU Commission. The paper is based on the concept and first empirical impressions of a research project being prepared by Barbara Finke and Beate Kohler-Koch at the Mannheim Center for European Social Research (MZES).

1. Introduction: Why we are Interested in EU-Society Relations

During the 1990s, the European Union has intensified its efforts to include societal actors into EU politics in order “to bring the Union closer to its citizens”. This process has, amongst other things, resulted in the dominant role the EU Commission has assigned to “openness” and “partnership with civil society” in its White Paper on European Governance (Commission 2001) and other documents which discuss the future of European governance (f.e. Commission 2002).¹ In fact, the European Union, the Commission in particular, has developed princi-

¹ See http://europa.eu.int/comm/governance/docs/index_en.htm (09.01.2003) for this discussion.

ples and instruments that link a variety of societal actors ranging from business and labour interests to experts and the so-called “non-governmental organizations” (NGOs) to European politics and support transnational cooperation. Different types of societal actors, on the other hand, have directed their activities towards the European level of decision making in a growing number of Community policies and issue areas. New actors have entered the European stage and existing actors have developed “European” political strategies, pooled their resources and built networks and coalitions in order to enhance communication and participate in the European political process.

The result of this interplay between EU and societal actors is a network of cooperation and communication between EU bodies and societal associations on the one hand and amongst associations on the other. This network of interaction constitutes a multi-level intermediary space connected to the European system of multi-level governance. A multi-level intermediary space unfolds (1) between different EU institutions and intermediary associations of different types and levels of organization, (2) amongst intermediary associations at the European political level and (3) between associations directly involved in European politics and national or subnational societal actors. In contrast to the Commission, we do not refer to the term “civil society” for the analytical part of our research but to the broad concept of societal actors and their horizontal and vertical communicative ties which constitute a European intermediary space. We will reserve the normative concept of civil society to characterize an intermediary space with certain qualities (see f.e. Merkel/Lauth 1998).

An intermediary space with civil society qualities is expected to enhance the responsiveness and accountability of political authorities. The most obvious mechanism to exert control is the emergence of a European system of (sectorally segregated yet interlocking) political publics (see f.e. Eder/Trenz 2003). Therefore, we will raise the question if (and to what degree) the resulting intermediary space represents an emerging European “civil society” in the sense of a vital, pluralist and integrated societal sphere which thrives independently of the political institutions and is capable to initiate public debates and exert political control. We assume that a certain type of societal actors, namely the so-called NGOs, and their interactive and communicative ties can substantially contribute to the emergence of a European system of political publics.

In this vein, we will refer to this type of societal actors and their transnational coalitions and networks as “civic actors”. The concept of civic actor differs from the concept of interest group in its orientation towards public (rather than private) interests and the advocacy of

common causes and ideas on the one hand. On the other hand it is considered to be more adequate than the term “NGO” as these actors do not only figure as hierarchical organizations but also in the shape of fluid advocacy groups, coalitions or networks and may maintain close ties with social movements and their organizations (see Finke 2004).

Drawing on these considerations, we will particularly focus on civic actors and the quality of their interactive ties with (a) the Commission and with (b) other societal actors as we assume that the inclusion of civic actors (and the quality of their inclusion) in a European intermediary space is of particular importance for the emergence of a European civil society. In addition, as we are interested in the contribution of civic actors to the emergence of a European system of political publics, we will focus on the emergence of common issues for societal debate and of shared ideas and principles which facilitate the communication between different types of societal actors and contribute to the horizontal and vertical integration of an intermediary space and its Europeanization.

