

(Re)framing EU participatory agenda: civil society actors and the partnership principle in the CEE member states

Abstract

This article inquires into politics of civil society involvement in EU policy-making on the ground. Drawing on frame analysis, it reconstructs how civil society actors across four CEE member states frame the partnership principle, the EU flagship civil society initiative introduced to improve democratic legitimacy and efficiency of the EU policies. Two points are made. First, the article illustrates that civil society actors increasingly frame partnership as a professionalized practice of expertise- and evidence-based policy-making and in that move away from such aspects of the EU participatory agenda as voicing the citizens' interests or social constituency-building. Second, the article illustrates the productive role of highly political process of contestation that unfolds across tiers of governance and results in entrenchment of certain understandings of partnership and exclusion of others.

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Introduction

Civil society made its 'remarkable career' in the European politics as a buoy against democratic deficit and alienation of the EU from its citizens and as the main tool of the participatory democracy. Although the lifespan of participatory democracy was not remarkably long and later it even disappeared from the Lisbon treaty, scholars argue that it, nevertheless, became a widely accepted and no less widely contested constitutional principle (Saurrigger, 2010; Smismans, 2008). In this picture, European civil society, approached broadly as not only various types of citizens' associations but also economic and social partners, are the first suspects expected to make participatory democracy real. The European Commission, the main norm entrepreneur, advanced several visions of how European civil society furthers participatory democracy in the EU. Its main contributions are believed to lie in input-oriented activities of representing EU citizens, voicing their concerns and provision of expertise, in output-oriented activities of implementing the EU policies and, thus, taking over the state functions, and, finally, in promoting the debate and deliberation on the EU policies and the EU political order (Kohler-Koch, 2009; Smismans, 2003).

These aspirations were endorsed by a wide range of concrete policy initiatives meant to ensure participation and involvement of European civil society such as the European Commission consultation regime or the EU Citizens Initiative. The partnership principle for the Structural Funds represents another interesting example. Initially introduced in 1988 with a view to structure relations between the European Commission and regional and local authorities, it later became closely linked with democratic aspirations when it was extended onto civil society actors (Bache, 2010). The goals of a more efficient allocation and disbursement of the Funds were complemented with goals of a more legitimate character of the EU cohesion policy, the policy that directly affects millions of the EU citizens and absorbs a third of the Community budget. Through such a link with civil society and legitimacy partnership became one of the EU flagship participatory democracy initiatives that, at least theoretically, was expected to advance citizens' participation on the very ground. The EU Regulations remained quite vague, though, regarding formats and forms of partnership implementation, thus, leaving a big room for interpretive maneuvers on the part of the involved actors. Recently, though, the European Commission attempted to overcome this regulatory vagueness by adopting the European Code of Conduct on partnership, a legal act that clarifies its implementation.

In the context of the CEE member states partnership with civil society, undoubtedly, acquires certain strong connotations, not least due to unequivocal association of civil society with the process of democratisation (Ekiert & Kubik 2014). Involvement of civil society actors in policy-making process has always been quite an unquestionable norm and, on the other hand, a measurement of progress towards democracy in the region. Not only was it sustained through domestic discourses and rhetoric but permanently fueled by discourses of external donors, including the EU that periodically rekindled these aspirations through its financial assistance to civil society actors or during the pre-accession negotiations (Bruszt & Vedres, 2013; Hughes, Sasse, & Gordon, 2004).

Based on this, one can assume that the EU partnership principle falls on a fruitful soil of interpretive consensus among the actors about its meaning and rich experiences with its practical implementation. On the contrary, scholars remain very skeptical in their assessments of whether partnership deliver on its promises of efficiency and legitimacy, especially in the CEE member states (Bache & Olsson, 2001; Dabrowski, 2014; Perron, 2014; Potluka & Liddle, 2014). That partnership is a failure is the conclusion most frequently made in the research literature and, most interestingly, the statement that most frequently pops up in interviews with the involved actors. This article, however, does not engage in

tracing legitimacy or efficiency effects of partnership practices or absence thereof. It questions the utility of asking whether partnership is an ultimate success or failure and envisions this research strategy as flawed, not least because of its top-down manner of pre-conceiving of what democracy and legitimacy may mean and especially due to high vagueness of the requirement of partnership. Instead, in a critical constructivist manner the paper is concerned with the process of the construction of meaning of partnership by the involved actors, and mechanisms and logic of this process. Departing from the observation of a highly contested nature of partnership implementation across the CEE member states, the article inquires into the logic of this process. Here the task is to trace which meanings and conceptions of partnership gain prominence and entrench as a result of contestation and to assess how these meanings correspond to larger EU agendas and expectations.

Empirically the article zooms in on how civil society actors across the CEE member states frame partnership. Although there is no paucity of research on European civil society actors, the prevailing strategy has been to investigate how these actors *react* to the EU policy requirements, standards and norms rather than to look at how they *relate* to them. In application to partnership, such research would most likely focus on whether civil society actors comply with this requirement or, conversely, sabotage it, and what determines these choices. Seeking an answer to this question, scholars would oscillate between more macro structuralist (institutionalist) explanations and their emphasis on structuring conditions, like in the literature on civil society and Europeanization, or micro accounts of actors' properties such as resources and interests, like in the literature on partnerships in public policy (Borzel, 1999; Kendall, 2010; Saurruger & Radaelli, 2008; Sullivan & Skelcher, 2003). The present article suggests to change an analytical focus to a bottom-up one and to inquire into actors' own conceptualizations (Soss, 2006). This analytical strategy is believed to do a better job at reconciling divergent explanations of the above-mentioned accounts and overcoming the macro-micro divide through holistic interpretive reconstruction of actors' understandings and how they came about.

