

From a Recipient of Aid towards an Independent Actor

The Impacts of EU integration on Estonia's Civil Society

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Introduction¹

In recent scholarly and political debates, civil society has often been considered one of the weakest, if not the weakest aspect of democracy in the Central and Eastern European countries (CEECs). Although the Eastern EU applicant states have been fairly successful in establishing democratic institutions and formal procedures, all of them suffer from political apathy and alienation of the citizens, low public trust in state authorities, and general dissatisfaction with the functioning of democracy – even though democracy is valued in principle. In the face of these problems, activation of a sphere of civic initiative and organisation is seen by many analysts as one important means for improving the quality of democracy.² Support to the development of civil society has also been an increasingly important aspect of EU policy aimed at strengthening democracy in the Eastern candidate countries. In addition to supporting civic activity in general, the EU has in recent years started to pay attention to the involvement of civil society in the Eastern enlargement process. It has been underlined that in order to guarantee the legitimacy and effectiveness of integration, citizens and non-governmental actors should play a stronger role in the candidate countries' preparations for EU accession.³

So far there is little research on the connections between the development of civil society and integration into the EU of the CEECs.⁴ This paper develops a theoretical framework for studying how integration into the EU shapes civil society in the Eastern applicant countries. It aims at conceptualising and assessing not only the EU policies aimed at supporting civic activity, but also the indirect and unintended implications of integration for civil society. In other words, I seek to uncover different mechanisms by which the overall process of integrating into the EU conditions and steers the development of civil society in the applicant countries. I argue that in order to account for the effects of integration, it is important to look at how EU policy interacts with domestic conditions and choices, and how EU norms become appropriated to the domestic context.

The paper emphasises that it is not sufficient to ask whether civil society can play a stronger role in integration, but we have to specify what is meant by a 'stronger role' and study what *kind* of civil society is promoted by integration. This will raise important normative questions concerning different models and functions of civil society. In particular, since EU integration is a state-led process, I will pay attention to the relation between civil society and the state as it is constructed in the context of integration.

The theoretical framework draws on empirical research focused on one of the candidate countries, Estonia, but it also incorporates existing studies on other CEECs, as well as the related theoretical debates, in order to gain a broader perspective. In Estonia and the other Baltic states, civil society has been weak compared with the Central European post-communist countries.⁵ In Estonian public debate the very concept of civil society has emerged only in recent years. It was not included in the vocabulary of the groups and organisations that played a central role in the 'Singing Revolution' of the late 1980s and in the establishment of the newly independent state in 1991.⁶ However, both civic activity and public and political attention to civil society have recently experienced a considerable rise in Estonia. Academics, activists and politicians all agree that the weakness of civil society is a considerable problem for Estonia's democracy, and some attempts have been made to activate civic associations 'from above', through state initiatives. One important sign of change in this field is the preparation of a document called 'The Conception of the Development of the Estonian Civil Society'.⁷ All the parties represented in the Estonian parliament are involved in working out the Conception together with representatives of non-governmental organisations (NGOs) and academic experts. The document aims at laying down the main principles concerning the role of civil society in relation to the public sector.

This paper starts off with a brief review of the theoretical conceptions that underpin the discussions on the post-communist civil society. Secondly, it studies different mechanisms of EU impact on civil society in the candidate countries. After that I will ask what is actually meant by a stronger role of civil society in EU integration, and seek

to answer the question by studying the roles in which Estonian civil society has been positioned in the integration process. The positions of civil society, especially in relation to the state, will be explored in light of theoretical approaches, Estonian debates on civil society, and forms of EU support. Finally I will envisage some hurdles on the way of actually increasing the involvement of citizens' organisations in the candidate countries' integration into the EU.

Competing conceptions of civil society

The transition in Central and Eastern Europe has fuelled the revival of interest in civil society among political scientists during the past decades. The idea of civil society has had a central position in the thinking of several political leaders of the transition era, such as Václav Havel in Czechoslovakia and Adam Michnik in Poland – although it is also worth noting that the concept has remained relatively alien to a majority of citizens in the CEECs.⁸ The importance of civil society for successful democratisation in Central and Eastern Europe has been underlined by several Western analysts. The post-communist countries have followed a common pattern in terms of cycles of civic activity during the transition, moving from an initial wave of mobilisation to apathy and disillusionment.⁹ An active citizenry played a vital role in the early stages of transition that led to the breakdown of totalitarian regimes. During the early 1990s, however, the focus of both politicians and analysts turned to building up the legal and institutional framework for democracy. Meanwhile civic activity and general enthusiasm about liberation was replaced by apathy and alienation from politics of large segments of CEE people. Apparently the establishment of new institutions did not suffice to give legitimacy to the new political leaders, or to offer enough opportunities for citizens to have a say in political processes. Therefore towards the end of 1990s, civil society started to receive increasing attention again. Now the major institutional reforms had been completed in most of the CEECs and the question of how to guarantee the consolidation and improve the quality of new democracies rose to the fore.

In studies on the transition in CEE, the concept of civil society is mostly used to refer to voluntary civic organisations that are autonomous from the state. Looking for the intellectual roots of the concept, we need to turn to Western theories of democracy and civil society. In the background of contemporary notions of civil society, a central place is held by Hegel who laid down the following categories of civil society: legality, privacy, plurality, association, publicity and mediation.¹⁰ Hegel however prioritised the state over civil society; in his thinking, the state embodied the national community, represented the common good, and constituted an area of freedom and moral action, whereas civil society was a sphere of economic relations and individual interests pursued in interaction with others.¹¹

Another important source of present conceptions of civil society lies in the Anglo-American liberal tradition. Contrary to Hegel, liberal thought sees civil society as a sphere of freedom and equality that needs to be defended against state authority and coercion.¹² Within the liberal tradition, one can distinguish two opposite approaches to political participation and civil society.¹³ In one of them, represented by John Locke and Joseph Schumpeter,¹⁴ civil society is seen as mainly consisting of the marketplace. This approach emphasises property rights and idealises maximum freedom of an individual from the state. It does not value political participation outside elections – quite the contrary, apathy of the majority is believed to support the stability of the system.

