

BUILDING A EUROPEAN CIVIC CULTURE:  
THE CASE OF THE ENVIRONMENTAL MOVEMENT

(Draft - comments welcomed)

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MOVEMENT

The problem of the democratic deficit in the European Union (EU) is well known, but its dimensions and implications are still not fully understood, and the literature on policy-making in the EU has paid surprisingly little attention to a key element in the deficit: the gap between civil and political society at the European level. As the EU expands, as the powers of its institutions grow, and as EU law reaches further into the lives of Europeans, so the implications of the deficit become more critical, and so the need to democratize the structures and processes of the EU becomes more pressing. Such a change is essential if the EU is to be accepted by Europeans as a legitimate and additional source of authority in their lives, and if they are to cease defining their rights and their citizenship by nationality alone. If they can become more confident of their ability to influence the EU policy process, and can more directly see the benefits of their participation, they may be more inclined to think of themselves as Europeans.

The democratic deficit could be addressed by top-down political acts of will aimed at reforming EU institutions to make them more accountable. However, a more enduring solution to the deficit will lie in greater citizen participation in the process of European integration. Most political activity in western Europe still revolves around local and national

government, and civil society is still defined and organized largely in relation to states. However, Keane argues that global economic transactions and the demands of new social movements have encouraged states to rearrange domestic institutions in the light of increased international cooperation, and that there is a trend toward the internationalization of civil society [1]. Under the circumstances, new attention needs to be paid to the relationship between the emerging European government and the society over which it rules, and to the prospects for the emergence of a European civic culture: a sense that European citizens can influence EU policy, and that the powers of EU leaders to make policy can be reconciled with the ability of citizens to participate in the policy-making process.

EU citizens have few channels through which they can significantly or directly influence either the European Commission or the Council of Ministers. While the European Parliament is a directly-elected representative body, its powers, effectiveness and credibility are limited. This has contributed to the democratic deficit by creating what might be termed a "participatory vacuum", meaning that EU citizens take little direct part in the EU policy process. The activity of sectoral interest groups may help fill this vacuum by offering a channel through which EU citizens can encourage greater accountability on the part of EU institutions, and participate more directly in the EU policy process. In many cases, such groups are already either cooperating with groups in other EU member states and/or building pan-European coalitions with the

goal of placing direct pressure on the Commission, the Council or Ministers, and the European Parliament.

It is argued in much of the functionalist and neofunctionalist literature that interest groups can contribute toward integration through encouraging transnational functional cooperation, but there has so far been little investigation of the potential contribution of group activity to integration through its role in the formation of a supranational European civic culture. This paper uses the example of environmental interest groups to argue that by helping fill the participatory vacuum, group activity may be helping strengthen the foundations of European integration, may be contributing to the development of a European civic culture, and may thus be helping define the character, nature and parameters of the emerging European polity.

#### The democratic deficit

The democratic deficit is commonly defined in terms of the lack of accountability of EU institutions [2]. For Lodge, it means an implied gap between democratic practice and theory, specifically the weaknesses and deficiencies of interinstitutional relations, and inadequate parliamentary influence over the Commission and the Council [3]. For Williams, it means the gap between the powers transferred to the EU and the control of Parliament over those powers [4]. For Boyce, it implies that decision-making powers have been transferred to the EU at the expense of national legislatures without having been reinvested in the

European Parliament, while the Commission and the Court of Justice have many powers but little direct accountability [5].

Several problems are commonly seen as contributing to the deficit: the closed meetings of the Council of Ministers and the unelected College of Commissioners, the secrecy surrounding the work of the powerful Committee of Permanent Representatives (COREPER), the weakening of parliamentary accountability by the habitual resort to intergovernmental mechanisms such as the European Council and European Political Cooperation [6], the low levels of accountability in the Commission or the Council of Ministers, and the limitations placed on the input of national legislatures into the work of the Commission. For many, the process by which the Maastricht Treaty was agreed and ratified was symbolic of the relative marginalization of popular opinion in the EU policy process.

