

EU: WHAT NGOS MAKE OF IT?

EXPLAINING THE CREATIVE USAGES OF EUROPE IN THE ROMANIAN AND HUNGARIAN CIVIL SOCIETIES IN ROMANIA

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Abstract

The repercussions of European integration on civil society have received little attention from scholars. This paper fills in this gap by examining the impact of Europeanization on the Romanian civil societies, comparing the impact of the European Union on the Romanian and Hungarian minority's civil societies. To explore the differences and similarities between the Europeanization of the two civil societies, I conducted in depth case studies of non-governmental organizations and elaborated questionnaires. I have found that regardless of ethnic affiliation, both civil societies show a low level of Europeanization. However, changes in the attention, discourse, activities and objectives of non-governmental organizations are already present. Aspects which differ in the cases of the two civil societies include their values, views of the EU, use of EU law as arguments, sources of funds, partners and affiliations.

To explain these dissimilarities I employ the two main approaches of Europeanization. I show that rational choice and constructivist approaches are not mutually exclusive, but might complement each other and taken together can they explain the Europeanization process of civil societies in Romania. Rational choice approaches can enlighten how the integration and the funds available already in the pre-accession period have altered the opportunity structure and the strategies of both civil societies, while constructivist approaches give a good account of how preferences which motivate actors are formed and how the minority status and identity of Hungarian organizations influence their Europeanization process and render it different from the Romanian one.

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Introduction

In the last decades, the European Union has witnessed a great number of developments, its competences growing almost in all fields. With the introduction of the Euro, the establishment of EU citizenship, the launch of the CFSP or the elaboration of the Constitution the EU has increasingly affected the lives of its citizens. However, individuals have remained unengaged in this process. There is no real European public sphere which would enable a European-wide public debate or involve citizens in Europe-related political actions. The emergence of the European public sphere is related to the existence of a pan-European civil society. The latter is necessary in order to meet the recurrent, yet unfulfilled objective to bring the EU closer to the citizens.

For a pan-European civil society to become a reality the mobilization of local and regional non-governmental organizations is needed. Pan-European organizations will not emerge on their own; they need the support of local and regional civil society organizations. The recent enlargements represent another challenge for the European civil society. In the former communist countries, civil society organizations have shown different characteristics than in the 'old' EU countries. In those states that transited from totalitarianism to democracy the formation of civil society has been a rather slow process. Civil society organizations (CSOs) in these countries are less developed, less organized, poorly financed and mostly in opposition to the state rather than in collaboration with it. From the point of view of Eastern European CSOs, the state is the embodiment of the 'social evil' against which they must protect the interests of citizens or democracy itself. Therefore, their inclusion in the pan-European civil society is rather challenging. On the other hand, the pre-integration period and the recent experience of EU membership have affected civil society organizations as well.

Europeanization – A Theoretical Point of View

Europeanization has become a widely used concept in the last few decades. It has been used to describe diverse changes on national and European level, explaining processes of policy, polity or politics changes or alterations of identities. A widely used definition of Europeanization, which is especially relevant for the study of the impact of the EU on civil societies, refers to it as the “domestic adaptation to the pressures emanating directly or indirectly from EU membership.”¹

Tanja Börzel and Thomas Risse identify the conditions which are necessary for this change: a misfit between the EU-level and domestic-level processes or politics; and a response from national actors or institutions to the adaptational pressures coming from the European Union.² Different mechanisms explaining the impact of European policy making at domestic level have been brought to the fore by scholars. Some of the mechanisms are based on the assumptions of rational choice theories while others stem from the sociological/constructivist school.

Rational choice approaches are based on the ‘logic of consequentialism’ according to which Europeanization is an emerging opportunity structure, offering additional resources for some and restricting the abilities of others to achieve their own goals. There must be a misfit between the EU level and domestic policies in order to create these new opportunities. However, this process does not promote the well-being of one actor or group of actors. From the rational choice point of view, the existence of multiple veto points and mediating formal institutions represent those factors which influence the likelihood of rule adoption.

The focus on ideas and other socially constructed elements came with the social constructivist turn in the Europeanization literature. Constructivist scholars argue that

¹ Kevin Featherstone, “Introduction: In the Name of ‘Europe,’” in *The Politics of Europeanization* ed. by Kevin Featherstone, Claudio M. Radaelli (Oxford: Oxford University Press, 2003), p. 7.

² Tanja A. Börzel, Thomas Risse. „Conceptualizing the Domestic Impact of Europe,” In *The Politics of Europeanization* ed. by Kevin Featherstone and Claudio Radaelli (Oxford: Oxford University Press, 2003), p. 58.

“Europeanization has an impact on the political discourses and ideas through which national actors define and justify their choices.”³ In this sense, Europeanization refers not only to the emergence of European-level actors, but also to the ‘Europeanized’ changes in the preferences, discourses, ideas and claims of domestic actors. Constructivist scholars promote the ‘logic of appropriateness,’ where actors do not try to maximize their own benefits but rather to do the right thing. From this point of view, norms, rules and identities determine the objectives and procedures of actors who act as it is ‘appropriate’ according to their own standards.

Thus, the domestic impact of Europeanization has been examined; however, existing research have been restricted mainly to the study of state institutions and actors and the policies adopted by them. Although some authors (like Caiani and della Porta⁴) touch upon civil society issues, they refer only to Western European countries with long traditions of civil society. Furthermore, comparative studies of CSOs have been conducted only at transnational level,⁵ making more difficult to control for the independent variables. Interethnic Europeanization comparisons are also lacking. In addition, most of the research conducted in the Central and Eastern European sphere in terms of Europeanization refer to the pre-integration period. Studies concerning the Europeanization of civil society and the integration of the latter into the newly emerging pan-European civil society are lacking.

Research Question and Findings

My research project attempts to fill these gaps by examining the impact of Europeanization on Romanian civil society organizations. Although exposed to the same contacts with the European Union, civil society organizations in Romania have responded differently to these

³ Manuela Caiani, Donatella della Porta, “The Europeanization of Public Discourse in Italy: A Top-Down Process?” *European Union Politics* 7, no. 1 (2006), p. 80.

⁴ *Ibid.*

⁵ Andrew Crook, “European Civil Society Or Civil Society In Europe? The Sketch Of A Working Paper For Civicus In Europe,” Budapest: CIVICUS European Regional Office, <http://www.civicus.org/new/media/Europeancivilsociety.pdf> (last accessed on 14th April 2007).

demands. CSOs representing the dominant Romanian population and the Hungarian minority have perceived the EU differently, acting accordingly. Using Romania as a case study may reveal the differentiated effects of the same EU influences on different ethnic groups as non-governmental organizations, regardless of their ethnical affiliation, operate in the same legal economic framework. Therefore, the purpose of this thesis is to explain the differences in the Europeanization of Romanian and Hungarian civil societies.

In order to answer to this question I have looked at the characteristics of the Europeanization of the two civil societies belonging to the two different ethnic groups, highlighting how Europe is represented in their discourses, activities, whether their values are in keeping with 'European' ones and whether the EU represents the target of the claims and activities of these NGOs.

For most of the NGOs, integration into the European structures has remained without any factual impact. However, by looking at the values of NGOs, their view of and attention paid to the European Union, the use of European laws or principles as supporting arguments, their lobby activities or international affiliations, it is possible to observe that European Union has had an impact on the civil societies in Romania. However, there are differences between the Europeanization of the Romanian and Hungarian civil societies in this country.

Turning to the above presented theories to explain these differences in the processes of Europeanization, I have found that rational choice approaches could easily explain how European integration has changed the opportunity structure of the civil society organizations in Romania. Using resources like funds, lobby platform or European affiliations, CSOs promoted their different objectives. In addition to this, the European integration has offered additional opportunities for the Hungarian minority organizations to further their objectives related to minority protection or preservation and transmission of minority culture.

While rational choice approaches can explain why certain strategies were adopted, constructivist approaches help us understand how the preferences promoted by the above strategies were formed. The identity, the values and informal rules of the communities to which Romanian and Hungarian organizations belong determine the perceptions of CSOs about the European Union, about its laws and principles. They also determine the nature of objectives and range of strategies which can be adopted by these organizations. Thus, the two logics taken together can offer a complete explanation for the differences in Europeanization.

By addressing the problem of the Europeanization of civil societies (both Hungarian and Romanian) in Romania two previously unexplored fields of Europeanization have been covered: Europeanization of civil societies in general and in Central and Eastern Europe in particular. With the 2007 enlargement a more comprehensive perspective became necessary and possible. Furthermore, looking at ethnic differences in the civil society's political discourse could represent a starting point to evaluate what are the factors which hinder the creation of a European civil society. The rise of a pan-European civil society is decisive for the future of a democratic and participatory European Union and for a new form of transnational governance. This cross-border organization would mean the inclusion of every citizen of the EU in a transnational public space. Understanding this process of differentiated Europeanization of the dominant and minority ethnic groups in Romania is especially important in order to identify the factors which hinder or promote the emergence of an integrated, coherent European-wide civil society.

Methodology

In order to uncover the similarities, differences, tensions and interrelations between the Europeanization of civil societies of Romanian and Hungarian CSOs in Romania, first, I used secondary sources (books, articles, reports, studies) to familiarize with previous works on this topic. Second, I conducted in depth case studies of fifty NGOs, equally distributed between

the representatives of the two ethnic groups. Analyzing the materials published by them in paper (newspapers) or electronic (websites) format, concentrating on different statements, mission formulations, press releases or actions taken by these organizations I focused on whether Europe was present in the discourses, activities and attention of these organizations and whether the EU represented the target of the claims made by these CSOs. To complement the findings of the discourse and content analysis of the activities, discourses and objectives of these organizations I elaborated a questionnaire and distributed it by email to the representatives of more than 150 organizations, equally distributed between the Romanian and Hungarian civil societies in Romania. Using a diverse range of sources allowed me to cross-check the information obtained.

Outline

In what follows, I begin by outlining those Europeanization approaches which can be useful in studying the Europeanization of civil societies. Subsequently, I sketch the empirical findings of my research, presenting the similarities and differences in the Europeanization of the two civil societies in Romania. I explain the latter in the third chapter of my thesis against the background of competing theories of Europeanization. I conclude that the two main approaches of Europeanization, rational choice and constructivist approaches do not contradict but complement each other. While rational choice approaches can explain the strategies adopted by both Romanian and Hungarian civil society organizations in Romania, constructivist approaches help us understand how the preferences of the actors are formed and how their identities, internal rules and norms constrain the range of possible strategies to achieve their goals.

Chapter 1 - Europeanization – A Theoretical Framework

1.1 Introduction

Europeanization has become a very fashionable concept in the last few decades. It has been used to describe diverse changes and phenomena on European and domestic levels. In spite of its extensive usage, there is no single, generally accepted definition of this concept. While some authors define it as “the emergence and the development at the European level of distinct structures of governance,”⁶ others associate it with the domestic adjustments to the adaptational pressures coming from the European Union, with how the EU affects the national sphere.⁷ Mair places the ‘two faces’ of Europeanization at the two ends of the same linear: institutionalization on one end and penetration on the other.⁸

Europeanization seems to explain everything from processes of policy, politics and polity changes through institutional innovations to cultural and identity changes on both European and domestic levels. Olsen contributes to the clarification of these meanings presenting five categories of phenomena called Europeanization, these including changes in external boundaries, developing institutions at the European level, central penetration of national systems of governance, exporting forms of political organization and the political unification project.⁹ These meanings are closely linked to the existence and operation of the EU. However, as Featherstone points out, Europeanization has been applied in more

⁶ Thomas Risse, Maria Green Cowles, James Caporaso, “Europeanization and Domestic Change: Introduction,” in *Transforming Europe: Europeanization and Domestic Change* ed. by Thomas Risse, Maria Green Cowles, James Caporaso (London: Cornell University Press, 2001), p. 1.

⁷ James G. March, Johan P. Olsen, *Democratic Governance* (New York: Free Press, 1995).

⁸ Peter Mair, “The Europeanization Dimension,” *Journal of European Public Policy* 11, no. 2 (2004), p. 343.