In the same vein, the neoliberal thought that gained weight in the 1970s and 1980s insists on cutting down the welfare state and limiting state interference with individual exercise of liberty. Neoliberal ideas (as developed, among others, by Milton Friedman¹⁵) have been most extensively put into practice by Margaret Thatcher and Ronald Reagan – and, following their example, the Estonian political leadership of the 1990s. The neoliberal approach also prioritises the marketplace over other aspects of social life, but distinguishes civil society or the ‘third sector’ as a sphere of voluntary, non-profit civic activity. According to this approach, the value of civic activity lies in its ability to take over social functions from state institutions, provide certain goods and

services, and hence help to minimise the state. Furthermore, neoliberals argue that civil society does better in pursuing social justice than the state.

As opposed to the market-liberal tradition, liberal participatory conception(s) of democracy emphasise the value of (political) civil society and participation as important means for guaranteeing the stability of the system. One of the key figures in this tradition, J.S. Mill, underlines the educative function of participation; civil society teaches responsible social and political action and respect for public interest. On the other hand, as argued by John Rawls, widespread participation prevents concentration and misuse of power.¹⁶ The idea that the existence of democratic institutions and political participation in the form of elections are not enough to create a sustainable democracy is also upheld, in different variations, by the republican tradition,¹⁷ critical theory,¹⁸ and various critical/late modern and postmodern approaches.¹⁹

Different conceptions of civil society and especially its relation to the state will be discussed further below in light of the case of Estonia. In brief, in this paper the concept of civil society refers to *any bottom-up collective activity that takes place in the public sphere, but outside the state and economy, and that structures social life*. Through civil society, social identities and interests are constructed, represented and protected. Hence one important function of civil society from the viewpoint of democracy is to offer places where the plurality of society can be ‘lived out’ and brought to bear on public debate and decision-making. Such an understanding focuses on political civil society – activities that are politically oriented in a broad sense, or in other words, take interest in the functioning of (a certain aspect of) society. (This means leaving aside free time activities that are also part of civil society, but do not have much relevance for the topic of the paper.)²⁰

Mechanisms of EU impact

Assuming now that we accept the importance of a strong civil society for democracy, has integration into the EU strengthened civil society in the CEECs? It has not been one

of the main priorities of Eastern enlargement to support civil society in the applicant countries, but the EU has still paid some attention to these issues. Table 1 categorises EU impacts on civil society according to, on the one hand, their focus on either civil society itself or state institutions, and on the other, their formal as opposed to informal or unintended nature. In the following I will explore each of the four categories and draw some examples from the case of Estonia.

Table 1. Mechanisms of EU impact on the candidate countries' civil society

	Formal means of influence	Informal and/or unintended impacts
Focused on civil society	Financial aid	Transmission of models and norms through - grassroot-level contacts - demonstration effect - indirect empowerment
Focused on government/ state	Recommendations, norms, expectations	Convergence, models, inclusion in common networks

*Financial aid*²¹

Probably the most obvious, straightforward way for external actors to promote the development of civil society in a democratising country is financial support. The EU has offered some financial aid to civic initiative in the applicant countries, mostly through various programmes under the framework of Phare.²² Assistance to democracy has constituted a fairly small share – about one percent – of the total Phare funds. More than half of that money has been given to NGOs, which is quite a lot compared to American aid that has been more focused on the formal elements of democracy.²³ Unlike in the rest of Phare aid, the CEE governments have not been involved in civil society programmes, but the EU Commission has allocated money directly to NGOs.

Three major programmes for democracy and civil society were started in 1992, based on an initiative of the European Parliament: the Phare Democracy programme aimed at supporting pluralist democracy and the rule of law, the LIEN programme²⁴ targeted at disadvantaged groups, and the Partnership programme focused on local economic development and cooperation between the private sector, local government and NGOs. These three programmes were seen to cover the main aspects of civic activity in the CEECs and ‘constitute a coherent approach to civil society development’.²⁵ In 1999, the two latter programmes (LIEN and Partnership) were merged into a new programme called ACCESS, with a total budget of 19 million euros. At the same time EU assistance became more specifically focused on preparing the applicant countries for EU membership. Accordingly the first priority of ACCESS is to support those fields of civic activity that are considered necessary for the implementation of EU legislation – primarily consumer and environmental protection, and social and health issues. The second priority is to activate and support weaker social groups such as the unemployed, the elderly, the homeless and the handicapped.

Estonian civil society has received aid via all the forenamed programmes.²⁶ The supported projects include a wide variety of issues and organisations, but in line with the overall focus of EU democracy aid on human rights issues, one of the most important targets has been the integration of the Russian-speaking minority into Estonian society. The ACCESS programme has shifted the focus of aid to civic activity in the social sector. The share of civil society projects in the total Phare budget for Estonia has recently increased, being 4 per cent in 2001.

Informal impacts on grassroots level

Civil society in the CEECs is not shaped by EU policy only, but also by mechanisms that do not necessarily involve any (conscious) input of EU institutions but emerge along with integration. All the three concepts discussed below have to do with the transmission of models and norms from the EU to the applicant countries. Firstly, integration is accompanied by a mushrooming of informal *grassroot-level contacts* that

entail social learning and exchange of ideas and experiences. These contacts can be promoted 'from above', as has indeed been the case with several Phare programmes. All the above mentioned civil society programmes have funded transnational 'macroprojects' that have created links between similar organisations from the CEECs and member states.

Partly due to increasing contacts, integration enhances the '*demonstration effect*' of the EU on civil society in the CEECs. These do not however require any direct contacts or active involvement from the EU side, and not even conscious activity on the recipient side. Rather they can occur through a 'neutral transmission mechanism'; unconscious adoption of modes of thinking and acting, based on the attractiveness of Western models.²⁷ The concept of demonstration suffers from a problem that often occurs in approaches to the promotion of democracy: in a simplistic one-way manner, Western models are supposed to spread from 'old' to 'new' democracies. The idea of demonstration tends to overlook that external models cannot simply be 'transmitted' to the CEECs, but have to be adapted to local conditions. Furthermore, it automatically assumes a hierarchical relationship between, in our case, the EU and the applicant countries.

While the concept of demonstration refers to a general pattern, possibly rather unconscious and uncritical, of taking over Western models, I would like to introduce one more concept – indirect empowerment – to account for grassroot-level impacts of the EU. Integration into the EU supports civil society in the applicant countries indirectly by providing legitimisation to the demands of civic organisations and thus offering new opportunities for the organisations to make themselves heard in public. This is a kind of indirect impact of EU integration that is often not recognised, but I would argue that its significance should not be underestimated. Differently from demonstration, this mechanism involves conscious appropriation of external models for the purposes of domestic actors. The concept of empowerment directs attention to the critical role of civil society and independent civic activity that can deliberately and selectively make use of Western norms and examples.

