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European Relational Societies – Best Practices for Civil Society Cooperation
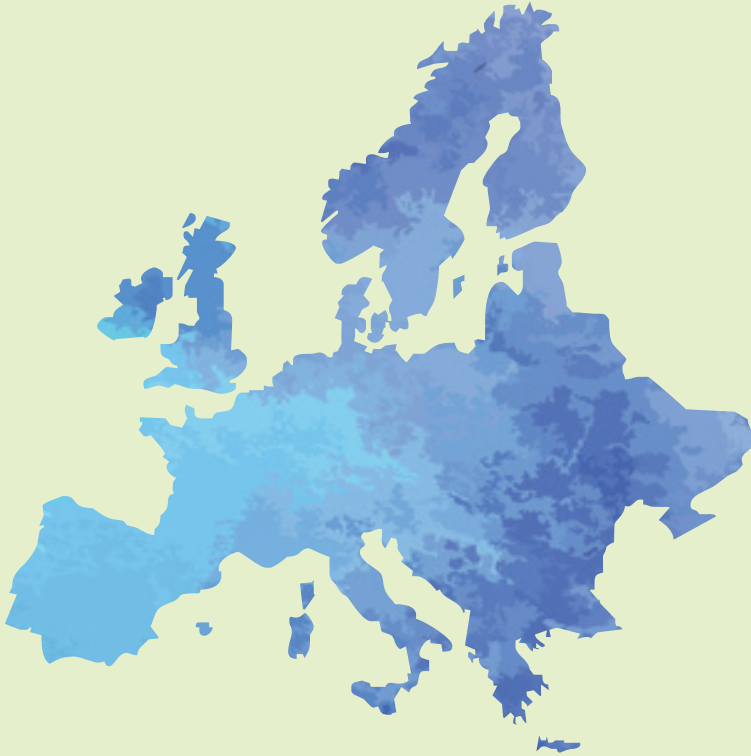
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European Relational Societies –
Best Practices for Civil Society Cooperation

Transcultural Management Series

Edited by Josef Wieland

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European Relational Societies –
Best Practices for
Civil Society Cooperation

Contents

Preface

Europe faces major economic, social and political challenges and transformations, not least within the frameworks of democratic societies, cross-border value creation, migration, and digitalisation. The coronavirus pandemic further increased the relevance and poignancy of this development. Joint efforts in European civil societies' cooperation networks may represent an important and promising endeavour to provide adequate responses to these challenges, to deduce opportunities out of the challenges and to harness proactively the inherent potentials.

It is in the context of these considerations that the Leadership Excellence Institute Zeppelin | LEIZ, in cooperation with the Maecenata Foundation, initiated and led the Transcultural Student Research Group | TSRG 2020 on the topic "European Relational Societies – Best Practices for Civil Society Cooperation", the findings of which are presented in this publication.

Under the joint umbrella of the main research theme, the participants chose different subtopics. The research project included six sub-projects and involved participants from five European countries, who worked in international teams. In this way, the research group looked at the common research topic from various disciplinary and cultural angles. The topics covered current dynamics of civil society cooperation in Europe and encompassed civil society cooperation to establish a truth and reconciliation commission in the Western Balkans, the Black Lives Matter movement and social change in Germany, the empowerment of civil society through EU cultural projects, trans-sectoral data collaboration for the common good, the relationship between NGOs and banks and the role of civil society players in fighting group-based misanthropy. The empirical case studies highlighted the practical possibilities and limitations of European cooperative networks as well as their respective social effects. The studies also offer insights into development paths and potential for European civil society engagement in Europe.

Since the beginnings of such projects in 2017, the format of the Transcultural Student Research Groups has been based on field research and international exchange. It has been aimed at enabling a transcultural

learning process that transcends geographical and cultural boundaries. The outbreak of the COVID-19 pandemic in 2020 challenged the already established format. What had always been taken for granted, i.e., the freedom to travel, meet and exchange ideas and experiences, was suddenly no longer possible. Everyone and everything had to adapt to the new situation. Nevertheless, extraordinary events like a pandemic also foster an innovative process. Indeed, the pandemic brought with it a series of new trends in many sectors, including innovations in the educational sector. What began as a challenge turned into an opportunity to try something new. The same holds true for the TSRG: in 2020, the pandemic meant that the project's format had to be adapted. Instead of going abroad on the annual research trip, the international exchange and learning took place in virtual settings, and challenges were turned into opportunities. Indeed, virtual settings make it possible to reach people and to get in touch with them despite their geographical location. In this way, exchange with international experts in the field was facilitated and the project has become more inclusive. Such a virtual format of the project was a fruitful learning experience and was thereby part of the successful cooperation between the Zeppelin University's Leadership Excellence Institute and the Maecenata Foundation's Institute for Philanthropy and Civil Society.

We thank the students that took part of the research program. Our thanks as well go to Rolls-Royce Power Systems for supporting the Transcultural Caravan. Finally, our thanks go to all colleagues and experts who, in one way or another, have contributed to this transcultural learning journey.

Friedrichshafen/Berlin, September 2021

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Part I

Conceptual Introduction

Europe –
A Network of Transcultural Relations

Josef Wieland

1. The European Union or Europe?

Certainly, Europe is more than the European Union. This is true both in a geographical and cultural sense as well as for its political idea and economic practice. Even if the European Union and its predecessor organisations understood and developed the political idea of Europe after the Second World War as an integration and orientation towards the "West", the geographical fact of "Eastern Europe", above all Russia, remains. From the Union's point of view, the "eastward expansion of the EU" and above all the political integration of Russia should take this into account. In the east, another political idea has been emerging, namely that of "neo-Eurasianism". This links the EU and Russia from the Atlantic to the Pacific Ocean to form an economic and cultural area, at least according to President Putin in his address to the Russian diplomatic corps in 2016.

However, historically, these are more recent developments. The term "European Union" was coined by the French Enlightenment author Abbé de Saint-Pierre as early as 1712, more than 300 years ago. He proposed the foundation of a European confederation of states, aimed at creating an alternative to the "balance of power system" of the European states through intergovernmental treaties and the partial surrender of national sovereignty. In this way he wanted to ensure European dominance in the world and access to its resources in the European interest. On the other hand, he believed that it would lead to "eternal peace" between peoples, which inspired Rousseau and Kant. The idea of a European Union has thus always been based on a stable combination of political and economic interests and on moral visions.

As is well known, this early contribution to the discussion could not prevail against the system of "balance of power", and the idea of Europe shattered in the "storm of steel" (Ernst Jünger 1920) of the First World War. Robert Musil (1922) brilliantly analyzed the preconditions and consequences of this failure in his short paper "The Helpless Europe". The failure of "the rational constructive" (ibid.: 15), of an "unfounded belief in reason and progress" (ibid.: 21) was followed by a "need for the irrational, for a wealth of facts, for reality" (ibid.: 15). That it could come so far is, for him, ultimately a failure of human cognitive abilities:

> "[...] we have seen much and perceived nothing. [...] We did not possess the concepts to draw what we had experienced into ourselves." (Musil 1922: 5)

After the Second World War, the gradual construction of the European Union as a transnational organization succeeded, combining economic progress and the integration of national economies with the attempt to achieve independent political representation of European interests and moral values. However, this autonomy was and is embedded in a transatlantic perspective that was intended to provide foreign policy and military stability. After 1989, the growth in the number of member states was accompanied by the "eastward enlargement" of the European Union. For this peace-building political project, guided by political and economic reason, the European Union was awarded the Nobel Peace Prize in 2012.

Almost 10 years later, hardly anything remains of this optimistic scenario. The multipolar order of the world has been set in motion, and no one ultimately knows its direction. Multilateralism, which is constitutive for Europe, is being pressured internationally and nationally by unilateral concepts that ultimately call into question the very existence of the European Union. For some time now, these political centrifugal forces have meant that cooperation – and sometimes even mere coordination – between the European partners has had to be bought at ever higher prices, and even that does not always succeed.

Anyone trying to understand the situation of the European Union at present, which is characterized by almost permanent crises and diminishing cohesiveness, must also consider the intensive debate on "European identity" which has been going on for decades, especially since the failure of the referenda on the ratification of the planned European constitu-

tion (for an overview see Schmale 2008; Fligstein 2008; Nida-Rümelin & Weidenfeld (ed.) 2007). This discussion has so far not led to a generally accepted result, but to very different and often incompatible concepts and substances of identity. This applies both to questions of the concept of identity and to questions as to which common historical events, formative currents of thought and generally agreed value systems were or are essential from which a European identity could be substantially fed. To give just a few examples of the latter aspect: ancient philosophy, the experiences of the Persian Wars, Latin-influenced Christianity, Roman legal thought, Charlemagne's imperial idea, the civilization of the Occident, the Latin language, the Renaissance, humanism, the Reformation, the Enlightenment, the conflicts with the Ottoman Empire, the conquest of colonies and the possible comparison with "others", the universal monarchy of France, democracy, the experiences of the First and Second World War, constitutional patriotism, universal human rights, secularism, the role of the welfare state, tolerance, the pursuit of freedom.

In view of the crisis-ridden developments in the European Union, quite a few contributions to the discussion focus on the revitalizing and unifying power of "European identity", which could presumably be fed by the reflective processing of the events of shared history and tradition mentioned above. Although there are also very different interpretations of the concept of identity (cf. Anthias 2013), in all interpretations it always denotes a form of the self, a state of identification with something, and this in distinction to other identities. In the context discussed here, therefore, identification with "being European", is a demarcation not only from other cultural experiences, but also from individual, regional and national identities within Europe. To what extent this discussion will achieve its goal cannot be foreseen at the moment, but it seems to me to be necessary to reflect on this question. This, however, will not be the subject of my reflections in the following. I will not be interested in clarifying from which sources of thought and real history a European identification, an identification with the collective "Europe" could arise today, but rather in examining what role moral values and principles, which are also part of a European identity – if they succeed – play and could play in the current process of the continuation of a common European idea. Do they promote the development of a European space that, for all its diversity, is conceived as a unified (and that means above all as a common) space? Or is the rationally constructive phase again

followed by a wave of the irrational, and do we have the categories, the dynamics of decay, to understand?

I suspect that the current turmoil is not only due to a lack of European identity, but also to a lack of clarity about the role of moral values and principles in the multilateralism that is paradigmatically part of the European Union. Multilateralism means the rule-led cooperation of several states to solve common problems to mutual advantage. I have already referred to the link between this aspect and that of identity.

In a nutshell, I will discuss the European project using the example of the European Union. In what follows, I would like to examine just one aspect of the questions that have just been raised, namely the idea, which has been the all-important one in recent years, that today's European Union owes its origins, its cohesion and its dynamism essentially to the basis of shared common values. I will discuss why and in what respects this idea is problematic and why, with regard to this idea, if we want to preserve and develop it, it would be better to understand Europe as a network of transcultural relations and thus as a transnational community of practice.

2. *Common Values – Ever Closer Union?*

Today, the European Union is generally understood as a political and economic cooperation project of sovereign nations that surrender parts of their sovereignty in favour of a continuous increase of common political power and economic welfare for all participants. This multilateral approach has a certain plausibility, especially in the current discussion on the emergence of a bipolar global order between the United States and the People's Republic of China. Thus, in this problematic outline, the nation or its cooperation with other nations would be the point of reference for the discussion of European values in the formation of moral identity. Common European values should therefore be equally applicable in all European nations and thus be established as points of identification for a European nation conceived as one.

In fact, this is the idea in the preamble of the "Charter of Fundamental Rights of the European Union" of 7.12.2000. It applies to all countries, with an "opt out" for Poland. There the first sentence reads:

> "The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values." (EU 2000: 8)

The foundation of the European Union as an association of states is based on common European values, which constitute an economic, political and cultural transnational space of action with its own identity, which is largely based on these shared European values. These values are also explicitly stated there, but not only as European, but as indivisible and universal:

> "Conscious of its spiritual and moral heritage, the Union is founded on the indivisible universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice." (EU 2000: 8)

The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe.

With regard to the claimed universality as a characteristic of "European values", two different interpretations are possible. For both of these universal values do not belong to a certain place and epoch but are values of mankind *par excellence*. A first variant suggests the interpretation that, in the course of European history, the four values mentioned have developed as a result of the moral processing of the experiences that were undergone, which are not only of indispensable importance for Europe, but for the whole of humanity and its point of reference is the individual. Theoretically speaking, this is a matter of the generalizability of these values. Zhao Tingyang (2019) commented on this from the perspective of Chinese cultural experiences:

> "Thinking wrongly that universality comes from universalization, it always attempts to universalize its own values unilaterally. This is a fatal misunderstanding. Whether in logic or in practice, universality is a precondition for universalization, not the other way round." (Zhao 2019: 52)

Universality, according to Zhao, can only be understood as an inherent property of values and presupposes inclusion as an ontological condition

(see also Zhao 2020: 210). In his view, European values are designed for the expansion of universalization into other cultural areas and are therefore not universal but inclusive.

The second possible interpretation is that European values are of a transcendental nature, i.e., before all practice, including European practice, they have always been reasonably valid for all people and are universal in this sense. In this possibility of interpretation, which is a normative attribution, the reference to the spiritual heritage of Europe makes little sense, since they should apply before all practice. In both variants the talk of "universal European values" is inconsistent, since universality, by definition, refers to humanity and not to a specific place at a specific time.

Equally problematic is the statement of the indivisibility of these values. Indivisible values are non-negotiable and cannot be compromised. Only divisible values accept the possibility of trade-offs between different values, which can then lead to negotiations and compromise solutions. The "right to life" would be one such indivisible value, while self-interest, respect for scarcity and prosperity would be divisible values. But even mere appearance teaches that this distinction can lead to some difficulties in practical implementation. In the current corona pandemic, for example, weighing up human life and economic prosperity has been widely and controversially discussed, not only in Europe. Albert O. Hirschmann has pointed out that the claim to "indivisibility" leads to unsolvable moral conflicts, while the divisibility of values is one of the prerequisites for resolving these conflicts. Indivisibility requires an "either-or", divisibility which operates in the mode of the "more-or-less" (cf. Hirschmann 1994).

> "The distinction between the two categories is not always clear, since indivisible questions usually have components that can be negotiated. Conversely, conflicts (...) of the multi-or-less often have an indivisible component or source." (Hirschmann 1994: 301)

The assertion of indivisible values presupposes that i) an exact definition of the practical implications of values is possible, that ii) this definition is valid in all local contexts and that iii) it cannot be disputed with good reasons. If these conditions do not apply, the values are divisible. I will take up these questions again below and show that "divisibility" is a property of all values.

Thus, the challenge is clearly described. How can the preservation and development of European commonalities, be it as a normative attribution or in terms of practical consequences, succeed under the condition of respecting cultural diversity? This is the basic question of transcultural cooperation and design.

3. European Values – Vertical or Horizontal?

In answering this question, one must also bear in mind that the aformentioned epistemological qualification is not only about values, but also about principles and rights. They are not only binding for the member states of the EU, but, at least in the opinion of the Union, belong to all the peoples of Europe. Their goal is an "ever closer union" with European citizens, but this does not exclude a vision of the United States of Europe. Its foundation should be a historically grown religious and moral heritage that underpins its indivisible and universal character, and it is this shared history that constitutes a Community of Values with shared and, at the same time applicable, values. It is individualistic values, principles and rights that the European Union as an organization stands for.

The attempt to codify this basic idea in a Treaty establishing a Constitution for Europe (TCE, 29.10.2004) in a single legal personality failed in referenda in France and the Netherlands. However, this was not necessarily seen as a question mark behind the adoption of common indivisible and universal European values. Instead, the Treaty of Lisbon, which was concluded in 2007, came into force on 1.9.2009 and takes up this idea in a slightly modified form. At the beginning in article 2 it says:

> "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, nondiscrimination, tolerance, justice, solidarity and equality between women and men prevails." (EU 2007: 10)

And in article 3 it says:

> "The Union is to promote peace, its values and the well-being of its peoples." (EU 2007: 11)

These passages are at least explicitly less concerned with European values in general, but rather with the values that are presupposed and demanded for membership of the Union. In this version, they are not exclusively individualistic, but also collectivist, "common to member states in a society".

As a first result of our discussion, we summarize the European values of the European Union in Table 1.

Table 1: European Union's Values, Principles and Rights

Human dignity	Freedom	Equality	Solidarity
• Right to life • Integrity of the person • Prohibition of torture • Prohibition of slavery & forced labour	• Liberty and security • Privacy • Data Protection • Right to marry and right to found a family • Freedom of thought, conscience and religion • Freedom of expression & information • Freedom of assembly and of association • Freedom of the arts and Sciences • Right to education • Freedom to choose an occupation and right to engage in work • Freedom to conduct a business • Right to property • Right to asylum • Protection in the event of removal, expulsion or extradition	• Equality before the law • Non-discrimination • Cultural, religious and linguistic diversity • Equality between women and men • The rights of a child • The rights of the elderly • Integration of persons with disabilities	• Workers right to information and consultation within the undertaking • Right of collective bargaining and action • Right of access to placement services • Protection in the event of unjustified dismissal • Fair and just working conditions • Prohibition of child labour and protection of young people at work • Family and professional life • Social security and social assistance • Health care • Access to services of general economic interest • Environmental protection • Consumer protection

Source: Own table.

The systematics of the documents mentioned is such that the basic values of the European Union – Human Dignity, Freedom, Equality, Solidarity – are assigned to principles and rights with which these basic values are to be implemented. Values, principles and rights follow different functional logics. We want to differentiate them in the following way:

- Values provide orientation for action, they serve as evaluative reflection of completed actions and motivate them.

- Principles, on the other hand, are maxims that value-oriented action can follow in practice.

- Rights, in turn, formulate a legitimate claim that the individual can assert against the community, especially the state and the government.

Table 2 illustrates the relation and its mechanism, which is developed in the basic documents of the European Union, as an example of the values "human dignity" and "freedom".

Table 2: Mechanism of EU Values, Principles and Rights

Values	Principles	Rights
Orientation for action, evaluative reflection, motivation	Basic maxims	Legitimate claim
Human dignity **Freedom** • Democracy • Equality • Rule of law • Human Rights	**Human dignity is individual, it might be respected and protected** **Everyone has the right to liberty and security of person**	**Right to life – no death penalty** **Presumption of innocence right of defence**

Source: Own table.

The structure of European values developed here as a common basis for the European Union is of some interest. First, the "Charter" and the "Treaty" give the impression that there is a causal and clearly definable connection between values and the resulting individual (principles) and collective (law) actions and behavioural expectations. The problem we have already discussed in the last section is that this cannot be the case in principle. The practical implications of values can always only be determined locally and discursively, so they do not result directly from a value itself but depend on the context. This context-dependence of the concrete consequences of value orientations, i.e., their emergence through interaction with political and economic logics and interests, is of fundamental importance. In the next step, it follows that very different actions and behav-

ioural expectations can stem from the same values. Therefore, the validity of values for a certain situation can always be disputed (cf. on this discussion Appiah 2006; Appiah 2008). Summarized: Values are characterized by a "fuzzy logic", which can only be processed by discourse and contextually limited decisions with locally defined consequences. I have discussed this in more detail elsewhere (cf. Appiah 2006). Here are only three additional aspects, but they are crucial for our topic.

Firstly, there are no common European values that have always existed that are unambiguous and indisputably valid in all contexts. The practical policies of the Union have always threatened to fail because of these epistemological assumptions of the basic documents. Hence the extensive and time-consuming discussions, negotiations and laboriously achieved compromises as a characteristic of the European Union. Today, in times of intensified political and economic demands, precisely this system is on the verge of collapse because the gap between aspiration and reality is widening.

Secondly, in an attempt to realize its values as it understood them conceptually, the European Union inevitably had to work on defining the practical consequences of moral convictions itself and then codifying them as legal claims. This inevitably leads to a policy of implementing and enforcing European values in the Union through vertical integration, i.e., centralization and European legislation. This is the path that has led to some of the challenges that threaten the existence of the European Union today. In this respect, the failure of the European Constitution was an early warning signal that was probably not fully understood in the political system. The discussion on European identity, however, which was mentioned earlier, has clearly identified this point. It was not only about different constitutional traditions and political interests of the member states, but also about the fact that the narrow path of creating and realizing common value convictions through mainly legislation must fail (cf. for example Habermas 2011).

Thirdly, the realization of morality through vertical integration is only possible if there is parallel horizontal integration through discourse, local decisions and common practice. Europe is not only a set of civil rights, but also of civil society representation and civil society action. If this does not happen, the legitimacy of political institutions and the validity of values in general will be eroded. It is undeniable that this challenge has been realized by the Union. Countless city partnerships and twinning

arrangements, student exchange and Erasmus programs, European train tickets for young people, and many other initiatives for horizontal integration have been launched over the past decades. However, a scientific and political evaluation of the effectiveness of these measures seems urgently needed (see Guderjan 2008, Münch 2008).

A first conclusion: The talk of Europe as a space that is growing ever closer together on the basis of common and indivisible values appears to be what it is: tautological, value-theoretically inconsistently founded, practically unworkable. This is where Europe stands today.

4. European Values – Thin or Thick?

In its self-description, the European Union sees itself as an association of European nations which, on the basis of common, universally valid and indivisible values, encompasses more and more peoples and nations and is growing ever closer together. The common values are matched by respect for cultural diversity. But this set of values is based on a "common spiritual" and "moral heritage", in the course of whose historical process European values have developed that are the expression of indivisible, universal values that are valid for all people. They are therefore both individual values and rights, which serve to protect the freedom of the individual against states and government and to enable him to develop his own life in a self-determined manner. In this way they define European identity and are the driving force behind an "ever closer union".

I have already discussed that the values defined in this way by the Union can, at best, claim universal validity as an expansion project vis-à-vis others in the sense of a European normative setting. This moral project of expansion, perhaps more than many others, is also part of European history and continues to show its multi-layered effects to this day. Universal values, as we have seen, are by definition not tied to distinct groups of people, i.e., nations or their cooperation projects, but refer to humanity as such, independent of space and time. However, understood as universalistic, European values would be what Michael Walzer (1994) has called "thin descriptions", moral descriptions with a minimum of meaning. In the following we will prefer the following understanding to the speech of universal and indivisible European values:

"Moral terms have minimal and maximal meanings; we can standardly give thick and thick accounts of them, and the two accounts are appropriate to different contexts, serve different purposes." (Walzer 1994: 2)

Thin descriptions do not serve particular interests, do not express a particular culture, are universal, because "the rule carries no personal or social signature" (ibid.: 7). Thick descriptions operate exactly in the opposite direction. Minimum and maximum meaning are not discrete states, but two poles, between which a context-dependent continuum of their manifestations lies. The following figure clarifies this.

Figure 1: Continuity of Thin & Thick Descriptions
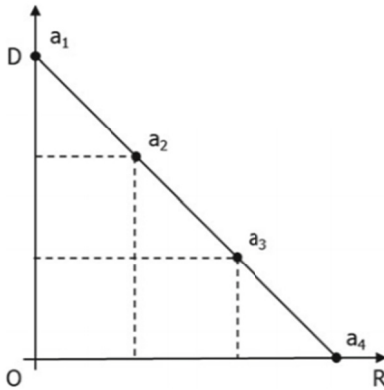
Source: Adapted from Wieland (2020: 31).

At the two positions (a_1, a_4) we are dealing with the pure forms of thin and thick descriptions, while at points a_2 and a_3 the context determines their relation. Thin descriptions, i.e., those without reference to concrete interests, cultures, actions, or communities of social players, could, in a certain context and at a certain point in time, become the minimum of a common understanding horizon of social events for all people (cf. ibid.: 7). Therefore, when we speak of common universal values of the European Union (for example, in points a_2 or a_3), we are inevitably always dealing with particular, thick descriptions. The values of human dignity, freedom, democracy, equality, solidarity, postulated as European, cannot attain prac-

tical validity by claiming that they are indivisible and universal. European values are European and not universal values of humanity, and they will remain so until everyone else is convinced of them (cf. ibid.: 17). Moral universals are not about players from different cultures discovering that they actually all somehow share the same values or can be forced into this insight, but rather they are abstract entities which can support social cooperation and are recursively formed in a practical process whose results are beneficial to all.

> "The value of minimalism lies in the encounter it facilitates, of which it is also the product." (Walzer 1994: 18)[1]

Yet, according to Walzer (cf. 3 ff.), the minimal interpretation of values is always embedded in the thick description of a local situation, and only in times of personal or social crises and confrontations does it appear to be purely universal, independent of the latter. Moral values are initially always thick descriptions whose "thin" content only appears in certain situations and to a varying extent. The movement is thus not from thin to ever thicker descriptions, but the former appears particular and temporary within the latter. Against this background the following should be clearly stated: the asserted universal European values of the Union are the result of a transatlantic concept of values that is fed by the narrative "The West" or "West orientation". "Orientation toward the East" is translated as "eastward expansion", i.e., the expansion of the influence of Western interpretation of values on Eastern Europe.

Furthermore, the concept of values defined in this way is not the result of a common heritage of the history of all European peoples, but rather is dominated by Western Europe, or even more narrowly, by Anglo-Saxon culture. The traditions of the European South (for example, Greek antiquity) and East (for example, Orthodox Christianity) play little or no role in this.

Consequently, these values are not universal and indivisible values, but, to a certain extent, "thick", particular values, which the members of the Union are yet to universalize. The claim of a universal basis of these values cannot therefore be sustained, not even that it includes the member states of the Union.

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[1] See also Anderson (1983).

Thus, for some time now, there has been an increasingly heated discussion in the European Union that points this out, especially for the fundamental values of the Union. In the migration crisis, the normatively universal character of the value of human dignity has been directly challenged by some countries and reduced to local affiliation. Whether freedom is only fundamental to economic matters or also includes human rights is also the subject of political and legal discussion and factual decisions. Equality is referred to by some member states as cultural homogeneity rather than as a legitimate and protectable diversity of human existence and life concepts. When it comes to solidarity in the Union, it seems more and more often that it feeds less on a moral and historical sense of belonging than on an economic calculation of subsidy maximization.

