Inventing the People: Civil Society Participation and the Enhabitation of the EU

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‘The political world of make-believe mingles with the real world in strange ways, for the make-believe world may often mold the real one. In order to be viable, in order to serve its purpose, whatever that purpose may be, a fiction must bear some resemblance to fact. If it strays too far from fact, the willing suspension of disbelief collapses. And conversely it may collapse if it strays too far from the fiction that we want them to resemble. Because fictions are necessary, because we cannot live without them, we often take pains to prevent their collapse by moving the facts to fit the fiction, by making our world conform more closely to what we want it to be. We sometimes call it. Quite appropriately, reform or reformation, when the fiction takes command and reshapes reality.’

(Morgan, 1989: 14)

Introduction

The central thrust of this paper is that one of the most interesting features of the involvement of civil society in EU level activities and structures is the implication it has for the creation of a ‘people’ for the EU. The increasing involvement of civil society actors at the EU level has been encouraged in large part by a self-interested

‘fiction’¹ developed by, for example, the Commission and ECOSOC² (see, for example, Smismans, 2003) concerning the relationship between civil society involvement at EU level and participatory democracy. Drawing upon empirical evidence as well as insights from the literature on the role of the state in facilitating the process of nation building, it is demonstrated that as this link has been increasingly institutionalised it begins to become a reality, ‘enhabiting’ the EU in the daily practices of the actors involved or ‘inventing a people’ for the European Union which will be entitled to demand a greater input into the democratic processes of the EU. In this way, the ‘fiction’ may become a self-fulfilling prophecy.

The example of women’s organisations in Ireland, the UK and Greece is used to demonstrate the complexities of the impact of civil society involvement in practice³. How organisations and individuals experience the opportunities and constraints presented by participation the EU level structures and activities was found to be fundamentally affected by three factors the *domestic political context*; the *characteristics of the groups* being targeted and the *role of collective beliefs and values* at the domestic level. These played a key role in affecting the initial propensity of those involved in women's organisations in all three countries to become active at the EU level as well as tempering the impact of European level activities on these domestic actors.

No great surge in identification with the EU was observed in any of the countries examined regardless of how positive or negative their direct experience with the EU. However, despite very variable experiences in practice, what had begun to become evident in all three cases was a sense of what has been called banal Europeanism (Cram, 2001a). Drawing on Billig’s notion of ‘banal nationalism’, the EU, it is argued, is becoming *enhabited* in so far as individuals increasingly ‘forget to remember’ that the current situation is not how things always were. From this perspective, the EU institutions become accepted as legitimate operators in a given area of activity regardless of the individual or group’s experience (positive or

¹ It should be noted that Morgan (1989:14-15) takes care to stress that this is not intended to be a pejorative term but to express the process of story-telling through which ‘self-evident truths’ become self-evident.

² Economic and Social Committee

³ This paper draws upon empirical research which was funded by the Economic and Social Research Council Grant No. L213 25 2023

negative). Negative experience may result in criticism and suggestions for reform but few suggestions were made that the EU was not the appropriate operative level for such activities. Such complaints may, in fact, further confirm the acceptance of the EU as a legitimate if inadequate forum for civil society involvement thus fuelling the fiction further⁴.

In practice, the impact on groups and individuals of civil society involvement at the EU level is highly variable. Indeed, many observers have argued that the involvement of civil society falls far short of the standards which might be expected: in terms of who participates (Magnetite, 2003); how civil society participation is conceived and works in practice (Armstrong, 2002); the motives behind the recent focus on civil society (Smismans, 2003) and the implications of misconceived doctrines for practice (Smismans, 2003). These critiques notwithstanding, a ‘fiction’, which holds that the participation of groups and individuals from civil society plays an important role in enhancing participatory democracy at the EU level, is becoming increasingly commonplace and indeed is codified in the proposed Constitution for Europe. The institutionalisation of practices based upon this ‘fiction’ may, it is argued here, have an important role to play in ‘inventing the people’ (Morgan, 1989) or in encouraging the development of a polity at the EU level. Thus, however flawed current practice, it may play a fundamental part in shaping the reality of the environment in which civil society actors will operate in future.

Civil Society Participation: The Fiction

‘Believing that Europe, reunited after bitter experiences, intends to continue along the path of civilisation, progress and prosperity, for the good of all its inhabitants, including the weakest and most deprived; that it wishes to remain a continent open to culture, learning and social progress; and *that it wishes to deepen the democratic and transparent nature of its public life*, and to strive for peace, justice and solidarity throughout the world’

⁴ This is rather reminiscent of Haas’ (1958) argument that even a negative long run view of the EEC reinforces the process of European integration.

