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REPRESENTATIVES OR EXPERTS?
CIVIL SOCIETY ORGANIZATIONS
IN THE EU'S EXTERNAL RELATIONS

MEIKE RODEKAMP

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Representatives or Experts? Civil Society Organizations in the EU's External Relations

ABSTRACT

It is often claimed that the participation of Civil Society Organizations (CSOs) can mitigate the democratic deficit of the European Union. This claim rests on the assumption that civil society organizations channel citizens' concerns to the European institutions, a view which is also shared by the European Commission. But whom do Brussels-based CSOs actually represent? Some have accused Brussels CSOs of being elitist and detached from their membership bases, but not much evidence has been provided by either these critics or by the CSO sympathizers. This paper contributes to filling this knowledge gap by exploring the geographical representativeness of EU CSOs and the extent to which they involve their members in organizational activities and decision-making. CSOs in European Trade Policy (ETP) and in European Security and Defence Policy (ESDP) serve as case studies. It is assumed that the different political opportunity structures in these policy fields, namely the Commission's demand for geographical representativeness and member representation in ETP and the Council's interest in CSOs' knowledge and expertise in ESDP, are also reflected in the organizational structures of CSOs. The results confirm this hypothesis with regard to the geographical outreach of the organizations interviewed, but not with regard to the ways CSOs involve their members. CSOs in External Trade Policy have member organizations in a large number of European countries while many CSOs in ESDP lack a membership base. However, the member-based organizations of both policy fields involve their members in strategic decision-making and in diverse organizational activities and they communicate frequently with them. Evidence for a detachment of CSO secretariats in Brussels from their membership bases is scarce in the CSOs subject to this study.

CONTENTS

1	INTRODUCTION	1
2	THE PARTICIPATION OF ORGANIZED CIVIL SOCIETY	2
2.1	The democratizing functions of CSOs	3
2.2	The intermediary role of CSOs	4
2.3	CSOs as agents of democratization in the EU? – critical voices.....	4
3	THE INSTITUTIONAL PERSPECTIVE: THE EUROPEAN COMMISSION, THE COUNCIL AND CSO PARTICIPATION	6
3.1	CSO representativeness.....	8
4	ANALYSING CSO STRUCTURES AND COMMUNICATION CHANNELS.....	10
5	RESEARCH STRATEGY AND CASE SELECTION	12
5.1	Selection of policy fields.....	12
5.2	Selection of CSOs and methods.....	14
6	RESULTS.....	16
6.1	Organizational type and membership structure.....	17
6.1.1	CSOs in European Trade Policy.....	17
6.1.2	CSOs in European Security and Defence Policy.....	20
6.1.3	Summary	24
6.2	Member participation.....	25
6.2.1	CSOs in European Trade Policy.....	26
6.2.2	CSOs in European Security and Defence Policy.....	28
6.2.3	Summary	30
7	CONCLUSION	30
	REFERENCES.....	32
	ANNEX 1: OVERVIEW OF CIVIL SOCIETY ORGANIZATIONS	38
	ANNEX 2: RATIOS MEMBER ORGANIZATIONS-STAFF NUMBER	39
	BIOGRAPHICAL NOTE	40

Representatives or Experts? Civil society organizations in the EU's external relations

1 INTRODUCTION

Civil Society Organizations (CSOs) have become important actors on the international political stage. Their numbers have increased considerably over the last twenty years and they have gained an ever more important role in European and international governance. International organizations have opened up to CSOs and improved the access for CSOs to decision-making processes by inviting them to participate in public hearings and consultations (Martens 2005; Steffek 2007; Tallberg 2008). CSOs are no longer seen only as opponents by governments and international organizations but have come to be seen as partners in policy-making. This is also true for the EU institutions, which have developed close relations with civil society organizations. Members of the European Parliament meet regularly with representatives of civil society. Different Directorates-General of the Commission have established frequent contacts with civil society organizations in recent years, sometimes even on an institutionalized basis. This new trend is due to several democratizing functions associated with civil society organizations. The participation of CSOs, it is argued, will enhance accountability and transparency of international policy-making. CSOs can promote equality and plurality by giving voice to those otherwise unheard. They provide valuable expertise and knowledge to improve the quality of European governance and finally, they are said to channel interests and concerns present in the European citizenry to decision-makers in the EU institutions. In this paper, the focus will be on the latter function. Some scholars have expressed doubt that CSOs can actually take on this intermediary role. CSOs, so the critics, have become professionalized and detached from their membership. They tend to prioritize efficiency over member involvement. The question has been raised of how groups that are themselves not organized democratically can possibly contribute to strengthening democracy. Some of the sceptics have engaged in the development of criteria for the democratic governance of CSOs (e.g. Steffek et al. 2010a; Uhlin 2009a; Wiercx 2009) or simply called for a better structuring and more representativeness of these groups. Among those who see CSOs as a panacea and those who question their capacity to act as intermediaries between citizens and the political institutions very few have presented empirical results to prove their respective point. How representative are CSOs really and to what extent do they reflect the interests and concerns of their members? This paper contributes to filling this knowledge gap and provides an empirical account of CSOs' actual performance as a link between civil society and the EU institutions. In an explorative study, it examines the territorial representativeness of EU CSOs

and the extent to which they involve their members in organizational activities and decision-making.

2 THE PARTICIPATION OF ORGANIZED CIVIL SOCIETY

Most authors refer to the involvement of *organized* civil society when discussing civil society participation in the EU. Note should be taken that the European institutions also engage in other forms of civil society involvement targeted at individual citizens. The citizens' initiative is a case in point (Consolidated Version of the Treaty on European Union, Art. 11.4)¹ Also, different Directorates-General of the European Commission engage in launching online consultations, where participation is not always limited to organized civil society but open to lay people as well (cf. Ferretti and Lener 2008; Quittkat 2009). Other forms of direct citizen engagement include European Citizens' Conferences (Boussaguet and Dehousse 2008) or online forums (Wright 2007). However, this paper focuses on the most common form of civil society participation in the EU, i.e. the involvement of civil society organizations, which Habermas has called the "institutional core" (Habermas 1996:367) of civil society.

The term "civil society organization" is applied here as opposed to other denominations, such as interest or lobby groups or non-governmental organizations, to account for the wide variety of non-state actors active at the European Union. While the term interest and lobby group is often associated with the representation of the special interests of professional or business associations, the term non-governmental organization is usually applied to organizations acting in the public interest and for the common good.² Civil society organization in this paper denotes a non-governmental, non-profit organization that has a clearly stated purpose, legal personality, and pursues its goals through political advocacy and in non-violent ways (cf. Steffek et al. 2010b). This comprises "classical" non-governmental organizations, but also the social partners (i.e. labour and employers associations), consumer associations, charities, and religious groups. It is also appropriate and useful to apply this broad definition because it is used by the Directorate-General External Trade in the European Commission for the organizations involved in its "Civil Society Dialogue" and the organizations participating in this dia-

¹ Article 11.4 reads: "Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties." (Consolidated Version of the Treaty on European Union)

² Organizations defending "public goods" pursue goals which by their nature benefit others, beyond the organization's members (Graziano 1996:308).

logue will be in the centre of this analysis. In the terminology used by DG Trade, the whole range of groups mentioned above is included under the heading of “civil society organizations”.³

2.1 The democratizing functions of CSOs

There is not just one but there are several ways in which CSOs are said to bolster democratic governance. The following democratising functions of CSOs are mentioned most frequently in the literature (see e.g. Collingwood and Logister 2005:181; Fung 2003; Kohler-Koch et al. 2008; Uhlin 2009b; Warren 2001). CSOs

- take up interests and concerns present within the citizenry and feed them into the policy-making process, thereby contributing to the input legitimacy of EU policy-making,
- improve the quality of governance by providing expertise and knowledge, thereby contributing to the output legitimacy of European governance,
- enhance political accountability (e.g. by making decision-making more transparent) and limit state power (e.g. by providing resistance against an oppressive regime),
- act as schools of democracy by fostering civic virtues and political skills (Tocqueville 1998).

In this paper the first function mentioned above is under scrutiny. The question is whether CSOs actually take up views from the citizenry to transmit them to decision-makers in the EU, thereby ensuring that governance is not only *for* but also *by* the people and thus contributing to the EU’s input legitimacy. According to Scharpf, democracy is a two-dimensional concept, relating to the inputs and the outputs of the political system. On the input side it is required that political choices be derived, “directly or indirectly, from the *authentic preferences* of citizens” while on the output side the effectiveness of political decisions must be ensured (Scharpf 1997:19, emphasis in original). The possible contribution of CSOs to input legitimacy is not considered to be more important than the other functions. However, it is one that features very prominently in the recent discourse and it is often implicitly assumed that CSOs actually fulfil it. It should be noted that although the focus in this paper is on this specific function, it is closely interlinked with the others listed above. If CSOs manage to reach out to their constituencies this also strengthens their potential to fulfil the other democratising functions mentioned above.

