

## **The European Convention and Civil Society: the View from Wales**

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## **The European Convention and Civil Society: the View from Wales<sup>1</sup>**

“The Convention is a deliberate break from the past” (Prodi, 2001:3)

The Convention on the future of Europe<sup>2</sup> was in many ways an event of many firsts. It was certainly the first time that civil society had been explicitly involved in discussions on EU treaty change. It was also a first in its working methods, tenure, agenda and outcome. The reasoning for bringing civil society into the process was similar to the sentiments issued in the White Paper on Governance (2001)- the need to connect citizens with the EU project, with civil society acting as a relay between the citizens and the EU, thereby contributing to democratic legitimacy for the EU (e.g. Barnier, 2001).

This paper seeks to look to which extent this occurred at the grassroots/regional level. As regional civil society is close to the citizens and their lives, it is a critical case to explore the extent of Convention-civil society interaction. This paper will do this by arguing and demonstrating that the EU, the Convention and political formal institutions within the Wales-EU policymaking complex have a particular conception of civil society in policymaking, by borrowing tools from historic institutionalism and network governance. These documentary suppositions will then be examined in light of empirical findings in interviews with civil society organisations in Wales. The boundaries of exclusion/inclusion for civil society in Wales with regards to the Convention will be mapped. The paper will argue that because of ideas, actors and structural constraints civil society in Wales’ role is limited in the EU policy-making context. This ultimately renders the acceptance of a final constitutional document, agreed by the 2004 Inter Governmental Conference, problematic as civil society is a "communications interface" (Editorial Team, 2002:3) with society. Firstly, the concept of civil society must be explored in order to delineate different meanings of ‘civil society’ and to set the conceptual boundaries of the discussion.

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<sup>1</sup> Thanks to interviewees and University of Glamorgan

<sup>2</sup> Hereafter referred to as the Convention

## 1. *Civil Society- an exclusionary concept?*

Civil society has been understood at different times as being a different mix of political, economic, social and civic realms. The received wisdom in academia is that civil society generally, lies between the state and the economy (e.g. Cohen and Arato, 1992), due to the different logics of power and money respectively resting in those spheres. This is still contested (see Lomasky, 2002; Waltzer, 2002).

Civil society's current usage in social theory, as both Little (2002) and Baker (1998) note, is framed within democracy- accepting democracy as the boundary for discussion and also elevating democracy as a norm. These trends limit the capacity of civil society simply to stand for everything between the state and the economy as discussions of where to place 'bad' civil society such as the Mafia show (Chambers and Kopstein, 2001). Instead, there are different stresses on what civil society should be and is, giving rise to particular normative conceptions whether implicit or explicit. This allows theories to be grouped together according to their perceived philosophical and political orientation. This builds upon the work of Barber (1998) and Chambers and Kymlicka (2002) who similarly classify different civil society perspectives. Classification acts as a means to define and evaluate different civil society projects/conceptions. By combining different typologies and making a more rigorous explanation of their subjectivity, various forms of civil society are created. These are outlined below:

- *Communitarians*-concerned with the common good of the community. Civil society is the site that binds the community together
- *Neoliberals/libertarians*- freedom/liberty for the individual in all areas of life is the central premise of this position.
- *Liberal Egalitarians*-equality rather than liberty of individuals is the concern here. Civil society needs to encourage civic virtue so that all are equal.
- *New Left*- The key elements are social justice and stopping domination. Civil society provides the means to do this through tolerance, pluralism, holding no particular moral philosophy and by deliberated discourse.
- *Radicals (the most heterogeneous)* – have a similar emphasis on social justice, as the above, with more weight on economic aspects. They either question the ability

of civil society to deliver social justice, or advocate redistribution and intervention in civil society, or call for an entirely new system

From this typology, it is evident in those different conceptions of civil society that certain elements of civil society will be elevated and others demoted or excluded. Intolerant civil society, such as religious fundamentalists for example, will not help achieve the aims of a New Leftist civil society. It is recognised that these are ideal types and in reality conceptions of civil society need not clearly belong to a particular mode. Conceptions will act as a rudimentary instrument to facilitate discussion of how formal political institutions involved in the Wales-EU political process understand and delineate civil society.

## 2. *'Civil Society' in Institutions: Wales-EU complex*

Civil society has made strides in current political and academic discourse, due to its role in the Eastern European democratic movements, and also in the face of declining traditional public, political participation and consequently in a perception of political institutions being illegitimate (Chandoke, 2002; Nisbet, 2000; Carothers, 1999; Galston, 2000). By giving civil society a role within institutions it is argued that this lends institutions greater legitimacy.

The EU is an example of this trend in that it has embraced civil society. For civil society in Wales to play a role in EU policymaking it must work within the Welsh, British and/or European institutions. It follows that the institutions at a British and Welsh level must also be examined to map out the different boundaries within a system of multi-level governance (See Appendix 1 for this complex). The possibilities and the extent to which an institutional conception of civil society can be sustained by means of historic institutionalism and network governance must be discussed.

### a) *Can institutions conceptualise civil society? Insights and problems of applying historic institutionalism and network governance*

Work has been done on how the EU understands civil society (for example Smismans, 2003; Rumford, 2003; Curtin, 2003; Goering 2002; Machivelli, 2000). More recently there has been recognition of the move towards institutionalising civil society at the EU level (Mazey and Richardson, 2001) and it is in this move that a

conception of civil society can be found within the EU. Similarly it is in the conventions and rhetoric of both the Welsh and British political institutions that their conception of civil society can be found.

New institutionalism gives added weight to this line of thought making it possible to conceptualise understandings of civil society within institutions. Resting on the “common assumption, namely that institutions matter” (Knill, 2001:20). New institutionalism argues that institutions have a logic of their own and that this can shape actors’ preferences and policy options (March and Olsen, 1989). Institutions do this by creating operating procedures, rules and routines for actors, which in turn “define and defend values, norms, interests, priorities and beliefs” (March and Olsen, 1989:18). Thus, institutions can shape the involvement of civil society within their policy-making processes by logics of appropriateness, by the norms of civil society they value and also by the criteria and conduct they apply:

“Institutions...create and mould identities, define what is considered successful or legitimate and give authority to certain actors not others.”

(Warleigh, 2002:7)

Historic institutionalism follows from the same premise but, highlights the role that history can play in shaping institutional perspectives. When institutions are created or undergoing a critical juncture preferences are shaped, creating path dependency (Warleigh, 2002). However, as Peters (1999) notes the use of history can be selective so there is no way to falsify whether particular historical arrangements were important. Ideas are given greater currency under this approach as they are independent of institutions but, they are also able to shape institutions.

Another point of contention is what counts as an institution. For the purposes of this paper the definition of an institution will be twofold. Firstly, the paper will concentrate on political formal institutions (such as legislatures) and secondly, in the respect that formal institutions bring together actors for institutional means such as policy-making, (i.e. the framework setting for politics to occur) that arena will be called an institution. Thus, the former directly shapes the latter institution.

New institutionalism is also very vague. However, Lowndes (2002) notes this is an advantage enabling institutionalist analysis of many different areas of political life. Indeed, Smismans (2003) is able to use institutionalism to outline civil society discourses of the EU institutions so that in this sense institutionalism can lend itself to

conceptualising civil society. The main problem with new institutionalist approaches is that they downplay the independence of actors and choice (Warleigh, 2002).