Results of this research will substantially contribute to the academic debate on a (presumed) Europeanization of political space, as we consider the orientation of a growing number of different societal actors towards the European political system and the horizontal and vertical densification of societal exchange and communication processes within the European multi-level system to be significant aspects of Europeanization. Depending on the inclusion of civic actors and the quality of their communicative ties with the Commission on the one hand and with other societal actors on the other, these effects can also support the “civil society quality” of a European intermediary space. We will not investigate the chronological dynamics of the architecture of a European intermediary space but intend to analyse two selected Community policies in a comparative perspective. Hence, we will nevertheless be able to draw conclusions concerning different conditions and driving forces which may have different (or similar) effects regarding the Europeanization of intermediary space and the emergence of sector-specific civil societies.

This paper locates our research within the relevant state of the art of European integration research (chapter 2) and outlines the conceptual framework of our project (chapter 3), particularly focussing on the role of the European Commission in our research design. The next chapter (chapter 4) gives an overview of principles and instruments the Commission has developed to involve societal actors and attempts to classify them. Finally, by having a first look into the field of social policy and the respective Directorate General of the Commission, we intend to identify the policy-specific mix of instruments which the EU Commission employs

to include civic actors into European politics and try to assess their impact on the structure of an intermediary space attached to the EU Commission (chapter 5). The paper is based on the concept and first empirical impressions of a research project being prepared by Barbara Finke and Beate Kohler-Koch at the Mannheim Center for European Social Research (MZES).

2. Locating our Project in Current Research on European Integration

The incorporation of organized interests by the EU and the lobbying activities of interest groups directed towards European bodies like the Commission and the Parliament are important aspects of a European intermediary space. Social scientists interested in the dynamics of European integration have elaborated these aspects of EU-society relations from different normative and conceptual standpoints. Interest groups lobbying the European Parliament or the management of societal interests by the Commission have been analysed in terms of democratic control, symmetry of interest representation or system efficiency. This strand of European integration research has particularly thrived since the early 1990s (Greenwood/Grote/Ronit 1992; Van Schendelen 1992; Mazey/Richardson 1993 [1998]; Eichener/Voelzkow 1994; Streeck 1995; Pedler 1994; Tiedemann 1994; Balme 2002; Eising/Kohler-Koch 2003).² At the same time, national structures of interest intermediation have been investigated in respect to their institutional fit or strategic adjustment to the European political process (Schmidt 1999; Quittkat 2003; Eising 2000; Falkner u.a. 2002). However, the corpus of social research analysing EU-society relations has focused either on private or on public interest groups and implicitly privileged the more visible and influential organization of private interests.

Even though social scientists have pointed at societal capacities to organize effectively, which vary between different types of societal interests, and at the potential bias of a resulting intermediary space (f.e. Kohler-Koch 1996), the interaction between the Commission or the Parliament and *different* types of societal interests has neither been investigated systematically in a given policy area nor has it been compared across different policy areas of the Community. The bulk of empirical research has explicitly or implicitly focused on the admission or incorporation of private interests into European politics whereas the number and visibility of studies exploring the inclusion of civic actors has remained comparatively low and concentrated on selective issue areas like environmental policies (Hey/Brendle 1994; Bär 1996) during the

² For a concise state of the art assessment see Kohler-Koch 1992, 1996 (2003).

1990s. However, with the Commission shifting its attention towards the inclusion of “civil society”, an increasing number of research projects and publications has been focussing on civic actors and their interaction with European bodies – the Commission in particular – since the late 1990s (Furtak 2001; Holzer 1999; Cram 2001; Warleigh 2001; Smismans 2003; Geyer 2001; Roose 2003; s.a. Knodt 2004).

Civic actors have been analysed as agents of political socialization (Warleigh 2001), in terms of national differences in their Europeanization (Cram 2001) or in respect to their role in the EU enlargement process (Holzer 1999). Also during the 1990s, social movement research has arranged its focus towards the European Union and analysed NGOs as social movement organizations in terms of political contention and organized protest (Kriesi et al. 1995; Marks/McAdam 1996; Rucht 1999; Imig/Tarrow 2001; 2000; 1999; Tarrow 1994). From our conceptual point of view, the results of research dealing with the constitution of a European public sphere (Eder/Hellmann/Trenz 1998; Eder/Trenz 2003; Trenz 2002) or research which investigates the networking effects of strategies and policy instruments the European Commission, the Parliament or the Economic and Social Committee (ESC) employ in order to integrate “civil society” (Smismans 2003; Geyer 2001) are particularly challenging. However, comprehensive empirical studies which investigate the European inclusion of different types of societal interests in a common conceptual framework and compare them across Community policy areas are comparatively rare (f.e. Beyers/Kerremans 2002).