⁹ Johan P. Olsen, “The Many faces of Europeanization,” *Journal of Common Market Studies* 40, No. 5 (2002), p. 923-924.

extensive interpretations as well, referring to historical processes or matters of cultural diffusion.¹⁰

Therefore, it is imperative to clearly demarcate the borders of the theoretical concept before empirical application. Europeanization in the context of this thesis applies the meaning defined by Radaelli. He refers to Europeanization as to

“processes of (a) construction (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies.”¹¹

Thus, the ‘domestic structure’¹² and the effects of the EU on the collective understandings of the actors are also in the focus of Europeanization.

Börzel and Risse identify two conditions which are necessary for a domestic change to take place in response to Europeanization.¹³ First, a degree of ‘misfit’ between European and domestic policies, politics and polities must be present. The level of this misfit determines the degree of adaptational pressure exerted on member states. In their view, ‘the goodness of fit’ is in inverse proportion to the adaptational pressure. They identify two types of misfits: policy and institutional misfit. In the first case, states need to change their policies to reduce compliance problems with EU regulations. In the second, institutional misfit challenges “domestic rules and procedures and the collective understandings attached to them,”¹⁴ the latter including changes in national identity understandings as well. The second condition identified by Börzel and Risse are factors which facilitate domestic adaptation as a response to the EU pressures. From this point of view, Europeanization is a dependent

¹⁰ Kevin Featherstone, *op. cit.*, p. 5-7.

¹¹ Claudio M. Radaelli, “Whither Europeanization? Concept Stretching and Substantive Change?” *European Integration online Papers (EIoP)* 4, no. 8 (2000), <http://eiop.or.at/eiop/texte/2000-008a.htm> (Last accessed: 7th May 2007).

¹² Domestic structure refers to ‘regularized and comparatively stable interactions’ in a society. (Risse *et. al.*, *op. cit.*, p. 4.)

¹³ Börzel, Risse, *op. cit.*, p. 60-63.

¹⁴ *Ibid.*, p. 62.

variable, the focus being on the pressure coming from the EU. Radaelli and Franchino¹⁵ place a greater emphasis on the role of domestic actors and their willingness and capacity to make use of the Union.

However, the ‘goodness of fit’ argument has been criticized. Radaelli argues that this notion is too broad and it encompasses elements which are antithetic in their capability to accommodate European pressure.¹⁶ In his opinion, domestic features like policy structure or timing are factors which should receive primary attention. Furthermore, in the absence of a binding European model the domestic impact of the EU can be hardly understood in terms of ‘goodness of fit,’ especially in cases of negative integration policies or European-triggered domestic changes in the expectations and beliefs of national actors.¹⁷ Thus, Knill and Lehmkuhl identify two other mechanisms which lead to domestic change. In addition to the ‘institutional and policy misfit’ presented above, European influence can alter domestic opportunity structures and the beliefs and expectations of domestic actors. These, in turn, trigger corresponding national adaptations. Radaelli and Franchino provide the most encompassing notion which includes these different mechanisms when talking about the ‘domestic usages of Europe.’¹⁸

These factors and mechanisms lead to different outcomes: domestic adaptations or resistances do not follow a particular pattern in a ‘one-size-fit-all’ manner. As Olsen points out, “the actual ability of the European level to penetrate domestic institutions is not perfect, universal or constant.”¹⁹ National characteristics like institutions, traditions, identities influence the degree of Europeanization. For example Börzel and Risse distinguish three different outcomes of domestic change, using as a measure the strength of responses to the

¹⁵ Claudio M. Radaelli, Fabio Franchino, “Analysing Political Challenge in Italy,” *Journal of European Public Policy* 11, no. 6 (2004), p. 949.

¹⁶ Radaelli, “Whither Europeanization?”, *op. cit.*

¹⁷ Christoph Knill, Dirk Lehmkuhl, “How Europe Matters. Different Mechanisms of Europeanization,” *European Integration online Papers (EIoP)* 3, no. 7 (1999) <http://eiop.or.at/eiop/texte/1999-007a.htm> (Last accessed: 7th May 2007).

¹⁸ Radaelli, Franchino, “Analysing Political Challenge in Italy,” *op. cit.*, p. 951.

¹⁹ Olsen, *op. cit.*, p. 936.

Europeanization pressure: absorption, accommodation and transformation.²⁰ Radaelli, covering both the magnitude of the change and its direction, identifies four different ‘results’: inertia, absorption, transformation and retrenchment.²¹ However, domestic changes are subject to interpretations as well. What some authors would interpret as a success of Europeanization, others would not even consider.

Several authors present different sets of variables, factors and explain diverse outcomes. Different logics are used to explain the degrees and courses of domestic change. Rational choice and constructivist/sociological approaches represent the two leading actors of the Europeanization debate. The debate between these two theories has become the most significant debate not only in the field of international relations but also in comparative politics. Thus, the ‘logic of consequentialism’ promoted by rational choice institutionalism has been posited against the ‘logic of appropriateness’ theorized by sociological institutionalism. However, there have been several attempts in the Europeanization literature to link these two, apparently opposing mechanisms.

1.2 Rational Choice Approaches

Rational choice approaches consider that the preferences and interests of the actors are fixed and do not change during interactions. Rational choice theorists focus on strategic interactions and assume that actors are goal oriented and the goal of their actions is to maximize their own benefits. Cooperation is possible only if this collaboration with others contributes to the maximization of their own utility. Rational choice is instrumental, where ideas matter only under conditions of uncertainty or imperfect information when they serve as guidelines towards the achievement of the same egoistic goals.

²⁰ Börzel, Risse, *op. cit.*, p. 69-71.

²¹ Radaelli, “Whither Europeanization?” *op. cit.*, p. 14.

Following the ‘logic of consequentialism,’ Europeanization is perceived as an emerging opportunity structure “which offers some actors additional resources to exert influence, while severely constraining the ability of others to pursue their goals.”²² European integration creates multiple arenas with diverse opportunities which can be exploited by different national and transnational actors. In this case, actors are involved not in single but in a network of games, called by Tsebelis ‘nested games’. The arenas refer to different institutional designs in which actors seek to increase their number of alternatives and their payoffs. By redefining the rules of the game, actors change the whole setting. Thus, in Tsebelis’s opinion, “institutional changes can be explained as conscious planning by the actors involved.”²³

Although Europeanization provides political or other opportunities at national level, it does not favour one particular actor. Thus, the same pressure coming from the EU can be an asset or a liability of the same group of actors in different countries. For example, as Soetendorp and Hanf note, small member-states and their elite have benefited from EU membership, gaining “influence on the formation of those EU policies that would influence developments inside the country” or helping the elite “to reinforce their position in the domestic political scene.”²⁴ Thus, the existence of a misfit between European and domestic politics, policies and policies which leads to the creation of new opportunities along with the capacities of national actors to exploit them are necessary conditions for a change.

A cost-benefit calculation precedes and accompanies processes of change. For example in case of the impact of EC governance on the member states Eising and Kochler-

²² Börzel, Risse, *op. cit.*, p. 63.

²³ George Tsebelis, *Nested Games: Rational Choice in Comparative Politics* (Berkeley: University of California Press, 1990), p. 9.

²⁴ Ben Soetendorp, Kenneth Hanf, “Conclusion: The Nature of National Adaptation to European Integration,” in *Adapting to European Integration: Small States and the European Union* ed. by Ben Soetendorp and Kenneth Hanf (London: Longman, 1998), p. 191.

Koch point out that “the costs of adaptation may be decisive for the national responses.”²⁵

The experience is similar in the case of candidate countries as well. As Sedelmeier and Schimmelfennig note “[a] government adopts EU rules if the benefits of EU rewards exceed the domestic adoption costs.”²⁶ In their view the cost-benefit balance depends on four factors: the determinacy of conditions, size and speed of rewards, the credibility of conditionality and the size of adoption costs. The authors consider that the likelihood of rule adoption is in inverse proportion to the number of veto players incurring net adoption costs.

Multiple veto points is one of the mediating factors identified by Börzel and Risse. They consider that the existence of multiple veto points can hinder national adaptation. The more actors are involved in the decision-making process and the more the power is dispersed across the political system, the harder is to achieve the consensus needed for domestic change. As Europeanization empowers actors with different interests, it is very difficult to find a common point where these diverging preferences would converge. For example, by looking at the national responses to community policy, Héritier found that “a mismatch between European policy expectations and given preferences for change of key political leadership accounts for the degree of administrative change.”²⁷

While Héritier takes into consideration the degree of misfit between European legislation and domestic administrative structures, Haverland argues that “the number of institutional veto points that central governments has to face when imposing European provisions on their constituencies, ultimately tend to shape the pace and quality of

²⁵ Rainer Eising, Beate Kohler-Koch, “Governance in the European Union: A comparative Assessment,” in *The Transformation of Governance in the European Union* ed. by Beate Kohler-Koch, Rainer Eising (London: Routledge, 1999), p. 281.

²⁶ Frank Schimmelfennig, Ulrich Sedelmeier, “Introduction: Conceptualizing the Europeanization of Central and Eastern Europe,” in *The Europeanization of Central and Eastern Europe* ed. by Frank Schimmelfennig, Ulrich Sedelmeier (Ithaca, NY: Cornell University Press, 2005), p. 12.

²⁷ Adrienne Héritier, “Differential Europe: National Administrative Responses to Community Policy,” in *Transforming Europe: Europeanization and Domestic Change* ed. by Thomas Risse, Maria Green Cowles, James Caporaso (London: Cornell University Press, 2001), p. 58.

implementation, regardless of differential degrees in the goodness of fit.”²⁸ Thus, he emphasizes the role of national institutional opportunity structures. The latter determines not only the degree of domestic opposition but also the timing of change. Thus, the existence of these multiple veto points “is likely to inhibit or at least considerably slow down adaptation to Europeanization pressures, if not other mediating factors are present.”²⁹

This other factor can be the existence of mediating formal institutions. These institutions can endow domestic actors with the resources necessary to exploit European-introduced opportunities and induce change. As presented above, pressures coming from the EU can provide actors with additional resources. For example, representatives of regions, being members of the Committee of Regions influence those decisions at EU level which have regional relevance at national level, thus circumventing their central governments. However, these actors do not have always the capacities to take advantage of these opportunities.³⁰

The existence of multiple veto points and mediating formal institutions represent structural factors which provide the means and resources for actors to fulfill their interests and preferences. These factors do not involve changes in the identities and interests of the domestic actors. They provide a redistribution of capacities among national key players who, in turn, can use the new opportunities to advance their own goals. This is the ‘logic of consequentialism’ used by rational choice institutionalists to explain Europeanized domestic change.

Although civil society actors are neither key players in the political decision-making process nor a powerful and influential pan-European civil society lobby has emerged yet, rational choice approach could be helpful to understand EU-triggered changes on domestic

²⁸ Markus Haverland, “National Adaptation to European Integration: The Importance of Institutional Veto Points,” *Journal of Public Policy* 20, no. 1 (2000), p. 83.

²⁹ Risse *et. al.*, *op. cit.*, p. 9.

³⁰ Börzel, Risse, *op. cit.*, p. 65.

level in the case of civil societies. European integration affects the opportunity structures of CSOs as well, bringing additional resources for some and constraining the abilities to achieve their goals for others. Additional resources might include funds or even influence on EU and national level. However, the factors which might help explain variations in outcomes, the existence of multiple veto points or formal mediating institutions, are of little help when we look at subnational level, where the economic and legal framework is similar for every organization, regardless of ethnicity. Therefore, it is useful to look at the assumptions of constructivist approaches as well.

