Bringing Society Back In:
Civil Society, Social Capital,
and Third Sector

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Final Version

1.   Introduction

There are many reasons why social scientists and policy experts alike are increasingly turning to society in their search for reform concepts, new ideas and progressive initiatives. In times of globalization and Europeanization, traditional nation-states have lost power and steering capacity. The state-centered reform concepts of the 1970s focusing on management and social engineering are therefore out of date. However, the so-called Washington consensus emphasizing exclusively the power of the market also did not prove to be successful. Despite political rhetoric, the heyday of neo-liberalism and what critical voices titled turbo-capitalism is gone, particularly in the countries of the European Union. Against the background of high rates of unemployment, growing social inequality and the uncertain future of the welfare state caused by a combination of market and state failure, society-centered approaches regained importance in the social sciences.

At least three predominantly society-centered approaches have gained momentum during the last decades: civil society, social capital, and third sector. None of these concepts constitutes a "grand theory" but each claims to be helpful in the sense of a so-called middle-range theory that specifically draws attention to the innovative capacity of civic engagement and societal activity.

In the following, we will briefly describe each concept highlighting its specific background and origin as well as its methodology and acceptance by the scientific community and the public. Against this background we will argue in favor of a closer nexus between the civil society and the third sector approach by referring to the terminology of the European Union, which defines third sector organizations as "organized civil society". We will argue further that civil society organizations might gain importance for the deepening of European integration since these organizations have the potential to bring EU policy making closer to the people.

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## 2.	Three concepts revisited
## 2.1	Civil Society

The civil society approach looks back upon a long history dating back to classical Greece when the term was closely connected with the Aristotelian notion of an ideal way of life. "The history of the term 'civil society' is older than the history of the modern world," remarks Sven Reichardt (2004: 35) in his review. It is fascinating to follow the various conceptualizations of the term through the centuries. However, its current popularity dates back to the 1970s when the term was used by dissidents and civic movements in Eastern Europe and Latin America in order to express their opposition against the ruling authoritarian regimes. Discussions that took place in these oppositional groups influenced debates on the further development of democratic theory in the Western Hemisphere (Klein 2001; Thaa 1996). The reentry of civil society in political discourse indicated a turning point with respect to democratic theory in political science. Since the late 1950s democratic theory had been dominated by theories of representative democracy, which, according to Fritz Scharpf, primarily focus on the output legitimacy of democratic systems (Scharpf 1970; 1999, 1.1.). With the "third wave of democratization", "input legitimacy", closely linked to various forms of participatory democracy, regained momentum in political science (Klein 2001; Schmalz-Bruns 1995; Young 2002).

There is no doubt that the shift from output to input legitimacy of democratic systems has to be judged against the background of the so-called crisis of the welfare state. However, it would be too simple to explain the current attractiveness of participatory democracy by referring exclusively to state failure and thus to the well-documented "growth to limits" (Flora 1986) of the welfare state. The emergence and popularity of the civil society concept serve also as an indicator for the limitations of the rational choice approach. In the meantime citizens are no longer exclusively conceptualized as mini-computers constantly calculating their benefits; on the contrary they are perceived as societal and political men and women striving for the betterment of their communities. In order to round up the picture, two further societal trends have to be mentioned: first, the new social movements of the 1980s, which heavily criticized the routines of participatory democracy, and second, the educational reform of the 1960s and 1970s that had a significant impact on the citizenry. Citizens being able and willing to engage in politics, albeit choosing procedures and initiatives that at the time were unusual, asked for the further development of democracy as a political program. Against this background, the civil society approach gained momentum.

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In other words, the civil society approach is a highly normative concept directed towards a "utopian program" (Dubiel 1994) that aims at the deepening of democracy and the transformation of the societal status quo. Therefore, some authors argue that the concept of civil society encompasses the capacity of a society to criticize and to be able to confront its elites in the context of economic, political and societal developments (Sachße 2002). In addition to the future-oriented utopian program, there is a further constitutive element of the civil society concept, which translates into the civicness of its members. Civil societies are non-violent entities, capable of intensive discourse and able to reach consensus by means of discussions. Thus civil societies are civilized societies in the literal meaning of the term (Reichardt 2004: 36).

Finally, there is a third element encompassed in the civil society concept that was taken up primarily by historians investigating processes of societal modernization and democratization during the 19th century throughout the world. This element relates to those entities and dynamic forces that constitute the "infrastructure" of civil society as a "public sphere" that belongs neither to the market nor to the state but holds an "intermediary position". The historian Jürgen Kocka defines the infrastructure of civil society as a "societal sphere between state, economy and private life populated by voluntary associations, networks and non-governmental organizations" (translated by the authors Kocka 2002: 16).[2]

Focusing on civil society as a societal sphere opens avenues for empirical research. Thanks to the work of historians we are by now well informed about those organizations and associations that populated the societal sphere, thus forming the infrastructure of civil society in the 19th century. Amongst those were first and foremost voluntary associations, mutual organizations such as cooperatives, business and professional associations, and foundations. The flourishing of these organizations particularly in the second half of the 19th century tells us an interesting story about societal differentiation and modernization (Reichardt 2004). In Germany, these organizations were used by the state administration to tackle the so-called social question providing solutions to the problems of urbanization and industrialization (Sachße 1996). At the same time, voluntary organizations developed into the basis of social milieus such as the Catholic or the social democratic milieu, thus serving as forerunners of modern societal embedded parties. Finally, the cooperative movement constituted a countervailing power against the 19th century "turbo-capitalism" and enabled low-income farmers and craftsmen to adapt themselves to the changing conditions of the economy

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2 German original: "*Zivilgesellschaft meint damit einen spezifischen Bereich, einen gesellschaftlichen Raum, den Raum gesellschaftlicher Selbstorganisation zwischen Staat, Ökonomie und Privatheit, die Sphäre der Vereine, Zirkel, sozialen Beziehungen und Nichtregierungsorganisationen…*" (Kocka 2002: 16).