This is where the idea of network governance comes into play. Network governance by Beate Kochler-Koch (1999, 2002), has similar tenets to new institutionalism in that the EU governs through rules and ideas. However, it is self-interested actors with exogenous preferences that contest and produce these ideas, beliefs and rules for common interests, (i.e. to create a stable system but, also to negotiate policy) managing differentiation. The role that formal political institutions play in structuring and organising groups in policymaking, (thereby shaping conceptions of civil society) is recognised. Importantly, network governance acts as a check on over endowing formal political institutions with too much weight and also highlights the roles of the actors themselves in shaping institutions. This is particularly important in this analysis where a range of actors and institutions are being examined. Thus, when institutional civil society perspectives are discussed network governance serves as a reminder that actors shape and have to interpret institutional conceptions, acting as an agency-centred corrective to institutional and more structural accounts.

b) *Civil Society: Institutional conceptions*

“In other words, the manner in which the term [civil society] is used signals who has the right to participate and exert influence in policymaking (and who has not).” (Goering, 2002: 120)

European Union

The Economic and Social Committee (ESC) and the Commission are the most active EU institutions in bringing civil society into the EU (Smismans, 2003). Therefore, these two institutions shall be focused upon to gather an analytical generalisation of what the ‘EU’ sees as civil society. The ESC is the self-defined home of civil society and the Commission has involvement with civil society in its right of initiative and has given the concept ideational currency within the EU, being both an ideational entrepreneur, (Kochler-Koch, 2002) and the defender of the community interest.

On the surface, the rhetoric of civil society seems to be open and inclusive of anything that is Non State. The ESC (1999:8) goes on to define the *players* of civil society in terms of their functions with labour-market players, organisations that are representative of economic and social players, NGOs, CBOs (Community Based Organisations) and religious communities. Thus, it defines civil society in terms of groups (but Patten 2000 on networks) and their functions (Curtin, 2003).

Curtin (2003) criticises this understanding of civil society for ignoring the substantive criteria for what *should* be included. There is some substantive, normative criteria in that civil society should further “well being” (ESC, 2000:5) and the “general interest” (ESC, 1999:7), which are liberal notions of the good. However, the ESC (2000) supplements this with an emphasis that organisations should be representative, both quantitatively and qualitatively. Thus, this conceivably would mean that marginal voices and small groups are not heard. Indeed, the liberal voice seems in ascendance with an emphasis on tolerance of civil society, the rule of law and equality emphasising a liberal egalitarian understanding of civil society, emulating from Tocqueville, Durkheim and Weber:

“In a pluralist society, all individuals recognise each other as having equal rights and engage with each in a public debate. All this take place on the basis of tolerance and free will.” (ESC, 1999:5)

Civil society is to be given a “voice not a vote” (European Commission, 2002a:5) in order that it does not undermine elected representatives. Civil society is given a range of tasks; to deliver services, mobilise people, support those suffering from exclusion, to alert institutions to the direction of debate, broaden the European debate to the citizens, facilitate enlargement and European integration, stimulate collective learning, represent groups on specific issues, aid the acceptance of policy, further policymaking and good governance, provide technical knowledge (European Commission, 2001a, 2002a, 2002b; ESC, 1999; Prodi and Kinnock, 2000).

There is further guidance to institutions in that there are now consultation guidelines, a database of European civil society and a database of the Commission’s consultative bodies. *European* civil society, which is defined as groups having a presence in at least three member states is also notably elevated (Commission, 2001:5). Good governance principles such as accountability, charged at institutions are also expected of civil society groups. Groups need to have expertise and to make “constructive proposals” (ESC, 2000: 4) and their past consultation record is also

taken into consideration (Commission, 2002c). There are also other practical constraints in that civil society will need to respond within 8 weeks to a consultation. This means civil society needs to have bargaining chips (Karlsson, 2001:85-6) of both time and expertise, be fairly computer literate and have a large scale European presence. The Commission also sponsors a number of NGOs (Warleigh, 2001:622) and directs their mandate:

"Certain NGOs and networks, especially those at the European level have been established or selected in order to provide information, experience and experimentation." (Prodi and Kinnock, 2000: 6)

In terms of sectors, trade unions and employers organisations are particularly applauded for their representativeness (Commission, 2002c). This is backed up by the home of civil society being found in the ESC where economic and social interests were initially represented, which also lends to the idea of as path dependency.

## Britain

In Britain there is no institutional home of civil society, being one of the few European states that does not have an Economic and Social Committee. What this section therefore proposes to do is to look at the general discourse surrounding civil society by the present Labour Government (as the Westminster model means that the executive rules the bureaucracy and also the legislature). This will then be supplemented with a brief discussion of how the bureaucracy (as policy-making in Britain is departmentalised) deal with actors to make policy, thus giving rise to some of the rules and routines that civil society in this arena faces.

The Labour Government has embraced the Third Way which seeks to be a middle way between collectivism and individualism and has active citizens in a strong civil society. Civil society is seen in terms of community participation, entrenching rights and responsibilities (Hall, Williamson and Coffey, 2000). The notion of partnership between state and civil society is evoked here, particularly in relation to service delivery (Hodgson, 2004; Kendall, 2000). Kennedy and Joseph (2001) in their ideological analysis refute the third ways's democratic, inclusive claims towards civil society. Thus, civil society does not seem to directly be taken into policymaking processes as it is in the EU context. Instead it is in the emphasis on community

involvement, policy delivery and implementation that civil society seems to play a role. Communitarian overtones of civil society are therefore evident.

There is an active community unit which promotes the English voluntary and community sectors and has concluded a compact and codes on policy consultation with the sector. The guidelines outline arrangements with central government departments and as these also have responsibility for reserved matters such as Europe they are useful for this discussion. The fact that the codes are focused on the English sector suggests that consultation of the Welsh voluntary/community sector is meant to occur in Wales even on non-devolved issues. The code is very vague, leaving the responsibility with groups to register with individual departments their interest in being consulted (The Compact, 2000).

Thus, it is to more traditional interest group, public policymaking approaches that the conception of civil society within British institutions must also be found. Beetham et. al (2002) discovered that the British government was selective towards civil society, with big groups routinely consulted in policymaking, going against the grain of communitarianism. Rhodes (1997) argues that perhaps the focus should not be the formal, political institution in understanding British politics rather policy networks should be examined. These represent part of a shift from government to governance, aided by departmentalised policymaking which creates a policy community around central departments of sympathetic, expert interests (Grant, 1989).

## Wales

The Welsh devolutionary settlement is not particularly strong as the National Assembly for Wales (NAW) has limited powers to change secondary legislation within certain areas (Marinetti, 2001). This means that it is largely dependent on the good will of Westminster to enact change and change can be reversed, thereby limiting Wales's ability to be radically different from the UK government. EU policy is a reserved matter for the UK government. However, devolved interests may be taken into consideration (Bulmer et. al, 2002).

Wales does not have an institution devoted to civil society per se. Nevertheless, civil society was seen as pivotal to the new style of democracy that a devolved Wales tried to create (Labour Party, 1999). Devolution can be seen as

bringing a critical juncture to the path dependency of the British political system and thus, patterns and arrangements for dealing with civil society are still bedding down.

There is a compact with the voluntary sector, leading to the setting up of a Voluntary Sector Partnership Council. This builds upon a Welsh office compact with the voluntary and community sector (which was seen as creating a clique, Dicks, Hall and Pithouse, 2001) and ensures that the voluntary sector is listened to routinely and has a role within the new NAW (which is a statutory requirement of the NAW). The danger with this is that the voluntary sector, and its voice the Welsh Council for Voluntary Action is seen as civil society and other sections excluded. However, it must be noted that in addition to the Voluntary Sector Partnership Council, there is a Business Partnership Council (consisting of business, trade union and social economy representatives) and also a Local Government Partnership Council. Yet it is in the NAW voluntary sector scheme that the NAW and the voluntary sector outline the kind of civil society they wish to create. Here civil society is seen as comprising “public, private and voluntary sectors, which complement each other and seek to tackle social issues in a spirit of partnership between them.” (NAW, 2000:8). Volunteerism is also given special recognition for its contribution to democracy, as it is without financial gain. Other values raised are to “offer equality of opportunity” (NAW, 2000:8), be participative, inclusive, build up communities and empower communities. Therefore, on the one hand there is the similar third way emphasis on civil society being communitarian and creating partnerships as Britain. Yet the emphasis on equality of opportunity hints at Liberal Egalitarianism and New Left ideas.

