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DELIBERATION AND COALITION-BUILDING: NGOs' ATTEMPTS TO PROMOTE CIVIL DIALOGUE WITHIN EU GOVERNANCE

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Abstract

Theories of deliberation have generated new and diverging interpretations of the EU governance and integration process. When applied to EU institutions, the accuracy of the deliberative norm and the corresponding logic of arguing is debatable. This paper focuses on the logic of arguing by addressing the topic of "civil dialogue" as promoted by the main European non-governmental organisations (NGOs) in Brussels. The paper analyses the coalition building process that revolves around civil dialogue and the corresponding discursive strategies. The three logics identified by Risse, strategic, norm guided, and argumentative, are useful in analysing how different NGOs have cooperated since the early 2000s. The challenges raised by civil dialogue in terms of shared meanings and acceptable reasons have led the most active NGOs to promote the logic of arguing within their alliance. The results of the deliberative processes in their two coalitions reflect the intrinsic difficulty in finding both an operational and legitimate definition of civil dialogue.

Résumé

Les théories délibératives ont contribué à des interprétations, à la fois nouvelles et divergentes, de la gouvernance de l'Union européenne et du processus d'intégration européenne. La réalité de la norme délibérative et la logique correspondante d'argumentation font encore débat au sujet des institutions européennes. Ce papier aborde la logique délibérative en centrant l'analyse sur le thème du dialogue civil tel qu'il est promu par les principales organisations non gouvernementales (ONG) de dimension européenne, basées à Bruxelles. Les trois logiques identifiées par Risse -- stratégique, normée, et délibérative -- sont utiles pour retracer les modalités dans lesquelles ces différentes ONG ont coopéré depuis le début des années 2000. Les défis posés par le dialogue civil en termes de significations partagées et de raisons acceptables ont conduit les plus actives d'entre elles à susciter une logique délibérative au sein de leurs alliances. Les résultats des processus délibératifs dans leurs deux coalitions reflètent la difficulté intrinsèque à trouver une définition à la fois opérationnelle et légitime du dialogue civil.

Keywords | Mots clés

Civil society, coalition, deliberation, European Union, non governmental organisations

Société civile, coalition, délibération, Union européenne, organisations non gouvernementales

INTRODUCTION

Since the 1990s, the notions of civil society and deliberation have been omnipresent in public as well as academic discourses, both in the European Union (EU) institutions and in the field of European Studies (Kohler-Koch and Finke 2007, Risse and Kleine 2010). These two notions now seem to be essential in any consideration of European governance, although their contribution remains debatable. Both terms are used either to describe the way the EU institutions work or to propose institutional reforms. Furthermore, civil society and deliberation do not systematically go hand in hand in every analysis. For some academics, the participation of civil society necessitates the setting up of deliberative forums (Eriksen, 2005), whereas others consider it an imperative at certain moments of the EU decision making process (Neyer, 2004). What determines or justifies deliberation and the civil society's participation varies from author to author depending on whether they adopt a descriptive or a normative point of view. Normative considerations are nevertheless inevitable, because the notion of societal participation at the EU level introduces different conceptions of civil society (Armstrong, 2002).

This paper addresses the deliberation in European governance by examining the operation of two coalitions of Non Governmental Organisations (NGOs): the *Civil Society Contact Group* (CSCG) and the *Platform of NGOs from the social sector* (the Social Platform). Both provide case studies that examine the whys and wherefores of societal participation in EU governance. These two coalitions have linked the themes of dialogue and civil society using a common demand for "civil dialogue" in order to formulate collective requests to EU institutions. In this regard, the Social Platform has played an active part in the CSCG, namely as a founding member. Both coalitions were subsequently involved in symbolic struggles over the meaning of civil society. The heterogeneity of their membership -- European NGOs

involved in a large array of causes (Figure 2 - [The NGO coalitions and their membership in 2010](#), page 15) – has hampered the pooling of discourses and resources. Such mutual efforts characterize coalition-building where members have to adopt binding decisions (Wilson, 1995; 267). This paper contends that a deliberative approach based on the terminologies developed by Thomas Risse (2000) is relevant in understanding the coalition building logics between NGOs as well as the significance of their claim in terms of civil dialogue.

Both the “authenticity” (Habermas quoted by Risse 2000: 13) of the arguments made by the Brussels based NGOs and their actual involvement in favour of a more democratic EU have indeed given rise to conflicting interpretations. Have these NGOs simply reinforced the current consultation practices of EU institutions in the name of deliberation (Warleigh, 2001; Michel, 2009)? Or are they core actors for the promotion of this norm on a European scale (Saurugger, 2010)? In other words, were these NGOs merely instrumental when pushing the notion of civil dialogue, or did they promote this notion on the basis of the values they hold? Risse’s approach to deliberation (2000) offers an analytical framework that permits one to go beyond the opposition between such interests or values based explanations of collective action. Such a framework revitalizes the conclusions one can draw about the dissemination of the civil dialogue notion by the Social Platform and the CSCG.

The distinction between the “the logics of appropriateness” and “consequentialism” – *i.e.* routine or norm guided *versus* strategic behaviour – which has been made by March and Olsen (1989) opposes the respectively constructivist and rationalistic explanations of social action. This divide, which is still influential in EU studies (Olsen 2002, Jacquot and Woll 2010), has also shaped research on civil dialogue and NGOs at the EU level. By adding the third “logic of arguing” to March and Olsen’s

distinction, Risse aims to narrow in analytical terms this divide in the field of international relations. Risse applies Habermas' theory of communicative action to explain collective action and cooperation in international arenas where actors often face a lack of common understanding. The actors deliberate when "the logics of appropriateness" or "consequentialism" do not allow them to solve a common problem or situation. The "logic of arguing" emerges in social interactions when actors are uncertain about their values or interests.

Such an assumption justifies our studying of both the conditions favouring the emergence of "the logic of arguing" between the NGOs that promoted the civil dialogue, and its results in terms of collective action. As Risse considered the logic of deliberation an "ideal type" (Risse 2000: 3), this logic prevails over the other two in any given social situation, rather than simply replacing them. The actors involved are then committed to exchanging arguments, and they intentionally participate in a process knowing that their perception of a given situation, their preferences and even possibly their identity might change. For our purpose, examining the emergence of this arguing logic from a Russian perspective is useful to determine the factors that favour coalition building. This can further inform a comprehensive account of the ways NGOs face the theoretical and terminological debates related to civil society.

Our analysis consists of tracking over time the common positions expressed by NGOs and the consensus behind them. The empirical research took the form of a collection of common position documents, then mapped their drafting by means of a dozen interviews with the coordinators of the coalitions under study, several representatives of several NGOs who are involved in the voluntary and environmental sectors, as well as with EU level decision-makers.