(Pankoke 2004). Historical investigations also brought to the forefront that the specific embeddedness is of utmost importance for the flourishing of civil society, its infrastructure and also civicness. In a nutshell: There is a strong interface between democracy as a state of mind and political behavior and the strength and civicness of civil society (Zimmer 2004). There is no doubt that a strong democracy needs an active citizenry; however, an active citizenry, organized in numerous voluntary organizations and societal based groups, does not lead automatically to strong and lasting democracy, as the failure of the Weimar Republic has clearly proven (Berman 1997).

The linkage between a "utopian program" and the real world of organizations was taken up by the European Union, which, starting in the late 1980s under Jacques Delors' presidency became aware of the "intermediary sphere" between the market and the state (Delors 2004). It is exactly the interaction between a progressive idea and the real word of organizations engaged in various policy fields that translates into the attractiveness of civil society as a buzzword of current political discourse, particularly in Brussels (Zimmer/Sittermann 2004). From a theoretical point of view, the term civil society provides the possibility of linking policy analysis with participatory democratic theory, thus bridging the gap between output and input legitimacy of democratic governance, and therefore tackling the so-called democratic deficit of European governance.

2.2   Social Capital

The social capital approach also looks back upon a long tradition of scholarly research (Portes 1998; Farr 2004). In essence "social capital" has always been linked to the individual citizen. Very well known in the scientific community is the interpretation of social capital worked out by Pierre Bourdieu. Differentiating between very specific forms of capital – economic, cultural and social – Bourdieu developed a sophisticated theory and socio-economic analysis by which he significantly contributed to the explanation of social stratification. According to Bourdieu, social capital and thus the "strength of weak ties" in combination with the two other types of capital explain why social inequality is hard to overcome (Braun 2001). Bourdieu's social capital theory encompasses a harsh critique of the status quo and the ruling societal elites. However, neither Bourdieu's nor Coleman's social capital approach – the latter focusing on the problems of societal coordination – became as popular and as well known outside the academic discourse as the one developed by Robert Putnam. There is no doubt that Putnam's version of the social capital approach had a strong impact on the community of political scientists. By now, the social capital approach in political science is almost

exclusively connected with the work of Robert Putnam. The reason political scientists are fascinated by Putnam's approach was laid out by Sidney Tarrow who stated that "all self-respecting political scientists like to think of themselves as intrigued with what makes democracy work" (Tarrow 1996: 389).

In his seminal work "Making Democracy Work" (1993), Putnam analyzed why public administration reforms were successfully implemented in the North of Italy but failed in southern Italy. In sharp contrast to mainstream public administration research, Putnam argued that success or failure of policy implementation is an outcome and thus closely linked to the existence or absence of social capital. Social capital, encompassing trust, norms and networks, is according to Putnam primarily accumulated by face-to-face contacts in voluntary associations. Against this background, Putnam came to the conclusion that "good government in Italy is a by-product of singing groups and soccer clubs" (Putnam 1993: 176). Without doubt, Putnam's work, although highly criticized, proved to be very inspiring and provocative for further research. Instead of focusing exclusively on the individual and his and her capital, Putnam drew attention to the social capital of communities. According to his line of argumentation, social capital or "civicness" reduces transaction costs and hence contributes to efficiency. Contributing to the social advancement of the individual as well as to the betterment of the community, Putnam's social capital is of "mutual benefit" (1993: 35).

From a theoretical point of view and compared to the civil society discourse, Putnam's social capital approach is far less sophisticated. In "Making Democracy Work" he builds on the work of Alexis de Tocqueville; with respect to his empirical analysis he significantly draws on the work of Almond and Verba (1963). It is evident that, particularly in his later publications, Putnam (2000; 2002) closely maintains the long tradition of political culture research (Pye 1972) by focusing primarily on the micro-level of the individual. In the context of our argument, it is worth mentioning that, in the first place, Putnam brought to the fore a societal explanation for good or bad governance. Neither the state nor the market ensures that "democracy works" but rather trust, societal networks, and values and therefore civicness. In the second place, particularly in his book published in 1993, he put a high emphasis on associational involvement and participatory behavior of the citizenry. Similar to the civil society approach, voluntary organizations and networks of cooperation constituting an "intermediary sphere" ranked very high in Putnam's early analysis, even though in the meantime empirical research working with the social capital approach predominantly focuses on the micro-level of the individual citizen without taking the "intermediary sphere" specifically into account.

2.3   Third Sector

Reference to the "intermediary sphere" of non-governmental organizations working on behalf of the common weal constitutes the common ground of the two aforementioned concepts and the third sector approach. In accordance with Robert Putnam's 1993 version of the social capital concept, the third sector approach is concerned with efficiency and societal effectiveness. The term third sector, introduced by Amitai Etzioni in his article "The Third Sector and Domestic Mission" (1973), refers to a societal sphere, "a third alternative, indeed sector […] between the state and the market" (1973: 314) that is populated by organizations that are able to combine, according to Etzioni, the entrepreneurial spirit and organizational effectiveness of the business firm with the common good orientation of the state and its public administration. Due to this capacity Etzioni referred to the sector as being populated by "organizations for the future" (1973: 318).

