



The Best Bachelor Theses from the Eighth BA ES Bachelor Thesis Conference

15 June 2022

Table of contents

<i>Francesca Colli</i>	Preface	3
<i>Niek Kelders</i>	Four Times No Explaining Parliamentary Opposition to Referendum Legislation in the Netherlands	4
<i>Helena Landwehr</i>	The Conflictual Role of Saliency in Amplifying or Hampering an NGO's Lobbying Success in the EU	27
<i>Maria Laura Lanza</i>	The Impact of Volunteers-run Projects in Fostering the Social Inclusion of Refugees and Asylum seekers: How Successful are They? The case study of Refugee Project Maastricht	48
<i>Max-Luca Luhn</i>	Welcoming a Helping Panda or a Trojan Dragon? Assessing Attitudes Towards Chinese Energy Transition Investments in the European Union: The Case of Germany	76
<i>Sandra Martinez Böhme</i>	Between Perception and Reality Representative Claims of EU Umbrella Groups	104
<i>Vanessa Roth</i>	Ukraine's Civil Society How Strong is it in Reality?	128
<i>Jette Lina Schuetze</i>	SED on Germany's Mind How the Enquete Commission created Historical Awareness of the East German Dictatorship	152
<i>Hannah Wagner</i>	Rallying-Round-The-Flag The Polish Reaction to the EU's Rule of Law Proceedings	174

Preface

This compilation brings together eight of the best Bachelor Theses presented during the Eighth Bachelor Thesis Conference of the Bachelor in European Studies, which took place on 15 June 2022. This annual conference is organised to offer students an extra opportunity to receive feedback on their Bachelor Thesis. Not from their supervisors, but from fellow students working on related topics, approaches or methods.

Just over 20 students took part in this year's conference. In workshops chaired by academic staff they discussed papers covering a wide range of interesting European Studies topics. I would like to thank the students for their great effort. Many thanks also go to the staff members who chaired the workshops: Karin van Leeuwen, Patrick Bijsmans, Esther Versluis, Johan Adriaansen, Yoram Carboex and Laura Brouwers.

The theses that have been brought together here are examples of the wide variety of issues in European Studies addressed by our students. Each of these eight theses was marked with an 8.5 or higher, a testimony of the exceptional quality of the work done.

I hope that these theses also form an inspiration for our current students who are still to embark on the process of writing their thesis for the Bachelor in European Studies, and that many of them will join us for the next conference in June 2023.

On behalf of the European Studies staff,
Francesca Colli, BA ES Thesis Coordinator

Disclaimer: Careful readers will observe some slight discrepancies regarding the use of faculty and APA writing and formatting requirements in some of the included theses. These were not removed on purpose, to show that excellent theses are also not excellent in every aspect. The formatting of reference lists was also edited to slightly condense the length of the booklet. As such, students who are just embarking on their thesis trajectory should be careful not to simply copy style and formatting of this work, but instead should carefully check faculty and APA guidelines. Major discrepancies were taken out if they occurred at all.

Four Times No

Explaining Parliamentary Opposition to Referendum Legislation in the Netherlands

Niek Kelders

1. Introduction

Four times no, that is what the Dutch parliament said towards referendum legislation. Why this is the case is an interesting question. This ties into the broader debate about whether referendums are a useful tool in contemporary democracies. Some countries such as Italy use them extensively while other countries such as Germany and the Netherlands only use them limitedly (Mamadouh, 2009, p. 309). Why certain countries use them, and others do not is particularly puzzling. This can be the result of decisions on referendum legislation. In most countries, parliaments are responsible for this legislation. Yet they are also constrained by this legislation (Norton, 2021, p. 92). This can be highlighted by the Brexit referendum, which decreased parliamentary sovereignty. Brexit shows that referendums can have massive repercussions on the future of a country (Jäske & Setälä, 2019, p. 95). The decision to hold a referendum, its design, and the discussion and interpretation of its results all take place in the parliamentary arena (Lord, 2021, p. 32). At the same time, there is no incentive for legislatures to legislate away their power of initiative (Norton, 2021, p. 103). Therefore, parliaments play a key role in determining whether referendum legislation is developed and might have reasons not to do so.

The investigation of the relationship between parliamentary decision-making and referendums has received limited attention. Furthermore, the studies that examine referendum legislation and its changes are sparse (eg. Van der Meer et al, 2020). Based on the abovementioned arguments, this thesis analyses the question: what factors explain the parliamentary opposition to referendum legislation? This question is relevant today because referendum legislation is on the rise in most countries (Chambers, 2018). Parliaments debate when, how, and under what conditions referendums are held (Norton, 2021, p. 106). Additionally, once referendums have been introduced, it is difficult for parliament to resist them (Norton, 2021, p. 94). However, some countries are left behind and parliaments resist the development of referendum legislation. This is caused by specific factors. A better understanding of these factors increases the possibility of successfully implementing referendum legislation in countries with a reluctant legislature such as the UK and the

Netherlands. Moreover, understanding these factors contributes to putting democratic theory into practice. Most experts within democratic theory have argued that referendums are an improvement for democracy (WRR, 2007; van der Brug et al, 2018; Jäske & Setälä, 2019; Lord, 2021). Therefore, by analyzing these factors, this thesis aids to develop a sound understanding of how to successfully implement referendum legislation in countries that are reluctant or have never used referendums.

To analyze this question, one of the reluctant parliaments is chosen, namely the case of the Netherlands. While it has introduced several legislative proposals, it never adopted binding referendum legislation (Van der Meer et al, 2020). Nevertheless, from 2015 to 2017 it had an advisory referendum law. However, this law was abolished in 2017. Until then, referendum legislation reversal was non-existent (Van der Meer et al, 2020, p. 97). Currently, there is a new debate about a corrective binding referendum that would limit the future powers of the legislature (Tweede Kamer, 2022b). This thesis explores the relative impact of policy learning, the concerns over representative democracy, and party politics as theoretical factors that could explain parliamentary opposition towards referendum legislation. Empirically quantitative and qualitative content analysis will be applied to parliamentary debates throughout the years 1999-2022. My main findings are that policy learning does not explain parliamentary opposition because it is mostly used by proponents of referendums. On the other hand, concerns with representative democracy and party politics are good indicators that explain parliamentary opposition to referendum legislation. With referendum legislation, this thesis means laws that make it possible to have referendums.

This thesis begins with a brief overview of the current literature on referendums in the world and the Netherlands. The next chapter explains the theoretical framework that gives possible explanations for parliamentary opposition to referendum legislation and develops hypotheses to operationalize these reasons. Then, this thesis explains the relevance of the case study and the methods used for data collection and analysis and highlights some limitations. After that, I use the indicators mentioned in the theoretical section to analyze the most important debates on referendum legislation. The thesis concludes with a discussion of the findings and their implications for referendums in the future.

2. Literature review

To understand the abovementioned puzzle, this chapter walks us through the relevant literature on referendums and the key debates by academics. This thesis argues that most of the literature focuses on the advantages and disadvantages of using referendums and mostly

on countries that use them extensively. However, discussion on referendum legislation is scarce. To better understand referendums, it is important to scrutinize the factors that could hinder the development of legislation. This can be done by studying parliamentary debates which until today have been largely ignored by scholars.

The main debate in the wider literature on referendums looks at whether they are a useful democratic tool. The main benefits of referendums are: that it is a form of direct citizen participation not currently present in the representative system (Schuck & de Vreese 2011; Jacobs et al, 2018; Jäske & Setälä 2019). Moreover, it can increase political interest (WRR, 2007), citizens' information (Nijeboer 2005; Mamadouh 2009; van der Brug et al, 2018), and their political trust (Schuck & de Vreese, 2011; Van der Meer et al 2020). Additionally, Nijeboer (2005) argues that it can close gaps between elites and the citizenry (p. 394). Elites that cannot persuade citizens are punished with an opposing vote in the ballot box (WRR, 2007, p. 116). It can also help the representatives in giving them information on the preferences of citizens (Mamadouh, 2009; Lord, 2021, p. 30). Furthermore, referendums can cause reform and solve stalemates (Lord, 2021, p. 34). These findings show that there are several benefits to referendums, and they are made possible by legislation. Lord (2021) argues that there is doubt that any democratic system can manage without provisions for referendums (p. 30). Therefore, it is relevant to investigate referendum legislation and why politicians oppose them.

Other scholars focus on the disadvantages. Referendums are used by elites as legitimizers, and they can manipulate the citizens by phrasing the question in a certain way or dominating the campaign with fake news (Tierney 2012; Landemore 2018; Jäske & Setälä 2019). Additionally, it is an instrument that takes preferences as a given and does not use deliberation (Tierney 2012; Chambers 2018; Landemore 2018). Furthermore, another important issue is that a referendum often is majoritarian, and the interest of the minority is often neglected (Tierney 2012; Chambers 2018; Landemore, 2018). According to Lord (2021) referendums are even more majoritarian than the Westminster style of representative democracy (p. 40). Furthermore, Qvortrup (2016) has argued that elite consensus is not enough to persuade citizens (p. 65). Citizens can bypass the opinions of the elites in referendums. These disadvantages of referendums are widely studied but the research that shows how these concerns are used by politicians in the political arena remains scarce. These disadvantages might lead parliaments to be careful with implementing referendum legislation. Consequently, this thesis contributes to this gap by looking at factors that explain the parliamentary opposition to referendum legislation.

Having identified the disadvantages above, several academics have provided solutions. The main solution is a good institutional design (Altman, 2011; Tierney, 2012). There are various types of referendums, such as those required by the constitution, those performed top-down, and those that are citizen-initiated (Altman, 2011, p. 11; Tierney, 2012). Each has distinct advantages and limitations. Citizens initiated referendums have given the power to the “sad, mad, bad and the rich” (Jäske & Setälä, 2019; Lord, 2021, p. 39). At the same time, legislatures are heavily constrained by these bottom-up referendums since they give citizens a veto (Norton, 2021, p. 95). The other options are less constraining for the legislature (Norton, 2021, p. 95). Top-down and constitutional referendums are studied widely (eg. Nijeboer, 2005; Mamadouh, 2009; Tierney, 2012), while studies on citizen-initiated referendums are scarce (eg. Jäske & Setälä, 2019). Moreover, there is limited reference to the process of institutional design which primarily happens through parliaments. That is why this thesis addresses this gap and chooses to research legislation that makes citizen-initiated referendums possible.

The main recent case-study literature is primarily concerned with countries in which referendums are successful. For example, Switzerland and Italy are often mentioned examples (eg. Jäske & Setälä, 2019; Leininger, 2019). Furthermore, other countries that extensively use referendums have several case studies, such as New Zealand (Parkinson, 2001) and Ireland (O’Mahoney, 2009). However, countries that had few referendums such as Germany and the Netherlands have received less attention. These countries would give the most insights concerning the development of referendum legislation. There are still many representative democracies around the world that do not use the benefits of a referendum (Setälä, 2006). A better understanding of the development of referendum legislation might aid governments to choose the right intuitional design. Thus, it is relevant to do an in-depth case study in a country that had few referendums.

The minority of sources that cover referendums in the Netherlands are mostly outdated (eg. van Praag, 1993; Holsteyn, 1996; Sap, 2003). Other studies primarily focus on single referendums such as those on the Ukraine-associational treaty or the Constitutional Treaty (eg. Nijeboer, 2005; van der Brug et al, 2018). Additionally, most literature is about local referendums which have been present since 1906 (Hillebrand, 1993; Holsteyn, 1996). The few sources that are about referendum legislation have some shortcomings such as they focus on one particular debate (Sap, 2003), or a particular law (van der Meer et al, 2020). Moreover, they only focus on the role of public opinion and individual preferences (van der Meer et al, 2020; van Klingereren et al, 2021). In addition, Norton (2021) states that there should be more

research into the role of parliaments in referendum legislation (p. 91). Consequently, we lack a plausible and extensive account of national referendums legislation in the Netherlands. Therefore, it is relevant to analyze multiple debates over time and to investigate multiple factors that influence parliamentary opposition towards referendum legislation.

3. Theoretical framework

The previous chapter has identified the key literature, and now the next chapter will explain the theoretical framework of this thesis. It uses a combination of different findings in the literature. This is necessary because this research is quite exploratory, and not yet proven theories have been developed. The first factor is policy learning. Policy learning means “the updating of policy beliefs based on knowledge and information on the policy problem at hand” (Scholten, 2017, p. 346). Versluis et al (2011) argue that learning is one of the main aspects of public policy evaluation. Politicians look back on the relative success of policy (p. 206). That is why policy learning argues that politicians can learn from past experiences, and might change future policy (Covadonga, 2009). Vagionaki & Trein (2020) argue that trial and error learning often occurs, meaning that changes to the policy design are made, and later politicians evaluate the results and change accordingly (p. 307). In legislative areas, policy evaluation is often made by the parliamentarians themselves. Learning is higher in areas in which there are conflicting arguments and actors can communicate (Scholten, 2017, p. 349). This is exactly what parliaments do, they deliberate and have conflicting arguments. Thus, policy learning is a suitable tool to investigate parliamentary opposition to referendum legislation.

These findings are operationalized into four indicators. Policy learning happens through your experiences either at home or abroad (Vagionaki & Trein, 2020). The references to past national referendums in the Netherlands are put into one indicator. The second indicator is other countries' referendum experiences. Local referendum experiences are fairly numerous in the Netherlands and have been used 193 times from 1906 until 2014 (van der Akker, 2021, p. 674). As a result, the third indicator is local referendum experiences. The literature has found that experts play a major role in policy learning (Vagionaki & Trein, 2020, p. 348). This is especially relevant in the Netherlands, where several governmental advisory bodies provided research on referendums to the parliament, for example, the Scientific Council for Government Policy (WRR) or the States Commission Parliamentary System (WRR, 2007; Lemson, 2018). Therefore, mentions of experts would be the fourth indicator. Policy learning works through reviewing legislation and for that you need

experience. Therefore, later debates should have more references. Hence, the first hypothesis would be:

H1 *If policy learning explains parliamentary opposition to referendum legislation, parties opposing referendum legislation should make references in the parliamentary debates to referendum experiences at home, and abroad or mention expert advice, and these should increase over time.*

The second factor is the concerns with representative democracy. Literature has found that referendums are incompatible and problematic for representative democracy (Tierney, 2012; Lord, 2021;). It hampers the powers of the elites in parliament to make deliberate choices, with the checks and balances that are in this system (Tierney, 2012, p. 22; Chambers, 2018; Landemore, 2018; Lord, 2021). Therefore, only the representative system has the ability for consensus, while referendums are black and white (Tierney, 2012, p. 28; Lord, 2021). There is no option for compromise (Chambers, 2018; Lord, 2021). Voters in referendums are not as accountable for their actions as politicians are in the representative system (Lord, 2021, p. 40). Furthermore, referendums are on single issues while often issues are interrelated and representative democracy can take this interrelatedness into account by making multiple decisions (Tierney, 2012, p. 35). These are the main findings in the literature that seems relevant for explaining parliamentary opposition. These would be relevant indicators to investigate parliamentary opposition to referendum legislation.

The factor of representative democracy is operationalized by looking for references to the most used arguments in the literature. The main 4 selected indicators are no deliberation, no ability for consensus or compromise, no accountability, and only on single issues. There can be several other concerns with representative democracy, and it is not easy to operationalize these. Therefore, also inductively found indicators will be used in the analysis. More references to these indicators would imply more importance in explaining parliamentary opposition. Therefore, to hypothesize these findings, it uses:

H2 *If the concerns with the representative system explain parliamentary opposition to referendum legislation, then parties that oppose referendums should make references to no deliberation, no ability for consensus or compromise, no accountability, and only on single issues.*

The last main factor I will look at is party politics. One of the only studies on a referendum law in the Netherlands has already noticed that coalition politics plays a major role in the reversal of referendum legislation (van der Meer et al, 2020, p. 97). This thesis broadens the scope and focuses on party politics as a whole. Parties are still the main actor in

representative democracy because they structure elections and determine policy preferences (Muller, 2017, p. 141). Since parties play a vital role, it is important to understand how they impact parliamentary opposition to referendum legislation.

To operationalize the factor of party politics, this thesis uses 2 main indicators. The first indicator is coalitions. The main way in which party politics contributes to decisions on policies is through taking part in government (Muller, 2017, p. 142). In the Netherlands, political fragmentation is high, meaning that multiple parties are required to govern (van Schuur & Voerman, 2010, p. 27). This is negotiated through coalition agreements. This is especially relevant in the Netherlands because cooperation among elites is a national democratic tradition (Bogaards, 2021, p. 21). They aim for consensus by negotiating backroom package deals with a piece of the pie for everybody (Bogaards, 2021, p. 31). Van der Velden et al (2018) have noticed that there is a coalition dilemma, parties want to enact their programs but are bound to the compromises made by the coalition (p. 396). It would be interesting to view whether coalitions would explain parliamentary opposition to referendum legislation.

The second indicator would be references of politicians to internal party constraints made by their members or party leaders. Dutch political parties are voluntary organizations with membership. These party members decide on the manifestos and party programs and give political parties legitimacy (van Schuur & Voerman, 2010, p. 26). Party members can also alert parties to new issues (van Schuur & Voerman, 2010, p. 26). Internal party constraints might give explanations for parliamentary opposition to referendum legislation. If there are references to these two main indicators then the expectation is that it explains parliamentary opposition. Hence, the third hypothesis is:

H3 *If party politics explains parliamentary opposition to referendum legislation, then parties opposing referendums should make references to coalitions and internal party constraints.*

This combination of factors combines the strength of these theoretical perspectives and solves the gaps that a single factor would leave open. This combination increases the explanatory power. Overall, this thesis uses three main factors of policy learning, concerns with representative democracy and party politics. Their operationalizations are shown in Table 1 and later applied in Chapter 4.

Table 1 Operationalization of the Main factors

Main Factors	Operationalization into categories
Policy Learning	<ul style="list-style-type: none"> - References to past national referendums - Mentions of local referendum experiences at home - Mentions of foreign referendums and their experiences - References to experts and their arguments
Concerns with the representative system	<ul style="list-style-type: none"> - References to no deliberation - Mentions of no ability to compromise/consensus - Mentions of no accountability - References to only single issues
Party politics	<ul style="list-style-type: none"> - References to coalitions - Mentions of internal party constraints

4. Methods discussion

4.1. Case Selection

The previous chapter has shown the theoretical framework, this chapter will take you through the case selection, data collection method, and the data analysis method. This thesis uses a qualitative in-depth case study on the Netherlands. The Netherlands is selected because 4 legislative proposals were rejected by parliament (van der Meer et al, 2020). Van der Akker (2021) has argued that withdrawal and rejection hint at referendum avoidance (p. 691). Since this thesis wants to explain parliamentary opposition, this is an ideal case to test it.

Not only is there heavy parliamentary opposition, but also it is a most likely case study. All our theoretical factors are likely to be present. Dutch political parties have shifted their stances on referendums significantly throughout the years. For example, D66 was always a fierce proponent of referendum legislation, but suddenly switched sides in 2017 (van der Meer et al, 2020, p. 104-107). Additionally, the liberal party (VVD) has switched sides as well (Mamadouh, 2009, p. 318). Another major feature is that the 3 national referendums that were held in the Netherlands were all a no vote. Scholars have mentioned that these no votes hamper the parliaments and elite's power and they are inclined to stop holding referendums (Tierney, 2012; Norton, 2021). These findings show that policy learning is highly likely to be present in parliamentary debates.

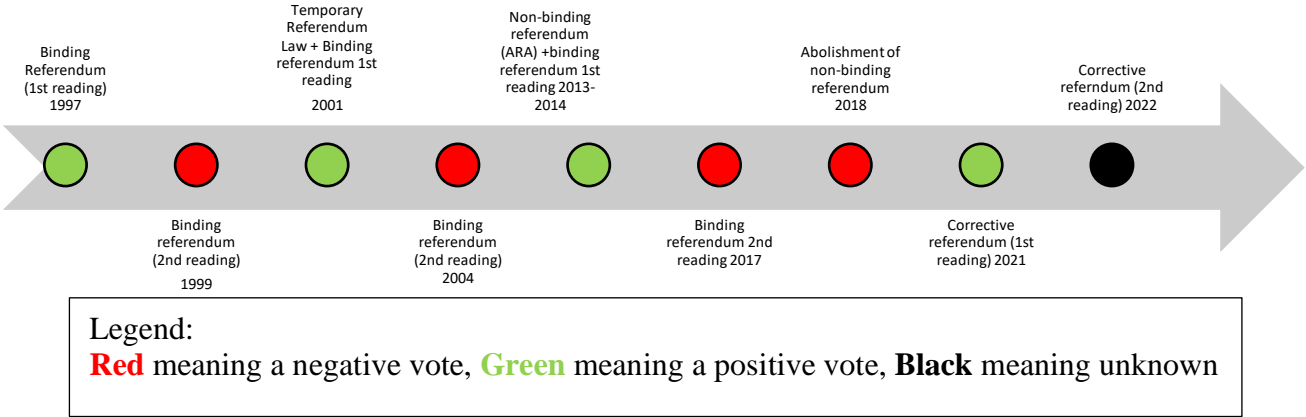
Not only policy learning is likely to be present, but also the referendum legislation in the Netherlands was aimed at a corrective and binding citizen-initiated referendum. Norton (2021) has argued that these citizen-initiated referendums are an even bigger threat to the representative democracy because it gives citizens a veto (p. 95). Moreover, the three no-votes in the national referendums were on laws that were already passed by the representative institutions (van der Meer et al, 2020, p. 105). Consequently, concerns with representative democracy are likely to be there as well. As mentioned in the theoretical framework also the presence of party politics is high, because coalition agreements and membership in political parties are a widespread phenomenon. Therefore, this is an ideal test case for these factors.

The Netherlands is also a case that is generalizable to other countries. It is a parliamentary democracy that uses democratic practices that are widely used. It is similar to most countries in the aspect that the parliament has exclusive power on referendum legislation (Norton, 2021, p. 92). It is generalizable to several countries that have no provisions for referendums or referendums have never been on the agenda, such as Germany, Belgium, and Portugal (Qvortrup, 2014). Additionally, also other countries that are interested in citizen-initiated referendums such as Bolivia and Colombia might learn from this research. (Qvortrup, 2014, p. 278). A key limitation is that an in-depth case study is never fully generalizable, but the abovementioned findings highlight that these countries can at least learn from this research. Overall, the Netherlands is chosen because it does not use referendums extensively, is similar to other non-referendum legislation countries and the abovementioned theoretical features are likely to be present.

4.2.Data collection

The main data used in this thesis comes from parliamentary debates. Referendum legislation has been debated significantly with more than 6 legislative proposals in both chambers of parliament since 1994 (Van der Meer et al, 2020, p. 105). The debates that will be analyzed

Figure 1 *Timeline milestones in referendum legislation*



are based on Figure 1, which are the milestones of referendum legislation. The figure shows that there was not always consensus on whether to move on with the legislation. Since I am interested in parliamentary opposition, only the debates with a red connotation are chosen. An exception is the debate on the abolishment of the ARA in 2018, which abolished referendum legislation. Abolishment is not the key topic and thus this debate is omitted. Additionally, the 2022 debate is selected because it does not have any results yet. In total 4 debates and their transcripts of the plenary debate are selected. Three of these debates are from the House of Representatives (Tweede Kamer), those in 2004, 2017, and 2022. One of these debates is from the Senate (Eerste Kamer) that has taken place in 1999. These no-debates are selected because they are the most likely to give us insights into parliamentary opposition to referendum legislation. Moreover, in general, the no-debates are longer and discuss more content than the yes debates. Furthermore, later debates are more represented because they have a higher chance of mentioning policy learning.

4.3. Data analysis

As a data analysis method, this thesis uses method triangulation and combines quantitative and qualitative content analysis. The document data was first coded using Mayring's (2000) category framework. The main indicators mentioned in chapter 2 were put into a separate category and given a color.¹ They were deduced from the theory. I manually coded the data, first into the several factors, and then specified the specific category to which it belonged. This coding method is highly systematic and decreases the chances of cherry-picking data and reduces the amount of material to focus on selected aspects (Schreier, 2014, p. 170).

The analysis starts with a quantitative content analysis that focuses on the number of references. In quantitative content analysis, more counts equal more importance (Schreier, 2014, p. 171). Hence, this thesis first counts the number of references to my theoretical factors and their indicators. This method has the strength of doing longitudinal research, meaning that we can measure changes over time (Riffe et al, 2019, p. 34). However, the count does not always show importance (Schreier, 2014, p. 171). That is why for the second part of the analysis, I use qualitative content analysis. This means “a method for systematically describing the meaning of qualitative data” (Schreier, 2014, p. 170). This method is valid because it can show the context behind these references found in the quantitative content

¹ Codebook is available upon request.

analysis. These references need to be seen in the context of the debate and this could give us additional insights into parliamentary opposition to referendum legislation. This thesis uses quotes to show the context of these references.²

By using this method triangulation, it shares common features with both quantitative methods (consistency and reliability) while at the same time using the strengths of qualitative research (the context, meaning, and interpretation) (Schreier, 2014, p. 174). Nevertheless, no method is perfect, a major limitation is that it takes the material for granted, is descriptive and naïve, and does not question the data (Schreier, 2014, p. 178). These limitations are acceptable because the focus of the research question is on the references of politicians and not on the meaning or language used in the debates.

Another key limitation is that analyzing debates implies that they accurately describe the opinion of political parties. Pedrazzani (2017) has argued that political parties use their speaking time differently depending on whether they are in government or not (p. 455). They use their speaking time for electoral gains (Pedrazzani, 2017, p. 456). This could mean that the “real” opinion of political parties is not mentioned in the debates, to ensure that they do not lose voters. However, this design can still give us directions into which factors are more important, especially because of the combination of quantitative and qualitative analysis.

To add more depth to the analysis, this thesis briefly describes the political parties that are selected and their overall stance on referendums. The selected parties were required to be present in 2 debates. This means that several smaller parties are omitted because they did not have a significant impact on the overall debate. Figure 2 shows the selected parties based on their presence in the debates. The ideological stances are based on the finding in the literature. These parties are divided into three party groups. The first group is the confessional parties (CDA, CU, and SGP), who have always been active opponents of referendums (van der Akker, 2021, p. 675). The second group is the active proponents of referendums which are SP, PVV, and FVD (Jacobs et al, 2018; van der Meer et al, 2020). The third group includes D66, VVD, GL, and PvdA. They are the most interesting since these parties have changed

² These quotes are translated from Dutch to English.

their positions multiple times (van der Meer et al, 2020). The main analysis focuses on the first and last group of parties particularly when they are against referendum legislation.

Figure 2 *Party selection and their ideological stances*

<i>Selected Parties</i>	<i>Ideological stance on referendums</i>	<i>Present at which debates</i>
VVD- <i>Right leaning liberals</i>	Contra	All four
D66- <i>Left leaning liberals</i>	Pro	All four
CDA- <i>Christian democrats</i>	Contra	All four
PVDA- <i>Labour party</i>	Pro	All four
SP- <i>Socialist party</i>	Pro	All four
Greenleft- <i>Greens</i>	Pro	All four
CU- <i>Christian religious party</i>	Contra	All four
SGP- <i>Protestant Party</i>	Contra	All four
PVV- <i>Conservative right party</i>	Pro	2017 and 2022
FVD- <i>Conservative right party</i>	Pro	2017 and 2022

5. Analysis

This chapter analyzes policy learning, concerns with representative democracy, and party politics by using the methods mentioned in the previous chapter. This chapter starts by describing the data in general. The next sections start with revealing the quantitative content analysis by showing how much each indicator comes back during the debates. After that, I show the qualitative analysis that focuses on the context and the reasons that politicians have given.

This paragraph describes the overall findings and paves the way for the analysis.

Overall, as Figure 3 highlights references to our selected factors seem to be increased. As can

Figure 3 *Total references to the selected factors*

<i>Total references to:</i>	<i>1999</i>	<i>2004</i>	<i>2017</i>	<i>2022</i>
<i>Policy Learning</i>	5	1	19	10
<i>Concerns with representative democracy</i>	13	3	21	10
<i>Party politics</i>	13	10	18	10

be seen in the figure, the 2017 debate has the most references while the 2004 debate has the lowest. This can be explained by mentioning that in 2017 nearly all parties voted against the proposal namely VVD, CDA, CU, SGP, and referendum proponents D66, GL, and PvdA. Therefore, this debate would have the most mentions of the parliamentary opposition. On the other hand, the 2004 debate has the least references to parliamentary opposition. The explanation is given by the SGP who argued that “This is the third reading, namely it is nearly alike to the previously shot down proposal in 1999” (Tweede Kamer, 2004). As a result, there was not a substantive debate. Both the 1999 and 2022 debates had an average amount of references. In general, these debates had more political parties that were proponents of referendum legislation, but still, several opposing parties were present. These findings show that despite these limitations, the outcomes below seem to be valid.

5.1. Policy Learning in the parliamentary debates

Policy learning is the first factor that will be discussed. Policy learning would imply that politicians learn from past experiences, and references to policy learning should increase in later debates. In Figure 4 you can see that this is true. There are far more references to

Figure 4 *Number of references to policy learning*

<i>References to policy learning:</i>	1999	2004	2017	2022
<i>National experiences</i>	0	1	12	4
<i>Local experiences</i>	2	0	2	0
<i>Foreign experiences</i>	2	0	4	2
<i>Experts</i>	5	0	1	4

policy learning in the later debates. However, this varies according to which references. It seems that the national experiences have increased substantially over the years. In contrast, local experiences are quite randomly divided across the years which is surprising, because literature has found that they are more numerous than national referendums (van der Akker, 2021). This research contradicts these claims. The same can be said for foreign experiences that have an evenly spread number of references. On the other hand, experts are mostly mentioned in the 1999 debate, while later they were much scarcer. These counts of the number of references to policy learning highlight that their references increased over the years.

This quantitative analysis seems to reveal that policy learning plays an important role. Nevertheless, when you investigate the context of the debates references to policy learning are predominantly used by proponents of referendums. This applies especially to national referendum experiences that are used as the main argument for proponents of referendums. In the 2017 and 2022 debates, most parties that were in favor mentioned the referendums on the EU constitution and the Associational Treaty. For example, the PVV mentioned that “we had a beautiful referendum on the EU Constitution” (Tweede Kamer, 2022a). Opposing parties only use past referendums to show that the quorum is too high. For example, FVD states “with this law it would have been impossible to hold a referendum on the Constitutional Treaty nor on the Associational Treaty” (Tweede Kamer, 2022a). At the same time VVD, SGP, and CDA make no mention of national experiences. The assumption by Vagionaki & Trein (2020) that negative experiences play an important role is contradicted by these findings.

The literature argues that referendum remembrance plays a key role in how they are shaped further (Lord, 2021, p. 37). However, in the debates parties argue that national past experiences did not play a role in their opposition to referendum legislation. GL argues that “it has nothing to do with the outcome of referendums” (Tweede Kamer, 2017). The analysis shows that national experiences do not explain parliamentary opposition and these experiences are mostly used by proponents.

Concerning references to local experiences, there is not a distinct pattern. References to local referendums are mostly used by proponents of referendum legislation. The SP used local examples to highlight the importance of referendums and they argue that “past summer in Haarlem we had a referendum on parking, which was started by the VVD” (Tweede Kamer, 2017). In addition, also the PVV states that “CDA wanted a referendum on leasehold in Amsterdam” (Tweede Kamer, 2017). Another example is from D66 which mentions that “a constitutional revision of referendums is necessary because local experiences need it” (Eerste Kamer, 1999a, p. 1345). Thus, local experiences are not an explanation for parliamentary opposition but are used by proponents of referendums.

It seems that foreign experiences are used evenly by both sides. For example, in 1999 the VVD argues that “the existence of referendums has led in Switzerland to a late adoption of woman’s suffrage” (Eerste Kamer, 1999c, p. 1388). In addition, the VVD mentions that “the Netherlands and not Switzerland has the most open political system in the world” (Tweede Kamer, 2017). Not only Switzerland but also Brexit is used by the political parties to show the negative sides of referendums (Tweede Kamer, 2017). The positive references are

ample as well though. For instance, PVV states “a lot of areas use referendums such as the US, in Berlin and Switzerland, these countries show that it does not harm representative democracy” (Tweede Kamer, 2017). D66 mentions in 1999 that “are the French and Danes special people? Perhaps but they believe in a vote for the people” (Eerste Kamer, 1999b, p. 1375). These findings show that foreign experiences played a role, but the references are not used that often.

The last category is the mention of experts. This was especially high in the 1999 and 2022 debates. In the earlier debates, these experts played a more significant role because national experiences were not present. The VVD argues that “the state commission Biesheuvel is responsible for the quorums, but their text is misunderstood” (Eerste Kamer, 1999b, p. 1381). Also in the 2017 debate, CDA mentions experts by referring to the vice-president of the Council of State who has argued that “you cannot use direct and representative democracy interchangeably and direct democracy is not better than representative democracy (Tweede Kamer, 2017). However, a key limitation is that just as with national experiences, most proponents of referendum legislation use experts to support their argument as well. For example, the PvdA mentions that “commission Cals/Donner, commission Biesheuvel and commission Beetman argue that there is a need for democratic innovations” (Eerste Kamer, 1999a, p. 1353). In addition, SP argues that “referendum legislation was introduced because state commission on the parliamentary system argued in favor of a referendum” (Tweede Kamer, 2022a). These contrast the findings in the literature, which mentioned that scientific experts have a big influence on policy discourses (Scholten, 2017, p. 348). Additionally, Vagionaki & Trein (2020) argue that governments filter expert findings to use for their benefit. My findings contrast both these claims from the literature. Expert opinions do not determine parliamentary opposition to referendums.

Overall, mentions of policy learning increased but references to local experiences, national experiences, and expert opinions do not explain parliamentary opposition. They are most often used by proponents of referendum legislation. Foreign experiences are used by both sides and might partially explain parliamentary opposition. The literature has found that knowledge and experiences do not cause policy change but rather the policy assumptions of the political party (Scholten, 2017, p. 361). In addition, political parties use information that increases their power and supports partisan strategies (Vagionaki & Trein, 2020, p. 310). My findings seem to support both claims. Opposition parties such as PVV and SP make references to national and local experiences to increase their power, while opponents of

referendum legislation such as VVD and CDA choose to not do so because it might hamper their arguments.

H1 stated that parties that oppose referendum legislation should mention references to policy learning and that they should increase over time. The first part that parliamentary opposition is explained by policy learning is disproved, it seems to be the other way around. However, the second part is proved, that references increased over time. In addition, foreign experiences partly explain parliamentary opposition. An interesting finding is that non-confessional parties seem to use policy learning more often than the confessional ones.

5.2. Concerns with representative democracy in parliamentary debates

This section covers the second factor namely concerns with representative democracy. Figure 5 shows that concerns with representative democracy increased over time or remained constant. As you can see in the Figure, no deliberation in referendums seems to be the main argument used to highlight parliamentary opposition to referendum legislation. At the same

Figure 5 Number of references to concerns with representative democracy

<i>References to concerns with representative democracy</i>	<i>1999</i>	<i>2004</i>	<i>2017</i>	<i>2022</i>
<i>No deliberation</i>	4	0	10	5
<i>No ability for compromise/consensus</i>	4	0	3	1
<i>No accountability</i>	2	1	4	1
<i>Only on single issues</i>	3	2	4	3

time, only on single issues and no accountability for citizens in referendums seems to be a constant factor as well. No ability for compromise seems to be a less used argument in total.

In the context of the debates, these arguments seem to hold. Concerns with representative democracy are a key factor for parliamentary opposition to referendum legislation as was expected by the literature. All confessional parties are especially concerned with representative democracy. For example, CDA mentions that “referendums are at least partially an infringement into representative democracy (Eerste Kamer, 1999a, p. 1340). Furthermore, SGP argues that “referendums have a tension with representative democracy and solutions are provided by improving representative democracy, not direct democracy” (Tweede Kamer, 2004). Furthermore, in 2017 for GL no deliberation means a no-vote towards the referendum law. They highlight “we do not want a yes/no at the end, we want the citizens involved from the beginning (Tweede Kamer, 2017). Moreover, CDA and SGP both stress that citizens are not as accountable as the representative institutions (Tweede Kamer,

2017). Additionally, the VVD argues that “the responsibility about societal problems in which various sides have to be considered, should not be given back to the citizens” (Tweede Kamer, 2022a). The arguments of no compromises are highlighted in the debate, but not as much as was expected by the literature. For instance, the VVD states “lawmaking is most often making compromises, this infers that everybody gets a piece of the pie, which is not possible in referendums (Eerste Kamer, 1999a, p. 1358). The four factors identified in the theoretical framework by the literature seem to hold. These findings seem to show that concerns with representative democracy explain parliamentary opposition.

Several inductively gathered arguments on concerns with representative democracy were present as well. Some key references are made to bypassing the representative institutions. For example, CDA argues that “the trust in democracy would not improve if carefully negotiated laws in the representative system could be turned upside down by a referendum” (Tweede Kamer, 2004). Moreover, D66, a party that was always in favor of referendums, changed because it was afraid that carefully chosen pathways of international treaties by representative institutions would be broken by a referendum (Tweede Kamer, 2017). The literature argued this as well in stating that “referendums can bypass the representative institutions especially when they are binding” (Jäske & Setälä, 2019, p. 96). This research supports this claim.

Minority protection is another category that comes back often. For instance, CDA mentions that “our representative system protects minority rights and takes them into account” (Eerste Kamer, 1999c, p. 1388). At the same time, the SP argues that “a minority that might be a majority, would be able to correct a majority here in this house” (Tweede Kamer, 2022c). Also, the literature has stated that “minorities are always on the losing side” (Chambers, 2018, p. 306). These findings support this claim. Thus, concerns about representative democracy explain parliamentary opposition. Not only do my operationalized indicators reveal this but also the inductively gathered indicators.

A change in attitude from the strict anti-referendum party CU reveals that this factor is important. They had concerns about representative democracy in all debates, except in 2022 when they changed their position. They still had these concerns, but a higher quorum would solve these problems. CU state that “the height of the quorum would need to be high enough to not hamper our representative democracy” (Tweede Kamer, 2022a). This shows that concerns with representative democracy play a key role in determining parliamentary opposition because when these concerns are taken away, parliamentary opposition withers away.

Overall, H2 states that concerns with representative democracy should be used by parties that oppose referendum legislation. This seems to be the case, therefore, H2 would be proved. Not only the indicators defined by the operationalization are present but also inductively gathered indicators reveal these concerns for representative democracy. It can cause parties to question referendum legislation if the law does not consider the system of representative democracy and its institutions. A solution would be to take these concerns away.

5.3. Party politics in parliamentary debates

This section analyzes the last factor being party politics. The factor of party politics implied that coalitions or internal party constraints increase parliamentary opposition. According to figure 6, this is the case. There were several references to coalitions in the earlier debates, while the internal party constraints were more important in the later debates.

Figure 6 *Number of references to party politics and its indicators*

<i>References to party politics</i>	<i>1999</i>	<i>2004</i>	<i>2017</i>	<i>2022</i>
<i>Coalition agreements</i>	10	9	2	3
<i>Internal party constrains</i>	3	1	16	7

This is also shown in the content of the debates. Coalition agreements played a big role in the earlier two debates because coalition agreements determined that referendum legislation was or was not on the agenda. For D66, the referendum law was so important that it threatened to withdraw its support for the coalition and cause a cabinet crisis (Eerste Kamer, 1999a, p. 1339). This put pressure on the VVD to vote in favor of the law (Eerste Kamer, 1999a, p. 1360). Eventually, one senator of the VVD did not vote in favor and as a result, the proposal was rejected. A cabinet crisis followed. In 2004 it was the other way around, the coalition dropped referendum legislation and the government gave a negative voting recommendation (Tweede Kamer, 2004). For example, CU followed this recommendation and stated “we are happy that our fraction and the government have the same opinion and we will follow their advice (Tweede Kamer, 2004). At the same time, several parties that were in favor of the referendum law accused D66 of not negotiating enough to get this on the agenda. For instance, the PvdA stated, “why did you let this proposal slide out of the negotiations?” (Tweede Kamer, 2004). This meant that VVD and CDA could both follow their line of argumentation and were not bound to vote in favor. The same can be applied to the 2017

debate in which the government was neutral (Tweede Kamer, 2017). These findings highlight that coalitions play a role in both proponents and opponents of referendum legislation. The literature has argued that coalitions increase parliamentary opposition (van der Meer et al, 2020, p. 111). My findings seem to disagree, it can be used both ways. Hence, coalitions are only partially an explanatory indicator for parliamentary opposition to referendum legislation.

The last indicator is internal party constraints. Internal party constraints are an important factor in explaining parliamentary opposition to referendum legislation. This was particularly the case in 2017 when three main proponents of referendums D66, GL, and PvdA all voted no to the proposal, because of members saying no. The PvdA states “a majority of members has said no during our party congress” (Tweede Kamer, 2017). GL has the same argumentation namely “the society has changed and the party congress has decided that we look further than a law that says yes or no, and looks at how we can improve democracy in the broader sense” (Tweede Kamer, 2017). D66 is both constrained by the coalition agreement and also by the party congress. As is stated in the debate “our view is supported by a statement of our members who argued that we are in favor of referendums although with the right rules of the game (Tweede Kamer, 2017). In the 2022 debate, this is also a key point of concern for the VVD. They are constrained by their party members, namely, they argue “There is a sentence in the party manifesto that mentions this, we want to work with this manifesto as was decided by our members”. The literature has found that party membership declines and this limits the legitimacy of the decisions that are enacted by the congress (van Schuur & Voerman, 2010, p. 27). These findings highlight that despite this decline, party members still make important decisions. Therefore, internal party constraints play a major role in the parliamentary opposition to referendum legislation.

Overall, coalitions play a minor role while internal party politics play a larger role in determining parliamentary opposition. References to coalitions and internal party constraints are made ample in the parliamentary debates. However, coalitions are also used by proponents. The literature has argued that strategic retreats happen, which means that parties back out of a goal because it is too costly to obtain (Vagionaki & Trein, 2020, p. 310). These findings seem to agree, parties change their position when it is too costly to hold it. As a result, H3 which argues that parties opposing referendum legislation should mention coalitions and internal party constraints would be proved. A major sidenote is that coalitions are also used by proponents of referendum legislation.

6. Conclusion

This thesis answered the research question: what factors explain parliamentary opposition to referendum legislation? It did so because several countries do not use the benefits of referendums because of issues implementing referendum legislation. This is particularly the case while parliaments restrain their future power with this legislation. The Netherlands was selected because it said 4 times no to referendum legislation and a new debate is currently taking place. Academic literature has largely ignored researching referendum legislation and the role of the parliament in this.

My theoretical factors were policy learning, concerns with representative democracy, and party politics. The analysis in chapter 4 highlighted that policy learning did not play a role in explaining parliamentary opposition, because proponents of referendums used policy learning as an argument. This is the case for 3 out of the 4 indicators namely local and national experiences and the use of experts is mentioned by proponents. The indicator of foreign experiences was used by both opponents and proponents of referendum legislation and partially explains parliamentary opposition. The second factor of concerns with representative democracy explains parliamentary opposition quite well. All relevant indicators were present and used in parliamentary debates. This was particularly the case for the indicators: no deliberation, only on single issues, and no accountability, which are key arguments explaining parliamentary opposition. On the other hand, no ability to compromise seems to be a limited indicator. In addition, also two inductively gathered indicators were present and played an important role, namely minority protection and the bypassing of representative institutions. The last factor that was being analyzed was party politics. Party politics was also an important factor explaining parliamentary opposition to referendum legislation. The indicator of coalitions was both used by proponents and opponents and was particularly important in the earlier debates. In contrast, internal party constraints were a key factor and were mostly used in the later debates.

Despite these findings, my study has some limitations. First, this thesis could not look at every factor or underlying relationship that influences parliamentary opposition to referendum legislation. This is particularly the case for party politics in which we only used two main indicators. A possible limitation is that I was not able to measure a key indicator of party politics namely being in government or being in the opposition. Literature has found that most often opposition parties are in favor of referendums, while government parties are against (van der Meer et al, 2020; Jacobs et al, 2018). Unfortunately, parliamentarians did not make any reference to this in the parliamentary debates. Therefore, I selected coalitions as a

proxy for this relationship. Second, another limitation is the coding process, which was based on the author's interpretation of documents and limits the validity of the findings. Third, as mentioned in chapter 3, the Netherlands is a unique case, so the conclusions are not as generalizable. However, despite these limitations, the findings give clear indications of factors that are relevant for explaining parliamentary opposition to referendum legislation.

The analysis has revealed that for successful implementation, concerns about representative democracy and party politics are key factors. These should be solved by the institutional design of referendums and should be considered by initiators of referendum legislation around the world. On the other hand, policy learning seems to be less important which means that negative referendum experiences would not matter to the parliamentary opposition. Therefore, trial and error learning in the design phase would be a good strategy. However, these findings are limitedly generalizable to other countries such as the UK and Germany, namely this study has selected a country with at least some referendum experience. It would be relevant to also view whether these findings are found in countries that have never used any referendums such as Belgium and this could be an avenue for further research. In addition, Lord (2021) states “one’s attitude to referendums is shaped by the ideological position and understanding of democracy” (p. 32). The use of ideology for determining parliamentary opposition might be another avenue of further research. To conclude, this thesis reveals that the 4 times no by the Dutch parliament would be explained by concerns about representative democracy and party politics.

Reference list

- Altman, D. (2011). *Direct Democracy Worldwide*. Cambridge University Press.
- Bogaards, M. (2021). Consociationalism in the Netherlands: Polder Politics and Pillar Talk. In S.Keil & A.McCulloch (eds.) *Power-Sharing in Europe: Past Practice, Present Cases, and Future Directions*. (pp.19-42). Palgrave Macmillan.
- Chambers, S. (2018). Making referendums safe for democracy: a call for more and better deliberation. *Swiss Political Science Review*, 24(3), 305–311. <https://doi.org/10.1111/spsr.12321>.
- Covadonga, M. (2009). *Learning, policy making, and market reforms*. Cambridge University Press.
- Eerste Kamer. (1999a, May 18). *Handelingen [transcript] Dutch Parliamentary Debate*, 30th meeting, 1339-1362. <https://zoek.officielebekendmakingen.nl/h-ek-19981999-1339-1362.html>.
- Eerste Kamer. (1999b, May 18). *Handelingen [transcript] Dutch Parliamentary Debate*, 30th meeting, 1373-1386. <https://zoek.officielebekendmakingen.nl/h-ek-19981999-1373-1386.html>.
- Eerste Kamer. (1999c, May 18). *Handelingen [transcript] Dutch Parliamentary Debate*, 30th meeting, 1387-1407. <https://zoek.officielebekendmakingen.nl/h-ek-19981999-1387-1407.html>.
- Hillebrand, R. (1993). Het lokale referendum in drie gemeenten: discussie en praktijk. In P. van Praag, *Een stem verder : het referendum in de lokale politiek* [A vote further: the referendum in local politics] (pp. 119-138). Het Spinhuis.
- Holsteyn, J. (1996). The Netherlands: national debates and local experience. In P.Uleri &

- M.Gallagher (Eds), *The Referendum Experience in Europe* (pp.126-138). Macmillan Press.
- Jacobs, K., Akkerman, A., & Zaslove, A. (2018). The voice of populist people? Referendum preferences, practices and populist attitudes. *Acta Politica : International Journal of Political Science*, 53(4), 517–541. <https://doi.org/10.1057/s41269-018-0105-1>.
- Jäske, M & Setälä, M. (2019). Referendums and citizens initiatives. In S. Elstub and O. Escobar (Ed.), *Handbook of Democratic Innovation and Governance* (pp. 90-104). Edward Elgar Publishing.
- Landemore, H. (2018). Referendums are never merely referendums: on the need to make popular vote processes more deliberative. *Swiss Political Science Review*, 24(3), 320–327. <https://doi.org/10.1111/spsr.12314>.
- Leininger, A. (2019). Economic voting in direct democracy: a case study of the 2016 Italian constitutional referendum. *Politics and Governance*, 7(2), 306–333. <https://doi.org/10.17645/pag.v7i2.1917>.
- Lemson, M. (2018, June 21). Staatscommissie Remkes pleit voor invoeren bindend referendum [State Commission Remkes argues in favor of a binding referendum]. *NOS*. <https://nos.nl/nieuwsuur/artikel/2237616-staatscommissie-remkes-pleit-voor-invoeren-bindend-referendum>.
- Lord, C . (2021). Referendums and Democratic Theory. In Smith, J. (eds) *The Palgrave Handbook of European Referendums* (pp. 29-48). Palgrave Macmillan.
- Mamadouh, V. (2009). Establishing a Constitution for Europe during European Union enlargement? Visions of ‘Europe’ in the referenda campaigns in France and the Netherlands. *Journal of Cultural Geography*, 26 (3), 305-326. <https://doi.org/10.1080/08873630903322213>.
- Mayring, P. (2000). Qualitative Content Analysis. *Forum Qualitative Sozialforschung / Forum: Qualitative Social Research*, 1(2). <https://doi.org/10.17169/fqs-1.2.1089>.
- Muller, W. (2017). Governments and Bureaucracies. In D. Caramani (Ed.), *Comparative Politics* (pp. 137-155). Oxford University Press.
- Nijeboer, A. (2005). The Dutch referendum. *European Constitutional Law Review*, 1 (3), 393-405.
- Norton, P. (2021). Referendums and Parliament. In Smith, J. (eds) *The Palgrave Handbook of European Referendums* (pp. 91-108). Palgrave Macmillan.
- O'Mahony, J. (2009). Ireland's EU referendum experience. *Irish Political Studies*, 24(4), 429–446.
- Parkinson, J. (2001). Who knows best? the creation of the citizeninitiated referendum in New Zealand. *Government and Opposition*, 36(3), 403–421.
- Pedrazzani, A. (2017). Wasting or saving time? How government and opposition parties use time during legislative debates. Evidence from the Italian case. *The Journal of Legislative Studies*, 23(3), 439–464. <https://doi.org/10.1080/13572334.2017.1361206>.
- Van Praag, P. (1993). *Een stem verder : het referendum in de lokale politiek* [A vote further: the referendum in local politics]. Het Spinhuis.
- Qvortrup, M. (2014). *Referendums Around the World: The Continued Growth of Direct Democracy*. Palgrave.
- Qvortrup, M. (2016). Referendums on Membership and European Integration 1972–2015. *The Political Quarterly*, 87 (1), 61-68.
- Riffe, D., Lacy, S., Watson, B., & Fico, F. (2019). *Analyzing media messages : using quantitative content analysis in research*. Routledge.
- Sap, J. (2003). *De nacht van wiegel (het referendum in een representatieve democratie)*[The night of Wiegel (the referendum in a representative democracy)]. Lemma-Utrecht.
- Scholten, P. (2017). The limitations of policy learning: a constructivist perspective on expertise and policy dynamics in Dutch migrant integration policies. *Policy and Society*, 36(2), 345–363. <https://doi.org/10.1080/14494035.2017.1322263>.
- Schreier, M. (2014). Qualitative content analysis. In U. Flick *The SAGE handbook of qualitative data analysis* (pp. 170-183). SAGE Publications.
- Schuck and de Vreese. (2011). Public support for referendums: the role of the media. *West European Politics*, 34 (2), 181–207.
- Setälä, M. (2006). National Referendums in European Democracies: Recent Developments. *Representation*, 42 (1), 13-23. <https://doi.org.mu.idm.oclc.org/10.1080/00344890600583701>.
- Tierney, S. (2012). *Constitutional referendums: the theory and practice of republican deliberation*. Oxford University Press.
- Tweede Kamer. (2004, June, 17). *Handelingen [transcript] Dutch Parliamentary Debate*,

- Nr. 88, 5481-5490.
<https://zoek.officielebekendmakingen.nl/h-tk-20032004-5481-5490.html>.
- Tweede Kamer. (2017, September 27). *Handelingen [transcript] Dutch Parliamentary Debate*, Nr. 5, Item 7.
<https://zoek.officielebekendmakingen.nl/h-tk-20172018-5-7.html>.
- Tweede Kamer. (2022a, April 13). *Plenaire verslag [Plenary Report] Dutch parliamentary debate*, 72nd meeting.
https://www.tweedekamer.nl/kamerstukken/plenaire_verslagen/detail/2021-2022/72#idc3f8ca11.
- Tweede Kamer. (2022b, May 17). Debat over correctief referendum [Debate about the corrective referendum].
<https://www.tweedekamer.nl/nieuws/kamerstukken/nieuws/debat-over-correctief-referendum>.
- Tweede Kamer. (2022c, May 25). *Plenaire verslag [Plenary Report] Dutch parliamentary debate*, 84th meeting.
https://www.tweedekamer.nl/kamerstukken/plenaire_verslagen/detail/2021-2022/84#id8fb2e821.
- Uleri, P. (1996). Introduction. In P. Uleri & M. Gallagher (Ed), *The Referendum Experience in Europe* (p. 1-19). Macmillan Press.
- Vagionaki, T., & Trein, P. (2020). Learning in political analysis. *Political Studies Review*, 18(2), 304–319.
<https://doi.org/10.1177/1478929919834863>.
- Van der Akker, J. (2021). The Dutch Referendum on the EU-Ukraine Associational Treaty. In Smith, J. (eds), *The Palgrave Handbook of European Referendums* (pp. 671-694). Palgrave Macmillan.
- Van der Brug & Van der Meer & Van der Pas. (2018). Voting in the Dutch ‘Ukraine-referendum’: a panel study on the dynamics of party preference, EU-attitudes, and referendum-specific considerations. *Acta Politica*, 53, 496–516.
- Van der Meer, T., Wagenaar, C., & Jacobs, K. (2020). The rise and fall of the Dutch referendum law (2015-2018): initiation, use, and abolition of the corrective, citizen-initiated and non-binding referendum. *Acta Politica: International Journal of Political Science*, 57 (1), 96-116.
- Van der Velden, M., Schumacher, G., & Vis, B. (2018). Living in the Past or Living in the Future? Analyzing Parties’ Platform Change In Between Elections, The Netherlands 1997–2014. *Political Communication*, 35(3), 393-412.
<https://doi.org/10.1080/10584609.2017.1384771>.
- Van Klingeren, M., Trilling, D., & Möller, J. (2021). Public opinion on twitter? How vote choice and arguments on twitter comply with patterns in survey data, evidence from the 2016 Ukraine referendum in the Netherlands. *Acta Politica*, 56(3), 436–455.
- Van Schuur, W & Voerman, G. (2010). Democracy in Retreat? Decline in political party membership: the case of the Netherlands. In B. Wejnert (eds), *Democratic paths and trends* (pp. 25-51). Emerald.
- Versluis, E., M. van Keulen and P. Stephenson, (2011). *Analyzing the European Union Policy Process*. Palgrave Macmillan.
- Wetenschappelijke Raad voor het Regeringsbeleid. (2007). *Rediscovering Europe in the Netherlands*. Amsterdam University Press.

The Conflictual Role of Salience in Amplifying or Hampering an NGO's Lobbying Success in the EU

Helena Landwehr

1. Introduction

In March 2015, the International Agency for Research on Cancer classified Glyphosate as likely to be carcinogenic to humans (IARC, March 20, 2015). These new findings sparked a heated debate. While industries defended the use of Glyphosate as a fertilizer, numerous NGOs such as Greenpeace wanted to see it banned in the European Union (EU). The debate reached a climax when it became public that the EU's risk assessment on Glyphosate was founded on industry-based results (Robinson et al., 2020). Consequently, in 2017, a European Citizen's Initiative was launched gathering more than a million signatures to ban Glyphosate. Under continued public pressure, the European Commission³ launched a public consultation to re-assess the risk assessment of Glyphosate (GD).