In these discussions, all basic values of the European Union prove to be not "common" but "fuzzy", exposed to different interpretations, depending in their meaning and relevance on the combination of different interests in a situation. They are always contestable. It is therefore not surprising that there are at least two interpretations of "democracy" in the Union, namely that of a liberal and an illiberal democracy. This discussion, which is currently plunging the European Union into permanent turbulence, follows the dynamics analyzed in the previous section and is partly caused by the misleading architecture of the Union's tectonics of values, which in turn is not the result of external pressure but of internal inconsistency. These cracks in the tectonics express the nature of all moral or social values, not just those of the Union. Values follow a fuzzy logic whose precise practical implications and behaviour depend on their context. These can only be generalized discursively for a specific situation and can be disputed at any time by anyone. "Universal values", thin descriptions, do not per se have universal and indivisible consequences as long as there is cultural diversity, namely thick descriptions.

Commonality and diversity do not exist separately but are in a recursive relation, connected to each other (cf. Baumann Montecinos 2019: 376 f.). In cultural thick diversity there is the possibility of thin commonality. On the other hand, diversity can also be presented in the apparently universally accepted thin commonality. The relation between commonality and difference is a "self-evolving" process which, like all processes, includes the phases of emergence, development and decline of commonalities as well as differences. The declining importance of national cultures may be accompanied by the development of cosmopolitan orienta-

tions. From this, both newly contoured national cultures and transcultural value convictions can emerge. Their decline may lead to the revival of identarian movements. Thus, globalization has led to an increase in the significance of both transcultural and national orientations, whose thick descriptions may change in the course of their development. Martha C. Nussbaum (2020) demonstrated this for the concept of cosmopolitanism, which by no means appears with the globalization of the world, but rather with Diogenes of Sinope (412-323 B.C.) and has developed in the course of the history of thought. Its thin meaning is a self-description as a citizen of the world, its thick descriptions, i.e., what exactly is meant by it, vary considerably.

Michael Walzer (1994) has, as already developed above, proposed to grasp and distinguish these phenomena of fuzziness of moral values and principles with the categories "thin" and "thick". Thin descriptions of values, as the values of the Union are meant to be, are then only temporary and can be generalized in a very abstract sense. They can then provide a general horizon of interpretation and orientations for action, but not specific recommendations for action. These belong in the context of local situations and discourses and can lead to common thick descriptions for this situation. For example, we could assume that, in all cultures known to us, values such as "truthfulness" or "solidarity" or "human dignity" (but not "democracy", "freedom" and "equality") have a positive connotation in common, however "thin". It is more or less clear in this thin description what is meant by this. But whether merely not lying already corresponds to this value of truthfulness, whether one is obliged to express solidarity and human dignity also towards strangers, depends on the context, i.e., the kind of thick description in which these thin descriptions exist. But even within a specific culture that provides us with more information about the usually expected practical implications, these values can lead to different interpretations in different situations or contexts of action. Is it necessary to tell a terminally ill person the truth about his or her condition? Is one committed to solidarity with people who have put themselves in a precarious situation? And if so, how far does this duty extend? Is the death penalty compatible with human dignity? On questions of this kind, every culture has its own thick descriptions which, for a given context, always remain deniable even within one culture. They are not indivisible, but divisible. It is precisely in this diversity that the

process and dynamics of moral cultures lie (cf. for the aspect of moral culture Baumann Montecinos 2019).

If we apply this distinction to the discussion held here, we can perhaps say that the values and principles of the European Union provide a kind of general guidance on preferable behaviour from the perspective of the members of the Union. They become practical expectations of action and behaviour through the transformation into civil rights and their regulation by the bodies of the Union and the European Court of Justice (ECJ). These value orientations are further concretized through national and local implementation strategies, i.e., through contextualization. At this level, they are then contestable and require clarifying discourse and compromise.

In the sense developed here, we can therefore say that the European Union as an organization is a Community of Values, i.e., membership is based on the ex-ante recognition of these values in their "thin" form. To be distinguished from this community of value is the European Union as a Community of Practice, which ex post develops thick descriptions of what is meant by these thin values and principles in local situations. This distinction not only allows different interpretations of these values and principles, but is also the prerequisite for being able to speak meaningfully of the values and principles of the European Union. However, these are then no longer to be understood as "universally European" but as transcultural values and principles, i.e., as values and principles that relate to different European cultures.

5. European Values – Universal or Transcultural?

I have already developed the argument that the notion of uniform or universal European values, as understood by the Union, is based on a fallacy, namely that of thick to thin meanings of values. The function of these values cannot therefore be to mark a universal European identity that has always existed (at least for several centuries), on the basis of which an "ever closer union" will be formed. This cannot be achieved in this way for the systematic reasons outlined so far, and as a practical demonstration of this fact we have been experiencing the renaissance of national identities for some time. Especially in times of crisis, thick descriptions are preferred to thin ones. We should accept the insight that the common value approach of the "Charter" and the "Treaty" has failed both theoret-

ically and practically. They are an expression of a fundamental constructional error of the European Union, which today leads to the fact that the cultural differences between the different countries of the Union and Europe are gaining in importance and political-strategic power. This, too, corresponds to the aforementioned relationality of difference and commonality. But what are the alternatives if the commonality of European values can no longer be based on universalism but on thin descriptions?

If we assume that it is not possible to consider in the foreseeable future Europe, or more modestly, the European Union, as political actor with its own strong cultural identity – cultural identity either instead of or alongside national cultures –, and if we equally assume that this consideration neither applies to the political idea of a Europe nor a European Union, then the question of a non-universal starting point for the discussion arises (Bach 2015; Börzel & Risse 2020). One possibility for this is the idea of Europe as a network of transcultural relations. Economically, the basic assumption of Relational Economics (cf. Wieland 2020) is relevant here: that continuity and relativity of social interactions are themselves decisive sources of private and public value creation and prosperity. There is empirical evidence that this theoretical assumption is of practical importance.

A glance at the DHL Global Connectedness Index 2018 entitled "The State of Globalization in a Fragile World" (for the methodological aspect, see ibid. 35, 82 ff.) shows that eight of the ten most connected countries are in Europe. In descending order these countries are: Netherlands, Singapore, Switzerland, Belgium, United Arab. Emirates, Ireland, Luxemburg, Denmark, UK and Germany. Norway (11) and Sweden (13) are also European countries, with the USA only in 30th place, Russia in 54th, China in 61st. Six of these eight European countries are members of the European Union. The indicators for measuring this relation are trade of goods, investment of capital, flow of information and flow of people. In terms of these indicators, Europe is the most interconnected region in the world. The data, however, provides an even more important indication of the consequences of this networking.

> "Statistical analysis across all countries affirms that more connected countries tend to be more prosperous than less connected countries." (Altman et al. 2018: 37)

In times of massive political and ideological crises, not only in Europe and the European Union, we should keep an eye on these connections. They show what is at stake when we think about the state and future of Europe. The European idea was and is the creation of a stable and continuous network of cooperative relations for the mutual benefit of all who participate in this network. Europe as a network of relations includes more countries than the European Union, and above all it will be about integrating the countries of Central and Eastern Europe with their specific cultures with Roman Catholic, Orthodox and Muslim traditions into this network. Europe as a network of political, economic, social and cultural interaction cannot develop fully on the basis of a universal or culturally homogeneous understanding of European values. This is because the members of this network have a common history of intellectual and practical processing of their interactions on the one hand, but on the other they have also developed different political traditions, cultural experiences and standards, values and interpretations of moral values and legal norms. A common understanding of European moral commonalities is not a precondition that can be readily derived from history, but is rather the result of actual cooperation, successful or unsuccessful for all, embedded in the thick descriptions of the respective European peoples. More theoretically formulated: A network-based idea of Europe starts with the self-evident recognition and appreciation of cultural diversity and identities (i.e., with thick descriptions) and seeks to discover cultural commonalities in the context of concrete and specific transactions or projects or, far more importantly, to develop new commonalities (either as thin or thick descriptions) in Communities of Practice, as a process of recursively or thin and thick descriptions. The European idea is then not based on presumed universal values, but on the prosocial abilities of humanity, which it has developed in its evolution, in order to be able to successfully develop a common horizon of meaning, shared intentionality and social cooperation. These are empathy and inclusive rationality (cf. Tomasello 2009) Empathy awakens and promotes "willingness to cooperate" and "inclusive rationality", i.e., the willingness to consider the interests of the other in one's own interests. They are the important factors in the development of the ability to cooperate. Both factors, however, do not aim at the formation of a European identity from a common history, but rather from the common intellectual processing of the positive and negative experiences of this history into a European sense of belonging, which includes

diversity as a natural fact and is based on a common practice and its positive experiences. I share Francois Jullien's view that "the common which is not homogeneous should be promoted" (2017: 16). It is the sense of belonging and shared intentionality that, if successful, can lead to an ever-closer union, which does not have to be identical with a common identity.

The delimitation of identity and sense of belonging is controversial in the relevant sciences (psychology, cultural studies, philosophy, see Anthias 2013 for an overview) and is the subject of a discussion that is as extensive as it is unsettled. For example, identity can also be understood as a sense of belonging and membership. I pointed out earlier that there are very different, and sometimes conflicting, assumptions about what constitutes a European identity. From an economist's point of view, it does not seem very advantageous and promising to take a position in this discussion. But as I understand it, "identity" always refers to a form or state of self. It asks "who" an individual is or what he or she identifies with. Identity always marks a difference to the "Other" from the perspective of the "Self".

Belonging, on the other hand, poses the question of "To whom or what" someone feels they belong, which can be people, places, projects, networks or joint transactions. This is not a question of formal but rather informal belonging, in other words a practice of inclusion, which we discussed earlier as a prerequisite for successful thin descriptions. Belonging has therefore always been relational, particular and temporal; identity tends to ask what an individual or collective self is. I, however, follow these distinctions of Floya Anthias:

> "Of course, at this and every level what characterizes the belonging notion is that it doesn't have the same theoretical baggage as that of identity which turns us always back to the self. Belonging is always in relation to something outside the self (...) while identity has been used more as a possessive characteristic of the individual, as that which defines 'who they are' or 'who they think they are', as well as entailing the construction of bonds with 'similar' others." (Anthias 2013: 7)

Michael Walzer (1983) has argued that the identity of a nation or the association of nations or a collective space:

"conceived as a fixed and permanent set, is obviously a myth; but the sharing of sensibilities and intuitions among members of a historical community is a fact of life." (Walzer 1983: 28)[2]

From a relational perspective, identity is therefore a fundamental event that attaches to transactions of individual and collective actors. In this sense, identity makes a difference and, as such, it is an event of relational transaction. This is also true for the concept of belonging, which has an intersection with that of identity. For the theoretical purposes of a relational economics, however, I prefer the concept of belonging, because it refers *sui generis* to the formation of shared intentionality of players, to the process of the relationality of all being, thus also of the self.

Finally, let us present some conclusions from the discussion of this section. From the transcultural perspective, European values or general commonalities are not transcendently presupposed, but are the result of continuous more or less successful cooperation for mutual benefit. This is ultimately a long-term common individual and collective learning process, which presupposes and produces common ground and diversity at the same time. This European learning process encompasses all the peoples of Europe and can succeed through the mobilization of civil society actors. As discussed previously, there is a broad consensus on this in theory and practice (cf. Börzel 2010). In addition to the vertical integration already established in the European Union, there is thus necessarily a need for greater horizontal integration, in which not only politics and the economy but also, and above all, civil society must participate.

Furthermore, I would like to emphasize in summary that if we understand Europe and the European Union as a network of relations that promotes political stability, economic prosperity and continuity of cooperation to the mutual benefit of all participants and a sense of belonging, we must also change the narrative of common European values of an ever closer union in the direction outlined here. The starting point for a transcultural understanding of values is not a homogeneous set of transcendental values, principles and civil rights of a nation or an alliance of nations that would create identity in advance of the cooperation sought, but rather an individual and collective learning process of how to deal with differences and develop commonalities that make differences possible.

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[2] See also Anderson (1983).

Whether or not this learning process will lead to the practical emergence of new European values shared by all depends on the success of the practical experience involved. In any case, it is not excluded. But only thin descriptions of desired actions will be possible, which may or may not develop into partially thick descriptions in the practice of European cooperation. Common or shared values are not containers with a one-time filling, but are subject to a process of permanent change, driven by diversity and the difference in their local meanings. In the theory of transculturality, commonalities and difference are opposing but communicating poles: a relation. This relation is a self-unfolding process that captures the continuous emergence, thriving and decline of differences and communalities. The relation of commonality and difference addresses the interaction of these poles. The weakening of traditional commonalities can be accompanied by the emergence of new demarcations or the development of new commonalities. The current debate on the values of Europe or the European Union allows us to study the dynamics of this process, but also its far-reaching consequences for the practice that corresponds, or should correspond, to these values.

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European Civil Society as a Common Ground

Rupert Graf Strachwitz

1. Assessing the Scene

Since the end of the 20th century, disruptive dynamics have been accelerating, producing significant transformations of social, economic and political structures. Globalization, new communities of choice, and high-speed technological innovation are reducing the role of once dominant players, notably the state, while the private sector has become a major player in many sectors: from infrastructure and transport to pensions and health care systems. Technological inventions have transformed the pace of communication, revolutionised the way we work, and individualised how we spend our leisure time. Disruption as the new normal is here to stay. Leadership today means mastering this disruption.

If we attempt to assess the world around us in a systematic and unbiased manner, we will not be able to avoid the conclusion that we are living through an iconic turn. The global Covid-19 crisis and the way it is handled internationally is but one indicator that the very fabric of our society, as we have become used to it, is not sustainable. We must address three very fundamental issues that determine our public sphere:

- the crisis of capitalism,
- the crisis of democracy,
- the crisis of the nation state,
- the crisis of institutions.

This is due to indicators which provide ample evidence that our century is marked by exceptional and substantial societal challenges. It seems inconceivable that these should be met with resilience. Nothing short of

disruptive innovation will suffice. Among these indicators, one may concentrate on:

- the revolution in communication,
- the shift of political and economic power away from Europe and North America,
- the surging world-wide interdependence of the human race,
- population growth,
- the fact that our planet might become uninhabitable,
- the resurrection of the individual, not least in a gender context, and
- the reintroduction of religion into public discourse.

These indicators are not necessarily coherent with one another; on the contrary, they appear to represent a mounting uncertainty regarding all our traditions of living, learning, and governing. Our social order is crumbling.

Yet, models and plans for innovation tend to focus on technical issues, while it is hoped by those who belong to what is often described as "the Establishment", "the political class", or "the political system" (Luhmann 1984) that the fabric of society will indeed remain the same. While lip service is paid to social change, wealth and income are increasingly becoming the privilege of fewer and fewer citizens, and the power game is being fought between international corporations of a size hitherto unimagined and national governments whose belief that they are in the driving seat is becoming increasingly untenable if not absurd. Whether in the last instance, the important decisions are taken by a small group of exceedingly wealthy individuals may or may not be the case. The growing divide between privileged and underprivileged members of society and between nearly every national and regional community is real and is a cultural as much as an economic process, confronting these communities with increasingly insurmountable challenges of social unrest and indeed of survival.

Europe, while tentatively upholding traditional liberal values of an open society, of respect for human and civil rights, of governance for the people by the people, of the rule of law, of freedom of beliefs and religion, of speech and association, of gender equality, and of the protection of ethnic, national, religious and other minorities, is on a slippery downhill path that may well end in the return of nationalism, populist majority rule with

disdain for minorities, authoritarian government and massive restrictions imposed on precisely these values. As a normative backdrop, we may well wish to witness the demise of the nation state and the rise of 'United Europe', not as a new nation state that follows an 18th century model, but as a new public governance model that takes regional and local communities into account as much as it does non-state players, be they businesses or civil society. We might wish for active citizens who voice their concerns, engage in public affairs, and help shape policies and regulations. But we cannot be sure this model will prevail. If we wish it to, we must actively fight for it.

Many people would surely be at a loss to describe what exactly they should fight for, let alone to decide what merits saving and what needs to undergo changes so substantial that we cannot even imagine the outcome. Not many people would be at ease depicting an open, cosmopolitan society. But what most people are sure about is that political leaders are failing to face the real issues and are resorting to mistrust and control mechanisms, always a sign of weakness. The demise of East Germany in 1989/90 should be a permanent reminder of what happens when controls and restrictions suffocate public life. Strangely, it is not. On the contrary, Western theorists in the 1990s were quick to proclaim "the end of history" (Fukuyama 1992), and seriously believed capitalism and a liberal democracy of sorts would reign for ever after. Unfortunately, in pushing for neo-liberalism rather than liberalism, business and political leaders left many people behind. Leaders failed to see that even the well-trained young in Central Europe felt they were being treated as second-class citizens. No wonder authoritarian trends picked up support.

The majority of the British people, too, and substantial minorities in France, Germany, Italy, and many other European countries have demonstrated in recent years that a closed society is a real contingency. We hear people lamenting the disappearance of the way of life of a bygone age, wishing to cling to the customs of old and failing to realize that, in order to preserve some essentials, a number of fundamental changes are of essence. We hear people clamouring for a strong state, the failure of the welfare state and the dramatic decay in state competence notwithstanding.

We must face the fact that representative democracy and statehood of the type developed over the past 300 years seem to have had their day. The combined overbearing power of state bureaucracies and multinational corporations needs to be replaced by some kind of post-democracy, as some

would argue, preferably, however, by a more participative, citizen-orientated governance model. The dignity and uniqueness of the individual is endangered by menacing collectivities, while encouraging and nudging these individuals to think in categories of 'we' rather than of 'I' and putting some breaks on excessive competitiveness might provide a sensible way forward. A market economy that relies on competition has proven to be more successful in supplying citizens with goods and services than a government-organized non-competitive economy. Nevertheless, and despite the fact that governments regularly underperform, "today many scholars still hold that political boundaries are the most fundamental man-made lines on the map due to a bias toward territory as the basis of power, the state as the unit of political organization, an assumption that only governments can order life within those states, and a belief that national identity is the primary source of people's loyalty" (Khanna 2011: 46).

Village squares, debating networks of the metropoles, parliaments and assemblies seem old-fashioned in an age where communication works by very different rules. Raghuram Rajan, who argues in favour of "a devolvement in power from federal government through the regional government to the community" (2019: 325) is wrong in supposing that shifting executive powers from one level of government to another could solve the problem of how to remodel the public sphere. And indeed, the Covid-19 shutdowns and lockdowns have demonstrated the degree to which the digital revolution has successfully entered our daily lives. Holding an online conference with 25 participants from all parts of the world being able to see, hear, and speak and show charts and posters to each other is more than just a technical step forward. The life, and the public sphere of old have departed for good. Town hall meetings of the kind the European Commission and some national governments, notably the French, are advocating, will not help to overcome the crisis; indeed, in many cases they must be seen as a political ruse aimed at crowding out the civil society experts.

All this could be seen as a gloomy picture. While we seem to know so much, we apparently do not know how to effect social change – or if so, only in an exceedingly disruptive manner. Disruptive innovation does not necessarily equal revolution; it could be brought about by general consensus or by way of a democratic procedure. But this would entail actively pursuing this course, and this is nowhere to be seen. Our governors firmly believe technical innovation will solve our problems and refuse to recognize the need for societal change. Think tanks abound – which in

itself is a clear indicator that something must be wrong – and yet, while some of them aspire to tell us what to do, none seem to be able to come up with "the" solution. This is not in itself grounds for criticism: the development of society, by its very nature, is an unorganised process, in the course of which multiple ideas and suggestions need to be put forward. Politics has become too serious a business to allow us to leave it to politicians – let alone to government officials!

In real life, even in the inner circle of governmental responsibilities, supra-, trans- and international governance structures have taken over as decisive players in a global governance system, as have regional and local communities, as have international corporations that are seemingly more and more successful in evading government supervision. Furthermore, communities of choice are increasingly attracting stronger loyaltyies and are seemingly crowding out communities of fate in determining people's more often than not multiple identities.

Over the past two generations, while many ideas have been put forward, nothing substantial has been achieved in providing a practical solution to this fundamental dilemma. Habermas' model of discursive democracy that connects democratic political processes to a normative concept of institutionalising the interplay between diverse societal arenas has been widely received in academic circles but seems to have had little impact on the development of society, the crisis of democracy in recent years and the slow erosion of traditional political processes notwithstanding (Habermas 1994: 361 ff.). In future, leadership will depend on the ability to sincerely take on and effectively organize this interplay between very diverse players, politicians and administrators, business executives, civil society players ranging from grass roots protest movements to traditional religious leaders, and last but not least, the principals of the public sphere, the citizens.

## 2. Arguing for the Civic Space

Citizens, while entitled, prone and often quite eager to act collectively in the political and business arenas, are increasingly finding the third of the big societal arenas the most appropriate. The civic space, on occasion but not always used as a synonym for 'the space for civil society' has seemingly grown considerably since Arato and Cohen argued that "the con-

cept of civil society is more than a mere slogan" (Arato & Cohen 1988: 40)
Clearly, the notion of a civic space touches on the human and civil rights
of individual citizens as much as it does on those of associative bodies
and philanthropic institutions. But the unclear definition also shows how
much nearer the citizen is to civil society than to the modern state, not-
withstanding the fact that political theory defines liberal democracies as
ruled by the people. It is therefore reasonable to assume that civil society
in many ways equals the civic space, provided that spontaneous civic
action and individual public-mindedness are counted in.

Civil society has existed in one form or another for millennia, and in
every civilization on this globe. However, over the past two generations
or so, a novel concept of civil society has emerged that differs from pre-
vious concepts, including one as used by Leonardo Bruni in the 15th cen-
tury when he coined the term *societas civilis* in translating the Greek
term polis as used by Aristotle into Latin (Fein & Matzke 1997: 11), and
the one put forward by John Locke (1689) and Adam Ferguson (1767). It
may be seen today as an arena of collective movements, organisations,
and institutions, which are in many ways hugely diverse, but do have
some common traits that allow us to distinguish them from organisations
and institutions which form part of the state or the private business sec-
tor. If, contrary to Margaret Thatcher's famous quip (1987), society is
something that exists and is not synonymous with the state or the nation,
relevant collective action takes place in all of these three arenas, all of
them spaces for movement, action and change.

Figure 1: The Three Arenas of Collective Action
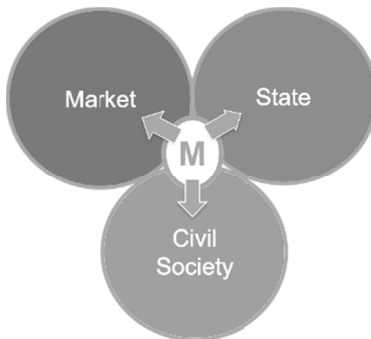
Source: Maecenata Institute for Philanthropy and Civil Society, Berlin.

Civil society may be described as the space that citizens enter and leave of their own free will, where they participate directly in affairs to do with the common good, and voice their concerns, ideas, criticism, and agreement. Lester Salamon's Johns Hopkins Comparative Nonprofit Sector Project (Salamon et al. 1998) defined a number of principles that may decide whether an activity, a movement, an organisation, an institution should be considered part of this particular arena:

- access should be voluntary,
- the organisation should not be engaged in core government business,
- profit-making should not be a prime objective,
- the governance structure should be autonomous, and
- any profits made may not be distributed to members or owners.

Though civil society organisations (CSOs) command a considerable full-time and part-time workforce, the arena as such is based, and relies heavily, on volunteerism and thus on philanthropy in its widest sense, to read the spirit in which gifts of empathy, time, ideas, know-how, reputation, and financial resources are put at the disposal either of individuals in need, or of organisations deemed able to use these gifts to perform their self-allotted tasks. The French political economist François Perroux (1960) described giving as the attribute of what we today call civil society, while force is associated with the state, and exchanges are associated with the market.

The division between civil society, the state, and the market is necessarily conceptual, and overlaps and unclear edges exist in reality. Salamon et al. concluded there was a "vital need to improve the general awareness of [the non-profit sector] in virtually every part of the world, and to monitor the trends affecting it on a more pervasive, and more sustained, basis. The existence of a vibrant non-profit sector is increasingly being viewed not as a luxury, but as a necessity for peoples throughout the world. Such institutions can give expression to citizen concerns, hold governments accountable, promote community, address unmet needs, and generally improve the quality of life. Putting this sector firmly on the mental map of the world is therefore a matter of some urgency" (Salamon et al. 1998: 38).

While many people believe civil society players can achieve what the public and the private sector cannot, that they are destined to be change

agents, this proposition will be refuted by others, particularly in government and in business. They will receive academic backing from traditional economists who firmly believe in the power of the market, and will rely on the superior power and vastly superior financial resources of the state to demonstrate its ongoing position in the driver's seat. However, Amitai Etzioni, one of the forefathers of civil society research, was certainly right in claiming: "Actually, this third sector may well be the most important alternative for the next few decades, not by replacing the other two, but by matching and balancing their important roles" (Etzioni 1973: 318).

Since the American economist Richard Cornuelle (1965) first spoke of an independent sector beyond the state and the market, the discussion about the overall function of this sector or arena has never stopped. Cornuelle argued that associations of volunteers could effectively solve social problems without recourse to heavy-handed bureaucracy, while governments would commonly prefer to see these associations and foundations support the government's work in a subservient fashion, while neither questioning government decisions nor adopting any degree of independence. Little wonder that service-provision and intermediary organisations are popular with governments, while the self-help, self-fulfilment and community building roles are habitually overlooked, and advocacy, watchdog and political discourse roles are viewed with suspicion. Responding to pressure from citizens, advocacy has found its way into tax exemption, and the watchdog role has gained acceptance for watching over excess market behaviour. But Colin Crouch's (2011) insistence that, given parliaments' failure in fulfilling that role, civil society's main task is to act as watchdog in public affairs, has not to date made government theorists and practitioners rethink the interplay between the various contributors to the development and execution of policy. On the contrary, the public sector, and, somewhat strangely, the media, tend to belittle the role of civil society and use arguments related to the rank of representative democracy to enhance their own role, while at the same time accepting the private sector – business – as a driving, and quite regularly decisive, force in determining policy. Nevertheless, "in recent years, a greater political focus on [civil society] has been recognizable throughout Europe. Political parties and public administrations have recognized the increasing force and creative power of [civil society] and are attempting to channel, control, or curb it in variuos ways" (Hummel et al. 2020: 87). And

though philanthropic giving is by no means the prime source of civil so-
ciety funding, it has most certainly become a major driving force in em-
powering its agents. Empowered in this way, as Albert Hirschman rightly
established (1970), civil society organisations may engage in tasks that
support existing societal systems ("loyal"), may distance themselves
from mainstream society ("exit") or become an opposing force ("voice").
Under all three of these headings, we may see eight distinct role models;
many organisations are active in more than one:

Figure 2: Civil Society Role Models

Source: Maecenata Institute for Philanthropy and Civil Society, Berlin.

