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Research Article

## The Legitimacy of European Networks: Perspectives from Belgian Civil Society Organisations

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## Abstract

This article identifies how Belgian civil society organisations (CSOs) legitimise their European networks (ENs). European networks are understood as European umbrella associations gathering together national CSOs and representing them at the EU level. This article unpacks the concept of organisational legitimacy by empirically analysing Belgian CSOs' discourse about their ENs. EU institutions consider ENs as appropriate organisations to link the European policymaking process to the requests and opinions expressed by national CSOs and their constituents. Existing studies draw negative conclusions about the transmitter role of ENs and highlight the malfunction of the accountability channel and an unfair representative balance among members. This empirical analysis qualifies these two arguments. The results show that Belgian CSOs legitimise their ENs in two ways: the function they hold in Brussels and their efficiency. ENs are thus not legitimised as accurate transmitters between national CSOs and European officials but as efficient champions of general political objectives, to which Belgian CSOs broadly adhere. These results are based on an inductive qualitative analysis of interviews with staff from five Belgian environmental CSOs.

## Keywords

Legitimacy; European networks; Environmental CSO; Belgium

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This article analyses how Belgian civil society organisations (CSOs) legitimise their European networks (ENs). The article unpacks the concept of organisational legitimacy following an empirical approach. Analysing the structural arrangement between national CSOs and ENs is crucial to acquire a more comprehensive picture of CSOs' role and input in the political system of the European Union (EU). On one hand, the EU official discourse supports the view that ENs endorse the role of legitimate transmitters of the opinions expressed by national CSOs. On the other hand, existing literature draws negative conclusions about this intermediary role of ENs. Previous research identified an unbalanced representation regarding member organisations and the lack of effective accountability channels in the internal structure of ENs (Rodekamp 2013). However, we know little about the views and perceptions of the members of these ENs and if their opinions match the discourse of EU institutions or the conclusions of previous analyses. Therefore, from a bottom-up perspective, this article explores the perceptions of CSOs by asking the following question: how do national CSOs perceive their European networks? The role of national CSOs within ENs has been largely overlooked by EU studies. Nevertheless, addressing the perceptions national members have of their European umbrellas is crucial to put the EU's official discourse and normative conclusions in existing studies into perspective.

This empirical analysis of organisational legitimacy assesses the ENs' intermediary role from the perspective of ENs' members themselves. This article finds Belgian CSOs' attitudes towards ENs do not necessarily correspond with the EU's official discourse. In fact, though EU institutions assume that ENs are 'super-conducting transmitters' between domestic CSOs and European officials, Belgian member organisations consider them as autonomous and trusted political champions at the EU level. This central argument, developed following an empirical approach in line with this special issue (see the introduction by Sanchez-Salgado and Demidov), nuances and questions the normative

conclusions of previous research that highlights the biased input of ENs in the EU's policy-making process.

The first part of the article provides a brief review of EU institutions' discourse on the role of ENs within the European political system and the normative conclusions of existing literature on the subject. The second part outlines the research design and explains the empirical approach employed by this article to analyse ENs' legitimacy. The third part is dedicated to the empirical analysis of the discourse of Belgian CSOs about their ENs. The results of this analysis are discussed in the fourth and concluding part.

### **NATIONAL CIVIL SOCIETY ORGANISATIONS, EUROPEAN NETWORKS AND THE EUROPEAN UNION: A LEGITIMACY PUZZLE**

The EU is regularly criticised for its 'lack of legitimacy'. However, 'structural limitations in models of representative democracy have enhanced the space for other mechanisms of legitimacy in the European Union, including participatory models in which organized civil society interests are significant players' (Greenwood 2007: 333). As a response to this legitimacy crisis, the Treaty of Lisbon strives to increase the legitimacy of the EU by underlining the importance of dialogue between European institutions and civil society. Even before 2007, the European Commission used its discourse on civil society participation for two purposes: first to build support for social policymaking and second as means of administrative reform and legitimisation in response to Brussels' legitimacy crisis (Smismans 2003: 503). For years now, the Commission and other EU institutions have informed, consulted and worked with pan-European representative structures: European networks of civil society organisations. Moreover, the European Commission prefers to deal with associations representing EU-wide constituencies rather than with individual organisations or national CSOs (Greenwood 2010; Hallstrom 2004; Kröger 2012). As a consequence, a large majority of national and regional CSOs representing individuals or local organisations joined EU-level umbrella associations (such as The European Environmental Bureau or Transport & Environment) to monitor and influence EU policies (Eising 2004). EU lobbying activities are thus delegated to umbrella organisations (Kohler-Koch, Quittkat and Kurczewska 2013). Expertise and information from CSOs are transmitted to EU institutions through different process of consultation. The official discourse of the EU is that this participatory model enhances the legitimacy and quality of decisions taken by its institutions. They consider ENs as a link between EU policies and the genuine needs, requests and opinions expressed by national CSOs and their constituencies. The European Commission notes in its 2001 White Paper on European Governance that CSOs have 'an important role in giving voice to the concerns of citizens' (European Commission 2001).