For instance in Estonia, labour unions, women's organisations and environmentalists have used EU norms in order to give more weight to their arguments in public. Arguments drawing on integration into the EU have a considerable weight in Estonian public discussion, irrespective of whether one supports EU membership or not, or agrees with a particular argument or not.²⁸ Referring to an EU norm builds an argument that makes sense and shapes the existing views; it suggests a vision of what 'we' should be like or what we should aim at. Even for those who do not agree with a particular norm or the overall idea that Estonian development should follow the models set by the 'West', the EU still offers concrete examples and visions that inevitably construct understandings of how Estonian society should develop. These visions can be 'exploited' by domestic actors, including various NGOs that have a weaker position in Estonian society than their counterparts in the EU.

Formal norms and recommendations

While financial aid is the main instrument for the EU to directly support civil society, the EU can also exert pressure on CEE governments to take measures that would strengthen civil society in their countries. Different EU institutions and representatives have issued reports, opinions and statements concerning civil society in the applicant countries. A common message is that NGOs are expected to take a more active role in the enlargement process, for instance in the harmonisation of legislation or informing the public, but also in political processes more generally. In this field, the recommendations and expectations expressed by the EU do not have an obligatory nature. There is no mention of civil society or NGOs in the membership criteria or in EU legislation. Hence the principle of conditionality that has played a central role in the Eastern enlargement²⁹ does not directly apply to civil society, apart from the requirement that basic individual rights and freedoms, including freedom of speech and association, need to be guaranteed. However, CEE governments are usually keen to react to EU recommendations and show that they are trying to 'make progress'. EU statements at the very least turn attention to certain problems, or first of all, suggest that

something is to be seen as a problem, which creates pressure on governments to act. In addition, an active role of NGOs has recently become an important criterion for assessing the capability of applicant countries to implement EU legislation in certain fields.

To give some examples, in the 1999 Progress Report by the EU Commission,³⁰ Estonia was criticized for limited involvement of outside organisations in policy planning and legal drafting. Very soon after that the Estonian foreign minister established a consultative council consisting of representatives of major interest groups (see more below). In 2000, the Economic and Social Committee of the EU published a report on interest groups and civil society in Estonia. According to the report, the Estonian government acknowledges the role of economic and social actors and has established formal channels for interaction. However, the Committee underlines that civil society, even organised interest groups, are insufficiently informed and are involved in promoting public information and debate to a very limited extent.³¹

Indirect impacts on formal level

The impact of EU integration on candidate countries' political systems is not limited to financial support and compliance with formally established rules and norms. Integration involves the establishment of horizontal links and various forms of cooperation between the institutions of applicant countries and EU member states. Tightening contacts and networks on the official level have a similar function of social learning as transnational contacts do on the grassroots level. In the course of formal interaction, understandings about domestic societies are placed in a broader European context and national policies become formulated with reference to common norms and values. Partly unconsciously, domestic political actors take over models and ideas from their European colleagues. All of this contributes to *convergence*, or in other words, the gradual narrowing of differences between domestic political systems of the applicant countries and the EU.³²

There are plenty of examples of new institutional networks. The parliamentary committees of European affairs from the candidate countries and EU states meet on a regular basis. On the level of heads of states, the European Conference (established in 1997) offers a 'forum for political consultation on issues of common interest'. Since 1997, the candidate countries have also participated in an increasing number of Community programmes designed to promote cooperation between EU member states in different fields. More recently the CEECs have been included in the workings of some EU institutions, for instance in the European Environment Agency.³³ The candidate countries are also represented at the European convention that discusses the future reforms of the EU.

What is meant by a 'stronger role'?

A study of different mechanisms of EU impact leaves open the question of what is meant by a stronger role of civil society in the integration process. Does it mean more financial aid, more participation of interest groups in political decision-making, increasing EU related activities within the sphere of civil society, all of these, or something else? And how do these aspects of a 'stronger role' relate civil society to the state? Which functions or models of civil society are promoted by integration? In order to address these questions, I shall now examine the roles assumed by civil society, or in other words, the ways in which civil society has been positioned in the context of Eastern enlargement, especially Estonia's integration into the EU. This shifts our focus to the incorporation of EU issues into domestic politics and public debate of Estonia. At the same time we can take another, critical look at the impacts of the EU presented above.

This section goes beyond the above presented categorisation of EU impacts, with an aim to grasp perhaps even less tangible mechanisms through which integration shapes social reality in the candidate countries. In terms of methodology, it follows a discursive approach, looking at how acts of meaning-giving construct the positions and identities of social actors.³⁴ From that perspective we can consider how public discourse

conditions civic activity, supports some of its functions and can prevent others from gaining strength. Discourses or sets of meaning have important implications for political action, since they frame and underpin understandings about society and its problems, as well as about possible or desirable solutions to problems. Hence the EU takes part in the construction of the candidate countries' civil society through shaping the meanings given to that sphere and suggesting certain roles and functions for it.

Recipient of aid – an infant to be fed?

In the context of EU enlargement, civil society has often been talked about merely as a weak sector in CEE societies that needs to be supported, without specifying the meaning of the concept. In practice 'civil society' has mostly been equalled to NGOs. Western aid has been a central financial source for NGOs in most CEECs. The mechanisms of aid and attitudes of donors have commonly been characterised by a paternalistic, 'top-down' approach, which is, of course, problematic for the supposedly bottom-up nature of civil society. Thus the main dilemma that inevitably rises when discussing 'top-down' aid to civil society – in fact, no matter if the aid comes from an international actor or the state – concerns the autonomy of civic activity. Taken that civic organisations should be independent from public authorities, does assistance 'from above' create dependence? Is it contradictory with the very idea of civil society that it is activated from above, as opposed to bottom-up initiative?

The very fact that debate on civil society in the CEECs is often focused on financial aid tells a great deal about the position and strength of civil society. Civic initiative seems to be the infant of CEE democracies who needs to be fed and taken care of, in order for it to grow before it is able to act as an independent social force. Foreign aid has played an important role in the formation of the sphere of civil society, by favouring certain fields and forms of activity, possibly at the cost of others, propagating 'Western' procedures and norms, evaluating the projects that receive aid etc.