Around the same time, the Commission launched a public consultation to update EU acts regarding the Aarhus Convention (AC), a legislation that allows the public to better scrutinize EU acts concerning the environment (Commission, 2021). The update resulted from the latest findings of the AC compliance committee that found non-compliance of the EU with the AC. In contrast to Glyphosate, the update concerning the AC did not spark attention in the European public. There were for example no demonstrations, and the AC was not debated in the media. Hence, both cases differ in one crucial aspect, namely how much attention they received from the public. The academic debate calls this a difference in *public salience*. The two cases show that inevitably some climate-related topics are more salient (GD) than others (AC).

When the Commission launches new proposals such as the AC and the GD, stakeholders mobilize as they aim to influence the outcome in their favour. Thus, interest group researchers are concerned with the question of what determinants affect influence and how successful interest groups are. *Influence* is defined "as an actor's ability to shape a decision in line with their preferences" (Dür, 2008, p. 561). Investigating the question of lobbying influence is nothing new, as the literature was established with the Single European Act in 1986 and has ever grown since (e.g. Greenwood, 1997; Mahoney, 2007; Klüver et al,

³ Hereinafter referred to as "the Commission"

2015). Within this group, some focus on explaining why certain groups succeed relative to others (e.g. Baumgartner et al., 2009). Others examine the role of different strategies in shaping policy outcomes (e.g. Dür and Mateo, 2016) and why and how interest groups' involvement at EU institutions varies (e.g. Klüver et al., 2015, p. 448). Hence, investigating *interest group influence* is central to all studies that deal with EU decision-making and its legitimacy.

While influence has been a crucial topic in interest group research, it was only in the last ten years that it was linked to salience. Studying the linkages between lobbying success and salience has become especially relevant, considering the increased public attention around environmental topics. Therefore, this thesis addresses the research question “*To what degree is salience important for interest group lobbying success at the policy formulation stage in the EU’s environmental policies?*”. The policy formulation stage has been chosen as it is considered to be the most influential stage for interest groups to exert influence on a future policy proposal (Hix, 2005 as cited in Bunea, 2013, p.558). Using a comparative case study between the AC and GD, this paper aims to show the effect of salience on an NGO’s lobbying success. This thesis argues that while little public salience on a policy issue could affect an NGO’s goal attainment positively, high salience in turn, could diminish an NGO’s influence on the policy process.

This paper contributes to raising citizens' awareness of interest group’s role in shaping policies at the EU level. This helps to improve the transparency of the EU's decision-making procedures. Moreover, interest groups profit from knowing effective channels to best achieve their desired policy outcome. Thus, understanding how public attention affects the success of their advocacy can be helpful for their future engagement, as well as help the broader public understand how their support (i.e. salience) is mediated into decisions by the elites.

This paper further adds two main contributions to the academic literature. First, scholars’ debate whether institutional factors, issue-specific features, interest-group characteristics, or a combination of all is best suited to explain lobbying success. In focussing on one issue-specific feature, namely-salience, this paper adds greater nuance to this debate. Second, there is an ongoing discussion about which method is best suited to measuring interest group influence. This research contributes to the discussion by applying the preference attainment method in a qualitative case study.

This thesis proceeds as follows: firstly, it reviews the determinates of interest group influence. Secondly, a theoretical framework drawing on Mahoney (2007) sets out how the role of salience in lobbying success is examined. Thirdly, it empirically motivates the case

selection and provides background information to the cases. Fourthly, the preference attainment method and the coding scheme are established. Fifthly, the empirical part unravels Greenpeace's preferences in the two selected cases and compares them with the Commission's final proposal. This is followed by a discussion of the findings. Finally, the thesis ends with a conclusion summarizing the results and highlighting the limitations of the research.

2. The state of art - Determinates of interest group influence

The role and impact of interest groups in the EU are subject to an ongoing debate. On the one hand, interest groups may enhance the democratic accountability in the EU by providing decision-makers with citizens' and industries' aggregated interests (Mahoney, 2007, p. 38). On the other hand, critics warn that democratic decision-making may be endangered when interest groups overpower EU institutions (Michalowitz, 2007, p. 132). Nevertheless, academics claim that interest groups undoubtedly, play a crucial role in the functioning of the EU (Klüver et al, 2015, pp. 448-449). They are closely intertwined with the decision-making processes of the EU, which depends on stakeholders' expertise, and *vice versa*, interest groups are keen to influence the outcome.

To explain interest groups lobbying success, scholars have traditionally focussed on the individual characteristics of stakeholders (Eising, 2007, p. 330). More recently, scholars have examined the conceptual setting within which lobbying takes place arguing that stakeholders' influence varies depending on the demand of an institution and the supply of an advocate (Klüver et al., 2015, pp. 451-455). Ultimately, the debate also incorporates a variety of policy-related aspects such as complexity, salience, and a degree of conflict. This demonstrates an ongoing debate in the literature about what factors specifically can explain lobbying influence.

Following Mahoney (2007) and Dür & de Bièvre (2007), this paper groups the factors explaining lobbying success into three approaches: the institutional context, interest group characteristics, and issue-specific factors (pp. 38-41). The first approach focusses on the institutional context in the EU. Each EU institution provides different opportunities for advocates to get in touch with policymakers. Thus, understanding the different venues that the European Parliament⁴, the Commission and the European Council provide is crucial when endeavouring to explain influence and when comparing influence across different political systems (e.g. Mahoney, 2007, p. 35). Bouwen's (2002) *Access theory* draws attention to the institutional characteristics to explain why some groups are more likely to have an influence

⁴ Hereinafter referred to as "the Parliament"

when lobbying a particular institution (p. 370). He predicts that business groups are more likely to succeed if they provide the goods required by the institutional actor. Hence, it is essential for advocates to identify the demands of the EU institutions. Setting the EU's agenda, the Commission depends on expert knowledge and grounds its legitimacy on the advocacy process (Klüver, 2013, p. 11; Bouwen, 2002, p. 381). The Parliament, which is more directly accountable to the public, is expected to be more responsive to civil society organizations as its members aim for re-election (Mahoney, 2007, p. 38). As for the Council, Klüver et al. highlight that advocating through national government venues increases stakeholders' chances to achieve their preferences (2015, p. 450). Thus, looking at the institutional context can explain why interest groups may perform differently.

The second approach argues that whether or not a stakeholder can attain its policy goals depends on the group's characteristics. Interest group characteristics encompass permanent features that remain relatively constant such as financial resources, staff, membership size as well as the advocate type (Klüver, 2013, p. 12). It is debated whether resources have a positive impact on interest group influence. Klüver (2011), for example, highlights that resources might also refer to the legitimacy or political support (p. 484). Dür and de Bièvre (2007) have argued that gaining access to the EU institutions through beneficial interest group characteristics does not necessarily mean that a stakeholder influences an outcome. Instead, "access" should rather be considered as a helpful tool to study influence (Bouwen, 2002, p. 366). In addition, there are non-permanent features that vary from issue to issue, such as the lobbying strategies and information available to a stakeholder (Klüver, 2013, pp. 12-13). Strategically, interest groups make use of inside and outside lobbying to put through their interests (Junk, 2015, p. 237). This indicates that examining the group's characteristics can help to explain lobbying success.

The third approach concentrates on issue-specific factors to explain an interest-group's ability to exert influence on a legislative proposal (Mahoney, 2007, p. 40). A policy issue's scope and type, degree of conflict, coalition opportunities, and salience are relevant factors to consider (Klüver, 2011, p. 484). Mahoney (2007) hypothesizes that the larger the scope of an issue, the more conflictual an issue or the more salient an issue, the less likely advocates are in attaining their goals (p. 40). When faced with lobbying for large-scope issues, policymakers need to consider more positions and will not tend to follow one line of arguing. Consequently, advocates are less influential in such situations. Similarly, advocating for an issue that is highly debated or highly conflictual is likely to decrease an interest group's chances of influencing the proposal while an issue with little or no opposition might enhance

a stakeholder’s influence (Mahoney, 2007, pp. 47-49). Klüver (2011) empirically shows that the size of lobbying coalitions positively affects an advocate’s degree of influence (p. 498). In addition, interest group influence might also vary depending on whether the policy issue is redistributive, distributive, or regulatory (Dür and de Bièvre, 2007).

While different strands to explain determinants of advocates' goal attainment have emerged, reviewing literature has shown that especially the issue-specific factor salience has only been researched closer in the last ten years. The degree to which salience affects lobbying success merits therefore further research efforts. This paper aims to fill this gap in the literature by studying the role of salience in lobbying success. The following table 1 illustrates the above-mentioned factors that authors have established to explain lobbying influence.

Table 1
Summary of the three main groups of factors explaining influence

Lobbying success is explained from a plethora of perspectives and factors:		
Institutional context	Issue-specific factors	Interest-group factors
<i>European Parliament:</i> seeks technical information, might follow mainstream civil society demands when aiming to be re-elected	<i>Scope, Degree of conflict, Salience:</i> Interest groups lobbying for large scope, highly debated or highly conflictual issues might be less influential.	<i>Permanent features:</i> (Financial) resources Staff & membership size Advocate type (business groups vs. NGO)
<i>European Council:</i> national associations have strong ties to governments which makes them favourable to the Council's venues	<i>Composition of lobbying groups:</i> the size might increase/decrease the likelihood of an advocate’s goal attainment	
<i>European Commission:</i> encourages interest group participation for gaining legitimacy and expert knowledge		<i>Non-permanent features:</i> Information supply Lobbying strategies (inside vs. outside)

(Source: Mahoney, 2007 and Dür & de Bièvre (2007); own illustration)

3. Theoretical framework - Salience

The concept of *salience* is used differently in research on EU politics, which has resulted in numerous definitions. Generally, scholars agree that salience refers to the “relative

importance actors attribute to a specific political matter” (Beyers et al., 2018, p. 1726). To operationalize salience more specifically, two approaches have been developed. Warntjen (2012) puts forward that the term *actor* refers to stakeholders, namely the interest groups that are engaged with the policy issue (p. 169). Thus, salience is the importance that stakeholders attribute to a policy issue and varies with the topic and the actor. This actor-specific approach can be measured by conducting interviews or surveys with advocates to examine their perceived salience of certain issues. In contrast to this approach, de Bruycker and Beyers (2018) highlight that salience can also mean how much attention a policy issue receives from the public (p. 61). This can be operationalized by looking at media reporting in form of newspaper articles on the issue and public opinion polls (i.e. de Vries, 2007).

Empirical studies that link salience with lobbying success remain scarce. Being one of the few that investigated this link, Beyers et al. (2018) highlight that the salience of a policy issue plays a crucial role in whether advocates attain their goals (p. 1734). In light of this finding, two prominent approaches to measuring salience prevail. The first approach is put forward by Klüver (2011) who measures salience by examining the amount of attention that different interest groups attribute to a policy issue (p. 488). Thus, to her, goal attainment depends on coalition size, and it is therefore expected that the effect of salience on lobbying is variable. This approach is not applicable to this thesis for two reasons: Firstly, this paper focusses on an individual interest group, namely an NGO, and not on several ones or a coalition. Secondly, this paper defines salience as the amount of public attention that an issue receives and not the attention that stakeholders *per se* attribute to an issue.

Another approach is used by Mahoney (2007) who defines salience in terms of the amount of attention an issue receives from the public via media coverage (p. 43). More concretely, she measures the degree of salience by conducting Lexis-Nexis searches of the *Financial Times* (2007, pp. 43-44). Her findings indicate that greater salience of an issue diminishes an advocate’s ability to achieve the desired goal (2007, pp. 49- 51). This is because greater salience leads to more interest groups being involved in the advocacy process. Consequently, more and eventually contrasting preferences are present in the policy process. Ultimately, this diminishes a single stakeholder's ability to influence the final proposal by the Commission. As this paper is interested in public salience, it builds on Mahoney’s theory and derives the following hypothesis:

H1 The capacity of an interest group to attain its objectives decreases when it lobbies for a policy proposal with greater salience.

In contrast, little public attention could lead to fewer interest groups being involved in the advocacy process. Thus, fewer viewpoints and opposing positions are present in the lobbying process. Hence, it is expected that a single interest group's aims are more likely to be reflected to a higher degree in the final policy proposal. Based on this reasoning, this paper derives the hypothesis:

H2 The capacity of an interest group to attain its objectives increases when it lobbies for a policy proposal with less salience.

4. Data collection

4.1 Deriving salience in the Glyphosate and Aarhus cases

To test the hypotheses, this paper examines one low-salience and one high-salience policy case. The cases should be controlled with a similarity between all variables except the independent variable, which should differ significantly, namely salience (Yin, 2009, pp. 255-260). Hence, building on Yin (2009), the case studies must meet certain criteria. Firstly, only proposals that concern the EU climate policies such as the environmental and public health policy were considered suitable. Secondly, only proposals that were subject to open public consultations were selected. This is to provide sufficient accessible data for this study. Thirdly, following the consultation, the Commission should have drafted a legislative proposal which must also be accessible online. Fourthly, the independent variable, salience, needs to differ between the two proposals. In measuring salience, this paper follows Beyers et al's (2018) suggestion to account for various sources to enhance the reliability (p. 1734). To determine the degree of salience in both cases, possible proposals were checked on the extent of public attention they generated by looking firstly at *media coverage* and secondly at *mobilization events*.

Firstly, *media coverage* was measured by the total number of articles turning up in the LexisNexis keyword search for all news reported on the issue in the *Financial Times* from one year before the public consultation was published until the adoption of the proposal from the Parliament (i.e. Mahoney, 2007, p. 43). The articles were coded manually to verify whether or not they pertain to the policy issue. As can be seen in Table 2 below, the timeframe for the GD case included the period from January 2017 to April 2018 and resulted in 188 respective articles. For the AC the timeframe spanned from December 2017 to December 2019 and only resulted in three articles concerning this case. This demonstrates a

strong variance in the number of hits between the cases (see Table 2) and indicates that the AC received less attention.

Secondly, *mobilization events* were measured by conducting an online search of the newspaper *Euractiv* whereby articles reporting on demonstrations in Brussels on the topics of the two policy cases were coded manually within the timeframe of one year before both public consultations were published until the date of publication. As illustrated in Table 2, this resulted in five demonstrations regarding the GD and none regarding the AC, thus, demonstrating a strong variance in mobilization. Additionally, the existence of an European Citizen’s Initiative for the GD case with more than one million signatures has been accounted for as a *mobilization event* indicator, thereby underlying that GD is a highly salient issue.

Ultimately, the number of submissions to the public consultation can also be considered an indicator of salience. In the AC case, 174 stakeholders and citizens replied, and in the GD case, more than twice as many stakeholders and citizens replied, namely a total of 471. This search on the degree of salience indicates that the renewal of the Glyphosate Directive garnered more attention than the update of EU acts with the Aarhus Convention. In addition, both cases fulfill the above-established criteria by Yin (2009). Therefore, the GD was selected as a case with high salience, and the AC was selected as representing a case with low salience. To ensure relatively equal conditions, the two proposals were taken from the same term of the Commission namely the Juncker Commission (2014 – 2019).

Table 2: Measures of public salience in the Glyphosate and Aarhus case

Criteria	Glyphosate Directive (GD)	Aarhus Convention (AC)
Public consultation	23/01/2018 – 20/03/2018 Transparency and sustainability of the EU risk assessment model in the food chain	20/12/2018 – 14/03/2019 EU implementation of the Aarhus Convention in the area of access to justice in environmental matters
Number of submissions to the consultation:	471 in total	174 in total
Media coverage: Number of LexisNexis hits (Financial Times)	Keyword: Glyphosate Timeframe: 01/2017 – 06/2018 Hits: 188	Keyword: Aarhus Timeframe: 12/2018 – 04/2019 Hits: 3
Mobilization events: Number of articles (Euractiv, 2017 Brussels)	25/07; 19/07; 25/10; 09/11; 28/11	none
European Citizens Initiative	1 (1,320,517 signatures) #StopGlyphosate	none
Level of salience	high	low

(Source: as referenced in the section above; own illustration)

4.2 Background to the Glyphosate and Aarhus cases

Having established the two cases, this section provides background information on them. The GD case is a food safety and public health topic. This policy has been chosen as it is closely interlinked with environment, and the EU is together with the Member States responsible for ensuring a high level of public health. Glyphosate is the most frequently used herbicide globally and in the EU. Since 2015, new findings of Glyphosate being carcinogenic have sparked an ongoing debate. Pesticides that can cause cancer must be banned, according to EU legislation. However, in accordance with Regulation (EC) No 1107/2009, Glyphosate continues to be approved in the EU⁵. In 2017, a European Citizen's Initiative was launched that aimed at *banning Glyphosate and protecting people and the environment from toxic pesticides*. This initiative benefitted from considerable financial support from Greenpeace and generated 1,070,865 statements of support from twenty-two Member States (Greenpeace, 2017a & f). While the Commission finds no need to abandon Glyphosate, they responded to the demand by launching a *public consultation on the transparency and sustainability of the EU risk assessment in the food chain* in January 2018 (Commission, n.d.).

The AC is an environmental topic and thus belongs to the core EU policies. The Directorate-General Environment being one of the most lobbied policy areas of the Commission, the environmental policy field provides a relevant case to study (Coen, 2007, p. 336). The Aarhus Convention differs from the Glyphosate Directive as it contains a more legal topic, namely environmental laws. In addition, it deals with an International Convention that was drafted by the United Nations and consequently requires the EU to adopt it. In 2007, the Aarhus Regulation was adopted by the EU containing three crucial points: access to information, public participation, and access to justice in environmental matters. This enabled the public and environmental NGOs to request “an internal review of acts adopted, or omissions, by Union institutions and bodies, which may contravene EU environmental law”⁶. In 2018, however, the AC Compliance Committee found that the EU failed to comply with the Convention because of an insufficient administrative and judicial redress at the EU level. Hence, an initiative was launched, including a *public consultation on the EU implementation*

⁵ European Commission. Food Safety (2022). Glyphosate. https://ec.europa.eu/food/plants/pesticides/approval-active-substances/renewal-approval/glyphosate_en

⁶ see 3

of the Aarhus Convention in the area of access to justice in environmental matters, to improve compliance with the AC (Commission, n.d).

4.3 Interest group selection

An NGO was chosen as it is often assumed that they have less influence on policy proposals than industries (Dür, 2007b, p. 83). Moreover, research has shown that especially issue-specific factors such as salience are more important to an NGO's lobbying success than for example interest group characteristics (Junk, 2015, p. 237). The NGO that was chosen for this study needed to meet certain criteria. Firstly, as the two policy issues stem from the field of environmental and public health policies, only NGOs that center on these topics were considered. Secondly, the NGO must have responded to both public consultations and clearly outlined its preferences, for example, in form of a position paper. From these criteria, several NGOs appeared suitable. However, this paper decides for Greenpeace as it was crucially engaged with the GD case and is a long-established environmental NGO. In addition, an analysis of the *EU Transparency Register* showed that Greenpeace has a considerable number of active regular donors (namely 2.7 million in 2021). Approximately five people work for the Greenpeace European Unit, and they had about 126 meetings with the Commission between 2014 and 2022 (Transparency Register, Greenpeace). This reveals that they are a well-established stakeholder that is actively involved in the advocacy processes in the EU.

5. Methodology

The research design follows a qualitative approach applying the preference attainment method (PAM) as put forward by Dür (2008, p. 562). This section firstly explains why PAM is best suited for this research instead of process tracing and attributed influence - two methods that are also used to measure lobbying influence. Secondly, the coding scheme used for the analysis of the two cases is presented.

5.1 The Preference attainment method in a comparative case study

Interest groups advocating for legislative proposals aim to influence the outcome in their favour. Conceptualizing influence or success can, however, be challenging. Mahoney (2007) argues that lobbying success does not mean lobbying influence (p. 44). A legislative proposal might be in line with a stakeholder's preferences, but this interest group has actually not aimed at advocating for this particular proposal. Similarly, Mahoney points out that an advocate might have influenced policymakers, but other factors resulted in the Commission's

final proposal being different from the stakeholders' preferences (2007, p. 44). Thus, using the appropriate method is crucial to detect whether and to what extent Greenpeace is influencing the AC or GD.

There are three prominent methods for measuring influence: process tracing, attributed influence, and preference attainment, as proposed by Dür (2008, p. 562). Process-tracing is best used in small-N studies as it aims to identify the causal mechanism between an independent variable and an outcome, thus detecting whether or not a factor had an independent effect on the dependent variable. However, by using process tracing, it might be difficult to account for all steps of interest group activities as lobbying often takes place behind closed doors (Dür, 2008, pp. 563-564). In addition, it is difficult to assess the degree of influence. Hence, process tracing has been eliminated as an approach in this study for two reasons. Firstly, this thesis does not aim to show causality but rather a correlation between salience and lobbying success. Secondly, this study is particularly interested in the degree of influence.

In contrast to process tracing, the attributed influence method measures the *perceived* influence, via self-or peer-assessment of the stakeholder or third parties. While this method detects most likely all channels of influence and is relatively easy to use as it is solely based on surveys, it assesses the perceptions of influence rather than the actual influence (Dür, 2008, pp. 565-566). Additionally, relying on self-estimation will most likely result in biases as interest groups might exaggerate or downplay their influence and ultimately it might be difficult to distinguish what kind of influence is exerted. Hence, this method was not chosen because this thesis defines influence as *actual* and not as a perceived impact on policy making.

Lastly, Dür (2008) puts forward the preference attainment method (PAM), which compares the outcome of a political process with the ideal preferences of an actor. The distance between the ideal goal and the outcome results in the influence, which can be measured (Dür, 2008, p. 567). This method has the advantage that it detects influence by looking at the outcome of a political process even if it is not visible. Nonetheless, PAM also includes some disadvantages. First, Vannoni (2016) criticizes that PAM measures success but not influence. This paper acknowledges this limitation; however, it can be argued that finding out about lobbying success can still be a meaningful indicator of influence (p. 371) as will be discussed in the analysis. Second, using PAM can make it difficult to uncover the preferences of interest groups in the first place. This, however, can be tackled by relying on multiple sources. Third, it might be difficult to account for alternative factors, which may explain a

correlation between outcome and preference (Dür, 2008, p. 568). This can be overcome through random sampling as Mahoney (2007) shows. However, as this study conducts a qualitative in-depth analysis, this is not applicable. Instead, this thesis tackles this problem by analyzing alternative factors in the discussion. Fourth, PAM does not necessarily show what channels of influence were consulted by an actor. As this research does not aim at showing the precise channels but the linkage between salience and lobbying success, the advantages of PAM outweigh the limitations. In other words, rather than finding causation, it is essential to detect the correlation between outcome and ideal points. Therefore, PAM is an appropriate method for this study.

PAM has been applied in two different ways: Mahoney (2007) conducted a large-N study, using multiple cases to examine interest groups' preferences (p. 38). In contrast, Bunea (2013) examined one case more thoroughly by measuring multiple preferences of interest groups (p. 558). Combining both approaches can be helpful when aiming to compare two cases (i.e. Keane, 2020, p.12). Hence, this thesis applies a combination of both methods to measure preference attainment by focussing on Greenpeace's multiple preferences in the two AC and GD policy cases. Therefore, the analysis is based on identifying Greenpeace's preferences and the degree to which they are present in the AC and GD.

5.2 Coding of the policy issues

To identify the interests of Greenpeace in the two legislative proposals, several sources have been consulted including position papers, articles from their websites, and comments from the public consultations. This variety of sources enhances the reliability of the research. In both cases, the GD and the AC, five main issues were identified, and are discussed in section 6 below. In this study, the policy issues refer to Greenpeace's demands and thus, equal their ideal points. The issues were selected because they are measurable, they cover the core of GD and AC, and they are important to Greenpeace. In the AC, the issues were retrieved from the online consultation documents in the form of separate questions and a position paper submitted to this public consultation. Finally, the five issues concerning the AC were compared with the 5th Aarhus Implementation report. In the case of the GD, Greenpeace did not participate in the online questionnaire. Therefore, the issues were mainly retrieved from articles that comment on Glyphosate that were published on Greenpeace's website from June 2017 until March 2018. Furthermore, a document published by the European Citizen's Initiative, stating their demands regarding Glyphosate was consulted as

Greenpeace can be identified as the author and main driving actor. To determine the degree of influence, the issues were compared with the final proposal by the Commission.

The responses filtered from the documents were then coded to highlight the ideal preferences of Greenpeace. As lobbying is not a zero-sum game and interest groups might not be able to achieve their desired objective, it is important to acknowledge that they still might be satisfied with the final draft proposal. Therefore, similar to Mahoney (2007) and Keane (2020), this study measures the degree of success according to a scale. This scale considers the differing degrees of preference attainment. After the goal attainment to each issue of the two proposals has been assigned, the numbers are added together. The total score, expressed in percentages is an indication of the final preference attainment of Greenpeace (e.g. 2 x 5= 10=100%). In doing so, all the issues are assumed to have the same weight. This is only done for reasons of simplification and does not reflect the reality of lobbying (Keane, 2020). In practice, some issues are more important than others, which is taken into consideration in the analysis. The following table 3 shows the scoring methodology.

Table 3
Scoring methodology

Score	Outcome	Scoring explained
0	Interest group attained none of their desired outcomes	“0” will be assigned if the final proposal by the Commission has no coincidence whatsoever with the advocated by Greenpeace position
1	Interest group attained some/partial outcomes	"1" will be assigned if the final proposal by the Commission partially agrees/takes on some of the actor's suggested points in the proposal
2	Interest group attained all of their desired outcomes	“2” will be assigned if the final proposal by the Commission takes on all suggestions of the actor

(Source: content is based on Mahoney's (2007) research with an own illustration)

6. Findings

This section identifies the findings from the coding of the low salience case AC and the high salience case GD. A tabular overview can be found in the Annexes. In the first part, the PAM is applied to the GD case, and it is subsequently explained how the preferences were

coded. In the second part, the PAM is applied to the AC case, and it is explained how their preferences were coded.

6.1 Highly salient case: The Glyphosate Directive

The first issue identified by Greenpeace in the GD case was to ban Glyphosate and not reauthorize it in the EU. Greenpeace highlights that this demand is in line with the EU pesticide law, which prohibits the use of substances that may cause cancer in humans (Greenpeace, 2017f). The Commission did not include this demand in the final draft proposal, and thus the score 0 was assigned to this issue. The second issue put forward was that the EU should base its decisions regarding Glyphosate solely on (i) published studies, which are commissioned by (ii) independent public authorities and (iii) not industries (Greenpeace, 2017e & d). Analysing the final draft, it can be seen that the Commission obliges the European Food Safety Authority to publish all industry studies on potentially harmful products, such as pesticides, as soon as it receives them. As the Commission takes on this second demand of Greenpeace, the score 2 has been assigned. The third issue concerns the demand of combatting the lack of transparency in the risk assessment and the need to improve the coherence and effectiveness of the general risk assessment (ECI, October 17, 2018). While the Commission indeed proposes to increase the guarantees of reliability, objectivity, and independence of studies, a pragmatic and clear risk assessment system was not yet established. In addition, analysing articles by Greenpeace after the draft proposal was published, it becomes clear that the demand for transparency is not yet fulfilled as companies have too many opportunities to keep important information secret (Greenpeace, 2017b & f). Therefore, score 1 has been assigned to issue three. The fourth issue is a rather normative request by Greenpeace that demands the EU to realize its responsibility for ensuring food safety and not risking public health (ECI, October 17, 2018). The Commission's reply to this demand in the draft proposal shows that they partly acknowledge the need for more control and transparency. However, as they do not ban Glyphosate-but reapprove it, it appears that they do not live up to their responsibility to the full extent. Hence, the score 1 has been given to issue four. The fifth and final issue is the demand to set EU-wide mandatory reduction targets for pesticide use to achieve a pesticide-free future (ECI, 2017). When analysing the final draft, it could not be identified that the EU aims to take on this issue. Consequently, the score 0 has been assigned.

6.2 Low salience case: The Aarhus Convention

In the AC case, also five issues put forward by Greenpeace were identified. The first demand is to improve the admissibility criteria for actions for annulment for NGOs as they are currently *de facto* banned from direct challenges to EU acts. This would require enabling NGOs to challenge acts of general scope and not only acts that directly concern them. (Greenpeace, Q.11, 16, 19, 21⁷). The 5th Aarhus Implementation report reflects that the Commission aims to improve access to administrative and judicial review for NGOs who have concerns about the legality of decisions with effects on the environment. In addition, it proposes a change allowing challenges of acts of general application and it enables reviewing decisions under any policy area if there are reasoned concerns that they undermine EU environmental policy objectives. This shows that the Commission takes on all demands by Greenpeace regarding the first issue and, subsequently, score 2 has been assigned. The second issue put forward is to enable individuals to better access the Aarhus Regulation's internal review mechanism as it is currently only open to NGOs (Greenpeace, Q.11, 12, 20a). While the Implementation Report reflects that the Commission aims to improve individuals' access to assessments and related opinions, there is no clear instrument set out for this procedure. Instead, it remains technically difficult for the broader public to make use of the review mechanism. Thus, score 1 was assigned.

The third issue concerns the legal control of environmental measures as they should become direct. Greenpeace proposes three solutions to deal with increased court cases: that is, (i) for the Commission to ensure that EU acts are adopted in compliance with the law and serve the public interest, (ii) to take decisions in a transparent and participatory way and (iii), to strengthen the capacity of the Court of Justice (Greenpeace, Q.33). Analysing the Implementation Report, aspect (ii) is fulfilled as ten EU Environmental laws are amended to improve transparency in decision-making. Aspect (iii), in turn, is only partly fulfilled as the Commission announced that co-legislators in the Member States must include provisions on access to justice in EU legislative proposals. Furthermore, national courts should guarantee the rights of individuals and NGOs to an effective remedy under EU law. Aspect (i), however, cannot be identified in the final report, hence, score 1 has been assigned.

The fourth issue is Greenpeace's demand that the EU should comply with international law as this is vital for the Union's democracy and legitimacy (Greenpeace, Q.33). The Commission's aim to streamline reporting and information management between

⁷ Q.11 – Q. 33: data retrieved from European Commission (2022). Replies to the questionnaire Exel. <https://ec.europa.eu/environment/aarhus/consultations.htm>

the EU level and the international level shows that this issue is partially taken on in the Implementation Report and thus scored with 1. The fifth and final issue is the demand for a more systematic assessment to improve laws concerning the environment (Greenpeace, Q.19). Analysing the Report, it is put forward to introduce a simple EU-wide overview to clarify the roles of EU institutions in assessments on environmental matters and to prepare future evaluations. However, this issue is not fulfilled yet as not all the respective laws are updated. This demonstrates some commitment and thus the fifth issue is scored with a 1.

7. Discussion of the findings

The following section analyses the results of Greenpeace’s preferences attained considering the two presented hypotheses:

H1 The capacity of an interest group to attain its objectives decreases when it lobbies for a policy proposal with greater salience.

H2 The capacity of an interest group to attain its objectives increases when it lobbies for a policy proposal with less salience.

Four main findings are focussed on, ending with some alternative explanations for the outcome of the PAM applied to the cases. Table 4 presents a summary of the degree of preferences achieved by Greenpeace.

Table 4
Summary of the preferences attained in both cases

	High-salience case: GD	Low-salience case: AC
Result of Greenpeace’s preferences present in the Commission’s proposals	4/10 40%	6/10 60%

(Source: derived from the data established in section 6)

Firstly, the findings provide supporting evidence for H1 and H2. In the highly salient case of GD, Greenpeace attained 40 per cent of their preferences. In contrast, in the low salient case of AC, Greenpeace attained 60 per cent of their preferences. This represents a variation and, hence, Greenpeace’s capacity to attain its preference was lower when it lobbied for the highly salient policy proposal. As shown in Table 3, the GD case was lobbied by nearly three times more stakeholders than the AC. The presence of a high number of stakeholders in the GD case suggests that there were more and eventually differing

preferences present in the policy process. This might have lowered Greenpeace's capacity to attain its preferences. Hence, the findings suggest that Greenpeace's lobbying success in both cases varies, depending on the degree of salience.

Secondly, it is important to analyse this result carefully as lobbying is not a zero-sum game. Even 40 per cent of preferences attained suggests that Greenpeace was, to some extent, influential in lobbying for the GD case. Furthermore, as highlighted by Dür (2008), analysing the results in a merely quantitative way would falsify the overall picture as stakeholders might prioritize some preferences over others. Hence, a relatively low percentage attained in PAM must be analysed against the stakeholder's perceived importance to their demands. For example, in a position paper on the GD case, Greenpeace claims that "the transparency proposal is the European Commission's first meaningful response to the demands" of the European Citizen's Initiative (17/10/2017). In addition, one of their main demands to base decisions regarding Glyphosate solely on published and independent studies was achieved. This suggests, that despite attaining only 40 per cent of their preferences, Greenpeace was still partially successful in its achievement. However, an analysis of their preferences in articles and position papers suggests that banning Glyphosate is their one major demand. As this was not present in the Commission's proposal, this particularly important preference of Greenpeace was not achieved. This shows the need for fine-grained analysis when conducting PAM to find out which preferences are crucial for a stakeholder.

Thirdly, the directionality of public opinion must be considered. Greenpeace achieved 40 per cent of their preferences in the highly salient GD case. This partial success could be explained by analysing the direction of public opinion. In the GD case, the interests of Greenpeace were aligned with those of the public. Greenpeace was the main initiator and driver of the European Citizen's Initiative, which was supported by more than one million people. In addition, three of the five demonstrations regarding the GD case were initiated by Greenpeace and joined by the public. Consequently, it can be argued that the aligning public opinion amplified Greenpeace's lobbying effort in the GD case. Without the aligning public opinion, the score would possibly have been lower.

Fourthly, it is important to consider alternative reasons for lobbying success. Although this research aimed to isolate Greenpeace's preferences from those of the European Citizen's Initiative, it remained difficult to do so. The preferences of Greenpeace were formulated and put forward in collaboration with the European Citizen's Initiative. Thus, the fact that Greenpeace *quasi*-lobbied in a coalition might also have affected the outcome. Furthermore, although this thesis aimed at ensuring similarity between all variables except for salience, the cases differ in

their policy field and content. The AC stems from the environmental policy field whereas GD concerns public health. In addition, the content of the AC is rather legal but the GD is not. These differences could also have affected the preferences attained. Ultimately, these two points show that the analysis is liable to be challenged for isolating salience, which makes it difficult to examine the precise role of salience.

8. Conclusion

This thesis investigated the degree to which salience is important for an NGO's lobbying success. In doing so, it drew on Mahoney's (2007) research that suggested that a stakeholder can be more successful when lobbying for a low salient case than when lobbying for a high salient case. These hypotheses were tested empirically deriving a unique comparative case study between the update of the Glyphosate Directive, a highly salient topic, and the Aarhus Convention, a low salient topic. By applying the preference attainment method to both cases, this thesis could successfully indicate to what extent Greenpeace achieved its preferences. The findings suggest a correlation between salience and lobbying success. Greenpeace being less successful in the highly salient GD case and more successful in the low salient case AC provides supporting evidence for the hypotheses.

The analysis has shown the crucial role of salience. First, this study could provide empirical evidence that the degree of salience influences a stakeholder's lobbying success. Second, Greenpeace's goal attainment of 40 per cent of their preferences in the highly salient GD case can be linked to the directionality of public opinion. Hence, in the case of an NGO aligning with the public, salience can amplify the lobbying success. Therefore, this research improves and relativizes Mahoney's (2007) findings insofar as the effect of salience in a highly salient case is weaker when stakeholders' preferences align with the public. Hence, instead of being a hurdle to lobbying success, it can actually be a driver when the stakeholder enjoys public support. The above-established H2 should therefore be extended. While an NGO's goal attainment is lower when it lobbies for a highly salient policy proposal, its lobbying success is expected to be higher if its goals align with the public opinion. This finding needs to be incorporated into the theoretical framework for future studies investigating the linkages between salience and interest group success. Moreover, NGOs can profit from this study as to how to use salience in their lobbying effort. Based on this research, it remains however open what the effect of salience is when the public does not align with an NGO. Future research should study the effects of salience when the public

opinion does not align with a stakeholder. This could be done in a comparative study between NGOs or NGOs and industries.

There are several limitations to this study. First, this research conducted an in-depth study, by focussing solely on Greenpeace and two particular cases in the policy formulation stage. By doing so, the research improved previous findings and added new insights about the correlation between salience and the lobbying success of an NGO. However, the reliability of the research could be extended in future studies that consider several actors, multiple policy fields, or a different stage in the policy-making such as lobbying in the Parliament or the Council. Second, the study is liable to the challenge of choosing the policy issues per case. For example, in the Glyphosate case, one major demand made by the public, the European Citizen's Initiative, and Greenpeace was to ban Glyphosate. However, the initial proposal that was put forward in the public consultation did not touch upon this aspect. This study included it as a main issue as it focussed in-depth on Greenpeace. Another approach would be to only include issues that were initially put forward by the Commission in the public consultation. This is especially relevant when comparing several stakeholders. In the GD case, excluding the demand *banning Glyphosate* would have resulted in a higher number of preferences attained. Third, as put forward in point two of the discussion, the coding scheme could be improved. Future studies adopting a similar research design should update the coding scheme. Instead of assuming that all issues have equal weight, the coding could account for stakeholders' individual importance to an issue of a case.

References

- Baumgartner, F. R., Berry, J. M., Hojnacki, M., Leech, B. L., & Kimball, D. C. (2009). *Lobbying and policy change*. University of Chicago Press. <https://doi.org/10.7208/chicago/9780226039466.001.0001>
- Beyers, J., Dür, A., & Wonka, A. (2018). The political salience of EU policies. *Journal of European Public Policy*, 25(11), 1726-1737. <https://doi.org/10.1080/13501763.2017.1337213>
- Bunea, A. (2013). Issues, preferences, and ties: determinants of interest groups' preference attainment in the EU environmental policy. *Journal of European Public Policy*, 20(4), 552-570. <https://doi.org/10.1080/13501763.2012.726467>
- Bouwen, P. (2004). Exchanging access goods for access: A comparative study of business lobbying in the European Union institutions. *European Journal of Political Research*, 43, 337-369. <https://doi.org/10.1111/j.1475-6765.2004.00157.x>
- Bouwen, P. (2002). Corporate lobbying in the European Union: The logic of access. *Journal of European Public Policy*, 9(3), 365-390. <https://doi.org/10.1080/13501760210138796>
- Coen, D. (2007). Empirical and theoretical studies in EU lobbying. *Journal of European Public Policy*, 14(3), 333-345. <https://doi.org/10.1080/13501760701243731>
- De Bruycker, I., & Beyers, J. (2018). Lobbying Strategies and success: Inside and outside lobbying in European Union Legislative politics. *European Political Science Review*, 11(1), 57-74. <https://doi.org/10.1017/s1755773918000218>
- Dür, A. (2008). Measuring Interest Group Influence in the EU. *European Union Politics*, 9(4), 559-576. <https://doi.org/10.1177/1465116508095151>

- Dür, A., & Mateo, G. (2016). *Insiders versus Outsiders: Interest Group Politics in Multilevel Europe*. Oxford Scholarship Online.
<https://doi.org/10.1093/acprof:oso/9780198785651.003.0002>
- Dür, A. & De Bièvre, D. (2007). The question of Interest Group Influence. *Journal of Public Policy*, 27(1), 1-12.
<https://doi.org/10.1017/s0143814x07000591>
- Dür, A. & De Bièvre, D. (2007b). Inclusion without influence? NGO in European Trade policy. *Journal of Public Policy*, 27(1), 79–101.
<https://doi.org/10.1017/s0143814x0700061x>
- Eising, R. (2007). Institutional context, organizational resources and strategic choices. *European Union Politics*, 8(3), 329–362.
<https://doi.org/10.1177/1465116507079542>
- European Commission. (2018, April 11). Proposal for a Regulation of the European Parliament and the Council. COM(2018) 179 final 2018/0088 (COD). Author.
- European Commission. (2021). *Draft of the Fifth Aarhus Implementation Report by the EU*.
<https://ec.europa.eu/environment/aarhus/consultations.htm>
- European Commission. (2018). *Replies to questionnaire. Aarhus A2J Implementation 2018*.
<https://ec.europa.eu/environment/aarhus/consultations.htm>
- European Commission (n.d.). Consultation. Public Consultation on the transparency and sustainability of the EU risk assessment in the food chain.
<https://ec.europa.eu/info/consultations/>
- European Commission (n.d.). Law. EU implementation of the Aarhus Convention in the area of access to justice in environmental matters. <https://ec.europa.eu/info/law/>
- European Commission (2022). DG Environment. *The Aarhus Convention*. <https://ec.europa.eu/>
- Greenpeace European Unit (2017a). *EU governments reject Commission push for glyphosate*. <https://www.greenpeace.org/eu-unit/>
- Greenpeace European Unit (2017b). *Commission rejects demands of #StopGlyphosate citizens' initiative*. <https://www.greenpeace.org/eu-unit/>
- Greenpeace European Unit (2017c). *Commissioner Andriukaitis confronted with demands of over one million Europeans to ban glyphosate*. <https://www.greenpeace.org/eu-unit/>
- Greenpeace European Unit (2017d). *Conflict of interest concerns blight new glyphosate safety assessment*.
<https://www.greenpeace.org/eu-unit/>
- Greenpeace European Unit (2017e). *Monsanto's view of independent science copied into EU evaluations*. <https://www.greenpeace.org/eu-unit/>
- Greenpeace European Unit (2017f). *More than one million Europeans stand up against glyphosate*. <https://www.greenpeace.org/eu-unit/>
- Greenpeace European Unit (2017g). *EU to renew glyphosate licence, ignoring concerns*. <https://www.greenpeace.org/eu-unit/>
- Greenwood, J. (1997). *Representing interests in the European Union*. Macmillian Press LTD.
<https://doi.org/10.1007/978-1-349-25655-6>
- IARC Monographs Volume 112: Evaluation of Five Organophosphate Insecticides and Herbicides. (2015, March 20). IARC, WHO.
<https://www.iarc.who.int/featured-news/media-centre-iarc-news-glyphosate/>
- Junk, W. M. (2015). Two logics of NGO advocacy: Understanding inside and outside lobbying on EU environmental policies. *Journal of European Public Policy*, 23(2), 236-254.
<https://doi.org/10.1080/13501763.2015.1041416>
- Keane, D. (2020). *Lobbying success in EU digital policy*. Erasmus University Rotterdam.
- Klüver, H. (2011). The contextual nature of lobbying: explaining lobbying success in the European Union. *European Union Politics*, 12(4), 483-506.
<https://doi.org/10.1177/1465116511413163>
- Klüver, H. (2013). *Lobbying in coalitions. Lobbying in the European Union*. Oxford Scholarship Online.
<https://doi.org/10.1093/acprof:oso/9780199657445.003.0002>
- Klüver, H., Braun, C., & Beyers, J. (2015). Legislative lobbying in context: Towards a conceptual framework of interest group lobbying in the European Union. *Journal of European Public Policy*, 22(4), 447-461.
<https://doi.org/10.1080/13501763.2015.1008792>
- LexisNexis. Financial Times. https://advance-lexis-com.mu.idm.oclc.org/bisacademicresearch/home?crd=bdd683de-d3c8-4f71-8eb0-944c38d995b8&pdmfid=1516831&pdisurla_pi=true
- Mahoney, C. (2007). Lobbying success in the United States and the European Union. *Journal of Public Policy*, 27(1), 35-56.
<https://doi.org/10.1017/s0143814x07000608>
- Michalowitz, I. (2007). What determines influence? Assessing conditions for decision-making influence of interest groups in the EU. *Journal of European Public Policy*, 14(1),

- 132-151.
<https://doi.org/10.1080/13501760601072719>
- Robinson, C., Portier, C. J., Čavoski, A., Mesnage, R., Roger, A., Llausing, P., Whaley, P., Muilerman, H., & Lyssimachou, A. (2020). Achieving a high level of protection from pesticides in Europe: Problems with the current risk assessment procedure and solutions. *European Journal of Risk Regulation*, 11(3), 450-480. <https://doi.org/10.1017/err.2020.18>
- The organisers of the #StopGlyphosate European Citizens' Initiative (ECI): Avaaz, Campact, Corporate Europe Observatory (CEO), Danmarks Naturfrednings-forening, GLOBAL 2000 Friends of the Earth Austria, Greenpeace, the Health and Environment Alliance (HEAL), Pesticide Action Network (PAN) Europe, SumOfUs, and WeMove.EU (October 17, 2018). *Stop Glyphosate*. Author. Transparency Register. *Greenpeace European Unit* (07/06/2022) <https://ec.europa.eu/transparencyregister/public/homePage.do>
- Vannoni, M., & Dür, A. (2016). Studying preference attainment using spatial models. *European Political Science*, 16(3), 369-382. <https://doi.org/10.1057/eps.2016.13>
- Warntjen, A. (2011). Measuring salience in EU legislative politics. *European Union Politics*, 13(1), 168-182. <https://doi.org/10.1177/1465116511428495>
- Yin, R. K. (2009). *Case study research: Design and methods*. Sage Publications.

The Impact of Volunteers-run Projects in Fostering the Social Inclusion of Refugees and Asylum seekers: How Successful are they?

The case study of Refugee Project Maastricht

Maria Laura Lanza

1. Introduction

The European Union's 10-year strategy for “Smart, Sustainable and Inclusive Growth,” known as Europe 2020, places the promotion of social inclusion among its top priorities (European Commission, 2010, p. 8). Specifically, it is a goal of the member states to combat “social exclusion so as to raise awareness and recognise the fundamental rights of people experiencing poverty and social exclusion, enabling them to live in dignity and take an active part in society” (p. 19). Fostering inclusion has gained relevance even more in the context of the breakout of the COVID-19 virus, which has resulted in the systematic exclusion of target groups already at risk of marginalisation. In particular, discriminatory practices and exclusion have disproportionately affected asylum seekers and refugees (World Health Organization, 2021, p. 33). In the context of migration, social inclusion consists of “the realisation of full and equal participation in the economic, social, cultural, and political dimensions of life in their [the refugees and asylum seekers’] new country” (Omidvar & Richmond, 2005, p. 155). Social inclusion not only positively impact the well-being of asylum seekers and refugees, as it also fosters their integration in the new country (Mahoney & Siyambalapitiya, 2017; Ager & Strang, 2008). Overall, the need to promote inclusion meets concrete responses at the European, national and local level, through policies and initiatives.⁸

Emerging evidence demonstrates that the local population engages in several types of projects fostering inclusion, such as playing sports (Mohammadi, 2019; Sansonetti, 2016), community gardens (Harris et al., 2014), and instructing language classes (Schmidtke, 2018; Tossutti, 2012). Mahoney & Siyambalapitiya (2017) explain that these initiatives can be successful; in other words, they can positively impact the social inclusion of refugees and asylum seekers (p. 66). Although bottom-up approaches can contribute to the European-level priority of promoting inclusion, little research focuses on this local dimension. Indeed, scholars such as Spaaij (2010) and Mahoney & Siyambalapitiya (2017) lament the lack of empirical research enquiring the extent to which these initiatives promote inclusion. In addition, there is lack of shared theoretical frameworks explaining which characteristics a

⁸ In this research, the terms project, activity and initiative are used interchangeably

project should have in order to foster social inclusion. Thus, this paper contributes to the existing academic gaps by answering to the question: To what extent are volunteer-run projects successful in fostering the social inclusion of adult refugees and asylum seekers? In particular, this paper enquires the case of Refugee Project Maastricht (RPM), an organisation operating in the city of Maastricht, in the Netherlands, through many diversified activities that promote the social inclusion of refugees and asylum seekers.

The research adopts an *ad-hoc* theoretical framework by complementing the criteria explaining the success of a project by Mahoney & Siyambalapitiya (2017) and the model by Labonté et al. (2011) of social inclusion indicators. Based on the interviews, it is possible to make the following claims: RPM's initiatives promote social inclusion in all the indicators selected, but they never reach their maximum score. In this regard, it is essential to acknowledge that the extent to which projects are successful is partially influenced by the participants' decisions. Secondly, their success depends on the criterion, the total number of criteria that they meet, and the type of project.

Academically, this study contributes to the existing research field by providing empirical evidence on projects' success. As a consequence, through the use of Mahoney & Siyambalapitiya's (2017) analytical framework, this analysis evaluates the validity of their criteria, which it has never been done before. From a societal perspective, this thesis highlights the projects' positive aspects and potential points for improvement. Hence, the empirical data can be used to improve existing initiatives.

Firstly, this research presents previous literature, the concepts, and theories relevant to the study. Secondly, it introduces the data gathering and analysis methods, discussing their advantages and disadvantages. Thirdly, the analysis discusses the results. Finally, the conclusion summarises the findings, presents the limitations, and suggests possible future research.

2. Literature Review

This section introduces previous research on projects promoting social inclusion to better understand the causal relationship between activities tailored for asylum seekers and refugees, and their effects on social inclusion. In Europe, the so-called refugee crisis taking place in 2014-2015 has triggered a societal response through an unprecedented increase of bottom-up initiatives supporting the inclusion of refugees and asylum seekers (Boersma et al., 2019, p. 3; Pries, 2019, p. 2; Younes et al., 2021, p. 222; Vandevordt & Verschraegen, 2019, p. 43). Hence, citizens-engagement has become an intrinsic part of the member states'

approaches to ensure the integration and inclusion of newcomers. Such approaches are fundamental for the newly arrived, as a lack of inclusion and a sense of loneliness can be detrimental to their well-being (Mahoney & Siyambalapitiya, 2017). Moreover, enhanced inclusion, in terms of “creating conditions for equal opportunities and equal access for all,” is a fundamental component of the process of integration into the social structure of the host country (Department of Economic and Social Affairs, 2009, p. 11). Thus, fostering social inclusion has a positive domino effect on other aspects of refugees’ and asylum seekers’ lives.

At the local level, several initiatives are carried out to promote social inclusion. Indeed, previous academic studies present a range of projects focussed on community gardening (Harris et al., 2014), teaching a new language (Rast & Ghorashi, 2018), or playing sports (Dukic et al., 2017; Frisby, 2011; Mohammadi, 2019). In addition, these projects often target specific groups based on age or gender (Mohammadi, 2019). Although existing research provides the analysis of multiple projects, most of the studies mentioned above assess one type of activity only, which limits the comparison among projects to determine which initiative is more impactful. Therefore, this research contributes to existing literature by comparing different types of projects based on a common theoretical framework.

Very often, activities promoting social inclusion are conveyed by volunteers. Volunteering is a common practice, especially among young people, and it takes place in several different fields (Flarer et al., 2020). It is defined as “any activity in which time is given freely to benefit another person, group, or organisation” (Wilson, 2000, p. 215). Specifically, volunteering with minorities such as refugees and asylum seekers can have powerful impacts, such as contributing to the integration of migrants, offering services and social welfare, and supporting the increase of migrants’ capacities (Flarer et al., 2020, p. 9; Garkisch et al., 2017). Moreover, volunteers can advocate for their needs and contribute to the research in the field of migration. Thus, scholars highlight that volunteering can positively impact refugees and asylum seekers. This research upholds this statement by providing additional data that demonstrate how much volunteering through initiatives can be impactful.

Furthermore, according to Younes et al. (2021), an aspect that has been overlooked by previous research is the interpersonal dynamics between refugees, asylum seekers and the actors involved in the management of projects (p. 224). On this aspect, previous studies that focused on case studies in the Netherlands demonstrate that institutional or citizen initiatives can impede the social inclusion of immigrants (Ponzoni et al., 2017, p. 130; Rast & Ghorashi, 2018, p. 193); they reveal that the hierarchical relationships between organisers and refugees can replicate subtle discriminatory processes that hinder refugees’ ability to participate as

equals. These dynamics could result in perpetuating exclusion (through stigmatisation), thus nullifying the efforts put into a project by the organisers. Given the negative impact, it is necessary to further enquire these dynamics within projects that are carried out in Dutch municipalities, to understand whether it is a systematic perpetrated dynamic, or limited to specific contexts. Thus, this research focuses on the initiatives carried out by the organisation RPM in the Netherlands.

The dynamics between the target group and the staff (such as volunteers) are also considered relevant factors determining the outcomes of the projects. As demonstrated by previous studies, volunteers need to be receptive to the needs and preferences of the target group. Indeed, Mohammadi (2019) researched sports projects for refugees, and argued that the mainstream sports clubs ignored the fact that the participants had never played football. This dynamic caused frustration and fear of failure, which consequently increased self-exclusion. Similar results were found in the research by Cameron (2006), Haudenhuyse (2017), and Lenneis & Pfister (2017), confirming the general need for the organisers to adapt to the participants' concerns. Moreover, existing literature overlooks how successful projects would be if they were created and carried out by refugees who have been in the host country for a longer time. Indeed, they might know better than the volunteers what other refugees and asylum seekers might need and prefer, since they have experienced similar difficulties earlier, when they settled in the host country. This research allows us to look into this aspect by assessing projects that are organised partly by refugees that are now volunteers.

Overall, existing research highlights that when studying the impact of initiatives, there are relevant factors that affect their success, for instance: the type of project, the dynamics between volunteers and participants, and the practices of exclusion. However, it also stresses the importance of considering participants' preferences. Because of the positive impact on the social inclusion of refugees and asylum seekers that initiatives can have, it is relevant to conduct research on them, understanding the dynamics and factors influencing their outcomes. Thus, this study conducts a systematic analysis of activities, and relates to existing studies by focussing on specific aspects that scholars have overlooked.

3. Theoretical framework

3.1 Concepts

This section provides the definition of refugee, asylum seeker and social inclusion, which are the relevant concepts of this study. Then, it presents the criteria by Mahoney &

Siyambalapitiya (2017) and the model by Labonté et al. (2011), and it combines the two. Together, concepts and theories constitute the theoretical framework guiding the analysis. Specifically, asylum seekers are individuals requesting international protection due to the risk of persecution that could take place in their home country (Collins et al., 2011, pp. 3-4). Once asylum is granted, they become refugees. Following Article 1 in the 1951 United Nations Refugee Convention, a refugee is someone unable or unwilling to return to their country of origin “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion” (United Nations General Assembly, 1951). The settlement in a new country is often problematic for asylum seekers and refugees, as they need to adapt to a new language and environment. As a result, they often struggle to feel at ease in the new local community (van Liempt & Millet, 2021, p. 2390). In this context, promoting their social inclusion is a mean to mitigate the difficulties of migrating.

Existing research defines social inclusion in several ways. The variety of interpretations derives from the fact that each definition emphasises a specific aspect of the concept. Among different conceptualisation, a comprehensive definition of social inclusion is the following:

A complex and multi-dimensional process driven by unequal power relationships interacting across four main dimensions – economic, political, social and cultural – and at different levels including individual, household, group, community, country and global levels. It involves the lack or denial of resources, rights, goods and services and the inability to participate in the normal relationships and activities, available to the majority of people in society, whether in economic, social, cultural, or political arenas. (Taket et al., 2009, pp. 4-5)

This definition is employed in the analysis as it describes the specific domains where social inclusion occurs. Indeed, in light of this conceptualisation, we deduce that inclusion is a multifaceted concept that is not limited to one context only. For this reason, it is necessary to specify on which domain of social inclusion this research focusses on. The case study of the analysis enquires the organisation RPM, which aims to guide the newcomer to the host country and favour the establishment of a new life. Specifically, RPM aims at “building bridges between the newcomers from war-threatened countries, the students, and the Maastricht locals” (Refugee Project Maastricht, n.d.). As a result, the organisation’s volunteers operate in the social domain, which implies that the social dimension is the ones

relevant to the study. This specification is relevant, as it has an implication in the choice of indicators of social inclusion.

Although Taket et al.'s (2009) definition provides a comprehensive semantic conceptualisation, it fails to address who has agency in promoting inclusion. This detail is necessary to explain whether and how the dynamics within a project influence its impact on the social inclusion of refugees and asylum seekers. Thus, we need to complement this definition with another one. Mohammadi (2019), drawing on Ponc and Frisby's (2010) definition, conceptualises social inclusion as: "A process whereby individuals and organisations work together to create spaces and structures that allow community members to decide how and when to participate in society, including in physical recreation" (Mohammadi, 2019, p. 1083).