The analysis draws from the Rissian terminologies on deliberation in order to piece together over time the elements of consensus and disagreements on the content and legal implications of the civil dialogue as the topic became pervasive at the EU level. On the basis of the assumption that the challenge of finding shared meanings and acceptable reasons concerning civil dialogue led the most active NGOs to promote the logic of arguing within their alliance, the second section analyses the empirical cases by discussing the conditions that triggered the emergence of deliberation at the heart of the NGO camp. The third returns more systematically to the mutual interplay between forming a coalition and the logic of arguing, thus underscoring their results in terms of both collective action and outcomes in the EU arena.

1. DELIBERATION AND COLLECTIVE ACTION: ARGUING OVER NORMS AND RULES

Research has shown how difficult it is to reach a consensus on the notion of civil dialogue when it is transposed to EU institutions. Risse's distinctions between the logics of arguing, consequentialism and appropriateness are useful to move beyond the dominant instrumental interpretations about the circulation of the notion within the EU arena. As we shall see, Risse defines deliberation so as to include both the conditions necessary for its emergence and what it makes possible to collectively achieve. Both questions, *Why deliberate and when to do it?*, will allow us to identify factors to consider in an analysis of coalition building amongst NGOs.

Civil dialogue as norms and rules of the game

The notion of "civil dialogue" appeared in the European arena in the middle of the 1990s. Ever since, its underlying norms and rules have sparked controversy, which concerns the definition

of civil society and how it might participate in the European decision making process. The theme of “civil dialogue” initially implies the recognition of the voluntary and non profit sector, in particular in the field of social policies. Such a recognition was first promoted by the DG XXIII (Enterprise Policy, Distributive Trades, Tourism & Cooperatives) at the beginning of the 1990s, before it was relayed by the DG V EMPL (the Commission Directorate General for Employment, Social Affairs and Equal Opportunities) (Kendall and Anheier, 1999, 293-4). The notion of civil dialogue was mentioned in a communication prepared by the two DGs (Commission 1997) as well as used by the social sector NGO Platforms (Social Platform). The Social Platform is a regrouping of those European NGOs based in Brussels that DG EMPL has supported and consulted with since the publication of the 1993 white paper on social policies (Cram, 2011; Greenwood, 2011; Sánchez-Salgado 2007). Created in 1995, the first task of the Social Platform was the organisation of a conference in 1996 on social policies. At that point, the Social Platform was a loose coalition of about ten European NGOs, all active on wide ranging social issues, charity, disabled people’s rights or youth sectors. The Social Platform’s demand for civil dialogue was initially limited to the non profit sector in the field of social policies. This was expanded with the support of other European NGOs in order to obtain legal consultation rights for NGOs. This informal coalition became the Civil Society Contact Group (CSCG) in 2001.

The European Economic and Social Committee (EESC) then took up the demand but significantly softened its content with two opinions in 1999 and 2000 which commented on the components of and the justifications for civil dialogue (EESC, 1999; 2000). The EESC definition of civil dialogue targets not only the third sector but also every collectively organised interest in society. This extended meaning, which includes occupational and economic interest groups, conformed to the composition of the EESC itself, which gathers representatives from trade unions, business

associations and similar interest groups. These two opinions were subsequently cited in all new communications from the Commission (for instance, 2002), when tackling its relationships with interest groups or “stakeholders”, who are identified as composing the “organised civil society”. The EESC returned to this extensive view on civil society, when it established a liaison group with Brussels-based NGOs in 2004 that included only non-profit organisations¹. This view has since been confirmed by the opinion on the representativeness of civil society organisations (EESC 2006), *i.e.* “non-profit organisations” representing the specific and/or general interests of citizens (article 2).

Conflicting interpretations about the scope of civil dialogue

Although “civil dialogue” could imply the practice of deliberation amongst actors at the EU level, the logic of arguing has rarely been part of the analytical framework for studying the interactions of the actors promoting it. A first wave of research considered civil dialogue as a strategic objective for actors, highlighting its malleability. By contrast, the second set of studies adopted a deliberative theoretical framework in order to evaluate actual changes that the focus on civil society has wrought in European governance.

Those who have studied the concepts developed by EU actors around civil dialogue have given the same chronological account of their symbolic struggles, *i.e.* using the opinions stated in the EESC and the European Commission’s publications as reference points (Figure 1 - Official Publications, page 13). Civil society is a social construction emerging from several NGO networks, including the European Movement, in the 1990s (Weisbein, 2008), giving way to both competing and opportunist uses by NGOs (Michel, 2009; Weisbein, 2008) as well as EU institutions (Cram, 2011; Michel, 2008; Saurugger, 2007; Armstrong, 2002;

1 <http://www.eesc.europa.eu/?i=portal.fr.liaison-group> (Accessed on the 14th of June 2013)

Smismans, 2003). However, interpretations differ over the identity of the collective actors who have managed to impose their meaning on this norm. For Michel (2009), some well established NGOs in Brussels have succeeded in putting civil dialogue on the agenda of the European institutions, at the expense of the EESC or European trade unions. On the contrary, in Cullen's analysis (2010) the claims from the NGO camp and the Social Platform were unsuccessful. The authors have also insisted on highlighting the role played by specific individuals in the framing of civil dialogue and its linkage with other notions such as governance or participation. This is notable in the case of civil servants from the Commission who moved to the EESC (Armstrong, 2002) or who remained within the European Commission (Saurugger, 2010; Michel, 2009). Despite this focus on individual agency, the literature tends to reduce each EU institution to a single vision of civil dialogue, by inferring the views and strategies of collective actors from their position in the decision making process. Such a perspective explains why civil dialogue gives rise to conflicting conclusions about a hegemonic definition. Even Saurugger (2010), who points out the existence of an "elite forum" composed of civil servants, academics and interest group representatives, considers that the Commission has always adhered to a single definition. In reality, several definitions of civil dialogue continue to co exist within the European Commission, the EESC and NGOs (Tanasescu, 2009). Different Directorate Generals (DG) of the Commission have developed different consultative practices, all called "civil dialogue" (CSCG, 2006) and the understandings of what constitutes civil society still differs between DGs².