1.3 Social Constructivist Approaches

In opposition to rational choice approaches, social constructivists consider that preferences and interests of actors are not fixed, but can change during interactions. The goal of their actions is not to maximize their own benefits but ‘to do the right thing.’ Thus the actors’ objectives and procedures are determined by the standards of the community to which they belong, by the ‘appropriate ‘behaviour’ defined by their internal rules. However, with regard to collective identities we can not speak about the same ‘pressures’ which we encounter in the case of policies or other EU regulations. For example, “[t]here are no formal or informal norms requiring European Union (EU) citizens to transfer their loyalties to the EU instead of or in conjunction with the nation-state.”³¹ Therefore, another kind of logic is used by social constructivists in international relations and comparative politics: the ‘logic of appropriateness’. As Schimmelfennig notes, the actors’ identities, preferences are in the centre of social constructivist analysis.³²

³¹ Thomas Risse, “A European Identity? Europeanization and the Evolution of Nation-State Identities,” in *Transforming Europe: Europeanization and Domestic Change* ed. by Thomas Risse, Maria Green Cowles, James Caporaso (London: Cornell University Press, 2001), p. 200.

³² Frank Schimmelfennig, “The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union,” *International Organization* 55, no. 1 (2001), p. 47-80.

What in the case of rational choice is instrumentalism, in the case of social constructivism is rule-guided behavior where rationality is constructed. As March and Olsen explain, “[h]uman actors are imagined to follow rules that associate particular identities to particular situations, approaching individual opportunities for action by assessing similarities between current identities and choice dilemmas and more general concepts of self and situations.”³³ These rules or norms not only regulate behavior in different situations, but also contribute to the construction and definition of social identities. According to Börzel and Risse, Europeanization happens not at domestic but at European level. They define Europeanization “as the emergence of new rules, norms, practices and structures of meaning to which member states are exposed and which they have to incorporate into their domestic practices and structures.”³⁴ On the other hand, Checkel argues that when speaking about norms in the EU context, one should have in mind two issues: how norms and ideas are constructed at European level and how they interact with agents at national level.³⁵

These shared ideas have a constitutive effect as well. As Risse notes, “collective norms and understandings constitute the social identities of actors and also define the basic “rules of the game” in which actors find themselves in their interactions.”³⁶ Rules and norms can change through interactions with others. Thus, human agency by its practices not only reproduces its own identity, but through its contacts changes the structure of which is part. Thus, we can speak about the mutual constitution of agents and social structures.³⁷

The above argument underpins one of the explanations for domestic change identified by Börzel and Risse. They call this model institutional isomorphism, referring to the

³³ James G. March, Johan P. Olsen, “The Institutional Dynamics of International Political Orders,” *International Organization* 52, no. 4 (1998), p. 951.

³⁴ Börzel, Risse, *op. cit.*, p. 66.

³⁵ Jeffrey T. Checkel, “Social Construction and Integration,” *Journal of European Public Policy* 6, no. 4 (1999), p. 551-552.

³⁶ Thomas Risse, “Let’s Argue!”: Communicative Action in World Politics,” *International Organization* 54, no. 1 (2000), p. 5.

³⁷ Jeffrey T. Checkel, “International Norms and Domestic Politics: Bridging the Rationalist-Constructivist Divide,” *European Journal of International Relations* 3 (1997), p. 488.

development of similarities between institutions as a consequence of frequent interaction with each other. However, they criticize this argument because it can not account for the variations in institutional adoption at domestic level. For this reason they introduce the second model called social learning. From this point of view, domestic change is the result of the responses to international arrangements. Actors learn to internalize new norms and sometimes new identities to become members of a community.

Schimmelfennig and Sedelmeier have introduced the social learning model to explain the EU triggered domestic changes in Central and Eastern European countries. According to this, “[a] government adopts EU rules if it is persuaded of the appropriateness of the EU rules.”³⁸ Therefore, the degree of adoption of EU rules depends on the level of suitability of these norms with the collective identity, values and norms of the domestic community. The logic of ‘misfit’ works exactly opposite to the case of rational choice approaches. Thus, the higher the compatibility with European rules, norms, identities, the higher the chance that they will be incorporated in domestic structures. As Checkel correctly points out, “both domestic norms and domestic structure are variables that intervene between systemic norms and national-level outcomes.”³⁹ Thus, country-specific differences matter and can help us understand the variations in adoptions at domestic level. Diffusion is more rapid when the systemic norms resonate with the historically constructed domestic identities, rules and norms.

This resonance is one of the factors distinguished by Schimmelfennig and Sedelmeier which influence incorporation of EU rules. They argue that the likelihood of the latter increases with domestic resonance. Other factors identified by the authors include the legitimacy of rules and processes and identity. It is more likely that a state will be persuaded to adopt EU rules if the EU is considered by the given country as an entity with a similar

³⁸ Schimmelfennig, Sedelmeier, *op. cit.*, p. 18.

³⁹ Jeffrey T. Checkel, “Norms, Institutions, and National Identity in Contemporary Europe,” *International Studies Quarterly* 43, no. 1 (1999), p. 84.

collective identity and whose rules are clear, legitimate and internationally accepted. The role of cognitive factors increases in cases of uncertainty about the economic costs and benefits.⁴⁰

There are two routes which can be followed under the social learning model: the persuasion of political elite in a given country or the societal groups, non-state actors. The role of political elite is especially important in cases when the state holds mainly the control over the society. As elites enjoy a considerable freedom from the pressures of other societal actors, internalization of international norms is possible only through the social learning of the elite. This learning presupposes more than just simple instrumental moves to achieve certain goals. It implies the change of interests and preferences as well. European collective understandings “may provide domestic agents and actors with new understandings of interests and identities”⁴¹ also.

Societal groups or non-state actors, called ‘change agents’ or norm entrepreneurs⁴² mobilize and coerce decision makers to change state policy. In their persuasion process, these agents use moral arguments, trying to change the actors’ interests and sometimes even their identities. Börzel and Risse identify two categories of norm entrepreneurs: epistemic communities and advocacy or principled issue networks. The former refer to those networks of actors who use scientific arguments to support their ideas. In cases of incomplete information and in high consensus among scholars, epistemic communities can exert significant influence on the decision-making process.

Advocacy networks try to alter actors’ interests and preferences by appealing to shared identities and norms. Keck and Sikkink claim that “network actors try to frame issues in ways that make them fit into particular institutional venues and that make them resonate

⁴⁰ Lucia Quaglia, “Italy’s Policy Towards European Monetary Integration: Bringing Ideas Back In?,” *Journal of European Public Policy* 11, no. 6 (2004), p. 1098.

⁴¹ Jeffrey T. Checkel, “The Europeanization of Citizenship?” in *Transforming Europe: Europeanization and Domestic Change* ed. by Thomas Risse, Maria Green Cowles, James Caporaso (London: Cornell University Press, 2001), p. 180.

⁴² Börzel, Risse, *op. cit.*, p. 67.

with broader publics, use information and symbols to reinforce their claims, identify appropriate targets, seek leverage over more powerful actors to influence their targets.”⁴³ Reframing plays an important role in advocacy networks’ actions. Frames are powerful ‘tools’ which can provide the setting for justification or persuasion because they determine what we see and how we interpret it.⁴⁴ These changes affect not only certain policies but can alter the institutional structure of a society as well.

Along with the existence of norm entrepreneurs, informal institutions or political culture represent another factor which contributes to the smoother internalization of new norms and identities. A consensus-oriented political culture ease the decision-making process as it diminishes the significance of multiple veto points and shares the costs of adaptation.⁴⁵ On the other hand, in a competitive political environment actors will be less inclined to support the price of change be it material or ideational costs.

Therefore, even without European norms and identities which do not resonate with domestic one, internalization of European collective understandings and rules is possible with the existence of epistemic communities, advocacy coalitions or a proper political culture. However, the degree of internalization may differ. Only in case of transformation may we speak about an overall, sincere discursive, formal and behavioral adaptation.

Civil society organizations might be considered as parts of these advocacy coalitions which ease the internalization of collective understandings. However, it is also important to see how these organizations come to promote the given ideas or policies, how new ideas and identities influence their own identities. To understand the Europeanization of civil societies in Romania, this aspect is especially relevant as two groups of CSOs belonging to two different ethnic groups in Romanian are considered. Therefore, using the factors presented

⁴³ Margaret E. Keck, Kathryn Sikkink, *Activists beyond Borders. Advocacy Networks in International Politics* (London: Cornell University Press, 1998), p. 201.

⁴⁴ Donald A. Schön, Martin Rein, *Toward the Resolution of Intractable Policy Controversies* (New York: Basic Books, 1994), p. 32-34.

⁴⁵ Börzel, Risse, *op. cit.*, p. 68.

above (identity, resonance and legitimacy) it is possible to explain variations in the Europeanizations of their identities, activities or values.

1.4 Bridging the Gap

As presented above, the mechanism and the logic of Europeanization have been conceptualized in two ways: rational choice approaches promoting the ‘logic of consequence,’ while social constructivists the ‘logic of appropriateness.’ Although the two approaches were developed on the basis of fundamentally different assumptions, several scholars have attempted to link the two, identifying a common denominator. Others promoted a third dimension, a third logic through which Europeanization can be explained.

Börzel and Risse emphasize the mutual non-exclusiveness of the two pathways. They consider that in practice the distinction between the ‘logic of consequence’ and ‘logic of appropriateness’ is not so prominent. They argue that the two logics often occur at the same time. For example, in cases of information uncertainty the ‘logic of appropriateness’ will prevail. From their point of view, another way of linking the two logics is in a sequential way, characterizing different phases in processes of adaptational change. Thus, new rules of distribution of the benefits can forego actual actor empowerments. Furthermore, “the more Europeanization exerts adaptational pressures on constitutive and deeply embedded institutions [...] and collective identities, the more the socialization/learning pathways is necessary to induce constitutive change.”⁴⁶

Another alternative approach to the ‘logic of consequentialism’ and ‘logic of appropriateness’ debate is brought by Risse who argues that this debate has overlooked that the latter model includes two ways of social interaction. The first refers to those norms which are completely internalized by actors, who are not even conscious of them (‘taken-by-

⁴⁶ Börzel, Risse, *op. cit.*, p. 75.

granted') but which influence in a great deal the behavior of actors. The second refers to those argumentative and deliberative actions which are performed by actors in their attempt to seek consensus with others. Although these actions are goal-oriented, in these situations the actors' preferences, interests and perceptions are not fixed but subject to change. The preconditions for this argumentative rationality include a 'common lifeworld' and the mutual recognition of the speakers as equals. The advantage of this approach is that it "allows us to become more specific in the conversation between rational choice and social constructivism by 'unpacking' the latter."'⁴⁷

Another model for explaining Europeanization has been provided by Vivien Schmidt and Claudio Radaelli. They promote a 'discursive institutionalism' as an alternative for rational choice and sociological institutionalisms. In their opinion, discourse can integrate structure and agency and thus "explain the dynamics of change by lending insight into how actors in different institutional contexts with new ideas may overcome entrenched interests, institutional obstacles and cultural impediments to change."⁴⁸ However, this model, as confirmed by its authors, can not be considered alone, in isolation. Discourse is more a factor than a standalone theoretical approach.

A fourth model includes both rationalist and sociological arguments. Schimmelfennig and Sedelmeier start from the assumption that if policymakers are dissatisfied with the situation in their countries they try to 'pick' a model from abroad. The lesson-drawing model⁴⁹, elaborated by them, differs from the main two in the lack of the EU activities in the process of EU rules adoption. Thus, there are no rewards or persuasion activities coming from the EU which forego these processes of change. Domestic actors recognizing the utilities of these rules copy, emulate, combine or get inspired by them. Lesson-drawing

⁴⁷ Risse, "'Let's Argue!'" *op. cit.*, p. 34.

⁴⁸ Vivien A. Schmidt, Claudio M. Radaelli, "Policy Change and Discourse in Europe: Conceptual and Methodological Issues," *West European Politics* 27, no. 2 (2004), p. 207.

⁴⁹ Schimmelfennig, Sedelmeier, *op. cit.*, p. 20-25.

happens if domestic actors look at EU member states and evaluate EU rules for possible solutions for their national problems. The authors identify four necessary conditions (policy dissatisfaction, EU-centered epistemic communities, rule transferability and veto players) for states to adopt EU rules. However, this model does not differ significantly from the sociological constructivist model. Even in the case of the latter, sometimes EU pressure is missing, for example in the formation of a European identity or switching loyalty towards the EU.