It has been a common criticism in Estonia that the NGO sector has been too dependent on foreign aid and therefore more responsive to outside models and expectations than to the needs that rise from within the Estonian society. This criticism is in line with the overall problem that Western donors have tried to export their visions and concepts to the CEECs, not necessarily realising that these would function differently in a different social context, and not paying enough attention to local conditions.³⁵ However, this problem should not be exaggerated. In the case of Estonia, foreign organisations had ceased to be the most important financial source of NGOs by year 1998.³⁶ As to EU support, its volumes have hardly been high enough in order to give reason for concern about excessive dependence of civic activity on the EU.

Another major problem with Western aid to CEE civil society has been that aid has tended to go to strong organisations that have the necessary resources and skills for establishing contacts with donors, writing 'good' applications and defending their interests at large. Consequently foreign assistance to democracy has in fact reinforced old hierarchies instead of increasing plurality in society. Again, the same problem has come up in Estonian discussions and is related to an overall dominance in Estonian civil society of 'the rule of the strong': it is mainly the social groups with better resources (financial as well as social) that are able to organise themselves and protect their interests.³⁷ The bureaucratic procedures and requirements of EU Phare programmes have caused problems for several NGO applicants. It has been difficult especially for weaker and more peripheral organisations to find the skills and resources needed for writing adequate applications and reports and carrying through the projects.

It has to be acknowledged though, that EU support to civil society in the CEECs has been developed so as to avoid the easy way of supporting mainly a small number of strong organisations. At the same time other problems related to the top-down nature of aid – such as excessive bureaucracy, lack of expertise and lack of familiarity with local conditions among donors – have been alleviated. So the procedures of allocating money have been decentralised from Brussels to CEE capitals, and cooperation with local experts has become a norm. Some of the aid has been especially targeted to small

projects, and the distribution of aid among different regions and different types of organisations has been aimed at. In addition, as mentioned above, support to marginalised groups has been defined as one of the two main priorities of the new ACCESS programme, showing that efforts are made to support those social groups that are often not reached by foreign donors. All in all, compared with the corresponding US-led programmes, EU aid has been less centralised, more flexible and more directed to establishing partner relations with the CEECs.³⁸

In Estonia the question of state support to NGOs has come to the fore as foreign funding has decreased. The tension between the desirability of official support to civil society on the one hand, and the dangers inherent in it on the other hand, has been recognised in these discussions. Nonetheless, NGO representatives have fiercely argued for the necessity of state funding, appealing to the public functions of their activity and the importance of civil society for democracy. Some Estonian politicians and business leaders have, in contrast, emphasised the autonomy and bottom-up nature of civil society, which has offered them protection against criticism concerning the low level of assistance from both the state and business sector to civic initiatives.³⁹ A positive feature of these controversies is that they have provoked debate about alternative models of civil society, which actually marks a new stage in the development of the whole sector, growing from an infant to an actor to be taken seriously.

Partner of the state

As presented above, different EU institutions have encouraged and required Estonia to increase the involvement of NGOs and interest groups, especially social partners, in political processes. On the other hand, statements stressing the need for the involvement of civil society seem to have become an almost compulsory part of any speech given by an Estonian politician on EU integration. For example, the former foreign minister T.H. Ilves has strongly and repeatedly stressed the role of civil society in preparing for EU membership. He has expressed concern over little participation of civil society, worrying (already in 1998) that this could lead to a 'no'-vote in the future EU

referendum, because groups that feel excluded from the integration process easily turn against it.⁴⁰

Obviously statements made in speeches do not necessarily lead to any further action and we should not deduce actual intention from the discursive surface. Including civil society in official rhetoric can thus be seen as a discursive strategy that seeks to legitimise the activities of the political elite. Yet changes in discourse do create pressures for policy change, and the new meaning given to civil society in EU context has already led to new practices of involving civic organisations in political processes. So the foreign minister has not only spoken about the importance of civil society, but has actually established a consultative committee mentioned above. The committee gathers together at least once in every two months to discuss Estonia's integration and accession negotiations with the EU and it has presented several recommendations to the minister. Representatives of interest groups have, to some extent, also participated in the work of expert groups for accession negotiations and in the meetings of the European Affairs Committee of the Estonian Parliament. Moreover, NGOs have an important place in the official strategy of the Estonian government for informing the public on EU related issues. In 2001 fourteen NGOs, including for instance farmers' and pensioners' organisations, were involved in the official strategy of information and carried out specific projects supported by the government.⁴¹

In general, participation of civic organisations in the preparation of legislation has been almost non-existent in Estonia. A major problem with including civil society in the work of state institutions has been that many Estonian organisations are weak and not very representative. There are no established procedures within organisations for formulating their positions through internal discussions, and therefore it is not always clear whose voice is heard when representatives of NGOs take part in political processes. Mutual lack of trust is a further hindrance to increasing cooperation between civil society and public officials. Organisations themselves often consider their opportunities to influence state authorities marginal. As to involvement in the process of EU integration, one of the main obstacles is time – the speed of integration does not

leave much time for organisations to form their views and present them to government officials prior to decision-making.

In spite of all these obstacles, cooperation and partnership between the state and civil society is the leading idea of the ‘Conception of the Development of the Estonian Civil Society’ mentioned above. The Estonian political elite tends to see partnership in terms of the ‘discourse of corporatist organisation’ that is one of the three major discourses of civil society among Estonian elites and activists.⁴² According to this discourse, the state should have a small number of strong, representative partner organisations in the field of civil society. In line with Hegelian thought, this approach tends to see the state as morally superior to civil society; while the former represents national community and the common good, the latter is seen as a sphere of narrow individual and group interests. The value of civic activity stems from its contribution to building up the nation state and promoting the common good of the nation.