This definition emphasises the interactive nature of building social inclusion. Indeed, it allows to better understand how inclusion can be fostered by the organisations, the refugees, and the asylum seekers. As a consequence, it is relevant for the analysis of the case study. For this reason, this thesis adopts this conceptualisation.

3.2 Theories

Previous studies demonstrated that not every project is impactful, and in some cases, it can perpetrate exclusion (Cameron, 2006; Haudenhuyse, 2017; Mohammadi, 2019; Younes et al., 2021). For this reason, it is necessary to understand what characteristics a project foster inclusion, and which ones hinder it. Thus, previous research can help us select those projects that are deemed to be successful, based on specific criteria. As a result, it also allows for testing the validity of those criteria. Specifically, Mahoney & Siyambalapitiya (2017) propose four criteria that can explain the success of a project. These constitute recurring themes that enhanced the social inclusion of most participants analysed in their research. This study employs these criteria for multiple reasons. Firstly, Mahoney & Siyambalapitiya derive these themes from assessing several kinds of projects promoting the social inclusion of refugees, and across a ten-year-long period. This diversity in sampling ensures that the selected criteria are not based only on one type of activity, as that would decrease their external validity when applied to different kinds of projects. Secondly, these criteria have never been tested before. Therefore, this study enables to test whether they are sound when employed in another study. Specifically, Table 1 presents the criteria and their code of reference used in the analysis.

Overall, this framework enables to conduct a non-randomised selection of the project to analyse. Instead, only those that fall within one or multiple criteria are scrutinised.

Table 2
Overview of the criteria

Criteria by Mahoney & Siyambalapitiya (2017)	Code of reference
Building language skills in the mother language of the host country	1
Projects built on refugees’ own skills and experience prior to resettlement	2
Training of volunteers or mentors on cultural awareness and supporting peers	3
Multiple types of activities that promote social connection between refugees and asylum seekers and with the community members of the host country and their well-being	4

3.3 Operationalisation

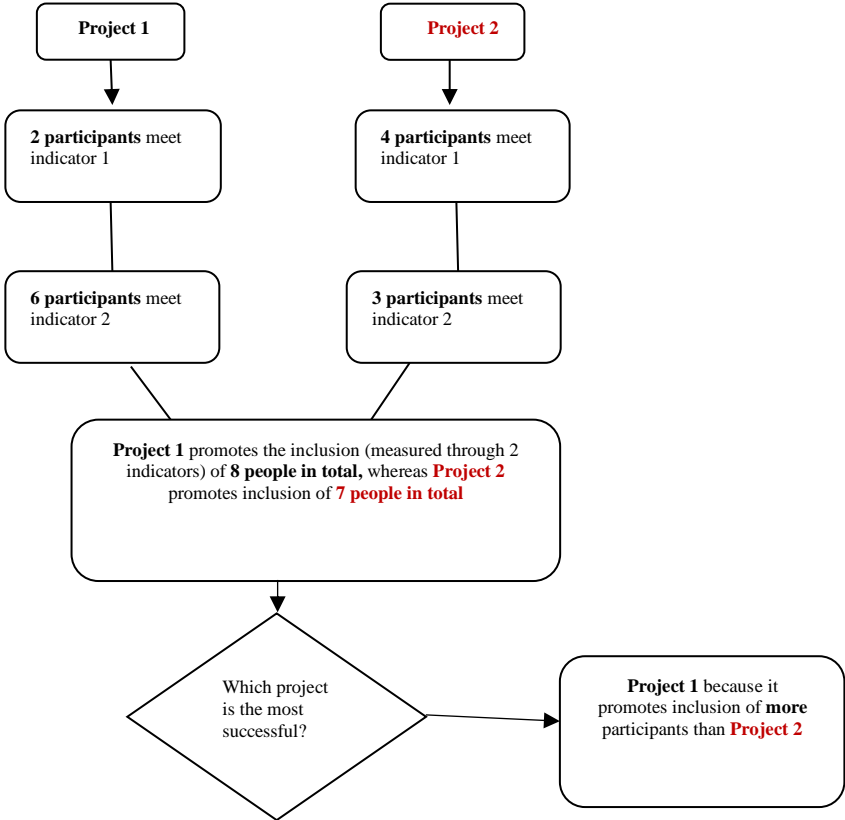
These criteria enable us to understand which types of projects are supposed to cause an increase of social inclusion in the participant. However, the research by Mahoney & Siyambalapitiya (2017) lacks a clear and detailed operationalisation of ‘success of a project,’ as the authors do not employ specific indicators of social inclusion. As social inclusion is an abstract concept, it is necessary to employ concrete variables that allow to measure it. In other words, it is necessary to operationalise the concept. ‘Operationalisation’ is the translation of concepts and their dimensions into detectable and classifiable variables that can be measured empirically (Toshkov, 2016, p. 100). To overcome the pitfall of Mahoney & Siyambalapitiya’s (2017) research, this study integrates the criteria with Labonté et al.’s (2011) model, which provides indicators of social inclusion that can be employed to measure the success of the projects (pp. 58-59). Specifically, this model entails nine domains, which carry specific indicators each. Therefore, before introducing our understanding of the success

of a project, it is necessary to justify the choice of the model over the several existing sets of indicators (Taylor, 2004; Department of Economic and Social Affairs, 2010; Berman & Phillips, 2000). Labonté et al. (2011) model stand out among the others, as the authors derive the indicators from a systematic review of previous ones and builds on their positive aspects.

Measuring the inclusion of the participants by employing the indicator(s) that a project can promote, enables us to understand the success of the initiative. Thus, based on the indicators that demonstrate the attainment of social inclusion, we argue that a project is considered successful if it leads its participants to achieve at least one selected indicator. As a result, a project can be successful even if it only fosters the inclusion of one participant in one indicator. Moreover, each initiative can be considered successful to its maximum score if, in every interview, we can find at least one code belonging to each indicator. In that case, the project would reach a success score of 100%. This quantification through percentages allows the comparison among initiatives. Comparing the selected projects enables a classification of which initiative is the most successful, as some projects might foster social inclusion of more participants than others. Figure 1 explicates how comparisons among projects are done.

Figure 7

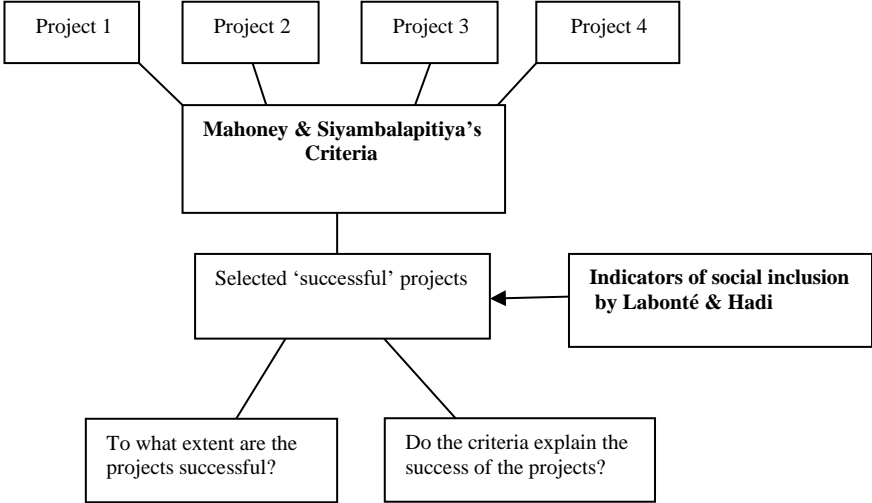
A comparison among projects promoting social inclusion



The criteria by Mahoney & Siyambalapitiya (2017) and Labonté et al. (2011)’s model complements each other. Specifically, the criteria enable the selection of the projects to analyse, whereas the model provides the relevant indicators of social inclusion achievable by the projects, depending on which criteria they meet. Figure 2 enables us to understand how the two theories interact. Moreover, in the following section, we correlate the criteria to specific social inclusion indicators.

Figure 8

Flowchart representing the theoretical framework based on Labonté et al. ’s (2011) model and Mahoney & Siyambalapitiya’s (2017) criteria



This analysis enquires how projects that meet any of the four criteria, foster the social inclusion of the participants. Moreover, it also compares the initiatives that meet the different criteria to determine firstly, whether one criterion is more successful in fostering inclusion than others; secondly, whether projects meeting more criteria are more successful than those meeting only one. To enable the comparison, this study adopts the same indicators of social inclusion across all criteria. Following Labonté et al.’s (2011) model, three indicators were selected: the removal of the language barrier, regular social contact, and diversity in social contact. They belong to the domains of education and skills, community resources, and social resources. Table 2 provides a definition of the indicators, whereas Table 3 justifies the choice of those indicators by correlating the criteria to the indicators.

Table 3*Overview of the selected indicators and their definitions*

Domain	Indicator	Definition
Education and skills	Removal of language barrier	Improvement or learning a new language
Social Resources	Regular social contact	Meeting on a regular basis with other participants and the volunteers during the project
Community resources	Diversity in social contact(s)	Meeting with person(s) from a different cultural background than that of the respondent ⁹

The relation between the indicators ‘regular social contact,’ ‘diversity in social contact(s),’ and the four criteria can be explained by the same argument. Indeed, previous research demonstrates that, by default, most projects take place more than once (Dukic et al., 2017; Frisby, 2011; Mohammadi, 2019; Rast & Ghorashi, 2018). Thus, as they enable participation protracted across time, they promote regular social contacts among refugees and asylum seekers and with the local population. Furthermore, as the initiatives bring together refugees and the local people, they promote encounters with people from different cultural backgrounds. This reason explains the applicability of the indicator ‘diversity in social contact.’ As the third indicator requires a specific justification for each criterion, Table 3 provides the necessary explanations.

⁹ This analysis focusses on cultural diversity rather than diversity measured in other forms, as it is relevant in the context of migrating and integrating into a different country

Table 4

Explanation of the pertinence of the indicator ‘removal of language barriers’ to the criteria

Criterion	Correlation with indicator
1- Building language skills in the mother language of the host country	Language classes directly promote the <i>removal of language barrier</i>
2- Programs built on refugees’ own skills and experience prior to resettlement	These types of projects enable participants to share their previous experiences and skills with other participants, which is possible through the use of a common language. This aspect, as a result, can promote the <i>removal of language barrier</i> among participants
3- Training of volunteers or mentors on cultural awareness and supporting peers	When volunteers know how to correctly approach participants without perpetuating exclusion or power dynamics, the participants are supposedly more open to interact. Indeed, Mahoney & Siyambalapitiya (2017) demonstrate that thanks to the trainings, the organisers interacted more with the participants, and learned about participants’ life and personal challenges (p. 75). Thus, these trainings actively stimulate interactions, which promote the <i>removal of language barrier</i>
4- Multiple types of activities that promote social connection between refugees and asylum seekers and with the community members of the host country and their well-being	Promoting the active participation of refugees and asylums seekers in the activities where many cultures meet, stimulates the participants to interact in a common language. This subsequently promotes the <i>removal of language barrier</i>

4. Research design

4.1 Case selection

The research enquires the volunteers-run organisation RPM, operating in Maastricht since 2015. The reasons behind choosing specifically RPM as a case study are multiple. Firstly, previous research highlights RPM among the successful practices for promoting inclusion and integration (Yakubi et al., 2017). However, they do not systematically analyse the projects or evaluate their impact. Therefore, this study leaves a gap for further research. Secondly, RPM proposes multiple types of activities with different target groups. The

diversification of activities enriches the analysis, as it enables to compare the different projects and their relative success in promoting social inclusion.

As RPM operates mainly through a network of volunteers, this aspect offers an opportunity to understand whether the organisations that operate thanks to the commitment of volunteers, can successfully foster the social inclusion of refugees and asylum seekers. Moreover, most RPM volunteers are immigrants and refugees who moved to the Netherlands a few years ago (Refugee Project Maastricht, n.d). Therefore, following Labonté et al.'s (2011, pp. 58-59) model, the multicultural environment of RPM constitutes an added value to the organisation, as it promotes social inclusion by enabling differentiation in social contacts.

The reasons mentioned above provide relevance to selecting RPM as a case study. However, to fully exhibit its relevance, it is necessary to understand the city where it operates. Maastricht is a city notable for its 'super diversity' in ethnicities due to the high presence of immigrants (Coenegracht, 2018, p. 1). Thus, the multicultural environment of RPM derives from the city itself. Newly arrived asylum seekers and refugees reside in the asylum seekers centrum, administered nationwide by the Central Agency for the Reception of Asylum Seekers, which takes care of the reception and guidance of asylum seekers. Currently, 631 among refugees and asylum seekers live in the asylum seekers centrum. However, this number is deemed to increase due to the arrival of several Ukrainian refugees. (Central Agency for the Reception of Asylum Seekers, n.d).

Overall, the municipality recognises that "every citizen of Maastricht, established or newcomer, should be included in society and be able to develop individually" (Municipality of Maastricht, 2016, p. 6 in Coenegracht, 2018). Specifically, the municipality exhorts asylum seekers to directly integrate into the Dutch society and participate in the social life. In practice, the municipality finances projects that promote the inclusion of refugees and asylum seekers, such as those carried out by RPM (Refugee Project Maastricht, n.d). Thus, it can be argued that the commitment of the citizens is reflected in that of the municipality.

Maastricht's approach towards its residents can be defined as inclusive since it allows them to vote for the municipality elections, whether they hold Dutch citizenship or not. Nevertheless, differences apply depending on the nationality, where non-EU citizens can only vote after five years of living in the Netherlands (Government of the Netherlands, 2022). Although this right is characteristic of all Dutch municipalities, it is an added value to the existing hospitable character of the city. Overall, RPM and Maastricht constitute a model of inspiration for the inclusion of refugees and asylum seekers. Indeed, while RPM delivers

projects for social inclusion, it should be recognised that without the financial support and commitment of the municipality, the organisation could not operate to its fullest.

As this case study enables to test the criteria by Mahoney & Siyambalapitiya (2017), it constitutes a theory-testing study, according to the definition by George & Bennett (2005, p. 90). Precisely, following the explanation by Eckstein (1975, p. 118), it constitutes a crucial case because the study enquires only the projects that meet at least one criterion. Since the criteria are explained as the reasons for the success of an initiative, the selected activities should reflect this claim. Therefore, to proceed with the testing phase, the following section presents the selection of projects conducted by RPM.

4.2 Selection of the projects

As the research enquires the causal relationship between RPM’s projects (the independent variable) and the social inclusion (the dependent one), the criteria by Mahoney & Siyambalapitiya (2017) enable the selection of those projects that *are to be considered* successful. The selection is made through preliminary meetings with the co-coordinator and project leaders of RPM, who explained the activities and their objectives. In addition, physical observations of the various projects also allowed to confirm the statements. Table 4 provides an overview of the selected projects based on their correlation with criteria.

Table 5
Overview of the selected projects

Project name	Characteristics	Criteria
Dutch classes	Group classes (beginners and advanced level) encompassing numerous topics related to the Dutch language Classes twice a week	1

Buddy Programme	Pairing of one volunteer with one refugee or asylum seekers One group activity each month bringing together all buddies and participants Meeting at least once per week	2 & 4
Jam Sessions	Singing and playing various instruments Meeting once per week	2

As visible in Table 4, the projects differ in the type and number of criteria that apply to them. These differences constitute an opportunity to understand whether these differences affect the extent of a project’s success. Moreover, none of the selected projects meets criterion number three, namely having volunteers who have received a cultural training, as well as in peer support. Such findings do not exclude the fact that some of the volunteers received cultural training; however, not everyone had done so, and none of the volunteers had received peer support training. As a result, this criterion could not be selected for any of the projects.

5. Methodology

5.1 Data analysis method

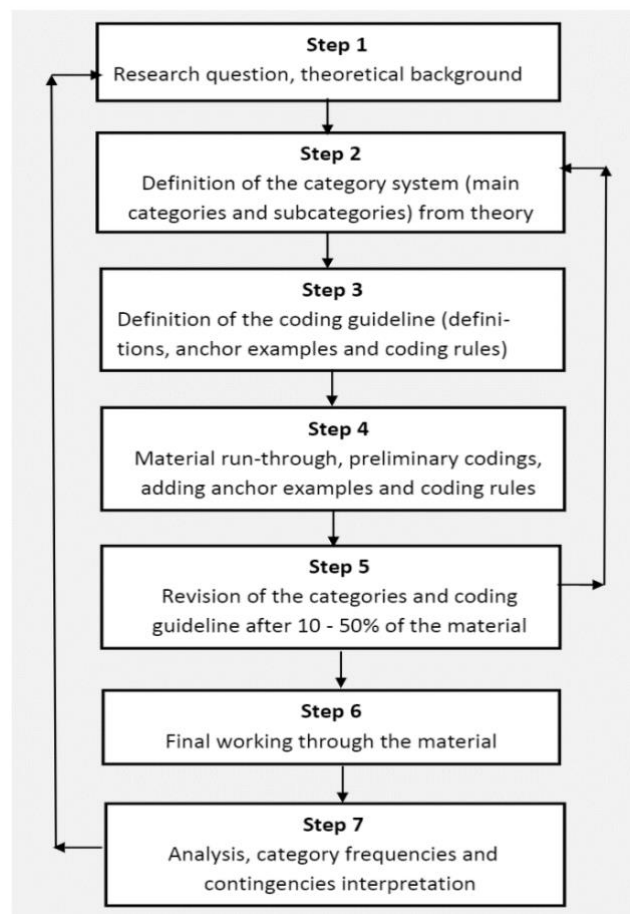
This study carries a deductive thematic analysis, formulating codes¹⁰ from the selected indicators, and then analysing the interviews with them. A deductive approach is usually employed in studies with clear indicators of the optimal and expected result (Mayring, 2000; van der Meer, 2016). This methodology suits the analysis since this study enquires the success of activities based on existing indicators. Specifically, thematic analysis is “the process of identifying patterns or themes within qualitative data” (Maguire & Delahunt, 2017, p. 3352). This methodology consists of “an approach of empirical, methodological controlled analysis of texts within their context of communication” (Mayring, 2000, p. 2). In this case, conducting a thematic analysis allows understanding how participating in a project affects the life of refugees and asylum seekers, and precisely certain domains of social inclusion.

¹⁰ The complete list of codes is available upon request to the author

Employing codes for the analysis is necessary to extract relevant information from the interviews, which enable to answer to the research question. This study follows the process introduced by Mayring (2014) for creating categories and codes, as it provides a clear step-by-step guide that helps to ensure the creation and employment of all the necessary codes. As a consequence, following a structured method ensures the soundness of the arguments made in the ‘empirical results and comparison’ section. Figure 3 presents the necessary steps. Specifically, the development of the steps 1-3 of the process takes place before gathering the data, whereas the remaining steps are done only after.

Figure 9

Steps for conducting a deductive category assignment (Mayring, 2014, p. 96)



To ensure the credibility of the analysis, this study employs a strategy made by four measurements, which are used in multiple previous research (Myburgh & Poggenpoel, 2007, p. 65; Noble & Smith, 2015, p. 35). Specifically, Table 5 presents the definition of each

measurement and how it is detectable in a study. As a result, these measures are applied throughout the analysis.

Table 6

Own elaboration of the measurements to ensure credibility of a study, based on Myburgh & Poggenpoel (2007, p. 65) and Noble & Smith (2015, p. 35)

Measures	Definitions
Truth value	The researcher presents personal viewpoints that may lead to bias in the analysis, and he/ she accurately explicates participants' perspectives
Consistency	A detailed description of the method of data gathering and analysis is provided
Applicability	A clear description of the demographics of the sample of participants is provided, so that future studies are able to carry the same research
Neutrality	Achieved when truth value, consistency and applicability have been addressed.

5.2 Data gathering method

The research adopts a qualitative methodology to gather the necessary data, as it allows to learn about participants' anecdotes and experiences. This aspect enables to discern to what extent inclusion derives precisely from the projects, since social inclusion is a two-way process where the agency lies both in participants and in the volunteers (Mohammadi, 2019, p. 1083). Indeed, Cadena-Iñiguez et al. (2017) argue that “qualitative methods for data collection play a significant role in impact assessment because they provide valuable information to understand the processes behind the results” (p. 3). Specifically, we conduct semi-structured interviews with standard questions¹¹ that can be adapted or expanded to derive more information on specific topics. Furthermore, interviews are chosen over focus

¹¹ Standardised questions are available upon request

groups, as they enable a more confidential environment, since only the interviewee and the interviewer are present, compared to focus groups where many people participate.

As the research's objective is to evaluate current projects in light of possible improvements in the future, the interviews are conducted in May, to gather up-to-date data. The main requirements to be interviewed were two: to have participated at least once in any activity, and to be 18 years old or older, as the study enquires about the social inclusion of adults. The choice of this age group derives from the fact that most participants of RPM's projects are adults (Refugee Project Maastricht, n.d.); thus, it is representative of the projects' target group. In total, eighteen face-to-face interviews were conducted. Specifically, four men were interviewed multiple times as they participated in more than one activity. Moreover, the languages of the interviews were English, Arabic and Turkish; the latter two were employed with the help of interpreters. However, as the translations might hamper the accuracy of the response, we attempted to minimise this risk by keeping the number of translated interviews as low as possible.

Before explaining the results, it is necessary to reflect on the shortcomings of interviewing. Interviewing is accused of being an unreliable method as it can create bias in the response, caused by the interviewer's tone and question formulation (Adhabi & Anozie, 2017, p. 92). To minimise this pitfall, the questions have been peer-reviewed, and off-script questions were employed only in necessary cases. As the author was a volunteer of RPM, there is a risk that her positive viewpoints on the organisation bias the analysis. To prevent the bias and ensure the soundness of the claims, the interviews were recorded, ensuring accuracy in the transcription¹², and the empirical result section provides multiple citations extracted from the interviews.

6. Empirical Results and Comparisons

Table 6 summarises the number of interviews conducted for each project, providing an overview of the respondents. As visible in the table, the number of interviewees is the same across the three projects, ensuring perfect comparability of the results. Specifically, the number of men respondents was significantly higher than the number of women. This data reflects the description of the co-coordinator, who explains that the participants of the projects are primarily men. This mismatch in terms of numbers hinders the possibility of making

¹² The transcripts of the interviews are available upon request

comparisons across genders. To overcome this gap, future research can focus only on women and compare the results with this study's, highlighting similarities and differences.

Table 7
Overview of the interviews

Dutch classes	Jam sessions	Buddy programme
2 women; 4 men	1 woman; 5 men	1 woman; 5 men

We proceed with a systematic analysis of the transcripts, identifying recurring themes to explain which domains of social inclusion are impacted by the projects. This analysis also enables to test the criteria by understanding whether the presence of a specific criterion in a project corresponds to the increased inclusion of participants. As the indicators are three, the total points that a project can reach is 300, derived from the total score that one indicator can reach (100) multiplied by the number of indicators (3). In particular, Table 7 offers an overview of the percentages reached for each category, based on the number of interviews where the indicators were retrieved.

Table 8
Overview of the percentages of respondents who met the selected indicators

Indicator	Project		
	Dutch classes	Buddy Programme	Jam sessions
Removal of language barrier	100%	83%	50%
Regular social contact(s)	50%	83%	83%
Diversity in social contacts	100%	100%	100%
Total	250/300	266/300	233/300

The analysis enables us to make multiple claims: firstly, all projects are successful to different extents. Secondly, the projects meeting more criteria by Mahoney &

Siyambalapitiya (2017) reach higher success compared to those only meeting one criterion. Indeed, the buddy programme (meeting two criteria) reaches higher success score than the Dutch classes and the jam sessions (meeting one criterion). Specifically, the following sections discuss in detail the results summarised in Table 6.

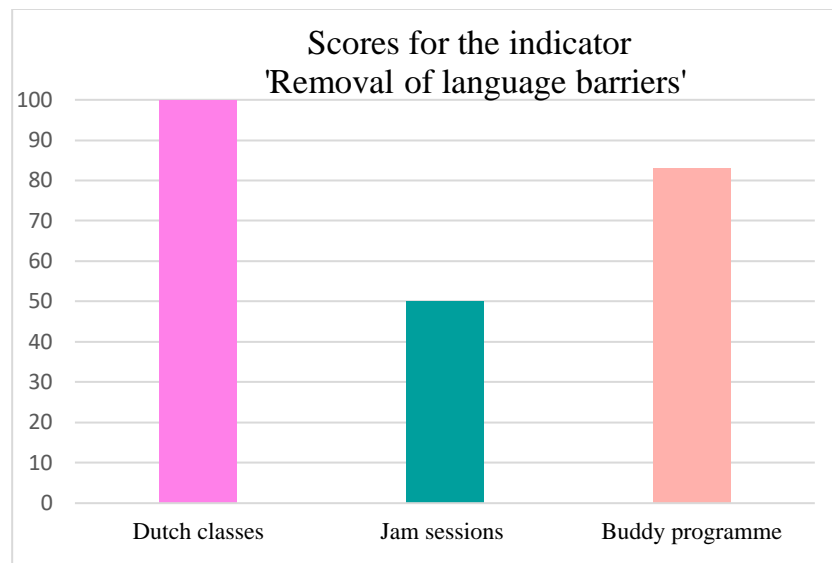
6.1 Removing the language barriers

As the Dutch classes, by default, promote the practice of language skills, they reach the highest score in removing the language barrier, with every participant benefiting from them. Instead, the jam sessions reached the lowest score among the three projects, where 50% of respondents improved their language skills in English (interviews 9, 10) and Dutch (interview 11). We argue that the criterion describing the sessions is not enough to justify this result; instead, by considering the structure of the activity we can derive an explanation for this relatively low result. As the participants can practise their singing and playing skills (criteria number two), this aspect does not prevent participants from interacting. However, one respondent affirms that the interactions are usually limited (interview 7). This result derives from the fact that most of the time, participants are expected to play and sing; thus, there is a lack of time and space to interact. Hence, it is the structure of the activity that hinders the practice of language, and not the fact that the participants practice their skills and knowledge.

The buddy programme meets the criterion number four by promoting the connection between participants and organisers. This criterion specifically encourages participants to converse with their buddies. As a result of practising a common language and connecting with others, the programme enables to improve the English language skills of five out of six respondents (interviews 13, 15-18). In particular, Figure 4 allows a visual comparison of the success of the projects.

Figure 10

Visual comparison of the scores for the indicator 'Removal of language barriers'



6.2 Fostering regular social contacts

The findings also show that building language skills indirectly enhances the regular social contacts of the participants, for two reasons. Firstly, allowing participants to understand the language increases the chances of them interacting with the locals, by increasing their confidence in speaking in a foreign language (interview 2). Secondly, 50 % among the respondents affirm that following the Dutch classes has inspired them to become volunteers themselves (interviews 1, 2, 4). Consequently, interacting more with the local community, as well as volunteering, stimulate regular social contacts, increasing individuals' social inclusion. Hence, the classes serve as an opportunity to enhance one's social contacts; however, as demonstrated, they reach optimal results when combined with participants' motivation. This conclusion supports the conceptualisation of social inclusion as a two-way process (Mahoney & Siyambalapitiya, 2017; Mohammadi, 2019), where both the participants and the volunteers contribute to individuals' social inclusion.

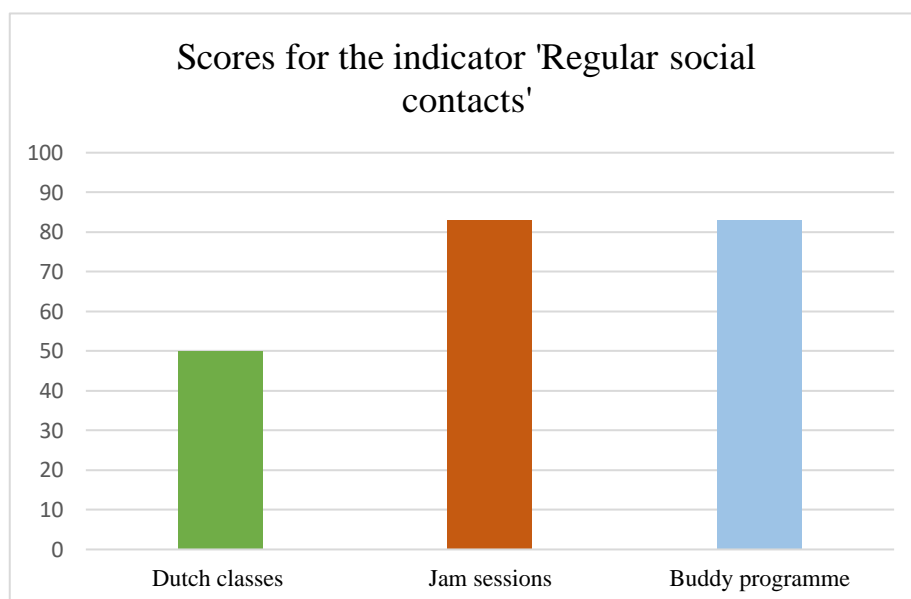
The jam session inspired participants to engage regularly in the activity, leading to higher scores for regular social contacts (interviews 7-9, 10, 12) compared to the Dutch classes. This result can have a different explanation compared to that of other projects. For example, one respondent argued that he prefers the jam sessions because "I learn a new instrument, how to play music, and it is much funnier than learning a language" (interview

17). Likewise, for the same interviewee, the jam activity has a soothing effect, as “It helps me to forget my pain, my old bad stories, you know” (interview 10). Although there is no univocal reason explaining the regularity, one could argue that the activities promoting active participation through singing or playing (criteria number two) or by interacting with others (criteria number four), are more appreciated by the participants compared to the language classes. Indeed, in the Dutch classes, they are only the recipient of language knowledge and skills. As a result, the projects meeting the criteria two and four inspire refugees and asylum seekers to participate more often in the activities. Organisations could take inspiration from this aspect and create a type of project that combine the language skills with the active involvement of the refugees and asylum seekers.

The participants of the buddy programme are supposed to meet with their buddies every week (interviews 13-18). However, in the case of interviewee 16, he only meets a few times every two months, which hinders his regular social contact within the programme. However, compared to the randomly chosen respondent number 14, who meets his buddy once per week, the two participants do not report different degrees of social inclusion, as both interviewees meet two parameters. This comparison suggests no causal relationship between the regularity of participation and the overall inclusion of individuals. Moreover, we obtain the same result by cross-checking this claim in the other projects (comparing randomly chosen respondents, namely 2 to 5 and 7 to 11). Furthermore, Table 8 offers a visual comparison of the scores achieved by the three projects.

Figure 11

Visual comparison of the scores for the indicator ‘Regular social contacts’



6.3 Fostering the diversity in social contacts

As all eighteen respondents testified the presence of this indicator, the three projects achieved the maximum success in promoting diversity in social contacts. Specifically, the Dutch classes are characterised by many cultures due to the fact that participants and volunteers come from several countries inside and outside Europe. The highly diverse environment enables participants to learn about foreign cultures (Interviews 1, 4) and about Dutch traditions (interviews 1, 3, 5). Thus, although the Dutch classes primarily focus on building language skills, they also enable to acquire cultural knowledge.

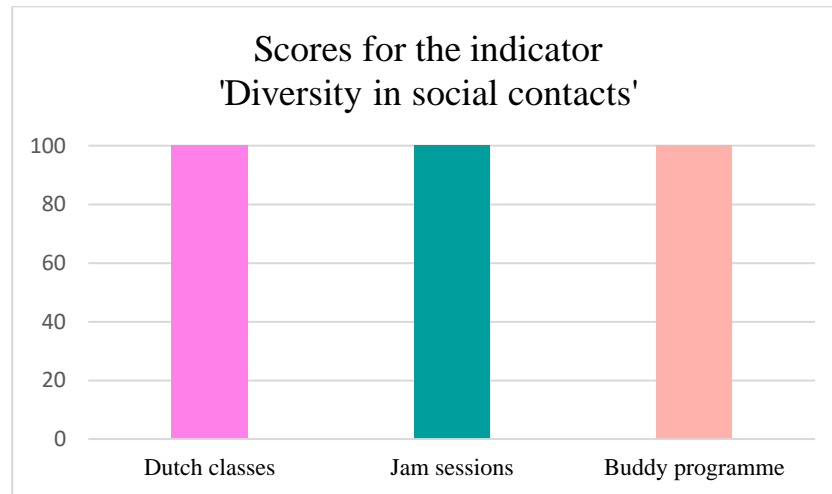
Instead, the jam sessions bring together “a very (culturally) diverse group but united by the love in music” (interview 8). However, although there is a diversity in social contact, there is no space for participants to talk about their cultures or exchange information about them (interviews 7, 8). Hence, this phenomenon results from the structure of the activity, which prevents interactions. Instead, the buddy programme, compared to the jam sessions and the Dutch classes, represents an archetype for other initiatives, as 100% of respondents were able to share their cultural traditions and learn about their buddies.’ In particular, “the buddy programme helps you to understand how to talk to people, how to make friends” by learning about what is considered customary in a specific culture (Dutch and foreign) (interview 18). Moreover, one responded that immigrated from Syria particularly appreciated the possibility of getting to know people from Europe by having a buddy (interview 17). Overall, the outcome of the buddy programme in this indicator reflects the criterion number four, that aims to increase the participants’ social connections.

Furthermore, previous research criticises the setup of specific projects that focus on the assimilation of the culture of the host country and neglect that of the asylum seekers and refugees (Frisby, 2011; Harris, 2014). This lack of recognition causes a sense of exclusion, as the participants feel pressured to assimilate the culture and deny their origins and cultural traditions. Instead, the buddy programme actively counteracts feelings of exclusion, by enabling its participants to share their knowledge and traditions. In addition, this type of project also enables participants to engage in any type of conversation, thus expanding the topics of confrontations.

In particular, Table 9 provides a visual comparison of the project by displaying their scores.

Figure 12

Visual comparison of the scores for the indicator 'Diversity in social contacts'



6.4 Additional remarks

This research has conducted multiple interviews with those who participated in more than one project. Specifically, the interviewees were asked which initiative among the two or three that they attended was the most beneficial for them, and why. This question deepened the understanding of which type of project attracts participants the most. Overall, the most favoured projects were the buddy programme (2 participants) and the jam sessions (2 participants). These results suggest that the refugees are more inspired to participate in activities where they are actively involved and can get to know new people and establish connections. This finding has two implications: firstly, it supports Younes' (2021) claim that the most relevant aspect of social inclusion is creating spaces for refugees and asylum seekers to build social contacts, taking prevalence over learning the language of the host country. Secondly, it emphasises the relevance of the criteria number two and four over the criterion number one, the latter focusing on the importance of creating language skills.

Furthermore, compared with those studies by Ponzoni et al. (2017) and Rast & Ghorashi (2018), the dynamics between participants and volunteers in RPM's initiatives do not show practices of exclusion. Indeed, every time participants would talk about the interrelation with the volunteers, they would highlight how helpful volunteers are (interview 3) and wish that the Dutch classes would happen more often (interviews 1). Likewise, two respondents wish to be paired with more volunteers in the buddy programme (interviews 13,

16); as these considerations highlight positive feedback on the volunteers, it can be claimed that the projects carried out by RPM successfully counteract the trend of exclusionary practices.

The argument mentioned above can also be used to question the relevance of criterion number three, suggesting that social inclusion is promoted when all the organisers have followed cultural and peer support training. Since this criterion was not selected, it was expectable to have potentially higher chances for exclusionary approaches to be carried out, as the volunteers did not learn how to have a culturally sensitive approach. Instead, the positive notes on volunteers demonstrate that they could promote the inclusion of participants, even without being trained. Thus, the interviews enable to doubt the importance of criterion number three compared to the other two. Moreover, further research on this aspect could triangulate this finding to ensure its soundness.

7. Conclusion

This study enquired the extent to which volunteer-run projects are successful in fostering social inclusion, demonstrating that, although RPM carries out successful initiatives, none of them reaches their full potential. The lack of total reach can be derived from the type of project, its related criteria, and the individuals' decision, which has a consequence on their inclusion. Besides the diversity in social contacts, each project impacts a specific indicator based on the criterion that applies to it. For example, the Dutch course is primarily successful in removing language barriers, reflecting its criterion. Instead, the active engagement of participants in the jam sessions, explained by criteria number two, results in regular social contacts. Furthermore, the buddy programme promotes the connection among respondents (criteria number four), which enables participants to practice a common language with the local community (represented by their buddies) and promotes the exchange of (cultural) knowledge (criteria number two). Finally, as the buddy programme is the most successful project among the three, this data demonstrates that the presence of two criteria in an initiative results in a higher score of success.

Using the criteria by Mahoney and Siyambalapitiya (2017) enabled the selection of specific projects based on their characteristics, to better understand which features of an initiative lead to more success. Moreover, the employment of the criteria increases the academic relevance of this study, as it allowed to test their validity. As demonstrated, it can be claimed that there is a causal relationship between the criteria and the project, supporting the external validity of the criteria. Nevertheless, the criteria alone do not entirely reflect an

initiative's success, as they provide an excessive simplification of the factors influencing the impact of a project. Indeed, specific aspects of an activity can hinder their positive impact on inclusion. Thus, the success of a project can be hampered even if the initiative meets a specific criterion. For example, the excessive focus on practising the skills in the jam sessions prevented participants from engaging in conversations and improving their language skills.

In terms of limitations, this research could not test the criterion number three due to the lack of trained staff in RPM. Hence, to advance the enquiry of the impact of a project, further research could compare the findings provided in this study, to those analysing projects that meet the criterion number three. Furthermore, some criteria could be correlated to more indicators of social inclusion, especially in the case of criterion number four. However, we preferred to limit the selection of indicators to ensure comparability of results. Thus, future research could focus on an in-depth assessment of each criterion alone and expand the selected indicators.

Overall, this research has proved that bottom-up approaches for the inclusion of refugees and asylum seekers can extensively foster the social inclusion of their participants. Especially in current times when the member states are experiencing an influx of Ukrainian refugees, organisations such as RPM can be relevant allies supporting the social inclusion and integration of asylum seekers and refugees.

Reference list

- Adhabi, E.A., & Anozie, C.B. (2017). Literature Review for the Type of Interview in Qualitative Research. *International Journal of Education*, 9, 86-97. <https://doi.org/10.5296/ije.v9i3.11483>
- Ager, A. & Strang, A. (2008). Understanding Integration: a conceptual framework, *Journal of Refugee Studies*, 2 (2), 166-191. <https://doi.org/10.1093/jrs/fen016>
- Berman, Y., Phillips, D. (2000). Indicators of Social Quality and Social Exclusion at National and Community *Social Indicators Research*, 50(3), 329-350. <https://doi.org/10.1023/A:1007074127144>
- Boersma, K., Kraiukhina, A., Larruina, R., Lehota, Z., & Nury, E. O. (2019). A port in a storm: Spontaneous volunteering and grassroots movements in Amsterdam. A resilient approach to the (European) refugee crisis. *Social Policy & Administration*, 53(5), 728–742. <https://doi.org/10.1111/spol.12407>
- Cadena-Iñiguez, P. Rendón-Medel, R., Aguilar-Ávila, J., Salinas-Cruz, E., Cruz-Morales, F., Sangerman-Jarquín, D. M. (2017). Quantitative methods, qualitative methods or combination of research: an approach in the social sciences. *Revista mexicana de ciencias agrícolas*, 8(7), 1603-1617. https://www.researchgate.net/publication/322671131_Metodos_cuantitativos_metodos_cualitativos_o_su_combinacion_en_la_investigacion_un_acercamiento_en_las_ciencias_sociales
- Cameron, C. (2006). Geographies of Welfare and Exclusion: Social Inclusion and Exclusion. *Progress in Human Geography*, 30 (3), 396–404. <https://doi.org/10.1191/0309132506ph614pr>
- Central Agency for the Reception of Asylum Seekers (n.d). *COA Act*. <https://www.coa.nl/nl/het-coa>
- Coenegracht, S. (2018). A city that has it all: Maastricht in times of super-diversity. Master Thesis. <http://arno.uvt.nl/show.cgi?fid=147697>
- Collins, C. H., Zimmerman, C., & Howard, L. M. (2011). Refugee, asylum seeker, immigrant women and postnatal depression: rates and

- risk factors. *Archives of women's mental health*, 14(1), 3-11. <https://doi.org/10.1007/s00737-010-0198-7>
- Department of Economic and Social Affairs (2009). *Creating an Inclusive Society: Practical Strategies to Promote Social Integration*. United Nations. <https://www.un.org/esa/socdev/egms/docs/2009/Ghana/inclusive-society.pdf>
- Department of Economic and Social Affairs. (2010). *Analysing and Measuring Social Inclusion in a Global Context*. United Nations. <https://www.un.org/esa/socdev/publications/measuring-social-inclusion.pdf>
- Dukic, D., McDonald, B., Spaaij, R. (2017). Being Able to Play: Experiences of Social Inclusion and Exclusion within a Football Team of People Seeking Asylum. *Social Inclusion*, 5 (2), 101–110. <https://doi.org/10.17645/si.v5i2.892>
- Eckstein, H. (1975). Case Studies in Political Science, in F. Greenstein, & N. Polsby, (Eds.), *Handbook of Political Science*, Vol. 7. (pp. 79-138). Addison-Wesley.
- European Commission. (2010). *EUROPE 2020 A strategy for smart, sustainable and inclusive growth* (COM(2010)2020). Author.
- Flarer, H., Carlà, A., Lehner, M., Mattes, A., Reeger, U. (2020). The effect of volunteering on empowerment and inclusion among EU and third-country national youth: An in-depth mixed-methods research (Final Report No.D2.3). *Volunteer and Empower: Enhancing Community Building and Social Integration through Dialogue and Collaboration amongst Young Europeans and Third-Country Nationals*. <https://webassets.eurac.edu/31538/1612455573-comparative-report.pdf>
- Frisby, W. (2011). Promising Physical Activity Inclusion Practices for Chinese Immigrants Women in Vancouver, Canada. *Quest*, 63(1) 135–147. <https://doi.org/10.1080/00336297.2011.10483671>
- Garkisch, M., Heidingsfelder, J., & Beckmann, M. (2017). Third Sector Organizations and Migration: A Systematic Literature Review on the Contribution of Third Sector Organizations in View of Flight, Migration and Refugee Crises. *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 28(5), 1839–1880. <http://www.jstor.org/stable/44668922>
- George, A. L., & Bennett, A. (2005). *Case Studies and Theory Development in the Social Sciences*. The MIT Press.
- Government of the Netherlands (2022). *Voting in gemeenteraadsverkiezingen (municipal elections)*. <https://www.government.nl/topics/election/s/voting-in-municipal-elections>
- Harris, N., Rowe Minniss, F., & Somerset, S. (2014). Refugees Connecting with a New Country through Community Food Gardening. *International Journal of Environmental Research and Public Health*, 11, 9202 - 9216. <https://doi.org/10.3390/ijerph110909202>
- Haudenhuyse, R. (2017). Introduction to the Issue “Sport for Social Inclusion: Questioning Policy, Practice and Research”. *Social Inclusion*, 5(2), 85-90. <https://doi.org/10.17645/si.v5i2.1068>
- Labonté, R., Hadi, A., Kauffmann, X. (2011). *Indicators of Social Exclusion and Inclusion: A Critical and Comparative Analysis of the Literature*. (Working paper No. 8). Population Health Improvement Research Network. https://www.researchgate.net/publication/235443128_Indicators_of_Social_Exclusion_and_Inclusion_A_Critical_and_Comparative_Analysis_of_the_Literature
- Lenneis, V., Pfister, G. (2017). When Girls Have No Opportunities and Women Have Neither Time nor Energy: The Participation of Muslim Female Cleansers in Recreational Physical Activity. *Sport in Society*, 20 (9), 1203–1222. <https://doi.org/10.1080/17430437.2016.1269085>
- Maguire, M., & Delahunt, B. (2017). Doing a Thematic Analysis: A Practical, Step-by-Step Guide for Learning and Teaching Scholars. *AISHE-J*, 3(9), 3351-33514. <https://ojs.aishe.org/index.php/aishe-j/article/view/335/553>
- Mahoney, D., Siyambalapatiya, S. (2017). Community-based interventions for building social inclusion of refugees and asylum seekers in Australia: A systematic review. *Journal of Social Inclusion*, 8(2), 66-80. <http://doi.org/10.36251/josi.125>
- Mayring, P. (2000). Qualitative Content Analysis. *Qualitative Social Research*, 1(2), Art. 20. <https://doi.org/10.17169/fqs-1.2.1089>
- Mayring, P. (2014). *Qualitative Content Analysis: Theoretical foundation, basic procedures and software solution*. Beltz.
- Mohammadi, S. (2019). Social inclusion of newly arrived female asylum seekers and refugees through a community sport initiative: the case of Bike Bridge. *Sport in Society*, 22(6), 1082-1099.

- <https://doi.org/10.1080/17430437.2019.1565391>
- Myburgh, C., Poggenpoel, M. (2007). Qualitative methods: a research approach worth considering: guest editorial. *South African Psychiatry Review*, 10(2), 65–67. <https://www.ajol.info/index.php/ajpsy/article/view/30235/5716>
- Noble, H., Smith, J. (2015). Issues of Validity and Reliability in Qualitative Research. *Evidence Based Nursing*, 18(2), 34–35. <http://dx.doi.org/10.1136/eb-2015-102054>
- Omidvar, R., & Richmond, T. (2005). Immigrant settlement and social inclusion in Canada. In Richmond, T., Saloojee, A. (Eds.), *Social inclusion: Canadian perspectives* (pp. 155–177). Laidlaw Foundation.
- Ponic, P., Frisby, W. (2010). Unpacking Assumptions about Inclusion in Community-Based Health Promotion: Perspectives of Women Living in Poverty. *Qualitative Health Research*, 20, 1519–1531. <https://doi.org/10.1177/1049732310374303>
- Ponzoni, E., Ghorashi, H., & van der Raad, S. (2017). Caught between norm and difference: Narratives on refugees' inclusion in organizations. *Equality, Diversity and Inclusion: An International Journal*, 3(3), 222–237. <https://doi.org/10.1108/EDI-11-2015-0093>
- Pries, L. (2019). Introduction: Civil Society and Volunteering in the So-Called Refugee Crisis of 2015—Ambiguities and Structural Tensions. In M., Feischmidt, L., Pries, & C., Cantat, (Eds.), *Refugee protection and civil society in Europe*. Palgrave Macmillan.
- Rast, M. C., & Ghorashi, H. (2018). Dancing with 'the other': Challenges and opportunities of deepening democracy through participatory spaces for refugees. *Social Inclusion*, 6(1), 188–198. <https://doi.org/10.17645/si.v6i1.1300>
- Refugee Project Maastricht. (n.d). *Ons Verhaal* [Our story]. <https://refugeeprojectmaastricht.nl/nl/our-story/>
- Refugee Project Maastricht. (n.d.). *Onze Sponsors* [Our sponsors]. <https://refugeeprojectmaastricht.nl/nl/our-sponsors/>
- Sansonetti, S. (2016). *Female refugees and asylum seekers: the Issue of Integration*. European Parliament. [https://www.europarl.europa.eu/RegData/etudes/STUD/2016/556929/IPOL_STU\(2016\)556929_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2016/556929/IPOL_STU(2016)556929_EN.pdf)
- Schmidtke, O. (2018). The civil society dynamic of including and empowering refugees in Canada's urban centres. *Social Inclusion*, 6(1), 147-156. <https://doi.org/10.17645/si.v6i1.1306>
- Spaaij, R. (2010). Using Recreational Sport for Social Mobility of Urban Youth: Practices, Challenges and Dilemmas. *Sociétés et Jeunesses en Difficulté, Special issue*, 1-26. https://pure.uva.nl/ws/files/4486696/108219_Using_Recreational_Sport_for_Social_Mobility_of_Urban_Youth.pdf
- Taylor, J. (2004). Refugees and social exclusion: What the literature says. *Migration Action*, 26(2), 16-31. <https://www.semanticscholar.org/paper/Refugees-and-social-exclusion%3A-What-the-literature-Taylor/d3264dc8624b97a2563b7ab64f97a468d0e321dc>
- Taket, A., Crisp, B. R., Graham, M., Hanna, L., Goldingay, S. (2009). Scoping Social Inclusion practice. In A. Taket, B. R. Crisp, A. Nevill, G. Lamaro, M. Graham, & S. Barter-Godfrey (Eds.), *Theorising Social Exclusion* (1st ed.). (pp. 3-41). Routledge.
- Toshkov, D. (2016). *Research design in political science*. Palgrave.
- Tossutti, L. S. (2012). Municipal roles in immigrant settlement, integration and cultural diversity. *Canadian Journal of Political Science*, 45(3), 607–633. <https://doi.org/10.1017/s000842391200073x>
- United Nations General Assembly, (1951). *Convention Relating to the Status of Refugees*. Treaty Series, (Vol. 189). <https://treaties.un.org/doc/Publication/M.TDSG/Volume%20I/Chapter%20V/V-2.en.pdf>
- Vandevoordt, R., Verschraegen, G. (2019) Citizenship as a gift: how Syrian refugees in Belgium make sense of their social rights, *Citizenship Studies*, 23:1, 43-60 <https://doi.org/10.1080/13621025.2018.1561827>
- van der Meer, T. G. (2016). Automated content analysis and crisis communication research. *Public Relations Review*, 42(5): 952–961. <https://doi.org/10.1016/j.pubrev.2016.09.01>
- van Liempt, I. & Miellet, S. (2021). Being far away from what you need: the impact of dispersal on resettled refugees' homemaking and place attachment in small to medium sized towns in the Netherlands. *Journal of Ethnic and Migration Studies*, 47(11), 2377-2395. <https://doi.org/10.1080/1369183X.2020.1845130>

Wilson, J. (2000). Volunteering. *Annual Review of Sociology*, 26, 215–240.

<http://www.jstor.org/stable/223443>

World Health Organization (2021). *Refugees and migrants in times of COVID-19: mapping trends of public health and migration policies and practices*.

<https://www.who.int/publications/i/item/9789240028906>

Yakubi, H., Quammie, M., Suárez Louzao, S., Kooijman, V. (2017). *An Investigation into*

the local Practices concerning the Integration of Refugees in Maastricht.

Premium project. Maastricht University.

<https://www.maastrichtuniversity.nl/file/reportpremiumprojectpdf>

Younes, Y., Ghorashi, H., & Ponzoni, E. (2021). Conflicting Experiences With Welcoming Encounters: Narratives of Newly Arrived Refugees in the Netherlands. *Social Inclusion*, 9(4), 222–231. <https://doi.org/10.17645/si.v9i4.4509>

Welcoming a Helping Panda or a Trojan Dragon?

Assessing Attitudes Towards Chinese Energy Transition Investments in the European Union: The Case of Germany

Max-Luca Luhn

1. Introduction

At the 2015 Paris Climate Summit, 196 countries pledged to achieve global carbon neutrality by the mid-century to limit global warming to 1.5°C above pre-industrial levels and lessen the most severe effects of anthropogenic climate change (UNFCCC, 2015). One crucial element in the net-zero strategy is a substantial increase in energy transition investments (ETIs¹³), including in solar and wind, electricity grids, and storage solutions. These investments are necessary to accelerate the decarbonisation of existing energy supplies and to increase generation capacities to meet growing demand, as fossil fuel-based industries switch to electrified modes of production (Lechtenböhmer et al., 2016).

Recently, China has emerged as a leading global investor in renewable energy and electricity grids, including in the European Union¹⁴ (EU). The growth in Chinese investment flows could accelerate Europe's energy transition and thus contribute to effective climate change mitigation. However, it also creates new issues pertaining to the areas of energy security, political independence, and the competitive advantage of the European energy industries. This raises concerns, as Chinese investments are increasingly addressed with caution by policymakers and met with scepticism by the public. These concerns are further exacerbated by a heightened awareness of Europe's energy dependencies because of deteriorating relations with Russia.

The growth in Chinese investments in the global energy sector has also received scholarly attention. Studies on the patterns and motivations of Chinese investments suggest that they are driven by a combination of financial and strategic interests (Buckley et al., 2007; Gopal et al., 2018; Lv & Spigarelli, 2016; Meunier, 2019; Sauvant & Chen, 2014). Concurrently, research on EU-China energy investment relations highlights the importance of European energy as a destination for Chinese investments, and the difficulties of coordinating the investment relationship between the two regions (Curran et al., 2017a; Gippner & Torney,

¹³ Elsewhere also abbreviated ETI

¹⁴ This thesis uses the terms European Union and Europe interchangeably in reference to the political and economic union of 27 member states

2017; Pareja-Alcaraz, 2017; Sattich et al., 2021; Turcsanyi, 2017). For example, Turcsanyi (2017) demonstrates that Chinese investments in energy assets are perceived ambiguously in Central Eastern European countries as development drivers for the energy industry on the one hand, and potential threats to domestic firms and energy security on the other.

However, there is little research that specifically joins the inquiry of attitudes to Chinese investments into the EU in general with that of the trend towards increasing Chinese ETIs. This is unfortunate as the prevailing focus on Chinese strategies and the lack of energy transition specificity in EU-focused research precludes meaningful insights into the balancing of policy priorities by the member states. A better understanding of European perceptions of Chinese ETIs would allow a more nuanced assessment and inform better policy choices. To this end, this thesis contributes to the growing scholarship on EU-China energy investment relations by proposing an advanced analytical framework and by providing new empirical insights into a hitherto understudied, but increasingly relevant aspect of energy investments. The empirical findings may also give impetus for future theorising research in the domains of energy transitions and EU-China investment relations.

To further our understanding of the balancing of policy priorities, this thesis addresses the question of how European attitudes towards Chinese energy transition investments have evolved since the conclusion of the Paris Agreement. To do so, it carries out a single case study of Germany that draws on data obtained from government documents and newspaper articles published in the period 2015–2021 and from expert interviews. The data is used to conduct a frame analysis based on a widely used energy policy framework (Sovacool & Brown, 2010) that is extended for the application to energy transitions and EU-China relations. Based on the triangulated analysis, this thesis argues that the attitude towards Chinese ETIs has shifted in its focus and become more negative. Indeed, while the need for a constructive partnership in energy investment relations still features in the discourse, it appears to be increasingly side-lined by references to issues of energy independence and political acceptability.

This thesis is structured as follows. Section two provides an overview of the development of Chinese investment and energy policies, and situates this research within the scholarship on EU-China energy investment relations. Section three develops the analytical framework. Section four presents the empirical findings, which are subsequently discussed in section five. Section six concludes by reflecting on policy implications and by offering venues for further research.

2. Contextualising and Situating the Research

The emergence of China as a major overseas investor has inspired a range of research. This section examines the literature on EU-China investment relations with special regard to ETIs. The aim of this section is twofold. First, to contextualise the research topic, I provide an overview of the development and motivations of Chinese overseas investment and energy policies, respectively. And second, to situate this thesis within the existing scholarship and to identify the gap that this thesis aims to fill, I map current Chinese investment trends in the European energy sector and further discuss the literature regarding the European perspective on such investments.

2.1 China as an Emerging Global Energy Investor

Since the early 2000s, China's outgoing investment policies have changed remarkably. Through the launch of strategies such as "Go Global" (2001), the "Belt and Road Initiative" (2013) and the "Made in China 2025 Industrial Policy" (2015), the country's regulatory framework has gradually "moved from restricting, to facilitating, to supporting, to encouraging [outward investments]" (Sauvant & Chen, 2014, p. 141). Research suggests three distinct drivers of this development, depending on the target country.

First, investments in emerging economies seem to be driven by the aim to secure access to valuable natural resources, including fossil fuels and rare earth minerals (Buckley et al., 2007; Gulley et al. 2019). Second, investments in developed economies appear to be market-seeking and serve the expansion of Chinese firms (Buckley et al., 2007; Hurst, 2011). And third, investments in particularly innovative economies may further be motivated by the acquisition of proprietary technologies and specialised knowledge (Lu et al., 2011, Henderson et al., 2021). For instance, Henderson et al. (2021) show how Chinese investors have specifically targeted companies that hold intellectual property rights and own production capabilities for cutting-edge technologies.