In line with this official discourse, several scholars take for granted that European associations are 'super-conducting transmitters' (Lowery and Marchetti 2012) linking the issues of concern of national CSOs – and their constituencies – to EU officials. But the role of ENs in the 'legitimacy building' of the EU is also broadly discussed in the literature. As Greenwood (2007: 333) observes:

To some observers, such actors are likely only to aggravate already problematic input legitimacy. A range of less hostile approaches also prevail, from a neutral standpoint through to those sharing the perspective of EU policy practice where such actors are seen as a complementary mechanism of democratic input.

The participation of these organisations in the EU's policymaking process is also depicted as enhancing the output legitimacy of the EU, for instance when CSOs are involved in the implementation of European legislation. Many contributions in the literature analysed interest

representation by CSOs or economic interest groups from a normative-democratic perspective (see for instance Grossman and Saurugger 2006; Jordan and Maloney 2007; Kohler-Koch and Quittkat 2013; Rodekamp 2013; Saurugger 2007; Smismans 2003, 2006; Wiercx 2011; Wolff 2013). These authors assess the performance of interest groups and CSOs regarding different democratic standards in terms of representation and accountability that are usually theoretically set and discussed in terms of: participation, transparency, geographic distribution of membership, descriptive similarities and so on.

For instance, Rodekamp (2013) assesses the representativeness and the internal accountability of European umbrella organisations regarding different criteria. She finds that within ENs, member organisations from large countries dominate over those from small, remote and new member states. She also notes that accountability channels in CSOs lack formalisation as some members participate very little and member organisations receive too much and too sophisticated information, too late from their Brussels offices. Rodekamp (2013: 262) concludes: 'From a democratic theory perspective, this means that interest aggregation is imperfect, which must be assessed negatively. EU-level CSOs are the voice of some of their members more than others'.

Contrary to some normative-democratic studies of representation, Kröger (2016) adopts an empirical approach of representation by exploring what conceptions of representation British and German CSOs actors have. She found that CSOs representing 'members', 'weak interests' or a 'cause' conceive representation in three different ways. 'Cause' groups see themselves as representing an issue rather than people, as 'members' and 'weak interests' organisations do; but these two types of organisations have different conceptions of the constituency they represent, the first has a narrow definition, the last a broad definition of their constituency (Kröger 2016: 178-179). These multiple conceptions of representation by actors from different types of organisations imply different conceptions of their own legitimacy. Staff from 'members' organisations locate the legitimacy of their organisation in the mandate received by their constituency. Staff members from 'cause' or 'weak interests' organisations see the source of their legitimacy in the mandate received from formal membership or the wider society while others see it in the expertise of CSOs. Fewer think their legitimacy is generated from a societal mandate or the involvement of the people they represent. While Kröger (2016) has an empirical approach in her analysis, she applies a normative approach in her conclusions as she states that CSOs fail in their potential contribution to EU democracy.

Two visions of the legitimacy of ENs confront each other. On the one hand, the EU official discourse consider ENs as legitimate transmitters of the opinions expressed by national CSOs, thus filling the gap between domestic actors and EU policy-processes. On the other hand, normative conclusions based on high theoretical standards draw negative conclusions about the intermediary role of ENs. However, one perspective is missing to acquire a comprehensive understanding of the role of CSOs in the EU political system: an empirical analysis of the perceptions of national CSOs within ENs. This bottom-up perspective is precisely what this article proposes.

## **RESEARCH DESIGN – AN EMPIRICAL ANALYSIS OF THE LEGITIMACY OF EUROPEAN NETWORKS**

### ***Studying Legitimacy: a Diversity of Approaches***

As reflected in social science literature, legitimacy is a difficult concept to grasp. While some authors argue that it should not be used at all in academic research (O'Kane 1993), others point to legitimacy as the central question of political science (Steffek and Hahn 2010: 7). Legitimacy could be analysed through normative lenses or empirically. This epistemological divergence distinguishes two types of

studies about legitimacy. On the one hand, legitimacy can be analysed against *normative criteria* independent from context, or at least without directly considering the perception of actors. This is the normative approach mobilised by scholars mentioned above. On the other hand, legitimacy can be analysed through the *perceptions* of groups or individuals. This is an empirical approach, which does not assume an *a priori* conception of legitimacy – in the sense of ‘what is or is not legitimate’. Steffek and Hahn (2010: 7) note that legitimacy in an empirical sense ‘is a concept that captures the beliefs of people and the actions motivated by those beliefs’. This empirical approach is mobilised in this article. The objective is to analyse the perception of national CSOs and identify how they legitimise their ENs. It is not to analyse if ENs either are or are not legitimate against normative criteria. For this analysis, organisational legitimacy refers to the conditions under which organisations – here, ENs – gain acceptance or support from the actors with whom they interact – in this case, Belgian CSOs. In this sense, legitimacy is a concept that captures the beliefs of people about the conformity of an organisation with certain values, norms and standards. Kohler-Koch notes that studies on interest organisations have to ‘point out not just the mechanisms that translate the interests of a multitude of actors into the positions of interest groups and efficient lobbying strategies, but also the mechanisms of social validation’ within interest organisations (Lowery, Baumgartner, Berkhout, Berry et al. 2015: 1221). This article adopts this empirical approach aiming to identify the discourses of national CSOs that legitimise their ENs. These perceptions are anchored in the dyadic relations between each CSO and its EN. In fact, legitimacy is a matter of relations. As Schrader and Denskus (2010: 46-47) argue, ‘legitimacy can only be granted and revoked within the relation of different actors: it is produced and transformed in a specific situation and context’.