³ See http://trade.ec.europa.eu/civilsoc/csd_proc.cfm

2.2 The intermediary role of CSOs

The idea that civil society organizations channel citizens' interests and concerns to decision-makers in international organizations has also been called the "transmission belt" thesis (Steffek and Nanz 2008:8). In this view, CSOs function as intermediaries between citizens and government by transmitting their members' needs and preferences to the political institutions (Fung 2003:523): "CSOs can give voice to citizens' concerns and channel them into policy processes that are dominated by diplomats and other government officials" (Nanz and Steffek 2005:371).⁴ CSOs "breach [sic] the knowledge and interest gap that exists between the great majority of citizens and the practitioners of EU politics" (Warleigh 2006:68) and can help "to create a general perception of the common good" through their participation in public information and communication processes (De Schutter 2002:202). CSOs are seen as an important complement to the territorially fragmented interest representation through government representatives (Nanz and Steffek 2007:94; Warren 2001:83). They can organize interests detached from territorial boundaries and "so may introduce geographically dispersed interests that would be otherwise politically mute" (Fung 2003:523). They can channel citizens' interests and concerns directly to international decision-makers by circumventing the national level (Nanz and Steffek 2007:94).⁵

Authors defending the transmission belt thesis are interested in the contribution of CSOs to the input legitimacy of the EU. From an output-oriented perspective, it would not matter where arguments originate as long as they increase the knowledge base and expertise and thus lead to better policy-making. In this view, CSO positions do not have to reflect citizens' views and organizations representing interests detached from citizens could also make a valuable contribution. However, this is not the position taken in most of the literature dealing with CSOs as legitimizing agents (cf. Finke 2007:10), which this paper aims to address.

2.3 CSOs as agents of democratization in the EU? – critical voices

The emphasis on the democratic potential of CSOs in the academic as well as practical discourse has also brought critical voices to the fore. A number of scholars are rather

⁴ The "transmission belt" functions in two directions: Besides channelling concerns from civil society upward, CSOs also reach back down into the citizenry and channel political decisions from the institutions downward.

⁵ Usually, civil society participation is thought to complement and not replace elements of representative democracy at the European level (see e.g. De Schutter 2002:202; Magnette 2003:13). But while the Lisbon Treaty restates representative democracy as the principle upon which the European Union shall be founded, it mentions participatory mechanisms to exist alongside it (Consolidated Version of the Treaty on European Union, Art. 10.1 and 11).

sceptical of CSOs' democratic contribution. Two main lines of criticism can be distinguished, one taking issue with the EU's concept of "participatory governance" and the other one addressing CSOs and their capacity to link up with the wider citizenry.

Those taking issue with the European Commission's ideas of civil society participation mostly react to the apparent lack of clarity in the Commission's conception of civil society's role. They deplore that the White Paper still focuses too much on efficiency and hence output legitimacy as opposed to authentic participation by EU citizens and input legitimacy. The conditions for the latter are not met, so they claim; the EU's participatory regime is ill-conceived and the Commission misconceives the nature of civil society (Tsakatika 2005; Magnette 2001; Smismans 2003; Greven 2007; Eriksen 2001; Zittel 2008; Peeters 2003; Friedrich 2008:82).

Other scholars put a critical eye on CSOs themselves. They claim that CSOs are not democratically structured, that, in line with Robert Michels' iron law of oligarchy, they have professionalized and become detached from their base of members or supporters, or that they are prioritizing efficiency over member access (see Halpin 2006:920 for an overview). De Schutter argues that "[i]f the implication of the civil society [...] in the future is to become a reality, its organizations need to be better structured [...]" (2002:209). Peeters focuses on NGO consortia⁶ in Brussels and claims that "In practice [...], consortia must react rapidly to EU policy, not leaving enough time for proper [member] consultation. This situation gives consortia staff members – often just a handful of people based in Brussels, a lot of leeway in decision-making and disproportionate power and influence." (Peeters 2003:12). Others question the role of CSOs as agents of input legitimacy: "Faced with tough competition to gain voice and ear-time, the focus is on professionalization and strategic action and not so much on furthering the communicative links between the representatives in Brussels and their home base." Consequently, CSOs "may contribute to good governance *for* the people but will hardly be a valid indicator for good governance *by* the people." (Edler-Wollstein and Kohler-Koch 2008:204-5, emphasis in original). This paper engages with this latter criticism directed towards CSOs, and investigates to what extent the accusations are justified.

It is not suggested here that internal democracy is a necessary condition for CSOs to contribute to more democratic governance.⁷ To the contrary, it is acknowledged that

⁶ In the last decade, NGOs have organized themselves in consortia, such as the Green 10 for environmental NGOs or the Social Platform for NGOs working on social policy. The consortia assemble the leading NGOs and NGO federations working in a specific policy field (cf. Peeters 2003).

⁷ It should be noted that the question of internal democracy for associations was already debated in Germany in the 1970s. A proposed law to regulate the inner-organizational structures of associations was rejected in Germany in the 1970s. It was perceived to lead to a "juridification of the remaining pluralistic leeway in the political system"

CSOs can also make a contribution to output legitimacy by means of their expertise or as watchdogs of good governance.⁸ However, it is assumed that in order to fulfil a specific democratising function, namely a contribution to input legitimacy, CSOs have to be able to reach down into the citizenry and channel concerns and interests upward. Therefore, when wanting to find out whether civil society organizations can have this specific role, the internal governance of CSOs has to be in the focus.

3 THE INSTITUTIONAL PERSPECTIVE: THE EUROPEAN COMMISSION, THE COUNCIL AND CSO PARTICIPATION

The claim that civil society organizations can act as intermediaries between citizens and the decision-makers of the European Union has not only been put forward in the academic literature; it is also shared by practitioners, not least by the European institutions themselves. The European Commission is the body of the EU that has been most active in promoting “participatory engineering”(Zittel 2008).⁹ As the motor of EU integration and as the body that lacks a territorial base of voters it has not only been interested in using civil society as the key to administrative reform, but also as a source of legitimacy for its institutional bureaucracy and the European system as a whole (Smismans 2005:106). In reaction to the intensifying debate about the democratic deficit of the European institutions, the European Commission started to enhance its dialogue with civil society organizations after the adoption of the Maastricht Treaty in 1992, at a time when the “permissive consensus” about further European integration started to corrode.

(von Alemann and Heinze 1981:117, translation by author). The law, which had been promoted by liberal and conservative forces, was also not approved because it was perceived to be one-sided and targeted at the weakening of trade unions, which would have more difficulty in complying with the law (Offe 1981).

⁸ Halpin (2006) proposes to distinguish between representation (He uses the term “representation” to refer to what is here more narrowly called “representativeness”) and solidarity as concepts for CSOs, depending on the type of constituency a group advocates for. He points out that different kinds of CSOs exist and representation is not a relevant concept for all of them. While some do not have members at all whom they could represent, others do have affiliates but do not claim to represent them (Halpin 2006:921-22). Greenwood (2010) also stresses that there are certain kinds of CSOs, such as single-issue organizations, advocacy groups, and think tanks, that do not have members or representative structures but nevertheless provide valuable input. These might contribute to democratic governance through their expertise and knowledge or by acting as watchdogs (see also Obradovic 2009:9).

⁹ “Participatory engineering” has been defined as “the purposeful attempt of political institutions to activate citizens’ political participation by either addressing citizens directly or indirectly through associations that represent citizens’ interests.” (Edler-Wollstein and Kohler-Koch 2008:198).

It broadened the circle of organizations to be consulted from special interest groups directly affected by common market policies to associations in fields such as social policy and migration (Smismans 2003; Kohler-Koch and Finke 2007). In the Commission's Communication on the promotion of voluntary organizations in Europe (European Commission 1997), the importance of CSOs for European governance is recognized, but a role for them in legitimizing European governance is not yet spelled out (Smismans 2003:477). The Discussion Paper on non-governmental organizations published by the Commission in 2000 then acknowledges the contribution CSOs¹⁰ can make to legitimate European governance. It names different democratizing functions of CSOs and clearly includes a view of CSOs as providers of input legitimacy. The paper argues that although the decision-making process in the EU is "first and foremost legitimised by the elected representatives of the European people" [...], "NGOs can make a contribution to [sic] in fostering a more participatory democracy" (European Commission 2000:4). CSOs are seen to represent the views of specific groups of citizens, reach out to the disadvantaged, and provide a voice for those not heard through other channels (European Commission 2000:5). The importance of civil society for EU policy-making is further stressed in the White Paper on European Governance of 2001. It refers to CSOs' role as providers of output legitimacy but also evokes input legitimacy by mentioning the importance of authentic participation by the European citizens through civil society involvement: "It is a chance to get citizens more actively involved in achieving the Union's objectives and to offer them a structured channel for feedback, criticism and protest." (European Commission 2001:15) In its 2002 Communication on general principles and minimum standards for CSO consultation, the Commission argues that membership in associations is an alternative way for citizens to be politically active, beyond political parties and elections (European Commission 2002:5). The language used by the Commission demonstrates that it is no longer only interested in the expertise and knowledge that non-state actors can provide but also in their function as representatives of European citizens. The reason for this lies in the Commission's aspiration to strengthen its democratic credentials and institutional position. Unlike the European Parliament, which is elected by the EU citizens, and the Council of the EU, which represents the member states, the Commission is not elected and lacks a territorial base of voters. Therefore, the consultation of civil society organizations and the possible securing of their support is seen by the Commission as an attractive alternative for

¹⁰ At this time the Commission still used the term "non-governmental organization (NGOs)", which was later changed into "civil society organizations (CSOs)". Recently, the term "interest groups" has become prominent again.

strengthening its legitimacy and also as a vehicle to increase its bargaining power vis-à-vis the member states (Saurugger 2010:179).