Methodologically, the article draws on the frame analysis methodology. It understands framing as an inherently political activity during which actors seek to permit certain interpretations of political events or phenomena and rule out others (Kurowska, 2009; Yanow & van Hulst, 2014). Doing frame analysis, thus, implies reconstruction of the meaning frameworks advanced by actors and uncovering the mechanisms behind frame selection and advancement. The empirical data for analysis was collected through the method of in-depth conversational interviews, participant observation and reading of policy documents.

The analysis bring to light two major findings. First, civil society actors across four countries predominantly interpret partnership as practice of provision and exchange of policy expertise rather than a practice that can potentially enhance citizens' representation, participation in the EU policy implementation or deliberation and debate over the contents of the EU cohesion policy. This interpretation, in turn, hinges on civil society actors' self-perception as highly professional policy experts whose involvement needs to be procedurally guaranteed and enhanced rather than actors whose involvement is legitimized by mere belonging to civil society. Moreover, the findings suggest a noticeable degree of convergence of understandings between civil society actors and the state officials. Both groups of actors interpret partnership as a de-politicized practice of expertise- and evidence-based policy-making yet disagree about procedural and institutional means of its application. Second, the article sheds more light on how these discursive repertoires through which partnership has been framed gained prominence. It illuminates the productive role of contestation as a highly political process of actors' arriving at shared understandings and trying to forge a normative consensus. In case of partnership, contestation and generation of a shared meaning of partnership unfolds across closely linked tiers of governance, both domestically and in Brussels. This finding nuances portrayals of partnership implementation as either domestic adaptation to top-down EU policy instructions or micro-level dynamics within concrete partnership arrangements.

Overall, these empirical observations, in turn, demonstrate the change of the EU participatory agenda associated with European civil society and its gradual moving from issues of democratic legitimacy to issues of efficiency.

I, first, lay out the adopted approach to framing. I then reconstruct the framing moves in the course of partnership implementation with a view to illustrate framing steps of civil society actors, the logic behind their emergence and policy outcomes.

1. Methodology and method

Framing and frame analysis

Implementation of the partnership principle can be seen as one of the most conventional policy controversies. The crux of controversy lies in conflict between actors strongly agreeing about the benign effect of partnership and their wide commitment to the spirit of working together and highly contested character of partnership practice with the same actors being strongly disagreeable to how partnership is practiced and advancing their own understandings. This reality of ongoing contestation over an appropriate meaning of partnership provides room for frame analysis as an analytical strategy that can help to uncover the logic behind this controversy.

Frame analysis has a long and established history in policy studies thanks to intensive work of Donald Schon and Martin Rein and their followers. Framing, in general, is defined as the way actors deal with and makes sense of policy encounters, especially new, controversial and the ones they have no limited knowledge or information about. This is the process of 'selective control over the perception of the meanings attributed to certain phenomena with the purpose to permit certain interpretations and rule out others' (Kurowska, 2009: 526). Framing, thus, leads to certain interpretations becoming crucial and dominant ways of seeing the social (and policy) realities. Frames themselves are the interpretive structures and organizing principles that structure actors' perceptions. However, Rein urges against equating frames with just sets of beliefs as the above-mentioned definitions might inadvertently imply. In their later work he underlines the critical utility of frame analysis as a method that allows for research on values in policy-making process exactly because frames reflect 'relationship between reason and purpose' and are 'structures of thought, of evidence, of action, and hence of interests and of values' (Rein, 1983: 96).

Two important questions need clarification, though. The first one relates to the amount of strategic thinking invested by actors in framing or, in other words, to which extent are the frames deliberately designed. The scholarship on social movements answers it with a high degree of confidence by focusing on frames as conscious, cognitive and intentional tools in hands of actors seeking to define the situation and forge alliances and coalitions. Policy analysis scholars rather emphasize less conscious nature of frames. In contrast, they are unconsciously utilized by actors facing novel policy situations or problems when they urgently need to reduce a complex uncertain situation to something more comprehensible. This raises a related question whether the frames are stable entities and how, if at all, they change. Drawing on careful reconstruction of the frame scholarship, Yanow and van Hulst argue for a more dynamic and, consequently, political approach to frames and framing (Yanow & van Hulst, 2014). The major ontological assumption beyond such stance is that social beings cannot be separated from the contexts in which they are embedded and which continue to shape them and their understandings. The process of framing, thus, is an essentially intersubjective exercise through which frames are created and recreated, adjusted and changed. It is this understanding of framing that has been used for the purpose of the current research.

According to Yanow and van Hulst, such framing occurs through 'three distinctive acts, attention to which elaborates potentially dynamics, political character: sense-making, naming, which includes selecting and categorizing, and story-telling' (Yanow & van Hulst, 2014: 6). In the first act, actors are involved in intersubjective interpreting and meaning-making of the novel and unfamiliar complex situation they find themselves in. Framing, thus, provides 'scaffolding for perceiving and articulating patterns' (page 6) of this unknown social reality and, as a result, allows actors to build a model of the world around, produces instructions for further action and, importantly, provides a normative justification (model). However, those frames that actors supposedly have are not the only depositories of meanings of the framed phenomena. The dynamic approach to framing insists that an important part of those meanings arises out of interactions during which actors engage in conversing with the situation at hand, assign initial meanings and observe potential outcomes (Yanow & van Hulst, 2014). The latter also reflects on a highly politicized nature of this process when actors have to reflect upon their meanings and strategically act upon arising situations. Implementation of partnership vividly illustrates this dynamic of sense-making. Having arrived to the member states as a requirement produced in the sterile and detached environment of the supranational policy-making, partnership appears as a very ambiguous and unclear requirement for all actors. This ambiguity is complemented and sustained by regulatory vagueness and lack of guidelines yet clear presence of the threat of sanctions on the part of the European Commission, both symbolic and real ones. Contestation over partnership or the process of actors confronting each other with various diagnosis of its practice and scenarios of its implementation, thus, illustrates the process of sense-making at play.