Research has found that in practice sections of civil society are not fully taken into the policy process. Betts, Borland and Chaney’s (2001) study into the experience of disabled and women groups and the NAW identified personal contacts, networks of smaller groups and larger groups as key in gaining influence. In regards to the EU, Welsh civil society is seen as being represented by the Wales European Centre (WEC) which is in Brussels (Civil Servant, 2004)<sup>3</sup>. However, following the Welsh Assembly Government (WAG) and Welsh Local Government Association pull out in 2002, it has become a corporate body serving the interests of its sponsors. Its members are largely Assembly Sponsored Public Bodies, the Universities and some

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<sup>3</sup> In January 2005 it was announced that WEC is to close, following the merger of many of its Assembly sponsored members into the Welsh Assembly Government.

NGOs. However, this is not fully inclusive of the functional definition of civil society but, shows that networks and larger groups are important in Welsh governance.

*Table 1: Summary of Institutional Conceptions of Civil Society*

Conception	Functional	Normative	Criteria
Institution			
European Union (ESC and Commission)	Labour-market players, social/economic representatives CBOs, NGOs and religious associations	Aid democracy Be representative, tolerant, further well being and general interest <i>Liberal Egalitarian</i>	European Experts Past experience Representativeness Computer literacy Constructiveness Ability to input early on
British Government and bureaucracy	Community, community associations and voluntary groups	Partnerships Independent and further the good of the community <i>Communitarian/ some libertarianism</i>	Large and established bodies Established relations
National Assembly of Wales	Public, private and voluntary. Community. Emphasis on voluntary groups.	Partnerships Community good. Aid equal opportunities Inclusivity <i>Communitarian/ some liberal egalitarianism</i>	Contacts Large groups and networks

Before the role of these conceptions in shaping civil society in Wales' role in the Convention can be explored the Convention itself needs to be situated to other instances of EU policymaking/treaty reform. This will show to what extent these institutional conceptions can have some bearing in this case.

### 3. Civil Society and the Convention

#### *a) Working methods; an instance of historic institutionalism?*

The EU prior to the Convention negotiated treaty change by means of Inter-Governmental Conferences (IGCs), creating a constitution of sorts since 1958 (Weiler, 1999). An alternative was available in the form of the Convention that

produced the Charter for Fundamental Rights (CFR) in 1999, which moved away from inter-governmental bargaining. Indeed, in terms of composition the Convention was very different to an IGC. The Convention had representatives from national parliaments, national government, European Parliament, European Commission, and observers from the Committee of the Regions and the Economic and Social Committee, with a Presidium to oversee the process (which became the powerhouse) and also a Secretariat to keep its work going smoothly. The lack of planning in the Convention is demonstrated by the expansion of its original working mandate to produce a constitutional document. This fits in with at least three of Smith's (2002) criteria of incrementalism in IGC's - that of ambiguity, indirection and drift.

The President of the Presidium Valéry Giscard d'Estaing reduced ambiguity by making it clear that there were three phases in the work of the Convention. There was a listening phase until July 2002, then a study phase from July to Autumn 2002 and finally a reflections stage (Shaw, 2003).

At the initial stage, perception seems to be largely positive of the Convention, that it was to work differently from IGCs (Puder, 2003; Schönlau, 2003; Magnette, 2003a; Göler, 2003). With the Conventionnels as representatives of the Convention, not as sectional representatives per se they could focus on the common good and deliberate rather than resort to bargaining. The activities of the Convention were publicly broadcasted. However, the Presidium continued to meet in secret like the negotiators in IGCs (Stuart, 2003).

The latter stages of reflection and ultimately decision-making were characterised by more traditional inter-governmental bargaining. Traditional cleavages opened up along the fault lines of pro/anti integrationists, left/right wing and large/small states (Kohnstamm and Durand, 2003; Magnette, 2003a; Schönlau, 2003). Institutional actors also clubbed together, for example the European Parliamentarians formed a block (Stuart, 2003). This undermines the idea of the Convention as being an institution in its own right, with institutional logics operating independently. Instead, the novel arrangements of the situation mean that network governance may be more apt here.

The Convention does have some elements of incrementalism as its structure was not entirely innovative and there are aspects of indirection and ambiguity. The Convention therefore, appears as an instance of historical institutionalism. However, the emphasis on reaching a consensus by a given date and operating in three distinct

phases undermines this slightly. Both structure and agency are evident here in shaping the Convention's working methods, with the IGC backdrop acting as an effective constraint. Thus, institutional conceptions can be expected to aid explanation of civil society's role.

*b) Civil Society and Convention*

Civil society was seen as an important tool acting as a communication relay, expressing both citizens' views to the Convention and broadcasting the work of the Convention to the citizen. It had three formal mechanisms whereby to input into the work of the Convention:

- Forum
- Futurum
- Plenary Session 24<sup>th</sup>-25<sup>th</sup> of June

This was accompanied by informal procedures of lobbying. The forum was a website where civil society groups could post contributions "to serve as input into the debate"(Laeken Declaration, 2001). For a contribution to be entered onto the Forum they needed to submit a fact-sheet about their organisation and also to "have sent in a substantive contribution...putting across their point of view and their ideas on questions relating to the future of the European Union."(Europa, 2003:1). This means that an organisation had to be versed in the EU issues and able to devote resources to providing that substantial contribution. Lombardo (2003) looked at the representativeness of forum organisations and found that most were European, with German/French groups over-represented and asylum groups under represented. The forum came to be seen as a bit of a farce (Magnette, 2003b), as a) no feedback was given to the organisations, b) little publication of its existence was made and c) at the close 1264 contributions had been made, it is unlikely that they would all be listened to. Futurum, was a message posting website where anybody could post his or her thoughts on the EU, which in turn made it hard to monitor and feed into the debate.

The third route was the plenary session on civil society. This was structured by eight contact groups which civil society themselves organised. However, Lombardo (2003) notes in practice they were dominated by the safe, European voices of associations that usually engage in EU policy-making. The fact that there was only

one plenary session, which was held relatively early on in the debate, meant that civil society views were not systematically fed into the discussions.

Indeed, relations with civil society seemed to resort back to “business as usual” (Shaw, Hoffman, and Bausili, 2003:17), with the radical shades ignored, the social element of civil society concerns being underplayed and European groups being the most active (Lombardo, 2003). Thus, it seems that the EU’s institutional conception of civil society has played some role in shaping civil society activity. Strategies resorted to making contacts with Convention members (Shaw, Hoffman and Bausili, 2003). Recognition of this state of affairs by civil society is demonstrated by leading European organisations setting up their own civil society contact group. This covers a broad spectrum of civil society concerns and acts as a central point for Convention members to ascertain the views of civil society. This means that the small, the local and the controversial will find it hard to get their opinions across. Finally, Lombardo (2003) contends that civil society involvement in the Convention was largely a rhetorical device designed to lend legitimacy to the Convention, with a neo-liberal discourse undermining civil society’s views and input.