This vision dates back long in history, to the national awakening in the latter half of the 19th century. During the Soviet time, the Baltic nations (understood in ethnic terms) also opposed themselves as communal subjects to the Soviet state. The feeling of national community was the main driving force of the ‘Singing Revolution’ of the late 1980s that led to the re-establishment of Estonia’s independence. Rein Ruutsoo sees the long-term absence of a liberal conception of civil society from Estonian political discourse as a sign of a missing stage in the development of society and visions of its future. According to him, liberal conceptions of citizenship and human rights did not constitute a basis for Estonia’s democratisation, whereas the national solidarity and civic initiative that had emerged during the Singing Revolution disappeared together with the regaining of independence.⁴³

The EU emphasises another type of partnership that has so far been weak in Estonia: social dialogue. In Estonian public discussion, the Nordic model of strong social partnership has been seen as one option for Estonia, yet having quite a limited appeal. Those Estonian political leaders who have most strongly argued in favour of a new,

Nordic identity for Estonia, have been quite critical about the welfare state model and stressed other aspects of Estonia's 'Nordicness'.⁴⁴ Trade unions are often portrayed in a negative light in Estonia and seen as a threat to the dynamic liberal economy. However, integration into the EU is believed to invigorate the trade unions and bring Estonia closer to European states in this field. It is also worth mentioning that the Maastricht and Amsterdam Treaties have strengthened the role of social partners on EU level.

Although the European model(s) of social partnership involve a critical role of trade unions and other interest groups in relation to the state, one can argue that they incorporate social partners too strongly in the state structures. Both the Hegelian tradition and the model of social partnership give reasons for concern about the independence and critical function of civil society. Taking a different theoretical perspective, it has to be pointed out that it is not necessarily always good to include civic organisations in the work of state institutions. The crucial question is not whether organisations are included, but whether they can actually have an impact on the political agenda and decisions. Inclusion should therefore not be an aim in itself. As it has been emphasised by John S. Dryzek⁴⁵, one has to 'distinguish between inclusion in politics and inclusion in the state'; it is often better for both civic organisations and democracy in general that civil society works for its goals in the public sphere outside the state, remaining a critical counterweight to the state and a force working for further democratisation of the society. Another major problem with the state partner role of civil society is that it tends to neglect the plurality of civil society. The ideas of national community and common good presuppose a common ground that easily excludes some groups. Moreover, if the state idealises strong organisations and a clearly structured, hierarchical field of civic activity, this is not really compatible with the diversity, bottom-up nature and a degree of spontaneity that characterise civil society.

Substitute of the state

Another vision of civil society that is relatively strong among Estonian political and business elites builds on neoliberal thought. It sees civic activity as the 'third sector'

that is subordinate to the economic sector and functions according to the rules of the marketplace. One of the main functions of the third sector is to contribute to 'rolling back' the state that is to a certain extent considered to be 'a necessary evil'. NGOs are expected to take over social tasks from the state or private sector in matters where they are able to 'offer services' in a more 'cost-effective' manner. This understanding of civil society links well with the dominance of neoliberal ideas in Estonian society during the past decade. Estonian NGOs themselves do not, however, see taking over services from the state as one of their main functions.⁴⁶

In 'Western' debate, the neo- or market-liberal ideas have been extensively criticised on different grounds, starting from the ontological conception of a free individual, which does not recognise the embeddedness of an individual in social structures, to the implications of (neo)liberalism for democratic citizenship and social welfare. The focus of that tradition on the market and individual liberty tends to detach citizens from the state and community, and thus contributes to political alienation and atomisation of society.⁴⁷ Furthermore, the market-liberal approach does not necessarily leave room for politically oriented, critical civic activity. Voluntary organisations are expected to offer services and 'heal the wounds' of society, but they should not get politically engaged in order to try to solve the 'causes of the disease'.⁴⁸ Altogether it is questionable, first of all, whether it is desirable in principle that civil society seeks to take over social functions from the state; but one can also doubt whether civil society is able to perform these functions better than the state.⁴⁹

The EU has not explicitly promoted this model of civil society, but some of the aid programmes (LIEN and to some extent ACCESS) have positioned NGOs in the role of substitute of the state by supporting voluntary work aimed at alleviating social problems. Even though the purpose of these aid programmes is not to reduce the social responsibility of the state, and the EU does not suggest that NGO activity in the social sector should be seen as an alternative to state activity, in practice some of EU aid has supported the third sector model. This example shows the importance of appropriation of EU support to the domestic context – although the EU does not necessarily aim at

promoting NGO activity that would replace the state, it can reinforce such a model if the projects that it finances are placed in the framework of the third sector discourse domestically.

Critical counterweight

Liberal participatory approaches and critical theory, among others, would not be content with the roles ascribed to civil society so far, but emphasise instead the function of civil society as a critical counterweight to the state and control over state power. Civil society should not (just) assist and advise the state or take over its tasks, but act as an independent, critical force that represents in public the different groups and identities that exist in society. It should function as a channel for citizens to present their views to decision-makers, shape political agendas and outcomes, and take part in public debate. This type of civic activity is usually considered to be too weak in the CEECs. On the other hand, it has been pointed out in democratisation studies that an active and critical civil society can destabilise the fragile political system of a transition country. It has been debated in the EU too, whether aid to NGOs might undermine state institutions in the democratising recipient countries.⁵⁰ This issue has not, however, come up in the case of Estonia, and it has hardly been a major problem in any of the CEECs.

Obviously there is a tension between the ‘critical counterweight’ model and the positions of civil society presented above. Bottom-up initiatives are even more crucial for this type of civic activity; external actors can encourage and support it, but it cannot be called into existence ‘from above’. I would therefore argue that indirect and informal impacts are the most significant forms of EU support for this aspect of civil society.

This vision, identified as the ‘discourse of participation’ by Lagerspetz and others,⁵¹ is also represented in Estonian society, but its position is relatively weak. People are not used to and not ready to take initiatives in order to solve perceived problems or to express and defend their views in public. For example this is expressed by the unwillingness of many NGO representatives to comment in the media on current

(political) issues that concern their field of activity. Yet at the same time people who are active in organisations have constantly complained about lack of interest and understanding among journalists towards civil society.⁵² Passiveness and apathy are characteristic of other post-communist societies too. Henri Vogt discusses the same problem in terms of lack of individual autonomy among Eastern Europeans. He sees individual autonomy as essential for democracy and for being a democratic citizen, which involves ‘self-responsibility’ and ‘speaking for oneself’ – features that were certainly not encouraged by the communist regime. On the contrary, fears and distrust towards other people as well as the state belong to the legacies of communism that work against democratic politics.⁵³ Such legacies are among the main reasons for atomisation of society, characterised by very little interaction both between people (on a horizontal level) and between citizens and the political system (on a vertical level). As Vogt points out, in an atomised society it is difficult to build up a functioning civil society.⁵⁴

The role of critical civil society in integration into the EU could be to participate in public debate and offer alternative views to and criticism of government policy. In Estonian public discussion, it has been repeated time and again during the past years that Estonian society would need a strong eurosceptic force that would be able to perform that function. The former prime minister Mart Laar even allocated money to eurosceptic projects, which produced some anti-EU publications in 2001.⁵⁵ There is, however, no considerable anti-EU organisation in Estonia, but only several very small groups that do not actively participate in public debate. On the pro-EU side, the Estonian European Movement has recently become active and visible in public. The organisation seems to by and large agree with official EU policy, but it stresses its independence and offers a forum for critical debate.