The only official Council document regarding CSOs are the “Recommendations for enhancing cooperation with NGOs and CSOs” approved by the Committee for Civilian Aspects of Crisis Management (CivCom) in 2006. According to the recommendations, the aim of “regular informal exchanges” with CSOs, whose expertise and knowledge is recognized, is operational efficiency (Council of the EU 2006). Therefore, the Council frames the relationship with CSOs in terms of better policy-making and is thus interested in the improvement of output legitimacy.

This suggests that the Commission and the Council have very different institutional demands when it comes to civil society participation. The Council’s interest in CSOs is limited to the latter’s expertise while the Commission additionally focuses on their alleged role as representatives of European citizens. It is likely that these different demands have an impact on the CSOs involved with the two institutions, more specifically on their internal structure. While for CSOs predominantly engaged with the Commission there is an incentive to feature a structure “representative of European citizens”, this incentive is absent for CSOs dealing chiefly with the Council.

3.1 CSO representativeness

Along with the greater role foreseen for CSOs in EU policy-making, the expectations towards CSOs in terms of their legitimacy and accountability have also risen. In this vein, organizational representativeness has become a prominent issue both in the academic debate and in the European Commission’s discourse (cf. Obradovic 2009; Smismans 2009). For a long time reserved for the social partners (i.e. organizations entitled to negotiate collectively binding decisions), representativeness has over time become a criterion for all civil society organizations (Smismans 2009). While some reject the applicability of the concept to CSOs¹¹ altogether, others support different facets of it. De Schutter (2002:209), for example, expresses support for the list of criteria for representativeness put forward by the European Economic and Social Committee (2001). The list includes requirements for territorial representativeness as well as authority to speak for members and accountability towards them.¹² In de Schutter’s view, “at a minimum, a certain correspondence between, on the one hand, the claim to representativeness of the

¹¹ Bluemel, for example, argues that the role of NGOs is not to be representative but to raise awareness (2005:146).

¹² In order to be consulted by the European institutions an organization must e.g. exist permanently at Community level; provide direct access to its members' expertise and hence rapid and constructive consultation; have member organizations in most of the EU Member States; provide for accountability to its members, and have authority to represent and act at EU level (European Economic and Social Committee 2001, 3.4.1, at 6).

organization, and on the other hand, its membership and modes of internal decision-making, could be required” (De Schutter 2002:210).¹³ Others focus on the communicative practices between CSOs and their members. Warren argues that “[w]hatever powers associations have to represent their members depends in part on their capacities to communicate the interests, norms, and identities of members to public officials. One condition of representative communication is that there exist organized communication between members and those who claim to speak for them.” (Warren 2001:84). Similarly, Guo and Musso’s concept of *participatory representation* “highlights the importance of maintaining a variety of channels of communication and participation between an organization and its constituents to ensure that the organization is receptive to its constituents’ demands” (Guo and Musso 2007:315; cf. Loewenberg and Kim 1978).¹⁴

In the White Paper on European Governance of 2001, the Commission states that “[w]ith better involvement comes greater responsibility” (European Commission 2001:15). It postulates that civil society organizations must themselves follow the principles of good governance, which includes improving their representativeness and proving that they can lead on debates in the Member States (European Commission 2001:17). This approach was further pursued in the 2002 Communication on general principles and minimum standards. Here CSOs seeking to contribute to EU policy development must be ready to provide information on “which interests they represent” and “how inclusive that representation is” (European Commission 2002:17). While it does not intend to use representativeness as the only criterion for judging the relevance or quality of contributions, the Commission nevertheless puts much emphasis on this point (European Commission 2002:11-12). In spite of these advances, a clear definition of what representativeness means is still missing. The newly created register of interest representatives¹⁵ has not changed this situation. Established “to let citizens know which general or specific interests are influencing the decision-making process of the European Institutions and the resources mobilized to that end”¹⁶, the register is voluntary and does not include any yardsticks for CSOs’ internal structure. An account of the territorial outreach of CSOs active at the EU level and of their communicative links with their members is thus clearly needed.

¹³ Curtin also argues in favour of representativeness, possibly codified in a *right for associations* (Curtin 2003:71).

¹⁴ This could also be called the ‘responsiveness’ of an organization.

¹⁵ <http://ec.europa.eu/transparency/regrin/>

¹⁶ <https://webgate.ec.europa.eu/transparency/regrin/welcome.do>

4 ANALYSING CSO STRUCTURES AND COMMUNICATION CHANNELS

It is striking that only very few scholars from both camps, those who question the democratising functions of CSOs and those who praise them, provide empirical evidence for their claims. The democratic potential of CSOs active at the grassroots or national level has frequently been explored (Barakso and Schaffner 2008; Bolduc 1980; Cnaan 1991; Guo and Musso 2007; Liston 2009; Ragab et al. 1981; Swindell 2000). Bozzini has provided a study of national civil society organizations in ten European countries and the extent to which they consult and represent their members (Bozzini 2007). However, this kind of evidence is missing in most contributions dealing with EU-level CSOs. Thus, it is largely unknown how EU CSOs, which have become quite powerful and often display complex federal structures, actually function internally.

There are a few notable exceptions, all of which present sobering results. Kohler-Koch et al. consider the organizational structure, locus and demography of leading EU CSOs and find a tendency among them “to concentrate communication in the centre rather than to give prominence to the ‘periphery’, i.e. the constituencies or grassroots members” (Kohler-Koch et al. 2008:22). Others inquire whether CSOs can contribute to the creation of a European public sphere or act as “agents of political socialization” (Warleigh 2001). Warleigh concludes that EU CSOs are currently unable to promote the political socialization of their supporters: CSOs’ “internal governance procedures are insufficiently democratic” and “decision-making is normally left in the hands of key officers, with very little – if any – supporter input”. Moreover, he finds “no evidence that supporters are unhappy with this passive role, displaying at best little interest in the EU” (Warleigh 2001:623). Sudbery (2003) studies the role of four NGOs in the preparation stage of the European Commission’s White Paper. She comes to the conclusion that due to an acute lack of resources, the NGOs interviewed prioritized effectiveness over citizen participation, thereby strengthening the EU’s output but not input legitimacy. The study also finds that EU NGOs do not communicate directly with supporters and communication with supporters is mediated through national member organizations (Sudbery 2003:94).

In light of the disillusioning results regarding CSOs’ engagement with individual supporters, a different approach is suggested here. Research has demonstrated that EU CSOs can have complex multi-level structures. Some need to bridge up to nine organizational levels between the offices in Brussels and the individual citizen (Kohler-Koch et al. 2008:18). The question arises whether it is realistic to assume a direct link between EU level CSOs and individual citizens. Here we propose to “open up the black box of interest groups” (Saurugger 2010:184) and start off by exploring to what extent EU CSOs consult and involve their direct members, i.e. those they explicitly claim to represent at EU level. These members are usually organizations or federations. For non-

member-based CSOs the possibility for direct links into the European citizenry is taken into account as an alternative.

Of course, in a comprehensive assessment of CSOs' transmission belt function their structure and communication channels "all the way down" would have to be taken into account, i.e. it would be necessary to trace the link from a CSO active at the European level throughout all organizational levels, down to the individual citizen. Due to resource limitations this cannot be done here. Instead, the endeavour will remain limited to the first organizational level, i.e. the relationship between the CSOs' EU level and their direct members. However, if the chain of communication at this top level is malfunctioning or broken, the links to lower organizational levels are also unlikely to work. A functioning communication between EU-level CSOs and their members is the precondition for information and preferences to be channelled further down or upwards. Studying the representativeness of EU CSOs is thus the important first step to exploring the relationship between these groups and the wider European citizenry and contribute to the so far "sketchy empirical data" (Saurugger 2010:173) in this field.

In line with the criteria discussed in the literature with regard to CSO representativeness (see chapter 3.1), the analysis will be divided into two distinct sets, investigating two different aspects of representativeness and member participation:

- In the first part of the analysis the *territorial representativeness* of EU CSOs is under scrutiny. The structures and organizational form of EU-level CSOs are explored: Do the EU-level CSOs have members or not? Are the members individual organizations or are they federations/networks of organizations? In how many and in which EU countries are the members based?
- The second set of the evaluation deals with the CSOs' internal governance and the participation of members in the work of the organization, including the communication and consultation mechanisms between the offices in Brussels and the members: in which functions are members involved in the work of the EU-level CSOs? Are they involved in strategic and operational decision-making? How are internal conflicts dealt with? How frequently do the Brussels office and the members interact? Does the staff in Brussels perceive a trade-off between its effectiveness and member participation, and if yes, how is it solved? These questions can be subsumed under the heading of *participatory representation* within CSOs.