Indeed, national and subnational civil society seemed to be accorded little role, with the member states instead responsible for organising national debates. Miller (2003) points out that the UK Government had organised less events than other member states and Shaw, Hoffman and Bausili (2003) found national civil society debate lacking. The Convention Secretariat in 2002 found that in the UK “the Convention per se has not yet grabbed public attention” (The Secretariat, 2002:3) and that there was limited press coverage. A further lack of engagement at the national/regional front is likely to be found as Hoffman (2003) notes that language is important in engaging civil society, with a number of authors finding the language of the Convention to be obscure Euro-speak and legalistic (Magnette, 2003b).

The importance of civil society engagement with the topic is evident if the Convention draft constitution is ever to become translated into law. Legal perspectives see that a constitution depends not only in its translation into legal structures, but also in the diffusion into the norms and values of a society (Weiner, 2003). Moreover, the willingness of society and law to embrace a constitution hinges on its enactment (i.e. the way it was created), and citizens will have to feel that their views were taken on board and civil society is part of the way to do this. If the hope is

to create bonds between post-national citizens of the EU it is important that they accept it or the “‘constitution’ would also be nothing but a text.”(Haltern, 2003:18).

#### *4. Civil Society in Wales and the Convention*

##### *a) Political Background in Wales*

Prior to the Convention, the NAW consulted with civil society on the European Commission’s 2001 White Paper on Governance. The NAW asked specific, large, public and private bodies for written contributions and considered six submissions. This process culminated in a North Wales European Forum held by the Assembly with some civil society groups in attendance and where there was also some discussion of the Convention (Brychan, 2002). As for the Convention itself, a conference was run by the Greens/EFA MEP group in Cardiff, with some sections of civil society present. The Institute for Citizenship also ran sessions across the UK, including Wales. UK Ministers also gave speeches and attended events around the country.

The NAW did not run a similar consultation exercise to the White Paper on Governance, despite the suggestion being aired in the European and External Affairs Committee (EEAC) in May 2002. Indeed, Jones (2002) warned that the NAW and its government seemed too busy dealing with in-fighting and establishing its representation arrangements in Europe to engage in the Convention. However, avenues for Wales to participate directly were thin on the ground (EEAC, 2003). The only Welsh Conventionnel was Peter Hain who was at the Convention to represent the UK Government. The WAG Convention effort was chiefly conducted through the UK Government supplemented by regional groupings such as Regions with Legislative Powers.

At the end of 2002 the Convention offered a window of opportunity to discuss regional issues in 2003 and Wales together with the devolved administration in Scotland came up with a paper ‘The regions in Europe’, that Peter Hain then presented to the Convention, with a speech. This paper and the submissions by the regional European associations, were concerned with the treaty status of regions and subsidiarity which are strategic, power concerns and not necessarily, conventional civil society issues.

Thus, from the outset it can be gathered that the Welsh institutional arena did not gear itself to civil society input on this topic and certainly did not translate traditional civil society concerns to the Convention. This would make sense from the Welsh institutional perspective seeing civil society as communitarian, where civil society is not to be engaged in such wider, political issues but, why then involve civil society in the preceding discussion on European governance? Power considerations may provide part of the explanation. Wales does not have much bargaining manoeuvre with the UK Government on European issues and perhaps therefore had to concentrate its effort on one area to make an impact, which was distinct from the governance issue, where Wales could feed directly into Europe. Secondly, it could be assumed that civil society did not make much of a noise about the Convention. Thirdly, external events and timing also seemed to play a role. However, the debate on European Governance where civil society input came from large organisations in Wales, would lead one to expect that these groups would have been also more likely to have been involved in the Convention.

*b) Methods and Organisations*

This research to explore the involvement of civil society groups in Wales in the Convention is based on interviews with seventeen civil society groups carried out between autumn 2003 to summer 2004. The interviews were semi-structured to provide some thematic coherence but, also flexible to allow people to voice their perceptions in their own words. In order to get a 'Welsh' flavour and to speak to those groups outside of Cardiff where the NAW is based, interviews were conducted with two groups from Mid Wales, three from North Wales and with eleven based in South Wales. Local groups and those without an explicit policymaking role were also interviewed to find out if those groups do/can/want to contribute. Most of the groups do have national/international arms (13), and the three local groups do have regional (Welsh arms). However, this is appropriate as much of civil society in Wales has been historically interdependent with English civil society (Paterson and Jones, 1999), although this state of affairs is changing with devolution (Osmond, 2003). In terms of sectors the research has covered a wide range:

Business	Disability	Environment
Farming	International (2)	Linguistic/Cultural (2)
Poverty	Pro-European	Race
Religious	Sport	Community
Trade Union	Voluntary	Women

This represents only a flavour of the many organisations and networks that make up civil society in Wales. However, the research is concerned with the qualitative experiences of groups, the how's and why's behind participation/non participation in EU policymaking and thus numbers are limited by this rationale.

c) *Civil society awareness/involvement*

Awareness was thin on the ground, with four interviewees having no knowledge of the Convention. Most having a partial understanding of it from the newspapers/media:

“But, much of the information we have ever got hasn't risen above the tabloid level of Britain in Europe and Britain out of Europe all that sort of fairly superficial rubbish on both sides.” (Trade Union, 2004)

It was seen as a “boohar” (Community Group, 2004), linked to enlargement and personified with Estaing. Awareness did not result in internalising the Convention's work to that of their own organisation's mission and then getting involved.

Involvement was more of an exception than a rule, with five organisations out of the 17 having some involvement with the Convention. Out of the organisations that had taken part, two had a specifically European focus, whilst being Wales wide and medium in size. The other three were major, large players in Welsh civil society who represented business, trade union and voluntary interests respectively. Thus, proximity to the policy-making process and the focus of an organisation would appear to have facilitated involvement.

In terms of the means by which groups were involved this also varied. One group had been involved in the Green/EFA MEP Group conference. However, this group could not remember being involved in any other activities. Quintessentially, the group did not see this as a problem, for it was not their role to engage in such issues as they had British and European partners whom may have dealt with it. Thus, a logic of

appropriateness concerning involvement in European issues emerges being contingent on the degree of devolution within civil society organisations themselves.

Another group's British arm actually required discussion with Welsh members and feedback, thereby stimulating participation. The final three organisations participated directly with political institutions. One group emailed MEPs, MPs, AMs in Wales and also lobbied the UK's MP Convention representatives following a EEAC meeting. Another group also spoke to WAG, UK Government, European Commission Officials, European Associations and also informally to European representatives in Wales on its concerns. Finally, the pro-European group sent in a submission to the Convention's Forum (the only Welsh group to do this).

Thus, the different levels of involvement mean that it is hard to explore the significance of institutional conceptions of civil society. However, the WAG/NAW end was given credit by one of the large groups for taking on board its concerns. Similarly, two groups placed concerns that the WAG input would be filtered by the British government and saw this as an obstacle:

“See the problem is that the UK Government is a member of the European Union and Wales is geographically and otherwise hidden behind London, behind the UK government” (Women Group, 2004)

The European associations were also perceived as being receptive to concerns about the ability of regional civil society to be directly engaged in Europe. However, that Welsh group had to make contact with those European organisations, concurring with Warleigh's (2001) findings that European associations do not have good contacts with their local members. The pro-European group that submitted to the forum, perceived that it was rather easy for civil society groups to get involved:

“The Convention really laid over backwards, fell over backwards to encourage people to make submissions” (Pro-European group, 2004).