Similar to Putnam's social capital concept, the third sector approach was at its very beginning closely linked to public policy considerations and particularly close to welfare state analysis. Despite some vague reference to the work of de Tocqueville at least in the early years, the third sector approach did not claim any particular linkage to democratic theory or political culture discourse. On the contrary, the development of the third sector approach provides a good example of the fact that social sciences significantly respond to their political and socio-economic environment.

There were two major political events and streams in the United States that had a major impact on the social sciences and that in the long run resulted in an intensive analysis of the societal sphere between the market and the state. First, in the late 1960s Washington launched a far-reaching tax reform, which was geared towards foundations and aimed to reduce the political power of private independent foundations. In a nutshell, foundations had to improve their transparency by publishing annual reports and financial statements. Moreover, they were forced to spend a considerable share of their assets on grant giving, thus reducing their capital stocks significantly. Second, as soon as Ronald Reagan came to power as president, his administration started wide ranging initiatives aiming to reduce the so-called big government of Washington. As government spending on welfare issues was massively cut back, Washington officials turned to what at that time was titled "independent sector" to step in and deliver those social services that were no longer provided nor financed by government.

Confronted with a neo-liberal and anti-government *zeitgeist* selected leaders of large private independent foundations, which were definitely working on the left-leaning, social change oriented side of the political spectrum such as the Ford Foundation and the Russell Sage Foundation, came together to take action against the neo-liberal revolution in Washington. The foundations wanted to attain two goals: First, they tried to keep their wealth and assets by proving that foundations are very valuable actors within modern societies (Anheier 2005, 301-327). Second, they tried to protect at least the bare minimum of the United States welfare state. In essence, during the following decades, private foundations financed research centers and university programs that aimed at analyzing those organizations that are private, but nevertheless working on behalf of the public and the common weal. The outcome of this research provided a fascinating picture of America's third sector (Filer Commission 1975), which by no means merits the title "independent sector", but as clearly documented by the research results, is to a remarkable degree financed by public monies. Furthermore, the research proved to be very valuable for the political goals of US foundations. Tax constraints and financial burdens were loosened in the aftermath of the Filer Commission.

From a scientific point of view, the resistance against the neo-liberal *zeitgeist* resulted in the establishment of the third sector approach that tries to shed light on those organizations and initiatives that are private organizations working in the public sphere on behalf of the common weal. The findings of empirical research using the third sector approach further underlined the importance of societal activity and civicness for modern societies.

It became clear that third sector organizations defined as neither belonging to the public sector nor to the market constitute a very specific segment of modern societies. Although these organizations are working in different areas fulfilling a variety of societal tasks, the nonprofit or third sector approach underlines that these organizations have specific features in common: They obey the non-distribution-constraint that exclusively allows re-investment of profits but not their distribution among the members and/or the employees of the organization. They are private organizations, albeit operating within the public sphere and for the common weal. Moreover, voluntary participation is a key feature of nonprofit organizations. Thus, there is a clear distinction between nonprofits and communitarian entities, such as families or clans (Priller/Zimmer 2001).

Nonprofits stand out for their multifunctional character. In sharp contrast to the logic of functional differentiation as the prime feature of modern societies, nonprofits are participating in at least three societal spheres simultaneously. As providers of services for their members

and/or the general public they are part of the market economy. As lobbyists for the interests of their members, the common weal or a specific topic, they are participating in the political power play. And finally, due to the fact that nonprofits are dependent on voluntary input – donations, membership dues and contributions of volunteer labor – they are also embedded in particular communities where they form an integral part of our "*lebenswelt*" by contributing significantly to processes of empowerment and self-actualization, while at the same time fostering feelings of solidarity and belongingness. In many ways, the multitasking and multi-functional character of nonprofit organizations makes them interesting partners for policy planning.

Still, the multi-functional character of nonprofits did not move into the center of theory building under the framework of the third sector approach. Instead, theory building was heavily dominated by economists. Particularly in the 1980s, the question why there are private enterprises working for the public was primarily taken up by economists who tried to explain this paradox using concepts and theories based on micro-economics. Briefly, three major rationales were developed to explain the existence of third/nonprofit sector organizations in market economies. Third sector organizations were either conceptualized as an outcome of a combined market and state failure, as an initiative of social or religious entrepreneurs, or as a joint public-private initiative or public-private partnership. At the very heart of these explanations is the so-called non-distribution constraint, which means that these organizations are allowed to be active in the market place, albeit constrained from dividend payout. In other words, incentives to engage in third sector/nonprofit organizations are very different from the one of making money (see Hansmann 1987).

Compared to market enterprises as well as to state bureaucracies, incentives and motives to start and to invest time and money in a nonprofit organization are without a doubt very distinctive. There is a similarity to the social movement literature that also identifies "solidarity" as a key motivation for collective action. Indeed many nonprofit organizations grew out of social movements, such as the women's or the ecological movement. Their internal administrative procedures are often also based on solidarity. According to Streeck (1981) nonprofits may be characterized as organizations being situated between "charismatic leadership" and a full-fledged bureaucracy.

Starting in the late 1980s, the third sector concept was increasingly taken up by political scientists and sociologists who tried to establish a nexus between this particular approach and their disciplines. Political scientists and sociologists are not primarily interested in the so-called "why" question that aims to explain the existence of NPOs; instead they want to know

which functions these organizations fulfill in market economies and democratic nations, and how they are fulfilling these functions in different policy fields and various countries. By and large sociologists take a bottom-up approach by perceiving these organizations as vehicles for participation, social integration and societal stratification. Sociologists focus particularly on civic engagement and therefore on the micro-level of individual activity. In contrast, political scientists more or less favor a top-down approach analyzing the potentials of nonprofit organizations as service providers in different welfare regimes. Each discipline uses the concept of the sector as a functional approach. However, while sociology stresses the added value or organizational function for the individual, political science is interested in the surplus of nonprofit activity for government and thus for societal engineering or, to put it differently, for governance. None of these considers interest representation and lobbying as the core of nonprofit/third sector research, even though nonprofits are also heavily engaged in lobbying activities.