Although none of these approaches can provide us with a perfect explanatory model for the Europeanization process, they show that the ‘logic of consequentialism’ and the ‘logic of appropriateness’ debate is not the exclusive lenses through which we can see Europeanization.

In this paper I follow this path as well, considering that the two logics complement each other in explaining the Europeanization of civil societies in Romania. While rational choice approaches can explain the strategies chosen and followed by the groups of civil society organizations belonging to two different ethnic groups in the European context, the way preferences and goals come to be defined, the impact of the European Union on these collective understandings can be better assessed through constructivist approaches.

1.5 Conclusion

The rational choice – social constructivist debate has become one of the most significant features in the field of international relations and comparative politics. The two approaches promote different mechanisms of change – the ‘logic of consequentialism’ and the ‘logic of appropriateness’ - which can be used to explain processes of Europeanization.

Numerous studies have been elaborated in the past few decades, using these two approaches and elaborating alternative ones as presented above. However, examining the

domestic impact of Europeanization, those papers are restricted mainly to the study of state institutions and actors and the policies adopted by them. Although some authors (like Caiani and della Porta⁵⁰) touch upon civil society issues, they refer only to Western European countries with long traditions of civil society.

As there is no EU model of how a European civil society or NGOs should look, consequently there is no ‘adaptational’ pressure coming from the European Union. However, there are certain EU norms, rules and collective understandings which interact with those on national level. Therefore, a bottom-up approach which looks at domestic level affairs and the impact of the EU on the domestic system will be applied. By using a social constructivist approach will be possible to identify whether the EU affects the system of interactions of NGOs in Romania, their identities or preferences, the ways Europe is framed by different actors. As the EU may cause differential empowerment of diverse actors belonging to different ethnic groups or open up new opportunity structures, rational choice approach will be used to uncover these changes. Therefore, in the next chapters I will use these two approaches complementary.

The above review of theoretical and empirical studies has demonstrated that Europeanization can be a useful theoretical framework. The next chapters will employ it to reveal the dynamics of civil society changes in Romania.

⁵⁰ Caiani, della Porta, *op. cit.*

Chapter 2 - The Europeanization of Civil Societies in Romania

2.1 Introduction

In the existing Europeanization literature there is a gap concerning the Europeanization of civil societies. This chapter represents the empirical part of my attempt to fill in this gap. Thus, I will present the impact of the European Union on the Romanian and Hungarian civil societies from Romania. In depth case studies and questionnaires have been the basis of the research which revealed a low level of Europeanization for both civil societies. However, the contacts with the EU in the pre-accession period and the short experience of membership have had an impact on the third sector in Romania. Although operating in the same legal and economic framework, CSOs belonging to the two communities show differences in their ‘Europeanization.’ In the following, after presenting the general setting and a short overview of the civil society in Romania, the methodology and the results of my research will be presented.

2.2 Civil Society in Romania – An Overview

The term civil society has been used in various contexts, these manifold usages contributing to its vague definition. As Robert C. Post and Nancy L. Rosenblau note, “[c]ivil society is the “chicken soup” of the social sciences.”⁵¹ The fall of the communist regime in Eastern and Central Europe and the newly emerged social conditions have further diluted its meaning. A

⁵¹ Robert C. Post, Nancy L. Rosenblau, “Introduction” in *Civil Society and Government* ed. by Robert C. Post, Nancy L. Rosenblum (Princeton: Princeton University Press, 2002), p. 23.

broad definition is provided by Marc Morjé Howard who conceives civil society as “a crucial part of the public space between the state and the family, and embodied in voluntary organizations.”⁵² He delimits civil society from the market as well, referring to intermediary groups and associations, organizations which have legal status and operate voluntarily and autonomously.

Membership in these organizations is expected to have important consequences like social learning, institutional and public sphere effects.⁵³ Although the objective of this paper is not to identify the beneficial effects of civil society (especially given that it does not have a unilaterally positive effect) I accept the general proposition that civil society improves democratic performance and enhances democracy.⁵⁴ Michael Edwards enumerates the social roles of civil society, seeing it as “the reservoir of caring, cultural life and intellectual innovation.”⁵⁵

Therefore, many observers expected a lot from the emerging CSOs in the post-communist regions. The events of 1989 created an opportunity for the finally ‘free’ people to organize themselves and to propose alternative views. The developments have not fulfilled the expectations, however.⁵⁶ The imprints of communism have prevented the atomized individuals from collective action. While in other communist countries there existed ‘forms’ or roots of civil society before 1989, Romania completely lacked the experience of these organizations. Thus, in Romania “civil society developed historically at a later stage and to a

⁵² Marc Morjé Howard, *The Weakness of Civil Society in Post-Communist Europe* (Cambridge: Cambridge University Press, 2003), p. 1.

⁵³ Gabriel Badescu, Paul Sum, Eric M. Uslaner, “Civil Society Development and Democratic Values in Romania and Moldova,” *East European Politics and Societies* 18, no. 2 (2004), p. 318-319.

⁵⁴ Howard, *op. cit.*, p. 47.

⁵⁵ Michael Edwards, *Civil Society* (Cambridge: Polity Press, 2004), p. 14.

⁵⁶ David Berry, *The Romanian Mass Media and Cultural Development* (Aldershot: Ashgate, 2004), p. 161.

lesser degree than in other East Central or Western European countries.”⁵⁷ Furthermore, it exhibited traces of pre-communist and pre-World War II situation.

This does not mean that civil society organizations were completely lacking in Romania in the immediate post-1989 period. For example, in 1990 the number of registered NGOs reached 400 per month. These associations were formed without state help, but with significant foreign assistance. The Romanian government did not contribute to the development of the third sector. Thus, organizations like USAID, the European Union or other Western European countries supported the costs of the creation of a civil society in Romania. These accounted for 45 percent of the revenue of all NGOs in Romania in 1995, and adding private philanthropy to it, it reached more than half of the total⁵⁸.

While civil society is a more encompassing concept referring to a wide range of actors, in Romania “Non-Governmental Organizations (the term used for associations and foundations in Romania) are considered a fundamental expression of civil society.”⁵⁹ As Sandra Pralong noted, “where there is no tradition of free association, it is easy to equate NGOs with civil society because NGOs represent the most visible and sometimes the only fully functioning part of the associative sector.”⁶⁰ The number of NGOs has risen constantly, reaching 25 194 in 1999⁶¹. CIVICUS (Civil Society Development Foundation) has created a ‘Diamond’ (see Figure 1) to depict the image of Romanian civil society, looking at its structure, space, values and impact⁶²:

⁵⁷ Daniel Saulean, Carmen Epure, “Defining the Nonprofit Sector: Romania”, *Working Papers of the Johns Hopkins Comparative Nonprofit Sector Project*, no. 32 ed. by Lester M. Salamon, Helmut K. Anheier (Baltimore: The Johns Hopkins Institute for Policy Studies, 1998), p. 2.

⁵⁸ Carmen Epure, Oana Tiganescu, Ancuta Vamescu, “Romanian Civil Society: An Agenda for Progress,” *CIVICUS Index on Civil Society Occasional Paper Series* 1, no. 9 (2001), p. 15.

⁵⁹ *Ibid.*, p. 1.

⁶⁰ Sandra Pralong, “NGOs and the Development of Civil Society,” in *Romania since 1989. Politics, Economics, and Society* ed. by Henry F. Carey (Oxford: Lexington Books, 2004), p. 233.

⁶¹ Distributia Geografica a ONG-urilor in Romania, A Study of FDSC (2001) <http://www.fdsc.ro/PDF/Distributia%20geografica%20ONG%202001.pdf> (last accessed 12th May 2007).

⁶² Epure *et. al.*, *op. cit.*, p. 8-12.

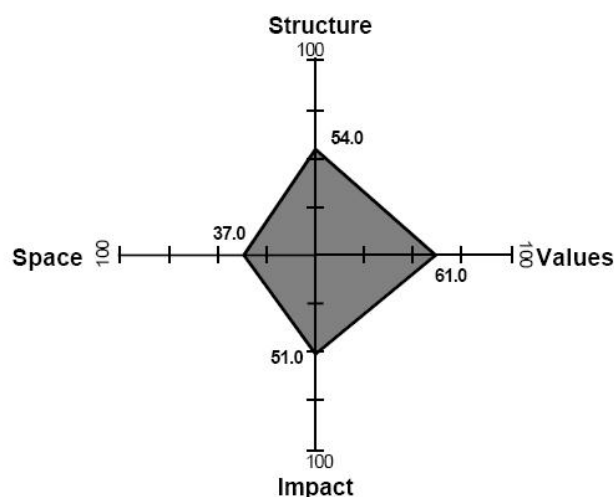


Figure 1. The Civil Society Status Diamond for Romania

Regarding ‘structure’, which measures levels of active membership, co-operation with other organizations (CSOs and others), NGOs attained only a medium value as a consequence of a low level of the latter. Furthermore, the Romanian non-profit sector contributes only at a modest rate (0.3 %) to the country’s GDP. ‘Values’ measure the commitment of NGOs towards human rights and democracy promotion or tolerance between different groups. The relatively high score indicates a reasonably strong position of NGOs in this field. Although CSOs⁶³ in Romania provide a wide range of social services and solve different economic problems of the population, their influence on the decision-making process and public policy is low. The balance of these two variables is signaled by the medium value of the ‘impact’ of CSOs (51). The legal framework which regulates the establishment and operation of NGOs in Romania (marked under the space dimension) had the lowest score, signaling the existence of an unfavorable law in the country.

Until recently Law 21, adopted in 1924, set up the general framework for associations and foundations in Romania. It has not been amended since then, becoming completely obsolete at the end of the 20th century. In 2000 a Governmental Ordinance (26/2000) replaced

⁶³ As presented above NGOs are the most common, the most visible and the fully functioning parts of the civil sector in Romania. Therefore, in the following I will use the term NGO as a synonym with CSO.

the Law 21, bringing important changes in the legal framework of CSOs operations and establishment. The new law was adopted on the basis of a proposal elaborated by representatives of NGOs, thus including their positions as well. It brings several improvements, easing and shortening the registration process, extending the benefits of the public benefit organizations, allowing NGOs to engage in economic activities. However, the new law has several drawbacks as well. It requires irrelevant, additional information during the registration process; establishes inflexible procedures for modification; severely restricts the recognition of NGOs as public benefit organizations; and creates obstacles in the way of foreign organizations' registration.⁶⁴ The 37/2003 Ordinance further complicated the recognition of public utility organizations, causing delays and abuses.⁶⁵ As a consequence of NGO pressure, Law 246/2005 has been adopted which eliminates further unnecessary requirements and obligations for NGOs, like making easier the procedure of the establishment and changing of these organizations.⁶⁶

2005 was an important year for NGOs for another reason as well. In that year the 2% rule entered into force (adopted in 2003, Law 571/2003) which permits individual tax payers to allocate 2% of their income tax to help financing an NGO. Furthermore, businesses may contribute with 3% of their total income but not more than 20% of their total taxes.⁶⁷ This is expected to reduce the non-profit sector's independence on international (public or private) donor funding. The third sector's major problem in Romania is its poor funding. As Saulean and Epure note, "[l]imited access to financial resources and the weak economic capacity of

⁶⁴ International Center for Not-for-Profit Law (ICNL), Comments on Ordinance #26 of January 2000 on Associations and Foundations in Romania, August 2001, <http://www.icnl.org/knowledge/library/index.php> (last accessed on 12th May 2007).

⁶⁵ USAID, The 2004 NGO Sustainability Index for Central and Eastern Europe and Eurasia (2005), http://pdf.usaid.gov/pdf_docs/PNADD432.pdf (last accessed 12th May 2007), p. 205.

⁶⁶ International Center for Not-for-Profit Law (ICNL), G.O. no 26/2000 regarding the associations and foundations. The NGO's initiative of amending the legal framework (2005) <http://www.icnl.org/knowledge/library/index.php> (last accessed on 12th May 2007).