The actual dissemination of the themes linked to civil society within the institutional system of the EU is far from obvious since its effects are considered to be limited. Several authors reach this

² For instance, the representatives from the DG Employment and Social Affairs, DG Enlargement, or DG Education and Culture all give slightly different definition of the civil society during the Annual conference of the Social Platform we attended in December 2008.

conclusion, each of whom has applied the model of deliberative democracy to the relations between the Commission and interest groups. The principles that the Commission has developed in several communications – “openness”, “participation” and “accountability” in decision making processes (European Commission, 2001; 2002) – have renewed the existing consulting practices to a limited extent so that they fit with the functional needs of the Commission (Kholer Koch, 2010; Michalowitz, 2004; Magnette, 2003).

A framework of deliberative analysis for studying the logics of coalitions

Considered as a whole, the research on civil dialogue shows how difficult it is to define for EU actors. This conclusion could also apply to the European NGOs who promoted civil dialogue, leading to the question of why they continue to uphold the notion. Risse’s “logic of arguing” approach provides an analytical lever to further explore this situation, and paves the way for examining the factors that explain collective action and coalition-building based upon civil dialogue over time. A methodological point will conclude this development.

In Rissian terms (2000: 12-13), the NGOs based in Brussels are confronted with the absence of a “common lifeworld” at the EU level (See also, Neyer, 2004), *i.e.* a common background made up of the historical and cultural elements which are essential in formulating a “shared truth seeking discourse”. Furthermore, these NGOs do not automatically share a “common knowledge” that would come from a single institutional environment. Indeed, they are active in distinct policy sectors that have been developed to varying degrees by the EU, which also affects their definition of “problems” (Eriksen, 2005). Given these background conditions, the logic of arguing may prove useful to enable them to find a shared “understanding of the situation as well as justifications

about the norms and rules” (Risse 2000: 7) and thus collectively overcome common problems.

This logic of arguing may have prevailed among NGOs at given moments in time, and they may have also developed strategic or routine uses at other moments. In other words, the succession of the three logics already mentioned - argumentative, consequentialism, appropriateness - could explain the continuity of this topic in the NGOs’ discourse. This assumption needs to be elaborated on in order to analyse the dynamics of NGO coalition-building around civil dialogue over time and their outcomes regarding the rules of the game in the EU arena.

This raises two questions that Risse links together to include both the conditions necessary for the emergence of the logic of arguing and what it makes possible to achieve collectively: *When should one deliberate?* Actors deliberate when the logics of “consequentialism” and “appropriateness” are judged to be inefficient in the situations they are facing. *Why should one deliberate?* The actors attempt to reach a reasoned consensus; they are involved in a “reason-giving process” based on an exchange of “better arguments” (Risse, 2000: 7). However, it is also possible for them to agree on the nature of the disagreement. This partial consensus may also lead to a new phase of collective action.

At what point did deliberation arise between the NGOs and how did it contribute to their logics of coalition? The specific factors that contribute to organisations’ actions must be considered in order to answer three specific questions:

Who? The general secretary of the Social Platform, a norm entrepreneur – Among the mechanisms for circulating new values and beliefs, constructivists agree on the role played by norm entrepreneurs, whether they are individuals or organisations such as administrations or NGOs (Weisbein, 2008; Rosamond, 2002).

These key players allow common solutions to be found at the heart of the group by circulating ideas when uncertainties appear regarding its preferences or strategies. The concept of norm entrepreneur is relevant in order to analyse the role played by the permanent staff of the Social Platform (the general secretary), both in promoting civil dialogue within NGO coalitions – especially the CSCG – and providing material resources for deliberation.

Why? The need for consensus in order to maintain internal cohesion, while providing acceptable reasons for external audiences – Deliberation remains an essential logic for collective action at the heart of coalitions. It not only enables an internal consensus to be reached but also generates acceptable reasons for external actors. Mansbridge (1992) has insisted on examining the impact of deliberative theory on the functioning of organisations such as interest groups, by focussing on the logic of arguing within these organisations and their exchange of arguments vis-à-vis external audiences, namely the political authorities. Studying NGOs' logic of arguing may thus prove useful in order to grasp the interaction between internal deliberation and external deliberation, *i.e.* between the network's member organisations, as well as vis-à-vis other policy actors. Examining the deliberative phases on these two different levels allows us to go beyond the analyses previously mentioned, which infer the NGOs' discourses from the opportunities for expression provided by formal institutional consultation.

When? Formal opportunities for consultation – The possibilities for consultation offered by the European institutions are important in the mobilisation of NGOs. These opportunities for expressing collective positions favour deliberation between NGOs or even within NGOs, as they open the playing field for a debate about terminologies. It is assumed that the initiatives of the European institutions that concern NGOs and other stakeholders have partly shaped the timing of the coalition-building process.

Examining the combination of the above three factors sheds new light on the timescale for NGO coalition formalisation. Accordingly, research was carried out to track the elements for which NGOs reached a reasoned consensus on civil dialogue and the part played by deliberative processes. As already underscored, the three logics distinguished by Risse are often intertwined in reality, as they correspond with ideal types. “The empirical question to be asked is not whether actors behave strategically or in argumentative mode, but which mode captures more of the action in a given situation” (Risse 2000: 3).

By focussing on how common position papers and related documents treated the topic of civil dialogue, we aimed at identifying the deliberative sequences that were conducive (or not) to collective action. As direct observation of both “deliberative situations” or “the effects of persuasion” within NGOs is difficult, if not impossible, to achieve (this is true for any collective actor, as underlined by Risse and Kleine 2010, 711), it was decided that the results from common position papers and the oppositions/agreements expressed at the different moments of this process would be tracked by conducting interviews with the coordinators of those coalitions that are examined here. Low staff turnover in NGOs helped the initial investigation (2008-2010) wherein interviews were conducted with representatives of several NGOs, mainly in the voluntary and environmental sectors, as well as with civil servants from the European Commission and members of the EESC.

Figure 1 below lists the publications involved in the process.

Figure 1 - Official Publications

European institutions

• **European Commission**

COM (97) 241, final, *Promoting the Role of Voluntary Organisations and Foundations in Europe*.

COM (2000)11 final, *The Commission and non-governmental organisations: building a stronger partnership*.

COM (2001) 428 final, *European Governance. A white paper*.

COM (2002) 704 final, *Towards a reinforced culture of consultation and dialogue - General principles and minimum standards for consultation of interested parties by the Commission*.

COM (2006) 194 final, *Green Paper European transparency initiative*.

COM (2008) 323, *European Transparency Initiative. A framework for relations with interest representatives*.

• **European Parliament**

Committee on constitutional affairs, (2008/2067(INI)), *Report on the perspectives for developing civil dialogue under the Treaty of Lisbon*.

• **European Economic and Social Committee**

EESC 851/99, Opinion on *'The role and contribution of civil society organisations in the building of Europe'*.

EESC 811/2000, Opinion on *'The Commission and non-governmental organisations: building a stronger partnership'*.