As a starting point, this analysis of the legitimacy of ENs scrutinises dyadic relations between the represented (the CSO) and a representative (the EN). In fact, this structural arrangement linking an EN and a CSO is a representation relationship. In other words, the intrinsic purpose of ENs is to represent the interests of their membership at the EU level. However, this article is not restricted to the assessment of the quality of representation (and accountability) within ENs regarding their national CSOs. ‘Legitimacy’ (of ENs) will be used as an encompassing concept. As noted by Steffek and Hahn (2010), the notion of ‘organisational legitimacy’ provides a conceptual umbrella under which accountability and representation may be subsumed:

It is quite clear that accountability and representation are necessary elements, or at least important aspects, of organisational legitimacy, and it makes little sense to argue the reverse, that is, that legitimacy is an aspect of either accountability or representation (Steffek and Hahn 2010: 8).

To summarise, ‘legitimacy’ is the core concept that will be unpacked in this analysis which focuses on the perceptions of ENs held by national civil society actors. It is important to note that the objective of this empirical approach is not to analyse what ENs should be but to understand their relationships with their members. The research design of this article is consequently empirically grounded.

Empirically, the legitimacy of an organisation has to be addressed for each relevant audience of that organisation. An organisation’s audience is a group which receives or is aware of the message or actions produced by this organisation. According to institutionalist theories, actors perceive legitimacy ‘within some socially constructed system of norms, values, beliefs, and definitions’ (Suchman 1995). Each audience – or each actor within this audience – is facing a particular context and could mobilise different rationales to consider the legitimacy of an organisation. Moreover, organisational legitimacy is not static. The audiences of an organisation could always argue that an organisation is not – or is no longer – legitimate. Legitimacy can never be fully ‘achieved’. Legitimacy is not a given but is contestable and contested. This article therefore aims to address the empirical

dimension of legitimacy of ENs by analysing the perceptions of their membership at the national and regional levels. The focus is thus on

the perception of legitimacy, not legitimacy according to a standard that is posited as independent of the context in which the question arises. Within this usage, it may well be more accurate to speak about 'legitimation', which is an open-ended process (Saward 2010: 144).

Steffek and Hahn (2010: 7) note that: 'Legitimation is a term that denotes the activity of making a social institution appear to be legitimate'. To analyse legitimacy empirically, it has to be observed through the *perceptions* of legitimacy by appropriate audiences, through the different discourses which make ENs legitimate in the eyes of their members. Consequently, the concept of legitimation *discourse* will be used to designate different types of rationales used by CSOs to legitimise their ENs. The output of this analysis is the identification of different discourses mobilised by national member organisations to legitimise ENs.

### ***Methodology and Data Collection***

Since an empirical approach of organisational legitimacy requires no predetermined conception of legitimacy, the method has to be inductive. The issue of legitimacy is addressed as firmly located in context. Actors perceive reality within socially constructed system of norms and values. Their perception of the legitimacy of ENs is thus anchored in their environment. CSOs from different countries may not perceive legitimacy in the same way. Consequently, this analysis is focused on similar organisations operating within the same environment, namely the political context of Belgium. The objective is to get a comprehensive picture of the situation of CSOs evolving in this particular context. The analysis aims to identify a potential combination of different discourses to legitimise ENs. Qualitative methods are used to analyse these discourses. These methods offer powerful tools for context-sensitive analysis. This article follows the epistemological paradigm of qualitative methods which 'attach primary importance to the perspective of conscious actors who attach subjective meaning to their actions and interpret their own situations and that of others' (Devine 2002: 201).

In order to identify the discourses of CSOs that legitimise ENs, a thematic analysis (Paillé and Mucchielli 2016: 234-317) was conducted on transcripts of the interviews with staff members of Belgian CSOs. This analysis consists of the attribution of a theme to different units of meaning within the transcripts of interviews and the simultaneous building of the thematic list (by grouping themes). The first step is dedicated to a descriptive coding, listing the elements stated by the different interviewees. A second scanning of the transcripts refines and checks the previous coding. In a third step, the different categories of codes are interpreted. This inductive method is in line with the ambition to develop an empirically anchored analysis of legitimacy.

Each CSO is analysed based on an interview with the coordinator of the organisation or the person in charge of European Affairs. The interviewees are key actors who have the broadest perspective and a global knowledge on the relationship between their organisation and their EN. These staff members are responsible for communication and advocacy (including consultation with members, writing positions and communicating them). The interview schedule was relatively stable even if the objective was to give important room to the respondent to develop their views and perceptions. Care was taken to ensure interviewees were not led by directed questions which could evoke a particular conception of legitimacy and particular legitimation discourses. The questions were about the functioning of the organisation, the relations between the organisation and its EN and the general lobbying strategy (towards regional, national and EU levels). The concluding part of the

interviews focused on a public consultation launched by the European Commission during spring 2015. The objective was to obtain the big picture of CSOs' situations and identify the perceptions held by interviewees about their ENs.