The Chinese approach to induce technology and knowledge transfers through investments is particularly evident in industries that are central to ensuring competitiveness in the 21st century (Deng, 2007; Sauvant & Chen, 2014). One of these industries is the renewable energy sector, which received accentuated attention since the launch of the 12th Five-Year-Plan (2011–2015; see Lv & Spigarelli, 2016). Although still insufficient to limit global warming to 1.5°C (Zhou et al., 2019), investments in China's energy transition have ranked as the world's largest for the past ten years (Ajadi et al., 2020, p. 43). Consequently, China's sustainable energy capacities have grown at an unprecedented rate that far surpasses

that of the EU (IRENA, 2021; Wüstenhagen & Menichetti, 2012). These developments, Zhang et al. (2013) argue, are the result of targeted policies and financial incentives by the Chinese government that aim at accelerating the transition towards low-carbon leadership (see also Ydersbond & Korsnes, 2018). However, the motivation to become a leading nation in the energy transition is not exclusively based on development factors.

Research suggests that the shift towards decarbonisation coincided with an increased awareness among Chinese policymakers for environmental degradation and ambient pollution (Engels, 2018; Zhang et al., 2013). However, as Engels (2018) argues, the increase in ETIs is not a direct consequence of a full-fledged sustainability strategy. Instead, it seems to be the side-effect of three political priorities: the increase of energy security through reductions of fossil fuel dependencies, the creation of new revenue streams in a post-carbon economy, and the maintenance of public support through the improvement of air quality and public health. Teng and Wang (2021) further reiterate how the Communist Party's need to maintain its domestic and international performance legitimacy influences the country's commitment to climate change mitigation. Hence, China's sustainability shift ought to be understood against the background of the Communist Party's efforts to safeguard the regime's survival by averting social and economic instability.

The sustainability shift also influences how the country invests in the global energy sector. In their analysis of Chinese investments in the global wind and solar sector, Tan et al. (2013) show that transactions have increased since 2005. Others confirm this tendency towards, and the opportunities of, growing Chinese ETIs (Cabr e et al., 2018; Gopal et al., 2018; Liu et al., 2020). Tan et al. (2013) also identify a distinct investment driver for the renewables sector: As the majority of wind and solar investments are made in electricity generation projects, the authors argue that demand creation for the absorption of domestic surpluses likely functions as another push factor (see also Zhang et al, 2013, p. 343). Thus, China's aim to become a leader in decarbonisation, as well as the country's energy industries' push for expansion abroad, have created a political-economic momentum for Chinese ETIs. This also has consequences for the European energy sector.

2.2 EU-China Energy Investment Relations

Chinese investments in the energy sector began to grow significantly following the Global Financial Crisis (Gopal et al., 2018), and energy investments represent a significant share of Chinese investments in Europe (Kratz et al. 2020). Conrad and Kostka (2017) show that China invests in all European energy-related sectors: grid systems, nuclear, conventional

energy generation, and renewables production and generation. In contrast to Chinese investments in other sectors, in which mergers and acquisitions are the preferred mode of entry (Meunier, 2019), investments in the European renewable energy sector are characterised by a predominance of greenfield investments and joint ventures (Pareja-Alcaraz, P., 2017, p. 707). As Curran et al. (2017a, p. 678) show, this tendency is especially visible for investments in energy generation projects.

Distinctive factors can be identified for Chinese investments in European conventional and renewable energy. Kamiński (2017) and Liedtke (2017) show that conventional energy investments have been motivated by China's need to secure control over fossil fuel supply chains and the aim to build global enterprises. Research on ETIs suggests that their underlying motives are primarily market and technology seeking (Lv & Spigarelli, 2015; Curran et al., 2017a). Interestingly, Curran et al. (2017b) argue that in the case of the European solar sector, technology transfers are no longer of significant importance to Chinese investors. Contrarily, a study on the wind sector by Urban et al. (2015) provides several examples of Chinese transactions that were specifically connected to the European research, design, and manufacturing subsectors. Thus, as Pareja-Alcaraz (2017, pp. 707–708) argues, Chinese ETIs into Europe are likely driven by an emerging double approach of following purely financial returns on the one hand, and more strategic interests on the other.

However, despite the increase in potentially strategic Chinese investments in the European energy sector, and despite the sensitivity of critical infrastructure investments (Rabe & Gippner, 2017), the European perspective on Chinese energy investments remains largely understudied. This is especially puzzling as energy investments disproportionately depend on host countries' regulatory and industrial contexts (Zhang et al., 2011, p. 229, as cited in Lv & Spigarelli, 2016, p. 335). It is only recently that scholars have taken up the issue, and most research forms part of one issue of *Energy Policy* (Conrad & Kostka, 2017). The few contributions to the debate on the European perspective range from research on managerial problems (Vacarini et al., 2017), the legal venues for screening mechanisms (Bungenberg & Hazarika, 2019), to the energy transition's geopolitical implications for the two blocs (Sattich et al., 2021). While highlighting some of the issues that Chinese investments and the regulation thereof entail, these studies shed little light on the formation of public and political preferences regarding such investments.

Some exceptions can be found in Gippner and Torney (2017) and Turcsanyi (2017). For instance, Gippner and Torney (2017) have studied the convergence of energy policy frames between China and the EU. They show how the blocs' energy policy priorities have

continuously converged. This, they argue, opened the door to both more cooperation and competition. Turcsanyi (2017) has applied a similar framework to study Eastern European attitudes to Chinese investments in the energy sector and found that perceptions vary depending on the host country and the scope and intent of investment. However, both studies address the energy sector per se and do not focus on ETIs. Therefore, they give little insight into how China's new role as a globally leading energy transition investor is perceived by European target countries.

The reviewed literature on Chinese investment and energy policies and EU-China energy investment relations provides valuable insights into the motivations and patterns of Chinese investment flows. However, there is a lack of research on the European attitudes towards Chinese investments in the Union's energy transition. While analyses show how China uses ETIs to attain political and economic goals, the issue of how European host countries perceive such investments has received insufficient attention. Thus, the issue of attitudes towards Chinese ETIs seems to be characterised by an emerging "gap between high policy importance and low analytical coverage" (Turcsanyi, 2017, p. 712). With this thesis, I seek to close this gap in the literature on EU-China energy relations by focusing on how member states balance their respective energy transition policy priorities regarding Chinese investments.

3. Towards an Analytical Framework for Studying Energy Investment Frames

Building on the insights from existing scholarship, this section explains the methodological and conceptual choices I have made. First, it addresses the motivations for carrying out a case study and presents Germany as the chosen case. Second, it discusses how frame analysis is used to answer the research question and develops the energy policy framework upon which the analysis is based. Finally, it presents the data used for the analysis.

3.1 Case Selection

To analyse the evolution of European attitudes towards Chinese ETIs, this thesis carries out a case study of a single member state. This choice is based on a twofold reasoning. First, from a methodological point of view, case studies are well-suited for exploratory research that analyses a particular phenomenon in-depth (Johansson, 2020, as cited in Ruddin, 2006, p. 785; see also Gerring, 2004). Given the recency of the increase in Chinese ETIs into Europe and the lack of research on the attitude thereto, a focused single case study can uncover nuanced empirical insights that comparative studies might miss.

Second, the choice for a member state-based case study is informed by the political realities of the EU. Although the Lisbon Treaty has given energy policy the status of a shared competence, the governance of energy supplies is still dominated by national policies (Szulecki et al., 2016). Specifically, Article 194 TFEU (2012) safeguards member states' prerogative to "determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply". Therefore, the decisive attitudes towards Chinese ETIs are likely formed at the national level. Focusing on a member state thus appears suitable to answer the research question.

For the case selection, I follow "information-oriented" (Flyvberg, 2016, p. 230), that is, non-random sampling. This approach allows me to select a particularly relevant case based on its suitability to answer the research question. Specifically, I have chosen to research a typical case since I am mainly interested in the mechanisms at work within the analysed case (see Seawright & Gerring, 2008). Moreover, Toshkov (2016, p. 294) shows that typical case studies are commonly used in exploratory research, which further suggests the appropriateness of this methodological choice against the background of existing research.

Germany between December 2015 and October 2021 is typical of a member state that needs to balance sustainability targets with large Chinese ETIs. While the beginning of the timeframe is given by the conclusion of the Paris Agreement, its end is derived from the official dismissal of the Merkel IV cabinet. The geographical choice is based on three observations. First, Germany was one of the first member states to pursue concrete plans to reduce reliance on fossil fuels through its *Energiewende* (energy transition) programme. Consequently, decarbonisation strategies feature regularly in government discourses (Haas, 2021). Second, Germany has been a primary destination for Chinese ETIs (Lv & Spigarelli, 2015), which arguably entails a greater salience of such investments as compared to less targeted countries. Finally, during the entire timeframe, Germany was governed by a conservative-labour coalition (Merkel III and Merkel IV cabinets). While this continuity cannot entirely rule out endogenous effects such as ministers' personal positions, it nevertheless suggests that observed changes in attitudes are not primarily informed by a change in governing parties. Combined, these three factors make Germany a well-suited case to study the evolution of attitudes towards Chinese ETIs.

3.2 Frame Analysis

The method of analysis is based on similar works by Gippner & Torney (2017) and Turcsanyi (2017). Concretely, I carry out a frame analysis to study through which frames

Chinese ETIs are addressed. A frame is usually understood as an interpretation that gives coherence to a complex set of elements and thereby structures reality (Creed et al., 2002, p. 36; Goffmann, 1974, as cited in Gippner & Torney, 2017, p. 650). In policy research, frames are often studied as problem definitions that can lead to different policy outcomes depending on how they are evoked (Princen, 2011, p. 119; Entmann, 1993, p. 53). Analysing the frames on Chinese ETIs thus means to uncover how different interpretations are used to address the issue.

To study these interpretations and underlying attitudes, I draw from the energy security framework of Sovacool & Brown (2010). As Gippner & Torney (2017, p. 651) argue, it provides a relatively comprehensive framework for studying energy policy preferences and changes therein. This is because the framework attends to a range of potentially decisive frames that can influence decisions on energy investments. Moreover, although the framework has received some methodological criticism (Cherp, 2012; Jewell et al., 2020, p. 254), it has established itself as a widely used point of reference in the energy policy literature (see Dubash & Florini, 2011; Gasser et al., 2020; Gippner & Torney, 2017; McCollum et al., 2013; Turcsanyi, 2017; Yao & Chang, 2014). The framework hence appears to be an appropriate starting point for this thesis' analytical framework.

Basing my analysis on the works of Sovacool and Brown (2010; see also Kruyt et al., 2009; Sovacool & Mukherjee, 2011) allows me to discern the separate policy priorities that may be evoked in relation to Chinese investments in the Union's energy transition. Further, by employing this established framework, the findings of this thesis can be better compared to existing studies, which allows for a richer discussion. However, their framework requires some adaptation before being applied to the issue at hand. First, as the framework has not been devised for renewable energy specifically, it appears necessary to incorporate more recent insights on the framing of climate change, sustainability, and renewable energy (Nisbet, 2009; von Hippel et al., 2011; Wolsink, 2020). And second, the framework does not include political considerations that often feature in discourses on EU-China investment relations, and which may equally influence attitudes (Cotula, 2021; Maher, 2016; Meunier, 2019). I therefore add a fifth frame of political acceptability that accounts for these dynamics. Followingly, I discuss the five frames that form the core of the analysis and extend on them with additional literature where appropriate.

The first frame concerns the conception of "availability". According to Sovacool and Brown (2010, p. 81), it highlights the importance of maintaining sufficient and guaranteed access to energy supplies. Strategies that fall within the availability frame may include the

reduction of foreign dependence for energy imports and technical infrastructure, maximising the exploitation of domestically available energy sources, as well as the prevention of sabotages of critical energy infrastructure, including powerplants and grid systems. Availability may also be framed in terms of diversifying energy supplies, both concerning energy sources and contracted suppliers.

The second frame is that of “affordability”. It emphasises that access to energy for private and industrial customers needs to be affordable, and equitable across consumer classes (Sovacool & Brown, 2010, p. 83). Moreover, as Sovacool and Mukherjee (2011, p. 5345) argue, the affordability frame may also include the goal to keep energy prices stable and thereby predictable.

The third frame has originally been termed “energy and economic efficiency” (Sovacool & Brown, 2010, p. 84). However, this frame received more attention in subsequent work by Sovacool and Mukherjee (2011) who label the frame “technology development and efficiency” (p. 5345). The efficiency frame focuses on improvements in the efficiency of energy use, energy production, and energy transmission. Strategies that pertain to this frame include the support of innovative research on, as well as the development of, more efficient technologies to exploit and harness the available energy sources. Sovacool and Mukherjee (2011, p. 5345) show that efficiency may also be framed regarding infrastructure maintenance to increase the reliability of energy services.

The fourth frame is “environmental stewardship” (Sovacool & Brown, 2010, p. 84) and refers to the sustainability aspect of energy policy. I therefore relabel it the “sustainability” frame. Initially, the frame’s conceptualisation focused on the non-depletion of resource pools (Sovacool & Brown, 2010, p. 84). However, with the effects of anthropogenic climate change and the role of the energy sector therein becoming ever clearer (Rockström et al., 2009; Tong et al., 2019), the sustainability frame has developed accordingly. The focus of the sustainability frame is now the reduction of the environmental impact of energy generation and transmission, including the decline in harmful emissions and the transition from fossil fuels to renewable energy sources (Wolsink, 2020). Goals that fall within the sustainability frame may further include the adherence to international agreements, the protection of public and common goods and the preservation of vulnerable ecosystems (Gippner & Torney, 2017, p. 650; von Hippel et al., 2011, p. 6724).

The special nature of EU-China investment relations prompts the inclusion of a fifth frame. In congruence with the framework’s terminology, I name this frame “political acceptability” (hereafter acceptability). It is based on the observation that the difference

between the European and Chinese political models, unequal market access regulations, as well as diverging norms and values, can undermine effective cooperation between the two blocs (Cotula, 2021, p. 362; Maher, 2016). The political acceptability frame may thus include references to the adherence to international standards, the respect for human rights, and economic reciprocity.

To enable a thorough analysis of member state attitudes towards Chinese ETIs, the frame categories of the extended energy policy framework need to be operationalised. In other words, the frames require “translation into constructs that can be studied empirically” (Toshkov, 2016, p. 83). Since it is unlikely that the data explicitly reference one of the five frames but rather evoke them implicitly, specific indicators must be defined. With the help of these indicators, the different frames can then be better detected. For instance, references to decreasing prices for solar panels may serve as evidence for the affordability frame, and references to the targets of the Paris Agreement may be accredited to the sustainability frame. Table 1 contains an overview of how I have operationalised the five energy policy frames for the purpose of this thesis.

Table 1:
Operationalisation of frames

Frame	Themes	Empirical Indicators
Availability	Exploitation of domestic energy sources, protection of energy supplies, diversifying energy sources and energy suppliers	<ul style="list-style-type: none"> – Increased production capabilities – Energy mix diversification – Safeguarding of grids – Continuity of energy supplies – Better grid connectivity
Affordability	Affordable and equitable access to energy, stability and predictability of energy prices	<ul style="list-style-type: none"> – Cheaper production and stable prices – Increased funding for energy transition projects – Free competition
Efficiency	Efficiency improvements in energy production and use, reliability of energy services	<ul style="list-style-type: none"> – Energy savings – Increase in technological capabilities – Innovation in electricity generation and transmission
Sustainability	Emissions reduction, adherence to international agreements, climate justice, energy transition	<ul style="list-style-type: none"> – Paris Agreement, Nationally Determined Contributions and net-zero targets – Low-carbon energy – Sustainable industry transformation

		– Green leadership and cooperation
Acceptability	Adherence to international trade rules, respect of human rights, different political systems, acceptance of sovereignty	<ul style="list-style-type: none"> – Equal market access – Situation in Xinjiang – Status of Hongkong and Taiwan – Pressure and influence by the Chinese government

Note. The empirical indicators are informed by Cotula, 2021; Gippner & Torney, 2017; Meunier, 2019; Sovacool & Brown, 2010.

Together, the five frame categories allow for a nuanced analysis of how member states frame their positions towards Chinese ETIs. It should be noted that these frames are not mutually exclusive (see also Gippner & Torney, 2017, p. 649), but may overlap and interact with each other. Moreover, within each frame category, positions may be framed on a continuum that ranges from approving to opposing Chinese investments.

To perform the frame analysis, the data is analysed through the five frames. Concretely, the obtained documents are manually coded with the software Atlas.ti according to the frames that they evoke, and the position expressed within each frame. This then permits a quantitative comparison between years, as well as a qualitative in-depth analysis of each frame. The analysis therefore follows a primarily deductive logic, as the content is analysed through *a priori* determined frames (Mayring, 2000). Following this, I outline how the data for the frame analysis was obtained.

3.3 Data Collection

Data for the document analysis is sourced from the websites of the Chancellery, the Federal Ministry for Economic Affairs and Energy, the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, the Federal Foreign Office, and the Parliament¹⁵. To retrieve the documents, a set of Boolean search strings using keywords such as *China*, *renewable energy*, *solar energy*, *wind energy*, *investment*, and *energy transition* was inserted into the search function of their document repositories. Moreover, articles from high-quality newspapers were retrieved by inserting the same search strings into the LexisNexis database and selecting relevant entries that specifically discuss the government’s position on Chinese ETIs in Germany.

¹⁵ Ministry names as of the end of the Merkel IV cabinet

These sources have been further complemented by documents on specific high-profile investments and attempts thereof. To that end, I consulted the Zephyr deals and rumours database and identified four Chinese (attempted) ETIs in Germany, for which I retrieved additional documents. For all document types, only sources that were published during the studied timeframe have been included. The final dataset¹⁶ comprises 30 government documents in the German language¹⁷, including official publications, press releases, speeches, and responses to parliamentary inquiries, as well as 15 German newspaper articles.

To validate and substantiate the findings of the document analysis, I use semi-structured expert interviews as part of a triangulation process. Especially for case studies, method triangulation is often an important part of the research process (Kumar, 2014, p. 127). By combining two methods of data collection, the findings from the distinct materials can be compared with, and complemented by each other. This allows for a more nuanced and better-contextualised analysis. Moreover, through the triangulation with expert interviews specifically, attitudes may be uncovered that remain hidden in official publications.

To identify suitable interviewees, I relied on a combination of expert sampling and snowball sampling (Kumar, 2010, pp. 207–208). Primary interviewees have been approached through professors and personal contacts. In some cases, the interviewees themselves recommended other interviewees who were subsequently contacted. In total, 22 interview requests were sent out, which resulted in three interviews with industry professionals, business representatives, and academics (see Table 2).

Table 2:
List of interviewees

Number	Interviewee’s Functional Position	Language	Date
Interview 1	Industry Representative specialising on China	English	20/05/2022
Interview 2	Former executive in the German energy sector	German	24/05/2022
Interview 3	Researcher on EU-China energy relations	English	03/06/2022

All interviews took place digitally on Zoom and lasted about 30 minutes. They were recorded, transcribed and, if necessary, translated into English¹⁸. The transcripts were then

¹⁶ Dataset available upon request
¹⁷ Statements reproduced in this thesis are translated by the author
¹⁸ Topic guide and transcripts available upon request

coded and analysed following the same deductive approach from the document analysis. All interviewees consented to the recording, transcription, and anonymised reproduction of their statements in this thesis.

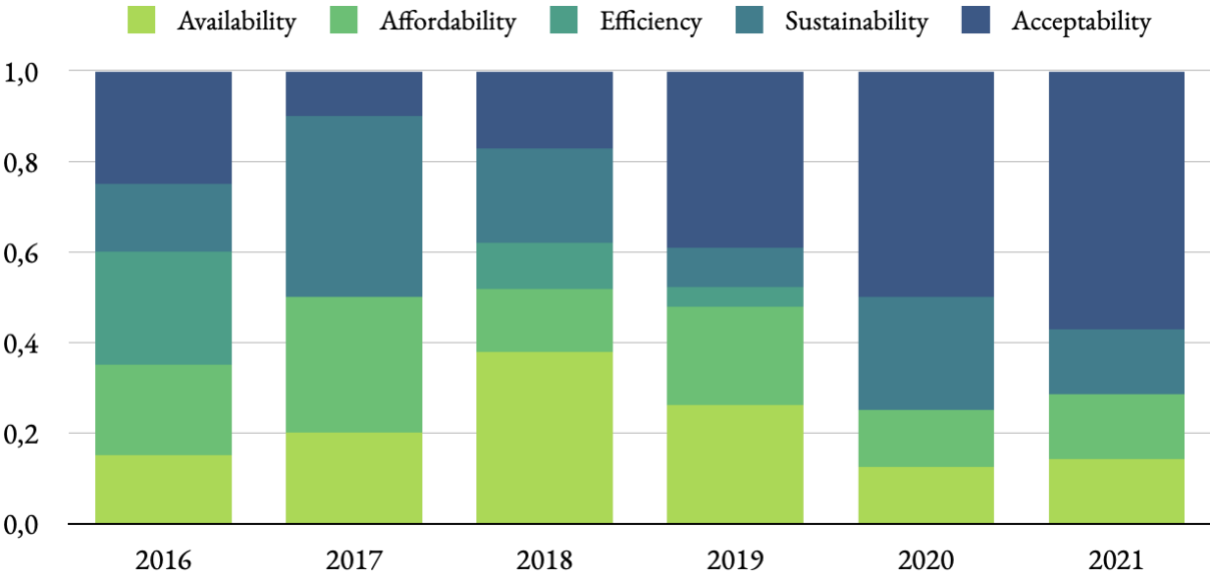
4. Results

This section presents the findings from the frame analysis of government documents and newspaper articles, which are complemented by insights from the expert interviews. I first provide a quantitative assessment of the evolution of evoked frames across the examined timeframe. However, as there have also been considerable changes in attitudes within some frames, I subsequently focus on each frame individually and examine the positions taken therein in-depth.

4.1 Quantitative Analysis

To better understand how attitudes have evolved, I first analyse the different frames quantitatively. Figure 1 shows the frequency of each energy policy frame, relative to the totality of frames identified across all analysed documents for each year. By examining the relative frequency, I account for the fact that for some years, the coding identifies disproportionately more frames than for other years¹⁹. For reasons of completeness, the absolute frequency of frames is shown in Figure 2.

Figure 1: *Relative frequencies of frames*

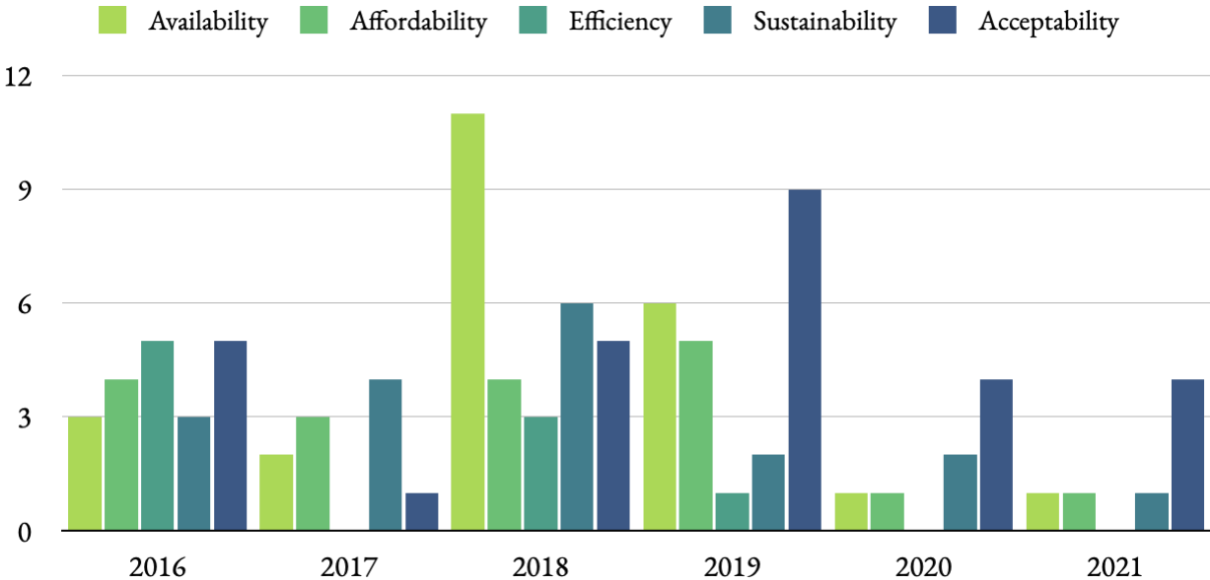


Source: Author’s own work.

¹⁹ Which are due to a higher frame density and a larger number of documents for some years

The quantitative analysis of the coded frames reveals first that, the efficiency frame notwithstanding, all other frames are evoked at least once each year. Second, although the sustainability frame is present across the examined timeframe, it receives no significantly heightened attention compared to the other frames, except in 2017. The relative frequency of 40.0% for 2017 is, however, not indicative of a trend since the frame’s mean frequency prior to, and after 2017 is considerably lower, namely at 16.7%. Third, and contrarily to the sustainability frame, there appears to be a trend towards a focus on acceptability. While receiving only little attention in 2017 (10.0%), the acceptability frame dominates in 2020 (50.0%) and 2021 (57.1%), respectively.

Figure 2: Absolute frequencies of frames



Source: Author’s own work.

The quantitative analysis thus suggests that there has been a considerable shift in the framing of Chinese ETIs. While initially all five frames featured somewhat evenly, the discourse then became characterised by a focus on availability, only to be subsequently dominated by increasing references to the acceptability of such investments. This change in attitudes becomes even more apparent in the frames’ qualitative analysis, to which I turn next.

4.2 Qualitative Analysis

4.2.1 Availability

Within the availability frame, two diverging perspectives have been identified. Interestingly, these perspectives have not featured concurrently but followed upon each other. Whereas early references framed Chinese investments as being conducive to energy availability, later documents referred to such investment as potentially availability-undermining.

Statements that framed Chinese investments as availability-supporting have focused on potential synergies of Sino-German cooperation, as well as on the gaps in domestic spending that these investments could fill. For example, a 2016 government publication on the Sino-German Energy Partnership framed cooperation and investment as enhancing Germany's security of sustainable energy supplies (BMW_i, 2016). Similarly, a 2017 ministerial press statement emphasised the shared goal to ensure a "secure ... energy supply" (BMW_i, 2017). Chinese investments were further framed as providing funding for the national energy infrastructure to accelerate and upscale the energy transition (Interviewee 2; Merkel, 2019a; Sigmund & Stratmann, 2018). Comparably positive framings were also observed for Chinese investment activity in the subsector of energy production, for instance concerning a takeover of a German wind park by China Three Gorges (Preuß, 2016).

The turn towards more negative attitudes within the availability frame took place primarily in 2018 and was prompted by a change in the Chinese investment focus. Thus far, most investments into German energy targeted the generation and technology sectors (Interview 3). In early 2018, however, the state-owned State Grid Corporation of China (SGCC) tried to acquire a 20% stake in 50Hertz, one of the four grid providers operating in Germany. While the government first classified the transaction as unproblematic (Bundesregierung, 2018a), the following months saw a reframing of this transaction as undermining the stability and safety of critical infrastructure that is indispensable for securing energy supplies (Bundesregierung, 2018b; Merkel, 2018; Wetzels, 2018). Within the media, the transaction was further framed as the continuation of China's pursuit of a global energy grid, which would ultimately make SGCC "a dominant actor in the European energy grid" (Gersemann, 2018). The concern that such investments could limit host countries' security of energy supplies was shared by interviewee 2, too.

Beyond the attempted 50Hertz investment, Chinese investments were also increasingly framed as limiting the availability of green energy. This happened in reference to the dominant position that state-owned and state-supported companies can exercise if they invest

in European energy (Altmeier, 2019), as well as the dependence on China as a major supplier of technological and financial input for the green transition (Maas, 2020; Interview 3). Thus, while Chinese investments were initially framed as increasing the availability of sustainable energy, China's more assertive investment approach and the awareness of a new emerging dependency on China's market power have progressively led to a new perspective that framed investments as potentially undermining Germany's energy availability.

4.2.2 Affordability

Though not dominating the discourse, perspectives within the affordability frame generally supported Chinese ETIs. Within the frame, China was often referenced as the country that has commercialised energy transition technologies which it had previously acquired abroad (Merkel, 2019b). Through economies of scale, this commercialisation entailed a global decline in the price of available technologies, and thus led to welcome reductions in energy unit prices (Altmeier, 2019; Merkel, 2019b).

For instance, China's investments in renewable energy technologies, including in European solar panels and windmills, were portrayed as a major driver of cost reductions in the energy transition, both through innovation and increased competition for Western manufacturers (Witsch, 2020; Interviews 2, 3). This effect was also acknowledged in a 2017 speech by Merkel, in which she emphasised cost reductions in the solar sector and general cost savings that can be achieved through investments in advanced energy technologies (Merkel, 2017). Moreover, the reductions in the unit price of energy were also framed as ensuring the long-term competitiveness of the German industry (Bundesregierung, 2019) and as decreasing the budget pressure on private households (Witsch, 2018).

4.2.3 Efficiency

Perspectives falling into the efficiency frame have often overlapped with the affordability frame. This is mainly as efficiency improvements were frequently mentioned with reference to associated cost reductions. Nevertheless, the analysis also identified perspectives that can be distinctively ascribed to the efficiency and innovation frame. These perspectives mostly revolved around the bottleneck for the German energy transition: transmission grids. As Merkel expressed in 2019, Germany lags in the deployment of advanced transmission technologies that are necessary to transport energy over large distances (Merkel, 2019a). Further press statements and newspaper articles reiterated the necessity of increasing the capacity of the electricity grid and energy efficiency throughout the entire

system, especially as intermittent energy sources such as wind and solar require more versatile and robust transmission infrastructure (Sha Hua & Witsch, 2018; Sigmund & Stratmann, 2018).

It is in this vein that Chinese investments have been framed as a chance for Germany to benefit from China's experience and expertise (BMW, 2016), since, as one interviewee put it, "the Chinese are at least as good or even better [in energy technology]" (Interview 2). Most European states, including Germany, rely on high voltage transmission technology that operates at up to 800 kilovolts. Concurrently, China has established itself as the leading nation in the development of ultra-high voltage transmission lines operating at greater than 800 kilovolts. Investments, such as the attempted one in 50Hertz were thus framed as a chance to deploy such "energy highways" (Sigmund & Stratmann, 2018) in Europe.

4.2.4 Sustainability

Though not the most frequently evoked frame, references within the sustainability frame largely induced cooperation and investment and further highlighted the increasing importance of China for the energy transition. As Interviewee 1 stated: "There is no energy transition that Germany is talking about without China. ... You can't circumvent China when it comes to [the] energy transition". Similar positions could be found in government documents, which framed the Sino-German Energy Partnership with reference to climate change mitigation (BMW, 2016). Similarly, in response to a 2020 parliamentary enquiry, the government repeated its 2017 commitment (Bundesregierung, 2017) to increase the sustainability of the German and Chinese energy systems respectively, inter alia through increased cooperation and integration between the two countries (Bundesregierung, 2020).

The sustainability frame was also evoked in the discussion of concrete technology and infrastructure investments. Chinese investments in solar energy are considered a necessity for the European energy transition, not least because "China is very good at developing certain renewable energy technologies" (Interview 3). For example, in a 2017 speech, Merkel endorsed associated cost reductions for solar panels as a catalyst for the decarbonisation of the German energy system and states that an increase in ETIs is necessary for attaining the goals of the Paris Agreement (Merkel, 2017). Similarly, the attempted investment of SGCC into the grid provider 50Hertz has been framed by the latter's Chief Executive as an opportunity to advance the decarbonisation of Germany's energy system (Sigmund & Stratmann, 2018).

4.2.5 Acceptability

Most references within the acceptability frame were characterised by a sceptical position towards Chinese investments. They revolved around three key themes of fair market conditions, human rights, and China's political system. Comments on investments' acceptability because of market conditions featured evenly across the examined timeframe and focused on the issue of reciprocity. For instance, the government lamented that access for German investors to China is more difficult than vice versa (Gabriel, 2017; Merkel, 2018; Bundesregierung, 2020). In 2016, the Minister for the Environment stressed "that equal treatment of domestic and foreign firms is necessary to ensure that the positive potential of structural change can be fully realised" (BMUV, 2016). Such concerns were also shared by interviewee 2, remarking that they "don't know of any German investments in the Chinese grid". The government further expressed concern about unfair market conditions for Chinese state-owned and state-supported companies, especially regarding harmful dumping practices (Gabriel, 2016; BMWi, 2020). As interviewee 1 stated, these investments present the "potential for losing the competitive edge" against China.

The framing of investments' acceptability with reference to human rights has emerged only recently. In September 2019, Merkel remarked in a speech to the *Bundestag* that
Germany would do well to maintain contacts with China in all areas, economically, but also in the various dialogue formats that we have - rule of law dialogue, human rights dialogue ... During my visit, I again pointed out that respect for human rights is indispensable for us. (Merkel, 2019c)

Following the revelations about human rights violations against the Uyghurs minority in Xinjiang, the discourse has become more negative, with members of the executive and the legislative calling for a stronger and more critical engagement with China (Karnitschnig, 2020; Maas, 2020). The human rights focus is especially pertinent for the energy transition and Chinese involvement therein, as Xinjiang is an important node in international value chains for solar panels, and materials originating from there have been found in German-built solar panels and German solar parks (Heide et al., 2021; Schaudwet, 2021).

References to China's political system were not as frequent. They nevertheless reveal some important attitudes. For instance, China's political system and its difficult status of being both partner and rival have been brought up in the discourse to explain the government's opposition to the 50Hertz investment by SGCC. As interviewee 2 stressed, "with China, you have to realise that there is not just an economic component, there is always a political component, and that should be kept in mind in every decision". In this vein, one newspaper article cited concerns that China may use the investment to gain insights into

“sensitive security plannings” (Wetzel, 2018) for the German electricity grid. Another article highlighted that different from the Netherlands, whose state-owned enterprise Tennet owns one of the other four German grids, China is not a security partner and should thus be measured against different benchmarks (Gersemann, 2018).

5. Discussion

Having analysed the five energy policy frames in the previous section, it is now possible to discuss the findings in light of the research question. By embedding the findings in existing literature, this section shows how German attitudes towards Chinese ETIs have evolved since the conclusion of the Paris Agreement, and how this is indicative of developments on the European level. To do so, I reflect on the trends underlying the change in attitudes and on the German response to Chinese ETIs.

5.1 A Convergence of Trends

The analysis has revealed that, at first, Chinese ETIs were framed evenly across frame categories and mostly positively. However, since 2018, this positive framing has gradually given way to a significantly more negative attitude that views these investments as largely detached from the sustainability issue and instead focuses on acceptability and on safeguarding availability. Arguably, the increasingly sceptical perception of Chinese ETIs is the consequence of two intersecting trends, namely a general deterioration of EU-China investment relations and the geopoliticisation of energy transitions.

First, the growing importance of the acceptability frame and the issues raised therein suggest that policymakers and the public increasingly take issue with China as the source of investments. This notion appears to be directly connected to frustrations by the government and the industry about unfulfilled promises regarding equal market access. It has recently been exacerbated by the struggles of the EU and its member states to balance economic dependencies on China with appropriate reactions to ever stronger evidence of human rights violations in Xinjiang. The findings of this thesis are thus indicative of a “China effect” (Babić & Dixon, 2022, p. 112), that is, a broader European trend towards a more apprehensive outlook on investments from China (see also Bungenberg & Hazarika, 2019). However, the analysis also suggests that the growing aversion towards Chinese investments per se does not fully capture the dynamics that have shaped the change in attitudes towards ETIs. Instead, the shift is further influenced by changes within the politics of energy transitions.

The analysis highlights how ETIs have gradually left the protected sphere of technical discussions and net-zero strategies, and instead entered the world of geopolitics. The shift within the availability frame is exemplary of this change. While initially referred to as enablers of improved and increased green energy supplies, investments are increasingly framed as potentially nudging the Union's energy system into a new dependency on China, which eventually bears the risk of being weaponised. In this regard, the findings are consistent with those of Turcsanyi (2017), namely that investments are more prone to be perceived negatively if they evoke concerns over strategic assets and the loss of autonomy. They further support the argument that energy transitions have developed a distinctly geopolitical notion that can no longer be separated from the issue of climate change mitigation (Herranz-Surrallés, 2022). The case of Chinese ETIs into Europe thus clearly exhibits a convergence of two contentious trends –a complication of EU-China investment relations and a geopoliticisation of energy transitions– that require careful strategic balancing by both policymakers and businesses.

5.2 The Missing Strategy

Given these two trends and the general sensitivity of energy investments (Rabe & Gippner, 2017), it is rather surprising that the political public discourses have remained mostly reactionary. The analysis suggests that, instead of being derived from a coherent strategy, positions on Chinese energy investments have often been formed ad-hoc. As negative discussions of Chinese ETIs mostly feature in direct relation to specific investments, it appears that attitudes have often been adapted on a case-by-case basis. This impression is further underlined by instances in which attitudes have changed remarkably within a short time, as was the case with the 50Hertz investment. Moreover, the findings also indicate that positions were not sufficiently coordinated within and among ministries, which has led to additional ambiguity in the framing of Chinese ETIs.

Arguably, this incoherence and lack of a strategic approach towards China as a provider of ETIs have undermined the effective calibration of an already difficult relationship. In other words, the Merkel government did not develop a coherent strategy that would systematically guide the country's approach to Chinese ETIs. Interestingly, this awareness has now been taken up by the new Scholz government, which is currently in the process of preparing a comprehensive and cross-ministerial China strategy.

6. Conclusion

The rise of China as a leading global investor in energy transitions presents both chances and risks to the EU and its member states as they aim to achieve carbon neutrality by 2050. To better understand the balancing of policy priorities, this thesis examined how European attitudes towards Chinese energy transition investments have developed since the conclusion of the Paris Agreement, focusing on Germany as a typical case. It did so by applying an extended energy policy framework to a dataset of government documents and newspaper articles, which have been complemented by expert interviews for further contextualisation and validation.

The analysis demonstrated that, between 2015 and 2021, the frames on Chinese ETIs shifted towards a greater emphasis on investments' political acceptability and the safeguarding of energy availability. It has further shown that attitudes have become considerably more negative, most notably since 2018. Initially, Chinese ETIs into Germany have been framed as an opportunity for building a more sustainable and cost-efficient energy system. Gradually, however, these perspectives have been side-lined by concerns over economic disadvantages for domestic industries, China's human rights track record, and the vulnerability of critical energy infrastructure. These findings, I argue, are indicative of two broader trends that converge in the case of Chinese ETIs. First, European host countries have become more cautious about China as the source of investments. And second, geopolitical considerations increasingly seem to influence policies on the energy transition and investments therein.

Some limitations to this research require attention. As I relied on a deductive approach in which frames were defined *a priori* and then applied to the dataset, the analysis is already channelled into a given direction and may therefore be oblivious to perspectives that are beyond the framework's scope. However, I addressed this limitation in the qualitative within-frame analysis by allowing for the inductive identification of themes and nuances that the framework did not initially account for. Moreover, although great care was given to completing a comprehensive and transparent sourcing and coding process, the manual selection and analysis of documents may be influenced by personal bias. The margin of error due to bias, however, was minimised through the triangulation with expert interviews which confirmed the findings from the document analysis. Last, this thesis would have benefitted from the insights of officials and policymakers. Having their insights included in the triangulation process would have enabled me to further discern dynamics that led to the observed change in attitudes. Future studies may thus extend this research by zooming in on

the mechanisms underlying the government's preference changes or by zooming out and validating the findings in larger comparative designs.

Nevertheless, this thesis made important contributions to the academic debate on EU-China energy and investment relations. Conceptually, it devised an advanced analytical framework that acknowledges that energy policy is intrinsically embedded in the dynamics of international relations, and hence allows for an effective study of policy preferences towards EU-China energy investment relations. Empirically, this thesis presents one of the first studies on the perception of Chinese investments in the increasingly geopoliticised sector of energy transitions. The findings have implications for German and European policymakers alike. Although some adaptations seem to be taking place recently, policymakers would nevertheless benefit from a more strategic assessment and recalibration of energy and energy transition relations with China. By acknowledging the unsustainability of existing approaches and by formulating a clear, coherent strategy, the EU and its member states could use Chinese ETIs to their benefit while reducing the risk of renewed dependencies and political pitfalls.

References

- Ajadi, T., Cuming, V., Boyle, R., Strahan, D., Kimmel, M., & Logan, M. (2020). *Global Trends in Renewable Energy Investment 2020*. Frankfurt School-UNEP Centre/BNEF. https://www.fs-unep-centre.org/wp-content/uploads/2020/06/GTR_2020.pdf
- Altmeier, P. (2019, May). *Rede des Bundesministers für Wirtschaft und Energie, Peter Altmaier, in der Aktuellen Stunde zum Stand der Wirtschaftsverfassung Deutschlands vor dem Deutschen Bundestag [Speech by the Federal Minister for Economic Affairs and Energy, Peter Altmaier, in the Current Affairs Hour on the State of Germany's Economic Constitution before the German Bundestag]* (Bulletin Nr. 57–2). Bundesregierung (Federal Government).
- Babić, M., & Dixon, A. D. (2022). Is the China Effect Real? Ideational Change and the Political Contestation of Chinese State-Led Investment in Europe. *The Chinese Journal of International Politics*, 15(2), 111–139. <https://doi.org/10.1093/cjip/poac009>
- BMUV. (2016, December 7). *Bundesumweltministerin Hendricks leitet Sitzung des Umweltbeirats der chinesischen Regierung [Federal Minister for the Environment Hendricks chairs meeting of the Environmental Advisory Council of the Chinese Government]*. Bundesministerium für Umwelt, Naturschutz, nukleare Sicherheit und Verbraucherschutz [Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection]. Retrieved 15 May 2022, from <https://www.bmuv.de/pressemitteilung/bundesumweltministerin-hendricks-leitung-des-umweltbeirats-der-chinesischen-regierung>
- BMWi. (2016, October). *Deutsch-Chinesische Energiepartnerschaft [Sino-German Energy Partnership]*. Bundesministerium für Wirtschaft und Energie (Federal Ministry for Economic Affairs and Energy). <https://www.bmwk.de/Redaktion/DE/Publikationen/Energie/deutsch-chinesische-energiepartnerschaft.html>
- BMWi. (2017, June 2). *Austausch mit China zur Energiewende – Staatssekretär Baake traf NDRC-Vizeminister Hu Zucai [Exchange with China on the energy transition - State Secretary Baake met NDRC Vice Minister Hu Zucai]*. Bundesministerium Für Wirtschaft Und Klimaschutz (Federal Ministry for Economic Affairs and Climate Action). Retrieved 16 May 2022, from <https://www.bmwk.de/Redaktion/DE/Pressemitteilungen/2017/20170602-baake-trifft-ndrc-vize-hu-zucai.html>
- BMWi. (2020, November 9). *Bundesminister Altmaier leitet Videokonferenz der*

- Handelsministerinnen und -minister*
[Federal Minister Altmaier chairs video conference of trade ministers]. Bundesministerium für Wirtschaft und Klimaschutz (Federal Ministry for Economic Affairs and Climate Action). Retrieved 17 May 2022, from <https://www.bmwk.de/Redaktion/DE/Pressemittelungen/2020/11/20201109-altmaier-leitet-videokonferenz-der-handelsministerinnen-und-minister.html>
- Buckley, P. J., Clegg, L. J., Cross, A. R., Liu, X., Voss, H., & Zheng, P. (2007). The determinants of Chinese outward foreign direct investment. *Journal of International Business Studies*, 38(4), 499–518. <https://doi.org/10.1057/palgrave.jibs.8400277>
- Bundesregierung. (2017, March). *Antwort der Bundesregierung auf die Große Anfrage der Abgeordneten Jürgen Trittin, Dr. Frithjof Schmidt, Oliver Krischer, weiterer Abgeordneter und der Fraktion BÜNDNIS 90/DIE GRÜNEN* [Answer of the Federal Government to the big enquiry of the Members of Parliament Jürgen Trittin, Dr. Frithjof Schmidt, Oliver Krischer, further Members of Parliament and the parliamentary group BÜNDNIS 90/DIE GRÜNEN] (Drucksache 18/11694). Deutscher Bundestag.
- Bundesregierung. (2018a, April). *Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Katharina Dröge, Kerstin Andreae, Oliver Krischer, weiterer Abgeordneter und der Fraktion BÜNDNIS 90/DIE GRÜNEN* [Answer by the Federal Government to the small enquiry by Katharina Dröge, Kerstin Andreae, Oliver Krischer, other MPs and the parliamentary group BÜNDNIS90/DIE GRÜNEN] (Drucksache 19/1600). Deutscher Bundestag.
- Bundesregierung. (2018b, September). *Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Reinhard Houben, Michael Theurer, Thomas L. Kemmerich, weiterer Abgeordneter und der Fraktion der FDP* [Answer of the Federal Government to the small enquiry by the Members of Parliament Reinhard Houben, Michael Theurer, Thomas L. Kemmerich, other Members of Parliament and the FDP parliamentary group] (Drucksache 19/4195). Deutscher Bundestag.
- Bundesregierung. (2019, April). *Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Ulrich Oehme, Dietmar Friedhoff, Markus Frohnmaier, weiterer Abgeordneter und der Fraktion der AfD* [Answer of the Federal Government to the small enquiry by Ulrich Oehme, Dietmar Friedhoff, Markus Frohnmaier, other deputies and the AfD parliamentary group] (Drucksache 19/8137). Deutscher Bundestag.
- Bundesregierung. (2020, June). *Antwort der Bundesregierung auf die Große Anfrage der Abgeordneten Jürgen Trittin, Katharina Dröge, Margarete Bause, weiterer Abgeordneter und der Fraktion BÜNDNIS 90/DIE GRÜNEN* [Answer of the Federal Government to the big enquiry of the Members of Parliament Jürgen Trittin, Katharina Dröge, Margarete Bause, further Members of Parliament and the parliamentary group BÜNDNIS 90/DIE GRÜNEN] (Drucksache 19/20346). Deutscher Bundestag.
- Bungenberg, M., & Hazarika, A. (2019). Chinese Foreign Investments in the European Union Energy Sector: The Regulation of Security Concerns. *The Journal of World Investment & Trade*, 20(2–3), 375–400. <https://doi.org/10.1163/22119000-12340136>
- Cabré, M. M., Gallagher, K. P., & Li, Z. (2018). Renewable Energy: The Trillion Dollar Opportunity for Chinese Overseas Investment. *China & World Economy*, 26(6), 27–49. <https://doi.org/10.1111/cwe.12260>
- Cherp, A. (2012). Defining energy security takes more than asking around. *Energy Policy*, 48, 841–842. <https://doi.org/10.1016/j.enpol.2012.02.016>
- Conrad, B., & Kostka, G. (2017). Chinese investments in Europe’s energy sector: Risks and opportunities? *Energy Policy*, 101, 644–648. <https://doi.org/10.1016/j.enpol.2016.12.016>
- Consolidated version of the Treaty on the Functioning of the European Union (TFEU). (2012, October 26). *Official Journal of the European Union*, C326/47–390.
- Cotula, L. (2021). EU–China Comprehensive Agreement on Investment: An Appraisal of its Sustainable Development Section. *Business and Human Rights Journal*, 6(2), 360–367. <https://doi.org/10.1017/bhj.2021.16>
- Creed, W. E. D., Langstraat, J. A., & Scully, M. A. (2002). A Picture of the Frame: Frame Analysis as Technique and as Politics. *Organizational Research Methods*, 5(1), 34–55.

- <https://doi.org/10.1177/1094428102005001004>
- Curran, L., Lv, P., & Spigarelli, F. (2017a). Chinese investment in the EU renewable energy sector: Motives, synergies and policy implications. *Energy Policy*, *101*, 670–682.
<https://doi.org/10.1016/j.enpol.2016.09.018>
- Curran, L., Lv, P., & Spigarelli, F. (2017b). More heat than light? Renewable energy policy and EU–China solar energy relations. *International Journal of Ambient Energy*, *38*(5), 471–480.
<https://doi.org/10.1080/01430750.2016.1195775>
- Deng, P. (2007). Investing for strategic resources and its rationale: The case of outward FDI from Chinese companies. *Business Horizons*, *50*(1), 71–81.
<https://doi.org/10.1016/j.bushor.2006.07.001>
- Dubash, N. K., & Florini, A. (2011). Mapping Global Energy Governance. *Global Policy*, *2*, 6–18.
<https://doi.org/10.1111/j.1758-5899.2011.00119.x>
- Engels, A. (2018). Understanding how China is championing climate change mitigation. *Palgrave Communications*, *4*(1).
<https://doi.org/10.1057/s41599-018-0150-4>
- Entman, R. M. (1993). Framing: Toward Clarification of a Fractured Paradigm. *Journal of Communication*, *43*(4), 51–58.
<https://doi.org/10.1111/j.1460-2466.1993.tb01304.x>
- Flyvbjerg, B. (2006). Five Misunderstandings About Case-Study Research. *Qualitative Inquiry*, *12*(2), 219–245.
<https://doi.org/10.1177/1077800405284363>
- Gabriel, S. (2016, April). *Rede des Bundesministers für Wirtschaft und Energie, Sigmar Gabriel, zum Thema „Stahlindustrie in Deutschland und Europa stärken“ vor dem Deutschen Bundestag [Speech by the Federal Minister for Economic Affairs and Energy, Sigmar Gabriel, on ‘Strengthening the Steel Industry in Germany and Europe’ to the German Bundestag]* (Bulletin Nr. 46–1). Bundesregierung (Federal Government).
- Gabriel, S. (2017, March). *Rede des Bundesministers des Auswärtigen, Sigmar Gabriel, beim 97. „Liebesmahl“ des Ostasiatischen Vereins e.V. [Speech by the Federal Minister for Foreign Affairs, Sigmar Gabriel, at the 97th ‘Liebesmahl’ of the East Asian Association e.V.]* (Bulletin Nr. 35–1). Bundesregierung (Federal Government).
- Gasser, P., Suter, J., Cinelli, M., Spada, M., Burgherr, P., Hirschberg, S., Kadziński, M., & Stojadinović, B. (2020). Comprehensive resilience assessment of electricity supply security for 140 countries. *Ecological Indicators*, *110*, 105731.
<https://doi.org/10.1016/j.ecolind.2019.105731>
- Gerring, J. (2004). What Is a Case Study and What Is It Good for? *American Political Science Review*, *98*(2), 341–354.
<https://doi.org/10.1017/s0003055404001182>
- Gersemann, O. (2018, July 30). 50Hertz-Deal: „In China erreicht die Industriepolitik ein ganz anderes Ausmaß“ [50Hertz deal: ‘In China, industrial policy reaches a completely different level’]. *Die Welt*. Retrieved 30 May 2022, from <https://www.welt.de/wirtschaft/article180196102/50Hertz-Deal-In-China-erreicht-die-Industriepolitik-ein-ganz-anderes-Ausmass.html>
- Gippner, O., & Torney, D. (2017). Shifting policy priorities in EU-China energy relations: Implications for Chinese energy investments in Europe. *Energy Policy*, *101*, 649–658.
<https://doi.org/10.1016/j.enpol.2016.09.043>
- Gopal, S., Pitts, J., Li, Z., Gallagher, K., Baldwin, J., & Kring, W. (2018). Fueling Global Energy Finance: The Emergence of China in Global Energy Investment. *Energies*, *11*(10), 2804.
<https://doi.org/10.3390/en11102804>
- Gulley, A. L., McCullough, E. A., & Shedd, K. B. (2019). China’s domestic and foreign influence in the global cobalt supply chain. *Resources Policy*, *62*, 317–323.
<https://doi.org/10.1016/j.resourpol.2019.03.015>
- Haas, T. (2021). From Green Energy to the Green Car State? The Political Economy of Ecological Modernisation in Germany. *New Political Economy*, *26*(4), 660–673.
<https://doi.org/10.1080/13563467.2020.1816949>
- Heide, D., Koch, M., & Witsch, K. (2021, July 2). Solarbranche in Erklärungsnot [Solar industry in need of explanation]. *Handelsblatt*, *3*.
- Henderson, J., Feldmann, M., & Graaff, N. (2021). The Wind from the East: China and

- European Economic Development. *Development and Change*, 52(5), 1047–1065.
<https://doi.org/10.1111/dech.12678>
- Herranz-Surrallés, A. (2022, April). *The EU Energy Transition in a Geopoliticising World*. Paper Presented at the ECPR Joint Sessions, Ghent, April 2022.
- Hurst, L. (2011). Comparative Analysis of the Determinants of China's State-owned Outward Direct Investment in OECD and Non-OECD Countries. *China & World Economy*, 19(4), 74–91.
<https://doi.org/10.1111/j.1749-124x.2011.01251.x>
- IRENA. (2021, August). *Renewable Energy Statistics 2021*. International Renewable Energy Agency.
<https://irena.org/publications/2021/Aug/Re-newable-energy-statistics-2021>
- Jewell, J., Brutschin, E., & Allison, J. E. (2020). The Politics of Energy Security. In K. J. Hancock (Ed.), *The Oxford Handbook of Energy Politics* (pp. 249–274). Oxford University Press.
<https://doi.org/10.1093/oxfordhb/9780190861360.001.0001>
- Jewell, J., Cherp, A., & Riahi, K. (2014). Energy security under de-carbonization scenarios: An assessment framework and evaluation under different technology and policy choices. *Energy Policy*, 65, 743–760.
<https://doi.org/10.1016/j.enpol.2013.10.051>
- Kamiński, T. (2017). Sovereign Wealth Fund investments in Europe as an instrument of Chinese energy policy. *Energy Policy*, 101, 733–739.
<https://doi.org/10.1016/j.enpol.2016.09.033>
- Karnitschnig, M. (2020, September 11). How Germany opened the door to China — and threw away the key. *POLITICO*. Retrieved 30 May 2022, from
<https://www.politico.eu/article/germany-china-economy-business-technology-industry-trade-security/>
- Kratz, A., Huotari, M., Hanemann, T., & Arcesati, R. (2020, April). *Chinese FDI in Europe: 2019 Update*. Rhodium Group (RHG)/Mercator Institute for China Studies (MERICS).
<https://merics.org/en/report/chinese-fdi-europe-2019-update>
- Kruyt, B., van Vuuren, D., de Vries, H., & Groenou, H. (2009). Indicators for energy security. *Energy Policy*, 37(6), 2166–2181.
<https://doi.org/10.1016/j.enpol.2009.02.006>
- Kumar, R. (2010). *Research Methodology: A Step-by-Step Guide for Beginners* (3rd ed.). SAGE Publications.
- Lechtenböhrer, S., Nilsson, L. J., Åhman, M., & Schneider, C. (2016a). Decarbonising the energy intensive basic materials industry through electrification – Implications for future EU electricity demand. *Energy*, 115, 1623–1631.
<https://doi.org/10.1016/j.energy.2016.07.110>
- Lechtenböhrer, S., Nilsson, L. J., Åhman, M., & Schneider, C. (2016b). Decarbonising the energy intensive basic materials industry through electrification – Implications for future EU electricity demand. *Energy*, 115, 1623–1631.
<https://doi.org/10.1016/j.energy.2016.07.110>
- Liedtke, S. (2017). Chinese energy investments in Europe: An analysis of policy drivers and approaches. *Energy Policy*, 101, 659–669.
<https://doi.org/10.1016/j.enpol.2016.09.037>
- Liu, H., Wang, Y., Jiang, J., & Wu, P. (2020). How green is the “Belt and Road Initiative”? – Evidence from Chinese OFDI in the energy sector. *Energy Policy*, 145, 111709.
<https://doi.org/10.1016/j.enpol.2020.111709>
- Lu, J., Liu, X., & Wang, H. (2011). Motives for Outward FDI of Chinese Private Firms Firm Resources, Industry Dynamics, and Government Policies. *Management and Organization Review*, 7(2), 223–248.
<https://doi.org/10.1111/j.1740-8784.2010.00184.x>
- Lv, P., & Spigarelli, F. (2015). The integration of Chinese and European renewable energy markets: The role of Chinese foreign direct investments. *Energy Policy*, 81, 14–26.
<https://doi.org/10.1016/j.enpol.2015.01.042>
- Lv, P., & Spigarelli, F. (2016). The determinants of location choice. *International Journal of Emerging Markets*, 11(3), 333–356.
<https://doi.org/10.1108/ijem-09-2014-0137>
- Maas, H. (2020, July). *Rede des Bundesministers des Auswärtigen, Heiko Maas, beim Digitalen Jahrestreffen des Rates des „European Council for Foreign Relations“ (ECFR) [Speech by the Federal Minister for Foreign Affairs, Heiko Maas, at the Annual Digital Meeting of the Council of the European Council for Foreign Relations (ECFR)]* (Bulletin Nr. 75–2). Bundesregierung (Federal Government).