EESC 535/2001, Opinion on *'Organised civil society and European governance: the Committee's contribution to the drafting of the White Paper'*.

EESC 357/2002, Opinion on *'European Governance - a White Paper'*.

EESC 1373/2006, Opinion on *The Green Paper - European Transparency Initiative* 26 October 2006.

EESC 240/2006. Opinion on the *representativeness of European civil society organisations in civil dialogue*.

EESC liaison group, *Manifesto for a genuine European civil dialogue*, March 2009.

EESC liaison group, *Towards a structured framework for European civil dialogue*, February 2010.

NGOs

• **EU Civil Society Contact Group**

2003 (May), A guaranteed and structured dialogue with citizen's associations. NGOs (Call for Immediate action. Make "participatory democracy" meaningful for NGOs ! Act Now !).

2006, *Civil Dialogue - Make it work better*.

2008, *How to make a transparent registration in the European Commission Register of Interest representatives*, With Alter-EU.

2009, *The Civil Dialogue. Why, How, Who*. Draft project.

• **Social Platform**

2010 (March), *Towards an effective dialogue between the EU and networks of active citizens*.

2008 (December), *Civil Dialogue: how can we shape the Europe we want?*

2008 (June), Reference paper "Shaping an effective dialogue at national and European level" - "policies for people, with people".

2. THE EMERGENCE OF A LOGIC OF ARGUING IN THE BRUSSELS NGO COMMUNITY

This section examines the interplay of the three factors mentioned above: the existence of a norm entrepreneur, the need for consensus and the opportunities for consultation from EU institutions. The three factors are examined by isolating three different sequences in the time along which cooperation between NGOs evolved. Civil dialogue initially had a practical meaning amongst the NGOs who championed it in the 1990s, because they shared concerns over the consultative practices of the European Commission. When the EU institutions addressed the theme of civil society with a view to reform the Treaties, the NGOs had to tackle the justifications for civil dialogue as well as its definitions. What were initially informal alliances deliberated on the notion of civil dialogue during the European Convention (2002-2003) and addressed the related procedure when the application of the constitutional Treaty subsequently became an issue. As we shall see, the deliberative dynamic gained ground in the NGO camp at the same time as their collective action was formalised.

2.1. An informal alliance around the Commission consultation practices: 1995-2001

In the 1990s, the NGOs established themselves in Brussels where the European Commission multiplied initiatives in domains beyond the competence of the Community and was striving for the support of constituencies (Greenwood, 2011). In parallel, several informal coalitions were formed around the NGOs active in the corresponding public policy sectors: the Social Platform (already mentioned), the Green 8 for the environment, NGOs for the defence of Human rights (HRDN, Human Rights and Democracy Network), and NGOs for development (CONCORD, previously the Liaison Committee for NGOs, set up in the 1970s). The collaboration ties established between the Social Platform

and these sectoral NGO coalitions created a favourable context for civil dialogue. The figure below explains the acronyms used in this discussion as well as their overlapping membership.

Figure 2 - The NGO coalitions and their membership in 2010

The Social Platform (1995) - 37 European NGOs

Among the NGOs mentioned :

- **CEDAG** (European Council of associations of general interest)
- **COFACE** (Confederation of Family Organisations in the European Union)
- **EAPN** (European Anti-Powerty Network)
- **EPHA** (European Public Health Alliance)
- **EWL** (European Women Lobby)
- **Solidar** (formerly, International Workers Aid)

CSCG - The Contact group with civil society (2002) - 8 European NGO platforms

Four founding members :

The Social Platform; the **Green 10** (European NGOs, previously the Green 8); Concord (National and European development NGOs); **HRDN** (Human Rights and Democracy Network – European NGOs)

New members:

EFAH (European Forum for the Arts and Heritage, European and National NGOs); **EPHA** (European and National NGOs); **EUCIS-LLL** (The European Civil Society Platform on Lifelong Learning - European NGOs); **EWL** (National NGOs)

The Social Platform as a norm entrepreneur

Civil dialogue was the most important demand in the first five years of the Social Platform's existence. According to a former coordinator of the Social Platform: "The civil dialogue is imprinted in the DNA of the Social platform". This topic was the argument to obtain funding and common representation with the DG EMPL. Besides, it has remained one of the few crosscutting issues of the Platform that brings together NGOs with different ideologies regarding social issues, as described by Cullen (2010). Among the most active NGO members on this theme were the EAPN (European Anti Poverty Network) and the COFACE

(Confederation of Family Organisations in the European Union). Despite the lack of a formal legal status at the time, the Social Platform was rapidly allocated a secretary, four members of staff and financing from the EU. Given these resources, the Platform swiftly became the norm entrepreneur in the NGO camp and beyond the field of social policies.

During the preparation of the Treaty of Amsterdam in 1997, the Social Platform ran a campaign to ensure civil dialogue was mentioned in the Treaties in order to guarantee the legal right for consultation of non governmental organisations to be consulted. The notion has since become since a route for the recognition of the NGO sector in Brussels. Even though they had already collaborated on certain common campaigns on EU policies, the European NGO platforms (environment, social actions, human rights and development) joined forces for the first time in 1998 when the Commission decided to suspend several budget lines for the NGOs. The platforms reacted by initiating spectacular planned operations in Brussels and other capital cities (Smismans, 2003).

New consultation opportunities for NGOs in Brussels

This episode led the Commission to consult the NGOs about their mutual relations, with a focus on funding from the Commission and its consultation practices (European Commission, 1997; 2000). Individually or in coalition, the NGOs reiterated the idea of their specific access to the decision making process when opportunities for consultation were launched by the European Commission (Commission, 1997; 2000; 2001; 2002). Both the Green 8 and the Social Platform demanded legal recognition of civil dialogue in the Treaties ahead of the Nice Inter Governmental Conference in 2000. An evaluation of the decision making process they were trying to influence explains this convergence in the NGO camp: their concern was that the

relationship between NGOs and the Commission would have a discretionary character, which depended too often on the views of a handful of civil servants. Thus, it was argued, a legal basis for the consultation of NGOs would allow a balanced representation of interests, especially when the NGOs were faced with economic interest groups that they considered more numerous and better resourced than themselves. These NGOs endorsed civil dialogue on the basis of their experience of the EU-decision making process. As reported by an official of the civil platform at that time: “The civil dialogue was an idea with a practical meaning, not philosophical meaning: the need for exchanging with the European Commission”.