Discussions concerning the means by which the deficit might be redressed and closed commonly focus on some or all of the phenomena associated with the notion of a People's or Citizen's Europe: these include the "four freedoms" (free movement of capital, labor, goods and services), the right to vote in any member state, and the importance of symbols such as a uniform passport, a flag, and an anthem. While many of these ideas are useful, and may have contributed to the growth of a sense of European identity, they are top-down solutions, and thus tend to skirt the central issue of building the legitimacy of the EU as a system of government in the minds of its citizens. True political legitimacy cannot be derived from laws and

institutions, nor can it be forced or deliberately constructed by those in power; it must come out of public acceptance, and out of a sense among the members of a polity that they can and should work individually or collectively to influence the policy-making process, that they can identify themselves with that polity, and that they feel a sense of mutual obligation toward that polity.

While most discussions about the democratic deficit focus on the limits placed on the input of citizens into the EU policy-making process, and on the considerable powers of the unelected EU institutions, surprisingly few focus on the phenomenon of low participation, which is in itself a form of democratic deficit. The low levels of citizen participation in any of the formal or informal channels available to them to influence EU policy might be described as a participatory vacuum. The vacuum exists in part because the EU polity is still evolving, and because the focii of political power and policy responsibility are still being defined. It has been argued, for example, that "the European Commission is not yet sufficiently mature as an organisation for it to have developed widespread 'standard operating procedures' for processing policy issues" [7]. The vacuum also exists because so few European citizens feel that they have a vested interest in the policy outcomes of the EU, know how they can participate in the governance of the EU other than through a quinquennial vote, or really understand how they can influence policy outcomes.

At one level, the connections between European political and civil society can be "pushed" by visionary leadership [8] or by the reform of EU institutions through acts of political will on the part of the governments of the member states. However, these governments have so far been unwilling substantially to reform the Commission and to entertain the idea of Commissioners who are either directly elected or indirectly elected by Parliament; to do this would be to give the Commission a moral advantage (and therefore new power) over the Council of Ministers. Similarly, national leaders have been unwilling to reform the Council of Ministers by - for example - converting it into a directly-elected upper chamber of a new European legislature, perhaps along the functionally equivalent lines of the United States Senate; to do so would be to dilute the intergovernmental nature of the Council and to loosen the control of member state governments over the EU policy process.

Unless democratic reforms grew out of public demand, and were designed to meet public needs, they would likely be seen as further examples of decrees from the elites who have long dominated the EU policy process, and from which most major initiatives on European integration have originated. Top-down changes have their uses, but they amount to a form of constitutional engineering, and rarely take root in the societies they are intended to change. Over the longer term, more progress will likely be made toward the closure of the democratic deficit, toward defining the connections between European political and civil society, and toward the

construction of a European civic culture if citizens themselves take part more actively in the development and construction of the institutions and processes of the EU.

Studies of attitudes toward democracy in several Western countries in the 1960s [9] revealed the important contribution to democratic stability of a sense of belonging (on the part of citizens) and of a political division of labor where power rested in the hands of elected leaders, and citizens expressed their opinions and evaluated their leaders through participation. These studies suggested that consensus and cleavage were critical driving forces in political activity, and that levels of performance in one sphere critically affected those in the other. Many studies since then have revealed a growing distrust among Western publics in political parties, and growing interest in non-conventional methods of political participation and the expression of political will.

Against this background, Offe suggests that social movements can be a means to helping political systems evolve and adjust to new requirements and expectations [10]. He argues that the political system is the key to managing the process of economic development and its social consequences because it is viewed as a regulator between the economic system and civil society. He implies that as economic development occurs, both the economic system and civil society will become increasingly regulated, and that social movements can help politicize fields that previously belonged entirely to civil society. They can also help fill the vacuum left behind by the relative



displacement of political parties as a focus of political consensus-building.