- Maher, R. (2016). The elusive EU-China strategic partnership. *International Affairs*, 92(4), 959–976. <https://doi.org/10.1111/1468-2346.12659>
- Mayring, P. (2000). Qualitative Content Analysis. *Forum Qualitative Sozialforschung / Forum: Qualitative Social Research*, 1(2), 1–10.
- McCollum, D. L., Krey, V., Riahi, K., Kolp, P., Grubler, A., Makowski, M., & Nakicenovic, N. (2013). Climate policies can help resolve energy security and air pollution challenges. *Climatic Change*, 119(2), 479–494. <https://doi.org/10.1007/s10584-013-0710-y>
- Merkel, A. (2017, May). *Rede von Bundeskanzlerin Dr. Angela Merkel beim 8. Petersberger Klimadialog [Speech by Federal Chancellor Dr Angela Merkel at the 8th Petersberg Climate Dialogue]* (Bulletin Nr. 58–1). Bundesregierung (Federal Government).
- Merkel, A. (2018, September). *Rede von Bundeskanzlerin Dr. Angela Merkel beim Tag der Deutschen Industrie [Speech by Federal Chancellor Dr Angela Merkel at the Day of German Industry]* (Bulletin Nr. 100–1). Bundesregierung (Federal Government). <https://www.bundesregierung.de/resource/blob/975954/1532658/d56f0cb723936751f13a7277b60caf4d/100-1-bkin-industrie-data.pdf?download=1>
- Merkel, A. (2019a, May). *Rede von Bundeskanzlerin Dr. Angela Merkel beim 10. Petersberger Klimadialog [Speech by Federal Chancellor Dr Angela Merkel at the 10th Petersberg Climate Dialogue]* (Bulletin Nr. 62–2). Bundesregierung (Federal Government). <https://www.bundesregierung.de/breg-de/service/bulletin/rede-von-bundeskanzlerin-dr-angela-merkel-1611332>
- Merkel, A. (2019b, September). *Rede von Bundeskanzlerin Dr. Angela Merkel beim Kongress „Klimaschutz, Technik, Innovation“ [Speech by Federal Chancellor Dr Angela Merkel at the ‘Climate Protection, Technology, Innovation’ Congress]* (Bulletin Nr. 110–1). Bundesregierung (Federal Government).
- Merkel, A. (2019c, September). *Rede von Bundeskanzlerin Dr. Angela Merkel zum Haushaltsgesetz 2020 vor dem Deutschen Bundestag [Speech by Federal Chancellor Dr Angela Merkel on the Budget Act 2020 before the German Bundestag]* (Bulletin Nr. 100–1). Bundesregierung (Federal Government).
- Meunier, S. (2019). Chinese Direct Investment in Europe: Economic Opportunities and Political Challenges. In K. Zeng (Ed.), *Handbook on the International Political Economy of China* (pp. 98–112). Edward Elgar Publishing.
- Nisbet, M. C. (2009). Communicating Climate Change: Why Frames Matter for Public Engagement. *Environment: Science and Policy for Sustainable Development*, 51(2), 12–23. <https://doi.org/10.3200/envt.51.2.12-23>
- Pareja-Alcaraz, P. (2017). Chinese investments in Southern Europe’s energy sectors: Similarities and divergences in China’s strategies in Greece, Italy, Portugal and Spain. *Energy Policy*, 101, 700–710. <https://doi.org/10.1016/j.enpol.2016.09.034>
- Preuß, O. (2016, June 13). Chinesen kaufen Offshore-Windpark vor Helgoland [Chinese buy offshore wind farm off Heligoland]. *Die Welt*. Retrieved 16 May 2022, from <https://www.welt.de/regionales/hamburg/article156195672/Chinesen-kaufen-Offshore-Windpark-vor-Helgoland.html>
- Princen, S. (2011). Agenda Setting. In E. Versluis, M. van Keulen, & P. Stephenson (Eds.), *Analyzing the European Union Policy Process* (pp. 107–131). Palgrave Macmillan.
- Rabe, W., & Gippner, O. (2017). Perceptions of China’s outward foreign direct investment in European critical infrastructure and strategic industries. *International Politics*, 54(4), 468–486. <https://doi.org/10.1057/s41311-017-0044-x>
- Rockström, J., Steffen, W., Noone, K., Persson, S., Chapin, F. S. I., Lambin, E., Lenton, T. M., Scheffer, M., Folke, C., Schellnhuber, H. J., Nykvist, B., de Wit, C. A., Hughes, T., van der Leeuw, S., Rodhe, H., Sörlin, S., Snyder, P. K., Costanza, R., Svedin, U., . . . Foley, J. (2009). Planetary Boundaries: Exploring the Safe Operating Space for Humanity. *Ecology and Society*, 14(2). <https://doi.org/10.5751/es-03180-140232>
- Ruddin, L. P. (2006). You Can Generalize Stupid! Social Scientists, Bent Flyvbjerg, and Case Study Methodology. *Qualitative Inquiry*, 12(4), 797–812. <https://doi.org/10.1177/1077800406288622>
- Sattich, T., Freeman, D., Scholten, D., & Yan, S. (2021). Renewable energy in EU-China relations: Policy interdependence and its

- geopolitical implications. *Energy Policy*, 156, 112456. <https://doi.org/10.1016/j.enpol.2021.112456>
- Sauvant, K. P., & Chen, V. Z. (2014). China's regulatory framework for outward foreign direct investment. *China Economic Journal*, 7(1), 141–163. <https://doi.org/10.1080/17538963.2013.874072>
- Schaudwet, C. (2021, May 18). Das Zwangsarbeit-Problem kommt näher [The forced labour problem comes closer]. *Tagesspiegel Background*. Retrieved 1 June 2022, from <https://background.tagesspiegel.de/energie-klima/das-zwangsarbeit-problem-kommt-naeher>
- Seawright, J., & Gerring, J. (2008). Case Selection Techniques in Case Study Research. *Political Research Quarterly*, 61(2), 294–308. <https://doi.org/10.1177/1065912907313077>
- Sha Hua, & Witsch, K. (2018, August 7). Der grüne Drache [The Green Dragon]. *Handelsblatt*, 16.
- Sigmund, T., & Stratmann, K. (2018, February 9). Chinas Griff ins Stromnetz [China's grip on the power grid]. *Handelsblatt*, 6.
- Sovacool, B. K., & Brown, M. A. (2010). Competing Dimensions of Energy Security: An International Perspective. *Annual Review of Environment and Resources*, 35(1), 77–108. <https://doi.org/10.1146/annurev-environ-042509-143035>
- Sovacool, B. K., & Mukherjee, I. (2011). Conceptualizing and measuring energy security: A synthesized approach. *Energy*, 36(8), 5343–5355. <https://doi.org/10.1016/j.energy.2011.06.043>
- Szulecki, K., Fischer, S., Gullberg, A. T., & Sartor, O. (2016). Shaping the 'Energy Union': between national positions and governance innovation in EU energy and climate policy. *Climate Policy*, 16(5), 548–567. <https://doi.org/10.1080/14693062.2015.1135100>
- Tan, X., Zhao, Y., Polycarp, C., & Bai, J. (2013). China's overseas investments in the wind and solar industries: trends and drivers. *World Resources Institute Working Paper*. http://pdf.wri.org/chinas_overseas_investments_in_wind_and_solar_trends_and_drivers.pdf
- Teng, F., & Wang, P. (2021). The evolution of climate governance in China: drivers, features, and effectiveness. *Environmental Politics*, 30(sup1), 141–161. <https://doi.org/10.1080/09644016.2021.1985221>
- Tong, D., Zhang, Q., Zheng, Y., Caldeira, K., Shearer, C., Hong, C., Qin, Y., & Davis, S. J. (2019). Committed emissions from existing energy infrastructure jeopardize 1.5 °C climate target. *Nature*, 572(7769), 373–377. <https://doi.org/10.1038/s41586-019-1364-3>
- Toshkov, D. (2016). *Research Design in Political Science* (1st ed.). Palgrave Macmillan.
- Turcsanyi, R. Q. (2017). Central European attitudes towards Chinese energy investments: The cases of Poland, Slovakia, and the Czech Republic. *Energy Policy*, 101, 711–722. <https://doi.org/10.1016/j.enpol.2016.09.035>
- UNFCCC (United Nations Framework Convention on Climate Change). (2015, December). *Paris Agreement*. https://unfccc.int/sites/default/files/english_paris_agreement.pdf
- Urban, F., Zhou, Y., Nordensvard, J., & Narain, A. (2015). Firm-level technology transfer and technology cooperation for wind energy between Europe, China and India: From North–South to South–North cooperation? *Energy for Sustainable Development*, 28, 29–40. <https://doi.org/10.1016/j.esd.2015.06.004>
- Vaccarini, K., Lattemann, C., Spigarelli, F., & Tavoletti, E. (2017). Chinese FDI and psychic distance perceptions on regulations in the German renewable energy sector. *Energy Policy*, 101, 723–732. <https://doi.org/10.1016/j.enpol.2016.09.008>
- von Hippel, D., Suzuki, T., Williams, J. H., Savage, T., & Hayes, P. (2011). Energy security and sustainability in Northeast Asia. *Energy Policy*, 39(11), 6719–6730. <https://doi.org/10.1016/j.enpol.2009.07.001>
- Wetzel, D. (2018, July 27). „Höchst bedenklich“ - Altmaiers Husarenritt in der Kritik [“Highly questionable” - Altmaier's Hussar Ride Criticised]. *Die Welt*. Retrieved 30 May 2022, from <https://www.welt.de/wirtschaft/article180104706/Das-hatte-China-mit-dem-deutschen-Stromnetz-vor.html>
- Witsch, K. (2018, September 4). Solarbranche: EU hebt Schutzzölle auf chinesische Module auf [Solar industry: EU lifts protective tariffs on Chinese modules]. *Handelsblatt*. Retrieved 30 May 2022, from <https://www.handelsblatt.com/unternehmen/energie/solarbranche-eu-hebt->

- schutzzoelle-fuer-solarmodule-auf-deutsche-hersteller-muessen-sich-wettbewerb-stellen/22992682.html
- Witsch, K. (2020, July 29). Solarindustrie: Der Traum von der Rückkehr der deutschen Produktion [Solar industry: The dream of the return of German production]. *Handelsblatt*. Retrieved 30 May 2022, from <https://www.handelsblatt.com/unternehmen/energie/erneuerbare-energien-der-traum-von-der-rueckkehr-der-deutschen-solarindustrie/26045408.html>
- Wolsink, M. (2020). Framing in Renewable Energy Policies: A Glossary. *Energies*, *13*(11), 2871. <https://doi.org/10.3390/en13112871>
- Wüstenhagen, R., & Menichetti, E. (2012). Strategic choices for renewable energy investment: Conceptual framework and opportunities for further research. *Energy Policy*, *40*, 1–10. <https://doi.org/10.1016/j.enpol.2011.06.050>
- Yao, L., & Chang, Y. (2014). Energy security in China: A quantitative analysis and policy implications. *Energy Policy*, *67*, 595–604. <https://doi.org/10.1016/j.enpol.2013.12.047>
- Ydersbond, I. M., & Korsnes, M. S. (2016). What drives investment in wind energy? A comparative study of China and the European Union. *Energy Research & Social Science*, *12*, 50–61. <https://doi.org/10.1016/j.erss.2015.11.003>
- Zhang, S., Andrews-Speed, P., Zhao, X., & He, Y. (2013). Interactions between renewable energy policy and renewable energy industrial policy: A critical analysis of China's policy approach to renewable energies. *Energy Policy*, *62*, 342–353. <https://doi.org/10.1016/j.enpol.2013.07.063>
- Zhou, W., McCollum, D. L., Fricko, O., Gidden, M., Huppmann, D., Krey, V., & Riahi, K. (2019). A comparison of low carbon investment needs between China and Europe in stringent climate policy scenarios. *Environmental Research Letters*, *14*(5), 054017. <https://doi.org/10.1088/1748-9326/ab0dd>

Between Perception and Reality

Representative Claims of Umbrella Groups

Sandra Martinez Böhme

1. Introduction

In spring 2022, the EU concluded its first Conference on the Future of Europe which aimed to promote citizen involvement through panels and discussions (Conference on the Future of Europe, n.d.). The conference can be viewed as a response to the criticism of the democratic deficit which is frequently levelled at the EU. Critics note that the EU is rarely covered by the media which leads to a lack of a European public sphere as citizens barely participate and know little about EU matters (Kaitatzi-Whitlock, 2007). Additionally, the EU focuses on output legitimacy where legitimacy is reached through a satisfying result rather than input legitimacy which ensures that the sufficient participation of every actor in decision-making (Smismans, 2016, p. 340). Essentially, critics accuse the EU of prioritizing efficiency over democratic debate (Follesdal & Hix, 2006).

The EU also attempts to address the democratic deficit through interacting with civil society organizations (CSOs) and interest groups (Smismans, 2016, p. 346-347). More specifically, the Commission attempts to legitimize itself through funding, meeting and consulting with interests groups which represent different interests in the European arena (Albareda, 2020; Crepaz & Hanegraaff, 2020; Klüver, 2010; Binderkrantz et al., 2021). The Commission's approach reflects the notion of interest groups as transmission belts which transmit citizen interests to the European level (Albareda, 2020; Dinan, 2021).

Umbrella groups take a central role in interest representation. They are characterized by their composition as they “unite the interests of other interest groups through collective membership” (Hanegraaff & van der Ploeg, 2020, p. 966). In other words, umbrella groups are organizations whose members are organizations. One example is BusinessEurope which consists of 40 member organizations from 35 countries (BusinessEurope, n.d.a).

The pooled resources of umbrella groups and their extensive networking in Brussels allow them more frequent access to policymakers (Hanegraaff & van der Ploeg, 2020). Additionally, the Commission expects umbrella groups to be representative in, for example, geographical distribution to obtain funding (Johansson, 2012). This gives umbrella groups an incentive to increase their representativeness and to present themselves as representative.

Scholars have examined how representative umbrella groups are in reality, noting that they tend to prioritize output over debate and participation by all their members (Albareda, 2020; Kröger, 2019). Frequently, only a few members participate intensively while many remain passive but still express satisfaction with their representation (Rodekamp, 2012). Thus, a contradiction has arisen where the Commission views umbrella groups as significant legitimators despite empirical studies suggesting that their ability to provide legitimacy is lacking. This contradiction is puzzling as it suggests a disconnect between the image of umbrella groups and their actual practices. Researching the presentation of umbrella groups to the outside, can give insight into how they manage to create this disconnect between perception and reality. Hence, this paper answers the question: How do EU umbrella groups justify their representativeness? It claims that umbrella groups justify their representativeness differently depending on their group type and the context where the claim is made.

This thesis conducts a document analysis through a case study of 18 umbrella groups of different types, namely six sectoral groups, six groups for marginalized constituencies and six cause-based groups from the policy fields of environment, health and data protection. Groups with a high membership were selected as large groups can be expected to be more active. Additionally, the sample sought to be as diverse as possible. For instance, the six groups representing a marginalized constituency all advocate for a different group such as women or senior citizens.

The analysis uses Pitkin's (1967) conceptualization of representation as its framework. It collects two forms of data from the webpages of the umbrella groups, namely their public presentation through their 'About'-sections and their output in the form of documents published in January 2022. The data is analysed through coding.

Firstly, this paper conducts a literature review on civil society and umbrella groups. Secondly, it presents its analytical framework. Thirdly, it explains the case selection, data collection and data analysis. Fourthly, the results are summarized. Fifthly, the results are discussed, and a conclusion is drawn.

2. Literature Review

This thesis is situated within the broader field of EU interest groups and civil society. Within this field, scholars have examined three main questions. Firstly, scholars have attempted to characterize the nature and function of EU civil society. Kohler-Koch and Quittkat (2009) concluded that two main conceptions of EU civil society exist among scholars the first being an all-inclusive definition with the second only including "voluntary, not-for-

profit, non-state” (p. 21) organizations. Scholars who seemingly favour the second definition point to the dangers of regulatory capture and the risk of industry interests prevailing over wider, public interests (Chalmers, 2014; Kastner, 2017, Binderkrantz et al., 2021). For instance, Dür and Mateo (2014) differentiate between business groups and non-business groups stating that non-business groups “possess resources such as representativeness and legitimacy” (p. 579). Scholars with this perspective highlight the necessity of a diverse civil society which also includes NGOs and watchdog groups to monitor and counterbalance industry (Kastner, 2017; Dinan, 2021). However, multiple scholars seem to subscribe to a wider definition of civil society that also includes sectoral, business interests. Albareda (2020) argues that “business and citizen groups are equally capable of functioning as transmission belts” (p. 1224). Meanwhile, Kröger (2013) even concludes that sectoral groups which advocate for their own redistributive interests may be more representative due to higher member involvement than groups with more abstract values. It becomes clear that the conception of civil society and its normative function is contested among scholars. This thesis uses the more inclusive definition of civil society as all umbrella groups, including sectoral groups, make use of representative claims no matter their type.

Secondly, scholars have examined umbrella groups and their internal composition more closely. Umbrella groups unite multiple organizations as members and gain more frequent access to policymakers due to their pooled resources and extensive networking in Brussels (Hanegraaff & Van der Ploeg, 2020). Kröger (2013) differentiates between three types of umbrella groups, firstly sectoral organizations which rely on members and advocate for their own redistributive purposes. Subsequently, she describes what she coins ‘weak interest’ groups which represent marginalized human constituencies and have less resources to campaign for their interests. The final type are cause-based groups which advocate for a more abstract cause instead of people, put less emphasis on membership and try to gain support through expertise (Kröger, 2013). National interest groups frequently lack resources, networks in Brussels and know-how which leads them to become members of umbrella organizations (Kröger, 2018b). They depend on umbrella groups to mediate between them and Brussels (Hanegraaff & Van der Ploeg, 2020). Scholars have examined the internal dynamics of umbrella groups closely, concluding that members are frequently hindered in their participation through language barriers, geographical distance and lack of expertise in EU matters (Johansson, 2012; Johansson & Lee, 2014; Rodekamp, 2012). Thus, a small number of members seems to be very active while the others remain passive (Rodekamp, 2012). Additionally, the high number of members frequently causes umbrella groups to

compromise on lowest common denominators in their policies (Kröger, 2019). Despite this, the surveyed members in Rodekamp's (2012) research still reported overall satisfaction. This suggests that members value output legitimacy over input legitimacy through active and equal participation. Many scholars have criticized the emphasis of umbrella groups on output at the cost of input legitimacy and member participation (Hanegraaff & Van der Ploeg, 2020; Kröger, 2019; Rodekamp, 2012).

Finally, scholars have examined the relationship between umbrella groups and the Commission. They point out that due to its limited staff and resources, the Commission depends on outside expertise (Chalmers, 2014; Klüver, 2010). The Commission seeks to legitimize itself through consulting with interest groups and funding them as a European public sphere is found lacking (Albareda, 2020; Crepez & Hanegraaff, 2020; Klüver, 2010; Binderkrantz et al., 2021). The approach of the Commission reflects the idea that umbrella groups may serve as transmission belts which transport citizen interests to the EU sphere (Albareda, 2020; Dinan, 2021). Officially, the Commission encourages representativeness and input legitimacy within umbrella groups through, for instance, geographical diversity being a prerequisite for substantial funding (Crepez & Hanegraaff, 2020; Johansson, 2012; Rodekamp, 2012). This policy leads to umbrella groups seeking to diversify their membership through quotas and formal, internal procedures (Johansson, 2012; Johansson & Lee, 2014; Rodekamp, 2012). However, research argues that in practice, the Commission values output efficiency over input legitimacy as groups with more resources are more likely to obtain funding, participate in the Commission's expert groups and meet policymakers (Albareda, 2020; Chalmers, 2014; Crepez & Hanegraaff, 2020; Binderkrantz et al., 2021). Binderkrantz et al. (2021) even suggest that the main purpose of consultation is to provide legitimacy to the Commission rather than to create a democratic debate.

Overall, researchers conclude that a disconnect exists between the perception of umbrella groups as legitimizers and their actual practices which frequently prioritize output over input. The literature has focused strongly on the internal dynamics of civil society and umbrella groups specifically. It has been analysed how these dynamics play out in reality. This thesis seeks to bring a new perspective to this field by analysing how umbrella groups present themselves through claim-making. Using this approach, this thesis seeks to address the question of how umbrella groups succeed in presenting themselves as legitimizers despite their actual practices lacking in input legitimacy.

3. Analytical Framework

3.1. Conceptualizing Representation

Representation has been defined in many different contexts. Pitkin (1967) presents a fundamental conceptualization of representation within electoral democracy. As she argues, representation is a multifaceted concept characterized by four types which complement each other. Attempting to explain representation through only one of the types fails to consider all the forms it can take. Firstly, Pitkin (1967) explains that *formalistic* representation consists of authorization and accountability. Authorization describes the formal act of how representatives are selected while accountability views the representative as someone who must answer to another (Pitkin, 1967). Secondly, *descriptive* representation means that the representative mirrors characteristics of those they represent which implies that a representative assembly may be a sample of the wider population (Pitkin, 1967). Thirdly, Pitkin (1967) explains that *symbolic* representation is based on the belief which a constituency has in its representative. The representative represents a more abstract value (Pitkin, 1967). Fourthly, *substantive* representation concerns the activities a representative executes while representing someone else's interests (Pitkin, 1967).

Pitkin's conceptualization has been adapted by various scholars to study EU interest groups (e.g. Johansson, 2012; Johansson & Lee, 2014; Rodekamp, 2012). Most significantly, Rodekamp (2012) disregarded symbolic representation and added *participatory* representation to Pitkin's framework. Rodekamp (2012) deems participatory representation, which can be applied to the internal dynamics of umbrella groups, as particularly suitable to study CSOs. It concerns the ability of umbrella groups to communicate with their members and to allow them to participate (Rodekamp, 2012).

Saward (2006) criticizes Pitkin's conceptualization as limiting and only focusing on the representative while ignoring the audience. His representative claims are applicable to more contexts than just formal, electoral representation. Saward's (2006, p. 302) representative claim consists of the claim-maker, who proposes a subject that stands for an object and represents it in front of an audience. His claims are highly complex as they differentiate between four different actors who can potentially overlap. Saward (2006) also states that representative claims are based on existing codes to be convincing such as: "I am one of you" (p. 311). Scholars note positively that Saward's conceptualization is highly flexible and can be applied to even non-electoral forms (De Wilde, 2013; Meardi et al., 2021). However, De Wilde (2013) criticizes it for being overly complex, hence, hard to

operationalize. It seems that while representative claims are useful in their dynamic approach, they are hard to operationalize empirically due to their complexity.

Thus, this paper chooses Pitkin's conceptualization as the basis for its analysis and adapts it to fit the context of the EU arena as other scholars have successfully done (e.g. Johansson & Lee, 2014; Rodekamp, 2012). Saward's notion of underlying codes can be useful in this analysis as representatives draw on traditional conceptualizations of representation to justify their representativeness. For instance, Saward's example of "I am one of you" (2006, p. 311) could be understood as drawing on Pitkin's (1967) descriptive representation. It can be useful for the analysis to understand Pitkin's modes of representation as underlying codes which umbrella groups invoke. This approach allows the analysis to combine Pitkin's clear conceptualization with Saward's flexibility.

3.2. Operationalizing Pitkin's Framework

Pitkin's (1967) framework can be operationalized to suit the supranational EU-context. Firstly, *formalistic* representation is related to authorization and accountability. Umbrella organizations draw on this argumentation through four types of arguments. They may invoke their membership or internal organization. Subsequently, they can make arguments related to official recognition. This recognition may be by EU institutions or by non-EU actors. Finally, they may make claims of transparency. For instance, they could hold themselves accountable by laying open their financial records.

Secondly, *descriptive* representation may be invoked when umbrella groups identify with those they advocate for. One example could be a feminist group pointing out a high percentage of women among its ranks. Additionally, groups may not identify directly with those they represent but claim to work with them. This also includes claims of being a grassroots movement which implies that they work together with local communities.

Thirdly, *symbolic* representation may be drawn on when umbrella groups justify themselves with claims related to prestige such as a long history, successes or numerous resources. Additionally, symbolic representation may also be used when umbrella groups argue that they subscribe to values related to their cause or even higher values framed within the context of benefitting the wider EU. Fourthly, *substantive* representation concerns the activity of representation and the ability to represent interests. Umbrella groups may justify themselves through the amount of work they do for their cause and their expertise. Table 1 visualizes how Pitkin's conceptualization is operationalized in the analysis:

Table 1*Operationalization of Pitkin's conceptualization*

Type of Representation	Definition by Pitkin (1967)	Claims umbrella groups make to justify their representativeness
Formalistic	Authorization and Accountability	Claims referring to formal membership Claims referring to internal, organizational structures Claims referring to official recognition (e.g. by the EU or by other actors) Claims of transparency
Descriptive	Representative shares characteristics with constituency	Identification with those the umbrella group claims to represent Claims of working with the affected group or in a grassroots capacity
Symbolic	Representative stands for abstract values and is viewed to have a higher meaning	Claims regarding the prestige of an umbrella group (i.e. history, successes and resources) Claims of representing higher values (cause values of the group or framed within an EU-context)
Substantive	The activities which representatives execute	Claims of engaging in representative activities Claims of generating and relying on expertise

3.3. Generating Hypotheses

Based on the literature, it can be hypothesized that different types of umbrella groups draw on different kinds of representation in their claim-making. Kröger (2013) differentiates between three kinds of groups, namely sector-based CSOs who advocate for the redistributive interests of their membership, 'weak' interest groups who advocate for marginalized human constituencies and cause-based groups who advocate for abstract ideals. Kröger (2013) calls the second type 'weak interest group' due to their lack of resources compared to sectoral

CSOs. However, due to the negative implications of that term, this type will hereby be called ‘groups for marginalized constituencies’ (GMCs)

Multiple hypotheses can be made about the types of representation sectoral groups are likely to invoke. Overall, umbrella groups attempt to establish a clear organizational structure and take pride in their numerous members (Johansson & Lee, 2014; Kröger, 2013; Rodekamp, 2012). This is especially pertinent for sectoral groups in contrast to cause-based groups that prioritize membership less (Johansson & Lee, 2014; Kröger, 2013). As Kröger (2013) notes, sectoral organizations are the most directly representative while representation is vaguer in relation to GMCs and cause-based groups. Additionally, Kröger (2013) notes the large number of resources that sectoral groups possess especially compared to GMCs. Hence it can be expected that:

H1.1: Sectoral groups predominantly argue with formalistic and descriptive claims due to their heavy focus on membership.

H1.2: Sectoral groups often use symbolic arguments related to prestige due to their considerable resources.

GMCs, like all umbrella groups, aim to appear professional in front of the Commission through clear, organizational structures (Johansson & Lee, 2014; Kröger, 2013; Rodekamp, 2012). Additionally, they derive most of their legitimacy from involving the marginalized people they advocate for, hence putting much focus on descriptive representation through practices such as membership rules and quotas (Johansson & Lee, 2014; Kröger, 2013). While Kröger (2018a) found that contributing to EU values generally was not a significant factor in the actions of umbrella groups, anti-poverty groups showed the most interest in wider EU values. Hence, one can assume:

H2.1: GMCs heavily argue with formalistic and descriptive claims as they derive legitimacy from the participation of members of their constituency.

H2.2: GMCs use symbolic claims related to EU values more than other group types.

Of all umbrella groups, cause-based groups put the least focus on membership with their membership structures being less rigorous (Johansson & Lee, 2014; Kröger, 2013). Instead, they legitimize themselves and gain supporters through scientific arguments and expertise (Kröger, 2013). Additionally, in Kröger’s (2013) study, environmental groups

showed more interest in lobbying for their cause than in contributing to EU democracy despite the transnational nature of their field. Thus, one can expect:

H3.1: Cause-based groups rarely argue with formalistic or descriptive claims due to their lack of focus on membership.

H3.2: Cause-based groups frequently argue with symbolic values related to their cause.

H3.3: Cause-based groups frequently argue with substantive arguments due to their focus on expertise.

To summarize, the analytical framework of this paper uses Pitkin's framework as a basis. Pitkin's forms of representation are seen as representing Saward's notion of underlying code. For instance, an umbrella group draws on formalistic representation when it invokes its wide membership. Based on the literature, hypotheses on the claim-making of umbrella group types were derived which can be tested.

4. Methods

4.1. Case Selection

18 umbrella groups of three types serve as case studies with six umbrella groups belonging to each type. Firstly, six sectoral umbrella groups were selected based on their status as official social partners of the EU. Article 154 TFEU states that the EU should consult with participants of management and labour regarding its policy direction. The six umbrella groups were chosen as cross-industry social partners as they are listed by the Commission (2021). The rationale behind choosing the *cross-industry* partners is that cross-sector groups may be more active in the selected timeframe than sectoral organizations as more policies affect them.

Secondly, GMCs serve as case studies. Six organizations were chosen according to a list by the Commission (n.d.) of anti-discrimination groups. The main criterion was that each represented a different human constituency to have a diverse sample. Hence, the selection includes a group representing senior citizens, an anti-poverty group, an anti-racist group, a group for disabled people, a feminist group and a group for lesbian, gay, bisexual, transgender etc. (LGBT+) rights.

Thirdly, cause-based groups from three policy areas were selected according to their size as measured by members. Bigger groups can be assumed to be more active. From the

policy field of environment, three organizations serve as case studies. The environmental field is a transnational field with high political saliency meaning that within this field many large cause-based groups are active. The three chosen environmental groups are members of the *Green 10*, which is an association of ten of the biggest environmental groups within the EU (EU Transparency Register, 2022). Subsequently, two groups advocating for health and one group advocating for data protection were chosen for a more diverse sample. Table 2 shows the 18 umbrella groups that serve as case studies:

Table 2
List of sampled organizations

Sectoral groups	<u>Employers:</u> BUSINESSEUROPE Services of General Interest Europe (SGI Europe) Small and Medium-Sized Enterprises United (SMEunited)
	<u>Employees:</u> Confédération Européenne des Cadres (CEC European Managers) European Trade Union Confederation (ETUC) Eurocadres
GMCs	Age Platform Europe European Anti-Poverty Network (EAPN) European Network Against Racism (ENAR) European Women’s Lobby (EWL) International Lesbian, Gay, Bisexual, Trans and Intersex Association in Europe (ILGA Europe)
Cause-based groups	<u>Environment:</u> Climate Action Network Europe (CAN Europe) European Environmental Bureau (EEB) Friends of the Earth Europe
	<u>Health:</u> European Public Health Alliance (EPHA) Health and Environment Alliance (HEAL)
	<u>Data Protection:</u> European Digital Rights (EDRi)

4.2. Data Collection and Analysis

Two forms of data were collected to analyse claim-making within different contexts. Firstly, it is analysed how the umbrella groups present themselves on their webpages in the form of their ‘About’-sections (or an equivalent section named differently). It can be expected that these sections contain the most claims as they present the organization and its mission. All subpages within the About-section were collected. Subpages may include pages on the

mission of the organizations, its internal structure or information on its financial dealings. Frequently, organizations linked to documents on their About-pages such as internal statutes, guidelines or financial data. These embedded documents were coded according to their type rather than their textual content. For instance, a statute would receive a single code, namely *internal, organizational structure*, as the purpose of a statute is to lay out rules for the organization.

Secondly, output documents were collected within the month of January 2022 in the form of position papers, statements, reports and general comments on EU policy in the form of articles. January 2022 was chosen due to its recency. To ensure the relevancy of the documents, their content must influence or comment on EU policy. Thus, documents such as obituaries, news about internal events or newsletters are excluded from the data collection. Additionally, documents which commented on the internal matters of a single member state unrelated to the EU or on UN matters were also excluded. Overall, 181 documents were collected with 128 being webpages from the About-sections and 53 output documents from January 2022.²⁰

Subsequently, the data was coded in AtlasTi. The coding strategy is based on Mayring’s (2016, p. 115-121) method of structurization (*Strukturierung*) which consists of defining categories, choosing anchoring examples and defining coding rules. Coding categories were defined based on Pitkin’s (1967) framework and further subcategories were added based on the literature. These categories were modified and added to during a pilot analysis. Hence, the approach is mainly deductive but also contains inductive elements as some categories became necessary to add upon viewing the documents. For instance, *transparency*, which is related to accountability, was useful to add to formalistic representation as organizations invoked it frequently. Hence, the coding categories are the following:

Table 3:
Coding categories

Type of Representation	Categories	Subcategories
Formalistic	Membership	-
	Internal, organizational structure	-
	Official Recognition	By EU actor
		By non-EU actor

²⁰ A list of all analysed documents can be requested from the author.

	Transparency	-
Descriptive	Identification with the ones affected	-
	Working with the ones affected/Grassroots movement	-
Symbolic	Prestige	History/Tradition
		Successes
		Resources
	Values	Related to group cause
		Framed within an EU-context
Substantive	Group activities	-
	Expertise	-

Subsequently, Mayring (2016, p. 118) highlights the need for anchoring examples and coding rules. Several coding rules were defined. Firstly, if a page within the About-section did not contain text but simply listed, for instance, staff members, the whole page was coded as *resources*. Secondly, a similar approach was adopted based on sections that elaborated on a topic in multiple sentences. To avoid redundant coding, only the heading of the section was coded instead of each sentence. Thirdly, one phrase could contain multiple codes. The anchoring examples and explanations of each category can be found in the code guide in the *Annex*.

5. Results

The analysis showed differences regarding representative claims between different group types but also the type of documents analysed. In January 2022, 53 documents were collected which shall be referred to as *output documents*. These output documents consist of position papers, public letters, reports and comments on EU policy in the form of articles. On average, output documents had 2.264 codes per document. In comparison, for the About-sections 128 webpages were collected with 4.07 codes per webpage on average. Overall, in their About-sections, umbrella groups make representative claims far more frequently. A difference between both types of documents can also be seen when comparing the shares of the types of representation invoked:

Table 4

Distribution of codes between document types

Type of representation	Output Documents	About-sections
Formalistic	33.787%	42.61%
Descriptive	7.5%	10.557%
Symbolic	13.133%	30.326%
Substantive	45.833%	16.507%
Overall	100%	100%

Symbolic representation was frequently invoked in About-sections but significantly less in output documents. Meanwhile, over 45% of the representation invoked in output documents was substantive. This is considerably higher compared to the About-sections where substantive representation only accounts for around 16% of claims. These results show that, within different documents, not only does the number of claims vary but also their type.

The results also indicate that the group type of an umbrella organization is an important factor in its claim-making. Table 5 shows the average number of claims per document between group types:

Table 5

Average number of claims per document between group types

Group Type	Average claims per document
Sectoral groups	3.658
GMCs	4.062
Cause-based groups	3.063

According to the results, GMCs make the most claims on average per document, sectoral groups second and cause-based groups the least. However, these results must be relativized as they do not account for the different types of documents groups publish. Multiple groups of all types barely produced little to no output documents. Overall, GMCs produced the least output documents which may explain their high claim frequency compared to the other groups. As a result, the ability to compare the number of claims across group types is limited. Despite this, one can see clear differences in the kinds of representation different umbrella groups invoke. Figure 5 summarizes the distribution of claims between group types in percentages:

Table 6*Distribution of codes between group types*

Type of representation	Sectoral Groups	GMCs	Cause-based groups
Formalistic	38.849%	41.154%	41.736%
Membership	10.791%	6.923%	7.851%
Internal, organizational structure	9.353%	18.462%	11.157%
Recognized by EU	11.511%	5.769%	4.132%
Recognized by non-EU actor	6.475%	2.692%	12.81%
Transparency	0.719%	7.308%	5.785%
Descriptive	7.914%	18.077%	2.48%
Identification with affected group	6.474%	10%	-
Working with affected group/grassroots	1.439%	8.077%	2.48%
Symbolic	32.374%	24.615%	26.86%
Prestige arguments	13.669%	8.462%	17.355%
Value framed within an EU context	10.791%	1.154%	0.826%
Value related to group cause	7.914%	15%	8.678%
Substantive	20.863%	16.154%	28.926%
Group activities	17.266%	10.769%	11.157%
Expertise	3.597%	5.385%	17.769%
Overall	100%	100%	100%

Firstly, sectoral groups made formalistic claims the most which is consistent across all three group types. The formalistic claims of sectoral groups focused mainly on their membership, their internal, organizational structure and their recognition by the EU. It is striking that formalistic arguments related to transparency were barely used. Second to formalistic arguments, sectoral groups invoked symbolic ones the most with over 30%. Value-related arguments were more frequent than prestige-related ones. However, prestige-related ones were still considerable as they made up over 13% of claims overall. It is striking that sectoral groups tended to frame their values within an EU-context far more frequently than other group types which did so rarely. Substantive arguments made up over a fifth of claims and were overwhelmingly related to group activities instead of expertise.

Secondly, GMCs also utilized formalistic arguments the most and to a similar percentage as the sectoral groups. However, they comparatively cited their internal, organizational structure more frequently and the argument of recognition both by the EU and by other actors far lesser. It is striking that GMCs repeatedly claimed to be transparent by, for

instance, publishing their financial information which none of the sectoral groups did. Subsequently, symbolic arguments were also used the second-most. Compared to the sectoral groups, prestige-related arguments were used considerably lesser. Additionally, GMCs heavily framed their values as cause values rather than within an EU-context. Most striking about GMCs is their heavy use of descriptive claims compared to other groups as it was their third-most invoked type of representation. GMCs both identified with their constituencies but also claimed to be working with them. Finally, GMCs used substantive arguments the least but still considerably with over 16%. They referred to their activities more frequently than their expertise.

Thirdly, cause-based groups also used formalistic arguments the most. It is striking that they claim to be recognized by non-EU actors far more frequently than the other groups with almost 13%. Especially in their position papers, cause-based groups frequently collaborated with other umbrella groups. Substantive arguments were used the second-most. Cause-based groups claimed expertise far more frequently than other group types with almost 18%. Regarding symbolic claims, most arguments were prestige-related with claims related to cause values also being significant. Finally, descriptive arguments were barely used by cause-based groups as they made up only 2.48% of claims.

6. Discussion

The results indicate that how an umbrella group presents its representativeness depends on its group type but also the context where the claim is made. Apparently, umbrella groups feel less of a need to justify themselves in their day-to-day output documents compared to their About-sections where they publicly present themselves. In their policy work, stronger focus lies on expertise and efficiency which is also exemplified by the higher share of substantive arguments in output documents. Meanwhile, symbolic arguments are significantly less present in day-to-day output. This observation is consistent with research by scholars within the field who note the significance of output for the EU (Albareda, 2020; Follesdal & Hix, 2006; Johansson, 2012; Binderkrantz et al., 2021). However, when considering the hypotheses about different group types, it becomes clear that there is a significant disconnect between how umbrella groups present themselves and their actual practices:

6.1. Sectoral Groups

Overall, the results indicate that sectoral groups attempt to present themselves as professional and close collaborators of the EU through formalistic, symbolic, and substantive claims. The derived hypotheses can mostly be falsified:

H1.1: Sectoral groups predominantly argue with formalistic and descriptive claims due to their heavy focus on membership.

The first half of the hypothesis proved to be accurate as sectoral groups frequently argued with the formalistic arguments of internal, organizational structures, their membership and EU recognition. Sectoral groups refer to their membership more frequently than other group types which includes statements such as SGI Europe claiming to act “[f]ollowing the input provided by SGI Europe’s members” (2022, p. 2). However, the assumption that descriptive claims would be utilized frequently did not hold compared to empirical reality. While sectoral groups used descriptive arguments far more compared to cause-based groups, they still rarely identified with their constituencies. Instead, they tended to frame their constituencies as members they advocated for instead of identifying with them directly or working with them on the ground. For instance, “We work on behalf of our member organisations” (BusinessEurope,n.d.b) implies a distant and formal representative relationship. As scholars have pointed out, umbrella groups frequently feel the need to seem professional which causes them to prioritize formalistic representation (Johansson & Lee, 2014). This seems especially pertinent for sectoral groups as they prefer a formalistic framing of their constituency over a descriptive one. However, despite their strong use of formalistic arguments, sectoral groups almost never invoke transparency. No sectoral groups presented financial information publicly in contrast to other group types which did so frequently. This implies that sectoral groups do not feel the need to present themselves as accountable through transparency. One possible explanation may be that sectoral groups rely on membership fees for their funding instead of the other groups who receive donations. However, this may also imply that sectoral groups are less transparent than other group types. Further research would be needed to explore this possibility.

H1.2: Sectoral groups often use symbolic arguments related to prestige due to their considerable resources.

This hypothesis could not be verified overall. While sectoral groups invoked prestige-related arguments such as Eurocadres citing its history by claiming to be “[r]epresenting professionals and managers since 1993” (Eurocadres, n.d.a), they did considerably less so than cause-based groups. Instead, value-related arguments, especially those framed in an EU-context, proved more frequently used. Sectoral groups tended to claim closeness to the EU through the formalistic argument of EU recognition and through framing their values in an EU-context. The most frequent invocation of EU recognition was in the form of claiming to be an EU social partner “[a]s one of the three recognised European cross-sectoral social partners, we represent six million employees and participate in the European cross-sectoral social dialogue” (Eurocadres, n.d.b). The closeness that sectoral groups claim towards the EU is striking and far stronger than for the other group types. It is another indicator for the preference of sectoral groups to seem like professional collaborators of the EU. Subsequently, sectoral groups invoked their substantive activities far more than the other group types “SMEunited participates in various projects as project leader or project team member” (SMEunited, n.d.). Seemingly, sectoral groups feel the need to highlight their output and the activities they perform for their members.

The focus of sectoral groups on formalistic arguments and EU-related values highlights a disconnect between discourse and reality. As scholars have pointed out, the formal channels of umbrella groups and their membership practices are flawed as not all members participate frequently and participation is dominated by a small share of members (Rodekamp, 2012). Additionally, sectoral umbrella groups did not show a particular interest for promoting EU values in Kröger’s (2013) study. As a result, it seems like sectoral groups tend to present an idealized, professionalized image of themselves that does not necessarily reflect reality.

6.2. Groups for Marginalized Constituencies

The hypotheses about GMCs proved partly correct. Most striking was the strong identification of these groups with their constituencies which opted for a more personal and less professionalized framing compared to the other groups. Specifically, H2.1 could be verified through the analysis:

H2.1: GMCs heavily argue with formalistic and descriptive claims as they derive legitimacy from the participation of members of their constituency.

Similar to sectoral groups, GMCs claim professionalism through the predominant use of formalistic arguments and more specifically claims related to their internal, organizational structures such as EAPN stating that their “work is carried out by [their] members, split into specific statutory entities and task forces” (n.d.). These results back up the findings by Johansson & Lee (2014) that umbrella groups attempt to implement formal, internal structures to seem professional in front of the Commission. It was also striking that GMCs invoked transparency the most and frequently presented their financial record which included AGE Platform Europe presenting a breakdown of its “Financial Resources” (n.d.) or the EWL publishing “Funding Guidelines” (n.d.). This may be explained with the desire to claim accountability especially in front of donors. Listed donors included EU programmes, companies, public actors and private individuals. As Kröger (2013) points out, GMCs have little resources especially compared to sectoral groups. Their dependency on donors may explain their need to claim transparency. Additionally, prestige-related claims were invoked rarely compared to other group types which may also be explained by comparatively fewer resources.

Subsequently, descriptive arguments were invoked quite strongly as GMCs claimed to work closely with the marginalized communities they advocate for and heavily identified with them. For instance, the EDF describes itself as an “umbrella organisation of persons with disabilities” (EDF, n.d.a) and uses languages such as “nothing about us without us” (EDF, n.d.b). Essentially, GMCs claim to know what their constituencies want by being part of those constituencies. This finding also backs up research that concludes that GMCs attempt to implement membership practices which ensure participation of those marginalized groups (Johansson, 2012; Johansson & Lee, 2014).

H2.2: GMCs use symbolic claims related to EU values more than other group types.

This hypothesis could strongly be falsified as GMCs barely framed their values within an EU-context and significantly less than sectoral groups. Instead, they strongly promoted their cause-values even compared to other group types such as ILGA Europe claiming that they have a “vision [...] of a world where the human rights of all are respected and where LGBTI people can live in freedom and equality” (n.d.) This element of claim-making seems to reinforce the idea that GMCs identify with those they advocate for. They present these values as important to them because they are impacted by them.

Finally, GMCs made fewer substantive arguments compared to other group types but still a considerable number including a claim by ENAR that they “advocate and campaign for better EU anti-racism policies and legislation” (n.d.). Again, this illustrates the desire of umbrella groups of all types to appear efficient to the Commission. However, this emphasis seems weaker for GMCs as they frame themselves in a more personal way compared to other group types.

6.3. Cause-based Groups

Cause-based groups mostly distinguished themselves through their strong focus on substantive expertise arguments. The first hypothesis could only partly be verified:

H3.1: Cause-based groups rarely argue with formalistic or descriptive claims due to their lack of focus on membership.

Cause-based groups also showed a predominant use of formalistic arguments such as ones related to membership and their internal structure. For instance, EPHA points to its General Assembly as its “highest decision-making body” (n.d.a) and calls itself a “member-led organisation” (n.d.b). The emphasis on membership was quite strong and stronger than that of GMCs. This can partly be explained through the desire to appear efficient in front of the Commission which all types of umbrella groups seemingly share. However, unlike other umbrella groups, cause-based groups frequently claimed recognition by non-EU actors. In their output documents, cause-based groups frequently collaborated with each other by, for instance, writing shared position papers. This tendency may be explained by cause-based groups’ desire to amplify their voice and expertise. This was highlighted through formulations such as “[s]tudy on planned EU Emissions Trading System 2 raises strong concerns *among NGOs*” (CAN Europe et al., 2022, emphasis added) which opted for a collective framing. The tendency of cause-based groups to legitimize themselves through other umbrella groups could lead to an issue where cause-based groups legitimize each other rather than to facilitate input legitimacy through membership practices. Meanwhile, recognition by the EU was claimed less compared to other groups. Within the sample, EDRi was the only umbrella group to never claim authorization by the EU. One explanation for this could be EDRi’s policy field of data protection as EDRi frequently attempted to hold the EU accountable for policies that it deemed harmful to its cause. For instance, EDRi repeatedly criticized Europol’s data mining practices terming it “The EU’s own ‘Snowden Scandal’” (Korff, 2022). More research would

be needed on the roles of cause-based groups within different policy fields to explore this hypothesis further. Subsequently, descriptive claims were almost never invoked by cause-based groups. This result is in line with the hypothesis and may be explained by the focus of cause-based groups on more abstract values rather than human constituencies. In the rare cases that descriptive representation was invoked, it was used in a capacity of working with local communities or in a grassroots capacity such as Friends of the Earth Europe calling itself “the largest grassroots environmental network in Europe” (n.d.a).

H3.2: Cause-based groups frequently argue with symbolic values related to their cause.

Claim-making through cause values was less frequent than expected but still substantial. They clearly dominated over values framed in an EU-context. This is in line with Kröger’s (2013) research which found that environmental groups showed more interest in what the EU arena can achieve for their cause rather than contributing to EU democracy. Subsequently, prestige-related arguments were invoked more frequently than assumed. Especially successes were cited frequently. More specifically, Friends of the Earth Europe (n.d.b) and EDRI (n.d.) dedicated an entire online subpage to past achievements. The strong emphasis on successes could be explained by the desire of cause-based groups to seem appealing to supporters. Cause-based groups legitimize themselves through past achievement for their cause.

H3.3: Cause-based groups frequently argue with substantive arguments due to their focus on expertise.

This hypothesis can be strongly verified. Expertise was the most-cited claim with group activities also being invoked quite frequently. For instance, cause-based groups within the field of health would claim support by doctors and health professionals (e.g. HEAL, n.d., EPHA, n.d.b). In their output documents, cause-based groups strongly claimed to rely on scientific research. For instance, the EEB even cited its own studies in a public letter (Wates, 2022). Hence, cause-based groups legitimize themselves by claiming to be experts on their policy field and following impartial, scientific advice. Overall, the strong focus on substantive arguments, coupled with the frequent listing of successes, reflects a framing by cause-based groups based on action and expertise.

In summary, all three groups put a strong emphasis on formalistic claims to appear professional in front of the Commission. However, they differ in some key elements. Sectoral groups frame themselves as efficient and active professionals. Meanwhile, GMCs strongly identify with their constituencies and frame themselves in a more personal way. Finally, cause-based groups present themselves as active experts who are backed up by objective scientific arguments.

7. Conclusion

To answer the research question, the way umbrella groups justify their representativeness depends on their group type but also the context where the claims are made. In their public online presentation, umbrella groups apparently feel more of a need to present themselves as representative compared to their output documents where they make less claims. The type of claim also varies between documents. Symbolic claims were far more frequent in the About-sections and substantive claims far more frequent in output documents. This observation follows the notion that the EU values efficiency in its interactions with umbrella groups and that umbrella groups adapt to this expectation.

The prioritization of efficiency and professionalism is also supported by the predominant use of formalistic claims by all umbrella group types. In their claim-making, all umbrella groups aimed to present themselves as professional by pointing to their internal, organizational structures. Especially sectoral groups framed themselves as efficient, professionals who had a formal relationship to their constituency and were close collaborators of the EU. Meanwhile, GMCs opted for a more personalized framing as they identified with their constituencies. Subsequently, cause-based groups utilized claims that framed them as hard-working experts who rely on impartial scientific evidence.

Overall, the claim-making by umbrella groups can be viewed critically as research has shown that real practices frequently differ from claims made. Especially the heavy use of formalistic arguments by umbrella groups is problematic as it constructs an idealized image of reality. Umbrella groups present themselves as promoting input legitimacy through their membership and internal, organizational structures. However, in reality, scholars have shown that the internal, organizational structures of umbrella groups and their membership participation are frequently lacking. For instance, sectoral groups heavily framed their values within an EU context despite showing no particular incentive to contribute to EU democracy in Kröger's (2018a) study. Additionally, cause-based groups tended to legitimize themselves by cooperating with other umbrella groups. This may prove detrimental to input legitimacy as

cause-based groups may legitimize themselves through other cause-based groups instead of promoting member involvement.

In its design, this research is subject to multiple limitations. Firstly, the sampled umbrella groups varied strongly in the share of output documents they produced with multiple not producing any output documents at all. Especially GMCs produced comparatively fewer output documents. As output documents have fewer claims on average, the ability to compare the absolute number of claims across group types was limited. Secondly, this research has limited generalizability. For instance, the case study focused on large umbrella groups. Further research could explore whether smaller umbrella groups make different claims. Additionally, the sectoral groups were selected from a list of cross-sectoral EU social partners. This brings up the question whether other kinds of sectoral groups justify their representativeness differently. Thirdly, the relationship between representative claims and policy fields remained mostly unexplored. The observation that EDRi, a data protection group, did not claim any recognition by the EU may point to differences in claim-making based on the role of an umbrella group within its policy field. Further research would need to examine this. Thirdly, this study coded internal documents such as statutes which were embedded in the About-sections only regarding their function. A textual analysis of these documents could yield further results. Despite these limitations, this research has provided further insight into the way umbrella groups present themselves and their representativeness.