In general, sociologists, political scientists and economists primarily focus on just one single facet or function of third sector/nonprofit organizations.[3] For economists the non-distribution constraint is the most interesting feature. In accordance with the institutional choice approach, third sector organizations offer an institutional alternative to social service provision by private enterprises or government entities. Sociologists are interested in the potential of third sector organizations to provide avenues for societal integration. They perceive these organizations as bedrocks of social milieus and societal communities and therefore as transmitters of values and norms. Finally, political scientists are also primarily interested in the service delivery function of third sector organizations perceiving them as actors within public-private partnerships, particularly in the welfare domain.

Doubtlessly there is a significant gap in third sector research. Up until recently, policy analysis taking nonprofit organizations into account has not analyzed the involvement of these organizations within the full circle of the policy process. In other words, third sector research takes by and large a rather static view on policy fields, mapping their composition or "welfare mix". Neither the potential of third sector organizations to act as transmitters of norms and values and therefore their potential to be important actors within the framing process have been analyzed, nor have their capacities to mobilize and to engage in advocacy and lobbying activities been taken up seriously and investigated thoroughly by applying the third sector approach.
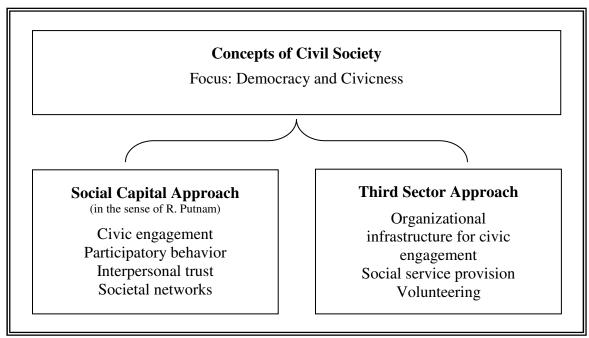
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[3] However, the boundaries between disciplines and approaches are less distinct with respect to those third sector organizations that are engaged in international activities and titled non-governmental organizations (NGOs).

Currently there is very little cross-fertilization between third sector and social capital research. On the contrary, each research community follows its distinctive and relatively narrow line of argumentation. Whereas the third sector approach has become a "hot topic" in studies portraying the welfare mix of social service delivery in different countries (e.g. Evers/Laville 2004; Anheier/Kendall 2002), studies on civic participation and theoretical considerations in relation to the further development of modern democracy draw heavily on the social capital approach (e.g. Prakash/Selle 2004). Thus, the third sector approach is closely linked to questions dealing with the so-called output legitimacy of governance arrangements, whereas research referring to the social capital approach is geared towards problems of input legitimacy of democratic governance. Since each approach sheds light on just one facet of governance arrangements, we argue in the following that they could be grouped under the civil society concept, which could serve as a shared point of reference for the third sector and social capital approaches.

2.4   Civil Society as an Encompassing Concept

The civil society concept encompasses two distinctive elements: one, a normative perspective that aims at the improvement of democratic participation and social justice, and two, a reference to the so-called "intermediary sphere" of modern societies, populated by voluntary organizations and societal networks in which active citizens are engaged. At least implicitly civil society addresses the micro level of civic engagement, which constitutes the primary field of analysis of the social capital approach, as well as the meso-level of voluntary activity, which is the arena of third sector research. Accordingly, the civil society concept could be further developed into an umbrella or macro-level approach under which both the social capital and the third sector perspectives could be arranged (see figure 1). In the following we take a closer look at selected topics addressed by both the social capital and the third sector approaches in order to provide the common ground for mutual understanding and cross-fertilization under the rubric of civil society.

Figure 1. Civil Society as a Point of Reference

Concepts of Civil Society

Focus: Democracy and Civicness

Social Capital Approach
(in the sense of R. Putnam)

Civic engagement
Participatory behavior
Interpersonal trust
Societal networks

Third Sector Approach

Organizational
infrastructure for civic
engagement
Social service provision
Volunteering

Source: Own Figure

There is no doubt that civicness plays a crucial role for both the social capital and third sector concepts. As clearly documented by the literature, civicness translates into civil engagement in voluntary associations. These organizations are of prime importance for the social capital as well as for the third sector approach. Particularly in his early work, Putnam specifically referred to associations in their capacity to provide the organizational infrastructure for cooperation (Putnam 1993: 89). In accordance with Alexis de Tocqueville, Putnam highlighted that "civil associations contribute to the effectiveness and stability of democratic government" (Putnam 1993: 89). He furthermore underlined the importance of voluntary associations for "what twentieth-century political scientists have called interest articulation and interest aggregation" (Putnam 1993: 90).

There is a close nexus between the early work of Putnam and the civil society literature, which particularly refers to the "intermediary sphere" of voluntary organizations, which constitute the "infrastructure of civil society". Interestingly enough, it makes no difference whether the infrastructure of civil society is portrayed from a communitarian, a liberal or a deliberative perspective. Ralf Dahrendorf, rooted in the classic-liberal tradition, points out that civil society is characterized by "the existence of autonomous, i.e., non-governmental or not in any other way centrally ruled organizations" (Dahrendorf 1991: 262). These

organizations provide the possibility for "the autonomous declaration of interests, values and preferences" (ibid.). Jürgen Habermas highlights different functions of civil society such as articulation, representation and enforcement of interests. According to his line of argumentation "the core of civil society" is formed by "a system of associations which institutionalize problem-solving discourses on questions of general interest within the framework of the public" (Habermas 1992: 443f.). In accordance with Robert Dahl (1998), who perceives democracy as a political project, for which governments and citizens continuously have to struggle, Charles Taylor paints a highly differentiated picture of civil society. For him, the quality of the civil society depends on the ability "of all associations to determine and to influence politics significantly" (Taylor 1991: 57).