Thus social movements can help politicize civil society and help the political system adapt to changes brought on by economic development. Offe's focus was on political systems at the level of the nation-state, and he quotes the environmental movement of the 1970s as an example of a social movement that raised and politicized new issues, and helped the political system integrate those issues. The European environmental movement may well be fulfilling the same role in helping the evolving political institutions of the EU and civil society in the EU member states integrate with one another. The role of interest groups fits with neofunctionalist arguments that groups can play an important role in integration, and will turn to supranational means when they appear profitable to their members. Issue linkage and coalition formation are part of this process [11], which can contribute toward integration as political actors realize that their interests are best served by a commitment to integration.

#### The European Union and the environment

Since the mid-1970s, the EU has been at heart of the most concerted program being undertaken anywhere in the world to replace national environmental laws with international regulation: it has adopted nearly 300 environmental controls, covering issues as diverse as lead in fuel (1978 and 1985), sulfur dioxide and suspended particulates (1980), lead in air

(1982), emission of pollutants from industrial plants (1984), nitrogen dioxide (1985), pollution from large combustion plants (1988), environmental impact assessment (1988), and vehicle exhaust emissions (1989). This level of activity is surprising considering that the environment was a relative latecomer to the EU policy agenda.

The 1957 Treaty of Rome made mention of "an accelerated raising of the standard of living", but quality was a relatively minor motive force in the early years of the EEC, the process being instead driven mainly by quantitative factors such as efficiency, economic expansion, and profit. There was no mention of the environment in the Treaty, and although the EEC agreed several pieces of environmental legislation in the 1960s, they came out of the drive to build a common market, and were incidental to the Community's overriding economic goals [12].

Public attitudes in the West toward environmental issues began to change in the 1960s as a result of a combination of improved scientific understanding, several headline-making environmental disasters, new affluence among Western middle classes, and growing public concern about quality of life issues [13]. These new priorities were encouraged in large part by the growing activity and influence of rapidly expanding environmental movements in every Western liberal democracy, which were increasingly working together to bring pressure to bear on international organizations.

The translation of public pressure into political concern was exemplified by the creation in almost every West European

state of new national environmental agencies in the period 1969-1972, by the convening in June 1972 of the United Nations Conference on the Human Environment in Stockholm, and by the creation in 1973 of the UN Environment Program. Four months after Stockholm, at the October 1972 Paris summit of EEC heads of state and government, a decision was taken to direct the Commission to outline a blueprint for an EC environmental policy by July 1973. The enlargement of January 1973 heightened the pressure for such a policy by widening the gap between the richest and poorest parts of the Community, giving new urgency to the need to take action to prevent industry and jobs moving to those parts of the EC with the weakest environmental regulations. In November 1973, the Council of Ministers approved the Community's first Environmental Action Programme (EAP), which was followed by additional programs in 1977, 1982, 1987, and 1993.

All these changes took place without any amendments being made to the EEC Treaty, so Community environmental policy lacked a clear legal basis, and was technically unauthorized by the member states [14]. The Community also grew in the 1980s to include Greece, Spain, and Portugal, whose industries were relatively underdeveloped and pollutive, and whose environmental standards were relatively weak. The threats these changes posed to the EC's environmental activity were finally addressed by the Single European Act (SEA), which gave a legal basis to EC environmental policy, outlined the underlying principles and goals of environmental policy, and included the environment on

the list of policy areas subject to the cooperation procedure in the European Parliament.

The EAPs were driven in large part by quantitative concerns about barriers to the construction of a common market, a problem noted by the Court of Justice in 1980 when it argued that competition could be "appreciably distorted" without harmonization of environmental regulations [15]. They were also driven by qualitative concerns, however. A Eurobarometer poll in 1989 found that 94 percent of EC citizens regarded the environment as second only to unemployment as an issue of EC concern (ranking it above even finance and defense), that 77 percent agreed that environmental protection was a policy area better addressed jointly by EC states than by member states alone, and that 74 percent saw protecting the environment and fighting pollution as an "immediate and urgent problem" [16]. Meanwhile, green parties won growing support in most member states; 30 green members were returned from seven EC states in the 1989 European parliamentary elections (the number fell to 22 in the 1994 elections), and by 1995, green members sat in the national legislatures of ten EU member states: Austria, Belgium, Finland, Germany, Greece, Ireland, Italy, Luxembourg, Portugal, and Sweden.