We link our project to a strand of European integration research which has analysed the structure of EU-society relations in terms of an emerging European intermediary space (Kohler-Koch 1996; Eising/Kohler-Koch 1995; Kohler-Koch/Quittkat 1999; see the contributions in Kohler-Koch 1998; Knodt 1998). We intend to reveal the architecture of a multi-level intermediary space which is connected to the European Commission and hope to explain the driving forces and effects of its (supposed) Europeanization. We understand Europeanization in this context as the orientation of a growing number of (previously not included) societal actors towards the European political system and the horizontal and vertical densification of societal exchange and communication processes within the European multi-level system. Apart from (a) an analytical evaluation of the conditions and driving forces of this kind of Europeanization and (b) the empirical assessment of the shape and density of the resulting European intermediary space we want (c) to discuss its likely contribution to legitimate European governance. Considering the emergence of a European civil society as a crucial prerequisite of a legitimate European order, we will discuss if the structures of an emerging Euro-

pean intermediary space contains features of a European *civil society*.

Different from most current research, we will cover all types of societal interests present at the European level of politics. However, we will pay particular attention to the presence, integration, and organizational landscape of civic actors, namely NGOs and their networks, for two reasons: Firstly, because they are underrepresented in research and, secondly, because they are considered to be of particular importance for the emergence of a European civil society and the legitimacy of European governance. To continue this normative line of reasoning, we will also have a closer look at the direct or indirect³ interaction of subnational (regional or even local) societal groups with the European Commission. In terms of the horizontal aspect of integration, we will pay attention to national patterns of societal engagement at the European level and to societal interaction, communication and co-operation across sectoral boundaries. The dimensions of political space we are hence interested in are (1) the type of societal actors at the European political level and the quality of their communicative ties with the Commission, (2) the horizontal (transnational and trans-sectoral) ties amongst societal actors of the same and of different types, and (3) the vertical ties between actors at the European level and national, subnational or local actors.

3. Conceptualizing the Role of the European Commission

The existence of a vital, pluralist and independent European intermediary space which is linked to the Commission cannot replace the parliamentarization of European politics, but can – as we argue – considerably support legitimate governance in the European Union (for a discussion see Benz 1998; Lord/Beetham 2001). The inclusion of civic actors, the quality of their interaction with the Commission and the quality of their integration (in terms of centrality, density of horizontal and vertical ties etc.) in a European intermediary space are particularly important from this point of view. Due to its exclusive right to initiate European policy making, its comparatively narrow base of resources and the necessity to elicit consensual political solutions, the Commission has traditionally sought to involve societal experts and interests and policy instruments into its policy making (f.e. Roose 2003: 121). Hence, the identification of principles and instruments the European Commission employs in order to integrate societal actors will serve as starting point for our research on the emergence and structure of a European intermediary space.

³ Indirect interaction of subnational actors with the Commission substantiates f.e. via national umbrella associations.

We refer to the idea of a sector-specific interplay between institutional structures as provided by the European Commission and societal actors from different national, ideational and sectoral backgrounds, with different material and ideational resources and of different types and levels of organization. In accordance with a reflexive institutionalist approach, we assume that institutions do not only offer resources and organizational structures which channel political communication and participation. They also provide, often in combination with these material components of structure, systems of meaning like guiding principles of legitimacy and efficiency, norms of appropriate behaviour and cognitive ideas (Kohler-Koch 1998; Knodt 1998; see also March/Olsen f.e. 1984) which we consider to be important aspects of the institutional *opportunity structure* provided by the EU Commission.