5 RESEARCH STRATEGY AND CASE SELECTION

5.1 Selection of policy fields

The links between CSOs and their members are explored comparatively in two policy fields: CSOs active in the EU's External Trade Policy (ETP) will be contrasted with those in European Security and Defence Policy (ESDP). Being part of the same dimension of EU policies – external relations –, they offer variance with regard to the modes of decision-making and the institutional interests in civil society participation. As mentioned above, these factors are assumed to account for different institutional incentives impacting on CSOs and on the way they are internally structured. Decision-making in External Trade Policy follows the so-called Community method and the European Commission is the driving institution. As such, it is the main target of CSO lobbying efforts in this policy field. The Commission is said to be more open to civil society than the Council of the EU (Fazi and Smith 2006:31) and this is especially relevant in European Trade Policy. In 1998 a structured dialogue with CSO representatives was initiated by the Commission's Directorate-General for External Trade "to develop a confident working relationship between all interested stakeholders in the trade policy field and to ensure that all perspectives to EU trade policy can be heard".¹⁷ Regular meetings between Commission officials and CSO representatives have been held ever since (cf. Fazi and Smith 2006:67).

As opposed to that, ESDP is part of the intergovernmental Common Foreign and Security Policy (CFSP). The Council should be the first addressee for CSOs, but access to its committees is limited and there is no formalized dialogue structure. Compared to ETP the exchange is underdeveloped and often remains at the initiative of CSOs (Fazi and Smith 2006:31). However, it has stabilized over time through various initiatives.¹⁸ The European Commission plays a role in ESDP in so far as EU military operations are accompanied by civilian instruments. These "flanking measures", such as democracy and human rights promotion, are Commission-controlled (Dembinski 2009:156). As

¹⁷ <http://trade.ec.europa.eu/civilsoc/index.cfm> (last accessed: 18 February 2010)

¹⁸ Each Council Presidency usually hosts a conference in cooperation with peacebuilding CSOs. Under the Finnish Presidency in 2006, Recommendations for Enhancing Cooperation with NGOs have been adopted in the framework of EU Civilian Crisis Management (Council of the EU 2006). Regular briefings have been held by civil society representatives in the Committee for the civilian aspects of crisis management (CIVCOM) in the framework of the Role of Civil Society (RoCS) project, launched under the Finnish and continued under the German Presidency in 2007 (<http://eplo.org/index.php?id=220>, last accessed: 16 February 2010).

such, the Commission has also become a contact point for CSOs and official partnerships have been established.¹⁹

With regard to the question of whether these institutional differences impact on the CSOs under study, the working assumption is that CSOs in External Trade will be more likely to feature a representative structure and consult their members regularly than CSOs in ESDP. As pointed out above, the reasons for this are the different institutional incentives as well as the institutionalization of the civil society dialogue in Trade Policy. The European Commission as the main addressee of CSOs in ETP is interested in their input in order to legitimize itself and its policies and utilizes CSOs in pursuing these interests. Because of this interest it has advanced the dialogue with civil society and contributed to the proliferation of CSOs in Brussels “in a purposeful search for partners capable of acting as demand agents for further European integration upon member states, and in pursuit of connections to ‘civil society’” (Greenwood 2010:202). The Commission has expressed its preference for consulting with European federations as opposed to individual or national organizations, due to their alleged representativeness (Greenwood and Halpin 2005:5). Hence, there is an institutional incentive for CSOs active in European Trade Policy to “supply” a representative structure.

In ESDP this incentive is less prominent. Although the Commission has begun to emerge as a partner for peacebuilding CSOs, the Council remains more important in decision-making. The member-state representing institution does not need an additional channel to legitimize its decision-making and has not made representativeness a requirement for CSOs to be consulted. Moreover, Dembinski argues that the consensual mode of decision-making in ESDP provides incentives for rule-based behaviour and gives greater importance to expertise and ideas (Dembinski 2009). In this field groups

¹⁹ Upon initiative of the European Parliament, the Commission in 2000 and 2001 financed the “Conflict Prevention Network”, a consultancy network led by the German Stiftung Wissenschaft und Politik (SWP). In 2006, the Commission financed the “Conflict Prevention Partnership”, a project throughout which four CSOs (the International Crisis Group, the European Peacebuilding Liaison Office (EPLO), International Alert, and the European Policy Centre) provided information and expertise to the EU institutions’ conflict prevention, crisis management and peacebuilding policies (<http://www.conflictprevention.net>, last accessed: 18 February 2010). The Commission currently finances a similar project which includes ten peacebuilding CSOs, the Initiative for Peacebuilding (<http://www.initiativeforpeacebuilding.eu>, last accessed: 18 February 2010). The involved CSOs are Adelphi Research, the Netherlands Institute for International Relations (Clingendael), the Crisis Management Initiative (CMI), the Hellenic Foundation for European and Foreign Policy (ELIAMEP), the European Peacebuilding Liaison Office (EPLO), La Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE), International Alert, the International Center for Transitional Justice (ICTJ), Partners for Democratic Change International (PDCI), and Saferworld.

are favoured who have expert knowledge and who are able to “frame their issues in terms of a common interest” (Dembinski 2009:156), as opposed to organizations defending a political message or an ideology (ibid). The political opportunity structure in ESDP does not entail the necessity for CSOs to reflect the interests and opinions of European constituencies, but rather to provide easily accessible expertise (cf. Dembinski 2008, 2009). Therefore there is less institutional demand for CSOs in ESDP to feature a representative structure, and rather an incentive for organizational features designed to produce coherent messages and well-founded knowledge. While this discussion is dedicated to the demand side, it should be noted that on the supply side it can be expected that CSOs both in External Trade Policy and ESDP are interested in demonstrating a representative structure to enhance their role as legitimate actors in policy-making.

5.2 Selection of CSOs and methods

The primary selection criterion for the CSOs subject to this analysis is their level of access to the EU institutions, determined by their involvement in official partnerships with the institutions. It is especially salient to investigate whether groups that are closest to the EU institutions²⁰ and thus most likely to influence EU policies are still linked to their constituencies.²¹ With regard to European Trade Policy this corresponds to a most-likely case design: due to the Commission’s emphasis on representativeness it is assumed that the CSOs to whom it grants privileged access are the ones most likely to meet this standard.

What is most important is that CSOs have access to the institution that has the leading role in proposing policy in each of the policy fields, i.e. the Commission in External Trade Policy and the Council in ESDP. In ETP, CSOs have access through the regular meetings between DG Trade officials and CSO representatives that have been held since the establishment of the Civil Society Dialogue. Beyond these structured exchanges, informal contacts exist as well. A large number of CSOs is active in External Trade Policy. Selection for this analysis was facilitated by a CSO database created in the framework of the Civil Society Dialogue established by DG Trade in 1998. While several hundred CSOs have registered to participate in meetings with DG Trade officials, the so-called Contact Group, set up by DG Trade as a “facilitator and sounding board”²²,

²⁰ The study only takes CSOs with offices in Brussels into account and hence a group of CSOs that is highly privileged in terms of institutional access. The overall population of CSOs engaging with the EU institutions is of course much larger and does also include national groups and grassroots organizations.

²¹ Ideally, the influence of the selected CSOs would be proved. However, this cannot be done here and the likelihood of being able to take influence has to serve as a proxy.

²² http://trade.ec.europa.eu/civilsoc/contactgroup.cfm#_terms-of-reference (accessed: 4 February 2010)

comprises only around 15 CSOs.²³ They serve as focal points for the Commission because of their alleged representativeness.²⁴ Because of their privileged access to the Commission and their likelihood of being representative the CSOs for this analysis were selected from this group.²⁵

In ESDP there is no formalized dialogue structure. However, CSOs active in ESDP have managed to establish informal but regular contacts with Council officials, especially with the Council Presidencies and with the Council Committee for the Civilian Aspects of Crisis Management (CIVCOM) (Fazi and Smith 2006:31).²⁶ Furthermore, Joachim has convincingly shown how CSOs have managed to gain access to decision-makers during three different instances of policy-making in the EU's Common Foreign and Security Policy²⁷ (Joachim 2004). The number of CSOs active in ESDP is much more limited²⁸ and the relevant actors could be identified through official partnerships between the EU institutions and CSOs in recent years, such as the Conflict Prevention Partnership, the Role for Civil Society-Project, and the ongoing Initiative for Peacebuilding.²⁹ Furthermore, it was cross-checked with CSOs themselves which other organizations they considered to be the most important ones in the policy field.

The empirical data used for this analysis has been collected in two ways: The websites of CSOs have been used to gather information about the CSOs' organizational form, membership structure, and decision-making processes. In addition, semi-

²³ Membership in the Contact Group rotates between leading CSOs of a sector. DG Trade states not to intervene in this selection, see http://trade.ec.europa.eu/civilsoc/contactgroup.cfm#_terms-of-reference (accessed: 4 February 2010).