Partnership *versus* ‘third sector’

Table 2 (see below) summarises the above presented four positions of civil society and their broader contexts. The two first ones, recipient of aid and partner of the state, have dominated in the discourse of Eastern enlargement and in Estonian EU debate. As the

empty cells in the table show, the position of ‘recipient of aid’ does not compare well with the other categories, as it does not contain any particular conception of civil society. Yet the inclusion of that category illustrates well the condition of Estonian civil society in the 1990s. During that period, civic activity went through a considerable decrease and was not an issue in public debate. Many NGOs were dependent on foreign donors who promoted different models of civil society. The position of an ‘infant’ has, however, gradually given way to more precise visions. The model of partnership between the state and civil society has received increasing support from both the EU and Estonian politicians and activists. The third position (service producer) has a more marginal role in the context of EU integration, although it has been popular among the Estonian elites. The fourth, critical position seems to be gaining in importance especially among NGO activists.

Table 2. The positions of civil society in Estonia’s integration into the EU.

	Theoretical connection	Relation to the state	Corresponding conception among Estonian elites and activists	Main forms of EU support
Recipient of aid		Dependence (?)		Phare programmes, e.g. Democracy and ACCESS
Partner of the state	Hegelian tradition	Inclusion, cooperation, advice	‘Corporatist organisation’	ACCESS, recommendations, models, convergence
Substitute of the state	Neoliberal thought	Producing services, contracting	‘Third sector’	LIEN programme, some elements of ACCESS
Critical counterweight	Liberal participatory and critical theories	Criticism, control, pressure	‘Participant society’	Indirect impacts on grassroots level, esp. empowerment

As I have argued, drawing on both theories of civil society and the views that are represented in the empirical 'field', one should be critical towards top-down approaches to civic activities and towards seeing citizens' organisations primarily as partners or assistants of the state. Hence the strengthening of the fourth position seems most welcome. One could ask whether this is complementary with the dominance of the first two positions of civil society in the context of Estonia's integration into the EU. Admitting that aid does create a certain degree of dependence, I would still emphasise its positive value for building up organisations that could potentially be able to take a more independent role. EU assistance as well as the models and norms set by the EU have contributed to the growth of independent civic activity in the applicant countries. As to the involvement of civil society in state activities, some degree of inclusion can and often does coexist with a critical role. In the near future, balancing between these two, to some extent contradictory visions will probably be one of the main dynamics in the positioning of civil society in Estonia's EU integration. An appropriate level and conditions of external and state assistance will continue to be another important theme for civil society in the context of EU relations.

While the models of partnership and critical counterweight can be complementary, I would argue that the main line of tension in Estonian approaches to civil society lies between the discourse of third sector as opposed to other conceptions. That tension concretises in two alternative models: the Nordic welfare state with strong social partnership on the one hand and the neoliberal/American model with an active, but mostly non-political third sector on the other hand. Out of these two, EU membership is likely to strengthen the appeal of the Nordic model.

On the whole, EU integration has promoted different models and functions of civil society in the candidate countries. For instance, the partnership model has become dominant recently, but still the main instrument for promoting it – the ACCESS programme – also supports projects based on the idea of 'third sector'. EU support has simply lacked a consistent approach to civil society. One might therefore criticise the EU for lack of vision and argue that more specified aims could make aid more effective.

Nevertheless, in the case of civil society a certain extent of ambiguity and plurality is to be seen as positive rather than negative – if not even necessary. What would be welcome, though, is increasing elaboration and awareness on EU side of the types or functions of civic activity that are supported. Even more importantly, there is need for discussion within the CEECs about the functions of civil society and its relations to the other two ‘sectors’: the state and the economy. External aid is probably most effective, and certainly lies on a more solid ethical ground, if it supports visions of civil society rising from within each society.

In any case, direct EU support has had a fairly limited significance for the development of civic activity in the CEECs. The EU has, however, had considerable indirect impact, as the overall process of integration into the EU has shaped and conditioned the construction of civil society and especially its relations to the state. In particular, one should not underestimate the appeal of the models and norms offered by the EU – at the same time remembering that these norms cannot be directly transmitted to the CEECs, but become enmeshed with pre-existing domestic understandings and conditions.

Limited prospects of increasing involvement

One of the aims of EU support to civil society in the CEECs has been to increase the involvement of non-governmental actors in the process of integration. Yet the case of Estonia suggests that there are at least three interrelated sets of problems in the way of strengthening the role of civil society (whatever is meant by a stronger role) in preparations for EU membership.

The first has to do with the weakness of civil society itself – its organisation, resources, representativeness, ability to make oneself heard etc. Consequently civil society has primarily assumed the role of a recipient of aid in the context of EU integration, with limited (though increasing) capability to act as a partner or critic of the state. The second set of problems is related to understandings about civil society: the very concept is still relatively new in Estonian public discourse and most people (including the

political elite) have quite vague understandings about it. The readiness and ability of people to act as citizens who defend their rights and interests is low, just like the readiness of the state and general public to value citizen activity. Thirdly, the logic of integration/enlargement is such that it does not leave much time or space for the involvement of civil society. The process is dominated by the principles of speed, efficiency and competition (among the applicant states), and it is top civil servants who have the most influential role in it. EU integration is a field in Estonian politics where a small group of the political elite has taken the lead and anybody outside that group does not believe they have many opportunities to influence the process. Joining the EU is considered an inevitability, even though one may be sceptical about it.⁵⁶

Hence, as to the opportunities to increase the involvement of civil society in Estonia's preparations for EU membership, one has to be rather pessimistic: given the weakness of civic organisations, lack of traditions and patterns of cooperation with public officials, and last but not least, the speed and technocratic nature of the integration process, the impact of civil society on Estonian EU policy is likely to remain limited at least until Estonia has become an EU member.