The last two of these are perhaps the most interesting. While it has long
been argued in Europe that enabling personal growth, self-fulfilment, a
fulfilled and happy life, is arguably the prime obligation of any commu-
nity to its members, Asian political theory would challenge this view,
contending that society takes precedence over the individual. Yet, even
then, civil society is probably the arena where personal growth through
voluntary involvement may be achieved. That civil society should have a
permanent and undisputed seat at the table when matters of society at
large are debated, is far from being universally accepted, notwithstanding
the lip service that is paid to the importance of civil society when it so
pleases those in power – most commonly when these debates take place
far from home. Habermas and others have argued the necessity of a "de-

liberative democracy" to explain the existence of an arena beyond the state and the market (Habermas 1994: 363). These role models have developed over the past 30 years or so, both in practice and in theory, and obviously, many civil society players follow several role models simultaneously. This entails not only having a problem of defining civil society itself, but also one of defining its activities – a fairly academic debate when it comes to deciding whether a hospital managed by a not-for-profit organization is part of civil society or not, but a very real issue when talking about terrorism, civil liberties, and indeed social change.

In the eyes of those caught up in the present system of government, the most obnoxious civil society role models are those of a watch dog and as a contributor to public discourse – with one notable exception: In countries whose governments are seen as unpleasing in the sense that they have not taken on and/or said bid farewell to principles that Western democracies in the Global North uphold, civil society that opposes the government is hailed as the expression of the will of the people. We have seen this happen in the past, not least in the Central and Eastern Europe transformation process in the late 1980s. To put it very bluntly: civil rights fighters in China are considered heroes, while civil rights protests in Hamburg at a G-20 conference are seen as criminal disruption of public order (Edlefsen & Strachwitz 2017), and civil liberties activists in Catalonia are quickly labelled as terrorists.

The resources in volunteer work and donations that civil society can command are next to nothing compared to what governments obtain from their citizens by way of taxes, and what the business community makes by selling goods and services. In this respect, civil society, while being responsible for a considerable portion of any country's GDP, is the smallest of the three arenas. Yet, it seems grossly unfair, and politically unwise, that civil society is not accorded a place at the table when our future is debated. When, to give just one example, the incoming President of the European Commission, Ursula von der Leyen, wrote to the new commissioners outlining their mandates, the word civil society was not mentioned once. Increasingly, we see obstruction, harassment, regulatory confinement and crowding out by governments, not only in countries like Russia, Egypt, and Hungary, but in France, Britain, and Germany, too (Bouchet & Wachsmann 2019). And we continue to see contempt for spontaneous civic action, despite the fact that 'Fridays for Future' was extraordinarily influential in shaping the 2019 global political agenda.

This will not change in the foreseeable future. So what is it that civil society can bring to the table?

3. Envisioning a New Way Forward

Beyond any doubt, many of today's civil society organisations have important public functions. Sports clubs, welfare and health organisations, protest movements, and watchdogs have become part of societal life and have learnt to voice opinions in the public sphere. They can, on occasion, be extraordinarily powerful in setting the agenda, moving issues, nudging lawmakers or restraining them (Thaler & Sunstein 2008). Some find this easier than others. Traditional civil society organisations tend to be caught up in a neo-corporatist arrangement with the state; frequently they depend on public money to perform their services and are thus susceptible to government pressure. They find it more difficult to shed their subservient attitude than do the younger advocacy organisations that rely on the support of their members and donors. But looking at how civil society has developed, the power of example is nudging more and more citizens everywhere in the world to actively contribute to public affairs and to do this in more ways than just by turning out to vote for a political party or leader once every few years. "Much of what Tocqueville saw as the reasons for modern democracies being lively and diverse and having the potential to integrate (the importance of associative life, of a community culture, and of religion) is just as important in 21st century society as it was then" (Kronenberg 2013: 6).

This is because empathy, friendship, and engagement with emotional needs are at the very core of what constitutes a healthy societal arrangement. Communities depend on emotions, which modern governments horribly fail to convey. The sentiment of compassion, as described by Adam Smith (1759), is often connected to the solidarity deemed to be essential to keep a community together. Be this as it may, the failure of the state is not restricted to the examples chosen from serious deficiencies in pursuing the day-to-day business of government but should be seen as a general systemic phenomenon that calls for corrective action.

There have been instances where the growth in coherence, power and strength that civil society has undergone over the past generation or two, its ability to post societal needs and drive the issues, have been decisive.

Care for the environment, gender issues, individual liberties, and indeed the fall of the Berlin Wall and the process of transition in Central and Eastern Europe in 1989/1990 were driven by civil society action, by determined activists and philanthropists. Most certainly this will happen again. Fridays for Future, started by one single Swedish teenager, is a case in point. The heterogenous, heterarchical and more often than not overtly chaotic structure of a CSO may on occasion be better suited to become a hotbed of new ideas and creative, and potentially disruptive, innovation than an orderly government agency and/or corporation.

Beyond these narratives, the impact and the legitimacy of civil society rest on a normative theory. Normative principles are needed to decide whether or not an organisation may be considered "good", i.e., acceptable to society. Among them, one may determine some very general ones, such as:

- a basic belief in the human being as the supreme principal of society,

- respect for other human beings, their distinct and possibly very different ways of life and convictions,

- adherence to basic societal principles such as human and civil rights, the rule of law, and government by the people for the people, and

- a belief in a pluralist society that allows each and every individual to lead the life she or he wishes, provided this does not infringe on the life of others.

Furthermore, there are some that are specific to civil society, e.g.:

- a strict priority for ideals and ideas rather than for personal material gain,

- a commitment to be accountable to the citizenry at large,

- an acknowledgement of everyone's right to assemble and associate, and

- an endorsement of a political role for civil society.

Civil society is thus by no means inherently good (Strachwitz 2018). Just as there are good and bad governments, and honest traders and crooks in business, there exist, of course, CSOs we do not approve of, be this in a fundamental sense or simply because they have different views to our own. The Ku Klux Klan, the National Rifle Association of America, and, to name a German example, Pegida, are examples of the first, while a plethora of associations and foundations whose goals do not correspond

to those of other citizens may be among the second. This does not, however, permit us to disregard or disqualify organisations whose views or goals we do not approve of. On the contrary, respect for others carries the obligation to listen most carefully to opposing statements and to consider positions we do not embrace – a virtue long lost in politics. Furthermore, this respect will make us exercise caution and restraint when it comes to playing the power game. Large foundations and other CSOs face a particular challenge here. But in doing so, they will join an ever-growing number of smaller, very often minute, CSOs and become what in other arenas is proving to be virtually impossible: namely, change agents. Change agents and indeed all CSOs are never legitimized by size, nor by election procedures. They are legitimate by the quality of their proposals.

A novel and increasingly important and attractive sub-sector of civil society has proven to be particularly well suited. It is what may be termed informal civil society, movements without much, or even any, structure. They convene around one issue, one thought, one philanthropic impulse. During the wave of refugees that hit Germany in 2015 and 2016, it was private citizens who assembled their friends, small groups of volunteers called up over social media, responsible women and men who, in the light of a failing government bureaucracy, lived up to Angela Merkel's famous "Wir schaffen das" – "We can do this"[1]. It was what enabled Germany to cope with one million refugees in less than six months. It is they that will most probably be the most influential change agents.

In order to render a contribution of civil society to social change a viable and sustainable proposition, a government-organized "open government partnership", citizen participation and corporatist models of civil society involvement in public affairs, will most certainly not suffice. We are seeing that some governments and most international governmental organisations are developing a taste for these – and otherwise labelled – formats of direct contact between the rulers and the ruled. While this may be a good way of overcoming the increasing divide between a "political class" and increasingly frustrated citizens, it should not be overlooked that it may easily be manipulated in order to be able to present openness and dialogue in public, while using events with uninformed citizens to

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[1] German Federal Chancellor Angela Merkel first used this phrase on 31 August 2015, at a press conference following a visit to a refugee camp near Dresden, where local opponents of her refugee policy had booed and heckled her.

keep those who have real knowledge of particular issues out of the de-
bate. It remains to be seen whether this policy will ultimately succeed or
whether the citizens concerned will undergo a gradual educational pro-
cess and become an informal civil society movement and eventually a
formalized civil society organisation.

Given the elements of a contemporary paradigm, it seems that a global
world order is not to be avoided, and indeed to be wished for, even if
many citizens feel terrified at the thought. However: "Globalization is
almost always written about in terms of how it operates within the exist-
ing order, rather than how it creates a new order" (Khanna 2011: 48). In
order to be acceptable and indeed workable, the new global world order
will have to contain a massive measure of subsidiarity, to read a very
careful assessment of cultural differences and traditions, and a clear view
as to which problem needs to be discussed, decided upon and solved at
which level of a multi-tier, and multi-arena, societal order.

This new way of devising a way forward is openly and hotly, and on
occasion quietly, but no less efficiently, contested by the advocates of a
sole responsibility of – albeit democratic – governments as much as by
those who envisage a division of powers between governments and busi-
ness. Given the crisis of democracy, the failures of constitutional arrange-
ments and procedures after long periods of seemingly well, or at least
adequately, functioning systems that combine a market economy with an
authoritarian government are being studied with interest. Little do those
that flirt with this type of arrangement realize that a China-type political
order will not favour those who believe they can exert more influence in
such a system. To avoid democracy drifting in that direction, it has to
acquire a new licence to operate, a new lease of life. The notion of three
arenas into which the individual may move at his or her free will in order
to be part of whichever collectivity he or she wishes to belong for a certain
task or time, is worth taking up for this reason if for no other. It underpins
the supremacy and unique dignity of the individual, while not forgetting
each human being's responsibility for the community he or she happens
to belong to by fate or by choice, and for society as a whole. According,
civil society adequate and permanent representation seems therefore to be
a logical step, all the more so as civil society actors bring presents of
empathy, ideas, know-how, reputation, time, and resources to the table.
The state may well be expected to relinquish powers in favour of a level
playing field that embraces non-governmental and non-business players.

In this context, it seems important to challenge existing principles of the market economy. The survival of the fittest, as devised by Herbert Spencer in the 19th century (Spencer 1864: 444) is as little suited to governing the market's contribution to society as are notions of shareholder value. The expectation that the very rich "will transform the character of governments, shrinking the realm of compulsion and widening the scope of private control over resources" (Davidson and Rees-Mogg 1999: 256) cannot – and should not – persist. Reining in extreme capitalism by refocussing it towards stakeholder value, sustainable and responsible development and measures to bridge rather than widen the divide between the rich and the rest of society, seems a sensible step forward.

Likewise, governments' – and indeed parliaments' – monopoly of the public sphere need to be challenged. They are now trying to save what they can and are leaving it to providence what the outcome might possibly be. They profess to be set on innovation and refuse to take into account that innovation in technical matters implies an innovative solution to the dilemma of an antiquated political order. Whether this solution can be disruptive and at the same time evolutionary rather than repeating the mistakes of the 20th century and attempting to create a "new man" by way of revolution, is an open question. It will depend on how widespread a readiness for change may be, and on how many centres actively develop models and ideas for a new order. It is a total misconception that new orders have come about as a result of a singular revolutionary act and an ensuing one-off brainstorming session. In each and every case, new arrangements had a longish history of preparation, of civil society at its very best designing and discarding competing ideas to a point where consensus could be achieved over a compromise. In this sense, more than in any other, civil society may truly be considered a change agent. Taking to the streets can be extraordinarily effective and is a civil right as much as it is a civil society prerogative. But moving issues by convening and debating is arguably the more sustainable contribution that civil society can bring to the table.

Civil society has limitations to be respected by its players. It can, and indeed should, never be responsible for setting rules that affect every citizen. This is the core business of government, and in a liberal democracy, these decisions should exclusively be taken by those who are elected by the people as a whole. The famous battle-cry of "no taxation without representation" still stands today as it did in 18th century North America. But if we can achieve a situation in which it is realized by everyone that

taking the final decision is not the equivalent to preparing for them by offering analyses, ideas, arguments, and solutions, this would indeed be an iconic turn. There is no reason to assume that government officials – or indeed business executives – are any wiser than other citizens. If they could be made to realize that, on the contrary, social change emerges from chaos rather than from order, society could develop in a fascinating way.

All this said, disruptive innovation has a bright side to it. Issues of legitimacy and relevance are still being discussed – by professional politicians who continue to cherish the notion that they are in the driver's seat, by business leaders who wish to replace elected governments at the helm of a world order, by mainstream academia, by the media who still prefer to report on the occasional scandal, or on local events rather than offering civil society full participation in the debate on public affairs. If, however, it can consistently be demonstrated that the goals to be reached will in fact only be reached by adopting principles that civil society embraces, it will be clear that, as Parag Khanna (2011) put it, the "dotgov, dotcom and dotorg worlds" will interact on a level playing field.

In order to achieve this paradigm shift, "raising citizens" (Mounk 2018: 245) rather than specialists is the essential first step. Adapting educational curricula to include the knowledge base for performing well in the public sphere is a precondition to changing attitudes (D'Ambrosio 2018: 44) – a noble task indeed for an academic institution. However, education, too, alone will not suffice. Following education, participation and finally responsibility must evolve (Alcide de Gasperi, quoted in D'Ambrosio 2018: 44). Responsible leadership will – and can – build on this common responsibility. In the UK, this equilibrium is often referred to as the three-legged stool, a particularly stable contraption, provided the three legs have the same length:

Figure 3: The Three-Legged Stool

Source: Christian Schreier, Maecenata Institute for Philanthropy and Civil Society, Berlin.

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Part II

Case Studies

Dealing with the Past in Former Yugoslavia – A Civil Society Effort to Establish a Truth and Reconciliation Commission in the Western Balkans

A Comparative Study between Croatia, Serbia and Montenegro

Laura Alviz and Eliis Irv

1. Introduction

This chapter looks at civil society efforts for transitional justice undertaken in the former Yugoslavia. It will shed light on how the civil societies in three Yugoslav successor states – Croatia, Serbia and Montenegro – deal with their past and to what extent their joint initiatives play out differently in varying national contexts.

The chapter focuses on the RECOM initiative, which aims at establishing a truth commission to find facts, support victims and prevent the resurgence of conflict (cf. Coalition for RECOM 2011). The truth commission proposed by RECOM is special in two respects that make researching it a valuable contribution to this volume. Firstly, RECOM is planned by a variety of non-governmental organizations (NGOs), characterizing it as a civil society project. Secondly, RECOM would be the first truth commission not confined to one nation, but operating transnationally in Yugoslavia's successor states (cf. Kurze & Vukusic 2013). Hence, it

constitutes an intriguing case study of civil society cooperation in the Western Balkans.

After outlining the theory and methodology, the analysis proceeds by covering findings at a societal and political level. In Croatia and Serbia, lack of knowledge about RECOM remains an issue. Progressive civil society organisations (CSOs) do not have a positive reputation among large parts of the Croatian and Serbian public. Montenegro is an exception. In the 2010s, the Serbian and Croatian societies have become less receptive to transitional justice and the regional truth commission, which is not the case in Montenegro. The findings highlight the positive role of the EU in fostering civil society engagement in transitional justice through conditionality among candidate states. In contrast to Serbia and Montenegro, civil society receives less EU support in Croatia, which became a member in 2013.

2. Background

The ethnic heterogeneity of the former Yugoslavia is largely attributable to centuries of forced and voluntary migration within and between the Ottoman and Habsburg empires, from the 16th to 18th centuries, whereby the Balkan peninsula came to host immigrants of different faiths, ethnicities and nationalities (cf. Braun 2016). In the late 19th and early 20th century, nationalist forces in the Kingdom of Serbia desired to unite all South Slavs under the umbrella of one state (cf. Brubaker 1996). Such sentiments culminated in the assassination of Archduke Franz Ferdinand of Austria by a Bosnian Serb nationalist, leading to World War I (WWI) (ibid.). Montenegro aligned with Serbia in 1914 (cf. Rastoder 2003). After WWI, the Kingdom of Yugoslavia was formed, but was ripped apart again in 1941 by World War II (WWII) (cf. Braun 2016). This period saw the Croatian state conduct ethnic cleansing and mass killings of ethnic Serbs in the Jasenovac concentration camp (cf. Braun 2016; Mehler 2015), followed by the Bleiburg massacre of Croatian prisoners of war by Yugoslav Partisans in 1945 (cf. Braun 2016). The horrors of WWII became formative experiences for the people entering the Federal People's Republic of Yugoslavia (ibid.; cf. Mehler 2015).

In 1971, Croats called for greater self-determination, known as the Croatian Spring (cf. Braun 2016). The Yugoslav leadership escalated the

conflict through a crackdown on protests, temporarily defeating Croatian nationalist aspirations (ibid.). This is until the mid-1980s, when the death of Josip 'Tito' Broz, Yugoslavia's authoritarian president, and an economic recession weakened the communist leadership, signifying the beginning of the end for the Socialist Federal Republic. In 1990, the Yugoslav republics held free elections, empowering nationalist politicians such as Franjo Tudjman in Croatia (cf. Brubaker 1996) and Slobodan Milosevic in Serbia (cf. Braun 2016), who used ethnic heterogeneity in Yugoslavia for political gain. Nationalism was reinforced by the division of the Socialist Federal Republic of Yugoslavia into ethnically demarcated republics, enjoying some linguistic and cultural autonomy (cf. Brubaker 1996; Tilly & Tarrow 2015). By July 25 of 1991, when both Croatia and Slovenia declared independence, conflict had already escalated into violence in Serb dominated areas of Croatia (cf. Braun 2016), and the Yugoslav National Army was deployed against Croatia (cf. MacDonald 2018) under the guise of maintaining peace (ibid.).

In 1995, the conflict was at a standstill, with Operation Storm marking the last major violent event in the Croatian War of Independence (ibid.), and a peace agreement was signed on November 12 (cf. Braun 2016). Montenegro, initially seeking to maintain an alliance with Serbia, had been involved in the war indirectly and unenthusiastically (cf. Bieber 2003). This compromised Montenegro's relations with Serbia (ibid.) going into the new Federal Republic of Yugoslavia. The strained relationships between these states led to Montenegro increasingly distancing itself from Serbia and aligning with the west from the mid-1990s (ibid.). By 1999, Montenegro had effectively severed its ties to Serbia (ibid.), before finally becoming independent in 2006.

2.1   Transitional Justice in the Balkans

Interest in transitional justice has gained momentum in the last 30 years, initially focussing on democratic transformations in Latin America and Eastern Europe, and also the Truth and Reconciliation Commission in South Africa (cf. Mihr et al. 2018). A variety of mechanisms for dealing with past atrocities, including judicial, political and socio-cultural ones, can be utilized (cf. Girelli 2017), as well as "indigenous and informal" instruments, especially in non-Western settings (cf. Huyse 2008: 3).

However, these approaches should be tailored to the local context and needs (cf. Girelli 2017; Braun 2016). In 1993, the International Criminal Tribunal for the former Yugoslavia (ICTY) was set up by the UN Security Council (cf. Girelli 2017), to prosecute war crimes, genocide, crimes against humanity and violations of the Geneva Convention during the Yugoslav Wars. Domestic war crimes chambers were also formed in Serbia and Croatia in 2003 (cf. Fischer 2013a), in cooperation with the ICTY, allowing for cases to be retried and to be transferred from the ICTY (cf. Braun 2016). This is an example of a multitude of instruments supporting each other and responding to different needs. Once the ICTY ceased its activity in 2017, domestic and regional institutions were needed to continue the work.

In this context, the RECOM initiative works towards establishing a truth commission (cf. Coalition for RECOM 2011), pushed by a variety of civil society organizations (CSOs), jointly operating in all of Yugoslavia's successor states (cf. Kurze & Vukusic 2013). Truth commissions aim to understand events, as well as underlying causes and patterns of systemic violence and discrimination to prevent conflict resurfacing (cf. Krüger & Scheuzger 2018; Girelli 2017). Based on the knowledge they gather, they also make policy and reform recommendations (cf. Girelli 2017), but typically their mandate does not extend to prosecuting perpetrators (ibid.). In recent times, focus has shifted from exclusivity to complementarity (cf. Fischer 2013b), highlighted in the endorsement of RECOM by the ICTY in 2010 (cf. Irvine & McMahon 2013).

Truth commissions can encounter challenges in fulfilling their objectives. A particular challenge to note in the case of RECOM relates to the fact that in post-conflict societies, national and ethnic identities focus on the dichotomies of victims and perpetrators (cf. Heinrich & Stahl 2018). When people are categorized as co-ethnics, they are assigned responsibility for the actions of their ethnic group (cf. Biruski & Penic 2014), leading opposing sides to attempt to glorify themselves, developing divergent historical narratives and hierarchies of victimhood (cf. Heinrich & Stahl 2018; Girelli 2017; Biruski & Penic 2014).

The international community typically perceives Croatia as the principal victim and excludes Serbian victims (cf. Mehler 2015), as Serbs are perceived as "primary perpetrators" (cf. Gordy 2013: 39-40). Within Croatia, it is a common belief that Croatia did not commit war crimes during the Yugoslav Wars and the public lacks empathy for Serbian war victims

(cf. Banjeglav 2013). According to a survey by the Croatian CSO Documenta, 52% of Croats believed only Croatians were victims of the Croatian War of Independence, while 31% believed that there were Serbian victims, but fewer than Croatian (ibid.: 37). Among Serbs in Croatia, 84% were convinced that both Croats and Serbs were victims to an equal extent, which was only the case among 12% of Croats (ibid.). Collective victimhood is at the centre of Croatian nationalism, especially in combination with the dual position of Croatia as both victim and victor. Croats still refer to the Croatian War of Independence as the 'Homeland War' (cf. Banjeglav 2013), creating a challenge for the reconciliation process, in the form of 'victor's justice'. Where nation-building has relied on the memorialization of the Homeland War, the ruling interests have little interest in questioning the established narrative (cf. Peskin 2006).

During the ICTY's operation, Croats and Serbs exhibited indifference and hostility towards the institution, seeing it as biased or internationally imposed (cf. Girelli 2017; Fischer 2013a). While particularly prevalent among Serbs, victims and veterans' organisations from both countries considered their own ethnic group unfairly targeted (cf. Petrović-Ziemer 2013), a sentiment which was propagated by domestic media and politicians (cf. Girelli 2017). RECOM seeks to bridge these divides, as a civil society led and regionally operated organisation. However, in Croatia, the initiative is accused of promoting pro-Yugoslav sentiments, while in Serbia some perceive it to be anti-Serbian (cf. Gordy 2013). Furthermore, nationalism plays a crucial role in support for such measures, and therefore sentiments depend on whether pro rapprochement politicians are in government or not. Montenegro was a notable exception to this, with seemingly stable, one-party rule since the 90s, being hailed as a kind of "miracle of the Balkans", in that it saw a comparatively smooth transition (cf. Darmanovic 2007: 153). It is typically friendly to its neighbours and supportive of EU integration (ibid.). However, with the change of leadership in 2020, this is currently an open question.

2.2 Civil Society and RECOM in Transitional Justice

As was mentioned previously, the RECOM initiative on which this paper focuses is established by a coalition of domestic CSOs. The Coalition for RECOM is not the first example of CSOs pushing for the establishment

of a truth commission, even though the extent to which CSOs lead the effort is unprecedented (cf. Crocker 2000). David Backer identifies a gap in the literature, as not much has been written about the function of civil society in transitional justice, but it is generally assumed that CSOs can play a pivotal role in such processes (cf. Backer 2003; Crocker 2000).

Proponents of civil society involvement in transitional justice emphasize domestic CSOs' knowledge about local circumstances and their desire to do what is best for the local population (cf. Backer 2003). This includes their ability to engage with citizens in their native language (cf. Crocker 2000). These attributes not only qualify non-governmental organizations to make decisions about transitional justice goals and instruments but also lead to more respect for these decisions from the local populations (ibid.; cf. Girelli 2017). CSOs may contribute to transitional justice on a coordinative or an operative level, for example, by advocating for social change or by counselling victims (cf. Backer 2003).

While all of the above matter, high hopes for civil society risk overburdening the CSOs with tasks for which they have neither the capacity nor the mandate. CSOs in both Croatia and Serbia further lament a lack of political and societal will for transitional justice efforts (cf. Petrović-Ziemer 2013). While Croatian human rights organizations note improvements, the state and civil society in Serbia only remain loosely connected (cf. Fischer 2013c). Backer refers to this kind of relationship as a 'hands off the wheel'-scenario, where the government's inaction undermines the legitimacy of CSOs, and civil society is left to fend for itself (cf. Irvine & McMahon 2013: 229-230; Backer 2003: 309-310). This situation is typical in post-conflict contexts, not least because some collaborators of the former regime remain in positions of power during the transitional period and have no incentive to cooperate with CSOs that seek to uncover the crimes of their past (cf. Backer 2003). Truth commissions in particular require government authorization to wield any executive power (ibid.). This means that the state has to agree with civil society that a truth commission is necessary and desirable for it to be able to operate at all.

3. Methodology

In order to empirically approach the topic, we employ a comparative case analysis. Interviews with experts from Croatia, Serbia and Montenegro

were conducted, which constitutes a useful method because extensive knowledge about RECOM was required. The discussions took place via video chat in April (Croatia and Serbia) and October 2020 (Montenegro), lasting between one hour and five minutes (Montenegro) and one hour and 32 minutes (Croatia). Roughly the same interview guideline was used in all discussions. The interviews were analysed manually.