Selecting and categorizing are devices used in the course of framing. Selecting is a process of actors' engagement with elements and features of situations or problems and their reshuffling, selecting some of them as relevant and discarding and silencing the others. This process is inherently political, as argued by Yanow and van Hulst, as its immediate effects are always exclusion of certain actors who contribute to multiplicity of understandings and, consequently, exacerbate uncertainties and ambiguities (Yanow & van Hulst, 2014). Categorizing, similar to what Reina and Schon referred to as naming, is the process of further fixing, objectification and legitimation of the selected elements and establishing borders between them through such devices as metaphors, catchphrases, descriptions or visual images (Wagenaar, 2011). In case of partnership, selecting and categorizing would play out through actors' references to what constitutes partnership and which practices deviate from it, what counts as a 'true' and 'false' partnership and why. Creation of various binaries such as 'successful' vs. 'failed', 'true' vs. 'false', 'real' vs. 'unreal' backed with metaphorical illustrations and clarifications would indicate that actors are 'busy' with framing.

The third act, story-telling, as a component of framing involves bringing the selected, named and categorized elements together into a meaningful and coherent whole (Rein & Schon, 1977). Stories, in this light, appear as tools of persuasion of other actors and audiences about the nature of the situation, its structure and lines of relations inside it. The power of stories lies in their ability to weave the elements together into one core, thus, eliminating controversies and blind spots by elaborating on causalities, logic of events and actions, motivations of characters in a very compelling and credible manner etc. (Stone, 2002; Wagenaar, 2011). In this sense, stories told by actors are valuable materializations of existing frames as they provide empirical entries into seemingly intangible interpretive frameworks shared by actors. The political nature of stories transpires through their value-laden nature or, in other words, implicit or explicit references to causes of the situations, frequently with naming the villains and heroes, putting the blame and moralizing (Wagenaar, 2011).

Finally, besides outlining *how* framing unfolds, Yanow and van Hulst make an important clarification regarding *what* is being framed and refer to three main entities: 'the substantive content of the policy issue, the identities and relationships of the situated actors in the policy process, and the policy process itself' (Yanow & van Hulst, 2014: 11). In application to partnership, this taxonomy corresponds to three

main points of contention about partnership, as identified in the academic literature, namely 1) the scope of inclusion or who are the actors expected to be involved in partnership arrangements, 2) operational dynamics of interactions and 3) organizational features, procedures and rules of partnership interactions (Skelcher, Mathur, & Smith, 2005).

Methods and data

The empirical was collected through the method of conversational interviews with actors involved in implementation of partnership (Soss, 2006). The choice of this method as opposed to semi-structured interviews was determined by the goal to reach further actors' discursive interventions or 'directive language use', to the heart of the meanings that actors assign to phenomena (Walsh, 2004; Wiener, 2008). Respondents were asked to reflect on their experience with implementation of partnership. The obtained interventions were evaluated and compared. The three-dimensional framework for comparison was derived from the academic literature on partnerships in public policy and collaborative governance. Scholars within these research traditions study partnership from three perspectives: 1) scope of inclusion, 2) organizational structures/governance arrangements and 3) operational process dynamics (Fung, 2006).

The interviews were conducted with three main groups of actors involved in partnership implementation, namely the state officials (25 interviews), civil society organizations (CSOs) (44 interviews) and social partners (21 interviews). The major criterion of getting into the sample was involvement in any aspect of partnership implementation: programming, monitoring (membership in the Monitoring Committees), implementation or evaluation. To allow for a longitudinal perspective, important for capturing any shifts in understandings and mechanisms behind them, four rounds of interviews were conducted in 2010, 2011, 2012 and 2013. Not only did this allow for interviewing some respondents twice, but also to capture changes in actors' participation, namely their decisions to continue involvement in partnership and cohesion policy or decisions to withdraw.

Arrival of the partnership principle: dealing with the unknown

The pre-accession period was the first time when actors in the CEE member states had been confronted with the requirement of partnership. It surfaced within several important discourses. On the one hand, partnership was an operationalization of democratic conditionality. Compliance with the EU demand to institutionally open up governance and policy-making to non-state actors was checked as an indication of the quality of democracy in the candidate countries. The EU, thus, appeared as a source of empowerment of civil society actors, although with different effects for different types of actors, social partners and CSOs. The status of the former was upgraded by the EU insistence on establishment of tripartite and social dialogue bodies across and on inclusion of their positions on the government reports on implementation of the *acquis* (Iankova, 2007). With regards to the latter, the EU empowerment strategy worked through making partnership the main condition for the pre-accession funding provided through such programmes as SAPARD and PHARE. The crucial difference between these empowerment efforts was that the EU vision of the role of CSOs, unlike social partners, was initially noticeably closely linked to the issue of efficiency. Strengthening of CSOs through providing funds for capacity building and requiring their cooperation with the state actors were intended, as recalled by the respondents¹, to capitalize on CSOs' expertise and knowledge, especially for a better adoption and implementation of the *acquis*. Although presented as a tool and indication of democratization, the meaning of partnership, nevertheless, was associated with efficient policy-making.

On the other hand, the essence of the partnership principle was clarified in the course of completing the negotiations on Chapter 21 ('Regional policy and structural measures'). Unlike in case of democratic conditionality and pre-accession funding, the EU confronted the candidate countries with slightly clearer requirements on partnership outlined in its Regulations on the Structural Funds, namely, first, on who is to be considered a partner, and, second, how work of the main institutional sites of partnership – the Monitoring Committees (MCs) – should be organized. Regarding the former, the Regulations referred to partners as 'the competent regional, local, urban and other public authorities; economic and social partners; any other body representing civil society, environmental partners, non-governmental organizations, and bodies responsible for promoting equality between men and women' (Official Journal L 158:3 28 June 2003). Despite this clarification, the Regulations still remained very vague. One indication of this was a message to the member states that any experimentation with partnership implementation were welcome 'in accordance with national rules and practices' (Official Journal L 158:3 28 June 2003). The new member states were required to immediately implement partnership during the period of 2004-2006, the last two years of the 2000-2006 programming period.