Treaty Establishing a Constitution for Europe, October 2004, emphasis added

The importance of the societal dimension of European integration has long been recognised. As Jean Monnet said when establishing the European Coal and Steel Community in 1951, "we are uniting people, not forming coalitions of states" (Duchêne, 1994:363). Indeed, it has been argued that Monnet "was interested less in perfected constitutional blue-prints than in shaping human patterns of response to induce a change of process" (Duchêne, 1994:367). Willy Brandt (1972) sought to affect a 'human face' for Europe, and 'social solidarity was a central theme for Jacques Delors (Drake, 1995; Ross, 1995). However, for just as long as the importance of the societal dimension has been recognized, it has also been highly controversial. There is, meanwhile, a long history of treaty preambles which state the need to bring Europe 'closer to the people' and of simultaneous Member State resistance to providing meaningful practical measures for this in the accompanying treaties. In Article 1-47 (2) of the Constitution for Europe, however, an explicit link has, for the first time in a EU treaty, been made between the involvement of civil society at the EU level and the enhancement of participatory democracy in the EU. This reflects very strongly a 'fiction' which has been promoted for some time, by both the Commission and ECOSOC.

The Commission, acting as a 'purposeful opportunist', has from its early days sought to generate a constituency of support for its activities by involving a wide range of actors within the policy process. Particularly, in areas, where its powers were limited, the involvement of a broad range of actors was used to identify salient issues and to generate grounds to push for the extension of the Commission's competence (Cram, 1997). Initiatives such as that for a 'People's Europe', meanwhile, sought to engage with and appeal to the wider European public at a more general level. It has similarly been noted that the concept of EU citizenship was used by both the Commission and the European Parliament to enhance their own positions (Warleigh, 2001).

Statements such as: 'The European Union enters the new century with a renewed and strengthened commitment to promoting solidarity and moving closer to the citizens' (COM (2000) 79 final p.4, 'Building an Inclusive Europe') come as little surprise from the Commission and many such examples exist. However, the

most explicit linking of the involvement of civil society at the EU level and the enhancement of participatory democracy by the Commission came in the form of the White Paper on European Governance⁵ (Commission, 2001) in which the Commission specifically recognised that the legitimacy of the Union today ‘depends on involvement and participation’ (p11). The Commission argued that ‘Five principles underpin good governance and the changes proposed in this White Paper: *openness, participation, accountability, effectiveness and coherence*. Each principle is important for establishing more democratic governance’ (p10). Meanwhile, ‘Democracy depends on people being able to take part in public debate’ (p11); ‘Providing more information and more effective communication are a pre-condition for generating a sense of belonging to Europe’ (p11). Civil society, the Commission continued, ‘increasingly sees Europe as offering a good platform to change policy orientations and society. This offers a real potential to broaden the debate on Europe’s role. 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’ (p15). At the same time, ECOSOC, seeking to revitalise its role in the EU policy process sought to emphasise ‘The role and contribution of civil society organisations in the building of Europe’ OJ C329, 17.11.99, p.30. ECOSOC was rewarded with a change in Article 257 of the Nice Treaty recognising it as a representative of the ‘social components of organised civil society’.

The entrepreneurship of these two institutions did not, of course, go unnoticed by the European Parliament which argued in response to the Commission White Paper: ‘Consultation of interested parties [...] can only ever supplement and never replace the procedures and decisions of legislative bodies which possess democratic legitimacy; only the Council and Parliament, as co-legislators, can take responsible decisions on the context of legislative procedures...’ (European Parliament resolution on the White paper on European Governance, A5-0399/2001)

As Smismans (2003: 484) has observed: ‘Both the Commission and the ESC⁶ use the discourse on civil society and civil dialogue as an element of legitimisation for their activities and institutional position...with the introduction of the concept of

⁵ For a more detailed analysis of the work programme leading up to the publication of this White Paper see Cram (2001b)

⁶ Smismans uses the abbreviation ESC to refer to the Economic and Social Committee.

civil society both the Commission and the ESC have reshaped the political debate on 'EU democracy'. The discourse introduces elements of 'participatory democracy', defined as the possibility for those concerned by the decision to participate in the policy process.' It is difficult to disagree with Armstrong's observation that 'the discourses of democracy, governance and civil society seem like rather oversized constitutional cloaking for the thin frame of improving transnational consultation processes.' (Armstrong, 2002: 12). However, as Edelman (1967) has argued the symbolic dimension of politics must never be underestimated. The import of such 'fictions' becomes clear when the language and content of the new clause in the proposed Constitution for the EU in which for the first time participatory democracy is presented as a goal of the EU and in which the link between the attainment of this goal and the involvement of civil society is made explicit.