Reference List

- AGE Platform Europe. (n.d.). Financial Resources. <https://www.age-platform.eu/financial-resources>
- Albareda, A. (2020). Prioritizing professionals? How the democratic and professionalized nature of interest groups shapes their degree of access to EU officials. *European Political Science Review*, 12(4), 485-501. <https://doi.org/10.1017/S1755773920000247>
- BusinessEurope (n.d.a). History of the Organisation. <https://www.besnesseurope.eu/history-organisation>
- BusinessEurope (n.d.b). Mission and Priorities. <https://www.besnesseurope.eu/mission-and-priorities>
- Conference on the Future of Europe (n.d.). What is the Conference on the Future of Europe?. EU institutions. <https://futureu.europa.eu/pages/about>
- Consolidated version of the Treaty on the Functioning of the European Union. (2012, October 26). *Official Journal of the European Union*, C326/47-390.
- Chalmers, A. W. (2014). Getting a seat at the Table: Capital, Capture and Expert Groups in the European Union. *West European Politics*, 37(5), 976-992, <https://doi.org/10.1080/01402382.2013.852832>
- CAN Europe, Klima-Allianz Deutschland, Germanwatch & WWF Germany (2022, January 20). Study on planned EU Emissions Trading System 2 raises strong concerns among NGOs. <https://caneurope.org/study-on-planned-eu-emissions-trading-system-2-raises-strong-concerns-among-ngos/>
- Crepaz, M. & Hanegraaff, M. (2020). The funding of interests groups in the EU: Are the rich getting richer?. *Journal of European Public Policy*, 27(1), 102-121. <https://doi.org/10.1080/13501763.2019.1567572>

- De Wilde, P. (2013). Representative claims analysis: theory meets method. *Journal of European Public Policy*, 20(2), 278-294. <https://doi.org/10.1080/13501763.2013.746128>
- Dinan, W. (2021). Lobbying Transparency: The Limits of EU Monitory Democracy. *Politics and Governance*, 9(1), 237-247. <https://doi.org/10.17645/pag.v9i1.3936>
- Dür, A. & Mateo, G. (2014). The Europeanization of interest groups: Group types, resources and policy area. *European Union Politics*, 15(4), 572-594. <https://doi.org/10.1177/1465116514532556>
- EDF (n.d.a). European Disability Forum is an umbrella organisation of persons with disabilities. <https://www.edf-feph.org/about-us/about-us-2/>
- EDF (n.d.b). 25 Years of the European Disability Forum. <https://www.edf-feph.org/25-years-european-disability-forum/>
- EDRi (n.d.). Victories – We work hard to make change happen!. EDRi. <https://edri.org/about-us/victories/>
- EPHA. (n.d.a). Transparency Statement. <https://epha.org/transparency-statement/>
- EPHA. (n.d.b). About EPHA. <https://epha.org/about-us/>
- Eurocadres (n.d.a). History – Representing Professionals and Managers since 1993. Eurocadres. <https://www.eurocadres.eu/about-us/history/>
- Eurocadres (n.d.b). About us. Eurocadres. <https://www.eurocadres.eu/about-us/>
- European Commission (n.d.). Non-governmental organizations fighting against discrimination. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/tackling-discrimination/non-governmental-organisations-fighting-against-discrimination_en
- European Commission (2021). List of European social partners' organisations consulted under Article 154 TFEU. <https://ec.europa.eu/social/BlobServlet?docId=2154&langId=en>
- EU Transparency Register (2022, April 11). Green 10. <https://ec.europa.eu/transparencyregister/public/consultation/displaylobbyist.do?id=70309834043-10>
- EAPN. (n.d.). The European Anti-Poverty Network (EAPN). <https://www.eapn.eu/who-we-are/what-is-eapn/>
- ENAR. (n.d.). About ENAR. <https://www.enar-eu.org/about/>
- EWL. (n.d.). Guidelines for the European Women's Lobby Relationships with Funders. https://womenlobby.org/IMG/pdf/ewl_funding_guidelines.pdf
- Follesdal, A. & Hix, S. (2006). Why There is a Democratic Deficit in the EU: A Response to Majone and Moravcsik. *Journal of Common Market Studies*, 44(3), 533-562. <https://doi.org/10.1111/j.1468-5965.2006.00650.x>
- Friends of the Earth Europe (n.d.a). Who we are. <https://friendsoftheearth.eu/who-we-are/>
- Friends of the Earth Europe (n.d.b). Our successes. <https://friendsoftheearth.eu/our-successes/>
- Hanegraaff, M. & van der Ploeg, J. (2020). Bringing the middleman back in: EU umbrella organizations and interest group access in the European Union. *Comparative European Politics*, 18, 963-981. <https://doi.org/10.1057/s41295-020-00220-7>
- HEAL (n.d.). Who we work with. <https://www.env-health.org/about/who-we-work-with/>
- ILGA Europe (n.d.). Vision, Mission, Core Values. <http://ilga-europe.org/who-we-are/what-ilga-europe/vision-mission-core-values>
- Johansson, H. (2012). Whom do they Represent? Mixed Modes of Representation in EU-Based CSOs. In S. Kröger & D. Friedrich (Eds.), *The Challenge of Democratic Representation in the European Union* (pp. 74-91). Palgrave Macmillan.
- Johansson, H. & Lee, J. (2014). Bridging the Gap: How do EU-Based Civil Society Organisations Acquire their Internal Representation?. *Voluntas*, 25, 405-424. <https://doi.org/10.1007/s11266-012-9343-4>
- Kastner, L. (2017). From Outsiders to Insiders: A Civil Society Perspective on EU Financial Reforms. *Journal of Common Market Studies*, 57(2), 223-241. <https://doi.org/10.1111/jcms.12644>
- Kaitatzi-Whitlock, S. (2007). The missing European public sphere and the absence of imagined European citizenship. *European Societies*, 9(5), 685-704. <https://doi.org/10.1080/14616690701412814>
- Klüver, H. (2010). Europeanization of Lobbying Activities: When National Interest Groups spill over to the European level. *European Integration*, 32(2), 175-191. <https://doi.org/10.1080/07036330903486037>
- Kohler-Koch, B. & Quittkat, C. (2009). What is civil society and who represents civil society in the EU? – Results of an online survey among civil society experts. *Policy and Society*, 28(1), 11-

22. <https://doi.org/10.1016/j.polsoc.2009.02.002>
- Korff, D. (2022, January 19). The EU's own 'Snowden scandal': Europol's data mining. <https://edri.org/our-work/the-eus-own-snowden-scandal-europols-data-mining/>
- Kröger, S. (2013). Creating a European Demos? The Representativeness of European Umbrella Organisations. *Journal of European Integration*, 35(5), 583–600. <https://doi.org/10.1080/07036337.2013.799940>
- Kröger, S. (2018a). Strategic or Principled? The Engagement of Civil Society Organizations with the EU. *Journal of Civil Society*, 14(1), 41–57. <https://doi.org/10.1080/17448689.2017.1401764>
- Kröger, S. (2018b). The Europeanisation of interest groups: Beyond access, fit and resources. *Journal of European Integration*, 40(1), 17–31. <https://doi.org/10.1080/07036337.2017.1345899>
- Kröger, S. (2019). How limited representativeness weakens throughput legitimacy in the EU: The example of interest groups. *Public Administration*, 97(4), 770-783. <https://doi.org/10.1111/padm.12410>
- Mayring, P. (2016). *Einführung in die qualitative Sozialforschung, 6. Auflage [Introduction into qualitative social research, 6th edition]*. Beltz.
- Meardi, G.; Simms, M. & Adam, D. (2021). Trade unions and precariat in Europe: Representative claims. *European Journal of Industrial Relations*, 27(1), 41-58. <https://doi.org/10.1177/0959680119863585>
- Pitkin, H. F. (1967). *The Concept of Representation*. University of California Press.
- Rodekamp, M. (2012). Representing their Members? Civil Society Organizations and the EU's External Dimension. In S. Kröger & D. Friedrich (Eds.), *The Challenge of Democratic Representation in the European Union* (pp. 92-116). Palgrave Macmillan.
- Saward, M. (2006). The Representative Claim. *Contemporary Political Theory*, 5, 297-318, <https://doi.org/10.1057/palgrave.cpt.9300234>
- SGI Europe (2022, January 5). Working Time Directive – Contribution to the European Commission's consultation on the transposition and practical implementation. <https://sgieurope.org/files/SGI%20Europe%20-%20Contribution%20to%20the%20implementation%20report%20on%20WTD.pdf>
- Binderkrantz, A. S.; Blom-Hansen, J. & Senninger, R. (2021). Countering bias? The EU Commission's consultation with interest groups. *Journal of European Public Policy*, 28(4), 469-488. <https://doi.org/10.1080/13501763.2020.1748095>
- SMEunited (n.d.) About – Shaping Europe for SMEs, shaping SMEs for Europe. SMEunited. <https://www.smeunited.eu/about-us#mission>
- Smismans, S. (2016). Democracy and Legitimacy in the European Union. In M. Cini & N. Pérez-Solórzano Borragán (Eds.), *European Union Politics (5th edition)* (pp. 339-351). Oxford University Press.
- Wates, J. (2022, January 18). Concerning: Inclusion of nuclear energy and fossil gas as sustainable investments in the EU Taxonomy Complementary Delegated Act covering certain nuclear and gas activities. EEB. <https://eeb.org/wp-content/uploads/2022/01/EEB-Paper-Taxonomy-delegated-acts-nuclear-and-gas.pdf>

Ukraine's Civil Society

How Strong is it in Reality?

Vanessa Roth

1. Introduction

Since gaining independence in 1991, Ukraine has been through turbulent times. Starting with the Orange Revolution in 2004, through the Euromaidan protests, the subsequent annexation of Crimea and the Russia's invasion of Ukrainian territory in February 2022, Ukrainian civil society has faced multiple challenges. Civil society plays a major role in all states, even if in some it is weaker and in some it is stronger. Civil society is often an important indicator for strong democracies (Carothers & Barndt, 1999). The countries of the Eastern Partnership (EaP) of the European Union (EU) that are located directly at the eastern borders of the EU show a great variation in the strength of their civil society. Due to a long history of Soviet dominance in the region until 1990s, one would not expect a high civil society participation in this region because it has been suppressed for years.

Authors often describe post-Soviet countries as not having stable democracies as well as weak civil societies (Merkel, 1999; Howard, 2002). However, the color revolutions mainly in EaP countries show another image. According to the V-Dem indices *CSO participatory environment* and *Civil society participation index* from 2005 to 2021, they are the highest of those EaP countries compared to other countries in the European Neighbourhood. Uniquely, Ukraine's rising trend of civil society is surprising because it has remained so close to Russia over the years, among other things due to its historical relations (Masters, 2022).

Nevertheless, civil society has improved over the years as Figure 1 shows.

Figure 1

CSO participatory environment and Civil society participation index in Ukraine 2005-2021

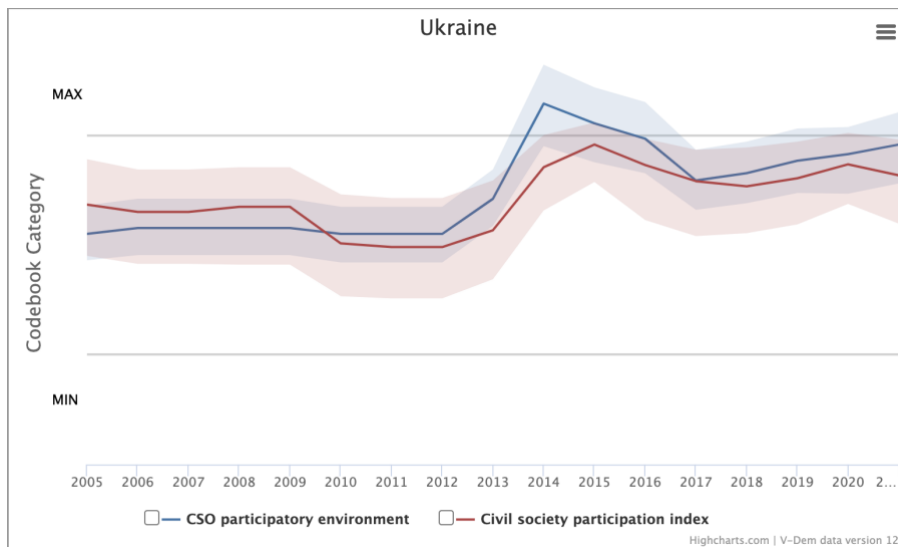


Figure 1 shows the increase of some civil society indices in Ukraine in the period 2005-2021.

Note: Graph retrieved from https://www.v-dem.net/data_analysis/CountryGraph/

Although the literature describes Ukrainian civil society as weak, several revolutions, as well as active student organisations suggest that this assumption is imprecise. Therefore, it is compelling to study the case of Ukraine. Especially during the last revolutions, a high civil society participation across the country can be observed. Therefore, Ukraine shows to have a more active civil society within the region. Between 2005 and 2015, it could be observed that Ukrainians took to the streets more often than the citizens of its neighbouring countries when they were dissatisfied with the current policy in their country (Solonenko, 2015).

Furthermore, by far the most civil society organisations (CSOs) are registered in Ukraine: 110,000 throughout Ukraine, still including Crimea in the count (Sydorenko & Latsyba, 2020, p. 8). Active CSOs contribute an important part to the stabilisation of civil society. This distinguishes Ukraine because this development cannot be seen evidently in the countries around the Ukraine. Thus, this points out the importance of civil society in the country.

Many authors have examined civil society in Ukraine (Stewart & Dollbaum, 2017). It is well established that the focus is largely on the Euromaidan (Way, 2014; Beesley, 2016; Krasynska & Martin, 2017). Rarely is the impact during the Orange Revolution part of the research (Kuzio, 2010). However, when the Orange Revolution is part of the research, it is often compared together with the Euromaidan (Onuch, 2014; Polegkyi, 2016; Collison, 2017). Especially Collison (2017) concludes that the Orange Revolution was somewhat weaker in terms of civil society participation and more opposition-led, with the Euromaidan anticipating

a broader spectrum of the Ukrainian population. However, the literature does not explain why civil society was generally so strong in the period from 2005-2021, so next to the revolutions.

The research question of this thesis therefore is: Why did Ukraine's civil society become particularly strong between 2005 and 2021? The timeframe is chosen due to three important events. First, the occurrence of the Orange Revolution in 2004-2005. Second, the protests of the Euromaidan starting 2013 and lasting until 2014. Both seem to have an especially high uprising in civil society. Third, a turning point in Ukraine through Zelensky's election. In 2021 he enjoyed the highest trust among the population as president from all Ukrainian presidents in office after the collapse of the Soviet Union (Minakov, 2021).

In the course of the thesis, the External Incentives Model (EIM) by Schimmelfennig & Sedelmeier (2020) is used to look at how external actors, specifically the EU, might influence civil society in Ukraine. Furthermore, it will be looked at the term of social capital to also consider the internal factors which might lead to a strong civil society in Ukraine. Social capital is a term that is closely related to civil society and can be used to measure the strength of civil society. Thus, the thesis will combine domestic and external factors when analysing why there is such a strength of civil society in Ukraine. Only looking at both will fully reveal why civil society is becoming particularly powerful in Ukraine.

Based on the analytical framework, two independent variables are obtained, which help to come two conceptual expectations. They will become tested by operationalising the EIM and social capital. In doing so, data from documents of the European Commission (EC), data from surveys, and secondary sources are used. The data is used to examine the independent variables and obtains to come to relevant findings that will be discussed later in the thesis.

This thesis is structured as follows. First, a look is taken at the already prevailing literature of civil society. It will show the current debate on the definition of the term. Second, the EIM and social capital will be examined in more detail. Two conceptual expectations arise from this. The methodological choices will be presented in the section thereafter. Third, an analysis of the data is carried out to test the conceptual expectations. Lastly, the results of the thesis are summarised and recommendations for further research are suggested in the conclusion.

2. Literature Review

Before addressing the question of why Ukraine's civil society became particularly strong in the timeframe, it is first helpful to consider how authors define civil society. To take

a closer look at the term, the debate about civil society both generally and specifically in the case of Ukraine are shown. First, two general definitions, which focus on the internal factors are established. After each definition, the literature focusing on civil society in Ukraine is presented, which takes up these general definitions for their research. Lastly, researchers who examined external factors are presented to round up the debate.

Some preliminary work was carried out after the Cold War. The debate about the term civil society picked up speed in the 1980s (Ossewarde, 2006, p. 299). After the end of the Cold War, the term civil society became associated with the largely changing structures in the former satellite countries of the Soviet Union, so for instance Ukraine, Moldova, and Latvia.

Civil society is an important part of democracy (Hadenius & Ugglå, 1996; B eteille, 2001; Lahiry, 2005). Preliminary work in this field focused primarily on emphasising civil society deeply rooted in civil society organisations (Chazan, 1992; Salamon & Anheier, 1996). They mostly argue that the support of associations and non-profit organisations (NPOs) is vital for a civil society to develop. Especially, Salamon & Anheier (1996) were among the first to conduct an empirical study comparing the non-profit sectors of eight countries. For that they defined the NPOs in this sector in terms of five main characteristics: As organisations, as distinct from the government, non-profit, self-governing, and voluntary (pp. 3-4). Salamon & Anheier get cited very often by scholars assessing civil societies (Krasynska & Martin, 2017). In seeing NPOs as representative for defining society, they offer an easy operationalisation in measuring the strength of a civil society by just counting the number of organisations.

By accepting this definition, Way (2014) defines civil society in Ukraine as the number of organisations there. However, to evaluate the strength of the civil society during Euromaidan, he suggests three dimensions. First, civil society as a “traffic cop”, meaning that civil society acts in organising protests accordingly (p. 37). Second, civil society in the role to mobilise people, meaning getting many to the streets for protesting. The third dimension focuses on the stability of the civil society in long term. He concluded that only in one of the three factors civil society in Ukraine can be defined as strong according to his own assessment. Way (2014) does not see the civil society as stable but acknowledges that there was a certain strength and high participation. This is a first indication that civil society is not as weak as the literature claims, meaning that further research has to dig deeper. Social capital is not considered as a factor here.

Largely, previous literature faces some limitations. It ignores the fact that civil society is more than non-governmental organisations (NGOs) and CSOs. This explanation might

work for civil society but it is only a small part of it. It disregards the interpersonal level of a civil society. The concept of civil society is more complex than that. Not everyone who is part of civil society is necessarily part of an association. Furthermore, it is expected that the number of NGOs in Ukraine alone does not cover the strength of civil society participation there, since many of those who were briefly active during the revolutions might often not be members of an association (Stewart, 2009, p. 182).

Therefore, other authors have tried to describe civil society more precisely (Lyons, 2009; Brassett & Smith, 2010). Particularly, Malena & Heinrich (2007) remedy this shortcoming. They define civil society as an arena where people come together and can act, so where actions of civil society can take place. The authors named before, alluding rather to an economic connection, whereas the definition by Malena and Heinrich's definition emphasises more the political dimension. This political part of the definition is used for this research to understand how people interact with each other in this arena. This definition is also taken up by Lutsevych (2013). Whereas she stresses the importance of civil society for democracy, she at the same time defines civil society as a space of exchange. In her definition of civil society, she also talks about the relations between the organisations and active persons, however, still misses to examine the trust between them. This means that this factor is totally undervalued in the literature about civil society.

The Ukraine Civil Society Assessment of NORC at the University of Chicago (n.d.) tried to examine why civil society is strengthening in Ukraine by also measuring trust, thus by a broader approach. The authors state that parts of social capital are increasing. However, they did not carry out further and detailed research in their article and it is unclear how exactly the research went, for instance which questions were asked to CSOs in their online survey and also unclear to which ones exactly the questions were proposed. The article focuses only on internal factors which might reinforce civil society in Ukraine, for instance the number of CSOs. Nevertheless, this assessment has limitations, especially in the implementation, which means that the research should be carried out more precisely in the field. This is what the thesis aims to do in the further course.

Whereas this literature focuses on internal factors that might lead to a strong Ukrainian civil society, some authors look at external influences on Ukraine's democracy (Wilson, 2006; McFaul, 2007; McDonagh, 2010). These articles also do offer not a complete reason for civil society to be strong. Instead, especially McFaul (2007) focuses on how external actors influenced the media or that funding of these actors helped Ukraine to remain a hybrid regime and not slide into complete autocracy (p. 81). Concentrating only on external factors is also a

flaw in the literature because it still does not recognise that a broader approach is needed to analyse civil society.

This literature review has shown that literature about the time frame this thesis will focus on comes with weaknesses. First, the literature in that field often focuses on one of the two revolutions and sometimes fails to explain what happened in between or years after. Second, the strength of a civil society is often presented too simply. Lastly, it has to be noted that the literature for the most part ignores either external factors or the interpersonal factors, such as trust among one another, which could play a role during the protests.

This thesis serves to combine these two factors. On the one hand, there will be a closer look at the external funding of Ukrainian civil society. On the other hand, it is assessed to what extent Ukraine's civil society can still be described as weak over the years. Thus, the next chapter revolves around the analytical framework, which describes the external incentives model and the concept of social capital. Both are needed in order to be able to explain the factors that may lead to an explanation of the strength of civil society in Ukraine.

3. Analytical Framework

Having identified the main points of the debate of the civil society definition, it is necessary to establish the analytical framework for this research. This thesis draws on the EIM (Schimmelfennig & Sedelmeier, 2005) as well as the concept of social capital (Putnam, 1993).

Schimmelfennig & Sedelmeier (2020) created a conceptual model that can be used for the research question of this thesis because they focus on external factors, such as the EU, that shape political and societal elements in a country. With their model of the EIM, they try to shed light on the role of the EU in the neighbourhood and the behaviour of states that might consider joining the EU. Their model will be used to analyse the EU's role in strengthening civil society in Ukraine. Yet, domestic factors, for instance NGOs and identity building are mostly not part of this concept. The higher civil society participation in Ukraine can also come from the civil society itself. In order to not ignore internal factors, the thesis will also be based on the concept of social capital, which was mainly influenced by Putnam (1993) and has gained more attention in recent years. This concept is useful in trying to explain a positive change or reinforcement of a civil society in a country. Both factors were chosen to cover the factors behind the strength of Ukrainian civil society as much as possible.

3.1. External Incentives Model

The EIM is a conceptual model which describes the convergence of eastern and central European countries outside the EU. It is rational because the EU and the perspective country enter a cost-benefit analysis. The model argues that for countries to move closer to the EU and adapt European norms and values, the EU uses the instrument of conditionality. This means that the EU sets up conditions for a respective country which it must adhere to. If the EU believes that these conditions are being implemented well, the country will then be rewarded with closer integration towards the EU, for instance economically (Schimmelfennig & Sedelmeier, 2004). In a revisited version, Börzel & Schimmelfennig (2017) argue that the stronger a membership perspective for a country is, the “more political change we observe” (p. 279). The conditionality mentioned can influence a government directly through bargaining or indirectly through strengthening the society in the respective country.

The incentives that the EU offers can either be positive or negative, thus often compared to the *carrot and stick* metaphor (Börzel & Schimmelfennig, 2017; Richter & Wunsch, 2020). The *carrot* here is compliance with the rules set by the EU and the *stick* is then used for non-compliance. The *carrot* can be, for instance, a membership perspective in the EU. In contrast, negative incentives or the *stick* might include economic punishments such as high taxes on products from the country outside the EU. It can be argued that even though in the time frame from 2005 until 2021 the EU could not offer a concrete membership to Ukraine, it strengthened the cooperation and made a step in the direction of rapprochement between the EU and Ukraine with the Association Agreement and inclusion in the energy community (Dimitrova & Dragneva, 2013).

The EIM is brought into the concrete context of the scope of this thesis because the EU supports Ukraine with millions of funds annually (Wolczuk & Žėruolis, 2018). Ukraine is one of the countries with the largest financial support in terms of the EaP (Chromiec & Koenig, 2015, p. 15). This results in the first conceptual expectation: A higher external financial support from the EU leads to a stronger civil society in Ukraine. In the following, this expectation gets examined. However, before examining it, the next section describes what social capital is and how it fits together with civil society.

3.2. Social Capital

Several authors have dealt with the definition of social capital (Putnam, 1993; Bourdieu, 1986; Coleman, 1988). Putnam (1993) defines social capital as the collective cohesion of society and their trust in each other. Precisely he writes that “Social capital here

refers to features of social organisation, such as trust, norms, and networks, that can improve the efficiency of society by facilitating coordinated actions” (p. 135). Putnam argues that social capital is one of the main factors for a functioning democracy. Ukraine is going in the right direction, but still has flaws in the rule of law, for instance, although constantly improving. Putnam especially emphasises the importance of horizontal interactions, that is the interactions on an interpersonal level and not the vertical interactions between the state and the population (Krishna & Shrader, 1999).

A different definition is provided by Bourdieu (1986). For him, social capital is not a collective cooperation of civil society but the merit of each individual, as well as the respect of every individual agent who works to improve social capital. Structures in civil society are not first formed but are shaped by individuals. This view is more of a hierarchical view and, in contrast to Putnam, has a vertical emphasis. While Putnam has a more positive connotation of social capital, for Bourdieu it is a zero-sum game (Tzanakis, 2013). It goes hand in hand with a cost-benefit analysis of how much one would like to get involved in the social sphere.

The third pioneering author in this field is Coleman (1988). In his views on social capital, he describes that social capital is promoted by individuals, but not the individual then who benefits from these actions, but everyone. His view on social capital comes close to Bourdieu’s, but nevertheless still shows two main differences. First, whereas Bourdieu (1986) sees family and friends not part of the definition of social capital, Coleman does. Coleman (1988) sees social structures in the family as a part that contribute to strengthening social capital and thus civil society (p. 100). Second, Coleman has a more positive attitude towards social capital than Bourdieu. Bourdieu (1986) states that social capital in a whole produces inequalities. Coleman (1988) does not share this view. Instead, he argues that social capital will benefit everyone (p. 105). For him there is no direct division in society with regards to social capital.

From this literature, a second conceptual expectation can be derived: The higher the social capital in Ukraine the higher its civil society strength. This is because the authors have one thing in common: that a high level of social capital is important for democracy.

In general, in this part of the thesis, different definitions of social capital were presented. The definition of Putnam is used as a basis for other authors, for instance Voicu & Basina (2015) that is why this framework then is used as a basis throughout the thesis. Putnam gives the best operationalisation which can be used to measure the strength of civil society in Ukraine. Bourdieu’s and Coleman’s framework are not used in this thesis because it focuses on interpersonal factors in civil society. For this research, it is seen as a whole and not

made up of individuals shaping social capital. Accordingly, in the methodology chapter the operationalisation will be explained in detail.

4. Methodology

This thesis will have a look on the strength of Ukraine's society. Ukraine is used as a single case study for several reasons. First, Ukraine is an outlier in the eastern neighbourhood of the EU due to its size and geographical location. Ukraine will be looked at in a separate case because it has a high strategic and security importance for EU. Therefore, Plokhly (2021) calls the country "the gates of Europe". Second, Ukraine has a high CSO sustainability score (United States Agency for International Development, 2018, p. 10). This means that, above all, in the area of the legal environment, organisational capacity, and the financial viability Ukraine has made visible progress (p. 224). CSO organisations are on the rise in Ukraine. But these alone are not only looked at in the further course of the thesis. Ukraine is also exceptional in terms of its international relations. Ukraine one of the first countries in the EaP that secured an Action Plan and an Association Agreements (Sasse, 2013). Other countries in the EaP followed only after Ukraine. Lastly, Ukraine is with Georgia the only country in eastern EU neighbourhood that would like to join NATO in the long term (p. 560).

As a country with one of the strongest civil societies in the EaP neighbourhood, it is chosen as a case to examine this development. The time frame is chosen because several revolutions took place during this period, although it has often been claimed that civil society in Ukraine is so weak. In the case of the two conceptual expectations, the dependent variable is the reinforcement of civil society. The independent variables were each formed based on the analytical framework. This means that for the first conceptual expectation, the independent variable is a higher external financial support from the EU. Documents and secondary sources are traced to answer the research question why civil society in Ukraine became so strong from 2005 to 2021.

To test the first conceptual expectation, a document analysis of EC documents of the Annual Action Programmes²¹, respectively the European Neighbourhood and Partnership Instrument (ENPI) from the years 2007-2021 is carried out. The ENPI was succeeded by the European Neighbourhood Instrument in 2014, and in 2021 by the Neighbourhood, Development and International Cooperation Instrument (NDICI). Document analysis is a

²¹ The documents of the European Commission are all accessible at https://ec.europa.eu/neighbourhood-enlargement/european-neighbourhood-policy/countries-region/ukraine_en

useful tool for “evaluating documents” (Bowen, 2009, p. 27). It helps to show a development of a factor in research (p. 30). In the case of this thesis, it shows the development of the provision of funds in Ukraine in the period from 2007 to 2021. The documents cover that timeframe, starting from 2007 because this year marks the start of Ukraine and the EU negotiating about the Association Agreement. Before that, no Commission documents can be found regarding financial support to Ukraine which are efficient enough to examine, so the document analysis has to be limited to this period. Additionally, before 2007, it was unclear how much money the EU made available to Ukraine, because the European Neighbourhood Policy was only recently established and was still in a developing phase (European Commission, 2022).

The sample consist of 26 of these EC documents which are intended to analyse the money spent and for which area. If civil society is mentioned in the general summaries, the respective annex which deals with civil society, is also highlighted in order to see to what extent the EU is committed to Ukrainian civil society. These documents were chosen to understand exactly how the EU is partially promoting Ukraine. The EU has many instruments to do this, but especially the Commission documents are detailed in how much money they provided and for which political or non-political aims.

With the aim of finding relevant parts of the documents, the EC documents were analysed using the key terms “civil society” and “contribution” to determine to what extent civil society in Ukraine is supported by the EU and with how much money. Furthermore, data from secondary sources are consulted to get an ideal overview. These are mostly datasets or analyses which were already collected by other researchers. Documents alone are otherwise less valid for the research question. Therefore, to support the analysis of the EU documents, for the first conceptual expectation supplementary data between 2014 and 2020 of a policy paper (Chromiec & Koenig, 2015) will be analysed as well.

The independent variable for the second conceptual expectation is a higher social capital. Evaluating the second conceptual expectation needs an operationalisation of the concept of social capital first. There is no consensus on how to measure social capital (Claridge, 2004). However, Voicu & Basina (2005) conducted a comparative study of social capital in Ukraine and Romania. Based on their work throughout the thesis social capital is measured in membership in an organisation, registered public associations, trust in the Ukrainian president and the government, the trust of the Ukrainian population towards their own people and the involvement in mass protest actions. According to Voicu & Basina (2005), the signing of a petition is also part of a protest action, which is why in this thesis it is

also considered as a part of it. Since this measurement has already been used by them, it offers a good basis for using it for the thesis as well. Some factors of this measurement also allude to Putnam's (1993) definition. For him, among other things, trust and membership in an association are important points to quantify the concept. This is another point why this operationalisation is used throughout the thesis.

In order to assess this conceptual expectation, the thesis is also based on existing data. These are obtained from various sources. First, from the World Values Survey (WVS) which was conducted in Ukraine in 2006, 2011, and 2020. It includes questions concerning people's trust, confidence in the government, the rough percentage of people which are part of voluntary organisations, the enthusiasm to sign a petition or join peaceful demonstrations. Since this data does not consider all years and all operationalisation factors, data from secondary literature is also used. These include, for instance, additional numbers of membership in an organisation, as well as number of registered CSOs. Additionally, graphs are consulted based on Gallup (2015) opinion poll data. They consist of percentages of trust in the Ukrainian government between 2006 and 2015 and the approval of the respective presidents in those years. The data is used to compare it with the WVS data to improve the accuracy of the analysis.

5. Analysis

The previously presented methodology is used to analyse the data. First, the documents and secondary sources for the first conceptual expectation are analysed. Thereafter, the factors of the second conceptual expectation are investigated.

5.1. Analysis of the EU's Higher Financial Support to Ukraine

5.1.1. 2007-2009

In 2007, the EU already spent a total of €142 million with the ENPI (European Commission, 2007). The main goal of the EU is to promote democracy in Ukraine. By and large, this money should be used to ensure that Ukraine complies with the Action Plan initiated by the EU (p. 1). Furthermore, the year was the starting signal for integrating Ukraine into the EU Single Energy Market (p. 2). However, the money made available to Ukraine through the ENPI began to shrink the following year. In 2008, the money was used to strengthen economic cooperation between the EU and Ukraine (European Commission, 2008). Support for cooperation in the energy sector is again explicitly mentioned that year, with a specific focus on renewable energy (p. 2). In 2009, the EU continued with having the

same goals (European Commission, 2009). However, it did so by providing less money, at least from the general budget of the ENPI. During these years, the EU is trying to build up Ukraine in various sectors. There is still no talk of civil society, which means that the data suggests that the EU cannot have ensured that civil society was strengthened.

5.1.2. 2010-2013

From 2010 a slight increase in money from the EU to Ukraine can be seen. It has to be noted that in that year there was a first hint to the Association Agreement. The Commission mentioned that they support to implement “the commitments set forth in the Association Agenda, the future Association Agreement” (European Commission, 2010, p. 2). For this purpose, the EU made a total of €125 million available for this in the year via the ENPI. In the years that followed, the EU’s goals began to take on clear forms and the budget began to increase again.

In 2011, the Association Agreement, including the Deep and Comprehensive Free Trade Area took shape (European Commission, 2011a). The EU wanted to help prepare Ukraine for this. Furthermore, the two documents of that year focused, among other things, on regional stability, as well as the civil service in order to strengthen the government (European Commission, 2011b, p. 2). During that time the EU is supporting Ukraine with a total of €135 million from the ENPI. The budget increased, but the money was not passed on to civil society actors, since civil society was not specifically mentioned in any of the documents. Thus, it cannot be assumed that the EU built civil society up with that money.

In 2012, the EU provided no new points, the focus remained on supporting institutions, so that they comply with the future EU-Ukraine Association Agreement. However, first hints on support of parts of civil society can be found in the document. To be precise, the Commission intended to strengthen “participatory governance and community-based initiatives throughout Ukraine” (European Commission, 2012, p. 2). It is a first indicator that the EU wants to support Ukrainian civil society.

In 2013, the EU added a new dimension by wanting to encourage regional actors. The money provided by the EU is increasing to €186 million in that year (European Commission, 2013). The EU’s aims during that time was to continue supporting Ukraine’s Regional Policy (p. 3). Furthermore, the Commission attached importance to the set priorities of the EU-Ukraine Association Agreement which was planned to be signed in the following year (p. 2). No indication of civil society can be observed in the document which suggests that the EU was not a factor for strengthening civil society this year.

5.1.3. 2014-2021

2014 was a year of changes for Ukraine (*The Economist*, 2022). Starting with the 2013 protests over Yanukovich, the then sworn president of Ukraine, not signing the Association Agreement, instead trying a rapprochement with Russia and the subsequent annexation of Crimea, this development caused concern for the EU (Paul, 2015). The EU spent €242 million to Ukraine, the highest sum given up to that point. After the non-signing of the Association Agreement and the subsequent protests on the Euromaidan, as well as Russia's annexation of Crimea destabilised Ukraine. The EU therefore decided to promote democracy and explicitly launched a civil society program. The "Ukraine civil society support programme promotes civil society engagement and democratic oversight of national reforms" (European Commission, 2014a, p. 3). It was planned that the action would be implemented through grants and service contracts (p. 3).

Furthermore, it aimed to promote the exchange in the Civil Society Forum founded in 2009 (European Commission, 2014b). From this year onwards, however, the budget was drastically reduced again. In 2015 the EU only donated €160 million for a further stabilisation and integration of the Ukrainian economy (European Commission, 2015a). The EU was also committed to a decentralisation reform in Ukraine (European Commission, 2015b). The data suggests that strengthening civil society in Ukraine is not the main goal of the Commission, but according to the documents it has moved up the agenda because it has been mentioned regularly since 2014.

With €199.7 million, the Commission in 2016 came close to the values of 2014, but it did so because it wanted to advance three goals in particular: to fight against prevailing corruption, to promote the rule of law and to improve public administration (European Commission, 2016 a-c). 2017 then the "Single Support Framework for European Union support to Ukraine for the period 2018-2020" was passed (European Commission, 2017). There are no concrete hints in the main document about the financial support in 2017. Since civil society is also not mentioned in that year, it can be arguably assumed that Ukraine's civil society has moved further into the background of the EU.

In 2018, the EU outlined that money will be invested in various EU programs in Ukraine. The Commission was making a total of €147 million available for this with the ENI (European Commission 2018a-b). In 2019, the EU and Ukraine's fight against corruption there entered the second phase. Furthermore, the promotion of civil society, now including culture, was specifically mentioned for the third time. The EU focused on CSOs because it

sees them as an important part of democracy (European Commission, 2019, p. 4). The EU justified the strengthening of civil society by seeing it as a critical governance actor (p. 5). Of the total provided by the EU in this Annual Action Program, €5 million were considered to Ukrainian CSOs (European Commission, 2019, p. 13). Despite the continued funding of many programs, the budget for that year was shrinking again, although it was slightly increasing again the following year.

In 2020, the EU focused once more on the economic integration of Ukraine into the EU. It was intended to promote small and medium businesses but the Commission also decided to provide money for Ukraine's most important sector, the agricultural sector (European Commission, 2020a). Furthermore, the EU continued to support civil society (European Commission, 2020b). This time it is specifically mentioned in the documents, so it spent money assisting the civil society for the second year in a row. In that year, €165 million. In the final year of the analysis, in 2021, the document has four goals, which it supports with little money from the NDICI (European Commission, 2021). The EU had other goals that year, civil society is no longer considered in the documents. During these years, the fluctuations in the EU contribution to Ukraine's civil society can be recognised well. The EU only promotes civil society in selected years, which does not seem good enough for a long-term strengthening of civil society.

Additionally, Chromiec & Koenig (2015) state that between 2014 and 2020 “only one percent” of the money provided by ENI were made available to support civil society actors (p. 15). It can be said that the EU, on the basis of these documents, with the ENI and the instruments that follow after, did not contribute to strengthening civil society as much as expected because hardly any money is provided for the civil society. The US Agency for International Development (USAID), for example, provided much more money in contrast to the EU regarding civil society (Lutsevych, 2013). In 2010, \$31 million was made available for civil society only (p. 91). Hence, despite the total amount of money made available by the EU's instruments, support for civil society only plays a rather small role over the entire period examined.

In sum, the provision of funds to Ukraine by the Commission is subject to strong fluctuations. It is not entirely clear what these have to do with, but it suggests that less money flows in “quieter” times. According to the EIM, the money should increase the more Ukraine sticks to the EU goals. But as already mentioned, the money flows irregularly. More money is made available to stabilise Ukraine, especially after the Euromaidan revolution and the annexation of Crimea shortly thereafter. When the Euromaidan revolution happened, more

money was provided, but it is unlikely that the EU is responsible for this revolution. The EU supports Ukraine in many areas, but most of the money goes in the energy sector and in the market relations between the EU and the Ukraine, so not much in civil society. Since the term appears irregularly and not often in the total number of documents, as well as comparably less money is made available for civil society, the data does not support the first conceptual expectation.

5.2. Analysis of Social Capital in Ukraine

In the following section the second conceptual expectation is analysed, which includes the analysis of factors which compose the social capital of Ukraine. Based on Voicu & Basina (2015) these are, first, how many public associations are registered in Ukraine and how many Ukrainians have a membership in organisations. Second, the trust Ukrainians have in their president and in the government. Third, the trust of Ukrainians in their fellow citizens. Last, the willingness of Ukrainians to take part in mass protests actions. The analysis of social capital of the thesis consists of two parts. First, the trust aspects are analysed. Next, registered organisations, membership, and willingness to act are summarised in the second part of the social capital analysis.

5.2.1. Ukrainians’ Relationship of Trust

Data for the different aspects of trust are summarised in Tables 1 and 2. Table 1 looks at the Ukrainians’ trust in presidents from 2008-2015. Table 2 highlights Ukrainians’ trust in their government. The last part features the analysis of the trust of Ukrainians towards their own people.

Table 1
Job Approval of Ukrainian Country Leaders

Job Approval of Ukrainian Country Leaders

	2008	2009	2010	2011	2012	2013	2014	2015
President Viktor Yushchenko	17%	7%	--	--	--	--	--	--
President Viktor Yanukovych	--	--	46%	29%	28%	28%	--	--
President Petro Poroshenko	--	--	--	--	--	--	47%	17%

-- Question not asked

GALLUP®

Table 1 shows Ukrainians’ approval in their country leaders between 2008 and 2015.

Note: Table retrieved from <https://news.gallup.com/poll/187931/ukrainians-disillusioned-leadership.aspx>

Table 2

Ukrainians’ Trust in the Government

	2006 (%)	2011 (%)	2020 (%)
A great deal	4.1	2.6	2.6
Quite a lot	19.5	22.8	16.3
Not very much	29.9	38.1	38.1
None at all	24.4	39.6	36.2

Table 2 shows the percentage of questioned Ukrainians’ trust in their own government in 2006, 2011, and 2020.

Note: Table is based on numbers from wave 5, 6, and 7 of the WVS (World Values Survey, 2006; 2011; 2020).

Table 1 shows that in the first year of a presidency, the trust of the population in the president is quite high (Gallup, 2015). However, it decreases rapidly in the second year of the term. President Zelensky, who has been in office since 2019, seems to have at least somewhat overcome this hurdle. He is the most trusted presidents of all Ukrainian presidents since the 1990s (Minakov, 2021). The data displays that although trust in the presidents has always been low, Zelensky continues to have high approval ratings. This indicates that there has also been an increase over the years. Overall, it implies that this contributes to a raise in social capital.

The approval of Zelensky is not reflected in the trust in the government. The figures on the question of confidence in government from the WVS²² are portrayed in Table 2. The data of Table 2 shows that confidence in the government is generally not very high. Respondents that answered a “great deal” and “quite a lot” are shrinking in direct comparison from 2006 to 2020. Hence, the trend over the years suggests that the factor of trust in the government decreases. Thus, it tends not to increase social capital.

²² The percentages in the analysis based on the WVS can be accessed via: <https://www.worldvaluessurvey.org/WVSContents.jsp>

In the WVS, the question of whether the respondents trust people are asked in each term. In 2006, 24.5% stated that most people can be trusted. In 2011, the figure fell slightly from 23.1%. 2020, one can observe a spike in trust by 6.1 percentage points compared to 2011. Consequently, 30% of respondents trust other people.

In 2006 64.4%, in 2011 70.3% and in 2020 67.3% stated that one had to be careful with regard to others. However, 24.5% of the respondents stated in 2006 that most people can be trusted. The number fell slightly to 23.1% in 2011, but in 2020 the number of respondents who trusted other people increased to 30%. Of those who tend to trust people, Ukrainians tend to trust those closest to them the most, so for instance relatives or neighbours (Interfax-Ukraine, 2019). Thus, in a direct comparison, the number of Ukrainians who believe that most people of their own population can be trusted increases. This means that the Ukrainians gain more trust in their fellow citizens and thus contribute to an increase in social capital.

5.2.2. Registered Public Associations, Membership, and Involvement

There are different data available on how many public associations there are in Ukraine. In general, in Ukraine there are civil society registered in the five-digit range. The number was around 40,000 in 2009 (Stewart, 2009, p. 182). In 2021, the Ukrainian parliament passed a law, which made it easier to set up such an organisation (ICNL, 2012). As a result, the number has increased rapidly over the years. Among other things, many NGOs were founded as part of the annexation of Crimea to provide humanitarian aid in the areas occupied by Russia. In 2020, the number was 110,000 registered organisations, and the trend is rising (Sydorenko & Latsyba, 2020). According to data summarised by Ghosh (2014), the data matches since there is an increase from 2008 to 2013. Thus, the data shows that the number of registered organisations in Ukraine is increasing immensely in the examined period of this thesis. Hence, a part of Ukraine's social capital is increasing.

In the WVS, those surveyed are asked whether they are a member of various named organisations such as the church, sports clubs, or a labour union. In 2006, 80 to 90% are not members in the permitted organisations. In 2011, the numbers even increased slightly overall. In 2020, the possible answers to the questions for some organisations will change from “not a member” to “don't belong” (World Values Survey, 2020, p. 33). For the organisations that have a not a member as an answer option, the numbers of people who are not a member remain between 80 and 90%. The number of people belonging to an organisation remains the same over the years, which is why it has little overall impact on social capital.

In each term of the WVS there are two questions for the willingness for signing a petition, as well as the willingness to take part in a peaceful demonstration. First, they are asked whether they have already signed a petition, are willing to do so, or would not do it at all (World Values Survey, 2006, p. 70). Table 3 demonstrates the trend of the respondents of the respective years. Second, the WVS looks at how many have already taken part in a demonstration, how many can imagine doing so and how many would never take part. Table 4 reveals the percentage of the respondents and their eagerness to actively demonstrate.

Table 3
Signing a Petition

	2006 (%)	2011 (%)	2020 (%)
Have done	6.6	8.8	12
Might do	24.9	15.1	34.3
Would never do	62.3	76	42.8

Table 3 shows how many of the questioned Ukrainians signed a petition, might sign, or might not sign one in 2006, 2011, and 2020.

Note: Table is based on numbers from wave 5, 6, and 7 of the WVS (World Values Survey, 2006; 2011; 2020).

Table 4
Willingness to Participate in a Peaceful Demonstration

	2006 (%)	2011 (%)	2020 (%)
Have done	15.8	13.6	8
Might do	26.1	14.3	32
Would never do	53.6	72	49.3

Table 4 shows the willingness of respondent in taking part in a peaceful demonstration in 2006, 2011, and 2020.

Note: Table is based on numbers from wave 5, 6, and 7 of the WVS (World Values Survey, 2006; 2011; 2020).

In general, the data of Table 3 and 4 imply that the number of those who have already signed a petition, as well as the number of those who can imagine doing so, is increasing. The number of respondents who said they would never do it decreased from 2006 to 2020,

although it increased slightly in 2011. Additionally, even though the number of those who took part in a peaceful protest is falling, the willingness to take part in demonstrations is increasing and at the same time the number of those who would never take part in a protest is falling. This shows that some of the actors in civil society are ready to go on the streets. Overall, this means that these numbers also result in an increase in social capital.

To sum up, both the number of people who are a member in an organisation, as well as the trust in the government do not contribute much to an increase in social capital. All other factors, however, contribute to an increase due to the rising numbers, which is why it can be said that the social capital is increasing and the second conceptual conceptualisation can thus be confirmed. Therefore, it answers the research question by showing that social capital is an important factor to consider when researching about civil society in Ukraine.

6. Conclusion

The thesis examined two conceptual expectations derived from the EIM and Social Capital to answer the research question why Ukraine's civil society became particularly strong between 2005 and 2021. The analysis showed that civil society in Ukraine became strong in this timeframe due to the rise in social capital in the country. The various factors involved in social capital have revealed that it is generally increasing. Thus, answering the research question, the thesis has uncovered that social capital is an important component of strengthening Ukraine's civil society.

In addition, it was outlined that social capital is not present in the literature. Authors often argue that the strength in civil society is driven by outside actors but in Ukraine's case it is driven by a bottom-up approach, meaning from the people itself. It was also demonstrated that people in Ukraine stay mobilised over the long term.

Particularly, the number of registered organisations and the increase in activism through signing petitions and people's willingness to take to the streets paint a clear picture. The grants from the EU to Ukraine are not the main reason for the strength of civil society in the country. The strengthening of civil society was not the main objective of the EU and is therefore hardly mentioned over the years in the documents. Consequently, civil society has not been promoted enough to achieve such a turn either.

The thesis comes not without limitations. It has to be noted that the data for this research over such a long period of time is limited. In the area of the first conceptual expectation, one could only access the EC documents since 2007. However, with regards to secondary sources, this limitation could be at least partially eliminated. Especially for the

operationalisation of the second conceptual approach, it was difficult to find data for each year. The WVS is not conducted annually but in rotation. Data from secondary sources sometimes contradicted each other, so the focus was mainly on data from the WVS. Therefore, further research could conduct its own surveys or interviews to obtain more precise data.

Nevertheless, this thesis contributes significantly to the academic debate of civil society in Eastern Europe, especially with Ukraine's further rapprochement with the EU. The thesis has highlighted the importance of social capital when analysing civil society in a country. Further research can be done by applying the research framework provided in the thesis to other countries. It can be used, for instance to research what role social capital played in other EaP countries, such as Georgia which also shares a similar pattern regarding civil society. Furthermore, these findings add to a growing body of literature on civil society by not only assessing an external factor but also highlighting the importance of domestic factors, which is a rather new approach in the field.

Reference List

- Beesley, C. (2016). Euromaidan and the Role of Protest in Democracy. *PS: Political Science & Politics*, 49(2), 244-249.
<https://doi.org/10.1017/S1049096516000147>
- Bourdieu, P. (1986). The Forms of Capital. In J. Richardson (Ed.), *Handbook of Theory and Research for the Sociology of Education* (pp. 241-258). Greenwood.
- Börzel, T. A., & Schimmelfennig, F. (2017). Coming together or drifting apart? The EU's political integration capacity in Eastern Europe. *Journal of European Public Policy*, 24(2), 278-296.
<https://doi.org/10.1080/13501763.2016.1265574>
- Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative Research Journal*, 9(2), 27-40.
<https://doi.org/10.3316/ORJ0902027>
- Brasset, J., & Smith W. (2010). Deliberation and Global Civil Society: Agency, Arena, Affect. *Review of International Studies* 36(2), 413-30.
- Carothers, T., & Barndt, W. (1999). Civil Society. *Foreign Policy*, 117, 18-29.
<https://doi.org/10.2307/1149558>
- Chazan, N. (1992). Africa's Democratic Challenge. *World Policy Journal*, 9(2), 279-307.
- Chromiec, J. J., & Koenig N. (2015). *Supporting Ukraine's Difficult Paths Towards Reforms*. Jacques Delors Institut Berlin.
<https://institutdelors.eu/wp-content/uploads/2018/01/ukrainekoenigchromiecjdienoct2015.pdf?pdf=ok>
- Coleman, J. S. (1988). Social Capital in the Creation of Human Capital. *American Journal of Sociology*, 94, 95-120.
- Collison, C. G. (2017). *Ukraine's Two Maidans: How Competition Between the Grassroots and the Political Opposition During the Euromaidan Revolution Paved the Way for a New Civic Culture* (pp. 1-69) [MA Thesis, University of Washington].
https://digital.lib.washington.edu/researchworks/bitstream/handle/1773/39892/Collison_washington_02500_17222.pdf?sequence=1&isAllowed=y
- Claridge, T. (2004). *Social Capital and Natural Resource Management: An important role for social capital?* (pp. 1-90) [BA Thesis].
<https://www.socialcapitalresearch.com/wp-content/uploads/2013/01/Social-Capital-and-NRM.pdf>
- Dimitrova, A., & Dragneva, R. (2013). Shaping Convergence with the EU in Foreign Policy and State Aid in Post-Orange Ukraine: Weak External Incentives, Powerful Veto Players. *Europe-Asia Studies*, 65(4), 658-681.
<https://doi.org/10.1080/09668136.2013.766040>
- European Commission. (2007). *Commission Decision on the ENPI Action Programme 2007*

- in favour of Ukraine to be financed under Article 19 08 01 03 of the general budget of the European Communities.* Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/decision_224080_0.pdf
- European Commission. (2008). *Commission Decision of 29.07.2008 on the Annual Action Programme 2008 in favour of Ukraine to be financed under Article 19 08 01 03 of the general budget of the European Communities.* (C(2008) 3891). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/c_2008_3891_commission_decision.pdf
- European Commission. (2009). *Commission Decision of 19.10.2009 on the Annual Action Programme 2009 in favour of Ukraine to be financed under Article 19 08 01 03 of the general budget of the European Communities.* (C(2009) 7803). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/com_dec_aap_2009_ukr_en_-_copy.pdf
- European Commission. (2010). *Commission Decision of 29.07.2010 on the Annual Action Programme 2010 - part I in favour of Ukraine to be financed under Article 19 08 01 03 of the general budget of the European Union.* (C(2010) 5091). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/com_dec_aap_2010_part_1.pdf
- European Commission. (2011a). *Commission Decision of 13.07.2011 on the Annual Action Programme 2011 part I in favour of Ukraine to be financed under Article 19 08 01 03 of the general budget of the European Union.* (C(2011) 4967). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/com_dec_aap_2011_part1.pdf
- European Commission. (2011b). *Commission Decision of 13.07.2011 on the Annual Action Programme 2011 part II in favour of Ukraine to be financed under Article 19 08 01 03 of the general budget of the European Union.* (C(2011) 8573). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/com_dec_aap_2011_part2.pdf
- European Commission. (2012). *Commission Implementing Decision of 5.12.2012 on the Annual Action Programme 2012 part 2 in favour of Ukraine to be financed from the general budget of the European Union.* (C(2012) 8842 final). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/enpi_2012c20128842.pdf
- European Commission. (2013). *Commission Decision of 20.11.2013 on the Annual Action Programme 2013 in favour of Ukraine to be financed from the general budget of the European Union.* (C(2013) 8059). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/com_dec_aap_2013_ukr_en.pdf
- European Commission. (2014a). *Commission Implementing Decision of 29.4.2014 on a Special measure 2014 in favour of Ukraine to be financed from the general budget of the European Union.* (C(2014) 2907 final). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/com_dec_special-measure-ua-2014_en.pdf
- European Commission. (2014b). *Annex 2 of the Commission Implementing Decision on the Special measure 2014 in favour of Ukraine. Action Document for Ukraine Civil Society Support Programme.* Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/annex_2_com_dec_special-measure-ua-2014_-_copy.pdf
- European Commission. (2015a). *Commission Implementing Decision of 23.04.2015 on the Special Measure 2015 for Private Sector Development and Approximation in favour of Ukraine to be financed from the general budget of the European Union.* (C(2015) 2752). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/c_2015_com_dec.pdf
- European Commission. (2015b). *Commission Implementing Decision of 02.12.2015 on the Special Measure 2015 for Decentralisation Reform in favour of Ukraine to be financed from the general budget of the European Union.* (C(2015) 8394 final). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/com_dec_on_sm_ii_decentralisation.pdf
- European Commission. (2016a). *Commission Implementing Decision of 26.7.2016 on the Special Measure 2016 for Anti-Corruption and Support to Key Reforms in favour of Ukraine to be financed from the general budget of the European Union.* (C(2016) 4719 final). Author. https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/c_2016_4719_f1_commission_implementing_decision_en_v2_p1_853679.pdf

- European Commission. (2016b). *Commission Implementing Decision of 28.10.2016 on the Special Measure 2016 for Public Administration Reform in favour of Ukraine to be financed from the general budget of the European Union*. (C(2016) 6854 final). Author.
https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/eni_2016_sm_ii_decision.pdf
- European Commission. (2016c). *Commission Implementing Decision of 12.12.2016 on the Special Measure III 2016 on Support to Rule of Law Reforms in Ukraine (PRAVO) to be financed from the general budget of the Union*. (C(2016) 8266 final). Author.
https://ec.europa.eu/neighbourhood-enlargement/system/files/2017-03/eni_2016_sm_iii_decision.pdf
- European Commission. (2017). *Commission Implementing Decision of 11.12.2017 adopting a Single Support Framework for European Union support to Ukraine for the period 2018-2020*. (C(2017) 8264 final). Author.
https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-12/c_2017_8264_f1_commission_implementing_decision_en_v3_p1_951257.pdf
- European Commission. (2018a). *Commission Implementing Decision of 25.7.2018 on the Annual Action Programme 2018 (part 1) in favour of Ukraine to be financed from the general budget of the Union*. (C(2018) 5022 final). Author.
<https://ec.europa.eu/neighbourhood-enlargement/system/files/2019-11/20180816-2018-annual-action-programme-for-ukraine- part 1-and-annexes.pdf>
- European Commission. (2018b). *Commission Implementing Decision of 26.11.2018 on the Annual Action Programme 2018 (part 2) in favour of Ukraine to be financed from the general budget of the Union*. (C(2018) 7715 final). Author.
<https://ec.europa.eu/neighbourhood-enlargement/system/files/2019-11/20181128-2018-annual-action-programme-for-ukraine- part 2-and-annexes.pdf>
- European Commission. (2019). *Annex 3 of the Commission Implementing Decision on the 2019 Annual Action Programme (Part 1) in favour of Ukraine. Action Document for Support to civil society and culture*. Author.
https://ec.europa.eu/neighbourhood-enlargement/system/files/2019-05/c_2019_3711_f1_annex3_civil_society_culture.pdf
- European Commission. (2020a). *Commission Implementing Decision of 15.5.2020 on the financing of the Annual Action Programme, part 1, in favour of Ukraine for 2020 to be financed under the general budget of the Union*. (C(2020) 3294 final). Author.
https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-05/c_2020_3294_f1_commission_implementing_decision_en_v5_p1_1065576.pdf
- European Commission. (2020b). *Commission Implementing Decision of 28.7.2020 on the financing of the Annual Action Programme, part 2, in favour of Ukraine for 2020 to be financed under the general budget of the Union*. (C(2020) 5161 final).
https://ec.europa.eu/neighbourhood-enlargement/commission-implementing-decision-financing-annual-action-programme-part-2-favour-ukraine-2020_en
- European Commission (2022). European Neighbourhood Policy: What is it?
https://ec.europa.eu/neighbourhood-enlargement/european-neighbourhood-policy_en
- Ghosh, M. (2014). *In Search of Sustainability*. Friedrich Ebert Stiftung.
<https://library.fes.de/pdf-files/id-moe/10862.pdf>
- Hadenius, A., & Ugglå, F. (1996). Making civil society work, promoting democratic development: What can states and donors do? *World Development*, 24(10), 1621-1639. [https://doi.org/10.1016/0305-750X\(96\)00062-9](https://doi.org/10.1016/0305-750X(96)00062-9)
- Howard, M. M. (2002). The Weakness of Postcommunist Civil Society. *Journal of Democracy*, 13(1), 157-69.
<https://www.journalofdemocracy.org/articles/the-weakness-of-postcommunist-civil-society/>
- ICNL (2012, March 22). *New Ukrainian Law on Public Associations*. International Center for not-for-profit Law.
<https://www.icnl.org/post/in-the-news/new-ukrainian-law-on-public-associations>
- Interfax-Ukraine. (2019, January 29). Ukrainians most of all trust ordinary people, volunteers, churches and army. *Kyiv Post*.
<https://www.kyivpost.com/ukraine-politics/ukrainians-most-of-all-trust-ordinary-people-volunteers-churches-and-army.html>
- Krasynska, S., & Martin, E. (2017). The Formality of Informal Civil Society: Ukraine's EuroMaidan. *Voluntas*, 28, 420-449.