Serbia was chosen since this nation is perceived as the main perpetrator of the Yugoslav Wars (cf. Mehler 2015). Croatia was selected because it is considered the principal victim of the Croatian War of Independence (ibid.). Montenegro was later included in the research because a Croatian interviewee suggested that it constituted an unusual case in the region. Comparing these countries is appropriate because they were all part of Yugoslavia and experienced the wars, albeit in different ways.

A high-level representative of the RECOM initiative provided a list of potential interviewees after the research proposal was outlined. All three Serbian interviewees came from this first sample. None of the Croatian coalition members initially suggested were interviewed because they were unavailable or did not respond. They themselves or their organizations referred two other representatives of the same organizations, who were interviewed. One of the Montenegrin interlocutors was suggested by a Croatian interviewee, and the other by the first Montenegrin coalition member. The interviewees work in leading positions for human rights organizations that play major roles in the RECOM initiative. The speakers will be referred to as CR-1, CR-2, SB-1, SB-2, SB-3, MO-1 and MO-2.

Limitations of this study primarily pertain to sampling. As this research project takes the form of qualitative interviews that rely on expertise, the sample of respondents is small and focuses on three of the successor states to the former Yugoslavia. Furthermore, all interviewees are closely involved with the RECOM initiative, which was an intentional choice for the research interest; however, this does involve an expectation of some personal biases among the respondents. To compensate for this, future research should add a quantitative element to the discussion. It would also be interesting to conduct an interview with RECOM activists from Kosovo, as this country was mentioned as an exception in the region by the Serbian speakers.

4. Analysis

The analysis section is sub-divided into the societal and the political level, all while connections between the two spheres are taken into account. The societal level includes findings pertaining to public opinion, local ownership, organizational capacity and civil society, the political level to the countries' role in the war as well as national politics and the European Union. This structure was chosen because it reflects the central themes covered in the interviews.

4.1 Societal Level

4.1.1 Public Opinion

Croats and Serbs characterize public opinion in their nations as hesitant, or even hostile, towards dealing with the past. They lament that, despite their efforts at educating the public about RECOM, citizens are often unaware of the existence of the initiative, let alone its mission or the regional aspect. On an optimistic note, both Croats and Serbs emphasized that passersby, hearing about RECOM for the first time during signature campaigns, agreed with the idea and were prepared to sign the petition.

CR-2 thinks that lack of knowledge is a bigger problem in Croatia than elsewhere. According to data from 2006, only 6% of Croatian respondents had heard of RECOM, compared with 11% in Serbia (cf. Banjeglav 2013). In Serbia, negative opinions or disinterest in RECOM stem from an aversion to human rights related topics. In Croatia, interviewees identify a consensus about the importance of human rights, which does not necessarily translate into support for the RECOM initiative. SB-1 and SB-3 consider the disregard for human rights in the Serbian public to be a Balkan-wide phenomenon. CR-1 meanwhile says that Croats may not be particularly outspoken about the importance of human rights and civil liberties, but that they would not tolerate it if these rights were completely disrespected.

Those who are against RECOM in Croatia argue that the post-Yugoslav countries should not form a regional coalition, but that each country should deal with its wartime legacy on its own. This opinion is common because people believe that the countries they fought against may misuse an institution like RECOM for their own ends. SB-3 makes a similar

point when mentioning that Serbs lack confidence that RECOM is not a plot orchestrated from the outside. The speaker states that citizens in other countries feel the same way.

CR-1 outlines that, in Croatia, during the period from 2000 to 2005, a process referred to as De-Tudjmanization took place. This means that Croatia started dealing with the negative wartime legacy of the Croatian Democratic Union (HDZ), the centre-right party formerly led by Franjo Tudjman, and with crimes that were committed by members of the military and police. However, after Croatia joined the European Union, a period of Re-Tudjmanization began, characterised by a societal shift towards right-wing attitudes, nationalism and reluctance to acknowledge Croatia's past indiscretions.

The Serbian participants similarly describe public attitudes regarding RECOM in Serbia to have deteriorated in the last decade. SB-3 mentions that, from 2001 until 2011, the arrests of indicted war criminals were a topic of political debate in the country. After that, while the trials were held and facts established before the ICTY, interest waned. The worsening of the conditions for RECOM thus began at a similar point in time in both countries, about ten years ago. While the Croatian interviewees emphasize the long-lasting effects of the De-Tudjmanization period on public opinion in Croatia, independent of the current situation, attitudes concerning dealing with the past in Serbia seem to have little potential for improvement.

The Croatian interviewees mention Montenegro as an exception in the region. The general population there is supportive of RECOM, and Montenegrins, unlike Croatians, are quite well-informed about the RECOM initiative. The interview with the representatives of RECOM in Montenegro confirms these statements. MO-1 cites research conducted in 2020, according to which more than one in four Montenegrins have heard of the RECOM initiative. Among those that are aware of RECOM's activities, 78% support the establishment of the commission. This finding is in line with observations from Croatia and Serbia that awareness and support often go hand in hand. Breaking the data down to ethnicity, MO-1 elaborates that Montenegrins are the best informed about RECOM, followed by Serbs and then the national minorities. Moreover, inhabitants of central and southern Montenegro are better informed about RECOM than their compatriots in other parts of the country, which corresponds with activities that the initiative conducted in these areas.

The interviewees agree with the Croatians that RECOM has more public recognition and acceptance than elsewhere in the region, and that resistance to the coalition is stronger in Croatia than in Montenegro. They explain that RECOM in Montenegro was better able to mainstream itself and the idea of transitional justice because it encountered an environment that was less challenging than that in other post-Yugoslav states. MO-1 further clarifies that Montenegrins do not particularly enjoy discussing their nation's past, but that they have started to acknowledge the necessity of doing so.

4.1.2   Local Ownership

Even though RECOM is technically a home-grown initiative, Serbs do not perceive it as such. They instead believe that RECOM constitutes a form of international involvement in Serbia's process of dealing with the past. When interviewees are asked whether Serbian citizens are generally sceptical of international involvement in transitional justice, SB-3 stresses that he considers the word "sceptical" to be a vast understatement. If Serbs value local ownership, which has been the case concerning domestic war crimes trials, for example, but RECOM is not seen as locally owned, they will not support it.

In Croatia, the situation surrounding home-grown and internationally imposed transitional justice initiatives is slightly more complicated and thus also played a more important role in the group discussion. CR-2 does not think that the origin of transitional justice initiatives matters strongly to Croatian citizens. This person instead believes that, for Croats, support depends on the goal being pursued by the initiative. They also explain that it is relevant who proposes the initiative, but that, in this context, local or international ownership should not be considered the crucial distinction. The interviewee can conceive of both international and local grassroots initiatives that might be viewed as good or bad by Croatian citizens. If the war veterans' organization, for instance, were to advance an initiative, the interviewee is convinced that it would receive greater support than initiatives advanced by civil society organizations, even though both entities are domestic.

Both interviewees go on to say that human rights organizations in general and RECOM, in particular, are unpopular among the Croatian

public not because they are perceived as non-Croatian, but rather as anti-Croatian, as being against Croatia and its people. On a similar note, CR-1 mentions that the Croatian population is well aware that RECOM stems from the country and the region, with those who are against the coalition seeing it as an enemy from within. In this regard, Croatia and Serbia are clearly not alike because, as was outlined, Serbs do not consider RECOM a home-grown initiative, but a form of international involvement in their process of dealing with the past. CR-1, while agreeing with the assessment that local ownership is not important for the Croatian public, cautions against the false dichotomy between initiatives introduced from the inside and outside. This person emphasizes that peace-building initiatives normally require the cooperation of authentic local peace-building initiatives and international players.

In Montenegro, the Coalition for RECOM used to focus on the country itself but then shifted its strategy to explicitly frame RECOM as a regional initiative. MO-1 explains that, at first, the public was rather sceptical about the regional approach, and many did not believe that it applied to the Montenegrin case. Nevertheless, citizens and politicians grew used to the idea and concluded that it would be better for Montenegro to participate in RECOM. RECOM is portrayed as a regional initiative partly because, in this way, Montenegrin authorities feel less at risk of having their own past in the war investigated than if transitional justice proceedings were launched at the national level. Hence in Montenegro, in contrast to Serbia and Croatia, the regional character of RECOM is both acknowledged and positively evaluated.

4.1.3   Organizational Capacity and Civil Society

The Croatian respondents were asked whether they considered RECOM in their country to be well-organized. CR-1 had to laugh about the question and responded that RECOM in Croatia was barely surviving. CR-2 generally agrees with this assessment but portrays the situation of RECOM in Croatia as less dire than does CR-1. They express that even though RECOM may struggle financially, its overall organization is at a good level. CR-2 mentions that they always missed solidarity with RECOM from human rights organizations not involved with the coalition, for example, in the form of referring to RECOM when communicating with the

public. One reason for the lack of solidarity, according to the interviewee, is the fact that the process of establishing RECOM is taking so long. On another note, the discussion participant also recalls that, in the aforementioned RECOM assembly in late 2019, one of the main conclusions was that RECOM was unable to obtain substantial support from any major Western country. The United States and major European countries used to be allies of the RECOM Coalition in terms of advocacy and pressuring other countries to join in. Much like the support from the European Union as an institution, these alliances are now almost entirely lost.

The Serbian interlocutors, in response to the same question, discussed the 2011 signature collection campaign in Serbia. SB-3 explains that the number of activists who participated was expected to be too low for the kind of success that the organizers achieved, which made them proud of themselves and their accomplishments. While the Croats complained about the lack of solidarity that RECOM faces on the part of human rights organizations outside of the initiative, SB-1 positively emphasizes the solidarity within the coalition for RECOM.

Despite this success, SB-3 admits that RECOM does not usually have the capacity to produce the effects it wishes. The coalition currently tries to do what the commission would be doing with a focus on gathering as much evidence on the Yugoslav Wars as possible. SB-3 and SB-1 mention that such a prioritization is important because the longer the establishment of the commission is postponed, the more information gets lost and witnesses die. SB-1 stresses that RECOM functions quite well given the circumstances it is faced with in Serbia, in line with the assessment of CR-2.

Regarding Montenegro, MO-2 mentions that the Coalition for RECOM in the country consists of 60 civil society organizations. MO-1 explains that this network is relatively large considering the size of Montenegro. Moreover, both add that, in contrast to other coalition members, RECOM in Montenegro did not experience intra-organizational turmoil. Elsewhere, some coalition members left or publicly voiced dissent, which created disadvantages. Furthermore, the leading Montenegrin CSO affiliated with RECOM represents one of the most developed organizations in the country, which allows it a degree of access to media coverage and key decision-makers that is not present in other post-Yugoslav states. Lastly, the interviewee emphasizes that RECOM in Montenegro encourages critical engagement and often invites guests to its events who do not support the

initiative. This strategy has proven to be successful as opponents feel included in the process and are less likely to attack the coalition in public.

The interlocutors from Montenegro were asked to what extent the fact that RECOM is a civil society initiative affects how the public views it. MO-1 replies by stressing that civil society organizations are "incredibly well perceived" in Montenegro, which is atypical for the region.

They attribute this not to the quality of work done by RECOM in other countries, but to the size of Montenegro. Montenegrins can directly observe the work of CSOs in the field, which leads to high levels of trust, despite the regular occurrence of governmental smear campaigns.

4.2 Political Level

4.2.1 Role in the War

As mentioned above, assigned labels of victim and perpetrator are highly significant in transitional justice. These ideas were eminent in the interviews conducted, as CR-1 also brings up the victor as victim position of Croatia, discussing how this self-image creates little incentive to seek reconciliation, as their perceived role is comfortable, and Croatians do not feel it is their responsibility to initiate reconciliation. According to this interviewee, the memory of war is omnipresent in the construction of Croats' national identities, leading others, namely Serbs, to still be viewed as enemies, and therefore creating distrust in the region.

The Serbian interviewees' observations also highlight a national narrative towards the Serbs' role in the Yugoslav wars. SB-2 describes a so-called "conspiracy of silence" to erase Serbian responsibility in the Yugoslav conflict and efforts of historical revisionism undertaken in public discourse, emphasising Serbian victimhood. Both Serbian and Croatian interviewees stress how ignorance of actual events is perpetuated in both the Serbian and Croatian status quo to engage nationalist sentiments and legitimise the countries' positions. SB-3 points out, it is not the general populace who are concerned their narrative would be disproven, rather it is the political elites. It is not evident that the acknowledgement of Serbian victimhood by the international community would have much bearing on the formulation of public opinion about RECOM in Serbia, nor Serbian's view of their role in general. But there is a broad lack of trust in any inter-

national initiative's ability, RECOM's specifically in this case, to work fairly and properly. Furthermore, SB-1 cautions not to generalise Serbian society as perpetrators or to assign collective guilt, as generalisations are never accurate. SB-1 points out that there were Serbs who opposed government actions during the Yugoslav wars, just as there are those supporting truth-seeking initiatives. SB-1 also assigns blame to those opting for complacency or wilful ignorance now. And from the interviews conducted, it is clear that nationalistic attitudes strongly correspond to antagonistic approaches towards RECOM and progressive civil society activities in general.

In contrast, the interviewees painted a much more optimistic picture of these perceptions in Montenegro. MO-1 points out that while Montenegro has exhibited a much more open approach towards facing its past, this is likely a reflection of Montenegro having avoided a major part in the Yugoslav wars, and having gained its independence without war, after the collapse of the Federal People's Republic of Yugoslavia. This makes it easier for stakeholders to accept the initiative since the stakes in facing the past are lower for potentially implicated leaders. However, MO-1 goes on to emphasise, that is not to say that everyone in the different segments of society is fully comfortable or fully knowledgeable of the facts of the past, stating that the extent of "non-scientific influences is concerning". Yet the overall sense of the interviews with Montenegrin representatives of RECOM is far more optimistic regarding its capacity for dealing with the past than that of the interviews with Serbian and Croatian representatives.

4.2.2 National Politics and EU

International organisations maintain an important role in both exerting political pressure, such as conditionality for EU accession mentioned above, and supporting CSOs in financial and non-material terms (cf. Fischer 2013a). This is crucial for RECOM, as Serbia and Montenegro both currently hold EU applicant status, while Croatia is already a member, suggesting that Serbian and Montenegrin politicians should be more supportive of RECOM as a means of furthering their EU aspirations, knowing that the EU is fond of a strong civil society. However, for Serbia at least this does not seem to be the case, particularly as public support for join-

ing the EU is low, with only 41% wanting to join, according to a poll in 2012 (cf. Čavoški 2013).

The interviews with Serbian representatives of RECOM also echoed these concerns, highlighting scepticism of both international and regional cooperation, and disinterest in both transitional justice and human rights in general in Serbia. SB-1 points out that most Serbs are against joining the EU, but also that while most of those who are supportive of RECOM and other such initiatives are pro-EU, the reverse is not certain. Furthermore, SB-1 does not see the government's past actions regarding European integration as genuine, but rather as symbolic and taken under pressure from the international community. Representatives from all three countries stated that candidate countries are much more welcoming of initiatives such as RECOM when seeking EU membership and that this attitude changes once a country becomes an EU member. Furthermore, CR-2 points out that once a country becomes an EU member, it is harder to access funding from the EU for transitional justice CSOs, which is a concern for their organisation, and SB-3 also mentions how EU funding is crucial for RECOM's work. Both Serbian and Croatian representatives express the view that the EU no longer engages as much with RECOM, reducing the pressure and oversight on national governments. In the Montenegro interview, MO-1 also mentions needing to push for as much progress as possible now, as they believe it will become more difficult to incentivise government support once Montenegro becomes an EU member.

This general disillusionment appears to be informed by the experience of Croatia, which joined the EU in 2013. In the Croatian group, they describe the decade of 2000 to 2010 as increasingly open towards dealing with the past, emphasising the importance of EU integration. MO-1 also describes this as a "magic" period, where it was difficult for governments to not support anything linked to EU integration; an incentive that was lost for Croatia after becoming a member. Both Croatians and Serbians see their governments as benefiting from external monitoring, which Europe has abandoned in favour of supporting what SB-2 refers to as 'stabilocracy', meaning counting on maintaining the current status quo. Without external pressure, the human rights situations in these countries are seen as deteriorating, and right-wing nationalist sentiments are adopted as a way of attracting conservative voters, who are not supportive of facing their countries past actions, and therefore of RECOM.

Montenegro is hailed by both Croatia and Serbia as an exception to this, its government being far more supportive of the initiative. Montenegro interviewees agreed, stating that framing the RECOM initiative as important for international cooperation and European integration, as well as establishing effective dialogue with major stakeholders early on, was the key to RECOM being more warmly received by Montenegrin leaders. MO-1 believes that the EU is still seen in a positive light in Montenegro, and it benefits from less influence from external forces (such as Russia or China). MO-2 mentioned the success of their strategy is evident in the signature collection campaign, and MO-1 pointed out that the president of Montenegro was the first one in the region to support RECOM, incentivising the parliament and prime minister to also publicly voice their support. The political support, therefore, has manifested in both greater awareness and greater support for RECOM in wider society, furthered by cooperation with the Ministry of Education, aiming to better educate Montenegrins about the Yugoslav wars, as well as their role in them. With the new, less European-friendly coalition government in 2020, the interviewees are cautious about the future of the initiative in Montenegro, but not pessimistic, suggesting that they are counting on public and international pressure to help maintain the status of civil society organisations and avoid seeing the position of RECOM in Montenegro shift closer to that in Croatia and Serbia.

5. Conclusion

Transitional justice in former Yugoslavia is an ongoing process, however social and political factors can divert progress. Internal and external hostilities within and between successor nations remain, political goals can affect state-level engagement with the past and trust in international political instruments in these societies is often low. Civil society can sometimes complement state institutions with extended expertise and local knowledge, as well as providing a division of labour (cf. Backer 2003). However, particularly in transitioning societies, civil society organisations are often dependent on the state, both financially and for publicity, as well as for access to proceedings and decision making (ibid.) Therefore, their success depends on the receptiveness of government institutions.

The RECOM initiative seeks to cross divides and address the past of former Yugoslavia from a bottom up, civil society position, promoting regional ownership. Yet despite the expected advantages of this approach, the initiative has encountered challenges. In Croatia and Serbia, a lack of knowledge about RECOM is often the main reason for negative attitudes. The interlocutors from the two countries also state that the situation surrounding transitional justice has become worse in the 2010s, both on a political and broader societal level. Montenegro is an exception, with consistently high levels of awareness and public support for RECOM. EU candidate status more effectively pushes Montenegro towards dealing with its past than it does Serbia, mainly because Montenegrins are more enthusiastic about EU membership.

This difference hinders RECOM's regional appeal, and the relations between constituent states constitute some of the biggest obstacles for the initiative to overcome in continuing its work. It is hard to say at this point how this would be done, particularly in the face of the complex and bloody history of the region. Having focused on just three of the countries, this study sought to identify some of the concerns surrounding dealing with the past in former Yugoslavia. However, it would be premature to pursue the answers to these challenges for the whole region based on this research. Further study on this topic could include interviewing RECOM representatives from the other former Yugoslavian states, as well as other stakeholders, such as politicians, in these countries. Domestic politicians' views on the themes uncovered in this research, such as the role of the EU in incentivising civil society cooperation, would be particularly interesting.

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European Citizens: Empowering European Civil Society Through Culture?

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"What we are doing is a necessity, not only for ourselves, but also for other citizens in Europe. When we work together, something great can happen. We cannot change the whole of Europe, but we can change small things for maybe one or two persons, maybe a community. And that's enough, because it empowers them to do things differently, or to see other perspectives in their daily life." (PARTNER1)

1. Introduction

While celebrating 70 years of the European Union (EU) in 2020, civil society's involvement becomes increasingly vital in constantly shaping, adapting and redesigning the 'European idea' in times of major economic, social and political challenges as well as transformations. At the same time, civil societies all over Europe are themselves undergoing profound changes, their structures resembling more and more decentralized, relational networks.

With regard to the rich cultural diversity within the EU, the concept of transculturality – which is about "creating value across borders" (Wieland & Baumann Montecinos 2019a: 16) – will be of crucial importance for the future of societal transactions and relations in an increasingly globalized world, as well as an EU increasingly marked by populist movements and diverging national interests.

Whether top-down initiatives by the EU can be a way of addressing such changing dynamics through empowering its civil society was the starting point of this research. While most other contributions in this

book look at bottom-up approaches by civil society organisations (CSOs) in specific countries, this chapter will add a valuable perspective at the European institutional level and the EU's efforts to engage with European civil society in very diverse contexts so as to better understand the connection between the European 'state' and its citizens. With culture being an empowering tool enabling dialogue and social cohesion, we believe that it can play a crucial role for CSOs. Using the case of a large-scale Social Community Theatre (SCT) project under the Creative Europe programme 2014-2020 through the lens of conceptual theories on transculturality, we ask the following questions:

1) Is a transcultural understanding and approach to top-down management adopted by the Commission and, accordingly, are transcultural processes at the level of civil society actively encouraged by the EU through the means of funding cultural projects?

2) (How) Do such programmes enhance the creation of relations between citizens, CSOs and the European institutions, and of shared values and a sense of belonging among European citizens?

3) Can the observed relations be defined as transcultural?

4) What is the role of CSOs in these processes?

Finally, we discuss how a deeper adoption of the transcultural approach in a sense of transcultural management, both by the EU institutions and beneficiary projects, could enhance EU projects with CSOs, and if EU-funded culture projects engaging CSOs could help to create and strengthen transcultural relations across Europe in a more decentralized and bottom-up manner.

In order to answer these questions, this chapter is structured as follows: section 2 discusses theoretical reflections at the base of our research, mainly on different understandings of culture, the transcultural approach and civil society. Section 3 describes our research methodology and briefly outlines the institutional and legal framework of the EU in the fields of civil society and culture – notably of the Creative Europe programme. This is followed by a summary of key data introducing the selected case. Section 4 presents our findings – derived from interviews and the analysis of secondary data from the case – and discusses the most relevant ones by relating them back to the overarching theoretical constructs. This allows us to examine, in Section 5, future opportunities for better collaboration

through novel approaches between European civil society and the European institutions while discussing the main observations of this chapter.

2. European Cultures and Transcultural Civil Societies – Theoretical Reflections

When speaking about 'culture', there are many different definitions. From an anthropological perspective, it is understood in the form of values, beliefs and shared customs, differentiating societies from each other (Hartman 2009). Looking at current political definitions of culture, the Commission of the European Communities adapts Raymond Williams's (1983) understanding of culture as the way of life of a given society:

> "It is the basis for a symbolic world of meanings, beliefs, values, traditions which are expressed in language, art, religion and myths. As such, it plays a fundamental role in human development and in the complex fabric of the identities and habits of individuals and communities." (European Commission 2007)

When speaking of "culture" under the framework of Creative Europe, we refer to

> "all sectors whose activities are based on cultural values and/or artistic and other creative expressions, whether those activities are market- or non-market oriented […]. […] The cultural and creative sectors include, inter alia, architecture, archives, libraries and museums, artistic crafts, audiovisual […], tangible and intangible cultural heritage, design, festivals, music, literature, performing arts, publishing, radio and visual arts." (Council Regulation 2013: 1295)

"Cultural expressions" are understood as "those expressions that result from the creativity of individuals, groups and societies, and that have cultural content" (UNESCO 2005: 7).

Following the metaphor of the "three-legged stool" mentioned earlier in this book as an ideal balance between state, civil society and market, by focussing on the European institutional level and the EU's top-down efforts to address and engage with its citizens and the European civil society through cultural programmes, this Chapter investigates especially the relation between state and civil society. By focussing on beneficiaries

of grants under the Creative Europe programme of the European Commission, we will mainly focus on organized civil society active in the cultural sector and understand the EU as a supra-national 'state', uniting various nation states. As Wieland describes in chapter 1, rather than a patchwork of individually acting states, "it would be better to understand Europe as a network of transcultural relations and thus as a transnational community of practice." For the considerations of our research, it is precisely this understanding of what we as European citizens commonly share and what connects us across national borders that is important.

From a relational approach, civil society can similarly be defined not as a space or a specific sector but as a network of relations and transactions within an organisational system aiming for the common good (Wieland 2020: 93). According to the definition provided by the EUR-lex (2021), civil society "refers to all forms of social action carried out by individuals or groups who are neither connected to, nor managed by, the State." Further,

> "a civil society organisation is an organisational structure whose members serve the general interest through a democratic process, and which plays the role of mediator between public authorities and citizens." (EUR-lex 2021)

The EU's approach to civil society is reflected in several treaties: article 15 (TFEU 2012) recognises civil society's role in the EU's good governance, and Article 11 (TEU 2012) stresses the need for the EU to have an open, transparent and regular dialogue with CSOs, for example, when preparing proposals for EU laws. Article 12 of the Charter of Fundamental Rights (CFR 2000) enshrined the "Right to Freedom of Assembly and of Association". At European level, civil society is represented by the Economic and Social Committee (EESC), which enables CSOs from the Member States to express their views at EU level (EESC 2021).

In recent years, we have not only witnessed a variety of crises – from political, economic and environmental to, most recently, also sanitary – but also dynamics of shrinking civic space in many countries[1]. At the same time, Strachwitz (2021) highlights precisely the important role of civil society as a possible "change agent" to remodel today's societal fabric. It

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[1] Stated in a class lecture hold by Dr. Rupert Graf Strachwitz on "An Introduction to European Civil Society".

is this element in the three-legged "balance" that might best address and adapt to future challenges in order to reimagine our society, as "only shifting executive powers from one level of government to another" (ibid.) will not solve the problems we are currently facing. CSOs can contribute to an open pluralist society and foster respect and mutual understanding. It is here where we see the specific opportunities for CSOs in the field of culture. And, as will be discussed in Section 4, interviews confirmed that various current European challenges have been tackled by civil society under the project being examined.

Culture and cultural participation can foster a sense of belonging, social cohesion, strengthen exchanges, as well as mutual understanding across geographical and societal borders. For example, many scholars and institutions such as UNESCO have underlined that "[c]ulture should not only be considered as a means (or a barrier) to achieve economic growth but also as a factor of social cohesion and human development" (van der Pol 2007: 2). Cultural activities contribute to Pierre Bourdieu's (1986) concept of cultural and social capital. Subsequently, the UN (2012: 4) underlines that "[r]especting and supporting cultural expressions contribute[s] to strengthening the social capital of a community and fosters trust in public institutions."[2] In this sense, "culture can and does serve as a foundation in the development of identity and/or a sense of community" (Paquette & Beauregard 2018: 21). Culture has thus an empowering dimension, and the support of cultural activity can lead to a higher participation in community decision-making (Sternberg 2017: 339).