The "intermediary sphere" populated by voluntary associations and nonprofit organizations also constitutes the prime point of reference of the third sector approach that attributes specific features to these organizations. Amongst those, voluntarism counts prominently. According to the definition used under the framework of the Johns Hopkins Project (Zimmer 2004: 18), the meaning of voluntarism with respect to nonprofit organizations is at least twofold: First, voluntarism refers to the membership of these organizations, which should be non-coercive and therefore voluntary; second, nonprofit organizations are based to a certain extent on voluntary support, which encompasses both the social investment of time (unpaid labor, volunteering and serving on the board of NPOs) and money (corporate and private giving).

However, as already outlined, each concept focuses on just one facet of these multifunctional organizations. Until now third sector research has been primarily interested in the service production function of nonprofits, whereas the civil society concept highlights the programmatic and future-oriented potential of civic organizations that enable the citizenry to invest time and money in the further development of democracy. Finally, the social capital approach primarily focuses on the integrative potential of voluntary organizations by highlighting their capacity to build networks based on trust and reciprocity. Both the civil society concept and the social capital approach are highly normative, whereas the third sector approach sticks very much to empiricism.[4] Both the third sector and the social capital approaches are based on empiricism while the civil society concept in its programmatic dimension is very much inclined to political theory and more specifically to democratic

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4 For some time the so-called dark side of civic engagement and voluntary activity has not been addressed. In the meantime, however, Putnam distinguishes between "bridging" and "bonding social capital" of which the later does hinder societal integration. Those authors following the civil society approach have also become quite cautious about their judgment with respect to voluntary action.

theory. However, despite the common ground, the third sector approach focuses on the meso-level of inquiry researching nonprofit organizations as corporate actors, whereas the social capital concept definitely concentrates on the micro-level of inquiry analyzing civic activity and civil engagement of the individual citizen. Thus, the social capital approach investigates the importance and pronounced appearance of civic activity at the input side of government. In contrast, third sector research focuses on the output side of government by analyzing the importance of nonprofits as producers of social services in specific welfare regimes. As such nonprofits are integrated into processes of policy implementation constituting an institutional alternative of welfare production instead of government.

Against this background, we argue that an integration of the two approaches – social capital and third sector under the macro heading civil society – would enrich empirical research on issues of democratic governance. There are at least some indicators that the European Commission as well as the Economic and Social Committee are trying to follow the path of integrating both perspectives, the third sector and the social capital perspective. In our concluding remarks we will put forward the argument that research based on a perspective that combines the two approaches might be useful with respect to a further understanding of processes of multi-level governance in Europe.

3. Multi-level Governance and Civil society
3.1 From Governing to Governance

There is an increasing tendency in the political science discourse to replace the term "governing" with "governance" (van Kersbergen/van Waarden 2004), although according to Benz a clear cut definition of the term has not yet been developed (Benz 2004: 130; Wolf 2002). The reasons for the shift from governing to governance are manifold. Amongst them, the decreasing steering capacity of the nation-state ranks very high; in international relations governance even refers to a very special situation in which governing takes place without government. During the last decades, the notion of governance has taken a very prominent position in EU research. Under the framework of EU research and due to the specific policy architecture of the EU, governance is further characterized as having a horizontal as well as a vertical dimension (Bache/Flinders 2005; George 2005). The vertical dimension refers to governance as loose coupling of the different "layers of authority – European, national, and sub-national –" (Hooghe 1996: 18) of the EU. The horizontal dimension draws our attention to the fact that in contrast to the traditional notion of governing, governance arrangements are

not restricted to state actors but include almost by definition private corporate actors, among them business associations, lobby groups and public interest groups.

Authors dealing with the topic of governance unanimously underline the so-called "informality" of governance arrangements (Jachtenfuchs/Kohler-Koch 2004: 94). There are numerous studies that show that EU governance is at its very core network governance (Eising/Kohler-Koch 1999), which translates into processes of bargaining and deliberation. Most recent research analyses the impact of the Method of Open Coordination (OMC) on European governance arrangements (e.g. Zeitlin/Pochet/Magnusson 2005). Particularly with respect to vertical integration OMC, as a new mode of governing, is quite interesting because it provides some leeway for flexible adjustment and thus self-organization on the national and sub-national levels of authority within the EU without coming into conflict with the overall aims and purposes of a specific policy defined by EU authorities, the Council of Ministers, the Commission, and the European Parliament (Bauer/Knöll 2003).

It is not surprising that governance arrangements moved into the focus of EU research along with the expansion of the competencies of the Union. Whereas bargaining processes linked to regulatory policies are primarily researched at the policy arena in Brussels, distributive policies, whose importance has significantly grown under the framework of European social policy and which encompass actors on the national and most significantly on the sub-national level, do need a far more refined and bottom-up approach of analysis. Moreover, regulations are primarily put into practice and supervised by governments and public authorities. This, however, does not hold true for distributive policies, which very often are implemented via private actors, including nonprofit organizations. In other words, the multi-level governance arrangement of the EU, where policy implementation at the sub-national level is not restricted to governments and public bureaucracies, asks for a multi-level research design analyzing processes of bargaining, lobbying and decision making at each layer of authority (Heinelt 2005).