Article I-47 The principle of participatory democracy

1. The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.
2. The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.
3. The Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent.
4. Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the 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 Constitution. European laws shall determine the provisions for the procedures and conditions required for such a citizens' initiative, including the minimum number of Member States from which such citizens must come.

Treaty Establishing a Constitution for Europe, October 2004

Civil Society Participation: The Practice

If, as Banaszak (1996:39) has argued, "political opportunity structures affect not only the resources and opportunities of a movement but also affect the development of collective beliefs and values", the impact of the participation (or non-participation)

of organisations in EU institutions and programmes might be expected to provide some interesting insights into the implications of civil society participation at the EU level for the extent to which collective beliefs and values of these participants might begin to shift in favour of the EU structures or the extent to which the EU has been brought 'closer to the people'. Here, the example of women's organisations in Ireland, the UK and Greece is used to demonstrate the complexities of the impact of civil society involvement in practice.

Insights offered by theories of political opportunity structures (Eisinger, 1973, Tilly, 1978, McAdam, 1982) suggest that the constraints and opportunities created by the domestic political process may be crucial in determining the ability of any group or movement to act effectively. In this study, the *domestic environment* within which the women's organisations operated and which 'filtered' the impact of the EU's gender equality regime differed starkly between the three countries examined. The evolution, structure and strategies of a movement, meanwhile, proved to be relevant in explaining the attitudes of the movements and their memberships to participation in state structures and how they responded to new opportunity structures. In addition, as resource mobilization theories (Jenkins, 1983; McCarthy and Zald, 1977) suggest, the relative coherence, membership resources and available skills of the three movements helped to explain the ability and propensity of each movement to collaborate at the EU level. The *characteristics of the group or movement*, in turn, it was found helped to explain the extent to which individual or collective values prevailed within any given group. Finally, the norms of behaviour as emphasised by historical institutionalist approaches (Thelen, Steinmo & Longstreth, 1992; March & Olsen, 1989) proved to be crucial. Identifying the lenses through which individuals view their situations and how opportunities and constraints were perceived by these individuals and the *role of collective beliefs and values* in this process constituted an important element in understanding how values, loyalties and identities are formed and/or maintained.

Overall, it was found that, the Irish women's organisations are in the strongest position to respond to the opportunities available at the EU level. In Ireland, the

Equality Authority and the Office of Director of Equality Investigations⁷ as well as the Department of Justice, Equality and Law Reform are the key institutional actors. The Equality Authority has been an active litigator but has operated without major confrontation with the national regime.⁸ Many cases did not come from women's organisations per se but from trade unions and individuals with cases to pursue. To understand the impact of EU laws within the domestic environment, existing links between law and social processes at the national level must, of course, be understood. As Maher has argued (1998:237): 'Where a new norm is introduced which may disturb those links, that norm will be shaped by existing links and may be modified in practice if not in form'. As will become clear, how identical provisions at EU level have impacted upon the domestic equality regimes of each of the three countries has differed fundamentally, not least, according to the institutional structures in place.

In terms of resources, Irish women's organisations enjoy a much more secure funding position than their UK or Greek equivalents. As well as providing core funding for the National Women's Council of Ireland (NWCI)⁹ (the national umbrella group for women's organisations), national state funding since 1993 accounts for much of the growth in women's groups (Galligan, 1998:60). The women's organisations in Ireland, coming from this starting point, have on the whole been fairly effective in accessing EU funds and taking advantage of opportunities available at the EU level, although there has been some worry that this may have 'absolved the national government to some extent of its responsibilities'.¹⁰ Relations between women's organisations and domestic institutions also form a central aspect of the domestic context which influences the ability and inclination of organisations to respond to new opportunities at the EU level. The NWCI in Ireland is one of eight members of the *Community and Voluntary Pillar* which constitute one of the four partners (along with government, social partners and farming) which drew up the national agreement 'Partnership 2000'. In this context, it is perhaps unsurprising that the women's movement in Ireland is relatively vigorous. In Ireland, debates over the

⁷ Both bodies were established under the Employment Equality Act, 1998. The Equality Authority replaced the Employment Equality Agency which previously performed this role within a more limited sphere.

⁸ Interview, September 2000

⁹ £405,000 was estimated for operating costs in 2000. National Report of Ireland, 2000: 21

¹⁰ Interview, Dublin, September 2000

relative benefits of 'insider' and 'outsider' status have largely been resolved in favour of the former (Galligan, 1998; Lovenduski and Randall, 1993).