Accompanying this steady distancing from nationality, the transcultural approach understands culture not as a homogeneous container (such as national cultures), but as an influence at many different levels including, for example, regional, professional and gender cultures (Wieland & Baumann Montecinos 2019a: 13).

Transculturality's focus on commonalities is based on the belief that there are some globally shared universal values – although implemented in different ways at local level[3] – such as the "universality of prosocial

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[2] See on this also Fukuyama 1995, 2000; Putnam 1995; Hagan et al. 1995.

[3] For a detailed distinction between 'thin' and 'thick' descriptions of values, applying Walzer's (1994) differentiation and distinguishing the transcultural approach from the idea of a world ethos, see Wieland & Baumann Montecinos (2019a) and Baumann Montecinos (2019).

capabilities (empathy, inclusive rationality) and the evolutionary genera-
tion and temporal effectiveness of moral values in specific, local, practi-
cal situations" (Wieland 2016: 16). Applying this perspective to the Euro-
pean context, Wieland (Chapter 1) demonstrated that the EU shares this
understanding, being based on common European principles such as hu-
man dignity, freedom, equality and solidarity (CFR 2000), translated into
human and civil rights, the rule of law and democracy (Treaty of Lisbon
2007). It thereby constitutes an economic, political and cultural trans-
national space.

Departing from this assumption, the transcultural approach focuses on
cooperation and mutual learning by creating commonalities, while ac-
knowledging differences and their importance to building new common
ground (Wieland & Baumann Montecinos 2019a: 15). It could be argued
that this approach is reflected in the EU's motto, "United in Diversity".
As a non-normative and relational approach, by not judging differences,
a transcultural interaction "develop[s] local commonalities and communi-
ties of practice as something new" (ibid.: 12). This newly created "trans-
cultural community" can be defined as a local and transaction-specific
community, temporarily sharing some values and cooperating in decen-
tralized, global spaces (ibid.: 14). Again applying these reflections to our
research in the European context, Wieland finds that

> "[f]rom the transcultural perspective, European values [...] are the result
> of continuously more or less successful cooperation for mutual benefit.
> This is ultimately a long-term common individual and collective learn-
> ing process, which presupposes and produces common ground and di-
> versity at the same time." (Wieland 2021: 34)

The transcultural approach is interesting not only for corporate structures
but also for public governance bodies, especially in a multinational con-
text such as the EU. Wieland (2016: 19) describes transculturality as "an
ongoing learning process […] [and] an informal governance structure for
relationing distinct perspectives to which it refers reflexively." Accord-
ingly, "transcultural management is concerned with creating a common
cultural bond" (ibid.: 21) by relating a variety of actors, identities and
cultures. At the same time, while focusing on the realisation and creation
of new commonalities, it is important to note that, in any transcultural
interaction, the heterogeneity within any given group remains, as actors

are jointly working on shared common experiences (Wieland & Baumann Montecinos 2019a: 15).

With regard to Europe's rich cultural diversity, the transcultural approach offers a valuable instrument to explore how the preservation and development of European commonalities can succeed while respecting precisely this diversity (Wieland 2021: 21).

As Wieland notes, transforming underlying, supposedly-shared European values into legal claims resulted in vertical and centralized top-down governance at EU level. Europe being "not only a set of civil rights, but also of civil society representation and civil society action", there is thus necessarily "a need for greater horizontal integration, in which not only politics and the economy but also, and above all, civil society must participate" (Wieland 2021: 24). Accordingly, our research asks if EU-funded culture projects engaging civil society can help to create and strengthen such transcultural relations bottom-up in a more decentralized way.

Transculturality is the "discursive, cooperative discovery and creation of those cultural commonalities that are necessary for precipitating cooperation between actors participating in a transaction, and for having it succeed" (Wieland 2016: 22). From this understanding, the EU as a community could strongly benefit from transculturally-competent citizens and increased transcultural relations and competence among its civil society[4].

3. Methodology and Introduction to the Case

3.1 Research Design and Methods

(How) Can the EU's top-down efforts empower European civil society through cultural policy? In order to better answer this main research question, a case study was considered to be the most suitable approach for such qualitative and deductive research on underexplored conceptual theories (Yin 2017; Ravitch & Carl 2019).

Since one of the main tangible products of the EU's cultural policy efforts is the Creative Europe funding scheme (more in section 3.3), a

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[4] Transcultural competence can be described as the "behavioural proficiency to effectively establish a common working culture based on the sharing of local experiences" (Möhrer et al. 2016: 1). See also Urthaler (2019); Wieland (2016); Baumann Montecinos et al. (2019); Wieland & Baumann Montecinos (2019a).

screening process of projects financed and concluded within the Multi-annual Financial Framework 2014-2020 took place, using the European Commission's project database for the Creative Europe programme available online on their website (European Commission 2020).

Among the results, the selected case study is a large-scale SCT project, co-funded by the EU's Creative Europe programme (2014-2020). The choice considered impressive achievements highlighted in the Creative Europe Monitoring Report 2019 (Publications Office of the EU 2019), such as the number of partners and participants involved from a large number of EU Member States. Being such a complex and representative unit of analysis for the scope of this research, the decision of a single case study over multiple cases is justified, acknowledging the common difficulties in replicating findings from single case studies (Gustafsson 2017).

Despite the project's focus on audience development, targeting audiences that do not normally participate in performing arts aimed at "encouraging every individual and community to reflect upon the active role of the European citizen with regard to social challenges" (Anonymous 2019a: 21) through SCT. SCT is a form of participatory art that promotes social interactions between artists and communities in a way that they all become "co-authors" and "co-creators" (ibid.: 32). Thanks to this approach, there was unusually high local community involvement.

3.2 The Case of a Large-Scale Project Funded Under the Creative Europe Programme 2014-2020

The case study involved 13 European partner organisations from 12 different countries and lasted from September 2015 until February 2019. Given the interdisciplinary nature of the case study, its partners were classified under different categories, as shown in Table 1. The project also involved the participation of 30 other associated partners (Anonymous 2019a: 21).

The implemented SCT methodology was created by one of the scientific partners of the project in the early 2000s. SCT enables the "promotion of communication among cultures" and "offers a safe social and creative space where people from different countries can socialize" (ibid.: 35). The events, based on the SCT methodology, were categorized as macro

and micro events and held in the following countries: Bosnia-Herzego-vina, the Czech Republic, Denmark, Germany, Greece, Italy, Macedonia, Poland, Portugal, the Netherlands, Serbia, Slovakia, Slovenia and Spain. Each event involved local communities and local partners and intended to tackle a specific European challenge. The events focused on "sociali-sation of individual diversities" to work on "the relational system of the group, promoting the ability to accept and validate differences inherent to the group" (ibid.: 40). This aligns with the transcultural understanding out-lined earlier. In total, the participants in workshops amounted to more than 5,000 people and the overall active audience exceeded 14,000 people (Anonymous 2019b: 8).

Table 1: Classification of Partners

Type of Partner	Country/ Countries	Role	Overall Number of Partners of this Type in the Project
Lead partner	Denmark	Overall coordination and manage-ment of the project.	1
Scientific partners	Italy, Greece	Provide skills related to audience development and digital technolo-gies; train the professionals taking part in the project and supervise and evaluate the activities of the project	2
Theatrical partners	Germany, the Netherlands, Slovakia, Spain, Poland	Provide their expertise on the use of various theatrical and performative languages to be used as part of the SCT	5
Commu-nity part-ners	Czech Republic, France, Greece	Share their expertise on networking, local participation and audience development	3
Editorial partners	Italy, Slovenia	Media production, communication activities and dissemination of pro-ject activities and results	2

Source: Own elaboration.

3.3   The EU in the Field of Culture –
Legal and Institutional Framework

To understand the EU's role in the field of culture, it is important to underline that it operates under the "principle of conferral" (TEU 2012: art. 5.1) and must follow the "principle of subsidiarity" (ibid.: art. 5.3). This implies that, in areas not expressly defined as having "exclusive competence", the EU can only act when the expected objectives cannot be achieved by its Member States themselves. Since culture belongs to the "supporting competences" (TFEU 2012: art. 6), the EU can only support and complement the actions of the Member States in the field of culture. As a consequence, the main instrument at EU level on culture is the Creative Europe programme, first established in 2006 (Council Decision 2006: 1855).

Creative Europe has two sub-programmes: Media and Culture. Its main objectives include: 1) the safeguard, development and promotion of European cultural and linguistic diversity and Europe's cultural heritage; 2) the promotion of mobility and transnational cooperation; 3) knowledge-sharing and 4) audience development in the field of culture (Council Regulation 2013: 1295).

Nonetheless, the EU also promotes culture through 1) several European prizes, including the European Capitals of Culture (European Commission 2021a); 2) cohesion policy and 3) other funding schemes that can indirectly cover cultural proposals, such as Europe for Citizens (Council Regulation 2013: 390) and Horizon Europe (former Horizon 2020). Furthermore, Member States set the priorities for cultural policy at European level through multi-annual work plans for culture (European Commission 2021b). The work plans are flexible documents that gather the priorities in the field of culture. For example, the current one (2019-2022) sets among its priorities "cohesion and well-being", stating that "access to culture and participation in cultural life promote individual empowerment, democratic consciousness and social cohesion through exchanges with people and civic engagement" (Council Conclusions 2018). Finally, the European Agenda for Culture, first established in 2007 (European Commission 2007) and followed by the New Agenda for Culture in 2018 (European Commission 2018), sets the framework for cooperation on culture at European level.

From a legal point of view, Creative Europe is established in accordance with the "ordinary legislative procedure", which means that it must be jointly adopted by "the European Parliament and the Council on a proposal from the Commission" (TFEU 2012: art. 289, 294). In addition, two advisory bodies are involved in the adoption of the programme: The Committee of the Regions (CoR) (TEU 2012: art. 12 & TFEU 2012: art. 300, 305-307) and the EESC (TEU 2012: art. 13 & TFEU 2012: art. 300, 304). The CoR gives voice to, and represents, "the interests of local and regional governments from the European Union" (European Parliament 2021a) and the EESC (European Parliament 2021b) represents the interests of different groups, including CSOs (EESC 2021).

Regarding how the programme is designed and implemented from a top-down perspective, there is a clear division of competences where 1) decisions concerning policy depend on the European Commission; 2) the European Commission's Education, Audio-visual and Culture Executive Agency (EACEA) is in charge of implementing the programme (Council Regulation 2003: 58) and 3) Creative Europe desks (Council Regulation 2013: 1295) disseminate the programme at national level and provide free support to applicants prior to the submission of their applications.

While Creative Europe has a small budget compared to other funding schemes, it has grown over time, with a foreseen budget of 2.2 billion euros for the next programme after a 36% increase (European Parliament 2020). Since its creation, the programme has been adapted, taking into account the specific nature of the cultural sector and the feedback provided by previous beneficiaries of the programme. This has resulted in the creation of a more specific sector approach, and the increase of the co-financing rates.

Moreover, the future programme will align more with wider European priorities such as the EU Green Deal, social inclusion or the Gender Equality Strategy. In this sense, it could be said that the programme becomes an operational instrument of the EU's agenda. It complements actions and funding opportunities at national level and does not substitute them, focusing on cooperation beyond the national level with a European added value. Selected projects must involve players from different programme countries and promote cross-border cooperation and the exchange of best practices at European level. They must comply with the objectives of the call and preferably have long-term effects or result in the construction of stable networks.

3.4   Data Collection & Analysis

Following the suitable case selection, further in-depth analysis of available secondary data on key facts and results submitted by the project management team (Creative Europe website, corresponding project sub--section) was carefully scanned. During this process, different categories of partner organisation were identified as shown in Table 1 (lead, theatrical, scientific, community) and compared with the information on the project's official website.

Five partner organisations (at least one from each category) in different countries (anonymised as PARTNER 1 to 5 by chronological order of interview), represented by a total of seven interviewees who accepted to participate in semi-structured interviews as the chosen method for primary data collection, adapting the case study research design in recent literature on transcultural management in global firms (Baumann Montecinos et al. 2019). This type of interview gives the researcher enough flexibility to dive deeper into unexpected, valuable findings such as those of an exploratory nature, where further explanation is required, or available secondary data is limited.

To confront this bottom-up perspective from the project partner organisations, two further semi-structured interviews with three members of EU staff responsible for the implementation of the Creative Europe programme were conducted. Firstly, with one of the 38 local Creative Europe desks (EUSTAFF1), who provided valuable quantitative insights on tender calls and their regulations based on internal statistics from the application process (before, during and following a co-funded project). Secondly, with the executive agency responsible for culture located in Brussels (anonymised as EUSTAFF2).

The interviews (n=10) of approximately 45-60 minutes' duration were conducted and recorded between 14 December 2020 and 8 February 2021. This was done using video conference software (Zoom, Microsoft Teams) in English, except for one where the local Creative Desk worker requested to be interviewed in Portuguese by the native author. An overview of interviews conducted is provided in Table 2.

Mirrored for bottom-up and top-down for easier counter position, the interview guides with questions were optimized during the course of the interviews in number and content – namely shortened from about 20 to 15 questions from PARTNER2 onwards, following the first interviews

with the lead partner (PARTNER1), more explorative, and insights from the interviews with EUSTAFF1 and 2. For an overview of the guiding interview questions, see Table 3.

The interviews were later transcribed manually non-verbatim, and analysed through deductive coding using categories and respective topics (example: in the category "Managerial Aspects", topics like "Role Responsibilities" and "Overall Retrospective Evaluation" were included), expanding the initial four main categories of prepared questions (introduction to the project, EU's policy scope, Creative Europe funding and alternatives to Creative Europe), prior to sorting by meaningful order and segmenting the results for the Civil Society ("Partners" and "Participants") and EU as a government ("EU Policy") – see Table 4.

Table 2: Overview of Interviews

Interview Subjects (ALIAS)	Role(s)	Type of Organisation	Location	Date of Interview (DD/MM/YYYY)
PARTNER1	Co-Founder & Project Manager (Lead Partner)	Theatre	Denmark	14/12/2020
EUSTAFF1	CULTURE sub-program responsible at Creative Europe Desk	Local Creative Europe representative	Portugal	21/01/2021
EUSTAFF2	Acting Head of Unit and Project Officer	Central Creative Europe agency	Belgium	26/01/2021
PARTNER2	Co-Founder & Artistic Coordinator (Scientific Partner)	University	Italy	29/01/2021
PARTNER3	Co-Founders (Theatrical Partner)	Theatre	Greece	29/01/2021
PARTNER4	Director & Artistic Coordinator (Theatrical Partner)	Theatre	Netherlands	01/02/2021
PARTNER5	Regional Coordinator (Community Partner)	NGO	Serbia	08/02/2021

Source: Own table.

Table 3: Bottom-up vs. Top-down Questions

Bottom-up questions	Top-down questions
1. What were your responsibilities as… at...?	1. How is your typical day at…?
2. How do you evaluate the project overall in retrospect?	2. What are the main changes over time in the Creative Europe program since the foundation of its predecessors Culture and MEDIA in 1990?
3. What are for you some of the main long-term effects of this project?	3. How does the EU agenda for culture in place influence the Creative Europe program?
4. Are you and the project stakeholders still in contact through a network?	4. What are the desirable long-term effects of a successful project?
5. Are you more familiar with the EU's agenda for culture after the project?	5. Do you actively promote further interaction among participants following the 4-year official period?
6. Are you more willing to collaborate with European partners on future projects?	6. Do you monitor the evolution of European-wide collaborations among beneficiaries in their next projects?
7. In brief, what were some advantages and disadvantages (2-3) of working with partners in different European countries?	7. Why is it a requirement for applicants to have a certain number of partners in different EU locations, even when their usual activity already has a clear international scope?
8. Did your project change your perception of being a *European* citizen?	8. Is the feeling among participants of belonging to a European society as citizens an aspect of your performance reports?
9. How did the audience react to your project initiatives?	9. What are the opportunities and challenges of international collaboration which beneficiaries mention most frequently?
10. How would you describe the role of a project like your project for the European society?	10. How would you describe the role of the EU cultural policy in the European civil society?
11. How would you describe the relationship of your project with the EU institutions (i.e. Commission, EACEA)?	11. How would you describe the relationship of the EU staff with Creative Europe beneficiaries?
12. How is your experience with Creative Europe funding applications?	12. Could you highlight determining factors for the selection results?
13. Did you seek help beyond the project team (e.g local Creative Europe desk, consultants)?	13. Do partnerships designed specifically for a Creative Europe call have better chances than existing ones?
14. Did you receive any additional funding (local, national, European) during your project?	14. Do you encourage Creative Europe applicants to also apply for other local or national funds?
15. While the Creative Europe program has a great focus on international collaboration and artistic value, Europe for Citizens focused more on social projects. Have you also considered applying for the Europe for Citizens program?	15. What is the added value of Creative Europe funding compared to other funding schemes?
	16. How can one ensure that the differences between Creative Europe and Europe for Citizens are clear to potential beneficiaries?
	17. Should the social value proposition be overtaking the artistic one among Creative Europe applications?
	18. Are there plans for Europe for Citizens to increase its focus on international collaborations?

Source: Own table.

Table 4: Table of Codes

CATEGORY	TOPICS	COLOUR
Managerial aspects	Role responsibilities; overall retrospective evaluation; project long-term effect/impact; local funding opportunity; national funding opportunity; international funding opportunity; partnerships in numbers; participants in numbers; influence of call requirements on concept; project context (countries, languages spoken, economic framework, etc.); project results (deliverables, reports, etc.)	Orange
Social Community Theatre Methodology	Typology of activities (micro and macro events); SCT performance; interaction with civil society; result of SCT methodology	Dark Green
Partnerships	Origin of project partnership; tasks of each partner; influence of call requirements on partner selection; advantage of European collaboration; disadvantage of European collaboration; existing network with former partners; willingness to collaborate in future common projects; role of digital technology among partners; partnership long-term effects	Light Green
Participants	Existing network with former participants; positive feedback from audience; negative feedback from audience; role of digital technology among participants; long-term effects on participants; creation of new networks/existing networks among participants	Red
EU policy	Awareness of the EU agenda among team; awareness of EU agenda among participants; awareness of the Creative Europe program; Creative Europe foundations; role of Creative Europe project in the civil society; qims, goals, objectives of Creative Europe	Blue
Creative Europe application process	Motivation behind application; awareness of Creative Europe; previous experience with Creative Europe; previous experience with EU funding beyond Creative Europe; future plans with Creative Europe; future plans with EU funding beyond Creative Europe; application success factor; support from Creative Europe desk; support from private consulting firm; institutional support; suggestions for improvement; relationship of the team with EU staff	Grey
European Identity/ Transcultural processes	Sense of being European (stronger, weaker, unchanged); European feeling among team; European feeling among participants; creation of common grounds/commonalities through project; cooperation & coordination practices (between partners, between participants); understanding of European values	Pink
Europe for Citizens vs. Creative Europe	Differences in aims, goals, objectives; budget differences; partnership requirements; target subjects; social vs. cultural value	Yellow

Source: Own table.

4. Presentation of Findings

4.1 Insights Into the Agenda Behind Creative Europe

Applications require very specific know-how as well as a certain level of experience, especially from the project leader, as stated by EUSTAFF1. This is due to the complexity and the technical aspects of the Creative Europe programme as well as the establishment and coordination of partnerships that involve partners from different countries and cultural backgrounds. Support from the institutions is, nevertheless, limited. In this sense, before submission of applications, Creative Europe desks support the participants alongside the process of preparing the applications, including partner searches. However, as confirmed by both EUSTAFF1 and EUSTAFF2 as well as by many interviewed partners, many applicants hire independent consultants and/or consultancies, especially when applying for a so-called "large-scale" cooperation project that can have a budget up to 4 million euros.

Once applications are submitted, the EACEA attributes a project officer to each project, who is in charge of doing a follow-up and supports the project coordinators.

Given the length of the projects, the construction of reliable partnerships is crucial. Particularly regarding cross-cultural cooperation within a project, communication, assertiveness and empathy were identified by EUSTAFF1 as key while working with people with different cultural backgrounds. However, problems within partnerships were identified as uncommon by EUSTAFF2, since a partnership agreement is signed at the beginning of each project, establishing a clear distribution of tasks and budget lines.

As confirmed by EUSTAFF2, there is no follow-up on the long-term effects of the projects (e.g., how many of the members of the project keep collaborating; if former partners participate in different EU-funded projects together after the project, etc.) after submission of the final evaluation report two months after the completion of the projects.

Concerning the impact of the programme on beneficiaries, EUSTAFF2 highlighted that international experience and working with partners from other countries was perceived by participating organisations as an opportunity to "broaden their horizons". Accordingly, EUSTAFF1 highlighted the importance of audience development strategies that target very specific niche populations and how the development of new audiences "con-

tributes to the creation of a fairer, more constructive, more democratic and more empathetic society."

The fact that some applicants applied more than once, in some cases first as partners and then as project leaders/coordinators, was identified as proof of the capacity-building aspect of the programme.

Finally, to make the programme more accessible to the broader civil society, the interviews have shown that it would be important to improve communication about the programme. In this sense, as confirmed by EUSTAFF2, this "could help people to get to know Creative Europe better and to associate it [with] Europe and the objectives promoted by it".

4.2   Outcomes for Civil Society Representatives: Project Partner Organisations and Participants

This research proposed to shed some light on outcomes from these efforts at civil society level. Insights regarding the partnership were more abundant than those regarding the participants as a consequence of interviewing only the supply side from the civil society representatives.

4.2.1   Partners

When asked about the call requirements and respective influence on the partner selection process (e.g., having partners from at least three different countries), the following two benefits of having diversity among partner organisations were key to achieving the proposed common objectives: 1) covering different strategic locations across Europe: including partners at the centre of political discussion (such as Greece as a focal point of the migrant crisis, according to PARTNER1) may improve chances of an application being successful, since the calls reflect the EU's political agenda (confirmed by EUSTAFF1); 2) having members with different degrees of experience with EU-funded projects: an experienced partner in the lead inviting and guiding newcomers. After the analysed project's conclusion, newcomers matured into lead partners directly in their subsequent European projects (e.g., PARTNER3). The majority of partners became returning applicants of this and other EU funding schemes:

PARTNER1, 2 and 4, as well as a considerable number of projects according to EUSTAFF1 and EUSTAFF2 as stated in the previous point.

Furthermore, organisations kept some of the partnerships in following applications: for instance, PARTNER4 maintained the partnerships with PARTNER2 in a new ongoing project under Creative Europe; with PARTNER1 and PARTNER2 in a project submitted under Erasmus+; and with PARTNER3 in a side co-production. The shared characteristics (nature of work) among partners led to a natural affinity and longer-lasting partnerships: between theatrical partners, compared to other partners outside that category, or those from the same country of origin (i.e., the common cultural bond mentioned in Wieland 2016). Despite being located in Denmark, PARTNER1 was founded by an Italian who had previously worked with PARTNER2, also from Italy; PARTNER5, based in Serbia, mentioned that the director of PARTNER4, though based in the Netherlands, is actually also from Serbia and that a theatre in Belgrade put them in contact.

While the amount of funding from European grants such as Creative Europe (compared to national or local ones) was generally referred to as being among the main advantages by both partners and EU staff, the complexity of the application process was widely perceived as the main obstacle. Along with having an experienced lead partner (or equivalent guidance from an experienced consultancy firm, associated with high cost projects), institutional support from an established and recognised organisation (such as universities, museums, foundations) in terms of providing the required co-funding and scientific base is no less important (PARTNER3, 4 and 5 were particularly enthusiastic about the value-added of having PARTNER2 on board, a university developing the methodology behind the project concept). The project benefited from some partners having close contacts with their governments (PARTNER1 got additional funding by participating in the program of Aarhus European Capital of Culture 2017; PARTNER3 collaborated with the Greek Ministry of Culture in Athens, where the local Creative Europe desk is based, on the revision of some unfavourable regulations for cultural organisations and was mentioned in a publication on best practices praising their good results with their activity for the European project; PARTNER4 did not mention any difficulties in accessing local and national subsidies to co--fund their European projects).

The project also set out to integrate some new technologies to engage partners and audiences, with its potential and limitations. The main positive outcome mentioned by several partners was the creation of a project-specific system for financial administration entitled SIMPLE, despite some resistance from users due to the required dedicated time to learn it (which PARTNER1 now sells as a service to eligible organisations and projects).

4.2.2   Audience

For audiences participating in the projects, the main observed outcomes were, for some, the introduction through inclusive participation to new forms of art with which they had little or no prior experience (some people in the audience said they had never been to a theatre performance before). That diversification of the audience, allied to forming new tastes, created an unusual opportunity to participate, exchange and learn among usually divided groups of society (from different countries, cultures, religions, ethnicities, economic classes) while addressing current issues in Europe affecting society at large, hence having a great social return. According to all the partners and the Creative Europe Monitoring Report 2019 (Publications Office of the EU 2019), the positive feedback from the participants in the several macro and micro events organised in different European locations throughout the four years in public spaces, outside of formal theatre venues, is a strong indicator of the project's success.

The interviews and internal evaluation documents highlighted the role of the SCT methodology in successful audience development. By engaging with citizens who would not usually attend the theatre of their own volition, data from the project evaluation report (Anonymous 2019c: 7) showed that 21% of the participants had never "participated in previous theatre experiences". After their participation in project events, 90% of participants surveyed expressed their interest in continuing to attend theatre performances and 92% pointed out their willingness to participate more in cultural activities (ibid.: 8). This hints at the powerful potential of the methodology for other cultural activities. Moreover, the evaluation of the long-term participation in workshops showed the extent of the impact from cultural experiences: 87% of the participants surveyed agreed with the impact "in terms of learning new artistic forms or cultural activi-

ties" (ibid.: 9). 98% highlighted the impact "of the socialisation with people that respondents would not usually meet" (ibid.). The main words selected to describe the experience were "empathy, respect, solidarity and understanding" (ibid.)