As recalled by all the involved actors, there was little understanding of how partnership was supposed to work in the context of cohesion policy. The main reason was unfamiliarity of all actors, most importantly, the state officials, with the practice of the EU developmental planning. Programming and planning were disturbingly new practices from 'all possible directions'², as expressed by the state officials. The novelty of policy content was accompanied by the novelty of technicalities such as multi-year character of planning, preparation of plans and programmes, unexpected volume of coordination among governmental bodies. Yet, most importantly, the central novelty was the reversed logic of a policy process shaped by the fact that the means (the Funds) preceded the goals (the policies) which made policy-making largely a process of deciding what to do with the money. Partnership in the context of cohesion policy was met by the state officials as another technical innovation despite their overall familiarity with the idea of working together.

Actors' reflections on the first years of partnership practice demonstrate their straightforward reliance on previous similar experiences that served as templates for interactions. For the state officials, this meant, for instance, a copy-paste approach to issues of selection of partners and procedural organization of interactions. Actors who have already been included in existing structures of state/civil society cooperation such as tripartite and social dialogue bodies or various 'civil society councils', groupings, committees and other structures (the Council for Gender Equality, the Council for Roma people, the Council for the Disabled People or various councils for social dialogue like in Poland and Hungary), were identified as appropriate and relevant partners and invited to become members of the MCs or to submit their policy proposals. Such direct extrapolations from old experiences were made across all countries, to a lesser extent in Slovakia, though, due to the fact that emergence and development of practical routines of state/civil society dialogue were slowed down by the democratic roll-back in the end of 90-s. Most interestingly, respondents from civil society also recall another important feature of the first years of partnership, namely the prevalence of still 'old' practice of policy dialogue and deliberation as opposed to 'presenting their comments and suggestions', an alien exercise.³ In their responses, civil society actors insist on a crucial difference between the situation when 'for the first two years we were regularly meeting to discuss our topics and what we mean by 'disability''⁴ and presenting comments that became the core element of interactions at a later stage.

In the context of partnership for the Structural Funds, the state officials were naturally the ones setting the tone of its application by drawing on their perceptions and knowledge about civil society and interactions with these actors. However, the initial reaction of civil society actors was not the one of a passive acceptance of this framing. On the contrary, partnership requirement triggered extensive mobilization among CSOs, to a lesser degree among social partners, aimed at using this window of opportunities to 'explain to the state officials once again what we mean by participation'.⁵ This

mobilization was an important part of the overall process of sense-making and contestation. Across all four countries⁶, although not so actively in Slovenia, the biggest CSOs organized into wide coalitions with a view to renegotiate with the state officials the rules and procedures of participation. The partnership principle and the Structural Funds as a context were, thus, approached as a chance to reshape understandings of what a state/civil society dialogue means. Most importantly, the coalitions of CSOs interpreted partnership from what one can see as a participatory perspective. In the center of this understanding were the views on the role of civil society as watchdogs over the state. Partnership was equated with an opportunity for CSOs to participate in monitoring of the Structural Funds management and spending 'from a civic perspective'⁷, as put by one Slovak respondent, a member of the so-called EU Watch group or, as echoed by his Polish colleague, 'to ensure the voice of civil society in management of the SFs'.⁸ The respondents would not hide that ensuring access to the Funds for other CSOs was also their purpose of mobilization. However, overall involvement in cohesion policy and the ultimate goal of partnership were framed as serving the purpose of scrutiny and oversight over the state, presumably the main role of civil society. The scope of monitoring was defined broadly and encompassed both keeping an eye on possible money abuse, an especially problematic and publicly pronounced issue in the region, and ensuring that certain issues get into the Operational Programmes, like gender or ethnic equality. Thus, partnership was framed as 'serious effort from the government to make the planning more participatory'.⁹ The latter, in turn, was understood as acknowledging the right of CSOs to monitor and creating opportunities for this monitoring.

Thus, in the first period of its application until 2007, understanding of partnership by civil society actors corresponded to their perceptions of civil society roles in policy-making, namely inclusion for monitoring, watchdogging and oversight. In turn, the way the state officials approached partnership implementation signifies their reliance on their experience with civil society politics, namely this politics essentially revolving contestation over access to the policy process and civil society actors struggling for 'having a say, having [their] voice heard'.¹⁰

Difference between John Smith and Academy of Science: contesting scope of partnership?

This consensus and, to an extent, shared understanding of partnership, ceased to exist by the beginning of the new programming period when the issue of partnership scope became the biggest bone of contention. The change came from two sides. On the one hand, there was a visible change of rhetoric and attitudes on the part of the state officials. On the other, different impulses emerged within the larger sector of civil society actors.

As also recalled by the respondents across four countries, the years before 2007 were characterized by a favorable yet slightly oblivious attitude of the state officials towards partnership. As respondents explain it to themselves and basing their conclusions on the input from the state officials, 'they [the state officials] explained it to me that they wanted us to understand that they were extremely busy with establishing something else'.¹¹ Partnership seemed to be on the periphery of their agendas due to busyness with construction of highly complex and, to an extent, cumbersome institutional systems of cohesion policy implementation and, naturally, a rich bureaucratic politics accompanying this process. The state officials were involved in learning the rules of cohesion policy implementation, including establishing contours of competence- and power-sharing at the domestic level as well as in continuous renegotiations with the European Commission. For understandings of partnership, this meant a period of short interpretive consensus regarding its functions. Partnership was understood by the state officials as an attribute and feature of a democratic process since 'being like any civilized democracy we needed to have consultations with civil society'.¹²

However, later on this interpretation changed. The impulse came from the European Commission insisting on speeding up of the Funds disbursement process for which situations of two years of endless debates in the MCs were not particularly helpful. On the other hand, the state officials were themselves seeking for the 'simplification of the whole process as otherwise 'things were getting out of hand both with the Commission and between us, the ministries and departments'.¹³ Moreover, the new, full-fledged, programming period was underway. Due to planning still being an unknown terrain ('we had no tradition of planning after transition'¹⁴) and, most importantly, due to lack of relevant policy input that could fit into the philosophy of cohesion policy, the state officials reinterpreted partnership in highly instrumental fashion as a tool of acquiring the highly coveted policy input and expertise. This repositioning from passive leaners of the rules of cohesion policy during pre-accession and the transit period of 2004-2006 into active doers also shaped their expectations from societal actors ('we expect them to show the fields which need to be covered and that we do not see'¹⁵; 'we need to collect the right priorities'¹⁶).