However, one group perceived that the only civil society groups able to have a direct say into the EU were those that were European (i.e. covered 3 or more Member States). Thus, showing the institutional conception of civil society served as a barrier to participation there. The pro-European group, also had a very well informed entrepreneur behind its submission (who was actively involved in European politics and with its institutions). Thus, this seems to be a case where March and Olsen (1989) describe that when organisations are involved in a system, then they are also more

likely to perceive this system's logic of appropriateness as fair, whereas those on the outside are more likely to challenge it.

The involved groups' concerns ranged from wanting regional civil society bodies to be given direct input into the EU policy process, securing legal provisions should Wales become independent, to gender equality being inserted into the values and aims of the draft constitution. These are not really radical concerns and they seem to echo the legalistic language of the constitution. The most contentious is probably the first, which is more communitarian and it is true that the Convention did not secure provisions for regional civil society but, instead offers a recognition of the regional tier of government in the EU system and gives a vague commitment to "maintain an open, transparent and regular dialogue with representative associations and civil society" (European Convention, Art 46, (2), p 41). The second concern, is not really catered for by the treaty either however, this is to be expected in that member states are the key players in the Union and want to remain as member states. The final concern, which is very liberal egalitarian in nature and in line with civil society concerns that the EU would heed, was taken on board by the Draft Constitution and notably European associations and groups all over Europe lobbied for this development as well.

The strategies that these organisations took to influence the Convention were based on informal conversations with contacts, expressing an argument with reference to detailed information/legislation and emailing key people. Thus, they operated within the rules for appropriate behaviour to be involved with the EU.

In terms of membership involvement this was mixed. One group discussed the Convention with its members directly, with another conferring with its committee, a European association of a group sent out lobbying information directly to its members and the final group advertised the issue in its newsletter and had some events with limited success. It does appear that for the most part, it was one or two key individuals within the groups that took a lead on the Convention, which may echo limited public interest but, it also limits civil society role to be a communications interface.

Obstacles to civil society participation included perceiving the EU to deal only with European associations, not being involved in many activities/consultations on the Convention, negativity towards the British tier of governance and some European associations being top-down. Finally, another implicit obstacle that these organisations faced was that Convention activities in Britain were largely London-

based (Pro-European group, 2004) and that the “focus of European politics is really through London” (Pro-European group, 2004) thus, raising another structural barrier to the involvement of civil society in Wales.

Why did the other twelve groups decide not to participate in the Convention and was this any different to their general involvement in EU policymaking? A major barrier for four groups was that they weren't aware that it was happening and the rest were not aware of any events that had happening in Wales. There were a number of actor specific reasons that can be attributed to their non-involvement. Two organisations brought the fact that they were a charity and a statutory body respectively so could not really get involved in political issues unless strictly necessarily. Other problems voiced were that one group had just been created when the Convention was ending, another group was in financial difficulties at that time and also that there was a lack of support by the members and of leader initiative. Other implicit considerations were the fact that some of the groups the community and sports were not geared up to influence policy-making or deal with the political system. Almost across the board limited resources were cited, whether that of time, money and personnel.

There are other more, ideational factors such as perceiving the Convention as irrelevant or too broad and the perception that they would be a voice in the wilderness. A group voiced the view that they wouldn't have the right language to deal with Europe, it was so big and remote and also that big business is listened to before civil society. Another factor that must be remembered is that for many of these organisations their focus is now on Wales, with a lot of the interviewees bringing up hostility to dealing with British institutions and that may have played an invisible barrier to seeking to influence on this issue when it seemed to have been largely played out in the British-EU arena. The idea of Europe as a complete turn off for people and the poor substantive coverage of the EU in the British media, may have also been a contextual ideational factor, serving to switch civil society members off to the importance of the Convention.

Together with, the structural factors mentioned before and also the obstacles that even the groups who were able to get involved, these explanations have been tabulated below:

*Table 2: Obstacles to civil society groups in Wales participating in the Convention*

Structural	Actors	Ideas
Wales not a member of the European Union	Degree of internal devolution. Allocation of responsibility.	Incomplete knowledge of the Convention, awareness
Change in Welsh representation in Europe	Not core business. Focus on sector specific concerns.	Convention seen as- dull, abstract-lack of relevancy
Britain deciding Wales's EU policy	Money, time, resources, human capital	Conceptions of the EU and civil society
Layers of input	Organisation status- Charity or sponsored by government	Lack of efficacy
Not many activities in Wales. Instead London or Brussels based	Timing, internal crises	British negativity towards Europe
	Members did not see it as important	Hostility to Britain, Thatcherism and colonialism
		Media/government portrayal of the Convention

Among the organisations that did not get involved there were only two that were actively involved and engaged in EU policy-making. For these two groups, they did not get involved in the Convention because for one group they lacked time and also needed to focus on their core issues and for the other, their organisation was losing members and funding. Thus, as the Convention had not engaged the groups' active in European issues, how could it break through to those groups that had less EU involvement?

Were these groups concerned about their lack of involvement? Most of the groups felt they ought to have been involved (eight of the non-involved). Interestingly, the same logic of appropriateness appears as regards to the level of devolution within an organisation, with five groups saying either it wasn't their level of responsibility, or it could have been dealt with better at higher levels. Indeed, out of those twelve organisations that did not participate, six that I am aware of had networks/national/European arms that did contribute to the European Convention, without the Welsh/local arms being involved. Thus, we see an implicit acceptance of the status quo that European issues are best dealt with at other levels:

“If the [European and International branches of the organisation] had any input into it then really whatever we would have said would have just been

repeating it...if you have too much consultation then I think you can't see the woods from the trees and you know if people are merely repeating the points that other people made more succinctly then all you are doing is clogging up the system." (Environmental Group, 2003)

The other notable finding is that two of the non-participating organisations backed up the approach of the Welsh government calling for more role for the regions in the EU. Similarly, only one organisation hit upon the normative rationale for a desire to have been involved, that politicians have their "own way of looking at things which is very different from Josephine and Joe citizen" at neighbourhood level (Poverty Group, 2004).

## *5. Conclusion*

Historical institutionalism and network governance can be used to advance conceptions of civil society within a multi-level framework, between civil society in Wales and the EU. These conceptions are different but, they all place an emphasis on certain kinds of groups and behaviour. The Convention had some crossover with existing methods of treaty reform, with institutions and groups operating in the end in their usual manner. Thus these conceptions could be of use to explaining civil society involvement in the Convention. With regards to the Convention, the EU's conception of civil society did come to influence civil society participation at the European level, with involvement reverting back to day-to-day lobbying arrangements. Perhaps even the British conception of civil society played a role in explaining the lack of activity by civil society groups in Wales in the British arena, with civil society seen to be communitarian and not necessarily involved in policy-making, instead leaving it to large interest groups. Equally, the Welsh conception did seem to have some bearing here, with the involved groups being central to policy-making and within the non-controversial boundaries of civil society.

However, these institutional conceptions and indeed historical institutionalism can only go part of the way to explaining the involvement of civil society in Wales. It is here that network governance by itself, highlighting the actor side of the institutional complex, that explanations must be sought. Actor specific concerns and their personal decisions not to get involved are evident here. Particularly among the groups who do usually have an involvement in European policymaking, it seems that

perhaps their policy network was not engaged in this topic. This may testify to these groups being “self interested actors” (Kochler-Koch, 1999:23), yet would it not be in their interest to shape the legislative framework and political institutional arrangements that potentially could come to impact on their policy areas? However, how could they have been involved in the Convention if they had not been aware of the Convention and its importance, which only unfolded as the Convention went on? It seems that a lack of awareness together with the finding that civil society was not able to extend beyond its sphere of direct interest, minimised civil society in Wales’ Convention involvement. Both conclusions are troubling if civil society is meant to help legitimise not only the Convention and its constitution but, also the EU. The research also points to the limited role but, a role nonetheless, that subnational civil society plays in European governance in the area of high politics. The research findings do serve to illustrate the top down nature of EU issues and the Convention with regard to civil society. Moreover, if the Convention and its draft constitutional treaty is something that is being imposed on people, why then would civil society at a regional level get involved?