⁶⁷ USAID, *op. cit.*, p. 205.

voluntary associations leave nonprofits in a constant state of vulnerability.”⁶⁸ Domestic, private or public, resources do not cover the expenses for most organizations and many international donors left the country with EU accession. Therefore, the adoption of the 2% rule represented a big leap forward in overcoming this obstacle and represents a way of acknowledgement of the Government the contributions and know-how of NGOs.

Other problems encountered by the civil sector include low rate of media coverage, low level of publicity, of notoriety, high levels of state-bureaucratic intervention⁶⁹, low professional competence and training, low inter- and intra-sectoral cooperation. However, the energy, flexibility, dynamism and dedication of the human resources compensate partly for the shortcomings presented above.⁷⁰

The EU through its programs has attempted to deal with these problems. For example five million Euros were allocated in 2005 with the aim to further strengthen the capacities of Romanian NGOs. Support for the development of an open civil society has been a requirement and a priority for the EU since the pre-accession period. However, there were no negotiation chapters of the *acquis* on civil society matters during the pre-accession period.⁷¹

The above sets the common background for all CSOs in Romania. They all share the same characteristics: the legacy of the communism, the same legal setting and economic problems. This is the framework in which different categories of CSOs have to operate. There have been several studies which looked at differences between urban and rural NGOs, between different regions in Romania. However, differences might occur between NGOs representing and belonging to different ethnic groups who are citizens of the same country.

⁶⁸ Saulean, Epure, *op. cit.*, p. 15.

⁶⁹ Berry, *op. cit.*, p. 162.

⁷⁰ Alina Porumb, Catalin Gheorghe, Cristian Lazar, Dana Pirtoc, *Review of Donor Support for the NGO Sector in Romania*, <http://www.allavida.org/downloads/donorreview.pdf> (last accessed on 12 May 2007), p. 32.

⁷¹ Delegation of the European Commission in Romania, *European Union Programmes for Romania – Civil Society* (2005), http://www.infoeuropa.ro/docs/Sector_fiche-Civil_society.pdf (last accessed on 10th May 2007).

As Badescu and Sum note, “social capital varies according to cultural distinctions.”⁷² Thus, in the next sections, after presenting the methodology of my research, I will look at the characteristics of Europeanization in the case of two major ethnic groups in Romania: Romanians and Hungarians. While Hungarians represent only 6.6% of the total population⁷³ they are concentrated in regions where their percentage is close to 90-95% of the region’s total population. Thus, comparison becomes possible, contributing to “our understanding of local and translocal connections that enable and constrain flows of ideas, knowledge, funding, and people.”⁷⁴

2.3 Methods

To discover the dynamics of Europeanization of civil societies in Romania, I conducted in depth case studies of fifty NGOs: twenty-five representing the Romanian Hungarian⁷⁵ civil society and the same number for Romanian one as well. The NGOs were chosen so as to represent proportionally different regions and fields of activity for both civil societies. Although fifty might seem a rather small number compared to the more than 20,000 existing organizations in Romania, the examined NGOs showed similar characteristics, making possible the adoption of more general statements. I analyzed the materials published by them in paper (less) or electronic (websites) format. I concentrated on different statements, mission formulations, press releases or actions taken by them. Throughout the research, I have focused on highlighting how Europe is represented in the discourse, activities, values of these organizations and whether the EU represents the target of the claims made by these CSOs.

⁷² Badescu, Sum, *op. cit.*, p. 123.

⁷³ CIA, The World Factbook: Romania, <https://www.cia.gov/cia/publications/factbook/geos/ro.html> (last accessed on 12th May 2007).

⁷⁴ William F. Fisher, “Doing Good? The Politics and Antipolitics of NGO Practices,” *Annual Review of Anthropology* 26 (1997), p. 441.

⁷⁵ In the following I will say “Hungarian” instead of Romanian Hungarian when speaking about the Hungarian civil society in Romania.

To complement and fill in the gaps left by the content and discourse analysis of the activities, statements, objectives and values of the above organizations, a questionnaire was elaborated and sent through email to more than 150 NGOs in Romania, equally distributed between the Hungarian and Romanian CSOs. Unfortunately, the returned and completed questionnaires represent only 10 percent of the above number.⁷⁶ However, the findings of these questionnaires and of the above case studies were highly consistent. The next section describes the findings of this research, comparing the results of the Europeanization of the two civil societies.

2.4 “Domestic usages of Europe”⁷⁷

The widely used means of analyzing the impact and responses to the European Union is to examine how closely domestic structures resemble the European level model, looking at the ‘goodness of fit’ between the two.⁷⁸ However, in the case of civil society there is no general model promoted at the EU level, the member states themselves following different models.⁷⁹ Thus, in order to detect the impact of the European Union on the Romanian and Hungarian civil societies from Romania, I identified a set of criteria. These include the values of NGOs, their view of the EU, use of EU law or norms as supportive arguments for their position, lobby at EU level, identification with it, EU promotion, attention paid to EU issues, funds and membership/affiliations.

A general observation, which is accurate for both civil societies, is the low level of Europeanization of these sectors. Regarding the targets of NGOs, the European Union has

⁷⁶ The completion of these questionnaires by the contacted organizations took place between 30 April and 17 May 2007.

⁷⁷ Radaelli, Franchino, “Analysing Political Challenge in Italy,” *op. cit.*, p. 951.

⁷⁸ See for example Maria Green Cowles, “The Transatlantic Business Dialogue and Domestic Business-Government Relations,” in *Transforming Europe: Europeanization and Domestic Change* ed. by Thomas Risse *et. al.* (London: Cornell University Press, 2001), pp. 159-179.

⁷⁹ Andrew Crook identifies four models which are represented in the Western European countries: the Anglo-Saxon, the pillarised, the ‘Southern’, the ‘statist.’ (Crook, *op. cit.*)

little or no presence. The only cases when EU institutions or Eurocrats have been the targets of claims refer to attempts to exert pressure on their domestic government. Although the EU has been more prominent concerning the scope of issues of both groups of NGOs, 14 percent of the examined organizations do not even mention it on their websites. On the other hand, the pre-accession period and the short experience of membership in the European Union have had a certain impact. Changes in the attention, discourse, objectives, activities and claims of NGOs belonging to both the Hungarian and Romanian NGOs are already present. However, these changes are not similar in the case of the two civil societies. In the following I will analyze the NGOs belonging to the two civil societies according to the above criteria.

2.4.1 Values

The values of an organization determine the principles according to which the organization and its members operate. They should be in accordance with the objectives or the mission of the organization, together guiding the activity and orientation of an organization⁸⁰. Furthermore, according to the Europeanization literature, new ideas “have to resonate with the given notions embedded in collective identities.”⁸¹ Thus, the European Union will have an impact on the value system of NGOs if it is in keeping with the organizational values of the latter.

The results of the case studies show that the values of both Romanian and Hungarian organizations resonate with those of the EU. However, as there is no single value promoted at the EU level, the two groups of CSOs have chosen different set of EU values to identify with. For example, the most prevalent values internalized by Romanian NGOs include professionalism, democracy, justice, transparency, non-discrimination, social responsibility and equality. The promotion of human rights has been common for both civil societies, at least 20 per cent of the NGOs referring to it in their mission. However, the most common

⁸⁰ George A. Marcoulides, Ronald H. Heck, “Organizational Culture and Performance: Proposing and Testing a Model,” *Organization Science* 4, No. 2 (1993), pp. 209-225.

⁸¹ Risse, “A European Identity?...” *op. cit.*, p. 214.

value promoted by Hungarian CSOs is the protection and transmission of cultural values, more than 40 per cent of the organizations having it as their guiding principle and among their objectives. The support of minority rights, the preservation of traditions, intercultural dialogue, community, multiculturalism and professionalism have been the other most common values internalized and promoted by the Hungarian CSOs. While Romanian NGOs have a more diverse range of values where they choose their own ones, Hungarian organizations have a specific set (as shown above and determined by their minority status) of values from which they choose at least one and to which they will add the specific values of their field of activity.

2.4.2 View of the European Union

There are no general metaphors or adjectives used commonly for the description of the EU in the discourse of neither group of NGOs. However, they both use the expressions “European standards”, “European norms” or “European requirements” as an etalon against which they measure themselves or the activities of the government. Both civil societies ‘label’ or ‘categorize’ the EU in the same way. The European Union represents the good example which should be followed. The positive aspects of the European integration are emphasized and even when the backdraws of certain policies are discussed they are dwarfed by the benefits of the same provision.

On the other hand, the “EU as an example” is differently perceived by the two civil societies. Their perception is in accordance with their values, considering the EU as a model to follow especially because in their opinion it embodies those values. Thus, for Romanian CSOs the EU is the model in terms of democracy, professionalism, transparency, non-discrimination or human rights. For Hungarians, the European Union is the example to be followed in the protection and transmission of cultural values, the protection of minority rights, multiculturalism or intercultural dialogue. Thus, there is a reasonably strong pro-EU

view generalized among the civil societies in Romania, but for different reasons: their reasons being determined by their values.

Even when in the questionnaire respondents were asked to identify the negative aspects of the EU integration for their organizations, more than 65 percent answered that they there were none. The sparse negative aspects mentioned refer to the number of grants which are not easily accessible to smaller NGOs or the redrawing of other foreign donors. There exist very occasional extreme views about the European Union which expect from it to fall apart or see the integration of Romania as an annexation and fight against it.⁸²

In Romanian civil society, the European Union for some represents “places of religious freedom and free to critique and question any authority or doctrine, be it political or religious. These values have become founding parts of the European-type democratic respiration.”⁸³ For others, the “European trend” refers to flexibility or to that the local community assumes its responsibility towards its marginalized members.⁸⁴ Others emphasize the “European values” based on the compliance with the rights and freedom of individual, the autonomy of religion, on the principles of equality and neutrality between state and church.⁸⁵ A more common perception is the “Europe with a diversity of cultures, interests, traditions, experiences or learnt lessons.”⁸⁶

The above views are in keeping with the Hungarian CSOs’ perceptions as well. What is different in this case is that the EU may represent the hope that the principle of subsidiarity

⁸² “Noua Dreapta” Organization, <http://www.nouadreapta.org/prezentare.php> (last accessed on 21 May 2007).

⁸³ Accept Association, *Press Release*, 27 October 2006, http://accept-romania.ro/index.php?option=com_content&task=view&id=52&Itemid=75 (last accessed on 21 May 2007).

⁸⁴ “Pentru Voi” Foundation, *Opinions on Law 343/2004*, http://www.pentruvoi.ro/noutati_legislative.htm, (last accessed on 21 May 2007).

⁸⁵ Centrul de Resurse Juridice, *Press Release*, 7 December 2006, <http://www.crj.ro/files/LegeCulte.pdf>, (last accessed on 21 May 2007).

⁸⁶ Asociația Pro-Democrația, “*Lobby- between interest groups and public policies?*” 26 February 2007, <http://www.apd.ro/files/proiecte/Lobby%20-%20intre%20grupuri%20de%20interese%20si%20politici%20publice%20-%20expunere%20de%20motive.pdf?PHPSESSID=0754615248f209e3b71316cddafa06d3>, (last accessed on 21 May 2007).

will be applied in their regions as well.⁸⁷ A more common perception of the European Union is that it represents an opportunity⁸⁸ or a place where everybody is a minority. For others, European integration means a higher level of tolerance from the majority or opportunities for lobbying and advocacy.⁸⁹ For rightist organizations, the accession of Romania to the European Union represents a kind of reunification of the Hungarian nation.⁹⁰

2.4.3 Identification with the European Union

Identification with the European Union in this case does not refer to a shift of loyalty to the European level. As a consequence of short EU membership experience (during which loyalty would have been more problematic to transfer) it is more relevant to ask whether the NGOs for both ethnic groups feel as members/parts of the EU. The results of the case studies and questionnaires do not show differences between the two examined civil societies. Only twenty percent of the investigated organizations feel that they are members of the European Union. For most of them, the EU has not become a reality, yet. Most of the organizations still speak about the European Union as a place to which they/Romania is still on their/its way.