The practice of partnership reflected on this understanding - planning for 2007-2013 period was conducted in the format of wide public consultations the ultimate purpose of which was collection of the pool of policy input that could later, upon certain transformation and adjustment, be incorporated into the final programmes and action plans. Most importantly, turn to this form of partnership was (and still is) justified by the state officials with arguments of equality of access and treatment of all interested parties ('we are seeking to reach every possible partner that can be useful for the programme and give their ideas'¹⁷). Institutionally during two programming periods of 2007-2013 and 2014-2020 this was implemented in either country-wide on-line consultation process with everyone having the right to comment on drafts of the OPs or leave their suggestions of comments, like in Hungary, or through the so-called programming visits to or conference, workshops and presentations across the regions like in other three countries. The story that the European Commission recognized the Hungarian experiment with country-wide participation in programming as the best practice¹⁸, retold by the respondents representing the state officials, became an important element of partnership framing by these actors. This understanding was extended beyond the practice of programming. Since the EU Regulations did not prescribe the upper limits of membership of the MCs, the state officials, responsible for composition of these structures, solved this problem in the same all-inclusive manner allowing many partners to become members of the MCs. This practice was especially popular in Hungary and Slovakia, to a lesser degree in Poland and Slovenia, where the MCs for OPs in environment, energy, social renewal and social inclusion in the 2007-2013 period were composed of more than 70 members, thus, becoming public consultations in miniature.

Civil society actors actively resist such an interpretation, especially the way it envisions selection of partners. As vividly put by a Hungarian respondent, 'in the Hungarian system [of partnership- A.D.], the Hungarian Academy of Science has the same weight as some John Smith, it is not that all of them are important but actually none of them has any importance'.¹⁹ This quote is instructive in seeking to understand the framing of partnership by civil society actors. The quote, juxtaposed with utterances of other respondents, summarizes the major concern of civil society actors with partner selection – its indiscriminate character or, in other words, the attempts of state officials to reach for as many partners as possible. Such an approach is equated with betrayal of the ideals of partnership and, in words of respondents, is indicative of an 'untrue' partnership.

Civil society that knows and does not: framing (own) identities

Changes in selection mechanisms and scope of partnership, instigated by the state officials, have been framed by the latter as a move from excessively political character of interactions when every partner would act in their narrow interests towards a more efficient cohesion policy. To support their claims, the

state officials would refer to the image of an ideal or 'real' societal partner that occupies the central position in this framing. Real partners are recognized by their cognitive abilities ('ability to read all the documents, to comment on them and also to be able to make the linkages with other policies'²⁰) and, most importantly, patterns of behavior and claim-making, namely 'them [CSOs-A.D.] not being concerned with their own narrow interests but with the strategic and country-wide visions'.²¹ Societal partners, in this articulation, also should come across as professionally organized ('we told them: 'if you want to join, organize yourselves!'²²) and professionally acting which, on a closer scrutiny, means refraining from political claim-making as opposed to interacting in a manner of informed and evidence-backed opinion exchange. Partners, thus, have been confronted with demands very different from conventional expectations from civil society actors such as representativeness or embeddedness in local communities through various lines of accountability. Respondents from the governmental bodies openly confess that these criteria were not the major guiding principles in their choices of whom to contact. In contrast, expectations about partners' professionalism moved to the front.

In practical terms, this change was implemented through systematization of the procedures of partnership. Across all four countries, public consultations were legitimized as the most appropriate and desirable way of interactions. As for the membership in the MCs and other groupings, like evaluation groups or steering committees, the state officials suggested societal partners self-organize and install systems of nomination into these structures. Active involvement of national umbrella associations, like CNVOS in Slovenia or OFOP in Poland, that would be steering the process of selection, was widely encouraged. Such systematization was seen as a natural step from chaotic and unpredictable interest politics towards a more reliable and effective partnership.

These changes were met by societal partners with strong reactions and produced some shifts in societal participation in cohesion policy which occurred in the 2007-2013 programming period. A look the composition of the MCs, for instance, highlights emergence of 'generations' of societal partners. On the one hand, the orientation of the state officials towards new formats of dialogue forced many 'first generation' partners to opt for an exodus. The above-mentioned coalitions of actors gradually dissolved and stopped functioning, and their organizations either left the partnership structures convinced there was no space for habitual interactions based on debate and deliberation and performativity of monitoring²³ or, as recalled by respondents, had to adapt to this unfamiliar format of taking part 'in such consultations when you need to present your opinions and feedback'.²⁴ On the other hand, opportunities offered by partnership attracted a new generation of organizations who position themselves as policy experts not so much concerned with contesting the general ideas of gender equality or ethnic non-discrimination but eager to channel their expertise on successful dealing with these problems and acquire recognition for this. Another important shift was the restructuring of activities and strategies by social partners. Whereas partnership and cohesion policy, in general, were of little interest for social partners in the beginning, later their stance changed. Not in the last instance, this occurred due to concerted effort of the European Commission to ensure greater involvement of social partners through initiating interactions at the EU level through, for example, the European Social Fund Committee. This external influence coupled with such changes as deterioration of social dialogue practice in times of crisis and own attempts of social partners to revise their activities resulted in growth of interest towards the Structural Funds and partnership. Most interestingly, this growth is justified through references to great potential of social partners as policy experts ('we want to implement our policies! Why would we not want our projects if we know the issues on the ground?'²⁵; 'my organization is seeking for a new task in this system, we do not want to be consulted, we want to be responsible for some tasks'²⁶).