This instance highlights the structural, ideational, institutional and actor-orientated obstacles to civil society involvement in the Convention. The research also demonstrates that many groups acquiesce and reflect the notion that European policy issues are dealt with in London within their organisational structure. It means that this horizontal EU issue has effectively bypassed many civil society groups in Wales, who will have to implement and bear the change that an eventual constitutional document will bring. From the perspective of civil society groups in Wales, the Convention does not appear as an instance of network governance, as that would imply a direct link. Instead civil society in Wales had more of a web like association with the Convention, with some links stronger than others, supported or jeopardised by the institutions in-between.

## Bibliography

- Baker, G. (1998), *Civil Society and Democratisation*, Thesis, University of Leeds
- Barber, B. (1998), *A Place for US: How to Make Society Civil and Democracy Strong*, New York: Hill and Wang.
- Barnier, M. (2001), "Why Europe Matters" *Personal Note from Michael Barnier*, 17.10.2001  
[http://europa.eu.int/futurum/documents/contrib/cont171001\\_en.pdf](http://europa.eu.int/futurum/documents/contrib/cont171001_en.pdf) Accessed 15.05.04
- Beetham, D., Byrne, I., Ngan, P. and Weir, S. (2002), *Democracy Under Blair: A Democratic Audit of the United Kingdom*, London: Politico's Publishing.
- Betts, S. Borland, J. and Chaney, P. (2001), "Inclusive Government for Excluded Groups: Women and Disabled People", in Chaney, P., Hall, T. and Pithouse, A. (eds.), *New Governance-New Democracy; Post Devolution Wales*, Cardiff: University of Wales Press, pp. 48-77.
- Brychan, A. (2002), "MEP urges Rhodri: 'knock harder'". *Plaid Cymru Press Release*, 18 February 2002, pp.1-2.  
<http://www.plaidcymru.org/press020218.html> Accessed 24.07.03.
- Bulmer, S. et. al. (2002), *British Devolution and European Union Policymaking*, Houndmills: Palgrave Macmillan.
- Carothers, T. (1999), "Think Again: Civil Society", *Foreign Policy Magazine; Global Policy Forum*, 1999-2000 edition, Accessed 01.11.02. pp. 1-6.  
<http://www.globalpolicy.org/ngos/civsoc.htm>
- Chambers, S. and Kopstein, J. (2001), "Bad Civil Society", *Political Theory*, Vol. 29, pp.838-866.
- Chambers, S. and Kymlicka, W. (eds.) (2002), *Alternative Conceptions of Civil Society*, Princeton: Princeton University Press.
- Chaney, P., Hall, T. and Pithouse, A. (eds.) (2001), *New Governance-New Democracy; Post Devolution Wales*, Cardiff: University of Wales Press.
- Chandoke, N. (2001), "The 'Civil' and the 'Political' in Civil Society", *Democratisation*, Vol. 8 (2), pp.1-24.
- Civil Servant, (2004), *Interview with British Civil Servant*, April 2004.
- Cohen, J.L. and Arato, A. (1992), *Civil Society and Political Theory*, Cambridge: MIT Press.
- Community Group (2004), *Interview with Social/Community Group Member*, 11.01.04.
- Curtin, D. (2003), "Private Interest Representation or Civil Society Deliberation? A Contemporary Dilemma for European Union Governance", *Social and Legal Studies*, Vol. 12 (1), pp. 55-75.
- Dicks, B. Hall, T. and Pithouse, A. (2001), "The NAW and the Voluntary Sector: An Equal Partnership", in Chaney, P., Hall, T. and Pithouse, A. (eds.), *New Governance-New Democracy; Post Devolution Wales*, Cardiff: University of Wales Press, pp.102-125.
- Economic and Social Committee, (1999), "Opinion of the Economic and Social Committee on "The role and contribution of civil society organisations in the building of Europe"", CES 851/199 D/GW, 22 September 1999.
- Economic and Social Committee, (2000), "Opinion of the Economic and Social Committee on the Commission Discussion Paper "The Commission and non-governmental partnership: building a stronger partnership"", COM(2000)11 final, 13 July 2000.
- Editorial Team, (2002), "Civil Society and the Convention", *Centre for Applied Policy Research; Convention Spotlight*, 2002/6, pp. 1-3. Accessed 03.08.03  
[http://www.cap.uni-muenchen.de/konvent/spotlight/Spotlight\\_06-02\\_en.pdf](http://www.cap.uni-muenchen.de/konvent/spotlight/Spotlight_06-02_en.pdf)
- Environment Group (2003), *Interview with Environmental Group Member*, November 2003.
- Europa, (2003), "How can I take part in and contribute to the Forum?" *European Convention; Forum*, pp. 1-3.
- European Commission (2001), *White Paper on European Governance*, European Union.  
[http://europa.eu.int/eur-lex/en/com/cnc/2001/com2001\\_0428en01.pdf](http://europa.eu.int/eur-lex/en/com/cnc/2001/com2001_0428en01.pdf) Accessed 11.11.01
- European Commission, (2002a), "Communication from the Commission to the Council, the European Parliament, The Economic and Social Committee and the Committee of the Regions on an Information and Communication Strategy for the European Union", COM(2002) 350 final, 2 July 2002.
- European Commission, (2002b), "Report from the Commission on European Governance", COM(2002)705 final, 11 December 2002.
- European Commission, (2002c), "Communication from the Commission: Towards a reinforced culture of consultation and dialogue- General principles and minimum standards for consultation of interested parties by the Commission", COM(2002) 704 final, 11 December 2002.
- European Convention, (2003) *Draft Treaty Establishing a Constitution for Europe*, Luxembourg:



Wales, Cardiff.