The demands of the NGOs for recognition *via* formal opportunities for consultation featured only in the Commission’s preliminary publications (Commission 97, 2000), which prepared the ground for the “White paper on European governance”. This communication (2001) is often presented as the moment when the concept of civil society entered into institutional discourse (Saurugger, 2010; 2007; Kohler Koch, 2010). However, neither the white paper on European governance nor subsequent publications by the Commission mentioned “civil dialogue” as such. Moreover, the Commission made reference to the opinions given by the EESC (1999, 2000) and used its extensive definition of civil society including socio-economic interests (Commission 2006, 7). The concept of civil society was used cautiously, with its potential different meanings underlined (Commission, 2002, 6). According to an insider from the Commission, both the topics of civil dialogue and civil society were delegated to the EESC once the white paper on governance was published (Commission 2001). This situation was validated by the protocol of cooperation in 2001 between the European Commission and the EESC about civil dialogue³. Officially, the Commission considered that the

³ The EESC was recognized as the “home for civil society” by the Treaty of Nice in 2001, thus confirming the interpretation of the EESC as “a forum for civil society” first developed in its previous opinion (1999, 2000). The EESC also organised several

practices related to the European governance were within its competence, while the civil dialogue had to be addressed by the reform of the Treaties.

2.2. Promoting civil dialogue through the constitutional Treaty and the CSCG – 2001 2004

The demands of NGOs for opening up the decision making process were initially directed at the practices of the Commission but were later formulated in more general terms when the non official coalition between NGOs from the four sectors mentioned above became formal in 2001, with the setting up of the Civil Society Contact Group (CSCG). The actions planned by the NGOs concerning the measures that had been designed for them took on a new meaning within this coalition. Indeed, the CSCG had to express common positions unanimously adopted in the context of a EU wide debate over institutional reform. The need to defend common positions spurred the development of the logic of arguing among representatives of the NGOs affiliated to the CSCG.

Entrepreneurship and past cooperation

The CSCG was created by a common text drawn up in February 2002 between the Green 8, the Social Platform and NGOs from both the development and human rights sectors. The decision to do this was made in December 2001, following a joint campaign at the Laeken Summit. This summit decided to organise the “Convention on the Future of Europe” (or the European Convention) with a new inter governmental conference planned for 2004. The Social Platform was the lynch pin of the CSCG: it took the first term of the rotating annual presidency and its Director

conferences related to civil dialogue: “The role of organised civil society in European governance”, on 8 and 9 November 2001; on “Participative democracy: current situation and opportunities” (2004), and organised a public hearing about the European transparency initiative launched by the European Commission in 2006.

initially undertook the duties of secretary. Their predominance in the CSCG corresponded to the enhanced institutionalisation of the Platform. The NGO members agreed to register the Platform under Belgian law in 2001, thus allowing it to receive EU funding without being dependant on *ad hoc* projects secured by its members (mainly COFACE and SOLIDAR). At this time, the membership had increased three fold, with 32 NGOs. The Platform also had 7 members of staff, which is still the case in 2010. In early 2000, the Social Platform was consolidated as a full coalition by a common campaign on fundamental rights launched with the ETUC (European Trade Union Congress), although the ETUC remained reluctant to embrace the idea of civil dialogue.

A CSCG in favour of two different dialogues

The CSCG brought together the four NGO sectoral coalitions in order to defend collectively the Community *acquis* of each policy domain where they were respectively active. Civil dialogue was hence one demand amongst many for members of the CSCG, with two main dimensions. The first was immediate and pragmatic: the creation of the CSCG aimed at establishing a dialogue with the Convention. The NGO members claimed to voice fundamental causes on behalf of European citizens, without aiming to represent the whole of civil society. The second dimension concerned civil dialogue as a “structured” and “regular” dialogue to be established with the institutions as spelled out by the common leaflet of the CSCG. The discussions between the representatives of the NGO platforms of the CSCG showed that the participants adhered more or less actively to this topic. There were also different arguments about the justifications for using “civil dialogue”. For the members of the Social Platform, the justification for civil dialogue was the need to represent certain parts of the population who were socially and politically excluded, such as the migrant workers or the disabled. The NGOs from the environment or development sectors did not share this concern

to the same extent. They insisted they were committed to causes not to individuals, thus representing indirectly the interests of the wider European population. Participants of the CSCG's meeting also grappled with the procedures necessary for implementing civil dialogue. The argument was made by NGOs belonging to different sectors that a structured dialogue may exclude national organisations. Finally, the inequality which was supposed to affect the representation of interests in Brussels was not perceived in the same way by all sectors of NGOs. The environmental NGOs paid particular attention to the consultation practices from the Commission as they regularly tried to intervene in the European decision making process. In contrast, this situation was less problematic for the human rights NGOs, who concentrated on the EU institutional agenda rather than the routine decision-making process in order to address urgent humanitarian situations. These arguments during the meetings to decide on joint action and discourses did result in several consensual formulations within the coalition, and vis-à-vis external actors.

Internal deliberation and acceptable reasons vis-à-vis external actors

The discourses promoted in the name of the CSCG reflected a minimal consensus within the coalition: civil dialogue involves citizen organisations that are non profit making. When the draft of the Convention mentioned a dialogue with civil society, without actually defining what it was, the CSCG undertook a campaign to contest the idea that civil society might include commercial associations. The CSCG did not try to define civil society in positive terms vis-à-vis external audiences, the members of the European convention and other organisations involved in the consultative process of the convention; instead it highlighted the fact that NGOs are an essential part of it, thus justifying the establishment of a dialogue process specifically aimed at them (CSCG, 2003). The coalition helped to initiate a vast campaign,

“Act4Europe”, which circulated this discourse *via* national NGOs which were not systematically affiliated to the European NGOs network, thus making the CSCG more credible.

Dispositions in the final version of the Lisbon Treaty under the title “participative democracy” finally validated a few concerns raised by both the NGO coalitions and several members of the Convention. Paragraph 2 of Article 47 states that: “the institutions of the Union uphold an open, transparent and regular dialogue with representative groups and civil society”. However, “civil dialogue” is not explicitly mentioned, and there is no clear definition of “civil society” or the organisations that represent it. The EESC definition of civil society, which includes socio-economic interest organisations, was thus likely to jeopardize any preferential consultation rights for NGOs in the decision making process. Meanwhile, the EESC set up a liaison group with civil society, which was composed of a dozen NGOs such as Solidar, thus paving the way for a position more favourable to the non-profit sector. Both the Social Platform and the CSCG refused to join this initiative and more effort was put into building an internal consensus on civil dialogue, as we will see in the next section.