### *Case Selection*

Five Belgian CSOs constitute the cases under scrutiny. Belgium represents a unique case. Brussels is the capital of the EU, the federal state and the Flemish and Brussels-Capital regions. Namur, the capital of the Walloon Region, is only 65 km from Brussels. The cases under scrutiny are all established in these cities or nearby. Among Belgians, the positive attitude towards the EU is above the European average. Elites across the political spectrum are also highly supportive of EU integration (Crespy 2011). Given this setting, Belgian organisations are interesting cases to analyse, since they face no physical barrier to contact with EU-level organisations (and institutions) and they work in a Europhile environment. The conclusions of this analysis may be applicable to other CSOs operating in similar environments but may not apply to other national contexts with different characteristics. Nevertheless, this study provides interesting foundations for further comparative analysis including CSOs from other EU member states.

The CSOs selected are associations organised at the regional level (within the federal structure of Belgium) in Wallonia or in Brussels and gather together individuals or local organisations. Cases were selected from a consultation launched by the European Commission during the spring of 2015: the consultation on the 'fitness check' of the EU Nature Legislation. The aim of this consultation was to gather opinions on the Birds Directive and the Habitats Directive and their implementation to date. This legislation is part of a highly Europeanised policy field. The EU level constitutes the most pertinent level to target in terms of lobbying for this legislation. Moreover, the *Nature Alert* campaign following this consultation was the scene of intense exchanges between national and European CSOs thus providing an interesting context to study the internal dynamics of ENs.

The consultation was processed as follows. During 'phase one', the Commission contacted 45 EU-level organisations requesting a reply to a questionnaire. Among those 45 organisations, four were ENs of national CSOs. 'Phase two' was a public consultation. The cases selected were from among the Belgian CSOs represented by four ENs chosen to participate in phase one of the consultation. Using the consultation as a basis for case selection in this way permits the analysis of Belgian CSOs by keeping policy-specific and overall European context idiosyncrasies under control. All Belgian CSOs which were active at the federal level or within Walloon or Brussels-Capital regions and which were members of the four ENs responding to the Commission's consultation were contacted. Five organisations were contacted since one of the four ENs selected has a member organisation in Wallonia and one in Brussels. Five interviews were conducted with key players of these organisations (one interview per CSO).

The rationale behind the selection of few cases is to acquire a comprehensive understanding of how Belgian civil society actors perceive ENs in a particular context. Even if the cases share different features, they also differ on others. The cases differ in terms of resources (operationalised by the number of full-time equivalent staff, where data is available) and in terms of membership. Some Belgian CSOs have individual supporters as members, while others are umbrella organisations gathering together local associations at the regional level. Each organisation under scrutiny is directly a member of its EN (without being member of any intermediary umbrella organisations in Belgium). It has to be noted that one of these organisations is organised at the federal level in its day-to-day activity but is legally divided into a Flemish association and a French-speaking



association. In fact, except for very few cases, the civil society actors are highly regionalised in Belgium.

Table 1. Belgian Civil Society Organisations under Scrutiny

Case	Staff (*FTE)	Membership	Members	Policy issues (Environment)
BCSOa	80	Individual supporters (gathered by local offices)	19,000	General range
BCSOb	3.5*	Individual supporters (gathered by local associations)	600	General range
BCSOc	39	Individual supporters	90,000	Biodiversity
BCSOd	20*	Local/regional associations	150	General range
BCSOe	14*	Local/regional associations	80	General range

### ANALYSIS – HOW BELGIAN CIVIL SOCIETY ORGANISATIONS LEGITIMISE EUROPEAN NETWORKS

This section presents two categories of legitimisation discourses used by staff members in Belgian CSOs to speak about their ENs: functional legitimisation and efficiency legitimisation. These categories of legitimisation discourse were drawn by grouping the different themes identified through the thematic analysis of the interview transcripts.<sup>1</sup> The different legitimisation discourses are illustrated by quotes from interviews (which were all translated and anonymised by the author). The analysis was thus empirically driven and the label of the legitimisation discourses was given afterwards to synthesise the themes identified in the interviews (see Table 2). Moreover, staff members from one Belgian CSO were not aware of the activities of their EN: no legitimisation elements could thus be traced in their interview. Nevertheless, this case is still pertinent to analyse to understand the (absence of) legitimisation of ENs in the perspective of a Belgian organisation. This case will be analysed at the end of this part.