EU environmental policy is based on the principle of subsidiarity, and "on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source, and that the polluter should pay" (SEA, Article 130). It is also driven by the need to integrate

environmental standards with other Community policies. The Maastricht treaty introduced qualified majority voting in the Council of Ministers for most environmental issues, and added the environment to the list of topics subject to codecisions by the European Parliament.

In May 1990, the European Council agreed in principle to create a European Environment Agency (EEA) and a European Environment Monitoring and Information Network. The EEA was not to be a regulatory agency along the lines of the US Environmental Protection Agency, but rather was to gather data in order to provide the Commission and the member states with a means to taking effective environmental protection measures. It lacks direct powers of enforcement [17], and has an ambiguous relationship with the member states and other EU institutions.

#### The role of environmental interest groups

Particularly until the 1970s, most of the pressure for national environmental regulation in industrialized countries came from environmental interest groups; they not only provided the pressure for policy change, but also the ideas and much of the scientific data upon which change was based [18]. Dalton argues that, at the national level, groups remain the primary policy instruments of the environmental movement, highly visible participants in the policy process, and a key "to understanding both the nature of the green movement and the broader political changes occurring in advanced industrial societies" [19].

Among EC member states, there was initially little inclination for groups to lobby the Community, because most environmental policy was still made at the national level, and policy priorities varied from one member state to another. In 1985, Stephen George argued that, with the exception of agriculture, there had been "no marked tendency for pressure groups to operate at the Community level rather than at the national level." This was explained, he argued, by inertia, by the fact that different national interests did not find it easy to agree what was in the interests of their particular sector, and by the fact that the Commission had not emerged as the major actor in the EU decision-making process, hence pressure was still better exerted at the national level [20].

The situation today is very different. Not only are national environmental groups in western Europe broadly agreed on their collective interests, but they are much more active (individually and collectively) at the EU level. Furthermore, the Commission has continued to foster and encourage the development of European interest groups, and - because it has achieved a new dynamism and prominence - promises greater dividends to groups who choose to consult with it. The possibilities for groups have been deepened and broadened by the openness of the EU policy process to lobbying by a wide variety of organizations [21], the unpredictable and fluid nature of the EU as a polity, the changeability of central policy leadership in the EU, and the absence of a European government. Groups find it easier to exploit loopholes in such an entity than they would

if the policy process was more settled and predictable. Mazey and Richardson argue that environmentalists have reached an advanced stage of Europeanization of lobbying, and are much more integrated in their behavior than the groups with which they normally compete [22]. Additional developments have encouraged environmental groups to play an increasingly active role in the policy-making process.

First, the EU institutions as a whole are notorious for their poor policy coordination and implementation. More specifically, the Commission lacks the resources to collect information and to fully oversee the enforcement of laws, and has been criticized by the Court of Auditors - for example - for the lack of coordination between the DGs responsible for environmental policy (DGXI) and regional policy (DGXVI) [23]. In an attempt to better coordinate environmental policy, the Commission has actively encouraged and welcomed the input of groups from the different interests involved, with many of which it has developed something close to a symbiotic relationship. Richardson argues that DGXI has become "probably the most advanced Directorate within the Commission in terms of identifying and mobilizing the relevant constituency of groups and individuals", going so far in 1993 as to create a General Consultative Forum on the environment in order to bring together representatives from industry, commerce, local authorities, professional associations, and environmental and consumer protection groups to express their views [24].

At the planning stage of new legislation, the Commission solicits the help of interested groups in drafting proposals. It asks the groups for factual and statistical information, and seeks their opinion on potential support for - or opposition to - its proposals. This process has developed to the point where consultation has become an integral part of the legislative process [25]. Interested groups are given the opportunity to comment on draft legislation at almost every stage in the process. This may slow down the process of decisionmaking, but it also reduces the Commission's workload, provides a ready source of expertise, and helps the Commission monitor the compliance records of member states; interest groups make good whistle-blowers (see below).