Compared to the first sequence we analysed, the notion of civil dialogue could not be reduced to a practical meaning and corresponding procedures: it raised abstract and complex questions. The answers mainly reached a negative consensus --the agreement to disagree mentioned by Risse (2000)-- on what civil society should not include, *i.e.* economic interest groups. Some participants were concerned about the time devoted to such abstract subjects: “There have been so many debates within the CSCG and the PS. It was one of these processes where we discussed a lot with the European commission about general questions but generated few final outcomes”. However, abstract aspects of the civil dialogue, both its justifications and procedures,

ought to be clarified in order to develop a common discourse on civil dialogue. Indeed, both subjects arose again within the CGCS and the PS when the two coalitions addressed civil dialogue in the following, final sequence.

2.3. Implementing civil dialogue. The parallel processes within the CSCG and the Social Platform (2005 2009)

The deadline to ratify the Lisbon Treaty directly dictated the agenda for the CSCG and the Social Platform regarding civil dialogue. Internal logics explain why the theme was addressed by both coalitions: the Social Platform staff wanted to find operational recommendations in order to use the term “dialogue” as mentioned by the Treaty whilst avoiding abstract discussions over definitions. Nevertheless, an analysis of the connections established between the two processes, which aimed at reaching common positions on civil dialogue in the Social Platform and the CSCG, shows that questions of terminology were unavoidable.

Collective decision making about civil dialogue within the CSCG

The CSCG was maintained by its members once the European Convention finished in 2003, formalizing further an experience that was started at the end of the 1990s. They agreed that keeping one another informed of their respective activities would be conducive to further cooperation. For the coordinator of the environmental NGOs: “The contact group is a very important place to exchange on experiences, the notions and the strategies” The evolution of the CSCG was marked by progressive institutionalization, which has ensured regular relations between its members, despite a dependence on the Social Platform. Initially financed by the four founding NGO platforms (the Social Platform, Environment, Human Rights, and Development), the network became dependent on *ad hoc* funding requests addressed to the European Commission or foundations. The

CSCG coordinator remained officially employed and hosted by the Social Platform. Meanwhile, the participating rules for NGO members were also made official, with two representatives for each European platform on the “steering committee”. Since 2008, the coordinator has organised the cooperation of NGO members into thematic workgroups in order to involve their staff in more specific policy questions (the 2009 European Parliament elections and the EU budget). The conclusions that these thematic groups come to are then passed to the steering committee for decision making. This need for enhanced cooperation corresponded with the decision to accept new members: new NGO coalitions joined the CSCG, among them two members of the Social Platform (Figure 1 - Official Publications, page 13).

Making cooperation more formal within the CSCG has brought the subject of civil dialogue back into the collective decision making arena. Up to this point, the CSCG’s activities regarding civil dialogue had mainly consisted of exchanges of information. The main achievement of the CSCG was a Europe-wide survey carried out within the network of its member organisations, on both a national and European level, in order to list the types of cooperation between NGOs and public authorities (2006). However, many members could not identify with the recommendations that this document put forward, as it listed existing dialogue practices as well as conceptual considerations.

Discussion was thus reopened in 2008 in a specific working group, which aimed to adopt a common position. The participants in the working group brought together two aspects: the experiences of each NGO network and abstract notions. According to the CSCG coordinator at that time, during the 2008 discussions:

Everybody agrees that NGO is not so appropriate. But still it is the one probably best understood, abroad. So, *civil society organisation* includes the risk of the Commission understanding.

There was a proposal in the steering committee to only use public interest group organisation, but they didn't agree. Members said 'we are having this discussion on civil dialogue with our member, and they are not ready for this.' There has been a debate about the meaning of this notion of public interest. How far does it help us to explain who we are and what we do? It is extremely difficult and we did not manage. Because there are many business associations. And when they defend the car sector: this is also the car interest.

As a matter of fact the CSCG and the organisation members agreed to use different notions in their common and own publications: "NGOs", "civil society organisations" and "public interest groups". More consistently, the common interest in defending civil dialogue was justified on the basis of the practical experience of lobbying in Brussels. The representatives of both the Environmental and Public Health NGO platforms were particularly keen to raise the issue of unequal access to the EU policy-making process. As explained by the CSCG coordinator in 2010: "in both sectors, there are a lot of directives. We operate in sectors where the weight of the vested interests, namely the industry, is significant. The NGOs operating in these sectors do not want to be considered on the same basis".

Despite the time devoted to these questions, no consensus was found. The steering committee decided to freeze the discussion and await the internal debate that the Social Platform had planned about civil dialogue with 2009 as a deadline. In 2008, the committee had adopted a common values statement which reasserted solidarity between the European NGO platforms within the alliance. It also voted for a strategic 3 year plan mentioning the necessity to find "*a common narrative about the role of NGOs and the values of civil society*". This plan aimed at re-centring the member NGOs' shared policy priorities in order to voice common concerns, for example as regards the budget of the EU. As well as civil dialogue, the basis for cooperation was

sought through common values, echoing a similar process within the Social Platform.

The Social Platform in pursuit of civil dialogue

Within the Social Platform, permanent staff had to encourage cooperation and unity between the various NGO members when tensions arose due to the new lines of funding from the Commission (Cullen, 2010). Civil dialogue was one of the themes of the 5 year action plan that the Social Platform adopted in 2006, following an internal survey concerning members' priorities. The general assembly decided to hold its annual conference in the following year on this topic. This decision coincided with several strategic deadlines in 2009: the application of the Lisbon Treaty, the European elections and the appointment of a new Commission. The conference was a means of rallying the members into articulating institutional demands which would then lead to collective campaign actions.

A specific working group for civil dialogue was set up in 2008 to move the debate on from the management committee. This was formed of representatives of organisation members. It produced two reference papers, which were used as the basis for formulating a common position at the end of 2009. This document (Social Platform, 2010) was amended and validated by the management committee. Drawing up intermediate briefings allowed continuity between the meetings, by clarifying and cementing the agreements obtained through the discussions. This method was adapted from a mainly contingency driven process in order to meet two initial challenges: first, the difficulty of defining civil dialogue at the EU level, and second the low level of participation of the organisation members.

During 2008, the members of the working group have focused on naming the practices of civil dialogue in the EU arena in order

to give flesh to a notion that is difficult to substantiate. Several objective criteria were identified in order to evaluate this dialogue over and above the members' different experiences. For example, dialogue as defined in the legislative text had to be given a time limit. The participants also decided not to address the concept of "participative democracy". After the hearing at the European Parliament in June 2008⁴ and the Platform's annual conference on the theme in December, the Platform's working group discussions focused on finding practical measures to be taken by decision makers. The resulting document (Social Platform, 2010) included recurring demands, such as a legal status of the European Association, alongside propositions for financing civil dialogue within each EU institution, as well as the setting up of a NGO contact point within each Commission Directorate General.