Table 2. Discourses of Belgian CSOs Legitimising their European Networks

Discourses	Themes
<b>Functional legitimisation discourse</b>	The EN is a collector of information from member states
	The EN defines autonomously and advocates policy positions on EU issues
<b>Efficiency legitimisation discourse</b>	The EN's staff members are experts
	The EN is a reliable source of information on EU issues
	The EN is an efficient advocacy organisation

#### *Functional Legitimation*

The functional legitimisation discourse concerns two themes: the identification of ENs as (1) collectors of information from member states and as (2) organisations advocating and defining autonomously policy positions on EU issues. Belgian CSOs have a passive role regarding the definition of European policy positions. However, if Belgian CSOs do not systematically take part in the definition of policy positions on EU issues, it does not mean that they are inactive at all within the structure of ENs. The participation of Belgian CSOs is mainly circumscribed at information provision to their ENs, which collect data among their membership: 'As soon as I have a relevant information to say to [the EN] or a question, it goes up [to the EN]' (interview 4). Belgian staff members see their role not as



producers of policy positions that have to be relayed to the EU level by their ENs but as information providers to support opinions developed by these networks. Another interviewee explains that the EN is 'monitoring' the positions of its members, rather than performing an 'aggregation' of these positions. Nevertheless, they add: 'I think that [the EN] is listening more and more to the national members too, because they are aware that applying only a top-down approach, it does not work very well' (interview 3). They note that their organisation is also sometimes participating in 'task forces' where member organisations could amend the EN's policy positions. It shows that the positions of ENs are not taken in total independence, but as another staff member says: 'Often, we are in easy postures, we say "we have to do more and better"' (interview 4). ENs are mainly considered as building their position based on information gathered locally by national CSOs but not through the aggregation of political positions developed upstream by their members. Belgian CSOs dedicate a small part of their time to managing EU issues and are mainly passive on this matter. The principal focus of their advocacy work is the regional (and federal) level, as noted by one interviewee:

[Our organisation] is not very active at the European level. I have to say, we are going to meetings from time to time, but as I said, it's not our priority. Our priority is the regional level, and we are overwhelmed with work. Thus, when choices have to be made, going to the [EN's] meeting is not the priority. (interview 1)

Staff members of Belgian CSOs concede that they do not participate on a regular basis in activities of their ENs.

It's been quite a few years since we have a desire to get closer to them [(the EN)], to be much more in touch. But there is nothing established, or structural. So every staff member is quite free to be involved or not. (interview 2)

The geographic location of Belgian organisations is only mentioned by one interviewee as an advantage facilitating the contact with the EN. All other staff members perceive themselves as less engaged in ENs than staff members from other countries, despite the proximity of Brussels. ENs are thus considered by Belgian CSOs as autonomous but trusted organisations to define policy position on EU issues: '[The EN] takes its position, which it will advocate at the European level. [...] Thus, they have the issue under control at the European level, we have to trust them on this' (interview 1). Another interviewee explains that advocacy is not their primary mission: 'The political aspect, in the classical meaning, we don't work on it very much. Because we do not have this advocacy aim. As do particularly our international and European network' (interview 2). Belgian CSOs legitimise ENs not because they represent their political positions but because they are perceived as representing, broadly speaking, the same political objective. The issue on which those CSOs are active – namely the environment, a highly Europeanised issue – is also an element that explains the trust of CSOs towards their ENs. An interviewee explains: 'The situation of the environment is, in my view, so catastrophic, there is so little political will, our expectations are huge. [...] So we do not discuss about details, and all opportunities are good to take' (interview 4). Moreover, the delegation of action by Belgian CSOs to ENs is also explained by the 'Eurocratisation' of environmental policies (Hallstrom 2004). For instance, another staff member describes the political alignment between the Belgian CSO and the EN:

There are positions that are taken by [the EN], but anyway, for which we are not competent because we do not follow these issues. Therefore, impossible to say whether we agree or not because we do not have the issue under control. [...] Finally, there are plenty of issues that are monitored by [the EN], that we do not follow particularly (interview 1).

ENs are legitimised in the discourse of Belgian civil society actors through the function they are performing, namely building policy positions that they will advocate at the EU level, and not as substitutes for their activity at an upper level or as *stricto sensu* representative organisations. In fact, ENs are primarily perceived by Belgian actors as working in a field that would be unexploited without the activity of these ENs. ENs are considered as holding the advocacy function at the EU level with a high degree of autonomy. Belgian CSOs do not outsource their European political activities to ENs. Rather these ENs assume political activities that would not otherwise have been managed by Belgian organisations. This high degree of autonomy of ENs to define and advocate positions may induce contestation from some member organisations in different member states (Sanchez-Salgado 2014: 185), but not from the perspective of Belgian CSOs which are satisfied with this situation. This functional distribution of labour and the positive perception of the autonomy of ENs can be explained by the lack of time and the relatively low leverage of Belgian actors within EU structures (Sanchez-Salgado 2014: 185-186).

### *Efficiency Legitimation*

This legitimisation discourse encompasses three themes: (1) the acknowledgement of the expertise of ENs' staff members; (2) the identification of ENs as a reliable source of information and; (3) the recognition of ENs as efficient advocacy organisations. Firstly, staff in ENs are perceived as 'professional' and 'dynamic' (interview 2) or 'doing a good job' (interview 3). When one staff member from a Belgian CSO was asked about their overall perception of the quality of the work of the EN, they replied: 'What I do know, is that currently, the people with whom I am in touch at [the EN] are doing an amazing job' (interview 4). Concerning membership management, the work of the EN inspires this staff member: 'Concerning their work as an umbrella organisation, for me, it's a source of inspiration' (interview 4). Secondly, ENs are considered by Belgian CSOs as a source of information about EU issues: 'So that's really [the EN's] role, they have the European expertise, they know what's going to come out' (interview 3). More generally, ENs are identified as their unique reliable source of information on these issues:

And so, as soon as there is relevant information, it is dropped in the mailbox. So, [the EN] is a real war machine for this, with highly competent people who are exemplary in terms of communication with their member associations (interview 4).