Second, the number of access points for interest groups has grown as the character of the EU has changed. The Commission is the key point of access for the lobbyist, so interest groups try to win representation on Commission consultative committees and to establish long-term contacts with DGs in the Commission. The relative importance of the Commission has declined since the institution of direct elections, which made the European Parliament and its committees increasingly important points of access, mainly because of their growing powers to amend or delay new legislation. Furthermore, by appealing through the European legal system to the European Court of Justice, groups can bring more pressure to bear on national governments to implement EU environmental laws. In the case of member states lacking a constitutional court system - such as Britain - EU membership



has also given interest groups access to a weapon they did not have before: judicial review.

Third, among the environmental groups that have turned their attention to the EU, there has been an increasingly systematic approach to Euro-lobbying, and a clear trend toward seeing domestic environmental problems as part of EU-wide problems, and toward seeing the EU as an entity well placed to address these problems. Not only have the bigger and more politically active environmental groups expanded their operations at the European level, but they have worked more closely together and formed transnational coalitions. One such coalition is the European Environmental Bureau (EEB), an umbrella body for national interest groups operating inside and outside the EU.

The EEB was founded in 1974 with the active encouragement of the European Commission as a balance to the industrial lobby and as a conduit for the representation of environmental interest groups to the Community, particularly the European Commission. In 1982, the EEB represented 63 national environmental groups; by 1993, it represented 138 national environmental groups in the 12 EC member states, and 12 more groups in 11 non-EC states [26]. Several of these groups are national federations, so the actual number of groups represented is much greater; estimates of their combined membership range as high as 20 million. As well as publishing position papers and reports for the Presidency of the EU, its Executive Committee meets regularly with the president of the Council of environment

Ministers, the president of the Commission, the environment Commissioner, the chairman of the European Parliament environment committee, and with senior staff in DGXI.

The EEB has suffered consistently from financial problems, and from an internal debate about whether it should serve the needs of its members or undertake independent lobbying [27]. Partly because of these problems, and partly because of the new realization of the importance of the EU as a set of policy-making institutions, several environmental groups have opened new offices in Brussels. Friends of the Earth Europe opened an office in 1986, and Greenpeace and the World Wide Fund for Nature in 1988; dissatisfied with the EEB's efforts, Greenpeace left the Bureau in 1990, and Friends of the Earth shifted its focus away from coordinating the work of their national offices through the EEB to concentrating on their own coordinated European effort [28]. These developments have tended to undermine the ability of the EEB to speak on behalf of EU environmental groups, but the Bureau is still important as an umbrella group, and Baldock sees a long-term tendency toward the creation of more European networks of organizations, at both the voluntary and statutory levels [29].

While the EU may offer new lobbying opportunities for environmental groups, access is neither guaranteed nor straightforward [30]. First, the agenda-setting process is relatively unstable and unpredictable, because EU institutions are still evolving, their briefs and responsibilities are changing, policymaking power is dispersed, and the agenda

changes as successive presidencies of the Council of Ministers push pet projects to the top of the list.

Second, while some powers over policy may have been shifted to Brussels, many remain with national governments, so groups are finding that they have to keep active in both arenas. Although they might be able to play one off against the other, this stretches their already limited resources, and means they often lack the will or resources to take part in the policymaking process through from initiation to implementation. Finally, as noted earlier, policy-making within the Commission is compartmentalized, with little horizontal coordination among DGs with a shared interest in an issue [31]. Groups can work with DGXI (Environment) and DGXVII (Energy), but they also need to watch developments in other DGs, where other and perhaps more powerful interest groups representing industry or agriculture may have much more influence.

The efficacy of interest group activity is further compromised by differences among national agendas. For example, poorer states such as Greece, Portugal and Spain have a different view of the implications of environmental regulation from that of wealthier states less concerned with rapid industrial development, and will more likely see them as a barrier to trade. Priority issues also vary from one state to another, as do the relationships between governments and interest groups. There are also structural problems inherent in groups from 15 different states with different sets of priorities reaching agreement on policy positions [32].