The situation will, of course, change considerably after joining the EU. In many respects, accession would mean moving from the hectic period of transition to 'normal' politics, with more time and space for the involvement of different groups. Joining the EU will also provide civic organisations with new opportunities to participate in EU level political processes and cooperate with their partners in other member states. These perspectives are all the more important in light of current debates in the EU aimed at increasing the involvement of NGOs in EU policy making. This is seen as one of the means for mitigating the 'democratic deficit' of the Union; firstly, NGO involvement could bring EU decision-making closer to the citizens, and secondly, it could contribute to the 'Europeanisation' of civil society and enhance a sense of community among EU citizens. Nonetheless, we need to remain sceptical about these prospects, since there is little readiness and interest, even among NGOs of present EU member states, in 'Europeanising' their activity.⁵⁷

Compared with their Western counterparts, NGOs in the applicant countries are worse off in terms of resources needed for following and influencing EU policy. Moreover, little interest in EU issues and low awareness of the impact of the EU on one's own life are definitely not only characteristic of NGO supporters in the present EU,⁵⁸ but the same holds true for the CEECs. NGOs are preoccupied by 'domestic' and local matters (even though there are less and less areas that remain untouched by EU policies). This boils down to the conception of democracy that is still primarily tied to the nation state. For all these reasons, it is doubtful to what extent civic organisations of the CEECs will be willing and able to make use of the opportunities opened up by EU membership.

Notes

¹ Many thanks to Christer Pursiainen, Harto Hakovirta, Erle Rikmann, Henri Vogt and Juha Vuori for helpful comments on earlier drafts of this paper, and to Toby Archer for checking the English language.

² See e.g. S. Berglund, F.H. Aarebrot, H. Vogt and G. Karasimeonov, *Challenges to Democracy: Eastern Europe Ten Years after the Collapse of Communism* (Cheltenham and Northampton, Edward Elgar, 2001); G. Pridham and A. Ágh (eds), *Prospects for democratic consolidation in East-Central Europe* (Manchester and New York, Manchester University Press, 2001).

³ E.g. European Commission, *Making a Success of Enlargement*, 'Strategy Paper' (Brussels, 13 November 2001); *Regular Reports from the Commission on Progress towards Accession by each of the candidate countries*, 'Strategy Paper' (Brussels, 8 November 2000); *Enlargement and Civil Society*, Proceedings of the European Commission -sponsored Caritas Conference (Brussels, October 1999).

⁴ This issue has been examined relatively briefly, as part of a broader context, by several authors; e.g. J.R. Wedel, *Collision and Collusion: The Strange Case of Western Aid to Eastern Europe* (New York, Palgrave for St. Martin's Griffin, 2001); G. Pridham, 'Rethinking regime-change theory and the international dimension of democratisation: ten years after in East-Central Europe', in Pridham and Ágh (2001), *op.cit.*; J.D. Nagle and A. Mahr, *Democracy and Democratization: Post-Communist Europe in Comparative Perspective* (London – Thousand Oaks – New Delhi, SAGE Publications, 1999).

⁵ See M. Kaldor and I. Vejvoda, *Democratization in Central and Eastern Europe*, (London and New York, Pinter, 1999); Berglund et al. (2001), *op.cit.*, pp. 151-155.

⁶ R. Ruutsoo, 'Kodaniku taassünd', *Eesti Päevaleht* 21.08.2001.

⁷ *Eesti Kodanikeühiskonna Arengu Kontseptsioon*, draft as of 12.02.2001, <http://www.emy.ee/ekak.html>.

⁸ Wedel (2001), *op.cit.*, pp. 85-86.

⁹ W. Merkel, 'Civil society and democratic consolidation in East-Central Europe', in Pridham and Ágh (2001), *op.cit.*, p. 102.

¹⁰ J.L. Cohen and A. Arato, *Civil Society and Political Theory* (Cambridge – Massachusetts – London, The MIT Press, 1992), p. xiv.

¹¹ T. Pulkkinen, *The Postmodern and Political Agency* (Jyväskylä, SoPhi, University of Jyväskylä, 2000), pp. 14-18.

¹² *Ibid.*

¹³ H. Patomäki and C. Pursiainen, 'Western Models and the 'Russian Idea': Beyond 'Inside/Outside' in Discourses on Civil Society', 28/1 *Millennium: Journal of International Studies* (1999), pp. 54-58.