- Kuzio T. (2010). Nationalism, identity and civil society in Ukraine: Understanding the Orange Revolution. *Communist and Post-Communist Studies*, 43(3), 285-296. <https://doi.org/10.1016/j.postcomstud.2010.07.001>.
- Krishna A., & Shrader, E. (1999). *Social Capital Assessment Tool*. The World Bank.
- Lahiry, S. (2005). Civil society Redefined. *The Indian Journal of Political Science*, 66(1), 29–50.
- Lutsevych, O. (2013). *Black Sea Region: Missing Pieces of the Civil Society Puzzle*. German Marshall Fund of the United States. <http://www.jstor.org/stable/resrep18666>
- Lyons, M. (2009). Measuring and Comparing Civil Societies. *Cosmopolitan Civil Societies Journal*, 1(1), 71-84.
- Malena, C., & Heinrich, V. F. (2007). Can We Measure Civil Society? A Proposed Methodology for International Comparative Research. *Development in Practice*, 17(3), 338–352.
- Masters, J. (2022). Ukraine: Conflict at the Crossroads of Europe and Russia. *Council on Foreign Relations*. <https://www.cfr.org/backgrounder/ukraine-conflict-crossroads-europe-and-russia#chapter-title-0-3>
- McDonagh, E. (2010). Import of democracy in the 'grey' post-Soviet space? Evaluating experiences of democracy promotion in Belarus, Moldova and Ukraine, 1990-2002. *Working Papers in International Studies*, 10, 1-24. <https://doras.dcu.ie/15436/1/10.pdf>
- McFaul, M. (2007). Ukraine Imports Democracy: External Influences on the Orange Revolution. *International Security*, 32(2), 45–83.
- Merkel, W. (1999). Civil Society and Democratic Consolidation in Eastern Europe. *Társadalom És Gazdaság Közép- És Kelet-Európában / Society and Economy in Central and Eastern Europe*, 21(3), 62–82.
- Minakov, M. (2021, June 3). Zelensky's Presidency at the Two-Year Mark. *Wilson Center*. <https://www.wilsoncenter.org/blog-post/zelenskys-presidency-two-year-mark>
- NORC at the University of Chicago. (n.d.). Ukraine Civil Society Assessment. <https://www.norc.org/Research/Projects/Pages/ukraine-civil-society-assessment.aspx>
- Onuch, O. (2014). The Maidan and Beyond: Who Were the Protesters? *Journal of Democracy*, 25(3), 44-51.
- Ossewaarde, M. R. R. (2006) Citizenship in Civil Society? *Journal of Civil Society*, 2(3), 199-215, <https://doi.org/10.1080/1744868060104121>
- Paul, A. (2015). *Crimea one year after Russian annexation*. European Policy Centre. https://www.epc.eu/content/PDF/2015/crimea_one_year_after_russian_annexation.pdf
- Plokhi, S. (2021). *The Gates of Europe*. Basic Books.
- Polegkyi, O. (2016). Ukrainian threefold revolution: from Soviet Ukraine to European Ukraine? *Sciences Po CERJ*. <https://www.sciencespo.fr/ceri/en/content/dossiersduceri/ukrainian-threefold-revolution-soviet-ukraine-european-ukraine>
- Putnam, R. D. (1993). *Making Democracy Work. Civic Traditions in modern Italy*. Princeton University Press.
- Richter, S., & Wunsch, N. (2020). Money, power, glory: the linkages between EU conditionality and state capture in the Western Balkans, *Journal of European Public Policy*, 27(1), 41-62.
- Salamon, L. M., & Anheier, H. K. (1996). Social Origins of Civil Society: Explaining the Nonprofit Sector Cross-Nationally. *Working Papers of the Johns Hopkins Comparative Nonprofit Sector Project*, 22, 1-38.
- Sasse, G. (2013). Linkages and the promotion of democracy: the EU's eastern neighbourhood. *Democratization*, 20(4), 553–591. <https://doi.org/10.1080/13510347.2012.659014>
- Schimmelfennig, F., & Sedelmeier, U. (2005). *The Europeanization of Central and Eastern Europe*. Cornell University Press.
- Schimmelfennig, F., & Sedelmeier, U. (2020). The Europeanization of Central and Eastern Europe: the external incentives model revisited. *Journal of European Public Policy*, 27(6), 814-833.
- Solonenko, I. (2015). Ukrainian Civil Society from the Orange Revolution to Euromaidan: Striving for a New Social Contract. In IFSH (Ed.), *OSCE Yearbook 2014*, (pp. 219-235). Nomos Verlagsgesellschaft.
- Stewart, S. (2009). NGO Development in Ukraine since the Orange Revolution. In J. Besters Dilger (Ed.), *Ukraine on Its Way to Europe - Interim Results of the Orange Revolution* (pp. 177-194). Peter Lang Verlag.
- Stewart, S., & Dollbaum J. M. (2017). Civil society development in Russia and Ukraine: Diverging paths. *Communist and Post-Communist Studies*, 60(3), 207-220.

- Sydorenko, D., & Latsyba M. (2020). *CSO Meter Assessing the civil society environment in the Eastern Partnership countries Ukraine Country Update*. ECNL & Ukrainian Center for Independent Political Research (UCIPR).
<https://csometer.info/sites/default/files/2020-11/CSO-METER-Ukraine-country-update-2020.pdf>
- The Economist. (2022, February 16). *What did Ukraine's revolution in 2014 achieve?* Economist.com.
<https://www.economist.com/the-economist-explains/2022/02/16/what-did-ukraines-revolution-in-2014-achieve>
- Tzanakis, M. (2013). Social capital in Bourdieu's, Coleman's and Putnam's theory: empirical evidence and emergent measurement issues. *Educate*, 13(2), 2-23.
- United States Agency for International Development (2018). *2018 Civil Society Organization Sustainability Index*. Author.
<https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-report-europe-eurasia.pdf>
- Voicu B., & Basina T. (2005). Social capital and civic participation in Ukraine and Romania. In H. Rusu & B. Voicu, (Eds.), *Perspectives on the European postcommunist societies* (pp. 1-22). Psihomedica.
- Way, L. (2014). The Maidan and Beyond: Civil Society and Democratization. *Journal of Democracy*, 25(3), 35-43.
- Wilson A. (2006). Ukraine's Orange Revolution, NGOs and the Role of the West, *Cambridge Review of International Affairs*, 19(1), 21-32, <https://doi.org/10.1080/09557570500501747>
- Wolczuk, K., & Žeruolis, D. (2018). *Rebuilding Ukraine - An Assessment of EU Assistance*. The Royal Institute of International Affairs.
- World Values Survey (2006). *Wave 5 (2005-2009) WV5 Results Ukraine 2006 v20180912*.
<https://www.worldvaluessurvey.org/WVSDocumentationWV5.jsp>
- World Values Survey (2011). *Wave 6 (2010-2014) WV6 Results Ukraine 2011 v20180912*.
<https://www.worldvaluessurvey.org/WVSDocumentationWV6.jsp>
- World Values Survey (2020). *Wave 7 (2017-2020) Ukraine v3.0*.
<https://www.worldvaluessurvey.org/WVSDocumentationWV7.jsp>

SED on Germany's Mind

How the Enquete Commission created Historical Awareness of the East German Dictatorship

Jettte Lina Schuetze

1. Introduction

“I am talking about remembering for the future. Coming to terms with the past is a task for generations. It is not finished, nor will it ever be. It cannot be, because every generation asks its questions of history, because the past always reaches into the present and the future, whether we want it to or not.” (Roth as cited in Gruene Bundestag, 2022).²³

These were the words of the German Minister for Culture, amid the 30th anniversary of the Enquete commission on the overcoming of the consequences of the SED (*Sozialistische Einheitspartei Deutschlands*/Social Unity Party Germany) dictatorship in the process of German Unity. The Enquete project was set up by the *Bundestag* to investigate the regime in order to come to terms with the past and it entailed two consecutive truth commissions (referred to as one Enquete commission) (McAdams, 2001). This very recent speech reminds of the importance of historical consciousness and its continuous process. It highlights how Germany is in an ongoing development of processing and learning from the communist past, a chapter of German history which is still visible today. Indeed, the SED dictatorship ruling the country from 1949 until 1989, constitutes a large part of the Eastern German heritage, shaping several generations of East German citizens (Pötzsch, 1998). The SED dictatorship is considered a historical trauma, a shared experience of many countries. Tackling this sort of trauma has been a challenge for many societies, finding their way in the process of transitional justice (Hayner, 2011). Seeing the anniversary of the Enquete commission in times of war in Ukraine puts a spotlight on the commission once again. Politicians are drawing a somber but truthful connection between the past and the need for education and democratic values. 30 years ago, the Enquete commission was drawn up to prevent future dictatorships, fostering peace and democracy. It has become evident that time does not heal all wounds and that education on peace but also on historic autocratic rule is essential now

²³ Please note that all German sources have been translated to English via the online translator DeepL and checked by me (native German speaker)

more than ever (Deutscher Bundestag, 2022). As we are now watching peace breaking down in Europe, it seems questionable whether we really can learn from the past and maintain peace. The link to the war in Ukraine underlines the relevance of looking at what the Enquete commission has achieved to create historical awareness thereby contributing to democratic values and peace.

Scholars have investigated the German Truth Commission (TC) rather thoroughly, as it was part of the German web of institutions handling specific transitional justice processes (Beattie, 2009; Espindola, 2015; McAdams, 2001). Academia has focused on the TC's coexistence next to the trials and other justice mechanisms. Therefore, the Enquete commission was also assessed within this context on its impact and broadly judged on its success, as part of the general process of transitional justice (Beattie, 2009; Yoder, 1999). Additionally, scholars have discussed the commission's success, with differing conclusions, having mostly argued for success and achievement of transitional justice in general (Beattie, 2009; Maier 1997; Yoder, 1999). However, the literature has not reflected upon the ability of the German Enquete commission to foster awareness of the past, even though it has aimed at preventing future dictatorships through civic education (Beattie, 2009, p. 233). It remains to be examined to what extent remembrance frameworks, created by the Enquete commission, contributed to creating historical awareness. This research aims to contribute to the ongoing discussion on the success of the commission, by looking at the Enquete commission's ability to create awareness of the past, thereby contributing to a stable democracy. This thesis thus addresses the question: In how far was the Enquete commission successful in contributing to the creation of historical awareness of the SED dictatorship?

Arguing that the commission focused on the creation of historical awareness in its work and findings, this thesis is structured as followed. First, the existing literature on the topic is reviewed to establish the starting point of the analysis, followed by a short historical context to further embed the findings. Second, relevant concepts are laid out to situate theoretically. Third, the creation of historical awareness is operationalised by providing indicators to conduct the qualitative content analysis, thus constituting the methodology. Fourth, the analysis is conducted by investigating the mandate and the recommendations of the Enquete commission on the creation of historical awareness as well as concrete policy outcomes based on the Enquete commission's work. Lastly, the findings are put into context in the discussion before providing a conclusion.

2. Literature Review

The following literature review situates this thesis in the broader academic context. This contextualisation demonstrates a gap in the literature hence justifying the relevance of this research. To begin with, the broader topic of transitional justice in which the Enquete commission takes place has been analysed extensively by academia (Amstutz, 2005, Hayner, 2011). Amstutz (2005) outlines the concept of transitional justice as “the challenge of how to best reckon with regime atrocities” (p. 18). It can be considered as a process which is further placed within context because it heavily depends on the new apparatus’ commitment to restore justice and human rights. Furthermore, the availability of political resources plays a major role in the execution of transitional justice, since it determines the means, by which crimes and injustices of former regimes can be investigated and processed (Amstutz, 2005).

TCs such as the Enquete commission are situated within transitional justice where their role in the process has been researched extensively by many scholars, most notably, Minow (1989), Adam and Adam (2000) and Hayner (2011). They agree that overcoming traumatic past and pain through different strategies depends on the preferred outcome, but also political structure, culture, and resource availability. Within the procedure of transitional justice there are different strategies and tools which governments have at their disposal, based on their willingness and the stage of the transition (Amstutz, 2005; Hayner 2011). There are then two main trends within the transitional justice procedure, which are distinguished by Amstutz (2005) as redistributive justice and restorative justice. The former focuses on reparations, purges, and trials. The latter includes amnesia, amnesty, forgiveness, and truth telling. Indeed, restorative justice holds true to its name, intending to restore communities and even societies post-trauma. The context of restorative justice includes TCs, which define and disclose the scope of past crimes and infringement on human rights by investigating previous regimes, their authority, and the role of the public (Amstutz, 2005).

To then interpret this general role of TCs further, authors have investigated how to measure the success of these commissions to better understand their purpose. Scholars agree on the high degree of diversity of TCs and the aim and role they have according to different circumstances (Amstutz, 2005; Krüger, 2012; Minow, 1989). A basic definition of success, provided by Chapman and Ball (2001), constitutes to the fulfilment of the mandate. This simple definition does not suffice as a solid foundation for success analysis, given the vast diversity of factors. A more elaborate framework is given by Brahm (2007), who provides a clear structure of how to measure the success of TCs. This approach includes a systematic analysis of how the commission contributed to individual healing and more broadly to society

in terms of democratization and the re-establishment of human rights (Brahm, 2007). Hirsch et al. (2012) add to the discussion on success by suggesting an integrative approach that excludes traditional notions and expectations of successful TCs, instead examining without any bias in the evaluation.

Germany's traumatic past has been analysed thoroughly, due to the country going through two dictatorships firstly under the Nazi regime, secondly under communist rule. The country's approach to overcome this traumatic past, specifically the SED dictatorship has been academically researched in many ways mostly focusing on the trials of former officials and the reunification process of the country. In terms of trauma, human rights violations have been examined with a focus on the impact of the secret police (Espindola, 2015). Besides, Beattie (2009) contributes what can be considered the main piece of literature on the Enquete commission. He analyses not only the structure and internal conflicts of the commission, but also how it impacted the transitional justice process in Germany. Thus, he investigates whether it was successful in achieving its tasks. Indeed, Beattie (2009) claims that the commission can be considered successful since it conducted an in-depth and breadth investigation therefore fulfilling its aim. Its success can further be seen in that the commission foreshadowed the fact that the SED can be held accountable for the atrocities in East Germany (Beattie, 2009). Other scholars have analysed the commission's success, agreeing with Beattie (2009) on the success due to fulfilling its aim of creating a collective account of history and responsibility of human rights violations (Beattie, 2009; McAdams, 2001). Additionally, others agree, claiming that the aim was to set up a public record that could account for what happened, therefore creating a collective report for other scholars or individuals, who want to achieve a better understanding of the SED regime (Maier, 1997; Yoder, 1999).

Having considered previous research on the success of the German Enquete commission, it becomes clear that outcomes of success analyses have focused on the completion of the aims set by the commission and how it reached the public. While it has been assessed as rather successful in that aspect, it remains to be seen whether the commission could reach beyond a point of setting up a public record. Beyond a simple historical data collection, could it go a step further to significantly impact society by creating historical awareness among the German population?

2.1. Historical Context

In order to have a clear understanding of the nature of the Enquete commission and its purpose, some historical context is given of both the historical period which the commission

investigated as well as the German reunification process in which the commission operated. Going to the origins of the Enquete project, it is relevant to outline the period of the dictatorship. Following the Second World War, Germany was divided into two separate entities, with the East being under Soviet occupation until being turned into a satellite state of the Soviet Union in 1949 (Pötzsch, 1998). While the West moved towards a democracy, the East saw itself in a dictatorship under communist ideology heavily restricting civic freedom and human rights. There was no rule of law, free speech, press or movement while living with a planned economy (Pötzsch, 1998). To fortify this strict regime and to control the influx in refugees towards the West, the Berlin Wall was built in 1961, increasing restrictions in addition to posing lethal threats, since fleeing attempts were stopped by armed forces (Pötzsch, 1998). Not only did the wall separate Germany, but it symbolically demarcated communist East vs. the liberal democratic West. Additionally, to secure the rule of oppression, the regime installed the Stasi, the secret police of the state conducting espionage of possible regime opponents, and intervened, when necessary, violently (Espindola, 2015).

The end of the SED regime came about with a peaceful revolution initiated all over the Soviet satellite states in a common movement greatly helped and inspired by the reformer communist leader, Gorbachev's democratisation of the Eastern Block. He advocated for institutional changes towards democratic states, through meaningful regime changes (Brown, 2009, pp. 523-525). With increasing pressure from the population through demonstrations, a collapse of the Stasi due to decisive protests and the fall of the Berlin Wall in 1989, the SED regime and the GDR (German Democratic Republic, East Germany) came to an end. The formal German reunification of East and West was conducted in 1990 (Brown, 2009, pp. 534-538). With the end of the dictatorship, Germany found itself in a process of what can be considered a transitional justice process from a dictatorship towards a democracy alongside the reunification (Dias, 1991). As part of this process, Germany applied different strategies including attending to victims in terms of compensation, the lustration of regime officials from public office and trialling main regime perpetrators and violators of human rights. Moreover, truth finding, and reconciliation efforts were made by opening the Stasi files of individuals as well as the set-up of the Enquete commission, which was split into two institutional commissions due to a change of legislation period (McAdams, 2001). The Enquete commission (this term refers to both the commissions of 1995 and 1998) is considered a TC. Hayner (2011) defines the latter as “[an investigative body], focused on the past, [investigating] a pattern of abuses over a period of time, rather than a specific event; a temporary body, with the intention to conclude with a public report; and officially authorized

or empowered by the state” (p. 11). Notably however, the German transitional justice process constitutes a rather special case, being embedded in a comparably smooth transition process. The latter was part of the German reunification and situated within ongoing political integration of Eastern Germany; hence the transitional justice process was not as complex. Given the historical setting, it is a very different case from other well-known TCs going through more drastic political and peace transitions (McAdams, 2011). Having outlined the context of the Enquete commission, the research’s historical foundation is laid.

3. Conceptual Framework

In the following section, a framework of relevant concepts is outlined, to clarify the theoretical foundation of this thesis and how the analysis is conducted. The chosen concepts are important as the Enquete commission operates within the framework of TCs and aims to achieve historical awareness through memorial work, institutionalisation, and memory politics. First, explaining the concepts of restorative justice encompassing the role of TCs, illustrates in what kind of context and set of expectations the Enquete commission was set up. Second, a breakdown of the success of TCs underpins the evaluation of the success of the Enquete commission. Third, historical awareness is conceptualized to provide the bedrock of this analysis.

3.1. Restorative Justice and Truth Commissions

To put into context, the German Enquete commission, restorative justice, which has been covered in the literature review, needs to be elaborated on. The justice mechanism, which fall under transitional justice, is based on restoring functioning systems through for instance amnesia politics, granting amnesty and generally focusing on healing and forgiveness (Amstutz, 2005, p.18). Germany though, puts its focus mostly on truth telling as part of the restorative justice process. Minow (1998) stresses the “restorative power of truth” (p. 66) by arguing that truth telling brings healing to both the public and private sphere. This strategy is based on the recognition and acknowledgement of the (traumatic) past and events and is meant to “overcome the painful past through the discovery and disclosure of truth” (Amstutz, 2005, p. 25). The strategy according to Amstutz (2005), can be conducted in several ways. Firstly, he names policies based on the publication and opening of files, thereby revealing historical data and facts. This aids the investigation process of past crimes. Secondly, truth telling is most often institutionalised through the set-up of TCs. With this in mind, the Enquete commission can be categorised as a TC operating under the mandate of achieving

restorative justice, due to its truth finding mission resulting in the publication of a very extensive report (Hayner, 2011, pp. 52-53). The German transitional justice process, as demonstrated, therefore falls under a restorative justice approach which helps to understand the context of the Enquete commission, as it explains under which expectations it was created.

3.2. Success of Truth Commissions

Since the thesis aims at investigating how the Enquete commission can be considered successful in its contribution to the creation of historical awareness. Thus, it is important to understand how success of TCs can be measured. The character and overall structure as well as circumstance of each commission is unique, therefore it is important to keep in mind that an exact definition of success of TCs, is impossible to coin (Chapman & Ball, 2001). Furthermore, each commission operates within a unique mandate and scope, hence delivering results based on these constraints. Therefore, the specific impact of a commission needs to be scrutinized.

Brahm (2007) differentiates between two kinds of impacts, whose achievement can be considered successful. Firstly, institutionalized truth-telling has the power to contribute to individual healing processes of victims. This is, however, circumstance-specific since it is difficult to determine because of the unique coping mechanisms. Secondly, societal impact of TCs provides for tangible success indication (Brahm, 2007). TCs are capable of “[allowing] societies to put the past behind them and produce forward looking politics” (p. 20). This duality of accountability and reestablishment of trust, represented by functioning democracies, ensures that societies can move on (Brahm, 2007). Having established these two notions of success, Brahm (2007) distinguishes between contributions to human rights practices and contributions to the democratisation process, which this thesis focuses on through means of historical awareness. Indeed, a commission’s ability to give enough input in terms of historical education is crucial because it urges the population to reflect on the past, extend their awareness and acknowledge their privilege, considering past suffering (Schieder, 1978). This process allows society to move on from its historical trauma and is closely aligned with the contribution to the democratisation process in terms of institutional reforms, memory politics and recommendations. This conceptualisation of success connected to democratization by Brahm (2007) is used to scrutinise the success of the Enquete commission. This thesis applies this analogy to see in how far the German commission could create historical awareness. Thus, it gives indication in how far it can be considered successful.

3.3. Historical Awareness

To encompass institutional reforms, memory politics and recommendations, historical awareness is used for the purpose of fostering common identity and remembrance in addition to its importance for functioning democracies (Andersen & Plewa, 2016, p. 152). This, however, requires collective memory as a foundation since it presumes historical awareness. Indeed, collective memory is at the basis of a state's constitution, politics, and state (Funkstein, 1989, p. 5). It is only through research, understanding and education of history, that we can properly comprehend our past and designate meaning to it. Given this idea of shared past, collective memory needs to be actively shaped and shared by the population. Thereupon, collective memory and the public acknowledgement of it, has the capacity to reveal and shape societies' values thereupon constructing historical awareness. Besides, preserving historical consciousness is important since democratic stability arises from it (Schieder, 1978, pp. 5-9). Schieder (1978) furthermore stresses that only if historical consciousness is treated with care and not disregarded, can the risk of it leading to unhealthy democracies with altered value systems, be curbed. Hence, historical consciousness needs to be incorporated in (political) education to ensure functioning healthy democratic systems (Schieder, 1978). This is of particular importance in the German case, since the commission aimed at fostering a consciousness of the atrocities of the SED dictatorship and to prevent any future dictatorships (Beattie, 2009, p. 32). This is where the notion of historical awareness plays a crucial role in achieving the latter goal.

In a more transitional justice-specific context, Adam and Adam (2000) point out that collective memory is crucial for a collective identity, the former of which can change over time, depending on governmental action and memory politics. These can for instance constitute memorials, holidays, museums, and speeches (p. 33). Memory politics thus also include educational components focusing on past events and traumatic experiences, which are meant to foster not only open-mindedness but also empathy. It creates a tolerance towards a shared history (Adam & Adam, 2000, p. 42). This more specific idea of memory politics underpins the findings of this thesis, explaining the importance of the policy results building a legislative framework to foster historical awareness of the SED dictatorship.

4. Methodology

4.1. Operationalisation

This research is structured according to the three pillars of the Enquete commission, which each provide relevant insights. Firstly, the mandate reflects how the commission incorporated the goal of historical awareness as a central goal in its mandate. Secondly, the recommendations indicate how the Enquete commission managed to use its investigation to provide a framework for what was needed in terms of establishing historical awareness in a structured manner. Lastly, concrete policy outcomes by the parliament based on the recommendations, are analysed according to their ability to contribute to historical awareness of the population as a more concrete and legislative foundation.

To have tangible indicators on the German case, success in terms of creating historical awareness needs to be dismantled. This latter concept is based on the values of remembrance and preservation of history, which are running themes throughout this analysis. Therefore, the operationalisation of the creation of historical awareness is based on three indicators. First, education strategies pinpoint the creation of historical awareness through civic education. This includes invigorating democratic values by fostering the population's knowledge of the past. Second, the set-up of dedicated remembrance bodies and memorial concepts is used to indicate the institutionalisation of historical awareness. This includes for instance the set-up of museums and specific memorial sites. Third, incorporating and institutionalising future research signifies the commitment to create historical awareness as it deepens knowledge and fills gaps, which contribute to the population's awareness. These three indicators provide a solid foundation for the analysis of the commission's ability to create historical awareness.

4.2. Qualitative Content Analysis

Given its historical focus, this thesis makes use of qualitative content analysis. The latter includes a systematic analysis based on themes and contexts, therefore going beyond a simple evaluation of content (Mayring, 2004, p. 266). Thereupon, document analysis is the in-depth methodological choice. Bowen (2009) explains that document analysis includes “finding, selecting, appraising (making sense of), and synthesising data contained in documents” (p. 28). It makes use of a systematic analysis which then provides for an interpretation based on primary sources. This method allows the analysis to be based on sound understanding and consequently develop empirical knowledge, which gives a foundation to the research (Corbin & Strauss, 2013). For that, the report of the second TC is chosen. Indeed, different parts of the report contribute as documents for the content analyses.

To stick to the analysis based on themes and context, these documents will be investigated according to the indicators of the operationalisation.

4.3. Case and document selection

The website of the Enquete commission, *Enquete Online*, provides the necessary documents for this analysis. First, the structural approach of the German Enquete commission ensures vast documentation in the form of 32 volumes of report, which is the main source used in this thesis. It covers all technicalities in addition to findings and minutes, thus it serves as a point of reference for the analysis (Enquete Online, n.d.a). Note, that for the sake of focus and simplicity but also given the focal point of this thesis on the successful creation of awareness of the SED dictatorship, the second Enquete Commission is selected as a case study. This focus was chosen to yield the most relevant input for the analysis since the second commission finalised the investigation. Thus, its report encompasses the end-product of the vaster project of historical reconciliation in Germany. Furthermore, the second report delivers the results upon which the *Bundestag* acted, and thus serves as a better case for this analysis than the report of the first commission (Enquete Online, n.d.b).

Secondly, it is noteworthy that the commission's report is extremely extensive, implying very thorough documentation of not only the findings, but also all procedures, debates, and hearings (Enquete Online, n.d.a). The six documents are selected in a manner that ensures the following input for analysis: the commission's mandate, recommendations, and legislative documents of the *Bundestag* concerning the policy outcomes (see Figure 1 for the documents in the reference list). Most of the documents are part of the commission's report itself, except for the law on the memorial conception, which was published separately. Nevertheless, all documents directly followed the finalisation of the commission, to measure its immediate impact, thereby focusing on the direct result the commission produced.

5. Analysis

With the operationalisation and the conceptualisation as a foundation, the analysis is conducted according to the aforementioned three-pillar structure, applying the document analysis.

5.1. Mandate of the Enquete Commission

To begin with, the second Enquete Commission was to “investigate the practices of the East German government between 1945 and the fall of the SED regime in 1989, document

human rights abuses [...], and assess the politico-historic, economic, ideological, and societal factors of the dictatorship as well as the misuse of environmental resources” (United States of Peace Institute, 1995). The *Bundestag* further specifies several tasks and findings the commissions should cover, some of which relate to German historical consciousness. Firstly, the mandate includes a call for the preservation of history and memory. In specific, the commission is tasked to “contribute to the consolidation of democratic self-confidence, a liberal sense of justice and anti-totalitarian consensus in Germany and to counteract all tendencies to trivialise and justify dictatorships” (Deutscher Bundestag, 1998a, p. 6). Aiming to achieve this goal, the commission is supposed to come up with strategies for remembrance of the German past, specifically, the two dictatorships in the 20th century, acknowledging the crimes and suffering. Furthermore, the mandate specifies that there is significant importance in keeping the “memory of victims of injustice and violence, of resistance and courage in the dictatorships, as well as the process of replacing SED rule in 1998” alive (Deutscher Bundestag, 1998a, p. 6). This is to be established as public knowledge and remembrance thereby fostering the national consciousness within German culture (Deutscher Bundestag, 1998a). The commission specifically aims to establish national awareness of the SED dictatorship and its consequences. It is evident that the commission is ambitious to pursue this goal as it points out the relevance of forging national remembrance culture in Germany. Here the focus on national remembrance and eventual historical consciousness becomes evident.

Secondly, the matter of establishing a foundation is tasked to the commission. Concretely, it shall find out if there are concrete institutional tools that can be established for future continuation in terms of a foundation. Specifically, “building on the results of its predecessor, the Commission is to contribute to a political-historical analysis and a political-moral evaluation of the SED dictatorship, to promote the process of coming to terms with the past in society as a whole, and to make proposals for its continuation in the future” (Deutscher Bundestag, 1998a, p. 5). It is important to consider the possibility of the establishment of future institutions to continue the work because it ensures future institutional bodies in line with the commission to continue with not only investigative work but also awareness-raising. Hence, e.g., a foundation could have a significant impact on historical awareness even after the Enquete commission. This part of the mandate demonstrates the commission’s ambition to incorporate historical education in its work. Obviously, ambition alone, would not contribute to the success in achieving democratization, and the institutional outcome of this contemplation presents more meaningful evidence.

5.2. Recommendations of the Enquete Commission

The second Enquete commission finalises the work of the Enquete project with a general discussion on the importance of remembrance and specific recommendations to the *Bundestag*. These recommendations include concrete suggestions for memory politics, and support of the German government and demonstrate the focus on creating historical awareness.

5.2.1. Democratic consciousness and history

The findings show a belief in the importance of memory politics to keep the memory and past alive, for Germans to learn from. It becomes clear in the recommendations that there is the intention to educate the public and contribute to the fortification of democratic values drawn from the pain of the (Deutscher Bundestag, 1998b). The focus of the recommendations on memory politics is the organisation and establishment of memorial sites, museums, and how to foster education in a civic context. It specifies that there must be forms of remembrance that encompass the whole of Germany and its people covering both dictatorships in the 20th century and their victims. A broader approach to memory politics is required to englobe the entirety of the SED traumatic past and to achieve German unity, which includes the implications of nationalist socialist Germany (Deutscher Bundestag, 1998b, p. 587). In order for there to be this state-society cooperation, the nature of the memory politics needs to be politically independent according to the commission, because only then can there be “consolidation of the democratic culture of remembrance in Germany” (Deutscher Bundestag, 1998b, p. 587). Evidently, these broad guidelines and recommendations envisioned by the commission, demonstrate a clear vision for memory politics. There is an obvious focus on the creation of German consciousness of the past, and for society to be able to learn from the past through civic education of memorial sites. This shall be done through political independence and an encompassing educational approach covering the 20th century and reaching all social levels.

The guidelines provided by the commission in this first section are strengthened by a slightly ideological justification and belief in the strength of democracy. In its section on “the significance of remembrance and commemoration for the national and democratic self-image of Germans”, the commission argues the importance of the spread of democratic beliefs to achieve through civic education of the memorial sites and museums, etc. (Deutscher Bundestag, 1998c, p. 587). This is explained by German unity implying a need for processing and overcoming past trauma as it is part of the democratic self-perception. Indeed, the SED

(and Nazi) past was characterised by hostility against the rule of law and democracy, which strengthens democratic values such as freedom and justice in a now united Germany (McAdams, 2001). Recognising this, the commission states “the necessary education about the history of the two dictatorships, is the core of the anti-totalitarian consensus and the German democratic culture of remembrance” (Deutscher Bundestag, 1998c, p. 587). This very explicit and profound account shows the strong emphasis of the commission on fostering democratic values via civic education and the commitment to establishing the infrastructure by means of memory politics.

5.2.2. Double history

The commission generally adopts a broader frame given Germany’s troublesome 20th century. In fact, a major aspect of the commission’s recommendation includes the topic of double history referring to the two dictatorships and political oppression of the Nazis and the SED regime (Deutscher Bundestag, 1998d). Correspondingly, establishing a nationwide historical awareness and reaching all social levels is aimed at through the creation of the right framework of remembrance culture and memorials. To this end, the historical context needs to be dissected in a truthful and fact-based manner and it is important to find the right tone (Deutscher Bundestag, 1998c, p. 587). The German past shall thus be retold as both dictatorships are an “irreplaceable testimony to the memory of terror, oppression, and resistance” and have to be adopted into democratic remembrance as they are a “sign of recognition and moral rehabilitation for the victims of the dictatorships by the democratic state” (Deutscher Bundestag, 1998c, p. 588). These historical circumstances lead to the verdict of the commission to consider the two interpretations of dictatorships and history to find a justful representation of the trauma of the SED. A link to creating historical awareness with the connection of the two German dictatorships thus becomes clear and demarcates the focus put on remembering and awareness.

The commission specifically analyses the handling of the Nazi past and examines the duality of dictatorships in Germany to understand the impact of the SED rule in Eastern Germany, hence its relevance for this analysis. Looking at this shows how the commission’s recommendation changed and complemented previous efforts of remembrance in the GDR and how they used this to make amends with the past lack of memory politics in the GDR (Deutscher Bundestag, 1998c). This influenced the recommendations of the commission, thus leading to a new conception of memorial sites. The recommendations show how the will to

make up for the loss of appropriate memory politics is driven by joining both Eastern and Western Germany's approach and filling holes to make a clear connection between the two dictatorships (Deutscher Bundestag, 1998c). Seeing the commitment to refocus on Nazi Germany and pick up where pre-unification efforts ended, shows the commission's focus on fostering learning from the past. It considers not only the SED regime but also how its memory politics can be refurbished and channelled into new more comprehensive accounts and learning from the double past.

To understand this connection to the Nazi regime, the context of how the national socialist past was treated differently in East Germany is relevant. Indeed, the commission reports that East Germany focused on antifascism as a communist trophy, therefore monopolising the term itself. The regime predominantly depicted antifascists as communist heroes which influenced how the country conducted its memory politics since it was one of the founding principles of the GDR and further legitimised the communist ideology (Deutscher Bundestag, 1998c, p. 588). Consequently, the regime was mostly dismissive of other topics from Nazi resistance or oppression that were not related to antifascism (Deutscher Bundestag, 1998c, p. 594). Only the end of the SED led to a crisis of acceptance of the antifascism concept in its meaning and a loss of credibility of the memory and memorials which resulted in a need to rebuild them. The commission takes this as a shortcoming to work on in future memorial strategies and recommends taking this as a starting point for a new understanding of the past (Deutscher Bundestag, 1998c, p. 602). Clearly, the commission aims to focus on civic education as re-education and to use new concepts of memorials to correct wrongdoings of the SED regime also in regard to remembering Nazi crimes.

Along similar lines, is the question of Nazi concentration camps and their later use of the communist regime. There is much discussion on how to create respectful memorial sites of former camp sites, respecting all victims. Not only was the communist use of the camps neglected under the SED regime, but it was also lacking commemoration of all minority groups. "Groups such as homosexual people and Sinti and Roma" were not included in memory accounts (Deutscher Bundestag, 1998c, p. 597). Based on these shortcomings, the commission recommends continuing fundamental research into the oppression of all minority groups under Nazi and communist rule and to find a way to respectfully construct memorial sites at former concentration and communist camps (Deutscher Bundestag, 1998c, p. 598). Claiming that the communist oppression was only addressed after German reunification, the past of former campsites shall be addressed in two separate exhibitions to respectfully

remember victims of oppression (Deutscher Bundestag, 1998c, p. 598). Arguably, the commitment of the commission to establish respectful memorial sites to educate and conduct fundamental research shows the commitment to all-encompassing historical accounts. Moreover, contemporary democratic values and respect for all minority groups with the principle of independence and respect are embraced. There is a clear commitment to correcting the established historical account via fundamental research. Conceivably, this approach pinpoints the will to make amends with the past and to spread historical consciousness that is not only respectful to the whole of society but all-encompassing in historical exactness.

5.2.3. Specific Institutions and their Remembrance

Alongside the double history, the Enquete commission had very clear and straightforward recommendations for memorials of many of the GDR's institutions. The latter ensured the coherence of the system and execution of communist ideology. These recommendations, according to the commission, shall be concretely used as memorial sites for civic education. An exemplary case was the uncertainty about former incarceration institutes of the SED. The treatment of prisoners was hardly reported on, and many files were in closed stacks, some sites were even still used as some form of prisons with even less access to files (Deutscher Bundestag, 1998d, p. 608). Thereupon, the commission recommends using sites as memorials, encouraging the state to engage in this process of establishing remembrance locations. Concretely, it advises to replace the weak voluntary basis organisation of the few memorial sites, instead merging, and expanding foundations, decentralise and expand support institutions. This conception shall ensure coherent and detailed education by for instance presenting conditions and biographies of prisoners (Deutscher Bundestag, 1998d, p. 609). Evidently, these suggestions include a very straightforward framework of action aiming at historical awareness. It becomes clear that by educating about the character of disrespect for the rule of law, human rights, and political prosecution, the commission envisions a stronger focus on strengthening the values of rule of law. This is to be done by fostering historical consciousness about the SED regime's atrocities.

Alongside the prison centres, one of the most important instruments of the SED regime, the Ministry of State Security (MES), is picked out as a central theme by the commission. The ministry, the Stasi, was of main concern for its *Zersetzungsmaßnahmen* or decomposition measures, referring to the political persecution of regime opposers. The

commission recommends investing in the remembrance of these violent measures and infringement of human rights. This shall be done by setting up memorial sites at local centres, but especially at the former MES buildings to achieve meaningful remembering mechanisms with long-lasting effects through its heavy symbolism (Deutscher Bundestag, 1998d, p. 611). Museums are tasked with civic education through engaging with the public with e.g., educational workshops. For instance, shall a memorial of the former Stasi headquarters be installed since “No other place in Germany, with its authentic significance as a place of silent terror, symbolises the decomposition measures of the [MES] of the seventies and eighties in this way” (Deutscher Bundestag, 1998d, p. 611). These strategies stress the importance of opposition and resistance. Evidently, the memorial sites dedicated to the Stasi contribute to the efforts of creating historical awareness, manifesting remembrance of past democratic shortcomings that shall remain in the past.

Lastly, the commission puts emphasis on one of the main inheritance features which is still visible today: the separation of Germany into East and West. Therefore, the Berlin Wall with its extensive defence system and the so-called death zone, represents one of the cruellest human rights infringements of the SED, and shall thus serve as a taunting memorial (Deutscher Bundestag, 1998d, p. 612). Stretching from the Baltic Sea all the way to Bavaria, the Wall should be turned into memorial sites to embrace unity following the fall of the SED regime by reminding of the distorted freedom in Germany during the dictatorship. The commission recommends specialized memorial sites that range from small pieces of the Wall serving as sites to museums dedicated to the separation of East and West Germany (Deutscher Bundestag, 1998d, p. 613). Indeed, the importance becomes clear as “the Berlin Wall [is] a worldwide symbol of the division of Germany and Europe, but also a symbol of the inhuman rule of the SED dictatorship.” (Deutscher Bundestag, 1998d, p. 612). It seems that, generally, Berlin is taken as a symbol for the separation of Germany and the whole of Europe and the inhumane atrocities of the SED dictatorship. The commission’s focus on the establishment of memorial sites is visible once again, even taking the whole city of Berlin as symbolism. The extent of the recommendations of remembering a separated Germany and Europe shows the dedication to historical awareness, the commission is aiming to achieve through extensive remembrance concepts and symbolism.

5.3. Policy Results

Taking into account the recommendation made by the Enquete commission, relevant policy outcomes include memorial site conception by the *Bundestag*. It follows the given guidelines clearly and includes the setting up and funding dedicated to memorial sites educating on the German past. This conception was the basis for following policy results thereupon, demonstrating the successful implementation of the recommendations. This can be considered an exact translation into the role the state would play in the financing, organising, and setting up of foundations dedicated to specific remembrance strategies (Deutscher Bundestag, 1999). Indeed, the federal government pledged to take responsibility claiming to have “accountability and obligation of the state as a whole, [...] the federal government can in the future participate in the promotion of memorial sites throughout Germany”. On the one hand, the parliament follows the recommendations of the specific sites dedicated to the remembrance of SED regime atrocities including the aforementioned Stasi memorial sites, prisons, and museums on the German separation into East and West, including numerous sites in Berlin, as a symbolic collective site. On the other hand, the focus on coming to terms with the German double history also becomes clear in the conception (Deutscher Bundestag, 1999). Within that, the parliament sets up foundations dedicated to former camp sites, additionally setting up the foundation of Topography of Terror to document atrocities by the NS regime, which were previously not acknowledged by German parliaments (Deutscher Bundestag, 1999). It becomes obvious that the translation of the recommendations into policies based on the memorial conception is the simultaneous translation into concrete frameworks for creating historical awareness. The memorial legislation is essentially the dedicated support of the German government to create frameworks ensuring that there is civic education of the SED past and double history, which was thanks to the work and success of the Enquete commission.

Alongside the conception, the set-up of the *Stiftung zur Aufarbeitung der SED-Diktatur* was a significant outcome. Included in the reports of the commission is the legislation setting up the foundation that would continue the work of research but also a memorial conception of the commission. The tasks included “to contribute to and support a comprehensive reappraisal of the causes, history, and consequences of the dictatorship [...], to keep alive the memory of the injustices that occurred and the victims, and to promote and consolidate the anti-totalitarian consensus in society, democracy, and the internal unity of Germany” (Deutscher Bundestag, 1998e, p. 137). It further pledges to support the work of previous existing institution working on memorial sites and foster cooperation between different projects (Deutscher Bundestag, 1998e, p. 138). Evidently, this concrete legislation

on the set up of the foundation dedicated to coming to terms with the SED dictatorship shows further success of the TCs. Indeed, the frameworks of civic education were created, which foster German historical awareness through long-lasting institutions. Thereby the continuation of research is secured in addition to future works on creating historical awareness through civic education.

6. Discussion

This analysis has shown how the aim of creating historical awareness has been included in the work of the German Enquete commission on the overcoming of the SED dictatorship. These findings partially confirm and extend previous ones including those of Beattie (2009) who argues that “in shifting its attention towards developing policies and creating institutional frameworks [...], the commission carved out its most effective, independent role: in commemoration policy and the establishment of the Foundation” (p. 249). Further extending this to the creation of historical awareness, one might argue that the commission was successful in creating these frameworks.

Further validation of the findings is found since Beattie (2009) argues that while the mandate does not explicitly mention it, prevention of future dictatorships through, what can be considered a German mantra, “never again” (referencing the Nazi dictatorship), was stipulated in the creation of the aims of the commission. Indicating the failure of past transitional justice after the Nazi regime, shows that this new commission had to take on the duty of establishing a “never again” dictatorship narrative (Beattie, 2009, pp. 233-234). Having analysed the mandate and the recommendations, both the findings and Beattie’s (2009) interpretation showcase a strong will of the commission to create historical awareness of the German past and suffering, whose purpose is to create a stable democracy with shared consciousness and values.

Nevertheless, putting this further into context, it remains to be seen, how these findings have held true after the 1990s and post-policy implementation. Going back to the contemporary context of the 30th anniversary of the Enquete commission, one may see long-lasting results. The special envoy for the SED dictatorship of contemporary Germany stresses that thirty years onwards “much has been achieved so far in coming to terms with SED injustice. However, there is still a long way to go” (Deutscher Bundestag, 2022). It has become apparent, that decades later, while there was a momentum and promising start with the foundation and memorial conception, there are still some points of the commission’s recommendation, that are yet to be implemented by the government. Thereby, it is indicated

that the positive policy outcome has only partially survived the test of time. While the analysis has produced a rather positive result of the success of the creation of historical awareness, it is puzzling to see, why this momentum was not continued. This puts into question whether the findings of this thesis can be generalized. Arguably, while the present opinions on the subject invoke some criticism on the works, at the time of the finalization of the commission's recommendation and the following fruitful policy outcomes, the findings seem to hold and are generalizable based on the given evidence.

Yet, besides the contemporarily slightly tainted outcome, limitations to this research come to mind due to the restricted scope of this thesis. For one, the time span investigated is rather short, having only focused on 1998/1999, the impact on the creation of historical awareness could only be done in this period. As the discussion has shown, while the assessment of successful contribution, the image is tainted after thirty years, which could become clearer with a longer time span. Furthermore, the research has focused on the mandate, recommendation, and subsequent policy outcomes for justified reasons. Nevertheless, the research was limited in the sense of being of qualitative nature and thus very much open to interpretation. To give a more complete assessment, it would be meaningful to analyse the impact it had on the population by applying more quantitative research through survey research on the population's opinion for instance. These limitations caused by limited scope of the thesis should be considered for a more complete picture of the issue.

7. Conclusion

This thesis has demonstrated that the Enquete commission on the overcoming of the SED dictatorship has included the creation of historical awareness in its work, which has become apparent at several points of this analysis. It has demonstrated that there is a clear link between the commission's goals, findings, and recommendations and the creation of such awareness. Very specific recommendations have been given with a clear intention of creating historical awareness in Germany. The context of its double history revealed the importance to understand the unique German context, having been subject to two consecutive dictatorships. Moreover, the meaningfulness of the completion of truthful history-telling or remembering SED regime atrocities at former institutional bodies such as the Stasi have been highlighted. Additionally, the policy outcomes which are considered a direct result of the Enquete commission's work, reiterate such findings. Indeed, they put into practice concrete recommendations on how to implement structures to create historical awareness in Germany.

While a contemporary interpretation of the outcomes of the commission shed a more critical light, the findings based on the report of the legislation hold true. Given the limitations, one shall consider further research covering a longer period which possibly includes more shortcomings of the success of creating awareness. Moreover, quantitative research on the reach of the commission on the population could give relevant insights. To answer the research question, however, well-rounded recommendations leading to fruitful policy outcomes have clearly demonstrated the strong commitment of the Enquete commission to the creation of historical awareness of the SED regime. Thereupon, the Enquete commission can be considered successful in achieving German collective memory and profound consciousness of its past marked by dictatorships. This shall give optimism on fortified democratic values in Germany.

List of References

Primary Sources: Documents for Analysis

All documents are referenced according to Figure 1 (a-e) and were retrieved from:

Deutscher Bundestag. (1998). Materialien der Enquete-Kommission "Überwindung der Folgen der SED-Diktatur im Prozess der Deutschen Einheit" [Materials of the Enquete Commission "Overcoming the consequences of the SED dictatorship in the process of German unity"]. (13. Wahlperiode des Deutschen Bundestages). Nomos.

Figure 1

<u>Document Name</u>	<u>Translation</u>	<u>Purpose in Analysis</u>
a) Antrag der Fraktionen CDU/CSU, BÜNDNIS 90/DIE GRÜNEN und F.D.P. für die Einsetzung einer Enquete-Kommission „Überwindung der Folgen der SED-Diktatur im Prozeß der deutschen Einheit“	Motion of the parliamentary groups CDU/CSU, BÜNDNIS 90/DIE GRÜNEN and F.D.P. for the establishment of an Enquete Commission "Overcoming the consequences of the SED dictatorship in the process of German unification"	Mandate
<i>Gesamtdeutsche Formen der Erinnerung an die beiden deutschen Diktaturen und ihre Opfer</i>	<i>German forms of remembrance of the two German dictatorships and their victims</i>	
b) <u>Teil 1</u> : Auftrag an die Enquete-Kommission zur Erarbeitung von Vorschlägen für eine Gedenkstättenkonzeption des Bundes	<u>Part 1</u> : Mandate for the Enquete Commission to develop proposals for a federal memorial conception	Recommendations

c) <u>Teil 2:</u> Bedeutung von Erinnern und Gedenken für das nationale und demokratische Selbstverständnis der Deutschen	<u>Part 2:</u> The significance of remembrance and commemoration for the Germans' national and democratic self-image	Recommendations
d) <u>Teil 3.1.:</u> Gedenkstätten und ihr historischer Hintergrund	<u>Part 3.1:</u> Memorials and their historical background	Recommendations
e) Gesetz über die Errichtung einer Stiftung zur Aufarbeitung der SED-Diktatur	Law on the establishment Foundation for the Reprocessing of the SED Dictatorship	Policy Outcomes

The following document has been retrieved from:

Deutscher Bundestag (1999). *Konzeption der künftigen Gedenkstättenförderung des Bundes und Bericht der Bundesregierung über die Beteiligung des Bundes an Gedenkstätten in der Bundesrepublik Deutschland*. [Concept for future federal funding of memorial sites and report by the federal government on federal participation in memorial sites in the Federal Republic of Germany]. Author. <https://dserver.bundestag.de/btd/14/015/1401569.pdf>

Konzeption der künftigen Gedenkstättenförderung des Bundes und Bericht der Bundesregierung über die Beteiligung des Bundes an Gedenkstätten in der Bundesrepublik Deutschland	Concept for future federal funding of memorial sites and Report of the Federal Government on the Federal Government's Participation in Memorials in the Federal Republic of Germany	Policy Outcomes
---	---	-----------------

Secondary Sources

- Adam, H., & Adam, K. (2000). The Politics of Memory in Divided Societies. In J. Wilmot, & L. van de Vijver, L. (Eds.), *After the TRC. Reflections on Truth and Reconciliation in South Africa* (pp. 32-50). David Philip Publishers.
- Amstutz, M. (2005). *The Healing of Nations. The Promise and Limits of Political Forgiveness*. Rowman & Littlefield Publishers.
- Andersen, T., & Plewa B. (2016). *Disputed Memory: Emotions and Memory Politics in Central, Eastern and South-Eastern Europe*. Walter de Gruyter GmbH.
- Beattie, A. H. (2009). An Evolutionary Process: Contributions of the Bundestag Inquiries into East Germany to an Understanding of the Role of Truth Commissions. *International Journal of Transitional Justice* 3(2), 229–249.
- Bowen, G. A. (2009). Document Analysis as a Qualitative Research Method. *Qualitative research journal*, 9(2), 27-40.
- Brahm, E. (2007). Uncovering the Truth: Examining Truth Commission Success and Impact. *International Studies Perspectives*, 8, 16-35.
- Brown, A. (2009). *The Rise and Fall of Communism*. Harper Collins.
- Chapman, A. R., & Ball, P. (2001). The Truth of Truth Commissions: Comparative Lessons from Haiti, South Africa, and Guatemala. *Human Rights Quarterly* 23(1), 43.
- Corbin, J. M., & Strauss, A. L. (2013). *Basics of qualitative research: techniques and procedures for developing grounded theory*. SAGE.
- Deutscher Bundestag. (2022). *30 Jahre Enquete Kommission zur Aufarbeitung der SED Diktatur*. [30 Years of the Enquete Commission for the Reappraisal of the SED Dictatorship]. Author. <https://www.bundestag.de/dokumente/textarchiv/2022/kw11-de-enquete-sed-diktatur-881848>
- Dias, J. T. (1991). The German Reunification. *Pakistan Horizon*, 44(2), 89–103.
- Enquete Online (n.d.a). *Recherche*. [Research]. Author. <https://enquete-online.de/recherche/>
- Enquete Online (n.d.b). *Hinweise zur Recherche*. [Notes on Research]. Author. <https://enquete-online.de/recherche/hinweise-zur-recherche/>

- Espindola, J. (2015). *Transitional justice after German reunification: exposing unofficial collaborators*. Cambridge University Press.
- Funkenstein, A. (1989). Collective Memory and Historical Consciousness. *History and Memory*, 1(1), 5–26.
<http://www.jstor.org/stable/25618571> --> I think either DOI or nothing
- Grüne Bundestag (2022). *30 Jahre Enquete Kommission zur Aufarbeitung der SED Diktatur*. [30 Years of the Enquete Commission for the Reappraisal of the SED Dictatorship]. Author.
<https://www.gruene-bundestag.de/parlament/bundestagsreden/30-jahre-enquete-kommission-zur-aufarbeitung-der-sed-diktatur>
- Hayner, P. B. (2011). *Unspeakable Truths. Transitional Justice and the Challenge of Truth Commissions*. Routledge.
- Hirsch, M., Mackenzie, M., & Sesay, M. (2012). Measuring the impacts of truth and reconciliation commissions: Placing the Global success of TRCs in local perspective. *Cooperation and Conflict*, 47(3), 386–403.
- Krüger, A. K. (2012). From Truth to Reconciliation: The Global Diffusion of Truth Commissions. In B. Schwelling (Ed.), *Reconciliation, Civil Society, and the Politics of Memory. Transnational Initiatives in the 20th and 21st Centuries*. (pp. 339-367). Transcript Verlag.
- Maier, C. S. (1997). *Dissolution: The Crisis of Communism and the End of East Germany*. Princeton University Press.
- Mariezcurrera, J., & Roht-Arriaza, N. (2006). *Transitional justice in the twenty-first century: beyond truth versus justice*. Cambridge University Press.
- Mayring, P. (2004). Qualitative Content Analysis. In U. Flick, E. von Kardoff, & I. Steinke (Eds), *A Companion to Qualitative Research*. (pp. 266-269). SAGE Publications.
- McAdams, A. J. (2001). *Judging the past in unified Germany*. Cambridge University Press.
- Minow, M. (1998). *Between Vengeance and Forgiveness. Facing History after Genocide and Mass Violence*. Beacon Press.
- Pötzsch, H. (1998). *Deutsche Geschichte von 1945 bis zur Gegenwart: die Entwicklung der beiden deutschen Staaten*. Olzog.
- Schieder, T. (1978). The Role of Historical Consciousness in Political Action. *History and Theory*, 17(4), 1–18.
<https://doi.org/10.2307/2504707>
- United States Institute of Peace (1995). *Truth Commission: Germany 95*.
<https://www.usip.org/publications/1995/07/truth-commission-germany-95>
- Yoder, J. A. (1999). Truth without reconciliation: an appraisal of the Enquete commission on the SED dictatorship in Germany. *German Politics*, 8(3), 59–80.

Rallying-Round-The-Flag

The Polish Reaction to the EU's Rule of Law Proceedings

Hannah Wagner

1. Introduction

The recent anti-democratic reforms in Poland and Hungary are a matter of great concern to many Europeans. The actions of the Polish Law and Justice Party (Prawo i Sprawiedliwość, hereafter “PiS”) and the Hungarian Fidesz not only question the basic foundations of the European Union (EU), but also the functioning of democracy itself. After the end of the Cold War, Fukuyama (1989) predicted “the end of history” and declared the victory of liberal democracy. The developments in the past few years, however, have shown that democracy must be protected to prevail.

Portraying itself as a union founded on democratic principles, democratic backsliding threatens the EU’s foundational values and thereby its credibility. PiS and Fidesz might serve as an example for populist parties in other EU member states (MS). Hence, the EU must counter backsliding attempts and develop effective tools to do so. As Niklewicz (2017) puts it: “If [the EU’s founding values, principles and rules] are neglected, then the whole European project is worthless“ (p. 287).

PiS has succeeded in rolling back many important aspects of Polish democracy. It has taken control over the media and thereby decreased the independence of elections. Further, civil society has been weakened through smear campaigns against non-governmental organisations (NGOs) and a lack of public consultations (Freedom House, 2016; Freedom House, 2018). The reforms in the domain of the rule of law, however, are the most striking and also the one aspect in which PiS has been more successful than Fidesz (Bakke & Sitter, 2020). In the past seven years, the independence of the Polish judiciary has decreased substantially with the government effectively controlling the Constitutional Court and the judicial oversight organ (Freedom House, 2017). After the experience of democratic backsliding in Hungary, the EU has developed the new Rule of Law Framework (RLF) which allows countering backsliding attempts in a more structured manner. The framework’s first initiation in Poland led to a year-long dispute between the EU and the Polish government. The fact that the dispute is still ongoing and the PiS is still in power, poses the question of the framework’s success in countering PiS’ anti-democratic reforms.

Possible answers for the (lack of) success can be found in the literature on reactions to outside interventions. Research shows that criticism of a whole group, like the Polish nation, by a cultural outsider, i.e. the EU, can lead to undesirable effects (Portela, 2020; Sedelmeier, 2017; Snyder, 2019). If the government is successful in shifting the blame for problems to the intervener, the nation feels attacked from the outside strengthening its feeling of belonging together. This increases the support for its leaders presenting themselves as defending the community against the outside aggressor. This so-called “rally-round-the-flag effect” (subsequently “rally-effect”) was first introduced by Mueller (1970), who applied it to the popularity of United States’ presidents’ following international crises. Scholars seem to agree that outside interventions such as sanctions are a delicate matter and often instigate a rally-effect (Galtung, 1967; Portela, 2020).