In short, in Ireland the institutional infrastructure exists, information is readily available and the domestic climate is favourable to EU participation. Some of the smaller organisations have problems with the complexities of EU application and budgetary procedures and the need to raise matching funds and there is a common complaint from all about the iniquities of project based funding. However, on the whole the domestic institutional context, the characteristics of the movement and the collective beliefs and values which prevail facilitate an active response to the new 'opportunity structures' at the EU level. This is reflected in the experiences which organisations have of participation. When asked 'Please describe the impact of the European Union on your organisation and on the environment in which you operate' some typical responses are: 'Impact has been huge, provided funding for special projects that benefited our members and their communities'; 'Having two EU projects provided the resources to enable us to provide the services for women that were badly needed. It raised the status of the organisation with local policy makers and funders making it easier to secure further funding. The transnational partnerships broadened the focus of the organisation and was a valuable source of new ideas and methodologies'.¹¹

The UK, like Ireland, has fairly developed structures for dealing with equality issues. In the UK, the Equal Opportunities Commission (EOC) and the Equality Commission (Northern Ireland), the UK Minister for Women and the Women's Unit (Cabinet Office) form the formal equality infrastructure. Since the advent of devolution¹² in the UK, the roles of the EOC Scotland and EOC Wales have expanded. A Deputy Minister with responsibility for equality has been appointed in Scotland and an Equal Opportunities Parliamentary Committee and an Equality Unit have been established. The Scottish Women's Consultative Forum; Women in

¹¹ Survey responses.

¹² The relatively new status of many of the devolved institutional structures makes it difficult to examine the impact of Europeanisation as distinct from the impact of devolution on relations between women's organisations and the institutional structures. However, there is a general sense which emerges from survey and interview responses of having adopted a more 'European' model of governance within the devolved structures. The marked disparities in self-identification of women's organisations from Northern Ireland and Scotland (see below) deserves, however, further investigation.

Scotland has also come to play an increasing role.¹³ In Wales the Welsh Women's Coalition and the Equal Opportunities Commission have been working together to take the National Assembly's action plan on equality of opportunity forward.¹⁴ In Northern Ireland, the role of the Civic Forum has been central to women's participation in the governance process. The Northern Ireland Women's European Platform plays a central role in articulating women's demands.¹⁵

Examination of the litigation strategies of the three countries indicates the very different patterns of incorporation of EU law into the national legal order and the importance of domestic institutions in shaping the responses of groups to the new 'opportunity structures' at the EU level. The EOC (UK) stands out as having adopted an active litigation strategy in a confrontational manner with the domestic regime (Barnard, 1995; Alter & Vargas, 2000). The EOC's aim was to utilise EU law as a tool to force change in the domestic equality regime. The role of the EOC has been central in explaining the development of the gender equality regime within the UK. The EOC's status as a Non Departmental Public Body with statutory powers and duties is important. Lovenduski and Randall (1993) have explained the early reluctance of the EOC to adopt a confrontational strategy in case the Conservative government should remove the limited powers it enjoyed. Like the equality Authority in Ireland, the EOC did not always reach out to women's organisations per se but to trade unions and individuals with cases to pursue.

In relation to the funding of organisations, marked differences appear again. In contrast to the situation in Ireland, in the UK national funding is in the main restricted to the Women's National Commission (WNC)¹⁶ (the officially recognised national umbrella group for women's organisations) with some provision for service providers. Other organisations are largely left to fend for themselves. Lack of resources and information are the main reasons cited by UK women's organisations to explain their lack of participation in EU level projects. A point often made is that

¹³ Interview, Edinburgh, January 2001

¹⁴ Interview, Cardiff, May 2001

¹⁵ Interview, Belfast, June 2001.

¹⁶ For the year 2000/1 a budget of £285,000 was allocated to the WNC. Only £50,000 of this budget is programme budget the rest covers staffing and running costs. Interview, London, September 2001.