We're flooded with e-mails every day, I'll say, by [the EN]. And so they alert us ... they are in fact ... our European vigilance, it's [the EN]. So it's clear that we get the information, they are the ones who draw our attention ... They react very, very, very upstream (interview 1).

Thirdly, Belgian CSOs acknowledge the efficiency of their ENs regarding their advocacy activities:

I think they're doing a good job, they seem to be a credible organisation. [...] Among all the lobby groups swarming at the level of Europe, [our EN] was the first NGO, while we have 1000 times fewer resources than other large lobby groups. So it means they can open doors, they can be heard (interview 3).

We also trust them to identify what are the issues that are the touchiest, what is the most important, the arguments that are the strongest, which will be the most efficient. Because you have to know your network, your polity to determine what will work and what will not (interview 1).

One interviewee describes the EN as even more efficient at the EU level than its own organisation in Belgium: 'I would say that they are doing better. More systematically' (interview 4). Following a top-down stream, Belgian CSOs use information and arguments developed by their ENs in their advocacy activities at the regional level or to support and relay the work of their ENs at the national level:

Let's say that we will relay, *vis-à-vis* MEPs, or *vis-à-vis* the competent minister, the positions of [the EN]. [...] *a priori*, we take these positions as our positions. As a [regional] federation, we are the interlocutor of the MPs (interview 4).

Of course, we use information that comes from [the EN]. Because they have a vigilance at the European level [...]. What is happening at the European level, for me, is always precursor of what will happen to us in the Walloon Region. So, of course, when we have arguments that come from Europe, there are points that make sense for us. And we know that it can influence, or have an impact on our policies. And yes, we use them, it's obvious (interview 1).

Consultation practices at the EU level as well as the important role of technical expertise in environmental advocacy (Berny 2013b) induce a pressure concerning the way the policy positions have to be advocated towards EU institutions. ENs have the know-how and the expertise to engage in lobbying in Brussels. For instance, the usage of the so-called 'European jargon' and the predominance of English, make European organisations more able to lobby EU institutions than national CSOs. Belgian CSOs are conscious of the particularities of the European political structures and this participates in the legitimisation of their ENs. The 'Brussels bubble' is perceived as an Anglo-Saxon (or international) structure with different logics to which ENs respond better. It is also interesting to note that Belgian CSOs do not identify ENs as efficient transmitters of their policy positions at the EU level, but as organisations generating policy positions that could be used afterwards by the CSO. More generally, as in the case of the *Nature Alert* campaign, national CSOs are reflectors in member states of political campaigns designed in Brussels (Parks 2015). To sum up, Belgian CSOs legitimise ENs regarding the efficiency of their activities in Brussels, arising from their expertise, their ability to get and circulate information and the efficiency of their advocacy work.

### ***The Absence of Legitimation Discourse***

As mentioned above, staff members from one of the Belgian CSOs under scrutiny were not aware of the activities of their EN. The membership of this organisation to the EN was though confirmed by the interviewees from that Belgian CSO and by the membership manager of the EN who e-mailed the details of their 'contact person' in their member organisation. That contact person was precisely one of the CSO staff members interviewed (two staff members were interviewed together for this case). An interesting observation is that one of the staff member identifies clearly the function of the EN:

I think that is probably a pity that we are not more in relation with them, because we're on the field and we could for example, explain them what should be improved in practice. For instance, here, there are Directives that we're implementing, but there are things we find inappropriate. (interview 5)

However, they are not able to identify clearly why they are not at all involved in the activities of the EN. When questioned about a possible reassessment of their membership to the EN, this interviewee answered:

But in fact, it's true we do not talk about it and that is something we should nevertheless once put on the table, in fact. So what, why don't we have stronger relations in fact, to bring issues at an upper level? (interview 5).

The other staff member of the organisation explains: 'Yes, but to tell you something, I wasn't even aware about the existence of the [EN] while I have been working here for four years!' (interview 5). It is also interesting to note that despite the absence of a link with their EN, the organisation has integrated the European dimension. For instance, they have brought a case of the breach of a directive by the regional authorities before the European Court of Justice (but without any assistance or coordination with their EN). This case reveals another situation: the disconnect between ENs and some of their members at the national level. The causes of the absent link between the EN and the Belgian CSO are related to the internal context of the national organisation rather than to the perception about the actions and attributes of the EN. Furthermore, despite the lack of tangible connections with the EN, staff members from this CSO express no negative opinion against their EN that would challenge its legitimacy. While multiple arenas of European politics coexist rather than just a single one, national CSOs can work on EU issues without being part of the 'European society' of which ENs are part (Fligstein 2008).