However, both groups of civil society actors strongly oppose the idea of partnership, especially the principles of selection, imposed by the state officials, revealing intensive politics of recognition. All actors contest the all-inclusive format of partnership framed by the state officials as providing equal

access and treatment and, thus, being essentially fairer than any other formats. A deeper look into their arguments discloses that actors' main concern lies with how this format affects their identities. If 'old' CSOs, nowadays excluded from partnership structures and process, claim that this format undermines the very idea of civil society erasing the divisions between civil society and everyone else ('participating organizations that are, in fact, associations of municipalities, and cannot be called 'civil society'²⁷), the 'new' actors find this format undermining their identity as professional experts.²⁸ The latter even attempt to distance themselves from being associated with NGOs or even the general public, ('the state authorities think of us more as a typical NGO rather than a partner of an implementing Agency'²⁹) although formally they naturally represent these types of actors. In this interesting twist, the respondents nearly join their opponents in the governmental structures in stigmatizing their counterparts as whistle-blowing, whining and complaining trouble-makers and advocate for 'inclusion of an expert-based knowledge like we do when we develop a new methodology and try to sell it'.³⁰ Some respondents go even further and suggest an explicit separation between 'professional' and 'non-professional' levels of partnership, the former secured for professional CSOs and the latter including consultations with general public, social partners and other stakeholders. Furthermore, actors argue that in no way can putting everyone on an equal footing reach the goals set by the state officials, such as equality and transparency, let alone efficiency. In contrast, all –inclusiveness nurtures bureaucratic arbitrariness and non-transparency in dealing with the collected input and, most likely, results in the right input from the right partners sinking in the sea of suggestions and remarks.

For social partners, existing selection mechanisms also represent a similar threat to identity, although these concerns are not very openly expressed. Strong reactions to the fact that 'the government is more inclined towards civil dialogue with NGOs than to social dialogue'³¹ and even conclusions that 'they [the European Commission – A.D.] want to dissolve social partners and weaken them, weaken social dialogue, mix us with NGOs'³² pervade their reflections on what constitutes a good or bad partnership from the perspective of its scope. Modelling of partnership interactions on existing practices of social dialogue is, thus, seen as a way out of this dangerous standstill. In their interviews, respondents would even use both terms, 'social dialogue' and 'partnership', interchangeably.

These examples illustrate how societal actors link successful partnership to respect of their particular identities and self-images, namely the ones of policy experts or even consultants who resemble profit-seeking enterprises who demand 'establishing a separate budget for cohesion policy consultancy'.³³ Possession of expertise is uncompromisingly presented as both a ticket to partnership arrangements and structures and, importantly, the justification why their input should be taken into consideration. In this, it is equated with a successful partnership ('they [the state officials – A.D.] should be interested in getting expert guidance on how to set the agenda'³⁴; 'it is not partnership when your input is not taken into account'³⁵). In turn, the state officials are framed as people lacking this expertise and operating with very far-fetched policy ideas. Expertise, in turn, ranges from a better knowledge of indicators measuring extent of a particular policy problem, such as social inclusion or ethnic segregation in urban environments, to knowledge of which projects have the potential to be implemented in a sustainable way.

Procedures for channeling expertise

Recipes for fixing allegedly wrongly designed selection mechanisms also differ across categories of actors, thus, revealing the structuring effect of their institutional locations and identities. Representatives of CSOs are generally very skeptical of any structuring of selection, especially if this selection is based on some strive for impartiality and equality, like in the self-nomination systems. These principles are believed to damage the whole idea of access for the most knowledgeable ones. For this reason, existing selection mechanisms should be replaced by the ones 'when everyone has the right to

participate but the real professionals should be contacted'³⁶, as controversially put by one Hungarian respondent. The above-mentioned self-nomination systems, although being seen as a victory of CSOs in their struggle for getting access to the process, soon lost their appeal. In Slovenia, the self-selection failed several times as no CSOs nominated themselves to any partnership structures. The majority of respondents refrain from offering concrete selection mechanisms and remain clearly in favour of *ad hoc* and non-formalized interactions 'when they have called us and asked to come and we spent time discussing common solutions'³⁷ between the state authorities in need of the expertise and CSOs in possession of it.

For social partners, in contrast, *ad hocery* is equated with disrupted partnership as it does not provide a 'stable institutional playground which is legally and formally structured'.³⁸ In its turn, insistence of the state officials on continuation of interactions within such format as public consultations is framed as bureaucratic negligence about the nature and practice of social dialogue which leads to lack of recognition of importance of social partners in policy-making. Social partners are very careful, though, in their evaluations of desirable procedures and rules. In general, they oppose creation of any additional structures insisting that the existing ones suffice to properly organize partnership. However, their views on this issue also vary across countries and reflect domestic changes. In Hungary, for instance, where the structures of social dialogue were either directly dismantled or openly turned into show-rooms by the government-in-power or in Slovakia where they were weakened by the anti-crisis governance rhetoric and concentration, social partners welcome new groupings, committees and a certain reform of the non-functioning MCs. In contrast, in Poland and Slovenia, where social dialogue bodies are traditionally stronger and, like in Poland, are very diverse, numerous and generally functioning across tiers of governance, actors insist on turning them into the primary partnership structures.

Both groups of societal partners put forward a wide programme of reforms of other partnership procedures and rules.