2.4.4 EU Integration Promotion

This criterion refers to whether non-governmental organizations belonging to both the Hungarian and Romanian civil societies promote EU politics and policies and whether they support the further integration of Romania in the European structures. There are no differences in the positive attitude towards the European integration processes among Hungarian and Romanian organizations. However, there are differences concerning their reasons for supporting this integration process. The two groups of CSOs have different ways of promoting EU integration, which depend on their values presented above.

⁸⁷ Caritas, http://www.caritas-ab.ro/index_main.php?menu=16&almenu=1&lang=hu&id=, (last accessed on 21 May 2007).

⁸⁸ Csík Terület Ifjúsági Tanácsa, *Press Release*, July 2006, http://eutabor.miirt.ro/index.php?option=com_content&task=blogsection&id=2&Itemid=55 (last accessed on 21 May 2007).

⁸⁹ Questionnaire filled out by the representative of the “Zöld Erdély” Association, 15 May 2007.

⁹⁰ Erdélyi Magyar Ifjak, <http://emi.erdely.ma/>, (last accessed on 21 May 2007).

2.4.5 Use of EU Laws and Norms

Fifty percent of the examined non-governmental organizations make reference to EU laws and norms in their arguments. To show the legitimacy of their claims (no matter if it is the case of a new idea, a new provision or the implementation of an existing one) CSOs belonging to both ethnic groups refer to specific laws or values labeled as Europeans. As the EU is generally considered to be the good example, this view is “exploited” by NGOs. Certainly, this does not mean that NGOs make reference to these views without a firm belief in these values or norms. Using these arguments places the promoted issue in a new and more positive light by mentioning it together with a widely appreciated concept like the European Union.

Although there is no difference between the number of cases when the groups of NGOs chose to use EU as part of their arguments, there are distinctions between the norms and laws used. These differences show similarities with the most common organizational values promoted in the Romanian and Hungarian civil societies. Thus, in their arguments Romanian organizations make reference to European standards of professionalism, transparency, democracy, rule of law, non-discrimination, human and individual rights protection or justice. While the latter three categories are present in the EU laws and norms promoted by Hungarian, these are supplemented with references to principle of subsidiarity, preservation of traditions, the promotion of cultural diversity and minority protection.

Despite the fact that half of the examined organizations used at least once the EU to support the legitimacy and righteousness of their claims, only forty percent of the examined CSOs *mention* the EU regularly in their statements, objectives or debates. However, this trend is characteristic only of the last three years, the EU gaining more and more space in the discourses of the NGOs since 2004. Before that, references to the European Union occur only sporadically. The other forty per cent refer to the European Union as their sponsor if they had

projects funded by the EU or mention it incidentally. Twenty percent of the examined organizations do not even mention the EU nor the term Europe on their websites or in their statements published in external media.

2.4.6 Pressure at EU Level

There can be several reasons why an organization chooses to go to the European Union: changing something on EU level, a policy or a provision, or to alter certain issues on domestic level. The latter is called by Donatella and Caiani ‘externalization.’ From their point of view, “[e]xternalization is present if and when the mobilizations and communications of national actors target the EU directly: this often takes place in an attempt to put pressure on the groups’ own governments.”⁹¹ While there were no cases of lobbies for EU-wide changes,⁹² some organizations chose to contact different EU bodies to raise attention or to change domestic actions. When speaking about the advantages of the EU integration for their organization, one respondent NGO emphasized the existence of the possibility to petition European institutions and the access to the European Ombudsman.⁹³ However, only ten percent of the examined organizations have picked this way of action.

The reasons of these endeavors have been closely linked with the activities and objectives of the initiative organization. For example, Sojust, a Romanian NGO promoting the reform of the legal system in Romania, has contacted several European institutions on the occasion of the “prosecutors’ crises.”⁹⁴ The reasons of lobby at EU level for most of the minority organizations were to get more rights for their own community.

Looking at the contacted institutions, a pattern can be identified: Hungarian organizations contacted the European Parliament, while Romanian ones mostly the

⁹¹ Caiani, della Porta, *op. cit.*, p. 81.

⁹² Only indirectly for example if an NGO becomes a member of a pan-European organization which is involved in a lobbying process at the EU institutions.

⁹³ Questionnaire filled out by the representative of the “Ofensiva Tinerilor” Association, 30 April 2007.

⁹⁴ Societatea pentru Justitie, Activities, 15 May 2007., <http://www.sojust.ro/despre-noi/jurnal-de-campanie.html>, (last accessed on 21 May 2007).

Commission, with the exception of those cases when the given NGO assessed all the institutions. However, given the small number of cases of these supranational lobby activities, the probability that the above pattern can be generalized to both of the civil societies is low.

2.4.7 Bringing the EU to the Organization

Non-governmental organizations have chosen different ways to bring closer the European Union to the attention and activities of the members or of their target groups. While eighty per cent of the organizations have been involved in different projects or meetings in which the European Union as topic or actor have been present, twenty percent of the examined organizations have not done any of these activities.

The most common activity has been the organization of a conference with the aim of informing about and involving citizens in the process of European integration. However, these conferences, usually having a high-representative Eurocrat as a special guest, were more characteristic of the pre-accession period. Debates about EU issues have become more prevalent in the last few months. Some of these debates have been followed (or antedated) by the elaboration of studies, reports, sometimes with EU-level significance.

Participating at European international conferences is similarly a very 'popular' event, thirty percent of the examined NGOs attending at least one of these occasions. Trainings about the new opportunities in the European Union, about new regulations and standards and about how to apply for EU funds have been also common. There have been no significant differences between the results of the two ethnic groups from this perspective.

2.4.8 Membership/Affiliations

Being a member of a pan-European organization contributes to the Europeanization of an NGO and indirectly to the civil society. As a member, there are more possibilities to be involved in pan-European lobby, advocacy and other activities; thus, there are more chances

that through these activities new ideas, manners of doing things and values be internalized by the participating organization. Thus, membership can be an important criterion in the evaluation of Europeanization of civil societies.

Around forty percent of the examined NGOs belonging to the Romanian society are members of a pan-European or at least 'Euroregional' organization. Some organizations are active in more than one pan-European organizations which operate in their field of activity. On the other hand, this kind of membership or affiliation is less prevalent in the ranks of Hungarian NGOs. Only twenty percent of the examined organizations show this characteristic. However, most of them (around 80 percent) have partners or are members of an organization which operates in Hungary or on the territories with Hungarian minorities in the Carpathian Basin.

2.4.9 Funds

The source of funds of the organizations can be an important indicator of Europeanization in the case of Romania. As noted by Sandra Pralong, "[l]ocal NGOs first identify the preferences of the likely donors, and only after that do they seek the local need that may be satisfied from such cooperation."⁹⁵ Thus, more EU funds can generate more "EU activities" at domestic level.

There is a significant difference concerning donors between the CSOs representing the two ethnic groups. While in the case of the examined Romanian NGOs forty percent of the resources come from EU funds (PHARE, Culture 2000, etc.), the latter cover only twenty percent of the expenses of the Hungarian organizations. EU-member Western European countries and other international foundations equipartite the other forty percent of resources in the case of Romanian NGOs, domestic resources representing the remaining twenty.

⁹⁵ Pralong, *op. cit.*, p. 238.

For the Hungarian civil society in Romania the most important source of assistance is Hungary. In more than seventy percent of cases, Hungarian⁹⁶ foundations have been present. In terms of the amount of grants, the latter ‘won’ the first place as well. According to the incidence rate, the second place has been occupied by domestic resources. In the majority of cases, the domestic resource has been the Communitas Foundation which manages the money given to the Hungarian minority from the National Minorities Council from Romania. EU funds or sponsorships received from Western EU-member countries or other international organizations represent only a small portion of the revenues of the Hungarian civil society in Transylvania.

On the basis of the above nine criteria it is possible to compare the dynamics of Europeanization of both civil societies. Although there exist similarities, there are significant differences between the two in spite of the common legal and economic framework in which they operate.

2.5 Conclusion

The impact of the European Union on the Romanian and Hungarian civil societies is not spectacular. We can identify only the germs of the Europeanization of the two civil societies. For most of the NGOs operating in Romania, the EU has not become a practical reality. Their activities, objectives or “business-styles” have not been affected by the integration. However, the above presented nine criteria help us discover the changes brought by the preparation for accession and by the short membership experience. These changes are not uniform for the whole country though. Differences between the Europeanization of the Romanian and Hungarian civil societies are perceptible.

⁹⁶ Hungarian, in this case - having the headquarter in Hungary.

Hungarian civil society of Romania is locally or regionally oriented both in its objectives and scope of activities. NGOs belonging to this community promote this 'regional thinking' at the European level as well, advancing the model of multi-level governance and compliance with the principle of subsidiarity. However, most of the organizations are Hungary-oriented, this country representing their source of both funds and partners. With all this, there already exist organizations which look towards the European Union not only for material and moral support, but towards as a lobby-platform for future measures on European and national levels. Although the values of the EU are consistent with the values promoted by these non-governmental organizations, they are determined by the minority status of Hungarians in Romania. The latter affects the perception of the European Union as well, being considered by the minority CSOs as a place where there is hope to obtain what could not have been achieved at national level, a place of openness and opportunities.

Romanian civil society is locally or nationally oriented, depending on the objectives and the magnitude of the given organization. They struggle to have more influence on the measures adopted at national level. These organizations are more internationally oriented, the European Union gaining more and more room in the ranks of their sponsors and EU-level organizations as their partners. Their values are according to European 'models' as well; however, they differ from the set promoted by the Hungarian CSOs. For the Romanian non-governmental organizations the European Union represents the return to Europe, to a place where principles of rule of law, democracy, equality, human rights or transparency are respected.

By using theories of Europeanization, in the next chapter I will try to explain why these dissimilarities exist between the two communities and whether there is a single model which can explain the differences in the dynamics of Europeanization of Romanian and Hungarian civil societies from Romania.

Chapter 3 - Manipulative Identities?

Explaining the Differences between the Europeanization of Romanian and Hungarian Civil Societies in Romania

3.1 Introduction

Although the Romanian and Hungarian civil societies in Romania demonstrate a low level of Europeanization, European considerations have become more and more prominent in the goals, activities, strategies and the attention of non-governmental organizations. Despite the common legal and economic framework in which these NGOs operate, the two civil societies have responded differently to European integration.

As the ‘pressures’ coming from the European Union are uniform for the whole country, a ‘bottom-up’ approach is more appropriate. This ‘bottom-up’ design looked at the domestic level affairs, analyzing the interactions and beliefs at this level, identifying the EU affects on this system. To explain the above mentioned differential outcomes, I will turn to the approaches of Europeanization presented in the first chapter. Applying the assumptions and logic of these theories might help us understand the subnational level variations in the responses to European issues. While the two models generate different propositions, they together manage to explain every aspect of the Europeanization process in Romania.

3.2 Rational Choice Approaches

Romania's integration into the European Union has opened a wide range of opportunities for civil society actors. In the rationalist conception, as Börzel and Risse note, "Europeanization is largely conceived as an emerging opportunity structure which offers some actors additional resources to exert influence, while severely constraining the ability of others to pursue their goals."⁹⁷ In addition to the material resources, funds which became accessible, a 'window of opportunity' for influence has opened for civil society organizations in Romania. EU institutions and organs represent a fertile ground for the lobby activities of national and EU level NGOs. Thus, by lobbying directly at the EU level, or indirectly by being a member of a pan-European organization, Romanian and Hungarian NGOs have gained an additional venue where they can enforce their claims. As noted by Della Porta and Caiani, "European integration has had the predictable effect of multiplying both restrictions and opportunities for various actors,"⁹⁸ even when they have been parts of the same group of actors.

Although only at rudimentary level, both Hungarian and Romanian non-governmental organizations from Romania have already exploited these opportunities. Regarding funds, more and more organizations apply for EU grants for support of their projects. As Zerbinati notes, "EU funding process is a driving force of Europeanization in local government."⁹⁹ The same is true for CSOs. However, as presented in the former chapter, there are differences between the two groups belonging to the two ethnic groups. Thus, forty percent of the examined Romanian organizations have already benefited of at least one EU support, while Hungarian organizations looked mostly to Hungary to cover their expenses.