‘small organisations are left out in the cold’.¹⁷ This can make dealing with EU budgeting procedures difficult, as one UK organisation commented, ‘we had a mixed experience of utilising ESF moneys. The primary difficulty is working with payment in arrears when we do not have contingency funds to cover ‘up front’ costs’.¹⁸ In terms of relationship between the organisations and domestic political institutions, the WNC in the UK is the officially recognised independent representative of women’s views and works closely with the Women’s Unit in the UK Cabinet Office¹⁹ but enjoys no equivalent status to the NWCI in Ireland. The women’s movement in the UK generally is in a considerable state of disarray. The decline of interest in the UK has been in part attributed to internal ideological dissension, to a general lack of momentum and, of course, to the harsh ideological climate of the Thatcher era (Lovenduski and Randall, 1993: 95-101). New challenges are also emerging within the UK as a result of devolution.²⁰

Overall, in the UK, the active role played by the EOC has contributed to a general feeling that the EU is a ‘good thing’ for women. This was reflected in the moderately pro-European self-identification of the organisations. Women’s organisations in the UK do not, however, have access to the same level of information or expertise on EU matters which the NWCI provides in the Irish context. Although the WNC is seeking to take on a more active role in relation to EU issues, it has not to date been the main interlocutor with the EU for women’s organisations.²¹ The UK organisations, in the main, had a very poor knowledge of the various funding programmes and fora for participation available at the EU level. Two-thirds of respondents felt that they had insufficient access to the relevant information.²² Organisations which are struggling to survive are aware of the import of the EU but are unable to make this a priority. Again, how activities were experienced or failed to be experienced were affected by these factors. Fairly typical responses are: ‘No impact – do not have the resources to pursue funding and joint projects’; ‘None as we have not participated mainly due to lack of knowledge,

¹⁷ Survey responses.

¹⁸ Survey response.

¹⁹ Interview, London, June 2000

²⁰ Interview, London, February 2000

²¹ Interview, London, June 2000

²² Survey responses.

however, we are keen to get involved if we have support and can gain funding to provide services women need. The main reason for lack of involvement is staff shortage and lack of time.’²³

In Greece, meanwhile, there is a weak institutional structure for equality policy, the women’s movement is weak, it has little status in the Greek infrastructure and continues to experience internal ideological dissent. The General Secretariat for Equality is the body with formal competence in the domestic gender equality regime. It is notable that in Greece no independent statutory body exists in the area of equality. Meanwhile, Greece has been much slower than Ireland or the UK to take up the litigation route (although a number of rulings have followed EU principles without explicitly referring to EC Law (Banks, 1997). In Greece the lack of an equivalent body to the EOC or the Equality Authority is significant. Greek litigation has been heavily reliant on motivated individuals. Greek legal experts cite fear of the consequences of failure as one of the primary disincentives for the pursuit of private litigation (Commission, 2000a). The existence of the EU ‘Network of Legal Experts’ was, however, particularly important in Greece. Indeed, the Greek national expert has been a central figure in encouraging the pursuit of the legal route in Greece.²⁴ In Greece, the General Secretariat for Equality is itself severely underfunded.²⁵ There is little funding for women’s organisations in Greece: ‘to put this in perspective, there is only one women’s refuge for the whole of Greece’.²⁶ One of the most common responses from Greek organisations is that it is difficult for them to participate in EU initiatives as it is almost impossible to raise the requisite 50% of funding from national sources. This has resulted in one or two large organisations, and the women’s sections of some political parties, who enjoy good contacts at the EU level, dominating relations with the EU. This is not, however, a problem which is restricted to Greece. Greece has no umbrella organisation equivalent to the NWCI or the WNC. Interestingly, however, in response to the establishment of the European Women’s Lobby in 1990, 37 organisations came together to form the Ad Hoc Coordination of

²³ Survey responses.

²⁴ Interview, March 2001

²⁵ Approximately £18,500 is used to fund activities carried out by women’s organisations for projects organised with the cooperation of the General Secretariat for Equality and a further £18,500 for organising conferences and other events. Interview, Athens, May 2001.

²⁶ Interview, Athens, March 2001

Women's Organisation for the EWL. This coordination has no legal status, and is a further example of the initiative of dynamic individuals despite the lack of an infrastructure in the Greek context.²⁷ The challenges faced by the Greek women's movement in transition from dictatorship to democracy and the strictures of operating within a 'party-state' structure (Featherstone, 1994) have taken their toll on the movement and on contemporary relations with governmental bodies. Greece, in particular, continues to experience considerable divergence of goals on the part of the various women's organisations. The debate concerning 'insider' and 'outsider' status continues: hence, in part, the lack of an umbrella organisation. This is significant in terms of the fairly significant number of Greek organisations which choose not to participate in EU level structures because this is perceived as a threat to their autonomy. The existence of some dynamic individuals has enabled some limited response to the new 'opportunity structures' at the EU level. This has led to a polarisation of experiences of the EU.²⁸ Thus while for some: 'the existence of EU funding has made collaboration (in Greece) possible when it could not happen internally', for others it remains: 'very difficult to get the necessary support from our institutions to be able to match funding from the EU'. For others still, the EU does not 'reflect our priorities.'