- Laeken Declaration (2001), *European Council Conclusion*, [http://europa.eu.int/futurum/documents/offtext/doc151201\\_en.htm](http://europa.eu.int/futurum/documents/offtext/doc151201_en.htm) Accessed 05.04.04
- Little, A. (2002), "Rethinking civil society: radical politics and legitimisation of unpaid activities", *Contemporary Politics*, Vol. 8 (2), pp. 103-115.
- Lomasky, L. (2002), "Classical Liberalism and Civil Society", Chambers, S. and Kymlicka, W. (eds.), *Alternative Conceptions of Civil Society*, Princeton: Princeton University Press, pp. 50-67.
- Lombardo, E. (2003), "The Participation of Civil Society in the Debate on the Future of Europe: Rhetorical or action frames in the discourse of the Convention?", *Working Paper*, University of Zaragoza, pp.1-40. Accessed 14.05.04.  
[http://www.unizar.es/union\\_europea/files/workPapers3\\_UE.pdf](http://www.unizar.es/union_europea/files/workPapers3_UE.pdf)
- Lowndes, V. (2002), "Institutionalism", in Marsh, D. and Stoker, G. (eds.), *Theory and Methods in Political Science*, 2<sup>nd</sup> Edition, Houndmills: Palgrave Macmillan, pp. 90-108.
- Machiavelli, B.R. (2000), "The role of civil society in European integration", *Journal of Public Affairs*, Vol. 1 (1), pp. 33-37.
- Magnette, P. (2003)a, "In the Name of Simplification: Constitutional Rhetoric in the Convention on the Future of Europe", presented at *ARENA/CIDEL Workshop on "Deliberative Constitutional Politics in the EU"*, 20- 21 June 2003, Albarracín, Spain, pp. 1-32. Accessed 06.08.03.  
<http://www.arena.uio.no/cidel/workshopZaragoza/PMagnette.pdf>
- Magnette, P. (2003)b "Will the EU be more legitimate after the Convention?", in Shaw, J., Magnette, P., Hoffman, L. and Bausili, A. V. (eds) *The Convention on the Future of Europe: Working Towards An EU Constitution*, London: The Federal Trust for Education and Research, pp. 21-38.
- March, J. G. and Olsen, J. P. (1989), *Rediscovering Institutions: The Organizational Basis of Politics*, New York: The Free Press.
- Marinetto, M. (2001), "The Settlement and Process of Devolution: Territorial Politics and Governance under the Welsh Assembly", *Political Studies*, Vol. 49, pp. 306-322.
- Mazey, S. and Richardson, J. (2001), "Institutionalising Promiscuity: Commission-Interest Group Relations in the EU", in Sweet, A. S., Sandholtz, W. and Fligstein, N. (eds.), *The Institutionalization of Europe*, Oxford: Oxford University Press, pp. 71-93.
- Miller, V. (2003), "The Convention on the Future of Europe: the deliberating phase", *House of Commons Research Paper*, no. 03/16, 14 February 2003, pp1-80.
- National Assembly for Wales, (2000) Voluntary Sector Scheme, Accessed 20.04.04  
[www.wales.gov.uk/themes/voluntarysector/content/voluntarysectorscheme/voluntary-sec-e.pdf](http://www.wales.gov.uk/themes/voluntarysector/content/voluntarysectorscheme/voluntary-sec-e.pdf)
- Osmond, J. (2003), "From Corporate Body to Virtual Parliament: The Metamorphosis of the National Assembly for Wales," in Hazell, R. (ed.), *The State of the Nations 2003: The Third Year of Devolution in the United Kingdom*, Imprint Academic: Exeter, pp. 13-47
- Nisbet, R. (2000), "The Quest for Community": A Study in the ethics of Order and Freedom", in Eberly, D.E. (ed.), *The Essential Civil Society Reader*, Lanham: Rowman & Littlefield Publisher, pp. 33-49.
- Paterson, L. and Jones, R. W. (1999), "Does civil society drive constitutional change: The case of Wales and Scotland", in Taylor, B. and Thomson, K. (eds.), *Scotland and Wales: Nations Again?* Cardiff: University of Wales Press, pp. 169-197.
- Patten, C. (2000), "Sovereignty and Democracy in the European Union", Speech delivered in Chatham Lecture Trinity College, 26 October 2000, SPEECH/00/402
- Peters, B. G. (1999), *Institutional Theory in Political Science: The 'New Institutionalism'*, London: Pinter.
- Poverty Group (2004), *Interview with Poverty Group Member*, January 2004.
- Prodi, R. and Kinnock, N. (2000), "The Commission and Non-Governmental Organisations: Building a Stronger Partnership", *Commission Discussion Paper*
- Prodi, R. (2001), "Laeken: signpost to the future", Speech 17 December 2001, Brussels: European Parliament.
- Pro-European group, *Interview with Pro-European Group Member*, May 2004.
- Puder, M. G. (2003), "Constitutionalizing the European Union-more than a sense of direction on the future of Europe", *Fordham International Law Journal*, Vol. 26 (6), pp.1562-1579.
- Rhodes, R. A. W. (1997), *Understanding Governance: Policy Networks, Governance, Reflexivity and Accountability*, Buckingham: Open University Press.
- Rumford, C. (2003), "European Civil Society or Transnational Social Space? Conceptions of Society in Discourses of EU Citizenship, Governance and the Democratic Deficit: An Emerging Agenda", *European Journal of Social Theory*, Vol. 6 (1), pp. 25-43.

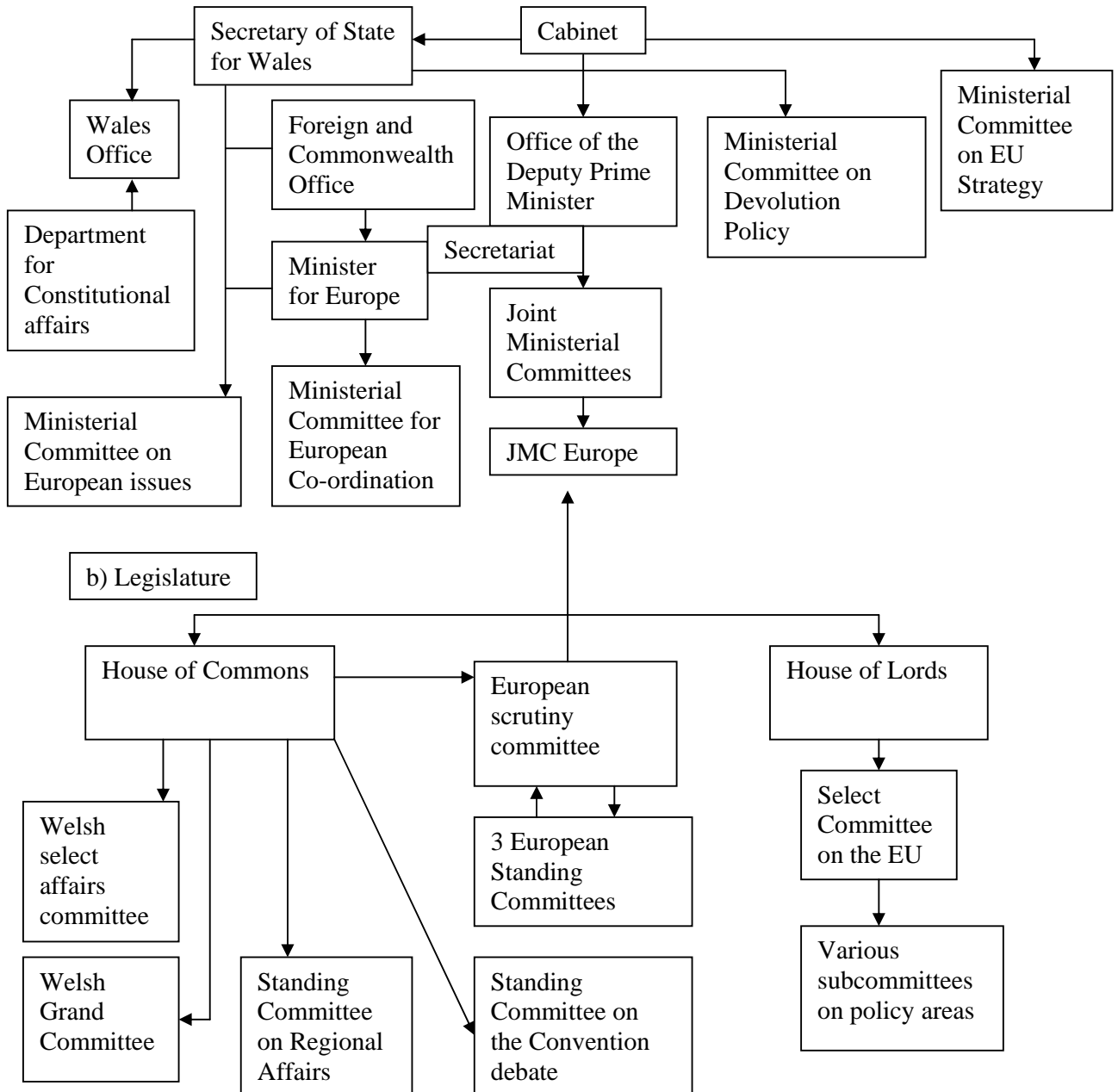
- Schönlau, J. (2003), "Conventional Wisdom? Comparing deliberative interaction in the European Conventions Mark I and Mark II", presented at *ARENA/CIDEL Workshop* on "Deliberative Constitutional Politics in the EU", 20- 21 June 2003, Albarracín, Spain, pp. 1-14. Accessed 04.08.03.  
<http://www.arena.uio.no/cidel/workshopZaragoza/JSchonlau.pdf>
- Shaw, J. (2003), "Process, Responsibility and Inclusion in EU Constitutionalism", *European Law Journal*, Vol. 9 (1), pp 45-68.
- Shaw, J., Magnette, P., Hoffman, L. and Bausili, A. V. (eds) (2003), *The Convention on the Future of Europe: Working Towards An EU Constitution*, London: The Federal Trust for Education and Research
- Shaw, J. Hoffman, L. and Bausili, A. V. (2003), "Introduction" in Shaw, J., Magnette, P., Hoffman, L. and Bausili, A. V. (eds), *The Convention on the Future of Europe: Working Towards An EU Constitution*, London: The Federal Trust for Education and Research, pp.9-20
- Smismans, S. (2003), "European Civil Society: Shaped by Discourses and Institutional Interests", *European Law Journal*, Vol. 9 (4), pp. 473-495.
- Smith, B. P.G. (2002), *Constitution-Building in the European Union*, Hague: Kluwer Law International
- Stuart, G. (2003), "The Making of Europe's Constitution", *Fabian Society Pamphlet*, 609, London: Fabian Society
- The Compact, (2000) "Consultation and Policy Appraisal: A Code of Good Practice", *Compact on Relations between Government and Community Sector in England*,  
[www.thecompact.org.uk/PDFs/consultation&policy.pdf](http://www.thecompact.org.uk/PDFs/consultation&policy.pdf)
- The Secretariat (2002), "Report on National Debate on the future of Europe: -United Kingdom", *The European Convention*, CONV 111/02, 18 June 2002, pp.1-4.
- Trade Union Group (2004), *Interview with Trade Union Worker*, March 2004.
- Waltzer, M. (2002), "Equality and Civil Society", in Chambers, S. and Kymlicka, W. (eds.), *Alternative Conceptions of Civil Society*, Princeton: Princeton University Press, pp. 34-49.
- Warleigh, A. (2001), "'Europeanizing' Civil Society: NGOs as Agents of Political Socialization", *Journal of Common Market Studies*, Vol. 39 (4), pp. 619-639
- Warleigh, A. (2002), "Introduction: institutions, institutionalism and decision-making in the EU", in Warleigh, A. (ed.) *Understanding European Union Institutions*, London: Routledge, pp.3-21.
- Weiler, J. H. H. (1999), *The Constitution of Europe 'Do the New Clothes Have an Emperor?' And Other Essays on European Integration*, Cambridge: Cambridge University Press.
- Wiener, A. (2003), "Editorial: Evolving Norms of Constitutionalism", *European Law Journal*, Vol. 9 (1), pp. 1-13.
- Women group, (2004), *Interview with Women Group Member*, January 2004.