From a normative point of view, there are two ways to judge governance arrangements. The first, linked to arguments of efficiency, is closely connected to what Fritz Scharpf (1999) called output legitimacy of governing. The second, related to concepts of participatory democracy, is very close to the notion of input legitimacy. As outlined elsewhere, governing in Europe is based on the "community method", which originally was designed as a top-down approach involving the Commission as the policy entrepreneur and the Council of Ministers as the lobby arena of the member states. Whereas the Commission, very much in accordance with the Hegelian idea of ideal statehood, conceives its mission as safeguarding the common

weal of Europe and its various societies, the Council of Ministers takes care that the national interests of the member states are not sacrificed and radically reduced. In its search for efficiency and effective government, the Commission in particular is accused of suffering from a lack of transparency, civic participation and thus input legitimacy. At the same time, the Commission, compared to national standards, constitutes a very small bureaucracy that translates into a situation in which the Commission is dependent on external advice and expertise. From the very beginning the Commission has tried to tackle both problems – the lack of internal expertise and the so-called democratic deficit – by establishing procedures of consultation with private actors, thus setting up governance arrangements or issue-specific networks (Laffan 2002). For some time already, amongst those actors the "social partners", i.e., trade unions and employers associations, enjoy special privileges with respect to consultations and dialogue with the Commission. The "social dialogue" is perceived as providing a blueprint for the establishment of a "civic dialogue". However, until now it has not become clear what "civic dialogue" means and which organizations will participate. Nevertheless, as clearly documented by the publications of the Commission and the Social and Economic Council, the topic has increasingly gained importance since the late 1990s.

3.2   EU Governance Arrangements and Civil Society Organizations

In its 1997 communication "Promoting the Role of Voluntary Organizations and Foundations in Europe" (COM/97/0241 final), the Commission highlighted both the economic and social importance of voluntary organizations. Voluntary organizations are acknowledged for their decisive role for democratic societies, and thus the Commission ascribes an influential role to the organizations in the process of further EU integration (COM 1997: 8).

The 1999 opinion "The Role and Contribution of Civil Society Organizations in the Building of Europe" (OJ C329, 17.11.1999), the Economic and Social Committee (EESC) introduced the term "organized civil society" or "organizations of the civil society" into EU talk. According to the EESC, civil society translates into "the sum of all organizational structures whose members have objectives and responsibilities that are of general interest and who also act as mediators between the public authorities and citizens" (EESC 1999, 7.1).

The Commission's 2000 Discussion Paper, "The Commission and Non-Governmental Organizations: Building a Stronger Partnership" (COM/2000/11 final), co-authored by the President and the Vice-President of the Commission, specifically referred to the multi-functional character of these organizations by distinguishing between "operational NGOs [which] contribute to the delivery of services [such as in the field of welfare], whereas the

primary aim of advocacy NGOs is to influence the policies of public authorities and public opinion in general" (European Commission 2000: 1.2). Building on the terminology developed by Fritz Scharpf (1999), we can state that the Commission foresaw in the discussion paper that these organizations might contribute to an improvement of the input as well as the output legitimacy of European governing. More specifically, the organizations are perceived as contributing to "participatory democracy", "interest representation of specific groups and specific issues", "policy making", "project management" and, last but not least, "European integration".

The Commission's 2001 White Paper on European Governance (COM/2001/428 final) particularly highlighted the importance of civil society organizations as channels of communication between the EU and the citizens. Again, the White Paper stressed the importance of civil society organizations for providing a "structured channel for feedback, criticism and protest" and for promoting democracy on the national level.

Finally, the communication (2002) by the Commission "Towards a Reinforced Culture of Consultation and Dialogue – General Principles and Minimum Standards for Consultation or Interested Parties" (COM/2002/704 final) outlined how civil society organizations are envisioned to participate in those EU specific multi-level governance arrangements. Precisely, the communication refers to the establishment of the "civic dialogue" to which primarily those civil society organizations are eligible that "exist permanently at Community level, [...] have authority to represent and act at European level [...], have member organizations in most of the EU Member States [and] provide direct access to its member's expertise" (COM 2002: 2. Footnote 15).

In other words, the Commission primarily takes into account the so-called Euro-Feds, which are umbrella organizations of nationally bound associations, and refers specifically to Brussels-based governance arrangements that encompass civil society organizations. Moreover, the Commission perceives the Euro-Feds as transmitters of expertise and as forums for discussion and dialogue. To a certain extent the lobbying function of these umbrella organizations in Brussels is also acknowledged. However, the Communication lacks any reference to the social capital dimension of those Brussels-based governance arrangements. Furthermore, the Commission is quite vague with respect to the problem of how to organize the flow of communication between the Brussels-based Euro-Feds and their nationally bound membership organizations. In sum, the Communication lacks any reference with respect to the vertical dimension of multi-level governance (Heinelt 2002).

3.3   Bridging of Concepts

In the following we will discuss from a theoretical point of view whether and how the three different approaches and concepts, particularly the third sector, the social capital and the civil society approach, might contribute to the further development of multi-level governance as an analytical model as well as a normative concept. While doing so, we are confronted with the problem that multi-level governance itself is by no means a coherent approach and concept. As already outlined, similar to the three aforementioned approaches, the term "multi-level governance" is used in different ways and for different purposes. As clearly expressed by the recent volume of Bache and Flinders (2005), there is a need for conceptual clarity with respect to the meaning and content of multi-level governance. As a starting point Bache and Flinders (2005: 195) distinguish between multi-level governance as an analytical model and multi-level governance as a normative concept.