## DISCUSSION — EUROPEAN NETWORKS AS TRUSTED POLITICAL CHAMPIONS

This article set out to analyse the legitimacy of ENs in an empirical perspective without adopting the theoretical assumptions (based on democratic considerations) used by previous studies. The inductive method of this research leads to the identification of elements of organisational legitimacy currently ignored by existing literature, and which are not in line with the official discourse of EU institutions. Before discussing Belgian CSOs' discourse, it is interesting to note that their differing level of resources seems to have no effect on their perception of their ENs. This can be explained by the fact that Belgian organisations do not pass the critical financial threshold that allows their staff to engage directly with the EU institutions, even if they have at least enough economical resources to integrate the European dimension (Sanchez-Salgado 2007). The limited number of cases analysed does not allow the drawing of general conclusions on this issue. As noted by previous research on French Environmental CSOs, availability of resources is not a sine qua non condition for involvement on EU issues (Berny 2013a).

The analysis here leads to the identification of two legitimisation discourses of Belgian CSOs regarding their ENs: the function they hold in Brussels and their efficiency. These two elements are related. An organisation could be perceived as legitimate because of the functions it fulfils, but also because it is perceived as efficient in the way these functions are performed.

On the one hand, ENs are legitimised in the discourse of Belgian CSOs through the functions they hold: to define and advocate policy positions at the EU level. This may appear straightforward but it reveals a crucial conclusion: European associations are not legitimised as substitutes of Belgian CSOs at the EU level or as transmitters of aggregated policy positions from CSOs of different member states. ENs are legitimised as trusted champions of broad political objectives, to which Belgian CSOs generally adhere. ENs are not considered by Belgian CSOs as faithful representatives of multiple national positions, but as EU-level organisations advocating positions that meet the same overall objectives as their national members.

On the other hand, from the perspective of Belgian organisations, the legitimacy of ENs is based on their efficiency. Belgian CSOs acknowledge the expertise of the ENs' staff, identify ENs as their main source of information on EU issues and they recognise ENs as efficient advocacy organisations. EN staff are perceived as dynamic and highly-skilled, responding to the Anglo-Saxon or international

standards of the ‘Brussels bubble’, as opposed to a divergent Belgian associative culture. The expert knowledge inherent to environmental advocacy and the highly Europeanised character of environmental issues also explain this trust towards ENs. ENs are thus trusted concerning their advocacy work with EU institutions and are identified by Belgian CSOs as a source of reliable information and pertinent policy positions that could be used at the national or regional level.

Though EU institutions’ discourse assume that ENs are ‘super-conducting transmitters’ between domestic CSOs and European officials, it appears that is not the role assigned to them by their Belgian members. In fact, Belgian CSOs do not consider themselves as producers of policy positions that have to be relayed to the EU level by their ENs but as information providers to support positions developed by their networks. The fact that the CSOs under scrutiny are active on environmental issues – which are highly institutionalised at the EU level and for which the demands of civil society are very high – explains the trust of these national organisations in their delegation of action towards their ENs.

Moreover, one Belgian CSO under scrutiny was totally disconnected from its EN. Yet, despite the lack of tangible connections with the EN, staff members from this CSO expressed no negative opinion challenging the legitimacy of their EN. These results demonstrate a gap between the focus of previous studies on European organisations – mainly related to representativeness – and the actual concerns of actors involved in EN: the efficiency of these organisations when performing their function of trusted political champions at the EU level. Nevertheless, considering the perspective of the actors themselves, this distribution of labour between Belgian CSOs and ENs should not be conceived as problematic.

Overall, this empirical analysis of the legitimacy of ENs based on the perspectives of their members on the one hand calls into question the normative conclusions of previous studies on the subject and, on the other hand, highlights the gap between the official discourse of the EU institutions about their consultation regime and the concerns of the actors involved. Since this research on ENs is anchored in a Belgian context, a comprehensive understanding of European civil society requires other context-sensitive studies in other member states and concerning other policy fields. The insights of this empirical analysis of the legitimation of ENs feeds the normative debate about the legitimacy of European organisations within the EU consultation regime and highlights some elements that could contribute to the emergence of an effective European civil society beyond Brussels.

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## ENDNOTES

<sup>1</sup> Interview 1, staff member from BCSOa (8 January 2016); Interview 2, staff member from BCSOb (13 January 2016); Interview 3, staff member from BCSOc (26 January 2016); Interview 4, staff member from BCSOd (27 January 2016); Interview 5, staff members from BCSOe (4 February 2016).