²⁴ Many of the contact group members regularly attend the dialogues, as can be seen from the participation lists available on DG Trade's website. However, there might be other non-contact group organizations who participate even more frequently.

²⁵ It should be noted that due to the rotation principle, some members interviewed have left the contact group since the time when the interview with them was conducted and been replaced by other CSOs.

²⁶ The form of dialogue with the Presidencies ranges from the common organization of high-profile events to the implementation of projects, such as the RoCS project (<http://www.eplo.org/documents/RoCS.pdf>). The cooperation with CIVCOM usually takes the form of briefings by CSO representatives from countries where ESDP Operations are to be deployed (ibid; <http://act4europe.horus.be/module/FileLib/EPLO%20presentation.pdf>).

²⁷ The three instances were the elaboration of the European Code of Conduct on Arms Exports (1998), the EU Programme for the Prevention of Violent Conflict (2001), and the European Security Strategy (2003) (Joachim 2004).

²⁸ This can be explained, among other factors, with the late emergence of this policy field (Dembinski 2009:154).

²⁹ See www.conflictprevention.net, <http://www.eplo.org/index.php?id=220>, and www.initiativeforpeacebuilding.eu (last accessed: 17 December 2009).

structured interviews with CSO representatives were carried out to obtain information about communication channels within these organizations and to verify the information drawn from the documents mentioned above. Very sporadically I draw on a set of interviews conducted with selected member organizations of the EU-level CSOs.

In European Trade Policy, ten CSOs were selected, two of which did not reply or refused the request for interview. This leaves eight organizations, four of which defend general and four special interests.³⁰ In ESDP, nine CSOs were selected as well, eight of which defend general interests and one a special interest (defence industry association). The latter did not respond to the request for an interview. Hence, a total of 16 CSOs were analysed and interviewed, eight CSOs active in ETP and eight CSOs in ESDP. The interviews were conducted in Brussels and Berlin³¹ between July 2007 and July 2009. In most cases, the interview partners were at the qualification level of policy officer.

Table 1: CSOs in European Security and Defence Policy and in European Trade Policy

European Trade Policy	European Security and Defence Policy
ActionAid	Crisis Management Initiative (CMI)
BusinessEurope	European Peacebuilding Liaison Office (EPLO)
EuroCommerce	International Alert
European Services Forum (ESF)	International Crisis Group (ICG)
European Trade Union Confederation (ETUC)	Partners for Democratic Change Int'l (PDCI)
Friends of the Earth Europe (FoEE)	Quaker Council for European Affairs (QCEA)
Solidar	Saferworld
Women in International Development (WIDE)	Search for Common Ground (SFCG)

6 RESULTS

The following sections reports the results for the 16 EU-level CSOs interviewed. In ETP, the sample comprises four CSOs defending general interests (ActionAid³², FoEE, Solidar, and WIDE), one trade union (ETUC), and three business associations (BusinessEurope, ESF, and EuroCommerce).³³ It should be noted that ETUC and BusinessEurope are social partners within the European social dialogue provided for under Article 154 and 155 of Treaty on the European Union (formerly Art. 138 and 139 TEC). The CSOs analysed in ESDP are EPLO, CMI, International Alert, ICG, PDCI, QCEA,

³⁰ One organization has left the Contact Group since the time of the interview. It is nevertheless included here.

³¹ At the occasion of a conference in Berlin at which CSO representatives from Brussels were present.

³² ActionAid is not part of the civil society contact group at DG Trade any longer and has been replaced by the Association of World Council of Churches Related Development Organizations in Europe (APRODEV).

³³ See the annex to this paper for an overview of CSOs interviewed.

Saferworld, and SFCG.³⁴ In section 7.1, the findings regarding the organizational type and membership structure of the EU-level CSOs will be presented. Section 7.2 is dedicated to the analysis of member participation within the CSOs interviewed.

6.1 Organizational type and membership structure

The following section analyses the organizational types to be found in ETP and ESDP and the structure of their membership and answers the following three questions:

- Do the EU-level CSOs have members or not?
- Are the members individual organizations or are they associations/platforms of organizations?
- In how many and in which EU countries are the members based?

This first set of questions is dedicated to the territorial representativeness of CSOs participating in the EU's external relations. First, it seems to be the basic precondition for reaching out into the European citizenry that EU-level CSOs have members who can fulfil this function. Alternatively, CSOs without members might engage directly with citizens, e.g. by organizing hearings or consultations which demonstrate a willingness to take the interests of those concerned into account even in the absence of formal membership. Second, the organizational form of the CSOs' members tells us something about the size and circumference of the constituency, just like the question about the number and the location of members. With regard to the distribution of member organizations within Europe, it is assumed that organizations represent more diverse voices if they are represented in a larger number of countries. It is also considered important that the different European regions, e.g. northern vs. southern Europe or old vs. new member states, be represented in a CSO's membership. Concerning the third question it should be noted that only member organizations from EU countries, representing EU citizens, are relevant with regard to the question of whether CSOs can contribute to input legitimacy of EU policy-making.

6.1.1 CSOs in European Trade Policy

All eight organizations interviewed in External Trade Policy are membership-based (see Table 2). Typically, the member organizations are themselves regional or national networks, platforms or associations³⁵, but in some

³⁴ It should be noted that the latter seven are all member organizations of EPLO.

³⁵ Examples: The Bundesverband der Deutschen Industrie (BDI) is a member of BusinessEurope. The Dutch Gender Platform WO=MEN, a network of more than 40 organizations and individuals, is a member of Women in Development Europe (WIDE).

cases they are also individual organizations and very rarely companies or individuals. Table 3 summarizes the numbers of member organizations and the European countries in which they are represented.

ActionAid International has 13 affiliate and “about ten”³⁶ associate members. Affiliate members are full members while associates are prospective members with reduced voting rights at ActionAid’s decision-making Assembly. Out of the 13 affiliate members, only five are located in EU member states. The remaining eight members are located on other continents. As opposed to most of the other organizations in the sample, ActionAid’s members are national chapters, although they are registered as independent organizations in the respective countries. All share the same name. The relationship between them and the international level is governed by contract. The establishment of new affiliate members can occasionally be implemented from the top down, e.g. by transforming an ActionAid country office into a national chapter.³⁷

BusinessEurope has 40 member organizations in all EU member states and EEA countries and in some candidate and potential candidate countries. The members are usually national employers’ and industry federations. Only for Malta, the Chamber of Commerce, Enterprise, and Industry is a member.

The **European Services Forum (ESF)**’s members are 24 companies and 30 associations. 23 out of the 30 member associations are European federations, such as the Architects’ Council of Europe, the Fédération des Experts Comptables Européens or BusinessEurope. The remaining seven are national associations, directly representing national industry federations. Most of the European federations are based in Brussels.

The **European Trade Union Confederation (ETUC)** has 82 national members. They are national trade union associations or confederations. The ETUC has member organizations from most EU and EEA member states and the candidate countries. In addition, twelve European industry federations are members of ETUC. Four trade union confederations from Balkan countries have observer status.

EuroCommerce’s members are commerce federations, European and national associations representing specific commerce sectors and individual companies. According to EuroCommerce’s statutes, only national federations can become full members with voting rights in the General Assembly.³⁸ The full members are often national chambers of commerce, but also retailers and traders federations. European and international associations as well as individual companies are associated members. EuroCommerce’s 46 full

³⁶ Phone interview with representative of ActionAid International, 23 July 2008.

³⁷ Phone interview with representative of ActionAid International, 23 July 2008.

³⁸ <http://www.eurocommerce.be/media/docs/Public/Statutes/StatutsEnHeadingIII.pdf> (last accessed 8 February 2010)

members are located in a large number of EU and EEA countries. Additionally, national associations from Croatia and Turkey are represented within EuroCommerce, but without voting rights as the statutes only grant these to associations from EU and EFTA countries.³⁹

Friends of the Earth Europe's members are 31 environmental organizations from EU and EEA countries and EU candidate and potential candidate countries. Beyond these, FoEE has members in Georgia and Ukraine. While some members share the same name, others do not.

Solidar has 36 member organizations defending matters of social justice. They are located in 13 EU and EEA countries. The Baltic Platform regroups an Estonian, a Latvian, and a Lithuanian organization. Solidar also has a South African member. There is an apparent underrepresentation of Eastern European countries and new member states within Solidar. Only the Baltic platform contributes some voices from these groups.

Women in Development Europe (WIDE) is a feminist organization with twelve organizational members located in Europe. They are groups working on women's and development issues. A platform of organizations from Central and Eastern Europe and the Commonwealth of Independent States countries called Karat is also a member. Karat has a total of 31 member organizations in Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Kyrgyz Republic, Latvia, Lithuania, Macedonia, Moldova, Poland, and Romania.⁴⁰ WIDE also has less than 50 individuals as full members from different countries, especially from those where there are no national platforms.⁴¹ Although the membership does not cover all European countries and misses members from some of the large EU member states, WIDE member organizations are well spread out over Europe.