The report justified the existence of civil dialogue from the Social Platform's point of view, *i.e.* as "civil society organisations" (CSO), which are active on different social issues "*providing the voices of those who are often forgotten*" (Social Platform, 2010). Nevertheless, the term "Civil Society Organisations", which was originally circulated by the EESC (1999), was still not fully defined. Instead, European decision makers were called upon to achieve this task, by creating a European database of Civil Society Organisations. The second part of the report set out recommendations mainly in terms of internal democracy and transparency towards the civil society organisations active in the social sector. The issue of representativeness of these organisations was left to future discussions within the CSCG – a means of not only strengthening the coalition but also putting additional pressure on the member NGOs. The coordinator of the CSCG re launched the internal debate on civil dialogue, which resulted in a draft in 2009. The document, entitled "*Why, How, Who?*" was to be finalized the following year. In the meantime, and since the Treaty of Lisbon was

4 This led to the Grabowska report on civil dialogue (EP 2008/2067(INI)) which endorsed several propositions made by the NGOs.

to enter into force in December 2009, the working group within the CSCG resumed the collective work on civil dialogue, before submitting new concerns to the steering group. As reported in 2010 by the CSCG coordinator, “The members are convinced of the need to clarify the related concepts, but it is time-consuming and also demanding given the diversity of our membership. It is really difficult to achieve”.

The debate on the procedures that aimed to implement civil dialogue has led the participants in both the Social Platform and the CSCG to address the reasons for such a dialogue, without successfully reaching agreement on the subject. The following section looks at the results of these deliberative sequences in terms of collective action.

3. THE SPECIFIC DYNAMICS OF DELIBERATION AND ITS CONTRIBUTION TO COALITION FORMATION

The section 2 has examined the specific conditions favouring the logic of arguing within the Social Platform and the CSCG (*why and when to deliberate*), thus allowing us to better emphasize how deliberations contribute both to change within coalitions and to their influence in the EU arena of decision making. Risse’s distinctions remain useful, not only for analysing when the deliberative logic eclipses strategic considerations or the reproduction of routines, but also for highlighting the results of the combinations of these logics in the long run. Indeed, the deliberative situations have their own specific dynamics and timing.

The need for consensus and time – The need to define strategic common actions has encouraged decisions to organise debates within the Social Platform and the CSCG. Civil dialogue had become a routine point of reference since the creation of the Social

Platform, coming up again and again in general assemblies. The decision in 2008 to run a campaign on the subject showed that the notion needed to be clarified internally. The staff of the Platform strongly supported this development, since civil dialogue is a cross cutting issue that has justified the very existence of the coalition from its inception. Within the CSCG, references to civil dialogue were frequent; however, the consensus on the notion seems to be even more insecure. Finding common positions between different sectors of NGOs was necessary for both the existence and the credibility of the CSCG, which has led to deliberative sequences devoted to the notion.

The permanent staff of the two coalitions have played an essential role in promoting the notion. Beyond the need of consensus, it also provided the logistics crucial for starting deliberative phases. The representatives of the member NGOs have met to discuss cross cutting themes they are not usually able to devote resources to, such as for instance, as the EU budget in the CSCG. The actual purpose or benefits of such discussions in the working groups have not always been immediately perceived by the member NGOs. However, these moments of deliberation have distanced their participants from the immediate strategic considerations specific to the organisations and policy sectors they were usually involved in, which was a precondition of enlarging their view of the policy-making processes and design possibilities for collective action.

The results and the effects of internal deliberation – The agreement to disagree, namely the impossibility of finding a common definition of civil society, explains the discursive strategies adopted later on. A negative consensus arose surrounding the term “NGO”, which was temporarily preferred over “public interest groups” or “citizen associations”. Within the Social Platform, the NGOs involved in migrant population rights found that the term “citizen associations” could not be applied to the

people they defended. Even if it is used in common documents, the CSCG steering committee did not formally adopt the notion of “public interest” group either. Some members were reluctant to frame their cause in terms of public interest.

Internal debate brought up differences of meaning, but also different priorities regarding the consultation practices of the Commission. Although this consensus on disagreement has been sidestepped by discursive strategies (as with the Platform document in 2010 mentioned in the previous section), the situation reflects more fundamentally the challenge of extending “ultimate truth claims” (Risse 2000: 13) to the EU context, which has threatened the collective action dynamic in both coalitions.

Common lifeworld / common knowledge – The distinction that Risse underlines between common lifeworld and common knowledge highlights this last point more clearly. European NGOs are confronted with the difficulty of basing their alliance in Brussels on a common lifeworld, which is also often absent within their own networks of national member organisations. This is also the situation of the NGOs that have an exclusive membership of national organisations: for example, the CEDAG. In both coalitions, the re-organisation of collective decision making and debate about values aimed to overcome internal tensions and maintain the Social Platform. The different methods that both coalitions experimented with (respectively joint actions in decision making and topical annual conferences) correspond to two imperatives regarding cooperation between NGOs. Collective action within an alliance implies common values to some degree, in order to share common positions and/or policy interests that motivate the organisations to pool their resources. Regarding civil dialogue, the difficulty for the Platform and, subsequently, the CSCG to reach both goals is striking, when considering the effects of internal deliberation – the lack of consensus on civil society – vis-à-vis external audiences.

The lack of acceptable reasons and its effects in the political arena – The difficult ratification of the Lisbon Treaty in member states has brought the themes of civil society and dialogue back into the EU arena. The European institutions have launched several initiatives designed to reconcile Europe and its citizens: for example, the “Citizens’ Agoras” of the European Parliament⁵ or the Plan D of the Commission, *i.e.* a new communications policy which organised debates between citizens within the member states. The Commission addressed the related topic of lobbying with the European Transparency Initiative in March 2005. In order to implement good governance practices as laid out in the 2001 White Paper, the Commission started a consultation process on several measures it proposed, including the creation of a voluntary register of the interest groups active in Brussels (Commission, 2006; 2008). Failing to find a consensus on a definition of civil society, the CSCG and the Social Platform were marginalized in the implementation of the participatory title of the new Treaty and by the European Transparency Initiative. This situation has since resulted in new configurations between NGOs at the EU level.