## REFERENCES

- Berny, N. (2013a). 'Building the capacity to play on multilevel policy processes: French Environmental Movement Organisations and the European Union'. *Social Movement Studies*, 12(3): 298-315.
- Berny, N. (2013b). 'Europeanization as organizational learning: When French ENGOs play the EU multilevel policy game'. *French Politics*, 11(3): 217-240.
- Crespy, A. (2011). 'Europe and Euroscepticism: "Non-issues" in Belgian Politics'. In R. Harmsen and J. Schild (eds), *Debating Europe. The 2009 European Parliament Elections and Beyond*. Baden-Baden: Nomos Verlagsgesellschaft: 17-31.
- Devine, F. (2002). 'Qualitative Methods'. In D. Marsh and G. Stoker (eds), *Theory and Methods in Political Science*. Basingstoke, Hants: Palgrave MacMillan: 197-215.
- Eising, R. (2004). 'Multilevel governance and business interests in the European Union'. *Governance*, 17(2): 211-245.
- European Commission (2001). 'European Governance — A White Paper'. COM(2001) 428 final, 25 July 2001.
- Fligstein, N. (2008). *Euroclash: The EU, European identity, and the future of Europe*. Oxford: Oxford University Press.
- Greenwood, J. (2007). 'Organized Civil Society and Democratic Legitimacy in the European Union'. *British Journal of Political Science*, 37(2): 333-357.
- Greenwood, J. (2010). 'Regulating NGO Participation in the EU; a De-Facto Accreditation System Built on 'Representativeness'?'. In J. Steffek and K. Hahn (eds), *Evaluating transnational NGOs: Legitimacy, accountability, representation*. Basingstoke: Palgrave Macmillan: 200-219.
- Grossman, E. and S. Saurugger (2006). 'Les groupes d'intérêt au secours de la démocratie?'. *Revue française de science politique*, 56(2): 299-321.
- Hallstrom, L. K. (2004). 'Eurocratising Enlargement? EU Elites and NGO Participation in European Environmental Policy'. *Environmental Politics*, 13(1): 175-193.
- Jordan, A. G. and W. A. Maloney (2007). *Democracy and interest groups: enhancing participation?* Basingstoke: Palgrave Macmillan.
- Kohler-Koch, B. and C. Quittkat (2013). *De-Mystification of Participatory Democracy: EU-Governance and Civil Society*. Oxford: Oxford University Press.
- Kohler-Koch, B., C. Quittkat and U. Kurczewska (2013). 'Interest Intermediation in the European Union Revisited: Report on a Survey Study'. Working Paper No. 151. Mannheim: Mannheimer Zentrum für Europäische Sozialforschung.
- Kröger, S. (2012). 'Democracy Promoter or Interest Defender? How the European Commission Influences Non-Electoral Representation by Civil Society Organizations'. In S. Kröger and D. Friedrich (eds), *The Challenge of Democratic Representation in the European Union*. Basingstoke: Palgrave Macmillan: 226-240.
- Kröger, S. (2016). *Europeanised or European? Representation by Civil Society Organisations in EU Policy Making*. Colchester: ECPR Press.
- Lowery, D., F.R. Baumgartner, J. Berkhout, J.M. Berry, D. Halpin, M. Hojnacki, H. Klüver, B. Kohler-Koch, J. Richardson and K.L. Scholzman (2015). 'Images of an Unbiased Interest System'. *Journal of European Public Policy*, 22(8): 1212-1231.
- Lowery, D. and K. Marchetti (2012). 'You don't know Jack: Principals, agents and lobbying'. *Interest Groups & Advocacy*, 1(2): 139-170.

- O'Kane, R. (1993). 'Against Legitimacy'. *Political Studies*, 41(3), 471-487.
- Paillé, P. and A. Mucchielli (2016) (4th ed.). *L'analyse qualitative en sciences humaines et sociales*. Paris: Armand Colin.
- Parks, L. (2015). *Social movement campaigns on EU Policy: In the corridors and in the streets*. Basingstoke: Palgrave Macmillan.
- Rodekamp, M. (2013). *Their members' voice: Civil society organisations in the European Union*. Wiesbaden: Springer VS.
- Sanchez-Salgado, R. (2014). *Europeanizing civil society: how the EU shapes civil society organizations*. Basingstoke: Palgrave Macmillan.
- Sanchez-Salgado, R. (2007). 'Giving a European dimension to civil society organisations'. *Journal of Civil Society*, 3(3): 253-269.
- Saurugger, S. (2007). 'Democratic 'misfit'? Conceptions of civil society participation in France and the European Union'. *Political Studies*, 55(2): 384-404.
- Saward, M. (2010). *The Representative Claim*. Oxford: Oxford University Press.
- Schrader, L. and T. Denskus (2010). 'The Debate on NGOs' Legitimacy: What Can We Learn from the Classics?'. In J. Steffek and K. Hahn (eds), *Evaluating transnational NGOs: Legitimacy, accountability, representation*. Basingstoke: Palgrave Macmillan: 29-54.
- Smismans, S. (2003). 'European civil society: Shaped by discourses and institutional interests'. *European Law Journal*, 9(4): 482-504.
- Smismans, S. (2006). *Civil society and legitimate European governance*. Cheltenham: Edward Elgar Publishing.
- Steffek, J. and K. Hahn (2010). *Evaluating transnational NGOs: Legitimacy, accountability, representation*. Basingstoke: Palgrave Macmillan.
- Suchman, M. C. (1995). 'Managing Legitimacy - Strategic and Institutional Approaches'. *The Academy of Management Review*, 20(3): 571-610.
- Wiercx, J. (2011). *The Democratic Legitimacy of European Social Movement Organizations: All for One and One for All?* Baden-Baden: Nomos Verlagsgesellschaft.
- Wolff, C. (2013). *Functional Representation and Democracy in the EU: the European Commission and Social NGOs*. Colchester: ECPR Press.