A look at these suggestions also clarifies how civil society actors perceive their identities and roles. These suggestions can be divided into two groups, namely a) the ones regulating submission of expertise by partners and c) representation in partnership structures such as the MCs. It should be noted that elaborations on the proceduralization of expertise and input provision occupy the most space in actors' responses to the questions about successful/unsuccessful partnership. Most of the stories about true/untrue partnership revolve around two plots that can be summarized using the quotes from the interviews: 'we were appalled by the fact that none of our suggestions were taken into consideration and so much work was lost'³⁹ and 'they gave us one week to evaluate 60 proposals, we are not gonna do it for free'.⁴⁰ As elaborated further by the respondents, these frustrations arose as a reaction to the framing of their role by the state officials. Although bureaucrats' reliance on direct expertise provision from CSOs is met with enthusiasm and is generally approved as a big leap forward towards a better partnership, the approach when CSOs are seen as willing to engage in expertise provision on an absolutely voluntary basis is condemned as irresponsible. Formalization of this process through infusing these practices with concrete rules of how, when and how much of expertise is provided, how it is dealt with and, importantly, how partner are remunerated for this, are presented by respondents as the means of improvement of partnership. They are also seen as tools of ensuring incorporation of policy input and recognition of actors' professionalism. Interestingly, CSOs have a clearer vision of these rules and stronger arguments for their introduction than social partners. Social partners entered the process of contestation later than CSOs and have not been exposed to the on-going debates. However, that these actors gradually absorb the circulating rhetoric about formalization of expertise provision also demonstrates the effects of contestation or, in other words, emergence of shared understandings.

These demands can be seen as closely linked to a bigger discourse of capacity building shared and promoted by societal partners. Strengthening of civil society, including through financial compensation

for their consultative functions, or implementation of capacity-building measures designed to support societal partners have been very important points of contestation over partnership and became closely associated, if not fully equated, with how a true partnership should be performed. Moreover, strengthening and capacity building have gradually become central in the triangle of consensus, the one between the European Commission, an active endorser of this understanding, the state officials, active implementers of these measures, and societal partners, active promoters of these ideas. Almost every meeting ever organized by the European Commission with a purpose to interfere with the domestic contestation over partnership and arrive at some common understandings, was used by the societal actors to, first, clarify the meaning of capacity building and contents of proposed measures and, second, to push for roadmaps of implementation of these measures. Centrality of professional trainings of the personnel working for societal actors as concrete manifestation of capacity building measures is also instructive of the direction the whole discussion about took as in revealing the strive of societal partners to professionalize and, through that, ensure access to cohesion policy and a grip over the process. By the beginning of the 2014-2020 programming period the strength of emerged consensus could be seen both in the draft of the European Code of Conduct that explicitly referred to capacity building as the best practice of partnership, and in the actions of the Managing Authorities. The latter restructured existing organizational divisions by opening special positions for officials dealing with 'supporting partners financially and in terms of training'.⁴¹

The second set of claims related to procedural side of partnership come from partners with experience of membership in the MCs. The functioning of these structures is generally constructed as the most vivid example of a failed partnership. Two particular themes pop up most frequently in the interviews: the imbalance in representation with the state officials enjoying the majority and explicit 'rubber-stamping' character of the interactions within these structures when the societal partners are invited 'to approve the decisions that were discussed and agreed upon earlier before the meetings'.⁴² The latter especially frustrates social partners who, as became clear from the interviews, extrapolated their bargaining experience of social dialogue onto the MCs.

The politics within the MCs have their own twist, though, as the primary function of these structures is complex oversight over, first, tempo and directions of on-going spending and, second, its thematic orientation. The centrality and importance of these structures are also strengthened by the fact that all the changes regarding reallocation of the Funds within approved budgets or introduction of new spending priorities should be legitimized by the MCs. In light of this, the state officials operate with strong arguments in favor of unequal representation. The main argument points to the fact that societal actors are exempted from being held to account by the European Commission for any breach of the rules ('at the end of the day what if something goes wrong with these projects, who is going to bear responsibility? Partners? No, the Managing Authority'⁴³) which justifies the decision not 'to give a loaded gun into someone's hands'⁴⁴ by making societal partners a majority. On the other hand, the strategic nature of such framing should not be underestimated as controlling the majority inevitably gives the state officials an important leverage over the whole process that, in the context of cohesion policy in the CEE member states, brings tangible political benefits. Societal actors are very aware of this political importance of the MCs. However, in a longitudinal perspective, the interviews reveal a change of accents in their frames. If previously, during first programming periods, the issue of representation occupied the central position in their construction of a failed partnership, later societal actors concentrated on altering the rubber-stamping dynamics of discussions when the state officials would position societal partners as the audience to be informed about recent developments. Having learned that any political claim-making frustrates the officials, societal partners report they have learned and, to an extent, accepted the rules of the game of depoliticized discussions around money allocation and project implementation technicalities. However, they also tried to transform it into a more two-way process which guarantees their position as providers of input and not as mere listeners.

Conclusions

The interpretive investigation of how civil society actors frame partnership brings to light several important findings. Firstly, it was found that civil society actors articulate the vision of partnership as an encounter only remotely related to issues of democratization, be through enhancing representation of Europeans, or, alternatively, as an opportunity to politicize cohesion policy as such. In contrast, one can see almost total disappearance of any participatory rhetoric in which partnership would be praised for its contribution to legitimacy through giving voice to the marginalized or excluded represented by civil society actors. Equally, civil society actors circumvent the political or ideological underpinnings of cohesion policy in their reflections. For the scholars of European civil society busy with testing its democratic qualities, the findings reveal that that normative saturation of actors' actions and their social construction may not correspond theoretically abstracted assumptions about European civil society actors. The analysis shows that participation of civil society, at least in the CEE context and in context of cohesion policy, is very weakly constructed in terms of democratization. In contrast, reconstruction of how civil society themselves frame partnership reveals that from actors' own perspectives, the links between civil society and democratization are not self-evident as partnership between state and civil society is infused with different meanings. Neither did the EU, through own framing and actions, succeed in mainstreaming participatory and democratization agenda. To the contrary, by leaving the norm of partnership empty of clearly formulated normative substance, the EU, paradoxically, contributed to further blurring of its participatory democracy ambitions.