As regards the debates around lobbying, there were no real concerted efforts to respond collectively to the Commission’s consultations on the Green Paper, despite converging demand for the compulsory nature of the register (European Commission, 2006). The linkage between lobbying and civil dialogue was only made in isolated cases, in particular by several members of the Social Platform. The documents sent to the Commission during the consultative process reflect the lack of a common definition of civil society, since they mention different terms associated with the NGOs. The CEDAG or the EAPN converged in asking for the components of the voluntary sector not to be considered as interest groups. Many NGOs also called for more transparency in

⁵ For more details, available at <<http://www.europarl.europa.eu/agora>>, visited on the 14th of June 2013.

the European procedures to ensure that NGOs have equal access to decision making. Advancing the claim for transparency was the main aim of a loose coalition, the Alter EU alliance (*Alliance for Lobbying Transparency and Ethics Regulation*). The Alter EU was set up in July 2005 to influence the European Transparency Initiative and has brought together NGO activists and academics. The positions of the Alter EU are cited in the Social Platform's publications and many European NGOs participated in the consultations following the Commission's Green paper (2006).

Alter EU and the CSCG co-operated exclusively on lobbying issues. The EU unit of Greenpeace, which represents the Green 10 within the CSCG, played a key role in Alter EU, in particular by financing common publications with its own funds (CSCG and Alter EU 2008). The representative from Greenpeace and the CSCG coordinator issued common positions encouraging transparent lobbying, when the debate on civil dialogue was at a dead end amongst the members of the CSCG in 2008. However such joint actions could not favour the recognition of the Brussels based NGOs in the absence of a common definition of civil society. This situation shows that the difficulty in reaching a consensus on fundamental values contributed to weakening their voices, despite their convergence on many practical questions. The Commission did not take into account any of their recommendations, for instance on the compulsory nature of the register or the type of information that NGOs are requested to supply (Commission, 2008). Despite the initiative of a joint basis register between the Commission and the Parliament, with tightened criteria of information, its mandatory nature was still debatable in 2010.

This situation also reveals that the credibility of the Brussels based NGO community has been at stake since the adoption of the Lisbon Treaty. The initiatives launched by the Commission to involve citizens in EU decision making/discussions⁶ have

⁶ The programme 'Europe for Citizens' (2007-2013) funded several emerging networks. It replaced the programme citizenship (2004-2006).

reopened the arena for symbolic struggles over civil dialogue, thus questioning the part played by NGOs in voicing citizen interests. This is revealed in two different aspects. Firstly, among the European NGOs, the emphasis is now on the transparency of their functioning and activities in the light of the Transparency Initiative. The defence of the non profit sector in Brussels has since been conducted more in terms of practices than concepts. The CSCG with Alter EU (2008) and the Social Platform (2010) have provided recommendations on the internal governance of NGOs. Secondly, the mobilisation of several voluntary sector networks, on a national or European level, which defend alternative ways of framing civil dialogue, also shows the current fault lines: national NGOs *versus* European ones, direct participation by citizens *versus* that of associations. Such options are defended by the European Civic forum and ENNA (the European Network of National Associations), created by leading organisations respectively in France and the United-Kingdom in 2005 and 2009.

These evolving relationships between the NGOs explain why civil dialogue has lost its strategic dimension within the Social Platform. The Social Platform has finally joined the NGO liaison group of the EESC, with several of its members who were already part of this platform, such as the LEF and EUCIS-LL (Figure 2 - The NGO coalitions and their membership in 2010, page 15). On the contrary, within the CSCG, the other NGO platforms, and still today the environmental NGOs platform (the Green 10), kept their resolution not to cooperate with the EESC liaison group. Unlike the Social Platform, they did not sign the manifesto and the document on civil dialogue, which were published in 2009 and 2010 respectively, under the auspices of the EESC (2009; 2010). Both documents were prepared by a consultation process with the NGO liaison committee of the EESC, which was intended to be a bridge between the EESC and the NGOs based in Brussels. The affiliated NGOs have increased in number since, from 10 initially to around twenty today. The growing influence of the

EESC on the notion of civil dialogue is mirrored by the lack of interest shown by the Social Platform organisation members for the notion. The CSCG has been in stand by mode several times in 2010. The results of internal deliberations proved inefficient to sustain the wider dynamic of collective action in the coalition, despite attempts on mobilizing Europe 2020, for instance (the EU's growth mid-term strategy).

CONCLUSION

This paper has addressed the impact of the norm of deliberation in EU governance by examining the NGO coalition building logics that have revolved around the notion of civil dialogue. The analysis focused on two coalitions which re group several NGOs active in Brussels in very different areas of public policy. In so doing, the purpose of the paper was to put into perspective the instrumental interpretations that many authors (Saurugger, 2010; Michel, 2009; Smismans, 2003) have developed about symbolic struggles over civil dialogue. The deliberative framework we adapted from Risse's perspective proved useful for deconstructing the discourse of NGOs about civil dialogue. Indeed, our analysis reveals that the content of this notion has remained ambiguous, although the coalitions under study – as well as their NGO members – have frequently mentioned it in their official position papers. Despite several key moments when decisions were made about a common discourse, the notion has not always been used strategically throughout the sequence of events studied. The lack of a common strategy was striking during consultations over the European Transparency Initiative. The difficulty in setting up operational procedures and adopting consensus based justifications for civil dialogue clearly weakened the NGOs' actions and claims during the studied sequence (2008-10). The analysis finally shows that the NGO discourse on civil society is not as coherent or hegemonic as some commentators

argue (Michel, 2009).

More generally, this brief history of NGO positions on “civil dialogue” complements other constructivist analyses that highlight the importance of norm entrepreneurs in EU politics (Saurugger, 2010; Weisbein, 2008). The attention paid to deliberative dynamics within the two NGO coalitions studied also provides an additional account of the organisational resources necessary for deliberation and collective action. The two coalitions became more institutionalised as a result of previous common actions. However, the CSCG was weakened by the lack of shared common understanding.

Over and above the two cases studied – the Social Platform and the CSCG – the framework on deliberation developed here also throws some light on the significance of the deliberative norm within EU governance. The aim of this article was not to judge the arguments or the legitimacy of these actors, rather than their opponents, to be a part of public decision making. Rather, the main conclusion of this analysis is that even though “civil society” has become omnipresent in EU wide discourse, reaching an agreement about what it really means at this level remains difficult. The procedures intended to cement civil dialogue and its principles are far from meeting with general approval because this supposes that citizens’ interests are mediated by organisations, which in turn raises questions about their legitimacy and representativeness. Diverging from several authors (Cram, 2011, Saurugger, 2010), we argue that the deliberative turn in EU governance remains uncertain and the norm is still highly conflicted. The multiplicity of opinions involved favour the diffusion of a deliberative imperative (Blondiaux and Sintomer, 2002) as they question both the internal functioning of NGOs and European governance. Indeed, it is precisely because the idea of civil society, as well as the actors that use it, remains controversial, that the logic of arguing can and should be studied.

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