These material and ideational factors of institutional structure incorporate more or less coherent institutional interests. The frequently suggested interest of the Commission to strengthen its position vis-à-vis the Parliament by the inclusion of societal actors and the support of “civil society” may considerably vary across different policy fields or Directorate Generals (DGs) of the Commission. Societal agency, on the other hand, does not only command resources and react to material offers or constraints, it is also guided by different ideas, principles and norms which match (or mis-match) with institutional structures and which can (or cannot) be adapted to or transcend institutional provisions. These societal conditions can be subsumed under the concept of societal *mobilizing structures* which social movement research has juxtaposed to the concept of (institutional) opportunity structures in order to define the conditions societal actors draw on to organize and implement collective political action (f.e. McAdam/McCarthy/Zald 1996).

Existing research has highlighted aspects of this interaction between institutional provisions at the European level and societal agency which we draw on to focus our research and to develop more detailed research questions: As a study on environmental politics has shown for the early 1990s, civic actors involved at the European level of politics have predominantly been elite organizations with an international prospectus like the World Wildlife Fund (WWF) or Greenpeace which have operated unilaterally and rather detached from the concerns of potential societal addressees (Hey/Brendle 1994). Recent research on the professionalization of civic engagement in the transnational sphere – European as well as global (Finke 2004; Lahusen/Jauß 2001) – can be located in a similar vein and will shift our attention (a) to the type of societal association interacting with the Commission as well as (b) to the vertical dimension of a European intermediary space and the interaction between elite organizations

and national or subnational associations within member states.

Concerning the national dimension of a European intermediary space, research on European interest intermediation as well as on civic mobilization suggests that it is easier for societal actors from certain member states to access the European political system and to adapt to European institutional structures than for others depending on levels of socio-economic development and on national political systems and styles of political communication (Kohler-Koch/Quittkat 1999; van Deth/Elff 2001; Cram 2001; Wasner 2003). Assuming that national political systems, cultures and styles are important factors which must be held responsible for potential biases of societal interest representation in a European intermediary space, we will focus on national patterns of societal engagement at the European level and pay particular attention to the inclusion and position of societal actors from the new Eastern member states within a European intermediary space.

Another aspect of societal engagement which has sporadically been addressed by recent research on European integration is the horizontal (intra- and cross-sectoral) interaction of different societal actors at the European political level and the impact policy instruments of the Commission have on this horizontal integration of a European intermediary space (f.e. Geyer 2001). In this context, we will (a) investigate the impact new information and communication technologies (ICTs), namely Email and Internet, have on the emergence, structure and quality of a European intermediary space (see f.e. Winkler/Aichholzer 2003) and we are (b) interested in ideas, principles and issues which facilitate intra- and/or cross-sectoral communication or cooperation amongst societal actors (Geyer 2001; compare Finke 2004). However, we assume that the relevance of all these factors which can influence EU-society relations vary across (or even within) policy fields depending on the nature of political conflict and societal involvement.

Drawing on these considerations, we assume that the general institutional offers and provisions of the European Commission, as embodied in ideas, guiding principles and norms of behaviour, and their policy-specific interpretation, as embodied in channels of communication or financial resources provided by a specific GD, affect the architecture of a sectoral intermediary space. These institutional structures match or mis-match with ideas, principles and interests of societal actors. Societal actors, on their part, have varying capabilities (material and ideational) to adapt, exploit or transcend existing institutional structures. This policy-specific interplay between institutional structures and societal agency will generate the overall architecture of an intermediary space that is linked to EU policy making. We intend to compare

two European policy fields in terms of the following research questions:

- Which principles and instruments has the Commission developed to govern relations with different societal actors?
- What type of societal actors is engaged and what is the quality of their interaction with the Commission?
- Which national patterns of societal involvement can be detected?
- Do national or international elite organizations establish vertical ties with societal associations at the subnational level of European politics?
- Which ad-hoc coalitions or long term networking structures exist amongst civic actors (a) within a policy field and (b) across sectors?
- Which interaction between civic actors and other types of societal interests, namely business or labour associations, can be detected?
- Which ideas, principles and issues (or events) have the potential to integrate a European political space?