Current research primarily uses the concept of multi-level governance as an organizing perspective and thus as an analytical tool in order to investigate how actors and processes of decision making are interrelated and to what extent there is an overlapping of policy networks at the various territorial levels. Backed by the results of numerous studies, there is indeed no doubt about the growing importance of multi-level interactions. Furthermore, as Bache and Flinders also underline, there is a common understanding of multi-level governance that translates into a situation in which "decision making at various territorial levels is characterized by the increased participation of non-state actors" (Bache/Flinders 2005: 197).

However, until now it is quite unclear and not well researched whether and to what extent multi-level governance strengthens or endangers democratic legitimacy and accountability. According to the judgment of Bache and Flinders "multi-level governance is emerging as a normatively superior mode of allocating authority" (2005: 195). Simultaneously, there is a growing awareness with respect to the implications of multi-level governance for democratic accountability. In particular, the devolution of state power to non-state actors including civil society organizations raises questions about the role of these actors and more specifically about their democratic legitimacy. In their summary Bache and Flinders pinpoint the weakness of the multi-level governance approach that, in their judgment, is useful for mapping "how things interrelate" but falls short with respect to addressing the problem of legitimacy. In order to be viewed as a "fully fledged" theory, multi-level governance "needs to generate clearer expectations in relation to the influence of (…) non-state actors, as well as highlighting their mobilization and participation" (Bache/Flinders 2005: 204).

There are good reasons to argue that the three approaches – third sector, social capital and civil society – which are primarily geared toward civil society organizations as non-state actors have the potential to contribute to the further improvement of multi-level governance as an analytical model and as a normative concept. Indeed, as outlined earlier, the three approaches and the multi-level concept have in common that all of them are used quite ambiguously. Albeit to a different extent, the three concepts stand out for a normative component. At the same time, they are used as analytical tools and frames of reference in order to investigate and to express the degree of civicness of societies under study. To a certain extent the same holds true for the multi-level governance approach.

In the following, we will take a closer look at each of the three approaches by asking what each of them might contribute, first, from a normative and, second, from an analytical point of view in order to overcome the diagnosed weakness of the multi-level governance approach. More precisely, whether, how and to what extent are the third sector, the social capital and the civil society approach able to generate clearer expectations in relation to the influence of non-state actors and more specifically of civil society organizations that are involved in settings of multi-level governance?

3.3.1 The Third Sector Approach

What might be the added value of applying the third sector approach in studies investigating EU multi-governance arrangements? As a starting point, studies should take into account whether, how and to what extent third sector or nonprofit organizations are integrated or even embedded in multi-level governance arrangements. The implications of studying multi-level governance with an eye on the third sector would be at least twofold: First, those policy fields and arenas would have to be identified in which third sector organizations play a significant role. Second, an empirical test would be needed to verify whether the participation of third sector organizations contributes to an improvement of accountability and democratic legitimacy of multi-level governance arrangements.

Against the background of third sector research, it can already be stated that the so-called core welfare domain (social and health services), the fields of leisure and sports activities and, depending on the country, also education and research as well as the arts and culture are policy arenas in which third sector organizations participate significantly (see various contributions in Salamon 1999). Furthermore, it is also already well known that, depending on the policy traditions of the respective countries, there are decisive differences with respect to the integration of third sector organizations in processes of policy implementation as well as

policy decision-making. While the evolving field of new public management sheds light on the topic of third sector involvement in policy implementation at the country level, research investigating the role of third sector organizations as advocacy groups follows by and large the tradition of well-established pressure group research. Similar to interest group research in federalized countries, the vertical channels of communication in multi-level governance arrangements need to be investigated. Therefore, the organizational set-up of third sector organizations at each territorial level and particularly their affiliation with supraregional or surpranational platforms plays a decisive role in relation to the mapping of the opportunity structures of non-state actors in multi-level governance arrangements.

However, providing a picture of third sector organizations acting as service providers and pressure groups at the various territorial levels does not contribute normatively to the question whether these organizations act in favor of an increase of accountability and democratic legitimacy in multi-level governance arrangements. According to the literature (e.g. Evers/Laville 2004), third sector involvement in service delivery should go along with an efficiency gain and thus a reduction of transaction costs as well as with an increase in civicness since third sector organizations work with volunteers. Moreover, it is said that these organizations are closer to the people because, compared to public entities, they are less formalized, and in contrast to companies, profit making is not their prime incentive. In sum, from a theoretical point of view it makes sense to incorporate third sector organizations in welfare production. However, whether there are indeed gains in efficiency and civicness remains an open question asking for empirical verification.

There are also good reasons to underline the importance of third sector organizations that act as pressure groups in multi-level governance arrangements. By and large these organizations represent so-called weak interests that are not easy to organize. Cosmopolitan policy entrepreneurs and favorable circumstances such as established channels of communication between the various territorial levels are necessary in order to facilitate the integration and incorporation of third sector organizations as lobbyists and pressure groups in multi-governance arrangements. However, there is no doubt that the policy community of third sector organizations also has to struggle with the well-known problems of pluralistic interest representation. Those organizations with access to resources and information are able to establish a far more professionalized lobby structure compared to those that suffer from a lack of resources and know-how. The latter is particularly the case with small organizations and with those organizations that have to rely on a less professionalized infrastructure in their national settings. In the words of Bache and Flinders "participation does not equate with

power and the emergence of multi-level governance does not necessarily enhance the position of weaker social groups and may indeed concentrate power in the hands of those groups and actors with the necessary resources to operate most effectively in the context of complexity" (Bache/Flinders 2005: 205).