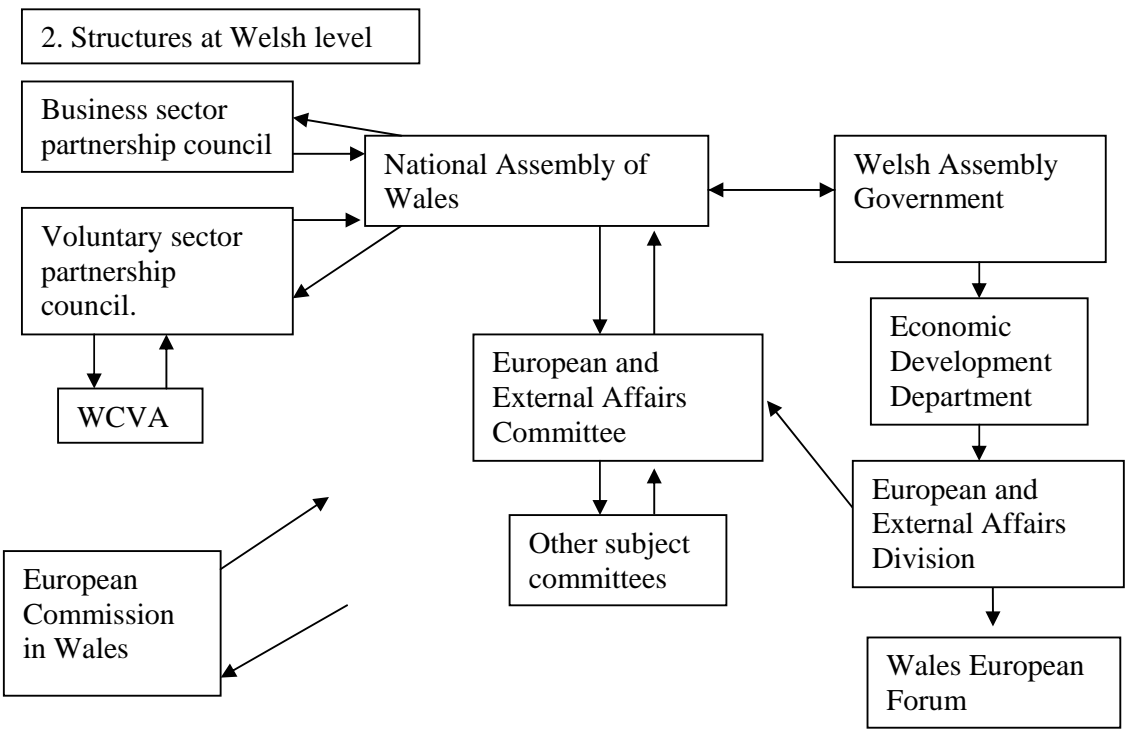
## Appendix One: European Convention policymaking and Wales

Here is a brief outline of the key structures linking Wales and the Convention

### 1. Structures at the UK Level

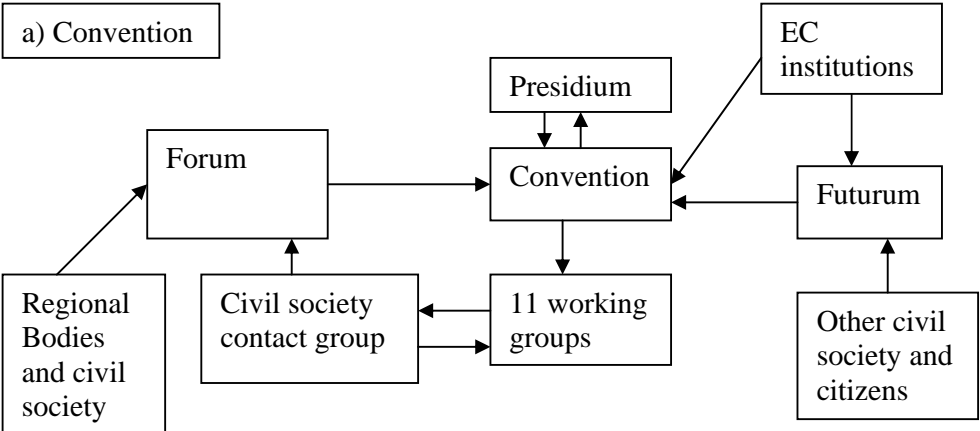
#### a) Whitehall and the Executive





### 3. Structures at the European Level

#### a) Convention



#### b) EC Institutions