In this initial stage of our research, we have concentrated on the first two research questions which address the guiding principles and instruments the EU Commission has developed over time to involve different types of societal actors into its policy making. According to our research interest, we have particularly focussed on the inclusion of civic actors and the Commission's growing interest in "civil society involvement". We will address these issues in the following chapter before we have a first look into the application and effects of these instruments in a Community policy fields which has traditionally been comparatively open to societal actors but nevertheless displays certain constraints: employment and social affairs.

4. Guiding Principles and Instruments of the European Commission

Stimulated by the succession of the Internal Market and the Maastricht Treaty, new actors have been attracted to European decision-making processes within a growing number of Community policies and new opportunities for societal participation have been provided by EU institutions during the 1990s (see Nentwich 1996; Finke/Jung/Kohler-Koch 2003). The Commission has traditionally maintained close communicative and participatory ties with economic experts and private interest groups (Kohler-Koch/Eising 1999; Mazey/Richardson 1993 [1998]). This is particularly true for those DGs of the Commission which deal with the well established core policies of the EEC. However, facing an increasingly intense debate – political as well as academic – on a European legitimacy deficit during the 1990s, the Commission has developed channels for communication and funding programs which particularly

address civic actors – being labelled by the Commission as NGOs – and increasingly also aim at the inclusion of individual citizens.

Actor-oriented instruments of this kind are connected to a set of new guiding principles which aim at the improvement of the democratic legitimacy of European politics. These principles have entered the EU's discourse on good governance since the mid-1990s. Such has the Turin European Council (1996) emphasized "to bring the Union closer to its citizens". The White Paper on European Governance which the Commission published in 2001 was the most comprehensive reaction to this debate and contains a set of principles aiming at democratic and efficient European governance. "Openness" and "participation" through the enhancement and involvement of a European "civil society" are the principles guiding the Commission's proposals to enhance the democratic legitimacy as well as the efficiency of European governance. However, the Commission's understanding of civil society and NGO partnership as exposed in the White Paper is rather instrumental and reveals a narrow, output-oriented concept of legitimate governance.⁴

Guiding principles of efficient and legitimate governance as laid down in the White Paper on European Governance by the Commission are more formally embodied in instruments which govern the involvement of societal actors. Drawing on the logics of different stages of European integration on the one hand and on the emerging debate on legitimacy on the other, we have identified three generations of instruments the Commission employs to govern its relations with societal actors (see Finke/Jung/Kohler-Koch 2003; see also Bignami 2003 for a similar attempt). Instruments which have been developed in different stages of the European integration process are guided by different ideas and principles. Yet, they co-exist side by side and establish a time- and policy-specific mix of instruments.

A first generation of instruments was established in the context of European economic integration. This generation was dominated by ideas of output legitimacy and efficiency and aimed at the involvement of economic experts and powerful business actors whose consent was perceived a necessary prerequisite for the efficient implementation of Community policies. At the same time, the Commission perceives the inclusion of experts and "stakeholders" to increase the deliberative quality of policy formulation. These instruments can be charac-

⁴ An instance for this instrumental use of "civil society" is the broad range of actors the Commission includes in its concept of civil society: "Civil society" as defined in the White Paper does not only include NGOs, the churches and labour unions but also business interests and individual companies (Commission 2001). For a critical academic debate of the Commission's White Paper on European Governance see f.e. Kohler-Koch 2001; Eriksen 2001.

terized as rather intense yet informal, irregular and adhoc types of dialogue addressing a comparatively selective circle of societal actors. They include bilateral contacts, multi-lateral meetings and issue-oriented hearings with experts and stakeholders. In 1992, the Commission has appreciated this type of dialogue as “valuable to both the Commission and to interested outside parties” (Commission 1992).