This tendency can be explained by looking at the type of the organizations which belong to the two groups. Romanian organizations are nationally oriented in their activities

⁹⁷ Börzel, Risse, *op. cit.*, p. 63.

⁹⁸ Della Porta, Caiani, *op. cit.*, p. 81.

⁹⁹ Stefania Zerbinati, "Europeanization and EU Funding in Italy and England. A Comparative Local Perspective," *Journal of European Public Policy* 11, no. 6 (2004), p. 1017.

and objectives and internationally oriented (meaning EU, international organizations or other Western countries) in their funding resources. Hungarian organizations are locally or regionally oriented in their activities and Hungary-oriented in their funds. But “[e]ven if European institutions function as an additional level of opportunity, [...] the ability of collective bodies to access supranational levels depends upon their ‘regulative, jurisdictional and material resources.’”¹⁰⁰ Thus, as the European Union supports bigger projects and requires a substantial contribution from the participating organization, NGOs with a wider impact and with diversified funding sources have more considerable opportunities. This gives a strategic advantage to Romanian organizations.

On the other hand, Hungarian organizations in Romania could benefit from additional resources which are given to minority communities. The European Union aims at strengthening “the European dimension of activities to safeguard and promote regional and minority languages and cultures.”¹⁰¹ Thus, in addition to the resources which are available for any other organization, Hungarian NGOs from Romania could exploit these supplementary funds as well. Furthermore, several Hungarian NGOs promote multi-level governance. In the same time, a “crucial aspect of Europeanization has been the dissemination of a network mode of governance characterized by complex interactions between levels and sectors in a multi-level and multi-center policy.”¹⁰² This can favor the Hungarian CSOs’ claims. However, only a few organizations have recognized these opportunities.

Rationalist approaches, following the ‘logic of consequentialism,’ consider that actors are rational, motivated by fixed preferences and always act to maximize their utilities. Lobbying represents another opportunity for non-governmental organizations in Romania to

¹⁰⁰ *Ibid.*, p. 103.

¹⁰¹ For example the Commission’s call for proposals in 2000: “Support from the European Commission for measures to promote and safeguard regional and minority languages and cultures”, (EAC/19/00), (2000/C 266/07), <http://ec.europa.eu/education/policies/lang/languages/langmin/files/callen.pdf> (last accessed on 23rd May 2007).

¹⁰² Olsen, *op. cit.*, p. 941.

further their own objectives. While none of the examined organizations has exerted any pressure to change a policy or a principle on the EU level, there have been several attempts to raise attention or alter domestic level actions by contacting EU organs. Thus, the CSOs belonging to both ethnic groups in Romania have ‘exploited’ this opportunity, bringing those issues to the EU that have been related to their activities and goals. Integration into the European structures brings an additional opportunity for the Hungarian minority organizations. Besides the general claims that can be addressed by any other specialized organization from Romania, regardless of what civil society they belong to, Hungarian CSOs may go to the European Union for more protection against the majoritary government.

However, these changes do not transform Hungarian CSOs in Romania into veto players. Civil society in Romania is not part of the political decision making process. Furthermore, the civil society lobby has only a limited influence on the EU decision-making process as well. Thus, the intervening factors through which rational choice approaches try to explain variations in Europeanization, including the number of veto points in the political system and the existence of supporting formal institutions¹⁰³, do not help us understand different aspects of the Europeanization of civil societies in Romania. Acting in the same economic and political framework, with the same institutional opportunity structure, the impact of the EU should have been similar for them. However, civil society organizations have adopted different strategies, principles, have used different tools and acted to achieve different aims. In these cases, the above factors do not have much explanatory value. In order to understand these differences I will turn to the other strand of Europeanization approaches, based on the insights of constructivism.

¹⁰³ See for example Börzel, Risse, *op. cit.*, p. 64-65.

3.3 Constructivist approaches

In contrast to the rationalist model, constructivist approaches promote the ‘logic of appropriateness.’ According to this, actors do not have pre-fixed, exogenous preferences but act while being motivated by internalized norms and identities. If there are alternative courses of action, they choose the most appropriate one, the one which is ‘appropriate’ for their identities, their values. Thus, “[r]ather than maximizing their subjective desires, actors strive to fulfill social expectations.”¹⁰⁴ From this point of view, the EU will have an impact on the given collective actor if it regards these EU rules as “appropriate in the light of these collective identity, values, and norms.”¹⁰⁵ Risse identifies three factors which influence the persuasive power of the EU: identity, resonance and legitimacy.

First, the likelihood of rule adoption is expected to increase with the identification of the target state and society with the EU community. As stated in the previous chapter, the organizations belonging to the two civil societies (Romanian and Hungarian from Romania) promote different sets of values. Romanian CSOs adhere to the principles of professionalism, justice, democracy, rule of law or transparency. This is in accordance with the discourse in the postsocialist Romania, where to belong to Europe meant to adhere to the above set of values and “[t]o talk of building civil society meant to return to Europe – to build a nation of European type. To *talk* of building civil society, like talk of returning to Europe, indicated one’s adherence to an entire program of social change.”¹⁰⁶ In Verdery’s opinion, in Romania “[n]ation appears here in two guises: in the idea of Europe, which posits a Romanian nation having specific (European, ‘civilized’) features, and in a more overtly nationalist variant that

¹⁰⁴ Börzel, Risse, *op. cit.*, p. 66.

¹⁰⁵ Frank Schimmelfennig, Ulrich Sedelmeier, “Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe,” *Journal of European Public Policy* 11, no. 4 (2004), p. 667-668.

¹⁰⁶ Katherine Verdery, “Civil Society or Nation? “Europe” in the Symbolism of Romania’s Postsocialist Politics,” in *Intellectuals and the Articulation of the Nation* ed. by Ronald Grigor Suny, Michael D. Kennedy (Ann Arbor: the University of Michigan Press, 1999), p 302.

rejects Europe in favor of a Romania defined independently.”¹⁰⁷ Romanian civil society organizations have perceived their own country to have specific European features, European values. Hungarian non-governmental organizations in Romania promote a different set of European values. They all adhere to the above values, but emphasize specific ones: protection and transmission of cultural values, intercultural dialogue, community, human rights or multiculturalism.

These are the values which stay at the basis of the identities of the Romanian and Hungarian CSOs in Romania. Thus, even if these CSOs do not feel as European actors, they identify themselves with the European Union, they internalize its rules, and promote European integration. Their arguments of why EU integration is beneficial for their organization and their communities are in keeping with their value system, their idea of the Union and with the aspiration to attain the corresponding ‘European model.’

Second, legitimacy implies that the more EU rules are formal and similar with international organizations the more likely domestic actors will adopt them. CSOs will adopt these rules because of two reasons. On the one hand, they consider acting according to these rules legitimate – being in accordance with their value systems. Differences between the two Europeanization processes occur as a consequence of the different perceptions of what legitimate is. On the other hand, there are certain conditions which are set when funds or other support are given. Most of the time, these conditions are similar both in the case of EU and other international organizations. Thus, CSOs will adopt them in order to obtain those funds. However, if these conditions are too different from the principles of the organization, the likelihood of rule adoption is low. Therefore, legitimacy is determined by the identity and the value system of the organizations.

¹⁰⁷ *Ibid.*

Legitimacy has another implication for civil society organizations as well. As presented in the previous chapter, non-governmental organizations make use of EU laws and principles in order to show the legitimacy of their claims. In Romania, the government, political parties and public opinion all have been enthusiastic about the enlargement, “which they regard as the proper way to reunite the European continent, strengthen the EU, express European Union solidarity to candidate or potential candidate countries, and consolidate common European interests and values.”¹⁰⁸ They also regard this accession as a way to strengthen democracy, to increase the protection of human and minority rights and the economic development opportunities in the country. Thus, claims with positive ‘European’ connotations have a greater impact on the decision-makers or the target groups of NGOs.

However, as NGOs belonging to different ethnic groups have different objectives and values, they will use different EU laws and principles as supporting arguments for their statements. As noted by Radaelli, “[t]he emphasis on legitimacy and discourse brings us to the crucial role played by the belief systems. Europeanization processes are filtered and refracted by systems of policy beliefs.”¹⁰⁹ These values determine the causes for which non-governmental organizations mobilize. Thus, for example if Romanian organizations would like to enhance democracy or rule of law in Romania, they might cooperate with international organizations or networks to “exploit international norms to generate pressures for compliance on state decision makers”¹¹⁰ to act in accordance to those principles. Therefore, “Europeanization has an impact on the political discourses and ideas through which national actors define and justify their choices.”¹¹¹

¹⁰⁸ European Commission, *Special Eurobarometer. Attitudes towards European Union Enlargement*, http://ec.europa.eu/public_opinion/archives/ebs/ebs_255_en.pdf (last accessed on 24 May 2007).

¹⁰⁹ Radaelli, “Whither Europeanization?...” *op. cit.*, p. 24.

¹¹⁰ Jeffrey T. Checkel, “Why Comply? Social Learning and European Identity Change,” *International Organization* 55, no. 3. (2001), p. 557.

¹¹¹ Caiani, della Porta. *op. cit.*, p. 80.

On the other hand, pressures may be discursively created, “rather than being an objective distance between EU-level templates and domestic structures.”¹¹² This is not to say that the claims of non-governmental organizations do not have a basis. What is important is the role of discourses which may give “shape to new institutional structures, as a set of ideas about new rules, values and practices, and as a resource used by entrepreneurial actors to produce and legitimate those ideas, as a process of interaction focused on policy formulation and communication.”¹¹³ However, it is a reciprocal process as this discourse is always influenced by the cultural and institutional framework in which it takes place and which influences it in the same time.

For example, Hungarian non-governmental organization’s discourse is ‘determined’ by the minority status of the community in which they operate and to which they belong. Thus, that they have chosen the protection of minority rights is in accordance with the cultural and institutional framework in which they operate. However, the way in which they present their claims is novel. As Pralong already noted, “NGOs are ideal agents of social learning and leapfrogging because they are in contact with progressive ideas from abroad and have the means to implement them domestically.”¹¹⁴ This happened in the case of the Hungarian NGOs as well. Although the idea of minority protection was not new, the approach and reasons behind it have been ‘reframed,’ trying to alter preferences through cognitive arguments about the “logic and necessity of new policies in the face of the failures of previous policies and through normative appeal to values.”¹¹⁵ Thus, promoting the protection of cultural values, of minority rights, the preservation of traditions or intercultural dialogue have all been placed in a certain frame, the European one. Frames can serve several

¹¹² Radaelli, Franchino, *op. cit.*, p. 951.

¹¹³ Vivien A. Schmidt, Claudio M. Radaelli, “Policy Change and Discourse in Europe: Conceptual and Methodological Issues,” *West European Politics* 27, no. 2 (2004), p. 192.

¹¹⁴ Pralong, *op. cit.*, p. 239.

¹¹⁵ Vivien A. Schmidt, “Europeanization and the Mechanics of Economic Adjustment,” *Journal of European Public Policy* 9, no. 6 (2002), p. 900.

functions. They can justify, persuade and symbolize or “can influence the shaping of laws, regulations, allocation decisions, institutional mechanisms, sanctions, incentives, procedures, and pattern of behavior that determine what policies actually mean in action.”¹¹⁶ Sometimes the same frame serves both functions. Thus, Hungarian NGOs by placing the above claims in the positively perceived and accepted ‘European’ frame can win the allegiance of a larger group of people.