## Interest groups and the EU policy process

Environmental interest groups have played a valuable role both in policy formulation and policy implementation at the EU level. Groups can influence policy formulation by working together across national frontiers to influence the broader EU policy process through lobbying the Commission or Parliament, or generating public awareness. They have also played an important role in policy formulation by encouraging national policy changes with international implications. For example, it was the activities of environmental groups in the 1960s and 1970s that initially helped make the environment a prominent political issue at the national level in western Europe, a change which was translated into greater intergovernmental cooperation on issues of mutual interest. More recently, environmental groups have brought pressure to bear on national governments, leading to national policy changes that have spilled over into EU policy and into national policy in other member states. The issues of lead in fuel and acid pollution provide illustrative examples.

Lead was originally added to fuel to improve its performance, but researchers found that the lead emitted into the air when fuel was burned posed a health hazard. Japan and the United States banned the use of lead in gas in new cars in the 1970s, while West Germany unilaterally reduced the lead content of its fuel to 0.40 grams per liter in 1972, a proportion that allowed the gas to continue to be used in road vehicles without their engines having to be modified. The lead content of gas varied widely across EC member states, and

although the energy crisis of 1973 made governments less enthusiastic about addressing the lead issue, the Commission - worried partly about air pollution but mainly about trade distortions - suggested bringing all the states into line with West Germany by 1976. West Germany then raised the bar by making a second reduction in lead content, to 0.15 g/l. The Commission responded with a 1978 directive requiring member states to reduce lead content to the range 0.40-0.15 g/l.

Further pressure for change came in 1982 with the launch in Britain of a campaign for unleaded fuel, spearheaded by CLEAR, the Campaign for Lead-Free Air, which used the health argument, won wide public and political support for its case in Britain [33], and later helped co-ordinate the launch of an EC-wide campaign with the EEB and the European Bureau of Consumer Unions [34]. Research was also published in West Germany showing that forests were dying from air pollution, increasing the domestic public pressure to introduce lead-free fuel in that country so that catalytic converters could be fitted to exhaust systems, thereby cutting air pollution from road vehicles. Further impetus came from Britain with the conclusions of the ninth report of the Royal Commission on Environmental Pollution in 1983, which contributed to the decision by the British government to propose removing the minimum limit from the 1978 EC Directive. The final step came with a 1985 directive mandating the introduction of lead-free fuel throughout the Community by 1 October 1989. Public pressure for policy changes in two powerful EU member states had thus helped bring agreement

on a Union-wide change in policy.

Another case in point is provided by the issue of acid pollution, where public pressure in (West) Germany contributed to German policy changes, which encouraged the EC as a whole to adopt more stringent policies, which in turn obliged Britain (previously unwilling to take action) to reduce its pollutive emissions [35]. In 1982, the West German government, in the wake of new evidence of growing acid pollution damage to West German forests, and in the light of the growing popularity of the Green party, abandoned its long-held opposition to controls on sulfur dioxide (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>), the primary components in acid pollution. Concerned that its unilateral action would compromise the competitiveness of German industry by imposing upon it the burden of the cost of pollution control, West Germany also began lobbying through the EC for EC-wide SO<sub>2</sub> reductions. The European Commission produced a series of proposals on pollution control, aimed at developing a comprehensive program of EC legislation on air pollution.

Meanwhile, the Thatcher administration refused to acknowledge that acid pollution was a problem in Britain, or that action should be taken to bring it under control. Rather, it argued that there was a need for more research and greater scientific certainty. This decision was taken despite reports published during 1984 by the Royal Commission on Environmental Pollution, the Environment Committee of the House of Commons, and the House of Lords European Communities Committee. All subjected the policies of the Thatcher administration to close

scrutiny and to criticism. The Commons and Lords reports argued that enough was known to justify the development and application of pollution control technology.