A second generation maintains the existing instruments for societal involvement but they are increasingly institutionalized and opened to civic actors, namely NGOs in fields like human rights and women’s rights, environment and consumer’s concerns. The structuring and opening of dialog were guiding the transition from a first to a second generation of instruments for societal involvement. Facing increasingly critical stances in the member states’ populations which became obvious with the failure of the Maastricht Referendum in Denmark, the Commission was no longer exclusively focussing on the factual quality of its policy proposals but became concerned with a broader public acceptance of EU politics in the member states. This concern was not only reflected in the opening of the dialog for civic actors, but also in the implementation of funding programmes for civic actors which were also meant to stimulate European-wide networking initiatives amongst civic actors. Societal actors were encouraged to adhere to an informal “code of conduct” and the Commission implemented a database (CONNECCS) which registers societal associations engaged in European politics. All these measures and instruments were tended to enhance the openness and transparency of societal involvement.

A third generation of instruments was developed in the context of the Commission’s White Paper on European Governance and gives the already discernable trend towards more openness and transparency a new momentum. “Civil society” became the new addressee of the Commission in order to bring the Union closer to its citizens and establish a civic dialog which does not only include organized civic actors, namely NGOs, but also the individual citizen. “Participatory democracy” – to into practice through partnership with “civil society” became a model to enhance the democratic legitimacy of European politics (compare European Convention, art. I-45 and I-46). This new trend is associated with the accession of the Prodi Commission in 1999 which had to deal with a general sense of crisis after the resignation of the Santer Commission which had additionally fuelled the debate on the legitimacy deficit of the EU. The concern to bring the Union closer to its citizens was taken seriously and the Commission has made an effort not only to enhance the access to EU information and documents but also to include a wide range of European, national and local societal groups

and individuals into its policy making through the newly established “online consultations”.

This attempt to classify three generations of involvement instruments cannot be a complete inventory. However, the classification and the identification of underlying ideas and principles of legitimate and efficient governance can give us a clue to classify further instruments and to assess the effects these instruments may have on the structure and quality of the European intermediary space or – rather – on the system of policy-specific spaces which are attached to the European Commission and to its different DGs respectively.

5. Societal Actors in the European Commission: the Case of Social Policy

The interpretation, application and structural effects of institutional principles and instruments as identified in the last chapter for the Commission may considerably vary across Community policies. NGO participation and partnership, for example, may not be considered effective and appropriate in DGs concerned with sectors with strong and well established juridical structures (like the DG Competition) whereas they thrive in sectors with a weak standing within the Community (like Employment and Social Affairs). At the same time, the societal mobilizing structures which comprehend in our perception the types of societal actors engaged in EU politics, their respective resources and capabilities as well as the spread of common ideas, principles and norms within the societal realm can differ considerably across policy fields. Hence, we assume that even the same instruments of societal involvement can have different effects in different sectors of a European intermediary space. Drawing on these considerations, we will have a closer look into the field of social policy.

Social Policy is a field with a long but comparatively weak standing within the European Community and the Commission respectively and we assume that the DG “Employment and Social Affairs” (formerly DG 5) has a strong institutional interest in the inclusion of societal actors to strengthen its position within the Commission. At the same time, social policy is characterized by a well established European-wide organization of business and labour interests on the one hand and a fragmented plurality of civic actors on the other (from church and welfare organizations, women’s and youth’ organizations to public health organizations). We expect the policy-specific opportunity structures as well as the mobilising structures to be comparatively favourable for the emergence of a European intermediary space with civil society qualities. However, other than policy sectors such as environment and development whose transnational mobilising structures are characterized by large elite NGOs with an international

prospectus, civic organizations in the field of social policy have – in most instances – a more narrow, national or even local focus which might hamper their adaptation to European opportunity structures.