All eight organizations interviewed in European Trade Policy are membership-based. The number of full members ranges from 13 to 82. Most of their members are national business associations, national trade union confederations and NGO networks with large membership bases in their respective countries. Most of these member organizations are located in the EU, EEA, and EU candidate countries. A notable exception is ActionAid: eight out of its 13 members are located on other continents. The other organizations have constituencies in diverse EU and European countries. Not surprisingly, ETUC and the business association have the largest and territorially most encompassing member-

³⁹ <http://www.eurocommerce.be/media/docs/Public/Statutes/StatutsEnHeadingIII.pdf> (last accessed 8 February 2010)

⁴⁰ http://www.karat.org/karat_news_Membership_Members_en.html, last accessed 15 March 2010.

⁴¹ The role of the individual members was considered to be too prominent and their number in the Steering Group was reduced, according to the representative of a WIDE member organization (interviewed in January 2010).

ships. According to the Commission's Agreement on social policy, referring to Article 154 (Art. 138 TEC) of the EU Treaty, representativeness in all member states is a requirement for the social partners. However, most of the NGO networks active in ETP also have rather wide-spread membership bases, even in the absence of a legal requirement.

Table 2: CSOs in External Trade Policy

Membership organizations (number of full members in brackets)	Non-membership organizations
ActionAid (13)	
BusinessEurope (40)	
European Services Forum (ESF) (54)	
European Trade Union Confederation (ETUC) (82)	
EuroCommerce (46)	
Friends of the Earth Europe (FoEE) (31)	
Solidar (36)	
Women in Development Europe (WIDE) (12)	

6.1.2 CSOs in European Security and Defence Policy

The interesting finding when considering the types of organizations to be found among CSOs most active in the EU's Security and Defence Policy is that four out of eight CSOs interviewed do not have any kind of membership (see Table 4). All of these organizations focus either on research activities (ICG) or on the implementation of projects and programmes in conflict countries (SFCG) or they combine research and service delivery (International Alert). All of them also engage in advocacy, at the EU as well as at national governments and other international organizations. A further organization, the Crisis Management Initiative (CMI), has 200-300 individual members⁴² who "include security and development policy professionals, people interested in CMI's field of work, researchers and decision makers."⁴³ Becoming a member requires the recommendation by two existing members. CMI's members are not involved in any organizational activities.⁴⁴ They are rather an elite group whose function is to provide expertise. It is not the purpose of CMI to represent them at EU level. According to its mission statement, CMI "draws upon in-country operations and applied policy research to sup

⁴² Interview with representative of CMI on 9 July 2007, Brussels.

⁴³ <http://www.cmi.fi/about-us/faq.html> (last accessed 5 February 2010)

⁴⁴ They are merely invited to the Annual Meeting and they receive the Annual Report of the organization (Interview with CMI representative on 9 July 2007, Brussels). Policy decisions are taken by the board and the "leadership team", which consists of senior staff members.

port decision-making and to shape policies”.⁴⁵ CMI’s advocacy is thus based on its expertise rather than on its members’ input.

The question arises whether these organizations have alternative mechanisms in place for reaching out directly into the European citizenry. When asked whether they consulted any one else, beyond their own organization, for decision-making, all of the above CSOs answered with differing combinations of EU institution officials, representatives of national governments, international actors, and other European CSOs. Three out of the five CSOs indicated to consult with their beneficiaries or persons affected by their work, i.e. usually in countries affected by conflict. However, none of the organizations speaks directly to European citizens, who are primarily affected by EU foreign and security policy decisions (Wagner 2007:3; Stie 2007:1) and who would be important to consult for a contribution to the EU’s input legitimacy. The only link between these five CSOs and the European citizenry is via the consultation of other European CSOs that might have members. This connection must be considered as rather weak. Hence, the advocacy of five out of eight CSOs interviewed in ESDP is based on their knowledge and expertise, which has partly been acquired through the cooperation with affected populations. It is not based on preferences and opinions from within the European citizenry. While five CSOs in ESDP have no members involved in policy-making, the three remaining groups are membership-based. All of them have organizational members, but differences exist with regard to the size and structure of their membership (see Table 3).

The members of the **European Peacebuilding Liaison Office (EPLO)** are “individual NGOs, networks of NGOs, and think tanks”.⁴⁶ A closer look reveals that 19 out of 27 member organizations are individual organizations and think tanks who either do not have members at all or whose members do not vote or contribute to policy. The remaining eight have member organizations with differing degrees of independence. Seven EPLO members are composed of fully independent organizations⁴⁷, four of which are rather top-down endeavours, however, where all member organizations share the same name.⁴⁸ Only one member organization is a national platform, namely the Finnish group. All other networks regroup organizations from different European countries or even from all over the world. This is surely due to the limited number of CSOs active in this policy field which does not allow for the establishment of national platforms yet.

⁴⁵ <http://www.cmi.fi/mission.html> (last accessed 5 February 2010)

⁴⁶ <http://www.eplo.org> (last accessed 5 February 2010)

⁴⁷ The Finnish Civil Society Conflict Prevention Network KATU, the European Network for Civilian Peace Services, the Nansen Dialogue Network, Nonviolent Peaceforce, Partners for Democratic Change International, Pax Christi International, the Quaker Council for European Affairs, and World Vision.

⁴⁸ Nansen Dialogue Network, PDCI, World Vision, and the Quaker Council for European Affairs

However, more national platforms used to be part of EPLO, namely the Swedish and the German platform, and left it due to financial problems. While these are partly linked to the priority setting of national platforms, the representative of a former EPLO member also mentioned the rising membership fees as a problem. They are said to benefit large and financially powerful organizations at the expense of national networks, which are often under-staffed and under-financed and thus cannot afford to remain members at the EU-level.⁴⁹ All of EPLO's members have a legal base in Europe (except for one member organization which does not have a permanent seat) but some have their headquarters in the United States and many have offices in other world regions as well. EPLO's member organizations are distributed over 13 European countries with a strong concentration in the old EU member states, especially in the North. Six organizations have their headquarters in Brussels, sometimes in addition to headquarters in the United States. All of these are international NGOs and not Belgian organizations.

Partners for Democratic Change was first established in the United States “to contribute to the democratic and economic transition” of Central and Eastern European countries after 1989 by establishing “Centers for Conflict Resolution and Change Management”⁵⁰ in these countries. Meanwhile the Partners for Democratic Change International (PDCI)-network comprises 18 centres, also in the Americas and the Middle East, which are today “independent NGOs with unique specializations” but with “common core competencies”⁵¹. The centres are registered as foundations in their respective countries and do not have members, neither organizations nor individuals. Ten of PDCI's centres are located in EU member or potential candidate countries. The Brussels office serves as the secretariat for all 18 network members. Due to the historical development of the organization, PDCI's European members are all located in Eastern and South-Eastern Europe.

The members of the **Quaker Council for European Affairs (QCEA)** are 12 Quaker organizations, such as the so-called Denmark Yearly Meeting, the France Yearly Meeting, etc. The Yearly Meetings are annual assemblies of people sharing the Quaker way of life. They appoint representatives to develop the Quakers' position on EU policy issues. QCEA's member organizations thus have individuals as members. QCEA has member organizations in 11 EU and EEA countries as well as two Middle-Eastern members. Even stronger than EPLO, the distribution of QCEA's member organizations in

⁴⁹ Phone interview with the representative of a former EPLO member organization, conducted on 4 November 2009.

⁵⁰ <http://www.partnersglobal.org/who> (accessed 18 December 2009)

⁵¹ http://www.pdc-network.org/index.php?option=com_content&view=category&layout=blog&id=38&Itemid=57 (accessed 18 December 2009)

Europe shows a strong bias towards old EU member states, especially from north-western Europe.

Table 4: CSOs in ESDP

Membership organizations (number of members in brackets)		Non-membership organizations
Individual members	Organizational members	
Crisis Management Initiative (CMI) (200-300)	European Peacebuilding Liaison Office (EPLO) (27)	International Alert
	Partners for Democratic Change International (PDCI) (18)	International Crisis Group
	Quaker Council for European Affairs (QCEA) (12)	Saferworld
		Search for Common Ground (SFCG)

This glance at the organizational structure of the CSOs most active in the EU’s Security and Defence Policy reveals that only 3 out of 8 organizations have members and thus fulfil the very basic precondition for functioning as transmission belts. 5 out of 8 organizations in this policy field do not reach out into the European citizenry. Their advocacy positions are developed on the basis of their research or field experience. This means that these organizations might be able to contribute to the output legitimacy of the EU, but not to its input legitimacy. The three remaining organizations have between 12 and 27 members. In one of the organizations, two thirds of the members are individual NGOs and think tanks without members. They do not have any national constituencies aside from their staff and therefore their potential to reach out to citizens is limited. In another organization the members are foundations who are also not member-based. Moreover, almost half of its members are not located in Europe. However, its European members are all located in eastern and south-eastern Europe. Hence it brings voices to the fore from a region that is strongly underrepresented in the two other organizations. Members of the other two CSOs are almost exclusively located in the old EU member states, with a clear dominance in the north and north-west and hardly any in southern Europe.