4.3 Identified Transcultural Aspects

The final aspect of our findings will discuss how the case study has created and supported shared values among partners and participants in the project in order to build common ground and to strengthen a sense of European belonging within European civil society. Furthermore, we will examine whether the relations observed could be defined as transcultural. Following the relational approach presented by Wieland (2020), our analysis focuses on relations between people rather than actions, which are seen as the outcome of those relations.

The SCT method has been presented as a functional and valuable tool to create dialogue through arts within a community and the wider society by all partners. As a tool for intercultural dialogue (PARTNER 5), it allowed work with local communities of all kinds, with a special focus on elderly people (PARTNER3, PARTNER4) and the young (PARTNER5), and to engage them in the whole project cycle (PARTNER2), as well as through a variety of different activities in various contexts (e.g., performing in public spaces, PARTNER3 & PARTNER4, or visiting neighbourhoods, PARTNER4). Incorporating interaction as "the inter" and the "action" by bringing participants together, for example, by inviting different neighbourhoods and target groups into each other's homes, has been described as a "beautiful breaking [down] of barriers" and an "incredible source of sharing" (PARTNER4). The SCT approach's value has been especially highlighted in multi-ethnic and multilingual communities such as the Western Balkans, where PARTNER5 notes that the project helped to promote ethnic minority associations and to address "the very painful, post-war conflict situation" by facilitating cultural dialogue[5]. Using art as a common language to create solidarity (PARTNER3) and by bridging various audiences with different social and cultural backgrounds and by

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[5] For a discussion of the post-war situation in Western Balkans, see chapter three in this book.

engaging various artists and local communities (PARTNER1), the project "reaches those who we desperately need to create European society" (PARTNER4). The various activities at different levels as well as the active engagement of citizens from the beginning allowed local cultures to be embraced and local communities to be empowered through dialogue, exchange and mutual understanding (PARTNER1, PARTNER2), creating a "new level of cultural engagement" (PARTNER5).

Evaluating the outcome of the project for European civil society, PARTNER2 highlights both the impact of culture on citizens' well-being and an increased feeling of European citizenship among participants. This notion of transformed understanding as a European citizen was shared by most partners (e.g., PARTNER1, PARTNER4). Describing how the project changed his perception of being European, PARTNER4 says that "I feel more European, more open, more alive, because I sense where I am in relation to other countries, other cities, other communities", underlining thereby the importance of a relational approach in transcultural cooperation. PARTNER5 mentions some of the processes nudged by the project:

> "Through the identification of a wide scope of shared topics and socio-economic concerns, through a shared understanding of culture as a tool for addressing these issues, as a conflict resolution tool, for building social cohesion and respect for diversity, the sense of belonging to European citizenship has strengthened." (PARTNER5)

In line with transcultural understanding, PARTNER3 observes that, as many communities face similar problems and try to solve them in similar ways, it is these common situations that create bonds between people in different contexts and make them feel related as Europeans:

> "Europe is much more similar than it looks, and it's very nice to understand that people in different countries have actually exactly the same way of doing things" (PARTNER4).

Earlier, it has been stated that it is precisely the relational understanding of what we as European citizens commonly share and what connects us across national borders that is important for this research. And indeed, the co-creation and international collaboration aspect of Creative Europe-funded projects as required under the programme (Council Regulation

2013: 1295) has proven to create exchanges substantially different to international projects based only on touring in different countries. Rather, interviewees have highlighted the cooperative aspect, enabling partners to meet in different local contexts to exchange with, and learn from, each other, allowing for new perspectives and ways of looking at common professions, enriching their own methodology as cultural institutions (PARTNER4). In alignment with what has been observed from a trans-cultural theoretical perspective, new shared practices and common under-standings can be established, creating new long-lasting transcultural rela-tions and "opening new doors" (PARTNER3).

As described earlier and confirmed by EUSTAFF2, supporting those collaborations beyond nations is one of the main objectives of Creative Europe. While the opportunity to internationalise is seen as a major ad-vantage for beneficiaries (EUSTAFF1), practical challenges such as varying local practices and language barriers are acknowledged by the EU. PARTNER4 adds that, when searching for additional local funding opportunities, it is often challenging to make local policy-makers aware of local benefits resulting from such international projects. However, allowing this international exchange is seen as an encouraging and neces-sary top-down process by the EU to uphold and strengthen the European spirit (PARTNER4), and to create willingness to cooperate at European level in the future (PARTNER1). As has been discussed in 4.1. and 4.2, this seems to have been successful, as many partners engage together in future EU projects.

Overall, the creation of mutual understanding, common cultural bonds (Wieland 2016: 21) and the change of mindsets towards stronger European belonging, while maintaining each partner's local cultural specificities, were evaluated as benefits by all interviewees (especially PARTNER5). Furthermore, the cultural diversity and variety of partners is generally observed as added value, among other things allowing for the exchange of knowledge among partnering organisations meeting on the ground in different local contexts (PARTNER4) and in order to reach new audiences (PARTNER5). Regarding the latter, PARTNER4 describes how the pro-ject changed their perspective of working in varying contexts and the need to adapt to given circumstances, which helped them to better under-stand the European context more generally. In the same spirit of contex-tuality, from a transcultural approach, it is worth noting that PARTNER5 believes the success of the application is due to its development in "col-

laborative effort [...] and with respect to the local cultural context of the communities included."

From a transcultural perspective, it seems that this creation of a stronger sense of mutual understanding, shared common ground and European belonging is not yet fully exploited and embraced top-down, despite being foreseen in the basis of the Creative Europe programme (Council Regulation 2013: 1295). This has been noted, as both EUSTAFF1 and EUSTAFF2 confirmed that no formal evaluation or analysis on how the participants perceive themselves as EU citizens, neither before nor after the project, is conducted. Notwithstanding, this was observed as an interesting aspect to be borne in mind for the future by both EUSTAFF1 and EUSTAFF2, reflecting on one of our interview questions specifically asking about the feeling as "European citizen" among partners and participants.

4.4 Role of Civil Society

Finally, both the role of, and impact on, civil society were discussed by partners. PARTNER5 highlighted the role of civil society to disseminate the project outcomes, but also to use the SCT methodology for future cultural interventions "in order to strengthen grassroots CSO initiatives in building social cohesion and intercultural understanding." PARTNER2 observes that Creative Europe programmes in general find good ways of stimulating citizens' creativity and of engaging civil society to work on contemporary topics, which was also one of the main goals of the case study and which confirms Strachwitz's (2021) observation that civil society might be the best agent to address current challenges in its balance with state and market. Finally, PARTNER1 underlines the important role of participants and civil society at large for the success of the project and similar undertakings, including a relevant notion on relational leadership:

> "The project only succeeded if we managed to create human relationships between people. When it's a success, it's also because the relationships start to merge independently, not driven by any kind of leadership from us, but actually by some kind of curiosity." (PARTNER1)

5. Discussion & Conclusion

This study proposed to understand the extent to which the EU government engages with civil society through its cultural funding schemes. Some of the valuable findings described above deserve further comment.

The fact that this funding scheme requires applicants to find additional funding makes the competition unfairly easier for organisations located where local and national subsidies are easier to obtain, and organisations who have been established for sufficient time to guarantee sufficient own capital (after reaching the break-even point, where revenue is higher than costs). This way, the requirement excludes many newer and smaller entities unless they join bigger institutions as partners. Furthermore, entry barriers caused by the expected bureaucratic capacity in successful applications create a vicious circle with little room for newcomer candidates (and associated innovation), because former beneficiaries have better chances than newcomers. Nonetheless, these criteria are arguably intentional so as to motivate collaborations (experienced beneficiaries search for new ones to access their audiences abroad, while the latter are onboarded by the former).

In addition to the issue of the lack of available budget for and from candidates is the need to improve the EU's top-down communication efforts. The fact that the candidates who resort to using the expensive services of external consultants for their applications were the rule rather than the exception is a strong indicator that the Commission's communication strategy still has room for improvement, especially at national level through their local offices ("desks"). Although a significant increase in the budget for Creative Europe 2021-2027 has been announced, the progressive weight of the EU's political agenda in the Creative Europe calls is making the distinction between this and other programs with a clear political and social focus more blurred – like the former Europe for Citizens, now integrated into the new Citizens, Equality, Rights and Values Programme (CERV). The questions raised by PARTNER1 about the fading relevance of the artistic proposition's intrinsic value by itself (i.e., technical/aesthetic quality) seem pertinent, given the debatable diversion from the philosophy of 'art for art's sake' – that art needs no justification,

nor does it need to serve political, moral, didactic, utilitarian functions or other ends[6].

Using technology to engage with the audience implies prerequisites not always easily accessible for poorer communities. This is particularly important to consider in projects aiming for social inclusion. Given the actual context of the pandemic with imposed physical (social) distancing regulations, the question of how digital events instead of physical ones would have affected the results above remains. Should there have been much higher investment on technology like PARTNER2 suggested? Moreover, if, according to EUSTAFF1, Creative Europe reflects directly the EU political agenda in place, non-sustainable environmental practices should be replaced in line with the EU Green Deal (e.g., flights for project team meetings replaced by use of video conferencing software).

As observed in the final part of the findings, relations created as a product of the studied case can indeed be defined as transcultural. This was possible due to the creation of commonalities in a shared space of action. The project allowed for the creation of new common activities and new common spaces in a collaborative effort by all partners. Most of these relationships lasted beyond the official end of the project. As highlighted by many participants, international collaboration is different in many ways from only touring internationally (in terms of exchange of knowledge, expertise, and audiences; getting to know unusual neighbourhoods and histories, ways of thinking and working; similarities of work although in very different contexts, etc.). In this sense, a conscious and deeper adoption of the transcultural understanding and approach to management top-down by the EU government and beneficiaries conducting EU-funded projects could enhance European projects by strengthening European civil society and its relations with the European institutions in the future. At EU level, those considerations saw warm reception when suggesting inclusion of changes of the European feeling among beneficiaries and audiences at different stages of the project evaluation.

Besides the new insights from primary data collection through interviews with multiple stakeholders, the valuable recommendation for policymakers of this research is to track objective performance indicators of the agenda implementation efforts in the usual reports. Similar surveys related to green transition and gender equality could follow.

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[6] See for instance the explanation in Britannica (2015).

Finally, it is important to mention some limitations of this study: it lacks the views of someone at the Directorate-General for Education, Youth, Sport and Culture (DG EAC) of the European Commission responsible for the policy part of Creative Europe; the results from a small number of interviews cannot be generalised to other Creative Europe projects, which is often the problem of qualitative case study research; and finally, the single case study approach does not allow for comparison with other Creative Europe or EU-funded projects (CERV, Erasmus+), where other missing valuable insights would certainly emerge. For this reason, further research would be needed concerning the empowerment of European civil society through arts and culture, and on whether or not those interactions could be considered as transcultural.

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Relational Transaction between NGOs and Banks – A Case Study on the Practical Application of the Theory of Relational Economics

Nina Hoff

1. Introduction

Firms or other actors such as NGOs act as facilitators of relations and cooperation. Through the relational economic lens, they become multi-stakeholder agents societally entrusted with proportioning the available and invested resources to productively create value. They are a "nexus of stakeholders and resources" (Wieland 2020: 4).

This chapter aims at analysing the role of NGOs as a nexus of stakeholders and how they enter into relations and communicate with financial institutions. The case study entailed interviewing three European project managers of the international civil society network "Fair Finance Guide" [FFG].

The FFG has made it its goal to strengthen the commitment of financial institutions to social, environmental and human rights standards by providing evidence-based research and analysis. The network utilises its own, specially developed methodology to assess and report investment policies and practices where banks achieve points for certain predetermined topics. The findings are published in the form of a ranking to enable consumers and policyholders to demand more socially responsible, sustainable and fair investments as well as to improve democratic oversight. Currently the network is active in thirteen countries across the world. The FFG projects develop together and utilise the same methodology, thus enabling high comparability. Both this fact and the international aspect of the projects was found to be extremely valuable for this case study.

Ultimately the goal is to work out how these NGOs succeed in improving the economic value creation and conduct of banks. A guiding interest was to analyse how the theory of Relational Economics might be able to explain the formation of relations and to test the theory in practice. The aspiration of this research is therefore to provide a building block to the conceptualisation of a complete theory of Relational Economics and, by focusing on NGOs, to enrich the discussion by supplementing a look "from the other side" on the conduct of firms.

2. Theory

2.1 Relational Economics

The theory of relational economics concerns itself with our globalised modern economy and how to conceptualise a unification of economic theory with relational norms – which describe norms such as morals, legal standards, ethics, and the appropriate use of resources. By placing relations centre stage, a shift away from exchange transactions towards relational transactions makes a new perspective accessible. Drawing on Niklas Luhmann's system theory, relational economics conceptualises systems as being distinct from their environment and thus understands modern society as functionally differentiated – with systems like the economy, politics and law being their own functional, autonomous and operatively closed systems. The respective functions are performed through the assessment of events and by utilising guiding differences, on the level of organisations, and binary codes, at systems level. This leads to unique and different decision logics being applied in each system. Nevertheless, the systems remain open to communication and are capable of structural couplings with, and relations to, other systems. To understand how they engage with differently operating systems the concepts of polycontextuality, polycontexturality and polylingualism need to be addressed. (1) Polycontextuality describes a diversity of contexts in modern societies compromising multiple systems that are environments for each other and provide one another with their existential and operational conditions. For (economic) actors to succeed in value creation, the ability to connect as well as act in varied social contexts is needed. (2) As environments are, in their variety of systems, more complex than one system

itself, a great challenge for a singular system is to remain open for communication and to reduce environmental complexity to an accessible and processable level. This necessitates the successful coupling of different or adversarial decision logics and systems of meaning, i.e., polycontexturality. (3) Such an analysis is not complete without also taking into account the equivalent language modes for polycontextuality and polycontexturality. While, for example, the market communicates monolingually through prices, polylingualism describes the ability of a system or an actor to communicate using alternate decision logics and language games to accurately retrace, understand and communicate on a transaction or event (cf. Wieland 2020).

Actors invest resources into relations. Indeed, successful relational transactions need all involved stakeholders to invest the required, specific resources (cf. Alchian & Demsetz 1972). On the other hand, resource owners invest with the aim of obtaining a rent. Every stakeholder expects a return depending on, and motivating, the size of their contribution. These subsequent relational rents can come in different forms. Factor incomes are of monetary nature, while cooperation rent goes "beyond individually contractible compensation" (Wieland 2020: 74) and is, through the use of jointly invested resources, a product of the cooperation itself, which can be of material or non-material nature. Against this background, relational transactions should be supported by ex-ante governance structures and long-term contracts, which should also regulate the distribution of the produced rent.

Within this framework, a firm's relation to NGOs is classified as a societal contract "that cannot be codified in or enforced by a formal contract" (ibid.: 72). The factor income that NGOs can garner (from firms) are financial support and expertise, their cooperation rent being reputation, increased visibility, improved relational networks and market intelligence and (public) influence.

The rent and relation hinges on opportunities for collaborations and on the willingness and ability to cooperate (ibid.: 140). This willingness includes continuity as a preference to entering into long-term partnerships and to putting work into the relation when difficulties or questions arise, striving to develop solutions on which all involved stakeholders can agree. Reciprocity is the willingness to ultimately find a balance between the services that all involved parties contribute to the relation and not simply pursuing one's own interest at the expense of others. The fac-

tors defining the ability to cooperate are integrity, meaning an individual has moral qualities such as contractual loyalty, dependability and honesty and actually implements these in their actions. The ability to find consensus is a continuation of the willingness for continuity, necessitating the comprehension and assessment of others' interests and knowledge of how and when to put personal interests in relation, potentially having to practice restraint or flexibility when pursuing goals. Another relevant factor is resource specificity, as it defines the relevance, and therefore the existing opportunities, of a resource in comparison to other available resources; it is judged for its professional quality, substitutability and imitability. Lastly, transcultural competence is relevant for the ability to enter into cooperation. It means to be able to work with cultural diversity and differences and to create from them new paths for cooperation and common learning processes (cf. Wieland & Baumann Montecinos 2018).

These factors will be linked to the findings in order to examine whether and how they can be applied to a specific case.

2.2 *Relational Transactions Between Civil Society, Organizations and Firms*

Literature on relations between NGOs and firms regard them as a peculiar affair (cf. Enderle & Peters 1998) caught between boycott and cooperation (cf. Curbach 2008). This chapter focuses on the emergence of equal partnerships to pool tangible and intangible resources (cf. Marell 2018, Jarolimek 2018, Spiller & Köhler 2013). Firms benefit from the high societal trust that NGOs enjoy (cf. Marell 2018) but this trust can diminish if the relation becomes or seems too close to the firms, mainly in the form of monetary relations (cf. Jarolimek 2018). Arenas et al. (cf. 2009) attest to a difficult two-sided relation with NGOs regarding firms as targets for blame and criticism while requiring them for funding. The latter is especially difficult due to rising competition and professionalisation (cf. Jarolimek 2018).

In the Relational Economics Theory, civil society is defined as a "specific coding for societal transactions, as a transaction-based contextural decision logic" (Wieland 2020: 93). Accordingly, civil society events are codified using the binary code 'common good – private interest' and the organisational guiding differentiation 'engagement – non-engagement'"

ibid.: 93). The market, on the other hand, works according to the binary code "payment – non-payment", translating into the guiding difference "earnings – costs" for the firm (cf. Wieland 2020). It is worth emphasising that, on the level of systems, organisations such as NGOs and firms can utilise varied system logics and do so without changing their overall system affiliation. For example, firms can act on common good concerns but are nevertheless not actors of civil society or politics.

A firm operates from this guiding difference, translating and internalising or temporarily or permanently coupling normative expectations through polylingual engagement, thereby producing a combination of differing decision logics resulting in a new endogenous decision logic and a new kind of relational transaction in its own right. Or as Wieland expresses it:

> "The differentiation of modes of communication and decision logics is maintained and integrated into the polyvalence of corporate transactions." (Wieland 2020: 59)

When civil society or other systems create normative expectations to a degree to which the firm has to react, agendas, procedures and guidelines are adapted to include, e.g., ethical coding in risk and sustainability management.

From a pragmatic perspective, this means that as global value creation is inherently prone to economic, social, legal, and moral risks in inter- and intra-firm collaborations, firms need corporate social responsibility [CSR] processes to internalise negative external effects through managing normativity by utilizing polycontextual governance and political and legal standards. A multi-stakeholder dialogue – of which NGOs are an integral part – should strive to refine what services, procedures, goods and actions society expects from firms. NGOs can contribute knowledge and legitimacy of relations. According to Wieland, CSR awareness and internalisation of firms is generated in three ways. Firstly through the market, for example through customer demand and a willingness to pay; secondly through political representatives introducing regulations; or lastly through firms introducing new products or services with societal value. Most common in reality, and yielding optimal effectiveness and efficiency, is a mixture of these internalisation strategies. In later chapters, it will be argued that a fourth strategy exists when NGOs enter into relations with, and demand change from, firms (cf. ibid.)

3. Methodology

To conduct the research, qualitative semi-structured expert interviews were chosen. Following the definition by Gläser and Laudel (cf. 2010) an expert interviewee is understood as being a specific source and "witness" of specialised knowledge about the social issues to be researched – beyond the more traditional and narrow understanding of experts as members of elite contexts and positions. The research process was guided by the paradigm of qualitative research described by Holliday (cf. 2007) in allowing themes and focuses to emerge through the research process itself. Information about relations was extracted and interpreted from the transcripts.

In this research, the role of experts is assumed by the FFG Network project managers. The project managers interviewed were from the networks in Norway, Sweden and Germany. For the sake of anonymity, the participants will be referred to as Sweden-1, Norway-1 and Germany-1. Sweden-1 helped found the initiative in its current form and has worked with FFG since 2012, Norway-1 has been with the network for five years and Germany-1 joined in 2018. They are part of a consumer association, an environmental and solidarity NGO and an NGO specialising in the financial market. The interviews were done in autumn 2020. One interview lasted almost an hour, the other two somewhat longer.

4. Findings

4.1 Stakeholder Network

Following the interviews, it was found to be advantageous to create a map of the stakeholder network. This is in keeping with the theory of relational economics, which does not regard relations to be happening only in a bilateral, enclosed process but being shaped by a myriad of decision logics facilitating access to and use of abilities, markets and resources outside the (current) possibilities of an organisation (cf. Wieland 2020). The model (Figure 1) illustrates in a condensed and general form the stakeholder network of the European FFG.

Figure 1: Stakeholder Network of the FFG
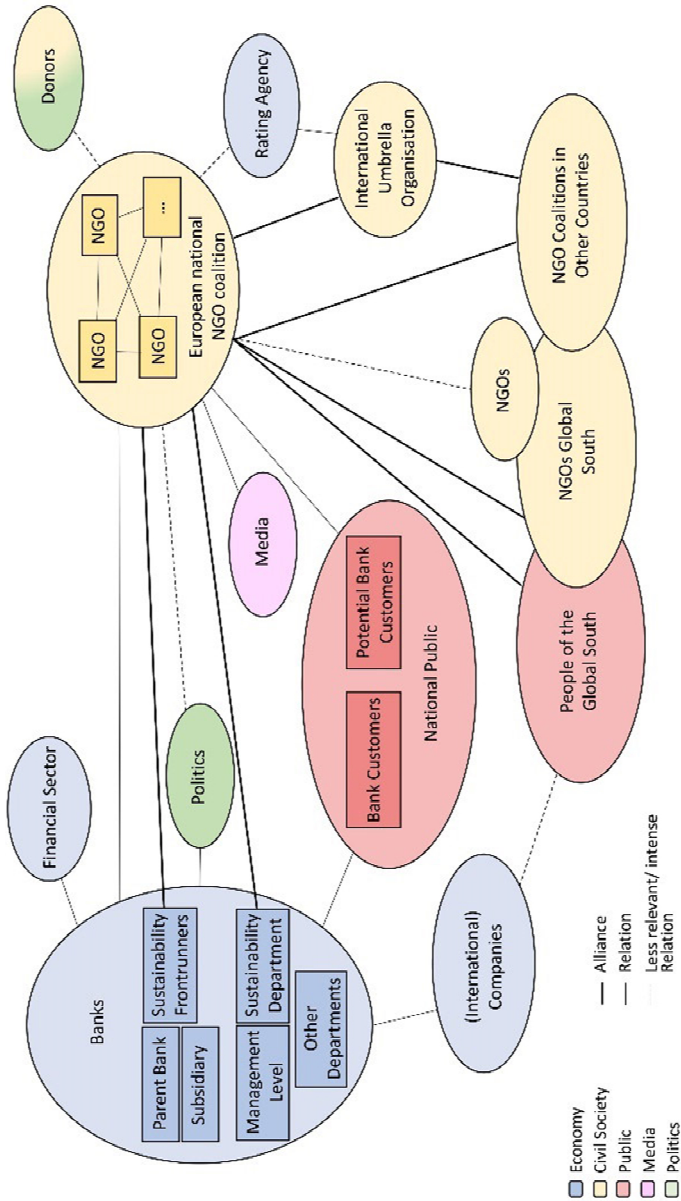
Source: Own illustration.

In the following, the presentation of the findings is divided into two parts: first the relations within the stakeholder network of the FFG (NGO coalitions, public engagement, financial sector) are presented, followed by a summary of their relations. Secondly, the findings are connected to the success-critical resources for economic cooperation as defined by the theory of Relational Economics.

4.1.1   NGO Coalitions

The FFG network consists of national coalitions of NGOs for whom, most often, the FFG is one of several projects. The coalitions are free to choose how many NGOs are part of their national coalition and how these relations are structured. In Norway there are two organisations, in Germany three and in Sweden six. All NGOs contribute competences in areas relevant to monitoring and assessing the financial world and/or are experts on certain topics such as animal welfare or climate change. The national coalitions are connected via an international umbrella organisa- tion "Fair Finance International" (FFI), that aims to enhance and coordi- nate cooperation and exchange between the NGOs. The interactions in the FFG network are based on the long-term and open sharing of knowl- edge and positive examples of improved organisations that others can use for their dialogue with the NGOs, contributing their experience and spe- cific expertise – especially for the development of the methodology. Ex- pert NGOs for specific topics define criteria for the methodology which are then discussed in depth even if agreement exists

> "because [other NGOs] have to be able to justify to their stakeholders, their banks and their public why that particular definition of a living wage [for example] is important." (Norway-1)

The whole methodology is regularly assessed by an independent rating agency.

Important stakeholders for the FFG coalitions are other NGOs with whom cooperation can be entered into. Cooperation partners can either be national or – important for the Europeans – from the Global South. The latter can then again be part of the network, as the FFG is present in

seven of these countries[1], or from outside the network. The relevance of having partnerships from the Global South is described by Germany-1, who highlights that these partnerships are part of a theory of change:

> "that links our work via the banks and their policies via their loans and investments via the companies that are granted the loans and that are invested in, to the people, mostly in the Global South, who are affected by the companies' activities." (Germany-1)

According to the same interviewee, the goal is to have a relationship where people or NGOs from the Global South have agency over their issues and inform the NGOs of the Global North which topics they should address, providing them with local knowledge and information on how to formulate their publications. This also helps in engaging financial institutions and having them recognise the relevance of a topic.

The relationship of the national coalitions with the banks is characterised through the use of the shared methodology to assess the financial institutions. There are no obligatory guidelines on how to conduct the research and interact with the banks. By assessing banks, which are uniquely well connected and form a powerful nexus of stakeholders and resources, the network can have an impact on the value creation of many stakeholders. Indeed:

> "the financial sector has a lot of power to decide which companies will be on the market, will produce certain products, provide some services, and therefore it potentially can also choose or require that those companies operate within some reasonable standards." (Norway-1)

To achieve this, the FFG endeavours to incentivise financial institutions to internalise normative values and pursue different strategies.

While the NGOs conduct research on firms that are not in line with the policies of their banks, these were not described as direct relations. Instead, information was gathered from the people affected and the NGOs directly involved. Therefore, no line symbolising a relation between the NGOs and the firms was included in the model.

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[1] The countries are Brazil, Cambodia, India, Indonesia, Philippines, Thailand and Vietnam.