European social policy was already mentioned in the EEC Treaty of 1957 but became vitalized only in the 1970s when the Paris Council of 1972 acknowledged that European economic integration must be attended by social welfare and decided to establish a dialogue with the European social partners. However, this social dialogue was put on hold until it was animated by the new Delors Commission in 1985 which organized a meeting (“Val Duchesse Meeting”) with the European social partners to discuss the social dimension of the internal market. One of the results was the official mandate to develop and institutionalize a European social dialogue which was conferred upon the Commission by the Single European Act in 1987.

Social policy gained considerably in importance with the Maastricht Treaty of 1992 which assigned new competences to the Community in the field. This trend was accompanied by an institutionalization of the social dialogue: Since then, the Commission has been obliged to hear the social partners twice during the process of formulating a policy proposal. This procedure includes the possibility that the social partners negotiate their own “private” policy proposal to be submitted to the Council and replace the policy initiative of the Commission. The institutionalization of the social dialogue was supplemented in 1993 by a catalogue of criteria the Commission perceives as necessary preconditions for an effective representation of business and labour interests on a European scale (see Knodt 2004 forthcoming).

This stage of European integration had focussed on the completion of the internal market and was characterized by first generation involvement instruments on the part of the Commission: A rather small circle of private actors being discerned as representatives of the relevant economic stakeholders is involved in an increasingly formalized dialogue which is primarily oriented towards effectiveness. The actors involved are UNICE (Union of Industrial and Employers’ Federations in Europe) and CEEP (European Centre of Enterprises with Public Participation and Enterprises of General Economic Interest) on the one side and the European Trade Union Conference (ETUC) on the other. The dialogue between these social partners and the Commission has entered the second generation of involvement instruments (as explained in the last chapter) in 1992 when it became formally institutionalized in the surroundings of the Maastricht Treaty.

Other than in policy sector such as environment and development in which the Commission

had established contacts with civic actors before the 1990s, the Directorate General (DG) responsible for social policy (then DG V) did not launch an initiative for a “civil dialogue” before 1996. In dealing with issues such as gender, youth, social exclusion, disability and racism, the DG V sought to establish contacts with civic actors which played a more important role in these issues than the social partners. Stijn Smismans emphasizes that the DG V’s endeavour to build a supportive network of civic organizations was also a reaction to a more general policy shift in the 1990s from regulatory to persuasive intervention. Civil dialogue was considered as “an issue that DG V could focus on without being seen as too intrusive in the member states’ social policy prerogatives” (Smismans 2003: 475-476). At the same time, civil dialogue was regarded by DG V as a means to “foster a sense of solidarity and of citizenship, and provide the essential underpinnings of our democracy”.⁵

One of the initiatives DG V established together with the European Parliament’s Committee of Social and Employment Affairs was the *European Social Policy Forum* which was held for the first time in March 1996 and gathered more than 1000 participants, mainly from civic organizations but also included representatives of the social partners. The Forum which is perceived as a broad consultation instrument on the general direction of EU social policy has since been organized every 2 years. On the part of the NGOs, the preparation of the Forum has led to the establishment of the *Platform of European Social NGOs* as a loose yet permanent framework for cooperation and interaction with EU institutions. The Platform has since become the privileged consultation addressee of the Commission (see Smismans 2003; Geyer 2001). The establishment of a civil dialogue in general and of the European Social Forum in particular can be classified as an innovative second generation involvement instrument which has not only broadened the circle of actors with access to the Commission. As it has spawned the Platform of European Social NGOs, it has also had obvious effects on the Europeanization of societal mobilising structures in the sector of social policy.