Clearly, the domestic political context, the characteristics of the movement and the role of collective beliefs and values played a key role in filtering the impact of the involvement of the involvement of these representatives of civil society in the activities and structures of the EU. What then were the implications of these various experiences for the relationship between these actors and the EU?

The self-categorisation of organisations in relation to the EU was illuminating in this context²⁹. Respondents from Ireland were. Perhaps unsurprisingly, the most likely to categorise themselves as strongly pro-European or pro-European with two thirds of respondents falling into these categories. Almost half of the respondents from the UK categorised themselves as neutral with the remaining half divided

²⁷ Interview, Athens, October 2000

²⁸ Of course some variation of experience is evident in all three cases but it is more stark in the Greek case

²⁹ The information presented in the following paragraphs is based on survey responses and individual interviews with members of women's organizations in the Ireland, the UK and Greece.

between pro-European (the next largest category) and strongly pro-European. An interesting feature of the UK returns was the disproportionate number of strongly pro-European responses which emerged from Northern Ireland and from Scotland, thus demonstrating further the importance of the domestic political context. Greece registered the most divided responses with some strong anti-European views expressed alongside a large majority of pro-Europe or strongly pro-Europe responses. The lack of neutral responses from Greece reflected the fairly stark divisions which exist within the women's movement.

Irish women's organisations perceived themselves most strongly as having benefited from the opportunities available at the EU level. The individuals involved, however, continued to see themselves overwhelmingly as 'more Irish than European'. Indeed, several respondents with very positive experiences of participation at the EU level continued to see themselves as solely Irish. In Greece, meanwhile almost all respondents included some element of Europeanism in their self-identification. Respondents predominantly recorded themselves as either 'Greek and European' or 'European and Greek'. Even respondents with no experience of participating in EU projects and those who would like to see the EU play a smaller role in the future tended to identify themselves as somewhat European. In the UK the question of identity is complicated by the four national contexts within the UK. Nevertheless, overall many more respondents identified themselves as somewhat European than might have been expected. Perhaps, most interesting was the use made by Scottish and Northern Irish respondents of European identity as an alternative to British identity. As one respondent stated: 'I do not see me as British just Irish and European. I am more proud to be European than British.'

Once again the impact of activities at the EU level was filtered by the domestic context. In Ireland, the EU was not viewed as a threat to Irishness but as facilitating the ability of Ireland to act on its own. A number of interviewees commented that Europe allowed Ireland to get out from the shadow of Britain. In this respect, the EU was not seen as presenting a better or alternative route but a complementary one. In Greece and the UK, however, where women's organisations have been much more marginalised, the EU was viewed by respondents as an alternative channel offering potential advantages. In both these cases, it was less the extent to which the

individual involved had participated in or benefited from EU projects than their sense that something better than their domestic situation might be available at the EU level which inclined them to view themselves as more or less European.

One of the most interesting results of this study was the extent to which the EU had simply become an accepted part of the every day lives of those observed. No participants in any of the countries recorded an anti-European stance but when asked if they would like to see the role of the EU increase, decrease or stay the same, some stated that they would like this role to decrease. Yet, even these respondents could not imagine their country withdrawing from the EU. While few individuals identified strongly as Europeans, membership of the EU had increasingly become the norm, simply part of their daily lives. The concept of *banal Europeanism* is useful in this context (Cram, 2001a). Building upon Billig's (1990: 42) notion of 'banal nationalism' it can be argued that the increasing involvement of civil society actors in the activities and structures of the EU encourages the process of the *enhabitation* of the EU in so far as individuals 'forget to remember' that the current situation is not how things always were.

Inventing the People: The Enhabitation of the EU

Polities rarely emerge entirely of their own volition: as Weber (1977:486), has argued, the transformation of 'peasants into Frenchmen' emerged only through the expansion of universal education, military service and improved communications. The role of the state in fostering an environment conducive to association should not, meanwhile, be underestimated. de Tocqueville ([1835-40] 2003: 604) reminds us of the potential long term implications of fostering associative behaviour:

'By chance men share an interest in a certain matter; maybe the management of a common enterprise or the conclusion of an industrial operation; they meet and join together, gradually familiarizing themselves thus with the idea of association.

The more the number of these minor communal matters increases, the more men acquire, even unknowingly, the capacity to pursue major ones in common.

Civil associations, therefore, pave the way for political associations; on the other hand, political associations develop and improve in some strange way civil associations.'