4.1.2 Financial Sector

The interviewed experts outlined how they prioritise and utilise the resources of their network and the knowledge of how the intra- and inter-firm networks in the financial sector work. When engaging with banks, the goal is to reach people in positions of power, i.e., management, to achieve change. They also utilise the fact that banks and financial institutions are role models for each other as everyone is confronted with the same challenges. For example, if the NGOs accomplish the public divestment of a bank from a negatively performing or transgressing company, pressure grows on other investors to make progress. Sustainable banks are understood as being sustainability front runners that show it is indeed possible to have strict policies and exclusion criteria. They are intentionally engaged with in a different manner. However, the larger the bank with sound policies, the greater the effect. Another example is Norway-1's conscious engagement with two large parent banks by asking them to be present at meetings and requesting their feedback. This relationship gave rise to improved guidelines for their asset management, which meant their subsidiaries also received better guidelines.

4.1.3 Public Engagement

Sweden-1 underlines that most of the money that banks invest is that of their clients, giving consumers the right to know how their saving are being used. The NGOs want to provide such accessible information and trigger engagement. This accessibility and engagement can take many forms. For example, the FFG website simplifies the process of writing an e-mail to the banks and gives information on how to change banks. People also share the feedback they have received from banks and ask for clarification on the content of the feedback or on how to proceed. The project managers also reported receiving messages from people asking for their banks to be included in the assessment.

The engagement of the public functions as an important incentive for the banks to engage with the FFG. The ranking of the FFG can be accessed at all times by the public and thus applies continuous pressure. Therefore, it is vital for the NGOs to be well regarded by the public and to be taken seriously. For this purpose, the coalition is active on social media and cooperates with the media to improve its outreach.

The impact of such a social media strategy can be better understood with an example provided by the Swedish coalition, which collaborated with the biggest Nordic newspaper on the topic of Amazon deforestation in order to map the investments of banks in companies linked and contributing to the issue. A record number of over 5,000 people reacted and used the Swedish website to mail their bank, leading to about 30 international investors initiating a meeting with the vice president of Brazil to voice their concern that the issue was a risk to them as investors. Immediately afterwards, a three-month ban on starting fires was announced just before the start of the fire season. For Sweden-1 this demonstrated the influence of financial institutions, far surpassing that of NGOs. However, banks usually decide to engage with the criticised companies instead with political stakeholders.

The NGOs also have links to politicians, but they are less important stakeholders due to a lack of resources or difficulties relating their work to regulatory improvements.

4.1.4   Nexus of Stakeholders

The NGOs become a nexus of stakeholders, initiating and sustaining relations with differing decision logics and guiding differences. The relation between the NGOs, the banks and their respective employees was shaped by the two purposes connected to the audience that they want to reach: on the one hand, it is the public, as a relevant stakeholder for the banks either as an existing or potential customer; on the other hand, it is the banks and the relation to them as a purpose in itself. To offer accessible information on the real economic conduct of the financial institutions to the former, the relation is non-optional, and public pressure is utilised "as a strong background and strong reason for the banks" (Germany-1) to engage with the FFG network. Independent financing through the Swedish International Development Cooperation Agency enabled the NGOs to conduct their work freely, make unilateral decisions and to conceptualise the methodology as they saw fit because they were not dependent on generating a factor income through the relation to the financial institutions. The banks thus cannot opt out of being ranked nor can they opt out of the relationship. The hope of the NGOs is that, through the public engagement and pressure, a race to the top will be initiated motivated by each bank

wishing to receive the highest score in order to retain or attract customers. All experts interviewed reported that this worked, sometimes relations needed more effort and resources but in the end the banks realised the guide could also work to their advantage: To receive a high score the banks

> "started to really improve the contents of their policies, better address-ing social and ecological issues." (Germany-1)

Sweden-1, who has worked in the financial system for a long time, regards their work as reintroducing market mechanisms. He was frustrated that greenwashing was practiced, in his opinion, to a large extent because customers did not know the difference. He states that the banks know and use this because it is easier for them. The high complexity of the finan-cial system is therefore a polylingual obstacle which is substantial to a system outsider. The translation of publicly available information into comprehensible terms for the public is a service of the FFG, as they are able to couple the different decision logics. This then can make the actual needs and wants of their customers apparent to the banks, opening up new priorities and markets for them.

The experts further pursued a conscious strategy to establish construc-tive dialogue and a transparent process in the hope of increasing trust and gaining access to decision makers in the banks. In an established relation, contact persons for the NGOs also simplify the engagement process and lower transaction costs. The relation is pursued to be open, democratic, precise, science-based and to include the free sharing of information. Banks receive their rankings before publication so they can fact check and add new information as well as have time to prepare their reaction.

Sweden-1 had initiated his own, similar guide before the FFG but pub-lished his findings without contacting the banks, which led to very defen-sive and aggressive reactions. With the FFG methodology, he felt that it was taken more seriously and that they were seen as more than "just ac-tivists trying to just present problems" (Sweden-1). Norway-1 also regards the benefits of this approach in making it possible to trust the perspec-tives of the banks enabling them "to really set the bar high."

4.2   Relational Economics Factors

In the following, the findings from the interviews will be connected to the resources for economic cooperation that are critical for success as defined by the theory of Relational Economics.

4.2.1   Willingness for Continuity

Inherent in the FFG is a willingness for continuity as it is "an ongoing benchmarking initiative that measures progress over time" (Sweden-1) and is updated each year. This is reflected in the relations that the project managers strive to build and in their efforts to overcome boycotts.

4.2.2   Reciprocity

Reciprocity is deeply intertwined in the FFG because the banks are regarded as dialogue partners on equal terms and not as adversaries whose bad business practices need to be outed at any cost. Information on how to perform well in the guide and how to adjust policies are freely shared. Banks utilising the methodology for a self-assessment are also appreciated. In return, the NGOs expect the banks to actually implement their own policies.

   To ensure such reciprocal behaviour, a two-step process is an integral part of the FFG assessment. In the first step, sample checks of investments are made. The aim is to detect whether banks breach their own policies and, if so, the banks are questioned as to what steps they undertake to ensure that firms abide by their policies. In a second step, the response is investigated for its credibility and only then does the FFG go public, encouraging the financial institutions to implement effective compliance management or to face public scorn. In the ranking, warning signs are included for banks who breach their own policies. It must be noted that divestments were not regarded as the only acceptable tool, but also banks meaningfully aiding firms in their transition to more sustainable business practices was encouraged. According to the project managers, this two-step process is unique in the civil society sector.

4.2.3   Integrity

The experts demonstrated integrity and persisted with their moral values, for example, investments perceived as small by the banks that breached the policies were still of importance to the project managers even if there was positive engagement by the banks in other instances. Their strong motivations, as far as expressed, also guided them in their relationship to be cooperative, to listen to the other side and to refrain from opportunistic behaviour. This is also reflected in the engagement with sustainable banks, who are included to show that an alternative to traditional banks exists and are often regarded as a form of ally. In the case of Sweden-1 it also influenced the relation as he found it neither fair nor tenable to the purpose of the ranking to include these banks if they did not want to cooperate. Because of the best practice approach of such banks, they often do not possess the policies the guide measures, which could lead to them being ranked last. In the case of Sweden, they accepted his help to develop policies with which they felt comfortable.

4.2.4   Ability to Find Consensus

The position of the banks is taken into consideration. They can contribute a statement to the guide and website, as well as make suggestions about the methodology, although banks do not have any power over the methodology.

Cooperation with sustainable banks was generally described as a smooth process. Predominantly cooperative relations also existed with other banks, but boycotts were reported as well. While the financial institutions cannot withdraw from the relationship, they can withhold their cooperation to varying degrees. Currently the German coalition is being boycotted by one bank. While the coalition gives the financial institution equal opportunities to voice its opinion, they rarely receive answers. In the expert's opinion boycotts can be the result of a personal or organisational unwillingness to have their performance assessed and judged.

Germany-1 noted that it is generally a more difficult process with newer banks, who need to be convinced that civil society has the right to assess them and publish its findings. Nevertheless, he has "seen the process a couple of times and after a while they [the newer banks] see the

benefits". In Sweden, the biggest bank had been against the ranking for several years and Sweden-1 recounted how it was difficult for him to remain calm and polite when the bank became aggressive, but that the result paid off in the end. The Swedish coalition invested their time and energy into the relation and ultimately the project manager accusing them of lying was forced to resign when the bank realised this was affecting their business.

As these examples show, the forced relation can lead to defensive reactions and the need for the NGOs to invest more resources. In the best case, the banks enter into cooperation and utilise the relation to their own advantage.

4.2.5   Resource Specificity

The resource specificity came in the form of knowledge and standards. All three interviewees had previous academic and/or work experience in the financial sector, which they credited as helping their engagement processes. For example, Norway-1 once successfully argued not based on the binary coding of civil society "common good – private interest" but by engaging with the bank's perspective and criticising them on their own terms (and conditions) about their investment in a controversial oil pipeline. His polylingual knowledge of their processes left them no leeway to evade their responsibilities. Afterwards the bank told him that his precise criticism had made an important difference.

The intensive polycontextural exchange of the NGOs about their methodology ensures all standards are well founded, which then provides the banks with arguments why it is justified for them to invest time and resources or why it makes sense for them to internalise and translate the FFG standards. Sweden-1 stated that because the topics analysed by the FFG are so complex and complicated there cannot be a perfect methodology, but that the effort invested in having a well-founded methodology, in addition to the fact that an international network with expert organisations for different topics are involved, helps the banks or sustainable departments in internal discussions. In discussion with the latter, the experts in the network are asked about the rated topics and standards, their appraised relevance and importance to the bank as well as why the NGOs consider the companies financed by the bank to be at risk from such issues. For Norway-1 these are "the good discussions" about policy contents and

whether one agrees on certain standards. If personnel from other sectors, such as credit or investment officers, join, the dynamic shifts as these people bring the guiding difference of the firm into the discussion more, requiring a more polylingual exchange. Norway-1 usually has the support of the sustainability department in arguing that not to earn money at all costs is also in the interest of the bank.

A closeness in the decision logics can explain the alliance between the NGOs and the CSR departments, because they strive for mutual (not identical) interests. The FFG can also strengthen its position at management level in the struggle for resources, budget and personnel, which Norway-1 regards as a good sign. While the relation to the sustainability employees is not perfect, their common interests are what they try to utilize in the dialogue when disagreements on findings and the methodology emerge. Overall, thanks to their immaterial resources the NGOS help the banks to identify, prioritise, mobilise and, ultimately, incorporate the necessary resources for their private value creation and transactions.

4.2.6   Transcultural Competences

In this research project, transculturality refers not only to national differences, but also to diversity in terms of sectors and logics. Altogether the relation between the NGO network and the financial institutions is a constant process and a constant dialogue, where trust is built over time – irrespective of a bank's place in the ranking.

The research highlights some national specificities, which can also be connected to cultural diversity. The country coalitions varied in their approaches. The German coalition (possibly) resorts more to public pressure to achieve change because it is faced with much larger banks who are not overly interested in adapting their business model, while the Scandinavian countries (can) concentrate a bit more on cooperation. For Sweden-1 the productive relations are very much facilitated by a strong Swedish mindset to be constructive in dialogue and to be fair and wanting to be regarded as such. He accredits this strong sensitivity of the financial sector to the opinions of the public to be an important factor in the successful relations and dialogues they have established.

The findings highlight that diversity also has a positive impact on the network. The transcultural competences of the project managers can be

attested in their engagement with stakeholders from many systems and from all over the world. Common learning processes to achieve common goals were also demonstrated. Together with the banks, the experts want to find out what works best for them. Additionally, all interviewed experts had academic and work experience in the financial sector and thus had a deeper understanding of its inner workings, helping them to connect to different decision logics.

4.2.7 Cooperation Rent

All relations of the NGOs to the financial institutions are informal and are not connected to a (direct) factor income resulting from the relation. The surplus exists solely in the form of a cooperation rent. The extent to which there is a reputation gain or increased visibility for the NGOs could not be discerned from the interviews, but influence is a rent they garner. Through their influence, they achieve the realisation of the civil society binary code "common good". Banks (and companies) on the other hand receive and develop better risk and compliance management as part of their cooperation.

Without an analysis of the perspective of the financial institutions, it can only be hypothesized that this illustrates that the realisation of a cooperation rent is possible with banks being interested in continuing the relationship.

4.2.8 Cooperation Over Time

The underlying goal, which was not directly expressed but nonetheless stands at the logical end of the cooperation process, is to wean the banks off their reliance on the research processes of the network and have sufficient oversight strategies themselves, which is why Sweden-1 recommends that banks shift to fewer investments, which then allow closer relations and better insight into a firm's business practices – a shift he is already seeing in his country. Another change was initiated when he criticised banks for controversial investments through passively tracked funds. Over time an "Index Closed Fund" developed, which tracked an index but involved active decisions to exclude certain unsustainable and unethical sectors. The banks therefore changed their contracts to internalise

the expectations of the NGO as a representative of society and adapted their governance mechanisms accordingly. Potentially, without knowing the banks' side, this could result in a factor income. Sweden-1 concludes:

> "So things are possible, it's just that the incentive for the financial sector has been very low to be creative within this area because they make a lot of money doing business as usual and then you know, they're more creative in developing very exotic financial instruments – financial products that they can sell for a really high price to consumers who have no idea what they're buying." (Sweden-1)

Norway-1 had expected diminishing engagement from the banks when media attention waned, but instead the cooperative relation intensified, with the Norwegian banks prioritising the work with the FFG, investing more resources and hiring more sustainability experts. Furthermore, he said, they are proactive with their questions and they integrate the issues into their strategy.

Further analysis could examine what kind of new but endogenous decision logic is created in the process, possibly which shared value creation is consciously initiated in the banks.

5. Discussion

The transaction at the heart of the relation between the NGOs and the banks is concerned with the internalization of norms in financial institutions. The aim is to ultimately improve the public value creation of firms which, through their private value creation, can potentially generate negative side effects – such as the exploitation of workers in the Global South, producing in areas with water shortages or practicing extensive deforestation.

The three-way relation between the public, the NGOs and the banks is, in the best case, in a sustainable balance of pushing for public pressure and fostering a good relationship with the banks. This relation is initiated by the NGOs. They utilize the resources of their network and the knowledge of how the intra- and inter-firm networks in the financial sector work, i.e., that banks are a powerful nexus of stakeholder interests. Their independent funding is an important aspect of this strategy. It enables them to avoid the dilemma that NGOs can find themselves in when

they engage in monetary relations with firms, which can restrict their ability to radically criticise and thus diminishes societal trust. The experts interviewed additionally identified dialogue and trust-building as being important to achieve their goals. The resources contributed to the relation by the NGO network are knowledge and legitimacy. The former means the whole accumulated knowledge of the network, which is freely shared and continuously expanded through case studies to inform banks about the actual consequences of certain investments. The latter is the incentive utilized to encourage the banks to enter into a cooperative relation. A low ranking and/or a warning sign brings the legitimacy of a bank into disrepute, while a higher ranking and the absence of a warning sign can provide them with enhanced legitimacy. The relation can demonstrate to the banks what their consumers want from their products while at the same time strengthening their risk management.

It could be shown that NGOs act as successful facilitators of relations and cooperation as well. They advance public value creation by engaging with the financial institutions and aiming for change at management level. In so doing they are successful in filling the regulatory space that politics has so far left in the advancement of CSR by pushing the financial market towards more sustainable conduct and improvements of the conditions in the Global South. The NGOs inform the financial institutions of risks and help them to mitigate them. To enter into these relations, the NGOs consciously develop strategies to create relations that produce varied cooperation rents, as the theory of Relational Economics theorised would be the case.

Further, many factors deemed necessary by the theory for a successful relational transaction are present, but not all, primarily the voluntary aspect. This is part of their successful strategy to enhance CSR at banks because, while they do have to invest more resources to build the trust that an honest willingness and ability to cooperate exists, they can push the banks all the more to improve their policies or lose customers. It was also apparent that through their expertise the experts had an important impact on the transactions, helping to shape them into relations that are productive assets in themselves. Following these findings, I argue that a fourth way exists to generate CSR awareness and internalisation in the theory of relational economics. This fourth way would be the enforcement by NGOs who inform customers and utilise their demands to create

relations which are then a purpose in themselves to foster and demand change in firms.

This enforcement can potentially be hindered by boycotts. While the approach worked very well for the interviewees, they reported that the Dutch coalition is broadly boycotted, including by the sustainable banks, because they want to influence the methodology. Further research into this matter could prove valuable. The observed data is also restricted in that its significance for countries and systems with less sensitivity for public engagement or low willingness of banks to cooperate is limited. Because the interviews were done with representatives of NGOs, the present network only illustrates their perspective.

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Shared Value Creation Through Uncommon Alliances – Trans-Sectoral Data Collaborations for the Common Good

COVID-19 as a Catalyst for Building Trans-Sectoral Digital Collaborations within the European Union

Pia Olivia Börner and Caroline Klyk

1. Introduction

In a statement on 11 March 2020, the World Health Organisation (WHO) proclaimed the outbreak of the coronavirus disease (COVID-19) a global pandemic (Pan & Zhang 2020: 1). At the time of writing, one year later, there have been over 110 million confirmed cases, of which more than 35 million are located in Europe (WHO 2021). Digital technologies have been instrumental in combating the coronavirus as they are:

> "enhancing diagnoses of covid-19, shaping spatio-temporal visualisations of virus transmission, providing real-time information updates and facilitating personal, communal, administrative and professional communication during lockdown." (Doyle & Conboy 2020: 1)

Pandemics, like technological transformations, are recognised as being catalysts for societal change (ibid.). A pivotal moment had come to promote progress, causing more organisations to choose to collaborate digitally for the common good and overcome potential obstacles. As a result,

a large number of novel data collaborations have formed to counter the effects of the pandemic throughout societal sectors (GovLab 2020a, 2020b, 2020c). Thus, this chapter aims to exploratively study and analyse their typology and societal value creation mechanisms with regard to two research questions:

1. What kind of trans-sectoral data collaborations have emerged to counter COVID-19 and its societal consequences in the EU?

2. With what result and purpose is shared value created for society within those collaborations?

After a brief literature review on data collaboration, shared value creation, civil society and its connection to the Relational Theory in the context of COVID-19, the case study and related methodology is discussed. The chapter concludes with limitations defined by the scope of the research.

2.   Literature Review

2.1   Data Collaborations

Data has been identified as a key factor in the progress of modern society, as its sharing is increasingly recognized as a crucial resource to promote sustainable and equitable development (Taddeo 2016: 1f.). However, the strategic datasets and analytical capabilities necessary for this purpose belong to the public and the private sector, of which the latter has recently begun to explore opportunities to contribute digitally to solving societal problems in line with its Corporate Social Responsibility (CSR) engagement (Susha et al. 2019a: 112). Concepts such as data philanthropy have arisen, in which firms contribute through data donations (Taddeo 2017: 1f.). Whereas donations focus on disclosing data free of charge for the common good, a more integrated approach was first mentioned in 2015 by Stefaan Verhulst and David Sangokoya (Susha et al. 2019a: 112f.).

> "The term data collaborative refers to a new form of collaboration, beyond the public-private partnership model, in which participants from different sectors – including private companies, research institutions, and government agencies – can exchange data to help solve public problems." (Verhulst & Sangokoya 2015).

Scholars generally emphasise the process of cooperation between multiple parties whose functions are extensive, going beyond mere data exchange (Susha et al. 2017a: 2691). Their overall aim is to "unite otherwise siloed data and a dispersed range of expertise, matching supply and demand and ensuring that relevant institutions and individuals are using and analysing data in ways that maximize the possibility of new, innovative social solutions" (Verhulst et al. 2019: 8).

In this chapter, data collaborations for the common good in the civil society system are analysed while adapting the relational economic view (Wieland 2020). Consequently, civil society and the common good are defined in that context in 2.2 and 2.3.

2.2 A Relational Economics View of Civil Society

Arguing that civic action (cf. Lichterman & Eliasoph 2014: 852) takes place across sectoral borders, this chapter follows a Relational Economics (RE) understanding of civil society (cf. Wieland 2020). Civil society thus becomes a specific logic of action based on voluntariness and the common good (Wieland 2019: 73). In line with the perception of Niklas Luhmann (cf. Luhmann 2000), the common good is seen as a contingency formula, which considers precisely this indeterminacy of the concept not as a disadvantage but as a quality (Wieland 2019: 69). Its contingency allows its re-specification in situational system contexts (ibid.). It is no longer understood as a closed sphere, but as specifically coded action within social transactions (ibid.). Civil society thus becomes a transaction-based system that is inclusive towards any stakeholders who voluntarily and temporarily commit themselves to the logic of the common good, whether in an organised form or not (ibid.). Hence the focus lies on the specific transaction: the quintessential premise of this research is given: Firms, more specifically their societal engagement, can be included "in civil society, without consequently having to be classified as civil society organisations" (Wieland 2020: 94). Not seeing civil society as a mere sphere, also implies that it does not need to be protected from economic rationality (ibid.). After all, it is through the symbiosis of the two that the concept of civil society becomes a form of value creation (ibid). The latter is only productive when aspects of society in its organised or non-organised form are relationalised within it (ibid.).

2.3 Shared Value Creation

The resulting form of value creation is coined under the term shared value creation (SVC). In contrast to the neoclassical theory, in which a firm's CSR commitment can be considered a public good resulting in market failure (cf. Kitzmueller & Shimshack 2012: 79), the RE approach attempts to reconcile private and public objectives.

In classical economic theory, firms are primarily private organisations pursuing private interests, which precludes the pursuit of public welfare contributions demanded by CSR. Therefore, these can neither be internalized by the market (e.g., through pricing) nor internalized by states (e.g., through regulation) and thus represent market failures (Wieland 2020: 87). By contrast, in the RE perspective, the firm is seen as a nexus of stakeholder interests (Wieland 2020: 87). Based on the Stakeholder Theory of the firm by Edward Freeman (cf. Freeman 1984), RE theory considers the firm as an organisation aiming at organisational value creation for all parties involved (ibid.). Consequently, firms should pursue their value creation promoting private and public welfare as they are a nexus of societal interest (ibid.). This presupposes that the purpose of the firm is "the creation of shared value" (CSV), a concept developed by Porter and Kramer in 2011 (Porter & Kramer 2011: 66f.). Indeed, the two developed their CSV approach as a competitive and market strategy to balance economic and social change (ibid.). In essence, this theory sees the social problems of the 21st century as an opportunity for businesses to grow (Wieland 2020: 133). Businesses should detect and prioritise societal challenges and contrast them with their potential costs and subsequently integrate those parameters in their internal calculation and accounting systems (ibid.). This is based on the idea that market equilibrium and public welfare coincide in an ideal world (Wieland 2019: 77). The disadvantage, however, is the lack of involvement of stakeholders within the active innovation process (Wieland 2020: 134). Therefore, the inclusion of inside-out and outside-in practices, which Porter and Kramer aim at, can only be accomplished to a very limited extent (ibid.).

Starting from an RE point of view, the pure focus on intra and inter firm relations is insufficient, as value creation and growth of businesses have always been linked to society as a whole in its tangible and intangible forms (Wieland 2020: 133). Hence the focus of this development is not the market, but rather the firm and its economic and societal stake-

holders (ibid.). SVC is based within a relational, cooperative economy (Wieland 2020: 135). It is an organizational strategy for different societal players which, if successfully implemented, turns a cooperation opportunity into a cooperation benefit, generating cooperation rents in the form of factor incomes (ibid.).

> "The ultimate goal of shared value production is therefore not the strategic management of previously established market activities, but the normativity of societally legitimated future markets, which are characterised by their unpredictability." (Wieland 2020: 90)

The management of normativity is, in this context, a form of risk management (ibid.). To be successful, it is necessary that the company is able to correctly interpret the preferences of society, "both for the present and the foreseeable future, and to translate these preferences into products, services and management methods that are desired and legitimised by society" (ibid.: 90). Normativity is thus incorporated into the main business model policies and programmes of the company (ibid.). It is only after this rethinking that the social consequences based on the company's transactions become quantifiable for an organisation and allow it to link to the market system through pricing (Wieland 2020: 90f.).

With COVID-19 exposing the fragility of the global economic system, there is an evolving consensus among firms that the creation of long-term value is most effective when the interests of all stakeholders are addressed (World Economic Forum 2020: 3). The non-binding nature of CSR guidelines has so far been demonstrated by their migration into the mainstream without significant social impact (Kitzmueller & Shimshack 2012: 2). To prevent the public from losing confidence in the economic system and its entanglement in the social problems it fuels, a shift in the way firms approach their value-creation process is inevitable (World Economic Forum 2020). At this point, SVC intervenes, calling in essence for a new understanding of corporate value creation, as it enables and incentivises firms to view externalities as opportunities to be nurtured and utilised.

2.4 Data Collaborations Through an RE Perspective

From an RE point of view, the global economy is not understood as a space but rather as a network of transactions (ibid.). Within this network, individual and collective actors of different logics of action and locations are interconnected (ibid.). In order to adequately respond to the complexity in the form of current societal challenges, collaborative and coordinated efforts between different sectors are required (ibid.). The basis on which cross-sector data collaborations have formed, is that societal problems exist within a "complex, interdependent, and dynamic global context" (Thinyane et al. 2018: 44). It is precisely this complexity which is the initial premise for the RE approach, as the system/environment difference is endogenized in portraying "society as an event in the execution of economic transactions" (Wieland 2020: 1).

As the collaborations relevant to this work are identified as social issue platforms (cf. Susha et al. 2019b: 229), their primary goal is to help society address the impacts of COVID-19. Consequently, all parties contributing to the societal cause become temporary civil society players, whereas the data collaborations for the common good become the nexus of their transactions in the form of tangible or intangible resources. Indeed, this transaction logic enables an inclusive understanding of civil society engagement, which is crucial to this chapter. As a logic of action based on independence, cooperation and voluntary self-activation (cf. Wieland 2020: 93f.; 2019: 75), it allows the diverse participation in data collaborations to be counted as civil society engagement. This premise of the free choice of participants to decide whether to join a collaboration, and which tangible or intangible assets to integrate, has also been strengthened in the research (Susha & Gil-Garcia 2019: 2892). Accordingly, these participants "are driven by a normative orientation that businesses, public agencies, non-profit organisations have a social responsibility towards such a problem" (Susha et al. 2019b: 233).