6.1.3 Summary

When comparing CSOs in ETP and ESDP it is telling that the predominant organizational type in External Trade Policy is very different from that in ESDP. While all CSOs participating in ETP are associations and federations with large constituencies from different European countries, two thirds of the CSOs most active in ESDP are organizations that lack a membership base. Moreover, comparing member-based CSOs in ESDP

and ETP, the latter have a much more encompassing membership base: not only do CSOs in ETP mainly regroup platforms and associations and not individual organizations like CSOs in ESDP, but member-based CSOs in ETP also have more members and are present in more EU member states. The results thus confirm the hypothesis that CSOs participating in ETP are more representative than CSOs in ESDP due to the institutional pressure, at least with regard to their territorial reach. Whether this trend is confirmed by the way in which CSOs in ETP and ESDP consult their members will be the concern of the following section. Of course only the member-based CSOs of the sample will be considered.

6.2 Member participation

To explore the role and importance that CSO member organizations have within their EU-level CSO it is evaluated in which functions they are involved in the work of the Brussels secretariats, whether they are involved in strategic and tactical decision-making, how frequently they are contacted by their representatives in Brussels, and whether CSO representatives perceive a trade-off between the effectiveness of the EU office and member participation and how is it solved (see Table 5).

First, it should be noted that all organizations registered as “associations sans but lucratif (asbl)” in Belgium are required to have a general assembly in which all members are allowed to vote. This is different for “associations internationales sans but lucratif (aisbl)” who do not have to meet this requirement.⁵² In the sample three CSOs are registered as asbl (ETUC, FoEE, EPLO) and six as aisbl (BusinessEurope, EuroCommerce, Solidar, WIDE, PDCI, QCEA). ActionAid International is a branch of a foundation registered in The Netherlands and, interestingly, the European Services Forum is registered as a sub-department of BusinessEurope.⁵³ The latter eight organizations, for all of whom a general assembly is not legally required, have also established decision-making structures in which the members are formally the key actors. For example, the governing body of QCEA is the “Council”, which is composed of QCEA’s members.⁵⁴ At ESF decisions are taken by the “Policy Committee”, which is made up of member representatives. Based on these formal decision-making structures, the subsequent section will be dedicated to the actual participation and consultation practice of the CSOs.

⁵² Loi sur les asbl, aisbl et les fondations. Download at: http://www.juridat.be/cgi_loi/loi_F.pl?cn=1921062701 (Last accessed: 10 February 2010)

⁵³ According to the ESF interviewee, ESF’s policy, management and finances are independent from BusinessEurope’s. (Interview with a representative of ESF on 21 May 2008).

⁵⁴ <http://www.quaker.org/qcea/about/staff.htm> (last accessed: 10 February 2010)

With regard to the *functions of members*, CSOs were asked whether members were involved in:

- helping to provide services to the general public (1),
- policy-making (2),
- project/campaign implementation (3),
- fundraising (4),
- evaluating organizational activities (5).

6.2.1 CSOs in European Trade Policy

All organizations interviewed from the External Trade Policy field involve their members in policy-making and project or campaign implementation (functions 2 and 3 listed above). All but one organization involve their members in the evaluation of organizational activities. At ActionAid and Solidar, members participate in all of the functions mentioned above. At FoEE and WIDE, members are part of all functions except the provision of services to the general public (function 1). BusinessEurope involves its members in fundraising in addition to policy making and implementation. The results show that all of the CSOs interviewed in External Trade Policy involve their members in the crucial function of policy-making, i.e. in decisions about the positions that the CSO will defend when doing advocacy in the EU. The business associations tend to involve their members in fewer functions than the general interest organizations.⁵⁵ However, the sample size is too small to state a general trend.

In almost all CSOs active in ETP, *strategic decisions* are taken by bodies in which all members are represented, such as annual conferences or general assemblies. Only at EuroCommerce strategic decisions are taken by theme-specific committees, which are also composed of member representatives. In many CSOs, the body below the all-member conferences, often called steering group or executive committee, is involved in strategic decision-making as well. These bodies are generally composed of some of the members. Only ETUC indicated that the advocacy office is also involved in strategic decisions.

Tactical, day-to-day decisions are usually taken in the advocacy office, i.e. by the Secretary General, senior staff or staff in general. Two CSOs even indicated to consult their members on tactical questions due to a general principle not to take any decision without member involvement.

⁵⁵ This cannot be explained by better member-staff ratios, which are generally better in special interest groups but almost as good in some of the general interest groups active in trade policy. See Annex 2.

With regard to the *frequency of interaction*, all officers interviewed claimed to be in daily contact with their members, except for the representative of one CSO who indicated to be in touch on a weekly basis.⁵⁶

The majority of organizations in Trade Policy do not perceive a *trade-off between the effectiveness of the organization and member participation*. They either argue that members have similar goals anyhow or that the general policy guidelines have been set and that trust has been built up so that all members agree to decisions taken by the Brussels office within this framework. Effective consultation procedures and agreed deadlines are used to ensure a balance between effective advocacy and member access. Two CSO representatives even argued that more member involvement will increase their organization's effectiveness. Interestingly, one interviewee openly said that some members were more important than others in situations where urgent action is needed: "If we've got the big four or five saying yes, then that's it."⁵⁷ Two CSOs acknowledged the trade-off. Asked about their handling of it, one answered that the organization tries to strike a balance between being democratic and effective mainly by setting mutually agreed timelines and deadlines for agreement. At the other CSO, efforts are made to avoid lowest common denominator politics by providing leadership from the side of the Brussels office and convince member organizations of the necessity to take a position on certain issues. However, the representative also stressed that to achieve mobilization it has to be ensured that the positions are owned by the members. The representatives of two CSOs specified that in controversial cases the office refrained from taking a decision. While all organizations are aware of the importance of member support for their work, many have responded with the introduction of mechanisms or structures which allow for accelerated decisions and reactions and curtail member participation in individual decisions. This includes the setting of deadlines and the institutionalized delegation of decision-making to smaller fora. Such mechanisms are introduced with the approval of the member organizations, which means that they agree to the loss of consultation for the sake of effectiveness.

To sum up, all organizations in External Trade Policy involve their members at least in strategic, some even in tactical, day-to-day decision-making. Members have a crucial role in policy-making and project/campaign implementation. Member contact seems to be quite frequent. In spite of the prominent role of members in all of the organizations interviewed, some have, in accordance with the members, taken measures to ensure and enhance organizational effectiveness at the expense of member access. While it could

⁵⁶ While this indicates that CSO officers are in touch with their members on a regular basis, only a survey among member organizations will reveal whether this means equal or selective representation of members.

⁵⁷ Interview with CSO representative, 19 May 2008, Brussels.

be assumed that ETUC and BusinessEurope have to consult more intensely with their members due to their operative tasks within the social dialogue, this cannot be confirmed by the, however, limited data presented above.

Table 5: Member Involvement in CSOs in ETP

	Action Aid	BusinessEur.	Euro Comm.	ESF	ETUC	FoEE	Solidar	WIDE
Member Involvement in Organizational Functions								
Service provision	X	–	–	–	–	–	X	–
Policy-making	X	X	X	X	X	X	X	X
Implementation	X	X	X	X	X	X	X	X
Fundraising	X	X	–	–	–	X	X	X
Evaluation	X	–	X	X	X	X	X	X
Member Involvement in Decision-Making								
Strategic Dec.	X	X	X	X	X	X	X	X
Tactical Dec.	–	–	X	–	–	–	X	–
Frequency of Member Interaction	daily	daily	daily	daily	daily	weekly	daily	daily
Perceived Trade-Off between Effectiveness and Member Particip.	–	–	–	–	–	X	X	–

6.2.2 CSOs in European Security and Defence Policy

EPLO and QCEA involve their members in policy-making, project/campaign implementation, fundraising, and the evaluation of their activities. At PDCI members are active in all of the above functions, i.e. also in the provision of services to the general public.

With regard to *decision-making*, EPLO takes strategic decisions at its General Assembly, which is attended by all member organizations. Tactical decisions are taken by the thematic working groups also composed of member organization representatives or by the advocacy office. At QCEA, strategic as well as tactical decisions are made by the advocacy office in Brussels. Only in controversial cases is the “Board” – a subset of the member-representing “Council” – consulted. At PDCI, strategic decisions are taken by the Executive Committee which is composed of the directors of PDCI’s member organizations.⁵⁸ Tactical decisions are in the realm of the advocacy office.

⁵⁸ The Executive Committee has seven seats and membership rotates on a two-year basis. The US-based founding member is always represented.

Considering the *frequency of interaction* between the Brussels office and the members, EPLO and PDCI responded to be in contact with their members on a daily basis while QCEA replied to be in touch “relatively infrequently”.⁵⁹

The interviewee at EPLO acknowledged the existence of a *trade-off between organizational effectiveness and member access*. The organization has responded to this challenge with an institutional solution: the Steering Committee, which is composed of seven member organization representatives, has been empowered by all members to take short-term decisions when needed. In very urgent cases, this can also be done by the EPLO President, who is a representative of a member organization.⁶⁰ The representative of PDCI confirmed that it is more time-consuming to consult the members, but she argued that in terms of organizational effectiveness it is less costly to ensure member buy-in from the beginning and avoid lengthy discussions about the appropriateness and relevance of certain activities in the aftermath. QCEA’s interviewee did not perceive the trade-off, which is probably due to the subordinate role of members in decision-making.