In 1988, the EU agreed a directive on large combustion plants, thereby committing all member states to major reductions in emissions of SO<sub>2</sub> and NO<sub>x</sub>. While this change of heart can be ascribed in part to worsening British relations with Norway and Sweden (recipients of much British pollution), the growing weight of scientific evidence, visible damage to British forests, and pressure from parliamentarians and interest groups, the decisive event was undoubtedly the adoption of the EU directive and the obligation imposed on Britain to meet its terms.

Although there has been progress on environmental policy formulation at the EU level, the record with implementation has not been so positive [36], once again offering interest groups the opportunity to play a supportive role. The weaknesses in implementation can be explained in part by the limits on the abilities of the Commission to make sure that member states implement EU law, the long-time lack of a legal basis for EU environmental policy, and the pressure on the Commission to maintain the impetus on new legislation, all of which have combined to encourage EU policymakers to focus on policy formulation at the expense of implementation [37]. Another problem comes out of the differences in the regulatory programs and systems of member states [38]. For example, Greece and Spain have had more infringement proceedings begun against them than

most other EU states, mainly because local government in both states is relatively poorly organized and under-equipped. Germany and the Netherlands also have a bad record on implementation, but that is because both have a sophisticated system of domestic environmental law, and lack the motivation to fully adapt their own measures to EU requirements. Meanwhile, Denmark has a good record on implementation, helped by high levels of public and official environmental awareness, effective monitoring systems, and the involvement of the Danish parliament in negotiating new environmental law [39].

The differences have also been blamed on the lack of financial and technical resources, organizational problems within EU institutions, the fact that most EU law has focussed on developing policies rather than the means for implementation and enforcement, and on the failure of all the different parties involved in making policy to realize the difficulties of meeting the goals they set themselves. Some argue that the Commission - through the EEA - should be given the power to carry out inspections and ensure compliance, but this raises fundamental questions about sovereignty and the "interference" of the Commission in the domestic affairs of the member states. Besides, effective inspections would demand a huge new staff; even an institution as resourceful as the US Environmental Protection Agency - with a staff of 15,000 and a multi-billion dollar budget - is hard-pressed to keep up.

Liberatore explains the record in terms of a lack of financial and technical resources, and organizational problems



within EU institutions. She notes the problems created by two "implementation gaps": between the passage of EU law and its incorporation into the national law of member states, and between incorporation and implementation at the national level. One such implementation gap relates to the failure of member states to implement EU laws by particular dates, which some have blamed on the failure of the negotiators of directives to appreciate the difficulties of fulfilling the obligations they are undertaking [40].

Against the backdrop of problems such as these, interest groups have played a valuable role in promoting the efficiency of implementation, notably in their role as whistle-blowers. The EU has emerged as an additional level of political activity for groups, which - while certainly not ignoring the need to put pressure on local and national government - have turned increasingly to the EU to encourage changes in law and policy and to exert further pressure on national governments to change their policies. Whistle-blowing has been an important vehicle for such pressure, as illustrated by the growing volume of complaints received by the Commission from environmental interest groups, local authorities, MEPs, and private individuals. In 1984, it received only 11 complaints; by 1989, it was receiving more than 450 each year [41], reflecting both the growth in the number of EC laws and in the watchdog functions of interest groups. The example of water privatization in Britain is a case in point.

The Thatcher administration issued a White Paper on the privatization of the water industry in February 1986 which proposed passing almost all responsibility for water management (including pollution control) to a new private water company, thereby allowing it - in effect - to regulate itself. The 27,000-member Council for the Protection of Rural England took legal opinion the matter, and found that under EC law, it was illegal to place pollution control in the hands of private companies. It alerted the Commission, which warned Britain that pollution control would need to be placed in the hands of a "competent authority". When the Thatcher administration announced its amended plans for water privatization in 1987, they included a proposal for an independent National Rivers Authority which would have regulatory powers over water pollution control [42].