In similar vein, Skocpol (2003:40) argues that 'the early US state [in short] created favourable conditions for associations, social movements, and mass-mobilizing parties – all of which, in turn, continuously roiled and transformed national politics and government.'

Extensive discussion of the creation of territorially delimited polities or peoples has been carried out within the literature on the role of the state in the process of nation-building. This paper does not deal with the thorny question of whether or not the EU can be conceived of as a state but simply argues that there are many insights to be gained from this literature for our understanding of how the actions of institutions and the codification of dominant 'fictions' at the EU level might impact upon the environment within which civil society has to operate and ultimately upon the relationship between the EU and these actors.

There is a powerful argument from scholars of nationalism that states generally precede nations (Keating 1988), that national states frequently emerge from multiple centres (Breuilly, 1982) and that nationalism does not simply emerge but is actively created: 'It is nationalism which engenders nations, and not the other way round'. (Gellner:1983:55) From this perspective, the role of popular 'fictions' in 'inventing the people' may be of significant interest to scholars of the EU.

Renan (1990: 19) wrote in 1882 that the very existence of a nation 'is a daily plebiscite'. Nationalism is, thus, less a romanticized notion of emotional attachment to a homeland or culture than a choice, or act of will, even a calculated decision concerning the costs and benefits of affiliation. Renan (1990: 11) also emphasized the importance of the collective forgetting of inconvenient pasts for the maintenance of contemporary national identities. To describe the citizens of the EU as a 'people'

might seem far-fetched. However, processes of collective forgetting, in which disparate histories (even warfare) are glossed over, are not uncommon in the creation of nations. It is, of course, notable that one of the last minute amendments to the preamble to the Constitution for Europe (October 2004) referred to a Europe ‘*reunited* after bitter experiences’ (emphasis added) suggesting a common historical legacy. As Andersen (1991: 201) reminds us: ‘A vast pedagogical industry works ceaselessly to oblige young Americans to remember/forget the hostilities of 1861-65 as a great ‘civil’ war between ‘brothers’ rather than between—as they briefly were—two sovereign nation-states’. In similar vein, Billig (1995: 38) argues that ‘the nation which celebrates its antiquity, forgets its historical recency’. Of course, part of the *raison d’être* of the EU was to create lasting habits of peaceful cooperation between previously warring nations and to tie Germany irrevocably into a union with its European neighbours. In many respects, the collective forgetting of these relatively recent past hostilities has been highly successful. To some extent, this collective forgetting takes place through the normalisation or domestication of previously unfamiliar practices. Thus, as patterns of behaviour shift, what at first appeared ‘new’ gradually becomes unremarkable.

Billig (1995: 42), building on Bourdieu’s concept of the *habitus*, calls the process of collective forgetting *enhabitation* and argues that this constitutes a key aspect of nationalism: ‘Patterns of social life become habitual or routine, and in so doing embody the past. One might describe this process of routine-formation as *enhabitation*: thoughts, reactions and symbols become turned into routine habits and, thus, they become *enhabited*. The result is that the past is *enhabited* in the present in a dialectic of forgotten remembrance’ (Billig, 1995: 42). This argument strikes a clear chord with, for example, Deutsch’s arguments concerning the process of social learning through which shifts in identification might be reinforced: ‘And, as with all learning processes, they need not merely use this new information for the guidance of their behaviour in the light of the preferences, memories and goals which they have had thus far, but they may also use them to *learn*, that is, to modify this very inner structure of their preferences, goals and patterns of behaviour’ (Deutsch, [1953]1966: 117). Indeed, the notion of *enhabitation* is highly reminiscent of the learning of ‘integrative habits’ as a result of prior cooperation, emphasized by Mitrany (1943), Deutsch (1953, 1957, 1966) and Haas (1958). It is precisely these routines and habits

which, by acting as daily reminders of belonging, Billig argues (1995: 43), ‘serve to turn background space into homeland space’.

As Edelman ([1967] 1985: 195) has argued, ‘the study of the construction of meaning must focus upon the interpretations of the subjects more than upon the observation of objects’. The symbolic impact of the linking of civil society involvement, the role of the EU institutions and the delivery of participatory democracy should not be underestimated. Deutsch ([1953]1966: 170), for example, argued that communications and symbols were central to an understanding of the emergence of a ‘national consciousness’. Thus, ‘a person, an organization, or a social group—such as a people—can do more than merely steer some of its behaviour by balancing its current experiences with its recalled traditions. It can achieve *consciousness* by attaching secondary symbols—that is symbols about symbols—to certain items in its current intake of outside information, and to certain items recalled from memory’ (Deutsch, [1953]1966: 170).