The data also suggests that these interpretations do not necessarily originate from actors' strategizing about how to get access to the policy-making process but are at the basis of actors' existing institutional identities and self-representations as carriers of policy expertise and knowledge. Arrival and implementation of partnership, in this light, cannot be seen as merely an external event that restructures system of domestic political opportunities for rationally thinking actors who decide to use the rhetoric of expertise to ensure access for themselves, as would be suggested by some research on Europeanization. Partnership has rather catalyzed actors' interpretive engagement with their existing identities, their renegotiation and re-presentation, and, thus, strengthening of some of their components, like identities of policy experts. The latter is most vividly seen in case of social partners, especially trade unions, for whom partnership presented an opportunity to reposition themselves as policy experts and depart from identities of representatives of labor.

Secondly, the article looked at the political mechanics of the framing of partnership, thus, approaching this process as an intensive political struggle between various actors for certain understandings and their attempts at forging some normative consensus. Putting contestation over partnership in a historical perspective shows the change of its meanings and especially the role of actors' constellations and various power dynamics between them in structuring certain interpretations and excluding the other ones. This process (still) unfolds across the tiers of governance and brings together actors at both supranational and domestic levels, the finding which also challenges the claims about their disconnectedness from each other and communication between them as either 'downloading' or 'uploading'.

The findings raise new questions for further research. Comparative analysis of interpretations of the partnership principle across EU policy areas could help to find the answer whether such expert understanding is the result of a structuring effect of cohesion policy. In the EU, involvement of civil society actors is not limited to cohesion policy. The EU indeed wants to see partnership as a modus operandi of policy-making in other policy areas, as convincingly demonstrated by the literature on new modes of governance and experimentalist governance (Sabel & Zeitlin, 2008).

Additionally, further research could shed more light on whether the CEE member states represent the space where these particular understandings of partnership and civil society got entrenched, or this is the effect of the process of Europeanization which cuts across the member states. Existing literature on civil society development in the CEE countries already provides some insights on why this particular expert vision of civil society has emerged in this context, yet more in-depth analysis whether this is an inherent feature of post-communism is needed (Fagan, 2005).

¹ One of the respondents gave a detailed account of how CSOs themselves reflected on different impact of foreign donors. The crucial difference, in her words, was between the orientation of the American donors on funding establishment and operation of CSOs and the EU on teaching and equipping CSOs with policy-making tools. The latter signifies that the explicit target of the EU funding was strengthening of CSOs as policy actors through development of their capacities, learning and upgrading skills.

² Interviewee SO Sk 14 Nov 2012

³ Interviewee CSO PI 18 Jun 2013

⁴ Interviewee CSO Hu 14 Feb 2013

⁵ Interviewee CSO Hu 27 Apr 2011

⁶ The mobilization process went across state borders. The famous SF Team, a coalition that brings together CSOs from Czech Republic, Poland, Hungary, Slovakia and, later, Bulgaria, was an important entrepreneur in the field of partnership. The coalition positioned itself as involved in oversight over the Structural Funds spending across the new member states and monitoring over implementation of the partnership principle. The coalition was actively involved in dissemination of information on practical aspects of partnership and was regularly publishing the reports on best practices, thus, creating important reference points for actors from other countries.

⁷ Interview CSO Sk 14 Nov 2011

⁸ Interviewee CSO PI 13 Sept 2012

⁹ Interviewee CSO Hu 15 Dec 2012

¹⁰ Interviewee SO SI 9 Sep 2012

¹¹ Interviewee CSO Hu 15 Dec 2012

¹² Interviewee SO Hu 29 Apr 2013

¹³ Interviewee SO SI 29 Sept 2011

¹⁴ Interviewee SO Hu 26 mar 2013

¹⁵ Interviewee SO SI 9 Sep 2012

¹⁶ Interviewee SO SI 5 Apr 2012

¹⁷ Interviewee SO PI 11 Sep 2012

¹⁸ He book it takes two to tango ... examples from Hungary

¹⁹ Interviewee SO Hu 19 Mar 2013

²⁰ Interviewee SO Sk 24 Jul 2013

²¹ Interviewee SO SI 7 Sept 2012

²² Ibid.

²³ The Polish '12 demands Group' has been the longest functioning coalition still active in the end of 2007-2013 period.

²⁴ Interviewee CSO PI 18 Jun 2013

²⁵ Interviewee ESP SI 5 Sep 2012

²⁶ Interviewee ESP PI 1 Oct 2013

²⁷ Interviewee CSO Sk 23 Nov 2012

²⁸ The 'old' partners seem to have accepted new discursive rules of the game. The actors moved from positioning themselves as watchdogs and overseers, mandated for this by the fact of belonging to civil society, to self-framing as experts in monitoring over the spending.

²⁹ Interviewee CSO Hu 4 Apr 2013

³⁰ Ibid.

³¹ Interviewee ESP SI 5 Sept 2012

³² Interviewee ESP Hu 27 Nov 2013

³³ Interviewee CSO Sk 15 Nov 2011

³⁴ Interviewee CSO SI 29 Sep 2012

³⁵ Interviewee CSO SI 29 Mar 2012

³⁶ Interviewee CSO Hu 4 Apr 2013

³⁷ Interviewee CSO PI 7 Oct 2013

³⁸ Interviewee ESP Sk 12 Nov 2013

³⁹ Interviewee CSO PI 14 Oct 2013

⁴⁰ Interviewee CSO Hu 5 Mar 2012

⁴¹ Interviewee SO PI 14 Jun 2013

⁴² Interviewee ESP SI 4 Apr 2012

⁴³ Interviewee SO PI 14 Jun 2013

⁴⁴ Interviewee SO Hu 29 Apr 2013

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