It seems that at EPLO and PDCI, members are the key actors when it comes to policy- and decision-making. Both organizations involve their members in strategic decision-making and in the crucial function of policy-making. At EPLO, members are even involved in tactical decisions, e.g. regarding the choice of participants for briefings at the EU institutions. While EPLO has solved the problem of a trade-off between member participation and organizational effectiveness by institutionalizing reduced member consultation for urgent cases, PDCI regularly consults all members in spite of time pressure. At QCEA, members play a role with regard to the variety of functions in which they are involved but are less important for decision-making. The latter seems to be based on the principle of trust. Consequently, the trade-off mentioned above is also not perceived by the representative of this organization (see Table 6).

⁵⁹ Interview with representative of QCEA in Brussels on 6 July 2007

⁶⁰ “On questions of policy positions the SC can make decisions (usually upon recommendation of the relevant working group that drafted the position) only if and when the time frame makes broad consultation absolutely impossible. The president can make decisions that are urgent in the time frame of hours. Both emergency procedures shall ensure the effectiveness of and a professional response from EPLO under exceptional circumstances, but not limit the principle rule of general consultation on policy positions.”, EPLO Statutes, chapter II. Download at <http://eplo.org/documents/FinalInternalStatutes.pdf> (last accessed 11 February 2010)

Table 6: Member Involvement in CSOs in ESDP

	EPLO	PDCI	QCEA
Member Involvement in Organizational Functions			
Service provision	–	X	–
Policy-making	X	X	X
Implementation	X	X	X
Fundraising	X	X	X
Evaluation	X	X	X
Member Involvement in Decision-Making			
Strategic Decision-Making	X	X	–
Tactical Decision-Making	X	–	–
Frequency of Member Interaction	daily	daily	infrequently
Perceived Trade-Off between Effectiveness and Member Participation	X	–	–

6.2.3 Summary

Comparing member participation and consultation practices in member-based CSOs in ETP and ESDP, no substantial differences can be detected. All CSOs except for QCEA involve their members in strategic decision-making as a general rule. In some CSOs, member participation is extended to tactical decisions. All CSOs involve their members in various organizational functions and most are in frequent contact with their members. The trade-off between member participation and organizational effectiveness is acknowledged by certain CSOs from both policy fields and the way in which they solve it does not differ systematically.

7 CONCLUSION

The findings of this study regarding membership-based organizations stand to some extent in contrast to Sudbery’s and Warleigh’s conclusions. Most importantly, the research suggests that member input is crucial in the vast majority of membership-base organizations across the two policy fields.⁶¹ With the exception of one organization in

⁶¹ The statement by one of the interviewees illustrates this point: „Wir machen das [...] ganz dezidiert so [...], dass wir für alles, was wir machen, politisch auch die breite Rückendeckung unserer Mitglieder haben. Wenn wir das nicht machen, dann nimmt es die Kommission auseinander, dann nimmt es der Rat auseinander, wir verlieren also unsere ganze Überzeugungskraft [...]. Auch wenn wir das persönlich für richtig halten, man ist ja auch manchmal als Vertreter eines Verbandes versucht zu sagen: Gut, ich weiß das besser als die anderen und möchte das jetzt auch gern selbst allen anderen erläutern, wie das richtig ist. Da muss man sich immer wieder zurück-

ESDP, all CSOs regularly involve their member organizations in strategic, some even in tactical decision-making, and they are in very frequent contact with their members. Evidence for a loss of control over the Brussels secretariat by the member organizations is scarce.

The results regarding organizational type, structure and geographical representation within Europe confirm the assumption that CSOs in ESDP are less representative of European citizens than CSOs in External Trade Policy. While five out of eight CSOs in ESDP are expert organizations with a focus on producing knowledge-based advocacy and do not have members with decision-making powers, all CSOs interviewed in ETP are membership-based. Furthermore, the members of CSOs in ESDP tend to be individual organizations while CSOs in ETP are “federations of federations” and thus have a wider reach. It can thus be said that the positions defended by most of the organizations active in ESDP do not have their origin in the European citizenry but are the result of research. These groups cannot be seen to have an intermediary function and their participation cannot contribute to enhancing the input legitimacy of policy-making. As opposed to that, the advocacy positions of CSOs in External Trade Policy are the result of consultations with representatives of interests and concerns present within the European citizenry. As such, these CSOs could actually take on an intermediary role between European citizens and the EU institutions.

The results suggest that institutional incentives might indeed have an effect on the internal structure of groups active in the two policy fields. CSOs seem to follow the different institutional expectations and deliver the demanded resource: on the one hand they provide knowledge and expertise and on the other they furnish the Commission with legitimacy and backing against potential resistance from the member states. The latter motivation appears to be particularly relevant in External Trade Policy.

Two CSO representatives interviewed reported to engage in the acquisition of new member organization with the concept of geographical balance in mind, as well as to foster the creation of potential member networks in countries where the CSO is not yet represented. This might support the assumption that CSOs are aware of the Commission's expectations and design their membership structure accordingly. However, the fact that one of these two CSOs is active in ESDP reveals that some CSOs aim at featuring a representative membership structure even in the absence of institutional pressure. In future research it would thus also be worth to further explore CSOs' own agency and motivation in exhibiting a structure perceived as “democratic”.

*nehmen und sagen, nein. Der Souverän bei uns sind die Mitglieder und was die wollen, das ist für uns Be-
fehl[...].“ (Interview with CSO representative, 19 May 2008, Brussels)*

Generally the study substantiates Dembinski's finding that "many of the NGOs and think tanks [in the EU's Foreign and Security Policy] have chosen to turn themselves into experts at the cost of cutting their connections with local organizations" (Dembinski 2009:161). The majority of CSOs active in ESDP that are in close contact with the EU institutions can "afford" not being member-based. They are consulted by both the Council and the Commission and involved in close partnerships without having to meet the requirement of a representative structure. With regard to the Commission it is interesting to note that it does not seem to apply the same standards in all policy fields. While it is making a representative structure a condition for consulting CSOs in External Trade Policy, the statements in its official publications (see chapter 3) appear to be less relevant for CSOs in Security and Defence Policy. In this field the Commission also engages with CSOs that do not feature a representative structure. It might be that whether CSOs need to meet this requirement or not depends on the function assigned to them by the Commission in the respective policy field. At the same time it has to be kept in mind that the development of the civil society dialogue in ESDP is lagging behind the progress in other policy fields. It is possible that along with an increasing institutionalization of the exchange the requirements for CSOs become stricter in this policy field as well.⁶²

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⁶² Dembinski (2008) predicts that there will be no convergence between the kind of civil society participation in the EU's internal policy fields and in foreign policy. He argues from a demand and supply-oriented perspective and concludes that the demand in foreign policy is and will remain different: "governance in networks" is not desirable in this policy field and CSOs are only supposed to provide expertise (Dembinski 2008).

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ANNEX 1: OVERVIEW OF CIVIL SOCIETY ORGANIZATIONS

List of EU-Level CSOs (in alphabetical order)

	Name as used in text	Full Name	Policy Field
1	ActionAid*	Action Aid	European Trade Policy (ETP)
2	BusinessEurope*	BUSINESSEUROPE- The Confederation of European Business	ETP
3	CMI	Crisis Management Initiative	European Security and Defence Policy (ESDP)
4	EPLO*	European Peacebuilding Liaison Office	ESDP
5	ESF*	European Services Forum	ETP
6	ETUC*	European Trade Union Confederation	ETP
7	EuroCommerce*	Association of Commerce of the European Union	ETP
8	FoE Europe*	Friends of the Earth Europe	ETP
9	International Alert	International Alert	ESDP
10	International Crisis Group	International Crisis Group	ESDP
11	PDCI*	Partners for Democratic Change International	ESDP
12	QCEA*	Quaker Council for European Affairs	ESDP
13	Saferworld	Saferworld	ESDP
14	SFCG	Search for Common Ground	ESDP
15	Solidar*	SOLIDAR	ETP
16	WIDE*	Women in Development Europe	ETP

* membership-based organizations

ANNEX 2: RATIOS MEMBER ORGANIZATIONS-STAFF NUMBER

CSO	Number of member organizations	Number of staff in the EU-level office	Mean number of member organizations per employee
EPLO	27	5	5,4
NP	56	5	11,2
Pax Christi	>100	n/a	-
PDCI	18	2	9,0
QCEA	12	4	3,0
BusinessEurope	40	50	0,8
EuroCommerce	46	21	2,2
ESF	54	1	54,0
ETUC	82	57	1,4
ActionAid	13	10	1,3
FoEE	31	27	1,1
Solidar	36	10	3,6
WIDE	12	8	1,5

*as of March 2010

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