There is little doubt that the ‘fiction’ being promoted by the Commission and ECOSOC was initially based on basic self-interest. However, as is demonstrated by the codification of this ‘fiction’ in the proposed Constitution for the EU, the actions of the self-interested may also have lasting consequences. As Deutsch argued, ‘in trying to gain and exercise power for its own ends, the efforts of nationalists may transform a people into a nationality’ (Deutsch, [1953]1966: 104). This point is also made by Breuilly (1982: 65) in relation to the process of unification nationalism³⁰ in nineteenth-century Europe: ‘Nationalism was more important as a product than as a cause of national unification’. Moreover, even criticism of the actions of ECOSOC and the Commission and of their ability to deliver even equitable access to appropriate actors in civil society may have the perverse effect of reinforcing the dominance of the ‘fiction’ that the delivery of participatory democracy is an appropriate task for these institutions or even an accepted good in the context of the EU. Indeed, following de Tocqueville (2003) and Skocpol (2003), opposition may

³⁰ Unification nationalism, involving the ‘unification of a number of nominally sovereign states’ (Breuilly, 1982: 65-89) (as occurred, for example, in Germany and Italy), is particularly appropriate as a model for examining the EU. Although these studies of states and nations refer to an earlier, predemocratic era, there is still much to learn from students of these phenomena.

even encourage further associative action and hence increase participation at the EU level. Morgan's (1989:63) discussion of the ascendancy of the concept of popular sovereignty is instructive here: 'Insofar as Royalists rejected popular sovereignty altogether, they were arguing a lost cause. But in challenging Parliament's claim to be the sole repository of that sovereignty, they expanded the dimensions of the fiction and contributed to its future success as the basis of modern government'.

Billig (1995: 43-46) makes an important distinction between 'banal' nationalism and 'hot' nationalism. He (1995: 44) notes that the term 'nationalism' is frequently reserved by scholars to refer to 'outbreaks of 'hot' nationalist passion, which arise in times of social disruption and which are reflected in extreme social movements'. What is often neglected, he argues, is the day-to-day reinforcement of national consciousness which is so crucial to the maintenance of national regimes: 'All over the world, nations display their flags, day after day. Unlike the flags on the great days, these flags are largely unwaved, unsaluted, unnoticed. Indeed, it seems strange to suppose that occasional events, bracketed off from ordinary life, are sufficient to sustain a continually remembered national identity. It would seem more likely that identity is part of a more banal way of life in the nation-state' (Billig, 1995: 46). From this perspective, the institutionalisation of the institutionally generated 'fiction' concerning their contribution to participatory democracy in the practices of civil society may play an important role in encouraging the *enhabitation* of the EU in the lives of the actors involved, the rise of 'banal Europeanism' or the 'invention' of people for the EU.

Conclusion: Stranger than Fiction

In this paper it has been argued that a self-interested 'fiction', generated initially by the Commission and ECOSOC and concerning the link between increased civil society involvement and the delivery of participatory democracy, is codified in the proposed Constitution for Europe. Although many commentators have recognised the flawed nature of the understandings of both civil society and participatory democracy upon which this fiction is based, it is argued here, that this fiction is likely to have a significant impact upon the activities of civil society actors and the

environment in which they operate. Not least, as commentators become increasingly focussed upon the operational failures or inherent inability of civil society involvement to deliver enhanced participatory democracy at the EU level, there is a risk of ‘forgetting to remember’ that whether the EU’s direct democratic credentials are, or should be, improved or not and whether this can or ought to be achieved through the direct participation of civil society actors at the EU level, should be a matter of debate and choice and not accepted as a given.

The institutionalisation of the fiction, and its acceptance as a ‘self-evident truth’ (Morgan, 1989:14), encourages the increased involvement of actors at the EU level. This is likely, it is argued, to contribute further to the ‘enhabitation’ of the EU and the increasing spread of ‘banal Europeanism’ (Cram, 2001). Moreover, as we have seen, states generally precede the formation of the polities upon which they come to depend. The encouragement by the state of associative behaviours may, according to de Tocqueville (2003) and Skocpol (2003) have important implications for the emerging polity. Viewed from this perspective, although in practice the experience of civil society involvement at the EU level may be highly variable, the ‘fiction’ of civil society’s role in increasing participatory democracy may have an important role to play in ‘inventing the people’ (Morgan, 1989) and may ultimately play a role in ‘enhabiting’ the EU or in shaping the reality of the environment in which civil society actors operate.

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