Third, the resonance factor implies that rule adoption will be facilitated if there are no conflicting domestic rules and if EU rules tie in with existing or traditional domestic ones. In Romania, in the case of civil society organizations, both groups see in the EU the ‘embodiment’ of the values promoted by them. There are no ‘pressures’ coming from the European Union, as local organizations promote those rules, considering them as parts of their ‘traditions.’ But the different type of values internalized by them lead to different outcomes in Europeanization for the two groups. As Della Porta and Caiani argue, “European integration can be presented within extremely varied conceptions of Europe, which emerges in fact as an ‘imagined community’ that means very different things to different collective actors.”¹¹⁷ Thus, the resonance argument is only partially helpful to understand the Europeanization process of the civil societies in Romania. As Risse notes, the “resonance argument does not explain that sometimes several concepts of political order and European visions might be compatible with historically emerged nation-state identities.”¹¹⁸

Although the civil societies compared in this paper are members of the same state, there can be distinguished two distinct collective identities to which Risse’s argument can be applied. He argues that political elites choose those identity constructions which better suit their interests. Thus, “instrumental interests explain which identity constructions are selected

¹¹⁶ Schön, Rein, *op. cit.*, p. 32.

¹¹⁷ Della Porta, Caiani, *op. cit.*, p. 82.

¹¹⁸ Risse, “A European Identity?...” *op. cit.*, p. 202.

and promoted among a given group of actors.”¹¹⁹ These identities, once selected, become sticky, being internalized and then taken for granted. Thus, we can speak about the combination of the two logics: “the more actors are satisfied with the institution’s performance to meet their interests (‘logic of consequentialism’), the more they will identify with the institution (‘logic of appropriateness’).”¹²⁰ However, it is necessary to be present a ‘cultural match’ between the community and domestic norms and practices as a precondition of loyalty transfer because “[t]he preferences of agents are largely shaped by historically constructed identity norms.”¹²¹

Therefore, through these three factors of the constructivist approach several aspects of the Europeanization of the two civil societies can be explained. It is helpful to understand why they are similar in their ways of bringing the EU to the organization and why they differ in their views of the Union, of considering different values as ‘European,’ identify different reasons for integration or choose different laws for lobbying. The cultural characteristics, the collective identity of the ethnic group to which the non-governmental organizations belong determine what is appropriate in the above situations, what is a socially accepted behavior in that given structure. However, as already mentioned above, this approach has limitations as well, complementing it with the ‘logic of consequentialism’ offers the whole picture.

3.4 Conclusion

While trying to explain the differences in the Europeanization of the two civil societies, two different logics, generating different claims, have been presented. While rational choice approaches promote the ‘logic of consequentialism’ arguing that Europeanization is about the changing opportunity structures in which self-interested actors operate, constructivist

¹¹⁹ *Ibid.*, p. 203.

¹²⁰ Thomas Risse, “Neofunctionalism, European Identity, and the Puzzles of European Integration,” *Journal of European Public Policy* 12, no. 2 (2005), p. 294.

¹²¹ Jeffrey T. Checkel, “Norms, Institutions, ...” *op. cit.*, p. 108.

approaches follow the ‘logic of appropriateness’ where actors choose the most appropriate way of action not necessarily which would bring the greatest benefits.

Rational choice approach could easily explain how the opportunities of the Romanian and Hungarian civil societies from Romania have changed not only with the integration, but also in the pre-accession period and how the two civil societies have taken advantage of these chances: using resources like EU funds, international affiliations or ‘lobby access’ to the EU organs, non-governmental organizations have promoted their different objectives.

However, why these particular objectives have been fixed and promoted at the EU level as well rational choice approaches can not explain. Thus the important question remains: “how preferences come to be defined in the first place.”¹²² The answer is given by the constructivist approaches: “domestic institutions entail informal understandings about appropriate behavior within a given formal rule-structure. These collective understandings determine the dominant strategy of domestic actors by which they respond to adaptational pressure.”¹²³ Thus, the Romanian and Hungarian cultural values and identities which stay at the basis of the collective understandings of the communities, to which these organizations belong, determine the nature of objectives and the range of strategies which are appropriate according to these internal rules. As noted by Börzel, “the informal institutional culture strongly influences the strategies by which domestic actors respond to adaptational pressure.”¹²⁴ Therefore, the two logics in the case of Europeanization of civil societies in Romania are intertwined.

The above research confirms the assumption that European integration needs more than just a common economic and legal framework. Without a common cultural identity,

¹²² Thomas Conzelmann, “‘Europeanisation’ of Regional Development Policies? Linking the Multi-Level Governance Approach with Theories of Policy Learning and Policy Change,” *European Integration online Papers (EIoP)* 2, no. 4 (1998), p. 8.

¹²³ *Ibid.*, p. 138.

¹²⁴ Tanja A. Börzel, “Europeanization and Territorial Institutional Change: Toward Cooperative Regionalism?” in *Transforming Europe: Europeanization and Domestic Change* ed. by Thomas Risse, Maria Green Cowles, James Caporaso (London: Cornell University Press, 2001), p. 156.

differences in the identities of collective actors will hinder the legitimatizing process of different political measures. Therefore, finding a common set of moral values would contribute not only to the reduction of differences between diverse civil society organizations, but to the creation of a 'truly' united European Union.

Conclusion

This thesis has investigated the Europeanization of domestic structures, particularly the Europeanization of civil societies in Romania. I have explained the differences and similarities between the Europeanization of the two (Romanian and Hungarian) civil societies from Romania. There are two main arguments which have been advanced: an empirical and a theoretical one.

The evaluation of the in depth case studies and questionnaires enables us to sketch the characteristics of the Europeanization of the civil societies in Romania. Thus, in general, regardless of ethnic affiliation, both civil societies show a low level of Europeanization. For many organizations the European Union is inexistent as far as their objectives, activities or attention are concerned. Nevertheless, the pre-accession period and the short membership experience have not remained without impact. Changes in the attention, discourse, activities and objectives of non-governmental organizations are already present. However, these changes differ in the case of the two civil societies. Although the values of the two groups of CSOs are consistent with the European model, the two civil societies identify themselves with different sets of values.

Hungarian civil society organizations in Romania are locally or regionally oriented, Hungary representing for most of the organizations the source of funds and partners. Nevertheless, there are already organizations which look towards the European Union as well, recognizing the potentials of European lobby and funds. The values which underpin the identity and norms of these organizations and which influence the perception of the EU are consistent with the values promoted at European level; however, they are determined by the minority status of Hungarians in Romania.

Romanian civil society organizations are locally or nationally oriented and diverse in their international connections. The European Union is gaining more and more room in the ranks of their sponsors and lobby platforms. Although their values are in accordance with the European ones, they differ from the values promoted by Hungarian NGOs from Romania. Their perception of the EU also differs. To explain these differences which occurred in the same economic and legal framework in which these organizations operate, I used the two main theories of Europeanization.

I have found that rational choice and constructivist approaches taken together can explain the Europeanization process of civil societies in Romania. The two main theories are not mutually exclusive, but complement each other. Thus, bridging the gap between the two is possible, by using assumptions from both sides. In the case of Romanian civil societies, rational choice approaches are useful in explaining how the integration and the funds available already in the pre-accession period have altered the opportunity structure of both civil societies and how the strategies to achieve their own objectives have changed for both groups of CSOs. Hungarian civil societies have got even additional possibilities compared to Romanian ones, as in addition to the objectives which can be furthered by anyone, Hungarian CSOs might get support as far as minority rights or the preservation and transmission of minority culture are concerned.

However, rational choice approaches can not explain how the preferences inspire the objectives of CSOs. Objectives, on the other hand, influence the activities of non-governmental organizations and the strategies adopted by them. Constructivist approaches give a good account of how preferences are formed. Thus, in the case of the two civil societies in Romania they can explain how the minority status and identity of Hungarian organizations influence their Europeanization process and render them different from the Romanian ones. Thus, even if the values of both civil societies are in accordance with

European ones, they both promote different sets. The reason why the European Union represents for them a model to be followed, the arguments brought as a support for their claims at national and EU level, their reasons for EU integration promotion, the advantages and disadvantages of the EU-membership identified by them are all determined by their cultural identities. The latter defines the ‘appropriate’ objectives which a non-governmental organization can further and the possible routes to achieve those goals as well. The selected strategy and course of action follows the benefit-maximizing logic of rational choice approaches presented above. Thus, the two approaches are interrelated and together can explain the Europeanization process of civil societies in Romania.

The above research has wider implications as well. First, it fills in a gap in the Europeanization literature. The impact of the European Union on civil societies has been a blank area, state institutions, political parties and policies adopted by them being mostly at the centre of the Europeanization studies. Furthermore, subnational comparative studies are also lacking despite their potential to control for many independent variables. By looking at the Europeanization of civil societies in Romania, not only the gap in subnational comparative studies are filled, but also in studies conducted regarding civil societies in the Central and Eastern European region. Studies referring to civil societies in this part of Europe touch upon only on the formation of civil societies. Recent developments and the impact of the European Union have been neglected. Thus, further studies should be elaborated to reveal the dynamics of the Europeanization of the civil sector in the Eastern part of the European Union.

Second, it falsifies the assumptions that a common economic and legal framework is enough for a pan-European civil society to emerge. Without a common European identity with universally shared values and norms, local and regional non-governmental organizations will not have a common set of principles with which they can identify themselves and

mobilize for. Their objectives and activities will branch out hindering the creation of an active pan-European civil society. Of course, there is still a debate whether Europeanization will lead to convergence. However, in the case of civil societies we speak about the transcendence of the nation-state borders of certain activities of these organizations without losing their local characteristics as well.

The existence of a pan-European civil society is a condition for the emergence of a real European public sphere. Without the latter the democratic deficit on European level can not be eradicated. Therefore, paying greater attention to the activities of local and regional organizations, to the impact of the European Union on them and to the Europeanization of national civil societies can help us understand how we can get closer to the unfulfilled objective to bring the EU closer to the citizens.

APPENDIX I.

Translation of the Questionnaire

This questionnaire was elaborated in Hungarian and Romanian and sent to more than 150 organizations, equally distributed among Hungarian and Romanian NGOs.

Dear Madam/Sir,

This questionnaire has been created with the aim to learn the opinion of your organization about the European Union. Please, answer all the questions and write as much as you consider appropriate. I kindly ask you to send your answer to the following email address: szavuj_eva-maria@student.ceu.hu until 14 May 2007.

1. Has your organization ever had any contacts with the European Union? If yes, what kind of contacts? (call for papers, funds, lobby, etc.)
2. What does the European Union mean to your organization?
3. What do you consider to be the advantages and disadvantages of the EU membership from the point of view of your organization?
4. In the opinion of your organization, what does it mean for Romanians in general/Hungarians from Transylvania in general the integration into the European Union?
5. From your point of view, what does the concept of 'European identity' denote?
6. Is your organization member of a pan-European (or an international) organization? If yes, which one(s)?
7. In your opinion, how much does the European Union support the activity of civil society organizations?
8. To what extent does your organization follow European events? Has the 2007 integration brought any changes?
9. What does your organization expect from the European Union?
10. To whom would you turn to achieve the objectives of your organization? Please, rank the following, marking with 1 your first option and with 4 the last one:
 - ___ Romanian state organs
 - ___ EU institutions or organs
 - ___ local administration
 - ___ other, namely.....

APPENDIX II.

The list of the organizations that completed the questionnaire:

- Asociația BikeATTACK (BikeATTACK Association)
- Asociația Ofensiva Tinerilor (Youth Offense Association)
- Bolyai Társaság (Bolyai Association)
- Dahlstrom Kálmán Művelődési Társaság (Dahlstrom Kálmán Cultural Association)
- Etnokulturális Kisebbségek Forrásközpontja (Ethnocultural Diversity Resource Center)
- Fundația Activity (Activity Foundation)
- Kőrösi Csoma Sándor Közművelődési Egyesület (Kőrösi Csoma Sándor Cultural Association)
- László Kálmán Gombászegyesület (Kálmán László Mycological Society)
- Magyar Ifjúsági Értekezlet (Hungarian Youth Conference)
- Mikó András Alapítvány (Mikó András Foundation)
- Orbán Alapítvány (Orbán Foundation)
- Organizația Trebuie – Sebeș (Must! Organization – Sebeș)
- Református Diákotthon Alapítvány (Reformed Students' Residence Foundation)
- Societatea Astronomică Română de Meteori (Romanian Society for Meteors and Astronomy)
- Zöld Erdély Egyesület (Green Transylvania Association)

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