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- ¹⁴ J.A. Schumpeter, *Capitalism, Socialism and Democracy*, 5th edition (London and New York, Routledge, 1992).
- ¹⁵ M. Friedman, *Capitalism and Freedom* (Chicago, University of Chicago Press, 1962).
- ¹⁶ Patomäki and Pursiainen (1999), *op.cit.*; C. Pateman, *Participation and Democratic Theory* (Cambridge – New York – New Rochelle – Melbourne – Sydney, Cambridge University Press, 1970), pp. 3-5, 28-30.
- ¹⁷ E.g. R.D. Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, NJ, Princeton University Press, 1993); P. Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford, Oxford University Press, 1997).
- ¹⁸ E.g. Cohen and Arato (1992), *op.cit.*; J. Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (Cambridge, Mass., MIT Press, 1996).
- ¹⁹ E.g. J.S. Dryzek, *Deliberative Democracy and beyond: Liberals, Critics, Contestations* (Oxford, Oxford University Press, 2000); C. Mouffe, *The Return of the Political* (London and New York, Verso, 1993); Pulkkinen (2000), *op.cit.* There are, of course, significant differences between the approaches mentioned here, but for the purposes of this paper they can be grouped together.
- ²⁰ In order to limit the scope of the paper, I also leave aside a broader conception that sees civil society as a particular type of society, characterised by democratic, open and ‘civilised’ relations between citizens and the state (cf. M. Lagerspetz, R. Ruutsoo and E. Rikmann, *Uurimusprojekti ”Kodanikeühiskonna arendamise strateegiad Eestis: probleemid ja perspektiivid” uurimusraport* (2001, unpublished)). Such a broad notion of civil society is, however, represented in Estonian public discourse.
- ²¹ The Delegation of the European Commission in Estonia has been an important source of the sections concerning financial EU aid. My special thanks to Reet Zeisig for her assistance.
- ²² Phare programme (Poland-Hungary Aid for Restructuring the Economy) is the main instrument of financial aid from the EU to the CEECs. The programme was established in 1989 and was gradually extended to all future applicants. By 1998, the total Phare aid to civil society and democracy in the Eastern applicant countries had reached nearly 158 million € (Wedel, *op.cit.*, p.87).
- ²³ For a critical discussion of the ‘grass roots approach’ of EU democracy promotion, see R. Youngs, ‘European Union Democracy Promotion Policies: Ten Years On’, *6/3 European Foreign Affairs Review* (2001), pp. 355-373.
- ²⁴ As the name LIEN (Link Inter-European NGOs) indicates, this programme has especially financed projects that have established links between organisations in the EU and their CEE counterparts.
- ²⁵ *Enlargement and Civil Society* (1999), *op.cit.*, p. 42.
- ²⁶ Between 1993-2000, Estonian civil society received over 3 million € from Phare funds. The ACCESS programme foresees 850 000 € for Estonia; the first allocations were made in 2001. In comparison, total Phare aid to Estonia is 24 million € annually from 2000 onwards; Estonian GDP was 5,4 billion € in 2000.
- ²⁷ Cf. L. Whitehead, ‘Three International Dimensions of Democratization’, in Whitehead (ed.), *The International Dimensions of Democratization: Europe and the Americas* (Oxford, Oxford University Press, 2001), pp. 21-22. The idea of ‘demonstration effect’ is close to ‘contagion’, also introduced by Whitehead, that refers to the spreading of democratisation from one country to another. The concept of ‘consent’ (*ibid.*, pp. 15-16) is comparable to the category of grassroot-level contacts. (See also P. Schmitter, the same volume, p. 29.) The concepts developed by Whitehead and Schmitter are not, however, directly applicable to the topic of this paper, primarily because they focus on the early stages of democratisation, and hence on the question of how to bring about democracy. By contrast, my interest lies in the quality and different models of democracy, taken that the CEECs already are democracies.
- ²⁸ See K. Raik, ‘From existential fears to pragmatic expectations – Democratic politics and the discourse of European integration of Estonia’, in J. Perheentupa (ed.) *On the Multicultural Europe*, Publications of the Doctoral Programme on Cultural Interaction and Integration, Vol.7 (University of Turku, 2002).
- ²⁹ See K.E. Smith, ‘The Use of Political Conditionality in the EU’s Relations with Third Countries: How Effective?’, *3/2 European Foreign Affairs Review* (1998), pp. 253-274.
- ³⁰ European Commission, *Regular Report on Estonia’s Progress toward Accession*, Brussels, 13 October 1999.
- ³¹ European Economic and Social Committee, *Opinion on Estonia’s progress towards accession*, Brussels, 12-13 July 2000.
- ³² Cf. Pridham (2001), *op.cit.*, pp. 68-69.

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- ³³ European Commission (2000 and 2001), *op.cit.*
- ³⁴ Cf. e.g. N. Fairclough, *Discourse and Social Change* (Cambridge, Polity Press, 1992).
- ³⁵ Wedel (2001), *op.cit.*, p. 110.
- ³⁶ M. Lagerspetz, R. Ruutsoo and E. Rikmann (2000) 'Olelemisest osalemiseni? Eesti kodanikualgatuse hetkeseis ja arenguvõimalused', *12/2 Akadeemia* (2000), pp. 280-283.
- ³⁷ *Ibid.*, p. 293; Wedel (2001), *op.cit.*, pp. 106-108.
- ³⁸ Wedel (2001), *op.cit.*, pp. 205-208.
- ³⁹ E.g. discussions at the second Estonian NGO conference, 'From vision to change', November 5-6 2001, Tallinn; especially statements by Tarmo Loodus, Minister of Internal Affairs; Jaak Saarnit, Managing Director of the Estonian Business Association; and Agu Laius, Chairman of the Representative Council of Estonian NGO Roundtable.
- ⁴⁰ E.g. *Riigikogu stenogramm* 12.02.1998, <http://www.riigikogu.ee/ems/plsql/ems.basdata>.
- ⁴¹ *National Plan for the Adoption of the Acquis: Estonia, 2001 and 2000*. <http://www.eib.ee>.
- ⁴² Lagerspetz *et al.* (2001), *op.cit.*
- ⁴³ Ruutsoo (2001), *op.cit.*
- ⁴⁴ E.g. articles by M. Laar and T.H. Ilves in *Luup* 01/2001.
- ⁴⁵ Dryzek (2000), *op.cit.*, pp. 83-87.
- ⁴⁶ Lagerspetz *et al.* (2001), *op.cit.*
- ⁴⁷ Cf. Pulkkinen (2000), *op.cit.*, pp. 24-26.
- ⁴⁸ Cf. N. Eliasoph, *Avoiding politics: How Americans produce apathy in everyday life* (Cambridge, Cambridge University Press, 1998), on citizen activity in the United States.
- ⁴⁹ See e.g. I.M. Young, 'State, civil society, and social justice' in I. Shapiro and C. Hacker-Cordon (eds.), *Democracy's Value* (Cambridge, Cambridge University Press, 1999).
- ⁵⁰ Youngs (2001), *op.cit.*, p. 367.
- ⁵¹ Lagerspetz *et al.* (2001), *op.cit.*
- ⁵² K. Ruus, 'Tummad sõnatahtjad', *EMSLi infoleht* 3/17 (2001).
- ⁵³ H. Vogt, *The Utopia of Post-Communism: The Czech Republic, Eastern Germany and Estonia after 1989*. Doctor of Philosophy Thesis, St. Antony's College, University of Oxford, 2000, pp. 264-277.
- ⁵⁴ *Ibid.* 217-228.
- ⁵⁵ K. Kulbok (ed.), *Euroopa Liit – skeptiku vaatenurk* (Tallinn, Ühendus Eurodesintegraator, 2001); U. Silberg and V. Leito, *Ei? Jaa? – euroväätluse alused* (Tallinn, Liikumine Ei Euroopa Liidule, 2001).
- ⁵⁶ See K. Raik, 'Bureaucratisation or strengthening of the political? Estonian institutions and integration into the European Union', *Cooperation and Conflict*. Forthcoming.
- ⁵⁷ See A. Warleigh, 'Europeanizing' Civil Society: NGOs as Agents of Political Socialization', *Journal of Common Market Studies* 39/4 (2001), pp. 619-39.
- ⁵⁸ *Ibid.*