Regarding the RLF, the state of the research is less clear. On the one hand, Sedelmeier (2017) states that domestic backlash is less likely for social pressure than for material sanctions (p. 344). He suggests that due to its formality, transparency, flexibility and impartiality the framework is less likely to lead to increased public support for the government. On the other hand, Niklewicz (2017) points out that the framework was ineffective in preventing backsliding in Poland. Moreover, Schlipphak and Treib (2017) demonstrate that the Austrian (2000-2002) and Hungarian (2010) governments have been able to instigate the rally-effect as a reaction to the EU’s criticism. They extend their findings to the Polish case and argue that all elements necessary for turning around the narrative and obtaining the population’s support are present in the Polish case (p. 361). Their conclusion, however, might be premature and outdated given that their article was published before the end of the framework’s application to Poland. So far, no elaborate research has been done applying the rally-effect to the case of democratic backsliding in Poland.

To close this gap, this thesis aims to answer the question: Did the Polish government succeed in instigating the rally-effect as a reaction to the Commission’s use of the RLF? Making use of a process-tracing methodology, I find that the Polish government was successful in portraying the EU intervention as a threat to the Polish nation as a whole but was unable to provoke a rally-effect.

This thesis begins with an overview of the historical development of the EU-Poland rule of law dispute. Subsequently, previous literature and the key concepts are discussed. After an outline of the theoretical framework and methodology, the results are presented. This thesis concludes with a discussion of the findings’ implications for the EU and further research.

2. The EU-Poland Rule of Law Dispute

Before elaborating on previous research, it is first helpful to consider the historical context. The Polish Constitutional Tribunal's (CT) main task is to control the constitutionality of laws and thereby control the legislative. If the CT declares a certain provision to be against the constitution, this provision becomes void. However, this first requires the government to publish the court's ruling. CT judges are elected by parliament and sworn in by the president (Bucholc, 2016).

These institutional features are essential to understand the rule of law crisis that unfolded in Poland in 2015. The old government had introduced a new law which allowed it to elect five new CT judges to replace those judges whose terms would end shortly after the change in government. President Duda, affiliated with PiS, refused to swear in those judges without waiting for the CT's judgement on the legality of the newly-introduced law. Instead, he took the oath from five other judges who were elected by the new PiS parliamentary majority (Bucholc, 2016). Moreover, the government passed a law paralysing the CT's work, politicised appointments to public media and fired many senior civil servants in public institutions (Freedom House, 2016). This led to a stalemate in which the government refused to publish the CT judgements and the CT refused to follow the laws regarding its functioning and composition that it had itself declared unlawful (Bucholc, 2016).

In 2014, the EU developed a new RLF to counter democratic backsliding attempts (European Commission, 2014). The new mechanism allows for more formal communication between the Commission and the MS which is supposedly breaching the fundamental values of the Union; even when the lack of unanimity in the European Council does not allow for the initiation of the procedure prescribed in the EU treaties (Sedelmeier, 2017, p. 340). The framework consists of three stages and serves as an early-warning tool (European Commission, 2020). First, the Commission assesses whether there is a systematic threat to the rule of law. It issues an opinion on the matter to which the government concerned can respond. Second, the Commission publishes recommendations for concrete measures to be implemented in the MS. Third, the Commission monitors the implementation of the recommendations and can potentially propose the use of Art. 7 TEU (Sedelmeier, 2017, p. 345).

The Polish case is the first application of this new framework. However, it has not prevented the PiS government from continuously breaching EU law (Niklewicz, 2017). The framework's application was initiated by the European Commission in January 2016 as a reaction to the law concerning the appointment of judges to the Polish CT, which had been

passed by PiS in December 2015. In March 2016, the Polish CT itself declared this law unlawful. However, the court's decision was not published and over time the judges of the CT have been replaced. The Venice Commission of the Council of Europe (CoE) confirmed the European Commission's concern in March 2016 by stating that the Polish reforms threaten the basic principles of the CoE: democracy, human rights and rule of law (European Commission, 2017). Consequently, in June 2016, the European Commission issued a formal opinion on the matter. In July 2016, it triggered step two of the framework and published three recommendations on the topic. These concerned the lack of an independent constitutional review and legislation regarding court organisation that threatens the judiciary's independence (European Commission, 2017; Kelemen, 2017, p. 229). In July 2017, the Commission announced that it was ready to launch an Art. 7 procedure and a classic infringement procedure against Poland. In August 2017, PiS officially dismissed the Commission's opinion and questioned the EU's competencies to decide over Poland. In December 2017, the Council discussed a proposal to determine a clear risk of a serious breach of the rule of law in Poland and initiated the Art. 7 procedure (European Commission, 2017). Having understood how the disagreement on the appointment of CT judges led the EU to initiate the RLF, it is now time to review the existing literature on democratic backsliding and the backlash to external interference (in Poland) and to introduce the rally-effect.

3. Previous Research

3.1. Democratic Backsliding

As this research is concerned with democratic backsliding, it is important to first define the term *democracy*. Scholars have used many different definitions of this term. Whereas minimalists simply define democracy as a regime where rulers are elected (Przeworski, 2003), I understand democracy as *liberal democracy*. Merkel (2018) defines *liberal democracy* as being characterised by (1) political rights such as freedom of expression, association and assembly, (2) checks and balances, the separation of powers between the legislature, the executive and the judiciary and (3) the accountability of elected officials (pp. 7-11). This definition combines democracy, rule of law and human rights, three fundamental values of the EU, and is, therefore, better suited to be used in an analysis of the EU RLF.

However, Merkel's definition is opposed to the definition of democracy employed by Eastern European populists. Hungarian president Orbán coined the term *illiberal democracy* rejecting the importance of constitutional restraints (Krastev, 2018, p. 56) and giving absolute power to the government (Vachudova, 2020, p. 327). PiS uses a similar definition of democracy

and particularly stresses the importance of elections (Sejm, 2016b). This mismatch between the definitions employed by the EU and Poland is important for the analysis. This thesis uses Merkel's definition because it aims to analyse the developments in Poland from the EU's perspective.

Democratic backsliding is a similarly broad term. Bakke and Sitter (2020) define democratic backsliding as “a process of deliberate, intended action designed to gradually undermine the fundamental rules of the game in an existing democracy, carried out by a democratically elected government” (p. 2). It is thereby important to stress that the outcome of the process is open-ended. A regime change can happen or not (p. 3). Moreover, at least one of the three dimensions of liberal democracy mentioned by Merkel must be attacked (p. 3). Applying this definition, Bakke and Sitter (2020) show that the Polish case can be classified as *democratic backsliding* because the Polish reforms have fundamentally changed how the Polish state functions and thereby constitute a significant move away from democracy (Bakke & Sitter, 2020, p. 3). Having defined the concepts of democracy and democratic backsliding, it is now possible to consider the existing literature on the backlash to external interference.

3.2. Backlash to External Interference

3.2.1. The Rally-Round-The-Flag Effect

Before developing the causal mechanism, it is helpful to consider previous research conducted on the backlash to external interference and introduce the theory of the rally-effect. Most scholars agree that criticism of a whole group by cultural outsiders can lead to undesirable effects (Galtung, 1967; Portela, 2020; Sedelmeier, 2017; Snyder, 2019). This is the case when international human rights groups denounce domestic practices (Snyder, 2019) and when states impose sanctions (Portela, 2020). By attacking a nation's pride or decreasing the population's living standard, external interference evokes anger and resistance from the targeted group as it fears for its autonomy and security. The government can then present itself as defending the community against outside aggressors and increase domestic support for its policies (Snyder, 2019).

This theory is known as the “rally-round-the-flag effect” and was first proposed by Mueller (1970) in an analysis of US presidents' public support. He explained that “certain intense international events generate a ‘rally round the flag’ effect which tends to give a boost to the President's popularity rating” (p. 21). Thereby, the whole nation must be concerned which is mostly the case for international events (p. 21). A similar definition has been used by Perrin and Smolek (2009) and Dinesen and Jæger (2013). In the face of a crisis, the media

particularly focuses on this topic, polarisation decreases as the opposition supports the government to solve the crisis while large parts of the society feel anxiety and lack of security (Turska-Kawa et al., 2022, p. 22). As a result, a stronger collective identity emerges and the trust in public institutions increases (Dinesen & Jæger, 2013).

The effect has been applied to US presidents' popularity, domestic support for political institutions after terror attacks (i.e. Perrin & Smolek, 2009; Dinesen & Jæger, 2013) and democratically backsliding countries (Schlippak & Treib, 2017). Schlippak and Treib (2017) demonstrate that democratic backsliding is not a purely internal process, but it triggers reactions from outside actors particularly when the country is an MS of the EU. In its external dimension, democratic backsliding is thus inextricably linked to the rally-effect. Cianciara (2018) has examined the strategies that helped the Polish government to obtain domestic support in their dispute with the EU. However, the rally-effect has not yet explicitly been tested for the case of democratic backsliding in Poland - a gap which is closed by this thesis. Using the theoretical lens of the rally-effect reveals how the use of language is connected to public support for the government. Further, it enables me to focus on how democratic backsliding is justified and how the different actors portray their actions.

3.2.2. The Backlash to the EU's Interference in Poland

Previous research on democratic backsliding in Poland, the EU-Poland dispute and its connection with public opinion give indications of what findings to expect. Firstly, the EU initiated the RLF due to the lack of alternative tools, the necessity to prevent a similar situation as in Hungary and favourable party politics (Kelemen, 2017; Niklewicz, 2017). Niklewicz (2017) argues that the Art. 7 procedure was initially not intended for situations where governments deliberately backslide and also the RLF is not taken seriously by the Polish government (pp. 285-286). Secondly, several explanations are available to explain why Poland was the first application of the framework. Despite its introduction in 2014, when democratic backsliding in Hungary was still at its height, the framework was not initiated against Hungary. The main reason for this is Fidesz's membership in the influential European People's Party whereas PiS is only a member of the less important European Conservatives and Reformists Group (Kelemen, 2017). Thirdly, PiS had to disregard the Polish constitution for its reforms, while Fidesz's supermajority allowed for constitutional change and hence compliance with the constitution. Thus, the Commission was presumably met with relatively weak opposition for initiating the framework as a reaction to Polish backsliding attempts.

Scholars disagree on how previous research can be translated to the application of the new RLF. Sedelmeier (2017) suggests that due to its formal, transparent, flexible, and impartial set-up, the framework is less likely to lead to a rally-effect. However, Niklewicz (2017) finds that the framework was ineffective in preventing backsliding in Poland. Schlipphak and Treib (2017) identify a rally-effect in two similar cases and suggest that all three elements necessary to shift the blame to the EU are present in the Polish case.

Whether PiS succeeds in shifting the blame to the EU largely depends on its strategy. Cianciara (2018) claims that PiS pursued mainly a strategy of escalation before the EU's launch of the Art. 7 procedure (December 2017). PiS had no intention to solve the conflict with the Commission but focused on securing the support of domestic voters (Cianciara, 2018, p. 61). Simultaneously, it pursued a strategy of de-escalation in its interactions with the EU. This strategy consisted of explaining the intentions of the government and attempting to convince other MS to veto the Commission's actions. However, this strategy only became more apparent after December 2017 and the escalation strategy prevailed during the implementation of the RLF (Cianciara, 2018, p. 64). PiS' focus on securing domestic votes is in line with the rally-effect's claim that external interference allows the government to increase its public support.

Poles' Janus-faced attitude towards the EU makes it difficult to predict how the Polish government's strategies are reflected in public opinion. Krastev (2018) highlights the paradox that "Eastern Europeans are among the most pro-EU publics on the continent, yet they vote for some of the most Euroskeptical governments" (p. 52). He explains this with Poland's reliance on EU funds but also a historical trauma of foreign invasion, insecurity due to Russian annexations in the neighbourhood and a demographic panic aggravated by the refugee crisis. Krastev (2018) and Cianciara (2018) both highlight PiS' continued support in the population which stands in opposition to the fact that PiS lost the senate in the 2019 elections (Freedom House, 2020).

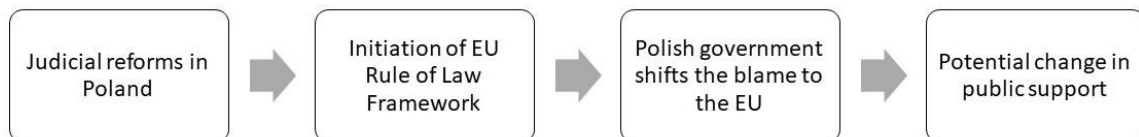
The question arises as to how explicit a change in public opinion would be. Mueller (1970) explains that crises only instigate the rally-effect if they are intense and sudden. The effects of gradually developing events on public opinion might not be that clear and not result in a sudden peak in support for the government. As the EU framework is a rather gradual and lengthy process (it took 1,5 years from the first opinion until the publication of the Commission's recommendations), there might not be an explicit peak in public support.

4. The Causal Mechanism

Having outlined previous research on the backlash to external interference (in Poland), it is now possible to derive the causal mechanism for the process-tracing. To be able to identify whether a rally-effect has taken place in Poland, it is important to operationalise the different steps of the process from the cause (democratic backsliding) to the outcome (potential change in public support). Figure 1 shows the causal mechanism. The operationalisation is summarised in Table 1 below.

Figure 1

Visualisation of the process



Note: Author's interpretation

Regarding the first step, the identification of democratic backsliding, this research utilises criteria for democratic backsliding related to rule of law established by Bakke and Sitter (2020, p. 4). According to their research, judicial independence can be undermined in several ways: changing the scope and competencies of courts, changing procedures regarding judicial review and the administration of justice as well as disregarding judgements or suspending the constitution.

Concerning the second step, the EU's language used during the initiation of the RLF, Schlipphak and Treib (2017) highlight strategies that could help the EU to prevent backsliding countries from shifting the blame: The EU should seek domestic allies and present the intervention as having the goal of supporting locally suppressed groups. The intervention should target specific individuals rather than the entire nation and the situation in the backsliding state must be assessed transparently and objectively (pp. 361-362). The EU's potential failure to address those aspects while constructing the initiation might explain the Polish government's success.

In the third step, the Polish government might shift the blame to the EU. Dinesen and Jæger's (2013) definition highlights the importance of language. Citizens do not only show support for their governments in crises but indeed in situations constructed as crises. Hence, the

presentation of the event is essential. Schlipphak and Treib (2017) have elaborated on three elements that allow the targeted government to shift the blame to outsiders: the government must be able to construct the external interference as (1) being an external threat, (2) having negative effects on the whole country and (3) being illegitimate (p. 360). Claims of illegitimacy, attacks on sovereignty, the application of double standards and presenting domestic political opponents as traitors following the EU might indicate the successful use of language by the Polish government (Schlipphak & Treib, 2017).

The fourth step, an increase in public support for the Polish government, can be measured using levels of trust in EU and domestic institutions including the national government and especially support for the governing party (Dinesen & Jæger, 2013). To answer the research question, the next chapter outlines the main features of the process-tracing methodology.

Table 1
Operationalisation of the process

Theoretical mechanism	Predicted observable manifestations
(1) Democratic backsliding	<ul style="list-style-type: none"> - Undermining judicial independence - Unilateral changes in the scope, remit and competence of the constitutional court or lower courts - Rules and procedures for judicial review - Procedures for appointing judges - Personnel purges - Ignoring or unconstitutionally overturning court rulings - Suspending the constitution
(2) EU interpretation of judicial reforms	<ul style="list-style-type: none"> - Domestic allies: constructing intervention as improving the situation of suppressed domestic groups that had asked for help - Target audience: whole country or actual offenders? - Open, independent, and impartial assessment of the situation
(3) Polish government shifts blame to the EU	<ul style="list-style-type: none"> - Claims of illegitimacy, sovereignty, double standards - downplay the relevance of international criticisms - present domestic political opponents as traitors following the EU
(4) Increase in Polish public support for the national government	<ul style="list-style-type: none"> - Opposition to the EU action - Support for the governing party - levels of trust in EU/ domestic institutions/ government - Eurosceptic sentiments among the population

Note: Author’s interpretation based on Bakke & Sitter (2020), Dinesen & Jæger (2013) and Schlipphak & Treib (2017).

5. Methodology

This chapter begins with a justification of the design choice. It then continues with a definition of process-tracing and explains the choice of the sources and timeframe. This research is deductive and aims to test the rally-effect theory by applying it to Poland. It is a single qualitative case study examining the case of democratic backsliding in Poland. Poland is an exceptional case as it is one of the two democratically backsliding EU MS (Bakke & Sitter, 2020) and the first MS to be subject to the RLF. Hence, it is particularly interesting whether Schlipphak and Treib's (2017) findings regarding the rally-effect in Austria and Hungary can be generalised to the Polish case despite the new legal measure. The fact that the Polish PiS party lost the senate in 2019 (Freedom House, 2020), contrary to the Austrian and Hungarian governments' electoral victories following their dispute with the EU, might indicate that PiS was less successful at instigating the rally-effect.

This research follows Schlipphak and Treib (2017) in their decision to use a process-tracing methodology instead of the quantitative methodologies often employed in similar research (Dinesen & Jæger, 2013; Hatuel-Radoshitzky & Yarchi, 2022; Mueller, 1970; Perrin & Smolek, 2009). Process-tracing is comparably better suited to investigate how the use of language contributes to the rally-effect as it allows for the combined use of public opinion data and speeches. Another advantage is the methodology's ability to "test the explanatory value of a given theory" (De Ville et al., forthcoming, p. 1). Bennett and Checkel (2014) define process tracing as "the analysis of evidence on processes, sequences, and conjunctures of events within a case" (p. 7). Process tracing is especially useful because it helps to establish causality between the cause (democratic backsliding) and the outcome (potential change in public support) (De Ville et al., forthcoming, p. 6).

The following data is used to observe the manifestations predicted in the operationalisation: The first step of the analysis is built on secondary literature. Official EU statements, retrieved from the Commission website, are analysed in the second step of the process. Speeches given by Szydło and Kaczyński were retrieved from the Sejm website and the Multimedia Centre of the European Parliament. Surprisingly, only three relevant speeches were delivered by members of the Polish government at the Sejm. These speeches were translated using the online tool DeepL, whose reliability is increasingly recognised by scholars (DeMattee et al., 2022; Takakusagi et al., 2021; Zulfiqar et al., 2018), and then cross-checked by a Polish native speaker. The fourth part of the analysis uses the following public opinion polls to show changes in public support: Standard Eurobarometer 84-88, OECD trust in government indicator and CBOS surveys from February 2016 to May 2017. Overall,

quantitative and qualitative evidence from various sources is combined to triangulate the results and increase the research's reliability.

This research focuses on the period from December 2015 until August 2017. December 2015 is the start of the process because the PiS party passed a law concerning the appointment of judges to the Polish Constitutional Tribunal. As a reaction to this, the RLF was initiated (Niklewicz, 2017, p. 282). In August 2017, PiS officially dismissed the Commission's opinion (p. 284). Even though this was not the end of the dispute between the EU and Poland on the rule of law, it seems a suitable endpoint for the process-tracing because it signifies the ending of the RLF. In December 2017 the Commission initiated the Art. 7 procedure (Timmermans, 2017b) marking the start of a new chapter in the EU-Poland dispute, which is not covered in this thesis.

6. Analysis

6.1. Democratic Backsliding

The analysis follows the four steps of the process outlined in the methodology chapter. Having won the presidential elections in May 2015 and the parliamentary elections in October 2015 (Freedom House, 2016), the PiS party introduced several changes in the Polish judicial system. Except for a suspension of the constitution, all elements undermining judicial independence identified above are fulfilled. First, a total of seven amendments on the functioning, composition and procedures of the CT were introduced and the rules and procedure for judicial review were altered (Freedom House, 2017). Second, during the Rule of Law crisis in 2015, both the old and the new government attempted to change procedures regarding the election of CT judges (Bucholc, 2016). The PiS party ignored court rulings by not awaiting the CT's judgement on the matter but instead preventing those judges, lawfully appointed by the previous government, from starting to work (Bucholc, 2016; European Commission, 2016).

Third, with regards to personnel purges, the lowering of the compulsory retirement age for judges led to a replacement of 40% of Supreme Court judges allowing PiS to give the posts to loyal judges. In 2020, a judge who aimed to implement a judgement of the European Court of Justice was suspended (Bakke & Sitter, 2020, p. 7). Fourth, court rulings were ignored or unconstitutionally overturned. For example, the government ignored that the CT ruled certain amendments to a law on the functioning of the CT unconstitutional (Freedom House, 2017). Moreover, the government did not publish CT judgements preventing them from becoming legally binding (Bucholc, 2016). However, there has been no suspension of the constitution and the lack of a supermajority prevented the PiS government from changing the constitution

(Bakke & Sitter, 2020, p. 7; Freedom House, 2016). Nonetheless, several key characteristics associated with democratic backsliding in the realm of the rule of law can be identified confirming Bakke and Sitter's (2020) classification of Poland as a democratically backsliding country in the set timeframe. This is also reflected in Freedom House's (2020) decision to change Poland's classification from a consolidated to a semi-consolidated democracy.

6.2. EU Interpretation of Judicial Reforms

Having identified that the developments in Poland can indeed be classified as democratic backsliding, it is now necessary to analyse how the EU has reacted to the reforms. In January 2016, the EU initiated the RLF to react to the crisis in Poland (Freedom House, 2017). Thereby, the Commission made only limited use of domestic allies to prevent a rally-effect. Presenting the intervention as improving the situation of suppressed domestic groups that asked for help, might prevent an increase in public governmental support (Schlipphak & Treib, 2017, p. 361). While the Commission underlines that it bases its assessment on the Polish CT's rulings (European Commission, 2016), it refers less to suppressed Polish groups. The reference to the CT's judgement shows that the Commission trusts the Polish institutions. It does not want to criticise Poland as a whole but rather help the CT to implement its judgement for which it requires a cooperative government. Moreover, the Commission stresses its cooperation with allies: "Our concerns are shared widely – the Venice Commission, the Council of Europe, the United Nations, the Network of the Presidents of Supreme Courts and of the Councils for the Judiciary, lawyers associations and NGOs" (Timmermans, 2017a). However, there is no specific mention of Polish groups. While underlining the seriousness of the Commission's concerns, the enumeration of organisations might create the feeling that the whole world is united against Poland which might trigger a rally-effect. Hence, the Commission is unsuccessful in integrating domestic Polish allies into its actions against the PiS government.

Official statements are addressed to "the Polish Government", "the Polish authorities" or "the Polish parties concerned" (Timmermans, 2016). When references are made to the actions of specific persons, their positions rather than names are mentioned: "The President of the Republic has in the meantime taken the oath of all five judges" (European Commission, 2016). While ensuring impartiality and objectivity and avoiding personal accusations, this address is not in line with Schlipphak and Treib's (2017) suggestion to target the actual offenders directly instead of the whole country.

The Commission's main focus lies on stressing the open, independent and impartial assessment of the situation. In this regard, the Commission closely follows Schlipphak and

Treib's (2017) advice. Firstly, the setting of the RLF itself favours impartiality. The framework was introduced in 2014, hence, before PiS was elected. As a result, the framework was not drafted to suit this specific situation. The formality of the practice and the Commission's impartiality ensure greater legitimacy (Sedelmeier, 2017, p. 346). Secondly, the Commission's cooperation with other international organisations strengthens its position and impartiality. There is strong cooperation between the European Commission and the Venice Commission of the Council of Europe (European Commission, 2016). Thirdly, the Commission's constant stressing of dialogue underlines its openness. In addition to written declarations of being open to dialogue with the Polish government, Timmermans also made an effort to meet with government representatives in person, for example by visiting Warsaw on April 5 and May 24 2016. Furthermore, the European Parliament invited the Polish prime minister Szydło to a plenary debate (European Commission, 2016).

Through its use of language, the Commission highlights its impartiality and sets a constructive tone for the RLF. Timmermans aims to conduct the framework in a "spirit of cooperation not confrontation" (Multimedia Centre European Parliament, 2016). The Commission stresses that it respects Poland's sovereignty and "does not wish to involve itself in a political debate in Poland [since] [p]olitical issues in Poland are the business of politicians in Poland, not the European Commission" (Timmermans, 2016). The tone used by the Commission, particularly in the first few months after the initiation of the framework, is conciliatory: the Commission "encourages" and "invites the Polish government to solve the problems identified" (European Commission, 2016). Further, it "welcomes" (Multimedia Centre European Parliament, 2016) that the Polish government followed some of its recommendations. Later, the tone changes slightly. Timmermans does not appear as optimistic and conciliatory as before. He complains about the Polish government turning around the narrative: "I just don't accept people saying that the European Union takes away sovereignty from Poland. No, it creates a sovereignty in Poland that Poland hasn't had for centuries" (Timmermans, 2017a) and its unwillingness for dialogue: "So I've tried really to have this dialogue but on the other side there is apparently no wish to do so" (Timmermans, 2017a).

Altogether, this shows that the Commission stressed excessively its openness and the impartiality of the RLF. This is underlined through its conciliatory tone. However, the Commission was neither successful in building alliances with Polish groups harmed by the current situation, nor in presenting the proceeding as targeting only the government and not the Polish nation as a whole.

6.3. Shifting the Blame to the EU

Building on the two previous sections, this section examines how the Polish government shifted the blame to the EU. The Polish government's communication with the EU differs from its communication with the Polish public. While the tone towards the EU is cooperative but determined, the EU's actions are presented as a threat to the Polish people. Here it is important to note that there is also a difference in actors communicating with the Commission and the Polish people: Whereas the EU mainly communicates with the official Polish representatives, in particular prime minister Szydło, Poland's *de facto* ruler Kaczyński determines the discourse within Poland and displays a less cooperative attitude (Csehi & Zgut, 2021, p. 63). This supports the findings of Cianciara (2018) holding that PiS focused on securing domestic votes and pursued a strategy of escalation during the RLF.

Szydło compliments the EU for its achievements and presents the EU as a role model for Poland and as Poland's future (Multimedia Centre European Parliament, 2016). The PiS government is open to dialogue but believes that the dispute on the Polish CT is an internal matter that needs to be solved within Poland (Multimedia Centre European Parliament, 2016). Szydło repeatedly stresses the importance her government attributes to communication with the EU: "this is important to me", "the government of the Republic of Poland is open to dialogue and to debate" (Multimedia Centre European Parliament, 2016). Nevertheless, she does not want to invest too much time in this dialogue either: "I do not see any grounds for devoting so many words and so much time to Polish affairs" (Multimedia Centre European Parliament, 2016).

Similar to the shift in the tone of the Commission, also the Polish government's tone becomes less cooperative and more disappointed later in the process. The PiS government blames the Commission for the failure of constructive cooperation because it did not adhere to its own standards, namely "objectivism (and) respect for sovereignty, subsidiarity and national identity" (Goulard, 2016). Cianciara's (2018) findings show that this development was reversed in December 2017 when the Polish government attempted to control damage and avoid an Art. 7 procedure.

The PiS party's vision for the future of Europe becomes apparent in several statements. Therein, sovereignty occupies a key role. PiS is in favour of a Europe composed of strong nation-states with an intergovernmental character:

Poland is, was and will be in the European Union ... But being in the European Union makes sense when you are a country ... which is respected not because it agrees to the dictates of others, but because it is a partner. (Sejm, 2016b)

Csehi and Zgut (2021) argue that Eurosceptic populism in Eastern Europe manifests itself, particularly through its critique of the EU's apparent actions against national sovereignty (p. 56). This is evident in the case at hand: The Commission is presented as Poland's antagonist which wants to take away its hard-fought sovereignty: "For many years, for decades, we had to fight for the right to express our own opinions, to build our own statehood. We won this, and we will not allow it to be taken away from us" (Multimedia Centre European Parliament, 2016). Thus, while PiS generally respects the EU, this is not necessarily the case for the Commission, which is portrayed as trying to take away Poland's sovereignty.

As mentioned by Schlipphak & Treib (2017), legitimacy plays an important role in influencing public opinion. PiS attempted to shift the focus from the Polish democratic deficit to the European one (Csehi & Zgut, 2021, p. 62). PiS derives the authority for the changes to the Polish judicial system from its victory in the elections: "These reforms to which the citizens committed us in the elections ... in democratic elections" (Sejm, 2016a). By referring to "the technocrats in Brussels" (Sejm, 2016c), Szydło contrasts PiS' democratic mandate with the unelected Commission officials. This relates to the concept of Eurosceptic populism, a type of populism where the EU is equated with the corrupt elite which fails to represent the people and is thus undemocratic (Csehi & Zgut, 2021, p. 55).

The Polish government deliberately attempts to blur the distinction between the Polish government and the Polish people and to present the EU's intervention as a threat to Poland as a whole. The terms "Polish state", "Polish government" and "Poland" are used interchangeably, thereby blurring the distinction: "Voices which are unfair, voices which judge Poland, the Polish state and also the Polish Government in an unjust way" (Multimedia Centre European Parliament, 2016). By comparing the current situation to historical situations in which Poland was "a besieged fortress" (Buras, 2017), PiS appeals to feelings of horror in the Polish population: "Whenever there have been attempts to take Polish matters outside the Polish home ... it has always ended very badly for us... From history one needs to draw conclusions" (Sejm, 2016a). Krastev (2018) confirms that the trauma of foreign domination is deeply rooted in Polish society (p. 55). Hence, by presenting the Polish government and the Polish nation as one entity and comparing the EU's intervention to situations of occupation and siege in the past, PiS presents the EU's actions as a dangerous threat to all Poles.

The narrative of a threat allows the Polish government to show the necessity for internal unity in particular among the different political parties:

Are we able, ladies and gentlemen, in the face of difficult challenges, in the face of the matter which is most important for Poland today, to be together, despite the differences to which we are entitled, in the name of the democratic choice of the Polish people? (Sejm, 2016a)

Uniting the political parties in the face of external criticism is a first step in also uniting the Polish people behind the Polish government and thereby creating a rally-effect.

Domestic political opponents who refuse to support the government in the matter are presented as traitors and criminals. In particular, Kaczyński criminalises certain actions of the opposition and presents the opposition as undemocratic (wSieci, 2016). The biased media helps him to convey this message. Further, Kaczyński portrays “domestic critics as ‘the worst sort of Poles’, ‘traitors’ who ‘complain about Poland to Brussels’” (Csehi & Zgut, 2021, p. 61). Hence, domestic political opponents are presented as traitors following the EU.

On several occasions, Polish government officials downplay the relevance of the EU’s criticism. Szydło blames the Commission for wrong accusations: “Poland has been unjustly slandered and accused of something which does not take place in our country” (Sejm, 2016a). Kaczyński called the Rule of Law mechanism a “comedy” (in Buras, 2017). The EU’s criticism is dismissed as “groundless” (Goulard, 2016) and as being “based on incorrect assumptions which lead to unwarranted conclusions” (Goulard, 2016).

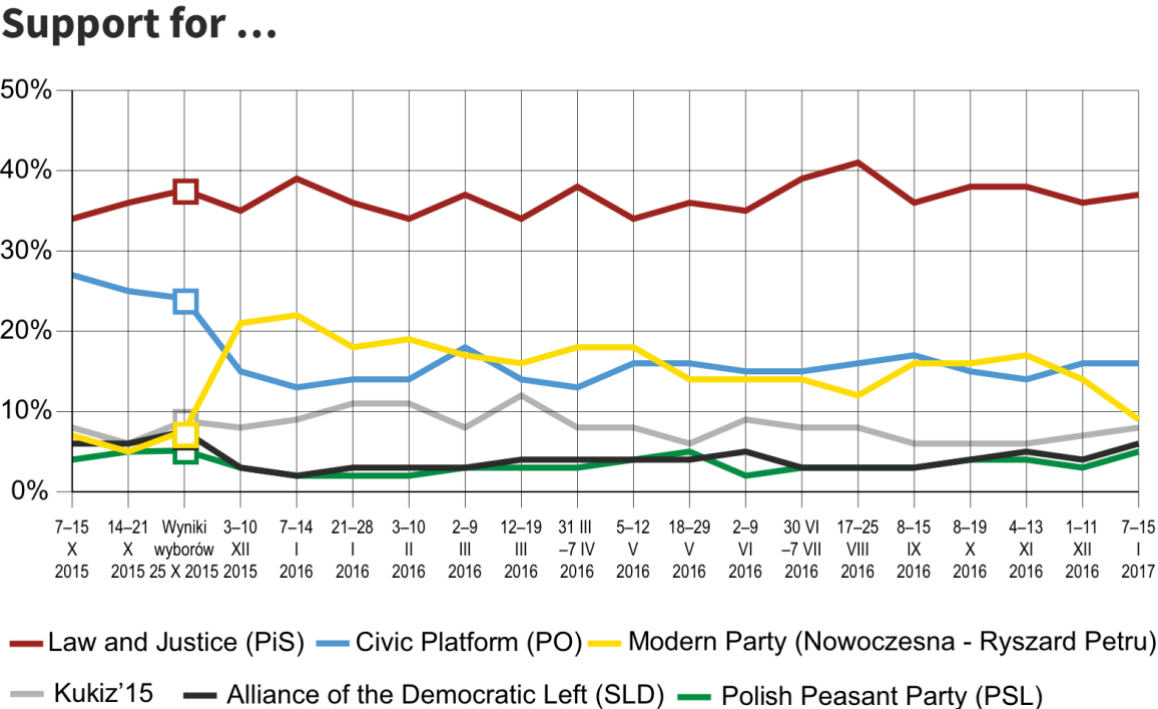
Overall, the EU’s criticism is presented as unnecessary interference in domestic Polish affairs which the Polish government hopes to deal with rather quickly. Whereas PiS uses a moderate and cooperative tone in its communication with the EU, particularly at the beginning of the process, it domestically rallies the nation around the government and presents the EU intervention as a threat to Polish sovereignty. The next step investigates whether the successful blame-shifting has indeed led to a rally-effect and therefore a surge in public support for the Polish government.

6.4. Changes in Public Support

Having analysed how the Polish government and the European Commission portrayed the issue, it is now possible to look at potential effects on public opinion. The analysis of public opinion survey data does not reveal a rally-effect as clear-cut as identified by Schlipphak and

Treib (2017) in the cases of Austria and Hungary. Figure 2 shows that support rates for PiS have been relatively stable and continued to be high at around 37% between the elections in October 2015 and the end of the RLF.

Figure 2
Support for the Polish Government



Source: CBOS (2017a)

Eurobarometer data reveals that from autumn 2015 to spring 2016 there was a drastic decline in optimism about the direction in which Poland is going. The number of people who believes that the country is going in the wrong direction continued to increase in 2016. In 2017, Poles’ optimism increased again (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b). Between autumn 2015 and spring 2016, there was a drastic decline in satisfaction with the way democracy works in Poland, afterwards, satisfaction increased again and in autumn 2017 the 2015 level was reached again (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b) despite the continuation of the rule of law crisis.

Trust in EU institutions is generally higher in Poland than trust in Polish institutions. However, there is always roughly the same number of people who trust the EU as those who distrust it (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b) showing the polarisation

of the Polish society. As the key EU actor in the RLF, it is particularly interesting to analyse Poles' trust in the Commission. In the period 2015 to 2017, the Commission enjoys generally higher levels of trust than the EU as a whole. Trust in the Commission increased from autumn 2015 to autumn 2016 and then slightly decreased again reaching roughly the level it had before the initiation of the RLF (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b).

Polish institutions enjoy a remarkably low level of trust among the Polish population. Regarding trust in the national government, there is a divergence between Eurobarometer and OECD data. Whereas Eurobarometer data displays barely any change for this indicator in the period from 2015 to 2017 (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b), trust in government increased drastically from 21% in 2015 to 50% in 2017 according to OECD data (OECD, 2022). Similarly, Eurobarometer data reveals even lower levels of trust for the national parliament and the political parties than for the government (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b). This is confirmed by CBOS' (2016a) analysis. Regional and local public authorities are trusted to a similar extent as EU institutions (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b). The distrust in the judiciary increased over time from 50% distrust in spring 2016 to 58% distrust in autumn 2017 (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b) providing potential evidence for the success of the government's smear campaign against judges.

As opposed to Orbán, who benefitted from relatively high levels of Euroscepticism (Schlippak & Treib, 2017, p. 359), Eurobarometer data confirms Krastev's (2018) finding that Poles are comparably pro-European despite voting for Eurosceptic governments. The fact that more than half of the population believes that more decisions should be taken at the EU level (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b) cannot easily be combined with PiS' focus on sovereignty and intergovernmentalism. One factor influencing Poles' favourable attitudes towards the EU might be the country's net beneficiary status (Csehi & Zgut, 2021, p. 56) and the widespread belief that the EU's voice counts in the world (TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b). CBOS data (2016c) confirms that Poles are concerned about the potential negative economic consequences the dispute with the EU might have for their country. The support of a Eurosceptical government can be explained through Poles' historical trauma of foreign invasion (Krastev, 2018) which makes them reluctant to give up sovereignty in the course of European integration.

The continued support for PiS can be mainly explained by the government's internal policies. The Family 500+ programme is generally welcomed by many Poles (CBOS, 2016a) and might be one reason that Poles' financial situation has improved slightly from 2015-2017

(TNS Opinion & Social, 2015; 2016a; 2016b; 2017a; 2017b). Hence, there seems to be a discrepancy between the evaluation of the government's internal and external policies.

While none of the indicators discussed above clearly indicates a rally-effect, there is explicit proof of the opposite. For example, thousands protested in front of the Sejm after the opposition was banned from the vote on the budget and PiS lost three voting sessions in December 2016 despite its parliamentary majority (Przybylski, 2016). Furthermore, president Duda vetoed two laws in the summer of 2017 (Timmermans, 2017a) which might indicate disagreement within the government.

Overall, the data confirms CBOS' analysis that "extremely deep divisions separate Poles" (2017b). While many Poles do not support the government policy in the rule of law dispute (CBOS, 2016b), they welcome other policies of the government, which balances out the effect on public opinion.

7. Conclusion

In the light of the analysis, it is now possible to summarise the results and draw conclusions for further research and policymaking. This thesis has shown that the Polish government was successful in presenting the EU's rule of law proceedings as a threat to the Polish nation but was unable to instigate a rally-effect. Numerous key elements of democratic backsliding are present in the Polish case: PiS introduced reforms that changed how judges are appointed, leading to a replacement of 40% of Supreme Court judges and the instalment of PiS-loyal judges. The procedural rules of the CT were altered, and its rulings were ignored or simply not published preventing them from becoming legally binding. However, as opposed to the Hungarian case, PiS' lack of a supermajority hindered constitutional change or suspension.

The European Commission employed a conciliatory tone throughout the proceedings and stressed its openness to dialogue and impartiality. Nevertheless, it was unsuccessful in (1) building alliances with Polish groups and (2) conveying the message that the target of its actions is not the Polish nation as a whole but rather the government. The Polish government set out with a cooperative spirit towards the EU which later became less favourable. Domestically, it employed a harsher tone. PiS repeatedly stressed that the Polish people had voted for their policies in democratic elections and PiS, therefore, possessed more legitimacy than the 'technocratic' Commission. PiS forced the opposition to fight together with the government against the 'external threat' and portrayed those politicians who refused to do so as traitors following the EU.

Despite its successful use of language, PiS was unable to instigate a rally-effect. Support for the government remained high and stable between 2015 and 2017 without any remarkable peaks. Eurobarometer data reveals a sharp decline in Poles' satisfaction with the way democracy works in their country at the beginning of the rule of law proceedings. Also, no overall anti-EU feeling developed. Trust in EU institutions is continuously higher than trust in the Polish government.

As this research is based on a single case study, the findings cannot easily be generalised to other contexts. Further, being limited to using translated speeches decreases the certainty of the results. I cross-checked my findings with the conclusions drawn by other scholars to increase the validity of the findings and reduce mistakes arising from translation. These scholars were either Polish native speakers or supported by native speakers. Further research should look into the language employed by the Polish government using original Polish speeches. In this thesis, I did not take into account the different variables that influence public opinion. It is up to future quantitative studies to investigate this aspect of the rally-effect in the Polish case.

Nevertheless, this thesis makes an important contribution to the rally-round-the-flag literature, as it contrasts with Schlipphak and Treib's (2017) findings for Austria and Hungary and falsifies their prediction for Poland. The RLF did not provoke a rally-effect as expected by academia so far. However, given the ongoing EU-Poland dispute, the framework was not successful in stopping democratic backsliding in Poland either. Policymakers could increase the effectiveness of the mechanism by putting a stronger emphasis on building alliances with civil society in the MS concerned. Moreover, the focus should be on targeting the Polish government rather than the entire Polish nation. An effective framework to combat democratic backsliding attempts is essential to safeguard democracy within the Union and maintain the EU's external credibility.

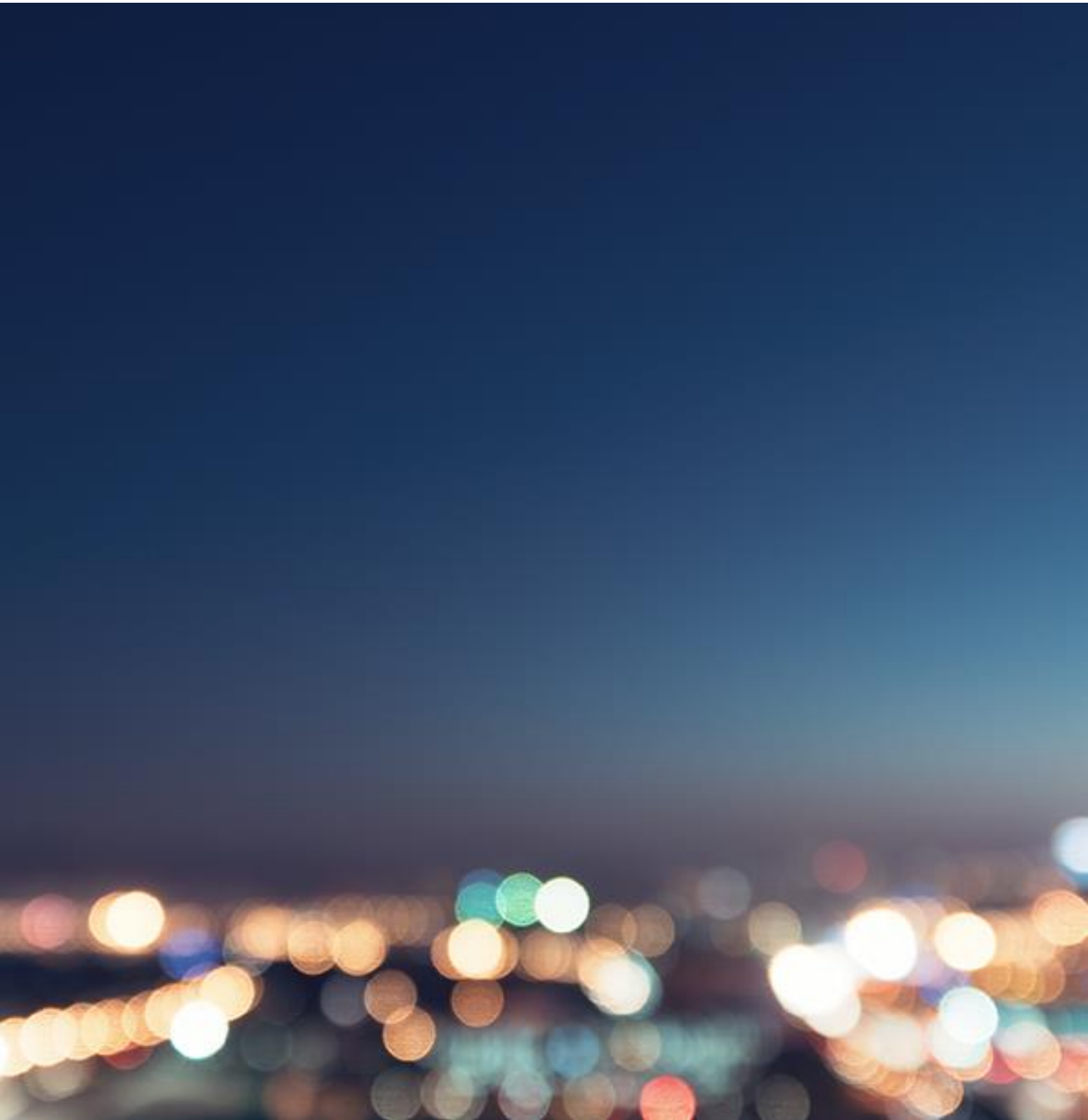
Reference List

- Bakke, E., & Sitter, N. (2020). The EU's Enfants Terribles: Democratic Backsliding in Central Europe since 2010. *Perspectives on Politics*, 1–16. <https://doi.org/10.1017/S1537592720001292>
- Bennett, A., & Checkel, J. (Eds.). (2014). *Process Tracing: From Metaphor to Analytic Tool (Strategies for Social Inquiry)*. Cambridge: Cambridge University Press. <https://doi.org/10.1017/CBO9781139858472>
- Bucholc, M. (2016). The Polish Constitutional Crisis 2015-16: A Figurational Perspective. *Human Figurations: Social Character, Historical Processes*, 5(2). <http://hdl.handle.net/2027/spo.11217607.005.210>
- Buras, P. (2017, January 3). Europe, stand up to Poland. *POLITICO*. <https://www.politico.eu/article/europe-stand-up-to-poland-rule-of-law-commission-recommendations-pis-jaroslawn-kaczynski/>
- CBOS (2016a, February). *Polish Public Opinion*. https://www.cbos.pl/PL/publikacje/public_opinion/2016/02_2016.pdf

- CBOS (2016b, April). *Polish Public Opinion*. https://www.cbos.pl/PL/publikacje/public_opinion/2016/04_2016.pdf
- CBOS (2016c, June). *Polish Public Opinion*. https://www.cbos.pl/PL/publikacje/public_opinion/2016/06_2016.pdf
- CBOS (2017a, January). *Polish Public Opinion*. https://www.cbos.pl/PL/publikacje/public_opinion/2017/01_2017.pdf
- CBOS (2017b, May). *Polish Public Opinion*. https://www.cbos.pl/PL/publikacje/public_opinion/2017/05_2017.pdf
- Cianciara, A. K. (2018). Strategies of the Polish government in the rule of law dispute with the European Commission. *Przegląd Europejski*, 2018(1), 57-73.
- Csehi, R. & Zgut, E. (2021). 'We won't let Brussels dictate us': Euroseptic Populism in Hungary and Poland. *European Politics and Society*, 22(1), 53-68. <https://doi.org/10.1080/23745118.2020.1717064>
- DeMattee, A. J., Gertler, N., Shibaike, T., & Bloodgood, E. A. (2022, February 23). Supplemental Information for: Overcoming the laws-in-translation problem: Comparing techniques to translate legal texts. <https://doi.org/10.31219/osf.io/jc5p9>
- De Ville, F., Gheyle, N., Reykers, Y. & Van der Graaf, T. (forthcoming). Process-tracing: Making single case studies transparent and convincing. In P.A. Stevens (Ed.), *Qualitative Data Analysis*. Sage.
- Dinesen, P. T., & Jæger, M. M. (2013). The Effect of Terror on Institutional Trust: New Evidence from the 3/11 Madrid Terrorist Attack. *Political Psychology*, 34(6), 917-926.
- European Commission (2014, March 11). *Communication from the Commission to the European Parliament and the Council - A new EU Framework to strengthen the Rule of Law*. <https://op.europa.eu/en/publication-detail/-/publication/34d3c288-d7b8-11ec-a95f-01aa75ed71a1/language-en>
- European Commission (2016, July 27). *Commission Recommendation Regarding the Rule of Law in Poland: Questions & Answers*. https://ec.europa.eu/commission/presscorner/detail/en/MEMO_16_2644
- European Commission (2017, December 20). *Proposal for a Council Decision on the Determination of a Clear Risk of a Serious Breach by the Republic of Poland of the Rule of Law*. (COM/2017/835 final).
- European Commission (2020). *Rule of law report 2020*. <https://data.europa.eu/doi/10.2838/27220>
- Freedom House (2015). Country Report Poland. <https://freedomhouse.org/country/poland/nations-transit/2015>
- Freedom House (2016). Country Report Poland. <https://freedomhouse.org/country/poland/nations-transit/2016>
- Freedom House (2017). Nations in Transit, Poland Country Report. <https://freedomhouse.org/country/poland/nations-transit/2017>
- Freedom House (2018). Nations in Transit, Poland Country Report. <https://freedomhouse.org/country/poland/nations-transit/2018>
- Freedom House (2020). Nations in Transit, Poland Country Report. <https://freedomhouse.org/country/poland/nations-transit/2020>
- Fukuyama, F. (1989). The End of History? *National Interest*, 16, pp. 3-18.
- Galtung, J. (1967). On the Effects of International Economic Sanctions, With Examples from the Case of Rhodesia. *World Politics*, 19(3), pp. 378-416.
- Goulard, H. (2016, October 28). Poland rejects Commission's rule of law request. *POLITICO*. <https://www.politico.eu/article/beate-szydlo-eu-law-and-justice-poland-rejects-commissions-rule-of-law-request/>
- Hatuel-Radoshitzky, M., & Yarchi, M. (2022). Rally 'round the flag revised: external soft threats and media coverage. *Media, War & Conflict*, 15(1), 61-81. <https://doi.org/10.1177/1750635220917419>
- Kaczyński we "wSieci": To był pucz! [Kaczyński in 'wSieci': It was a coup!] (2016, December 27). *wSieci Prawdy*. <https://www.wsieciprawdy.pl/kaczynski-we-wsieci-to-by-l-pucz-pnews-3075.html>
- Kelemen, R. D. (2017). Europe's other democratic deficit: National authoritarianism in Europe's Democratic Union. *Government and Opposition*, 52(2), 211-238. <https://doi.org/10.1017/gov.2016.41>
- Krastev, I. (2018). Eastern Europe's Illiberal Revolution: The Long Road to Democratic Decline. *Foreign Affairs*, 97(3), 49-59.
- Merkel, W. (2018). Challenge or Crisis of Democracy. In W. Merkel & S. Kneip (Eds.), *Democracy and Crisis: Challenges in Turbulent Times* (pp. 1-31). Springer International Publishing.
- Mueller, J. E. (1970). Presidential Popularity from Truman to Johnson. *The American*

- Political Science Review*, 64(1), 18–34.
<https://doi.org/10.2307/1955610>
- Multimedia Centre European Parliament (2016, January 19). *Situation in Poland (debate)*. [Video file].
https://multimedia.europarl.europa.eu/en/webstreaming/situation-in-poland-debate_20160119-0900-PLenary-12
- Niklewicz, K. (2017). Safeguarding the rule of law within the EU: Lessons from the Polish experience. *European View*, 16(2), 281–291. <https://doi.org/10.1007/s12290-017-0452-8>
- OECD (2022). *Trust in Government (indicator)*.
<https://doi.org/10.1787/1de9675e-en>
- Perrin, A. J., & Smolek, S. J. (2009). Who trusts? Race, gender, and the September 11 rally effect among young adults. *Social Science Research*, 38(1), 134–145.
<https://doi.org/10.1016/j.ssresearch.2008.09.001>
- Portela, C. (2020). Sanctions in EU Foreign Policy. In: N. Helwig, J. Jokela, C. Portela (Eds.) *Sharpening EU Sanctions Policy: Challenges and Responses in a Geopolitical Era*, FIIA Report N 63, May, 23–49. https://www.fiaa.fi/wp-content/uploads/2020/05/report63_web.pdf
- Przybylski, W. (2016, December 20). Jarosław Kaczyński's grip on power slips in Poland. *POLITICO*.
<https://www.politico.eu/article/polish-governments-slippery-grip-on-power-warsaw-law-and-justice/>
- Przeworski, A. (2003). Minimalist Conception of Democracy: A Defense. In R. Dahl, I. Shapiro, & J. A. Cheibub (Eds.), *The Democracy Sourcebook* (pp. 12–17). MIT Press.
- Schlipphak, B., & Treib, O. (2017). Playing the blame game on Brussels: The domestic political effects of EU interventions against democratic backsliding. *Journal of European Public Policy*, 24(3), 352–365.
<https://doi.org/10.1080/13501763.2016.1229359>
- Sedelmeier, U. (2017). Political safeguards against democratic backsliding in the EU: The limits of material sanctions and the scope of social pressure. *Journal of European Public Policy*, 24(3), 337–351.
<https://doi.org/10.1080/13501763.2016.1229358>
- Sejm (2016a, January 13). *Wypowiedzi na posiedzeniach Sejmu - Posiedzenie nr 8 w dniu 13-01-2016 (1. dzien obrad)* [Statements in Parliamentary Sitings - Sitting of 13-01-2016 (1st day)].
https://www.sejm.gov.pl/sejm8.nsf/wypowiedz.xsp?posiedzenie=8&dzien=1&wyp=13&symbol=RWYSTAPIENIA_WYP&id=385
- Sejm (2016b, May 20). *Wypowiedzi na posiedzeniach Sejmu - Posiedzenie nr 19 dniu 20-05-2016 (3. dzien obrad)* [Statements in Parliamentary Sitings - Sitting of 20-05-2016 (3rd day)].
https://www.sejm.gov.pl/sejm8.nsf/wypowiedz.xsp?posiedzenie=19&dzien=3&wyp=18&symbol=RWYSTAPIENIA_WYP&id=385
- Sejm (2016c, July 21). *Wypowiedzi na posiedzeniach Sejmu - Posiedzenie nr 23 dniu 21-07-2016 (3. dzien obrad)* [Statements in Parliamentary Sitings - Sitting of 21-07-2016 (3rd day)].
https://www.sejm.gov.pl/sejm8.nsf/wypowiedz.xsp?posiedzenie=23&dzien=3&wyp=156&symbol=RWYSTAPIENIA_WYP&id=385
- Snyder, J. (2019). Backlash against human rights shaming: Emotions in groups. *International Theory*, 12(1), 109–132.
<https://doi.org/10.1017/S1752971919000216>
- Takakusagi Y, Oike T, Shirai K, et al. (2021, September 6) Validation of the Reliability of Machine Translation for a Medical Article from Japanese to English Using DeepL Translator. *Cureus* 13(9): e17778. DOI 10.7759/cureus.17778
- Timmermans, F. (2016, June 1). Opening Remarks of First Vice-President Frans Timmermans - Press Conference on Rule of Law in Poland.
https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_16_2023
- Timmermans, F. (2017a, August 31). Opening and Closing Remarks of First Vice-President Frans Timmermans on the Rule of Law in Poland, at the European Parliament's Committee on Civil Liberties, Justice and Home Affairs.
https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_17_3042
- Timmermans, F. (2017b, December 20). Opening Remarks of First Vice-President Frans Timmermans, Readout of the European Commission Discussion on the Rule of Law in Poland.
https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_17_5387
- TNS Opinion & Social (2015). *Standard Eurobarometer 84 - Autumn 2015*.
<https://europa.eu/eurobarometer/surveys/detail/2098>
- TNS Opinion & Social (2016a). *Standard Eurobarometer 85 - Spring 2016*.

- <https://europa.eu/eurobarometer/surveys/detail/2130>
- TNS Opinion & Social (2016b). *Standard Eurobarometer 86 - Autumn 2016*.
- TNS Opinion & Social (2017a). *Standard Eurobarometer 87 - Spring 2017*.
<https://europa.eu/eurobarometer/surveys/detail/2142>
- TNS Opinion & Social (2017b). *Standard Eurobarometer 88 - Autumn 2017*.
<https://europa.eu/eurobarometer/surveys/detail/2143>
- Turska-Kawa, A., Csanyi, P., & Kucharčí, R. (2022). *From the 'rally 'round the flag' effect to a social crisis of confidence: Poland and Slovakia in the first year of the covid-19 pandemic*.
<https://rebus.us.edu.pl/handle/20.500.12128/22092>
- Vachudova, M. A. (2020). Ethnopolitism and democratic backsliding in Central Europe. *East European Politics*, 36(3), 318-340.
<https://doi.org/10.1080/21599165.2020.1787163>
- Zulfiqar, S., Wahab, M. F., Ilyas Sarwar, M., & Lieberwirth, I. (2018). Is Machine Translation a Reliable Tool for Reading German Scientific Databases and Research Articles? *J. Chem. Inf. Model*, 58(11), 2214-2223.
<https://doi.org/10.1021/acs.jcim.8b00534>



© Francesca Colli, the authors, 2022