#### The environmental movement and European civic culture

The theory of civic culture holds that the effective performance of a democracy requires a sense of partnership and shared interests between the governors and the governed, and a reconciliation of the powers and obligation of governments to govern and of citizens to participate. Only with such a reconciliation can effective political choices be made, and can citizens evaluate the performance of government. In much the same way as public perceptions of the declining efficacy of government in some industrialized states has promoted political polarization and diminishing confidence in politics and government, so the widespread doubts and confusion about the

process of European integration may be partly attributed to the failure of citizens to understand their place in the process of governing Europe, and partly to the limited opportunities available to citizens to influence that process. In other words, there is little sense of partnership or shared interests between EU institutions and citizens, and a level of confusion about the powers and obligations of the two parties that interferes with the achievement of a reconciliation.

Neofunctionalist theory emphasizes the importance of a central institution that can assert itself in such a way as to cause strong positive or negative expectations. While the Commission achieved a new dynamism and prominence during the Delors presidency, and thus came close to fulfilling the neofunctionalist ideal, it is still often described as an adolescent bureaucracy, and its potential for leadership remains limited. In truth, the entire edifice of the European Union remains adolescent and only partly-formed, and the idea of European integration has accordingly taken only a limited hold in the imaginations of Europeans. Opinion polls find most Europeans expressing themselves increasingly in favor of the process of European integration, and a growing number are beginning to think of themselves more often as Europeans than as citizens of a particular member state. But there is still a high level of confusion and uncertainty about the powers and missions of EU institutions, and about the channels that citizens can use to influence the EU policy process, most of which are as yet poorly defined. Under the circumstances, it is no surprise that

there is (as yet) little sense to a civic culture that rises above the local or national level.

The experience of environmental interest groups suggests that a tradition may be developing of circumventing the democratic deficit in the European Union by affording citizens non-traditional channels through which they can influence the EU policy process, wittingly or unwittingly. The consequence of this may be to weaken the role in European integration of political acts of will, and to contribute toward the building a European civic culture as more Europeans begin to see the results of their collective efforts, and to circumvent the channels of political expression and participation associated with a conventional majoritarian or Westminster-style democracy. This would also fit with Offe's argument in the mid-1980s that the political party was disintegrating as the dominant form of democratic mass participation, and was being replaced by new social movements based on a common identity, demanding autonomy rather than representation, and geared not towards "what is to be created or accomplished through the use of politics and state power but towards what should be saved from and defended against the state and the considerations governing the conduct of public policy". He also noted trends towards the "'deparliamentarization' of public policy and the concomitant displacement of territorial forms of representation with functional ones" [43]. At the level of the European Union, Offe's conclusions would seem to fit with the evidence offered in the form of the constitutional and structural weaknesses of the European

Parliament and the European Commission in particular, and with the absence of a majority party group in Parliament.

Offe went on to argue that there was a tendency toward corporatist arrangements in capitalist states which combined "the function of interest representation of collective actors with policy implementation vis-a-vis their respective constituencies" [44], a description that fits well with the record of environmental group activity at the EU level, and with other examples of group activity (notably the work of the Economic and Social Committee, or the consultative committees formed by the Commission). Coombes criticizes "the Community method" for its "reliance on bureaucratic and corporatist structures" [45], but whether the EU model of corporatism implies privileged access to the policy-making process in return for compliance is debatable. Although many environmental interest groups have built a relationship with the Commission that is in many ways symbiotic, and although the Commission prefers that those groups act "responsibly", it would be untrue to suggest that they have always been compliant.

Against a background of weak institutions and patterns of participation and representation that are still evolving, the best short-term hope for the construction of a European civic culture and for closing the gap between civil and political society at the level of the European Union may lie in the activities of interest groups working together across national lines to achieve changes with implications for the EU as a whole. The relationship that such groups may develop with the

policy-making institutions of the EU may help reconcile the powers of the policy-makers with the ability of citizens to participate in the policy-making process, thus building a sense of shared interests, and encouraging Europeans to develop a closer sense of identity with the European Union as an additional level of authority and an additional forum for political activity.

## NOTES

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