Another instrument which has attracted civic actors to European policy making is the Commission’s *funding* policy. Funding has been provided by the Commission for the establishment of European-wide networks or umbrella organizations but has been rather selective and random. While a few organizations such as the European Women’s Lobby (EWL) and the European Youth Forum (EYF) have already received funding since the 1980s, most European-wide organizations in the field of social policy have been founded and received funding

⁵ Commission Communication on “Promoting the Role of Voluntary Organisations and Foundations in Europe”, COM (97) 241 final, 6 June 1997, drafted by DG V and DG XXIII, as quoted by Smismans 2003: 476.

after the Maastricht Treaty of 1992, which had stressed the importance of cooperation with “charitable associations and foundations as institutions responsible for social welfare establishments and services”.⁶ Whereas the EWL and the EYF have so-called “A-budget lines” and receive funds for their daily work on a regular basis, most civic actors being funded by the Commission receive a combination of B-budget line funding and project based funding which is rather unstable and hampers long-term planning on the part of the NGOs (Geyer 2001: 483). Funding of European NGOs by the Commission does include new societal actors (other than the social partners) into the field of social policy. However, as it lacks a base in the treaties and an overall coherent strategy or justification on the part of the Commission, we classify funding of European social NGOs between the first and second generation of the Commission’s involvement strategies.

The funding strategies of the Commission have had ambiguous effects on the structure and integration of the intermediary space attached to the Commission. Very generally spoken, has the financial support of European-wide networks and umbrella organizations like the EWL contributed to the vertical integration of a European intermediary space as they establish vertical links across the European multi-level system. However, in respect to the horizontal (intra- and trans-sectoral integration) of a European intermediary space, the selective and unstable funding of social NGOs by the Commission has spawned a competitive attitude amongst civic actors and hampered their intra-sectoral cooperation. A funding crisis which unfolded in 1998 when the Commission – following a ruling of the European Court of Justice – launched a review of NGO budgeting and froze all (more than 100) budget lines for NGOs has on the other hand had converse effects on the intra- and trans-sectoral cooperation of social NGOs. Cooperation amongst different social NGOs intensified and new alliances were forged with development and human rights NGOs in order to counter the Commission and mobilize public support for the cause of the NGOs (Geyer 2001: 483-485). Thus, the financial crisis contributed to the horizontal integration of the European intermediary space by supporting the flow of arguments and producing public resonance. These are important functions of an intermediary space with civil society qualities from the conceptual view of our project.

The *online consultations* which the Commission has introduced in the context of its White Paper on European Governance and which we have classified at the core of a third generation of policy instruments taking the objective to “bring the Union closer to its citizens” seriously should be mentioned here for the sake of completeness although the instrument and its effects

⁶ Maastricht Treaty, Declaration 23, as quoted by Geyer 2001: 483.

will not be discussed here in detail. A current example of an online consultation in the sector of social policy is the public consultation on the Commission's Green Paper on "Equality and non-discrimination in an enlarged European Union" which was just recently launched. The public consultation has begun on June 1, 2004 and ends on August 31, 2004.⁷ Online statements of groups and individuals will be accessible via Internet after the end of the consultation. They will be an interesting source for our conceptual analysis in terms of number of statements, type and national origin of actors giving a statement etc. Of course, important insights can only be gained if this analysis is put into a comparative perspective with other policy fields. The same holds true for the analysis of the European Commission's principles and instruments which have been detailed for social policy in this chapter.

6. Conclusive Remark

A first view into the more general principles and instruments the Commission has developed to involve societal actors into its policy making and the first empirical insights in the sector of social policy as conducted in this paper give an impression of the policy-specific driving forces which determine EU-society relations and the effects they can have on the structure and integration of a European intermediary space. More comprehensive insights will be gained from the comparison with other policy fields such as environment, development or trade which show difference (or similarities) in respect to the interplay between societal forces on the one hand and institutional structures on the other.

⁷ At www.europa.eu.int/comm/employment_social/fundamental_rights/greenpaper_en.htm.

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