From a theoretical point of view, incorporation and integration of third sector organizations as pressure groups and policy entrepreneurs have the potential to bring policy making in multi-level governance arrangements closer to the people. Whether this is indeed the case is again an open question asking for further research. In many settings it is not clear to whom third sector organizations as pressure groups are accountable. Furthermore, third sector organizations similar to any association in neo-corporatist arrangements suffer from a lack of legitimacy since they enjoy a privileged position, granted by the state. Indeed, the incorporation of third sector organizations in multi-level governance arrangements might occur primarily due to strategic considerations. For example, faced with the nagging democratic deficit in multi-level governance arrangements, third sector organizations might simply be used as a nice excuse or disguise that aims at covering the core problem of a lack of democratic accountability in multi-level governance arrangements.

3.3.2 The Social Capital Approach

At least from a theoretical point of view, the social capital approach provides the opportunity to contribute to the discussion by drawing the attention to the degree of civicness of selected societies as well as to the representativeness of those third sector organizations that are members of policy networks in multi-level governance arrangements and thus acting as pressure groups. According to the judgment of Bache and Flinders, in multi-level governance arrangements there is a decisive need for "new means (...) to connect citizens more effectively with the shifting locations of power." They stress the point very clearly that "the diffusion of competencies and the changing patterns of participation demand additional mechanisms of accountability beyond those provided by representative institutions" (2005: 205). The social capital approach used as an analytical tool provides the know-how and the significant indicators for analyzing the civicness of societies. Against this background, third sector organizations are not perceived as an alternative in service provision vis-à-vis the market and the state, but on the contrary, alongside informal networks and the family, third sector organizations are considered to provide the infrastructure for the accumulation and flourishing of social capital.

At least implicitly there is a nexus between the degree and structure of the social capital of a selected country and the representativeness and accountability of its third sector. Building on a neo-Tocquevillian tradition of democratic theory, third sector organizations as voluntary associations provide important channels for societal integration and political participation, and as such they are characterized as being "schools of democracy". Unfortunately, the social capital approach focuses exclusively on the individual level of participation without taking into account the embeddedness and thus the environment of the third or voluntary sector in which civic activity primarily takes place.

In order to use the potentials of the social capital approach for tackling the lack of accountability and legitimacy of multi-level governance arrangements, it is not sufficient just to measure the degree and structure of social capital in a selected country. Further information is needed that addresses the topic of how the social capital is stabilized and represented by civic organizations. Whether membership in third sector organizations is compulsory, based on church or party affiliation, or organized on a straightforward voluntary basis is significant, and not only from a theoretical point of view. Accordingly it makes a great difference whether the organization is highly backed by social capital representing the people or whether it enjoys a privileged position as a member of a neo-corporatist policy arrangement. In sum, the social capital approach provides the analytical framework for investigating the societal embeddedness and therefore the civicness of the governance arrangement. By drawing on the results of social capital research it might be possible to judge whether third sector organizations acting as pressure and advocacy groups in multi-level governance arrangements represent a legitimate and accountable voice of their constituency in the respective policy field.

3.3.3 Civil Society Approach

Finally, there is the question of what the civil society approach might add to the further development and democratic underpinning of multi-level governance. As outlined earlier civil society as an analytical concept has much in common with the third sector and the social capital approach. From an empirical point of view, the civil society approach has little to add to the analysis of multi-level governance. However, there is a decisive need for further research in relation to theory development. Again, this is stressed by Bache and Flinders, who argue that there is a need for "new and innovative conduits between the public and the institutions involved in complex networks. In essence, this may involve a fundamental reappraisal of the meaning of democracy and the role of representative institutions within

nation states" (Bache/Flinders 2005: 205). In other words, the civil society approach faces the challenge of developing the theoretical foundation and thus the democratic rationale and legitimization for multi-level governance arrangements that are necessarily dependent on the involvement of third sector organizations, backed and legitimized by social capital.

4.   Conclusion

Comparing concepts of EU governance arrangements envisaged by the Commission and well-outlined in the EU documents with those approaches and concepts favored by the social science research community, we seem confronted with a paradox: On the one hand, the Commission puts a high emphasis on the meso-level by conceptualizing "civil society organizations" as corporate partners within processes of European policy-making. On the other hand, current social science research focuses almost singly on the micro-level of civic engagement and activity by building heavily on the social capital approach.

Against this background, there is a decisive need for the integration of the micro- and meso-level approaches that are currently discussed in social sciences, i.e., the social capital concept and the third sector approach. This nexus might facilitate the investigation of the vertical dimension of multi-level governance arrangements. Research conducted building on the social capital concept primarily investigates to what extent EU policy making is accepted by the citizenry and has an impact on the topic of European integration. Third sector research focusing on the organizational level provides the tools and techniques to follow those channels of vertical communication within associational groups or families of civil society organizations that are active at the national and sub-national level in the various member states.

As outlined in our analysis of the EU documents, there are two types of reasons put forward particularly by the Commission why co-operation with civil society organizations is advisable and useful. One set of reasons is closely linked to output legitimacy and therefore linked with gains of efficiency and effectiveness through the integration of civil society organizations in the policy process. In sharp contrast to the efficiency line of argumentation, the second set of reasons is close to the world of ideas of democratic theory and thus to input legitimacy. Indeed, due to their multifunctional character, civil society organizations provide the opportunity to combine policy making with elements of participatory democracy that makes them very attractive for any approach trying to strengthen multi-level democratic governance. However, until now there is a decisive lack of research investigating the horizontal as well as the vertical dimension of European multi-level governance in which civil

society organizations are participating as non-state actors. Therefore, the integration of the various approaches would help shed light on both dimensions of multi-level governance and contribute to better policy.

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