Consequently, firms are able to become temporary civil society players, which seems to be significant, given the reallocation of resources driven by datafication (cf. Susha et al. 2017a: 2691). With the change in ownership of data and the analytical capabilities associated with its efficient use, the need to maximise the return of private data into public value has grown (Susha et al. 2017a: 2696). The RE understanding of the firm and its role as a player within society, while remaining an economic organisa-

tion explains its interest in such a collaboration (cf. Wieland 2020: 11f.). As a nexus of stakeholder resources and interests, the firm is obliged to manage them strategically (ibid.). Thus, in accepting and managing poly-contextuality, firms approach their surrounding normative environments as potential source of value creation (ibid). Consequently, this work argues that it is precisely this understanding of the reconciliation of public and private interests which drives and motivates players to participate in the collaboration and in the common good, as they are able to skim cooperation rents in tangible or intangible forms. Scholars have stated that:

> "while the higher goal of voluntary information sharing may be the same (i.e., to create public value), parties are driven by different motivations of why they enter into information sharing collaborations." (Susha 2020: 227)

If successfully realised, data collaborations become the accumulation point of trans-sectoral civil society transactions and resources, which interact in a value creating process within a stakeholder inclusive governance framework. In line with this thought, the governance approach stresses the relevance of stakeholder involvement (cf. World Economic Forum 2020: 12f.; Klievink et al. 2018: 382f.; McKay 2020: 3; Susha 2020: 14), as these challenges must

> "be framed from an ecosystem perspective, where the dependencies and the interactions between the various stakeholders are taken into consideration in the formulation of the solutions." (Thinyane et al. 2018: 44)

Consequently, within data collaborations, a common value is created, which combines private and social objectives, whose harmonization within a collaborative, relational economy is referred to as SVC.

2.5   COVID-19 and its Implications for
Trans-Sectoral Data Collaborations in the EU

Traditionally, policies in the EU were primarily driven by public datasets (Susha et al. 2017a: 2691f.). In 2018, there was more frequent use of Big Data for policymaking, but within the policy cycle it is primarily used for forecasting and agenda-setting, followed by monitoring and interim eval-

uation (Poel et al. 2018: 358). Problem analysis, identification of options for policy measures and their implementation have remained in the minority (ibid.). With the outbreak of the pandemic, however, especially the latter are of the utmost importance, as immediate evidence-based analysis and policies are necessary when successfully tackling a pandemic (cf. Janssen & van der Voort 2020: 1f.). Any policy and implementation strategy consists of a myriad of decisions based on uncertainty because, like any decision, it is founded on "an uncertain, probabilistic gamble based on some kind of prior information" (Tversky & Kahneman 1981: 458; Hilbert 2015: 3). With an increase in the yield of data, the information base on which that estimate is formed is greater, and consequently reduces the uncertainty of the decision (ibid.). Accordingly, data-driven policy has increased with the help of private data which, especially in times of emergency, is more often passed on by the private sector as part of its CSR commitment (Susha 2020: 3). For instance, with the need for contact tracing, one of the most prominent use of private data by governments has been the use of mobile network operator (MNO) data for creating citizen mobility patterns (Sibande 2020; Dahmm 2020: 1f.).

Beyond data donations, numerous cross-sectoral collaborations have formed driven by the outbreak of COVID-19 within the EU (cf. GovLab 2020a; GovLab 2020b). On a theoretical basis, scholars have identified three main drivers behind data collaborations: resource-dependent ones, societal sector ones and social issue ones (Susha et al. 2019b: 229). Based on the notion that the COVID-19 outbreak is classified as a "meta problem" (cf. Selsky & Parker 2005: 852), due to its fundamental detrimental impact on society (Pan & Zhang 2020: 1; WHO 2020), the platforms resulting from it are categorised as social issue platforms (Susha et al. 2019b: 229ff.). Consequently, this work assumes the majority of data collaborations, emerging in response to the pandemic, can be classified as such (ibid.: 235).

> "These collaborations are driven by a normative orientation that businesses, public agencies and non-profit organisations have a social responsibility towards such a problem." (ibid.: 233)

The platform is considered to be inclusive in its objective as "the partners address the social problem in question with an added benefit of achieving possible organizational gains" (ibid.). They orientate themselves in an

integrative manner, addressing "the social issue with the added benefit of organizational goods" (ibid.).

Returning to the RE perspective, the notion of normative orientation and the associated responsibility of all societal organisations is coherent with the theory of the social issue platform (ibid; cf. Wieland 2020). The firm, as a nexus of stakeholder interests, promotes private and public welfare creation (ibid.). Likewise, the idea of added value through organisational gains is in line with the RE concept of the cooperation rent (ibid.). Susha et al. argue that the collaborating entities follow a "substitution" logic; hence they contribute to tackling "a public concern which is typically seen as the 'natural' domain of the public sector", which does not exclude an own organisational gain (Susha et al. 2019b: 233). Consequently, data collaborations, as a nexus of diverse stakeholder resources and interests, embody the reconciliation of public and private value creation in the form of SVC.

The participating organisations act on a voluntary basis, however, they are still continuously pressured by society to act responsibly and to contribute to the common good (Selsky & Parker 2005: 852). "This collective pressure from multiple actors, aligned with appropriate government policies can create the incentives" for this type of collaboration (Susha et al. 2019b: 235). This is in line with the thought that the pandemic has further changed the expectation and the role of the firm (World Economic Forum 2020: 5).

However, as choosing "a data collaborative approach is a complex and context-sensitive decision" (Verhulst et al. 2019: 47), the trigger for increased collaboration was missing at the time of most of the literature on data collaborations, namely between 2017 and 2019. Thus, Klievink considers it unlikely that parties will collaborate "without a history with the other actors, there are just too many unknowns to take that 'leap of faith'" (Klievink et al. 2018: 383). The outbreak of COVID-19, however, might have been exactly this, a "leap of faith" hence it raised the relevance and visibility of data significantly (Janssen & van der Voort 2020: 1f.; Zahuranec & Verhulst 2020). The virus has triggered "new data requirements and increased cross-sectoral data cooperation" (Dahmm 2020: 1). Given that the "global nature of the pandemic requires the participation of all governments, the private sector, civil society organizations and people throughout the world" (UN 2020) many of these data collaborations have been formed (cf. GovLab 2020a; GovLab 2020b; GovLab 2020c).

3. Empirical Study

3.1 Research Questions

Considering the changed situational context, a worldwide pandemic, it seems to be of interest and relevance to explain to what extent this has affected the data collaboration landscape in the EU. Based on the afore-mentioned correlation between technological advances and pandemics, which act as a catalyst for change (Doyle & Conboy 2020: 1), the subsequent exploratory analysis will examine this in more detail with regard to two research questions:

1. What kind of trans-sectoral data collaborations have emerged to counter COVID-19 and its societal consequences in the EU?

2. With what result and purpose is shared value created for society within those collaborations?

3.2 Methodology

The qualitative and explorative analysis is based on a collection of data collaboratives from the Gov Lab (GovLab 2020a), a research institute housed at the Tandon School of Engineering at New York University (Verhulst et al. 2019: 2f.). Its co-founder Stefan Verhulst has coined the term data collaborative (Verhulst & Sangokoya 2015) and has contributed excessive research in this field (cf. ibid; Klein & Verhulst 2017; Susha et al. 2017a; Susha et al. 2017b; Verhulst et al. 2019; Verhulst et al. 2020a; Verhulst et al. 2020b; Young et al. 2020; Zahuranec & Verhulst 2020). In order to conceptualise the data collaborations that were established at the time of COVID-19, GovLab has created a "living repository"[1], which serves "as a repository for data collaboratives seeking to address the spread of COVID-19 and its secondary effects" (GovLab 2020a: 1). There are a total of 315 data collaborations listed in December 2020 worldwide, of which 68 are listed in Europe and Central Asia (ibid.: 12-117).

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[1] As it is a "living repository", collaborations may have been added or removed, i.e., the figures of the analysis refer to the day on which the data was last accessed, namely 2 December 2020.

3.3   Case Selection

As for the research question primarily of relevance, these have been re-
duced by the following criteria: Firstly, they had to be initiated in one or
several member states of the European Union, which excluded 18. Second-
ly, the collaboration had to be trans-sectoral, implying at least the inter-
action of two organisations of different environments collaborating, which
excluded 24[2]. Thirdly, as five collaborations lacked information and pub-
lic references, they were also excluded. Lastly, only those collaborations
that were created in response to COVID-19 were selected, as three of them
were pre-existing. As this chapter attempts to focus on the pandemic be-
coming a catalyst for new, uncommon alliances, only those were of inter-
est. Furthermore, this work relies on the assumption that the collabora-
tions are classified as social issue platforms, which implies that the plat-
forms are the result of a negative external effect (COVID-19) and primar-
ily focus on resolving it and only secondarily acting in self-interest. Given
that only three of the 65 listed collaborations in Europe and Central Asia
indeed existed before, it could be seen as an indication of support for the
argumentation that the pandemic acted as a catalyst. This has resulted in
the total of 18 relevant cases of collaborations (cf. Table 1).

3.4   Categorisation

The cases are subsequently further categorised through qualitative coding
(cf. Flick 2016: 487ff.). To ensure intersubject traceability, most catego-
ries were thus created descriptively (cf. Richards 2005: 85ff.), whereas
four categories[3] were derived through an explorative approach focusing
on RE and the situational context of COVID-19.

The first six categories relate to the first research question, namely
which kind of data collaborations have formed in response to the pan-
demic within the EU and which civil society players participated whereas
the following three relate to second field of research: SVC and its impact
on society.

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[2] These were in particular pure research collaborations of different institutes or uni-
versities as well as technology companies that analysed and released internal or open
data.
[3] Start date; Civil society participation; Result & Purpose.

Table 1: Selected Cases of COVID-19 Data Collaborations

Case	Name	Participants
C1	Data Against Corona Taskforce	Belgian Ministers of Digital Agenda and Privacy; Sciensano; Data Protection Authority; Proximus; Telenet; Orange; Dalberg Data Insights
C2	COVID-19 outbreak response:first assessment of mobility changes in Italy following lockdown	Cuebiq; ISI Foundation; University of Turin
C3	CoronaMadrid	Carto, ForceManager y Mendesaltaren, Telefónica, Goggo Network, Google, Ferrovial.
C4	Corona prediction	Deutsche Telekom; Robert Koch Institute
C5	Vodafone Heat Map for the Lombardy region of Italy	Vodafone; Lombardy regional authorities
C6	Imaging COVID-19 AI	European Society of Medical Imaging Informatics; Netherlands Cancer Institute; Robovision; Quibim
C7	Statistics Denmark's Location Data Work	Statistics Denmark; Danish telecommunications companies, Danish health authorities
C8	L'algorithme D'orientation COVID19	French Ministry of Social Affairs and Health; CovidTélé, Assistance Publique – Hôpitaux de Paris, Pasteur Institute
C9	Exscalate4CoV	Dompé; E4C Consortium
C10	Map of Pharmacies in Île-de-France	Île-de-France region; independent pharmacies
C11	Corona Datenspende	Robert-Koch-Institute; Thryve
C12	Statistics Estonia COVID-19 Mobility Analysis	Statistics Estonia, Government Office of Estonia, Positium, Telia, Elisa, Tele2
C13	COVID-19 Data Portal	European Commission; European Bioinformatics Institute; EU member-states; Elixir Europe; Erasmus Medical Centre; EOSC-Life; The Netherlands National Institute for Public Health and the Environment; Eötvös Lorand University; Technical University of Denmark; Universitätsklinikum Heidelberg
C14	Stopp Corona App	Austrian Red Cross; UNIQA Foundation; Accenture Austria
C15	App COVID-19.EUS	Department of Health of the Basque Government; EricTel
C16	Maladie Coronavirus	Pasteur Institute, Greater Paris University Hospitals; Clevy; Lille University Hospital; Angers University Hospital
C17	Zostaň Zdravý App	Comenius University in Bratislava; Sygic; WebSupport; GDPR-Pass.sk; Kinsellar; OpenStreetMap;Translata; Citad Lo
C18	Mapping Mobility Functional Areas (MFA) by using Mobile Positioning Data to Inform	European Commission's Joint Research Centre; A1 Telekom Austria Group; Alice Portugal; Deutsche Telekom; Orange; Proximus; TIM Telecom Italia; Telefonica; Telenor; Telia Company; and Vodafone

Source: GovLab (2020a: 18-40).

In order to conceptualise the emergence and typology of data collaborations, the first category, the start date, ensures that the collaborations were formed in response to COVID-19, meaning the start date is expected to be no earlier than January 2020, when the first cases in Europe were identified (cf. ECDC 2020). In the second category the site, the regional focus, is of interest as it may indicate tendencies where trans-sectoral data collaborations have arisen in the EU and whether national platforms or transnational, European platforms prevail. Thirdly, the data used within the collaboration can be distinguished through its type and though its content (cf. Susha et al. 2017a: 2696; Verhulst et al. 2020a: 11). The first, the type, can be categorised in four groups: personal data or non-personal data, each of which can be disclosed or observed (bid.; Susha et al. 2017a: 2694); disclosed personal data refers to data which is deliberately shared by a person or a group, commonly this includes personal information such as registration records (Verhulst et al. 2020a: 11); observed personal data relates to "information with potentially personally identifiable data that is passively collected by an entity prior to any use" (ibid.). For instance, this includes most of the information collected while using the internet or during commercial transactions (e.g., credit card records) (ibid.). Observed non-personal data is information "passively collected by an entity prior to any use", meaning it is often satellite or aerial imagery (e.g., geolocational data on movements) (ibid.). Disclosed non-personal data contains no personally identifiable information and is actively disclosed by the individual, a group or an organisation (ibid.). In addition to the data type, the category content describes the information that is contained in the data which, according to Susha et al., refers to words, locations, nature, behaviour and transaction (2017a: 2694). Within the data context, transactional data refers to data generated by the commercial use of individuals whereas behavioural data "concerns data about people's actions in a non-commercial situation (e.g., as a patient in clinical trials)" (ibid.).

There are six types of data collaboration, hence this fifth category clarifies its categorization. Data collaborations themselves are currently differentiated in six groups by their degree of access and their form of engagement (cf. Table 1). Represented on the vertical level, the engagement refers to "the degree to which the data supply and demand players co-design the use of corporate data assets" and is split into three categories (Verhulst et al. 2019: 10). Firstly, independent use implies that the

analysis and usage of the data takes place separately. Consequently, the data owner is barely involved (ibid.). Secondly, cooperative use, in which the data suppliers and users enter into a partnership which will determine the focus of data use and analysis (ibid.). Finally, direct use, where the data owner selects partners to "derive specific, prioritized types of public value from the data" (ibid.). On the horizontal level, accessibility refers to the conditions of access third parties may have to the data (Verhulst et al. 2019: 11). It is split into open and restricted access. The former labels a hardly restricted use of the data whereas, in the latter, only pre-selected partners are given access to the collaboration (ibid.). All categories exist on a spectrum, however, for the purpose of illustration, six different data collaboration models emerge.

Table 2: Data Collaboratives Matrix of Engagement and Accessibility

	Open Access	Restricted Access
Independent Use	Public Interfaces	Trusted Intermediary
Cooperative Use	Data Pooling	Research & Analysis Partnership
Directed Use	Prizes & Challenges	Intelligence Generation

Source: Verhulst et al. (2019: 10).

Based on the RE notion of civil society, and the view of this collaboration as trans-sectoral, every player might temporarily be included as long as they follow its logic. Consequently, the player civil society includes private, public and research entities, NPOs and citizens. The inclusive, transaction-based approach of RE enables this thesis to integrate those players such as, for instance, citizens who, without being part of an organised form (NGO), perform a civil society act through a determined action, such as the active donation of their data. The category Shared Value Creation is created to synthesise the RE notion of civil society with the theoretical background of data collaborations. So instead of using the category, Verhulst et al. propose "creating public value". This work proposes this to be an example of SVC, as it reconciles private and public

interests. As scholars have stressed, the entities contributing to data collaborations are also gaining internal organisational benefits (cf. Susha et al. 2019b: 233) and fulfilling their duty as a member of society. Indeed, trans-sectoral data collaborations are an ideal example of the harmonisation of private and public interests. Instead of the market failures associated with public goods, a new, innovative way of value is created, (SVC), which is beneficial for all stakeholders. There are five different ways in which SVC occurs in this context, namely through: situational awareness & response; public service design & delivery; knowledge creation & transfer; prediction & forecasting and impact assessment & evaluation. The following two categories, result and purpose, given the early state of research both in the field of data collaboration and its implications for data collaboration, consequently emerged exploratively. These are intended to specify the outcome of the value creation process and its purpose in relation to COVID-19 or its secondary effects.

4. Findings

4.1 The Emergence, Typology & Civil Society Participation in Data Collaborations

According to the European Centre for Disease Prevention and Control (ECDC), at the beginning of March 2020, COVID-19 outbreaks occurred in all EU countries and the consequences of a global pandemic became tangible, influencing political and public life (cf. ECDC 2020; WHO 2020). This is underlined by the results of the table (cf. Table 3), where the vast majority of the data collaborations aimed at countering its effects were established in March. With the first strict public health measures such as "social distancing", introduced to control the spread of the virus in March, it seems feasible that the collaborations primarily used location data (cf. ECDC 2020). These were predominantly observed personal data in the form of MNO data, but also locational data provided by citizens themselves. The "self-activation" quality of an RE civil society notion is, in this context, understood with the agreement or the act of deliberately sharing one's own healthcare or locational data, which is why citizen participation and the type of data (disclosed personal) correlate. One example is the act of downloading the "Corona Datenspende" app (Case 11;

Table 3: Categorisation of Trans-Sectoral COVID-19 Data Collaborations in the EU

Cases	Start Date	Site	Type of data	Content	Type of data collaboration	Private	Public	Research	NPO	Citizen	Shared Value Creation	Result	Purpose
								Civil society participation			4.2.2 Shared Value Creation and societal purpose		
C1	Mar. 2020	BE	Observed personal data	Locations	Trusted Intermediary	x	x				Situational Awareness & Response	Mobility Paterns	Policy implementation & evaluation
C2	Mar. 2020	IT	Observed personal data	Locations	Intelligence Products	x		x	x		Public Service Design & Delivery	Mobility Paterns	Policy implementation & evaluation
C3	Mar. 2020	ES	Disclosed personal data	Behaviour	Intelligence Products	x	x	x		x	Situational Awareness & Response	Healthcare Analysis	Virological education
C4	Mar. 2020	DE	Observed personal data	Locations	Intelligence Products	x	x				Situational Awareness & Response	Mobility Paterns	Policy implementation & evaluation
C5	Mar. 2020	IT	Observed personal data	Locations	Trusted Intermediary	x	x				Situational Awareness & Response	Mobility Paterns	Policy implementation & evaluation
C6	Mar. 2020	EU	Disclosed personal data	Behaviour	Research Partnerships	x		x	x	x	Public Service Design & Delivery	Healthcare Analysis	Healthcare improvements
C7	Mar. 2020	DK	Observed personal data	Locations	Trusted Intermediary	x	x	x			Situational Awareness & Response	Mobility Paterns	Policy implementation & evaluation
C8	Mar. 2020	FR	Disclosed personal data	Behaviour	Intelligence Products		x	x		x	Situational Awareness & Response	Healthcare Analysis	Virological education
C9	Fe. 2020	EU	Disclosed non-personal data	Nature	Research Partnerships	x	x	x			Knowledge Creation & Transfer	Epidemiological Analysis	Healthcare improvements
C10	Mar. 2020	FR	Disclosed non-personal data	Locations	Intelligence Products	x	x				Knowledge Creation & Transfer	Healthcare Analysis	Healthcare improvements
C11	Ap. 2020	DE	Disclosed personal data	Behaviour	Data Cooperatives or Pooling	x	x			x	Impact Assesment & Evaluation	Healthcare Analysis	Policy implementation & evaluation
C12	Mar. 2020	EE	Observed personal data	Locations	API	x	x				Impact Assesment & Evaluation	Mobility Paterns	Policy implementation & evaluation
C13	Ap. 2020	EU	Disclosed non-personal data	Nature	Data Cooperatives or Pooling		x	x			Knowledge Creation & Transfer	Epidemiological Analysis	Healthcare improvements
C14	Mar. 2020	AT	Disclosed personal data	Locations	Intelligence Products	x	x		x	x	Public Service Design & Delivery	Mobility Paterns	Contact tracing
C15	Mar. 2020	ES	Disclosed personal data	Locations	Intelligence Products	x	x			x	Public Service Design & Delivery	Mobility Paterns	Contact tracing
C16	Mar. 2020	FR	Disclosed personal data	Behaviour	Intelligence Products	x	x	x		x	Situational Awareness & Response	Healthcare Analysis	Virological education
C17	Mar. 2020	SK	Disclosed personal data	Locations	Intelligence Products	x	x	x		x	Public Service Design & Delivery	Mobility Paterns	Contact tracing
C18	Ap. 2020	EU	Observed personal data	Locations	Trusted Intermediary	x	x			x	Impact Assesment & Evaluation	Mobility Paterns	Policy implementation & evaluation

(Column group heading: 4.2.1 The emerge and typology of data collaborations)

Source: GovLab (2020a: 18-40).

cf. Tables 1 & 3), which tracks and analyses the data of fitness wristbands in order to gain a better understanding of mild and undetected COVID-19 cases. Likewise, based on privacy standards of the EU, a patient has to agree to their lung scans being shared within a data collaboration such as in case six, the Imaging COVID-19 AI initiative.

This European initiative uses a deep learning algorithm to analyse lung scans within a few seconds, which firstly gives hospitals a time advantage and, at the same time, enables the anonymised data to be used for research into the effects of the virus on the body (Imaging COVID-19 AI 2020). Hence, passive sharing of location data is not considered as civil society engagement, as it is defined through self-activation; consequently, observed personal data correlates with private sector civic activation. When observed personal data is passed on to a public institution, it is primarily through trusted intermediaries. These include internal or external research institutions that analysed the data before passing it on. As mentioned above, this approach allows private data to be used for the public good while maintaining private sector confidence through limited access regulation and the intermediary's neutrality (cf. Verhulst et al. 2019: 19ff.). An example for this is case seven where the Danish statistics office, acted as "middleman between telecommunication companies and local health authorities" (GovLab 2020a: 25). Overall, transaction-based civil society involvement is highest among private and public actors, which seems consistent given the allocation of resources and skills, the importance of MNO data and the public's obligation and interest in care (Iacus et al. 2020: 1901). The most common type of data collaborations, with nine cases, however, were intelligence products which tracked either behavioural data – commonly healthcare data of the population – or locational data. These were newly developed products such as apps which, through SVC, resulted in various benefits for society. These will be further elaborated below.

4.2   *Shared Value Creation and Societal Purpose*

In allowing civic action to be seen as an SVC process, it has a value for both the collaborating entities and society. The most common category of SVC in the analysis is situational awareness and response, which resulted either in healthcare analysis or mobility patterns. The latter are the most

common result of data collaborations in this qualitative review. When derived from observed, location-based data (cf. cases 1, 4, 5 & 7), they were designed to create situational awareness and response (SVC). Indeed, they allow the explanation and evaluation of the spread of the virus as well as the determination of the location of hotspots and the assessment of social distance and policy measures (cf. Sibande 2020; Iacus et al. 2020: 1901). Consequently, their purpose is categorised under policy implementation and evaluation, which is also the most strongly represented purpose. Returning to the idea that an increase in data yield leads to a more substantial information base on which estimates are based and on which policy decisions are made (cf. Tversky & Kahneman 1981: 458; Hilbert 2015: 3), these data collaborations allowed policy makers to reduce the uncertainty of their COVID-19 related decisions (cf. Zahuranec & Verhulst 2020; Janssen & van der Voort 2020: 6). As a result, these collaborations, based on civil society transactions through SVC, enabled policy makers at regional, national and supranational level to strive for the strongest information-driven policy options.

However, the integration of the population in those policy measures is equally important, which is why the other use of mobility pattern is linked to intelligence products which, through public service design and delivery (SVC), had the purpose of enabling citizens to track their personal contacts (cf. case 14, 15 & 17). The purpose "contact tracing" enabled citizens, in Slovakia through the Zostaň Zdravý app, for instance, to notify the people they had been in contact with if they tested positive for COVID-19 (cf. case 17). The second most common outcome of data collaboration is analysis concerning citizens' healthcare, the purpose of which is, for example, through virological education in the form of intelligence products in which citizens could register their health symptoms and check their correlation with those of COVID-19. Examples are the "L'algorithme D'orientation COVID19", which asks its users questions about their symptoms and then provides them with a list of recommendations (cf. case 8) or the "Corona Madrid app" in Spain, which even allowed users to subsequently make an appointment for a COVID-19 test in a hospital with free capacity (cf. case 3).

After these strongly represented categories, trends of the two less representative groups follow. Of the three Impact Assessment and Evaluation (SVC) cases, two were set up in April, which seems logical given that they were primarily intended to review existing policies or collect

additional data. For example, the previously presented case of "Corona Data Donation", an app that uses data from fitness wristbands or smart-watches to contribute information on the disease spread of mild cases (cf. case 11). These mild cases are relevant to better assess the impact of the virus, although only after its primary effects have been reduced. The other, less represented, category, knowledge creation and sharing, refers to filling information gaps leading to either preventive health care or virological research, all with the aim of improving citizens' health. Interestingly, only two cases of natural data were used here, resulting in the only two cases of epidemiological analysis (cf. cases 9 & 13).

5. Conclusion

Relational Economics, unlike standard economics, focuses on value crea-tion within networks. The transformation from the societal environment to organisational strategy, in the form of polycontextual management, allows for the internalisation of events perceived as "externalities" in classic economic theory. As organisations of society, as a nexus of stake-holders, the firm, just as every other social entity, has a vested interest in societal welfare. Consequently, the notion of SVC is endorsed in this work, harmonising public and private objectives. Within this conception, the movement towards trans-sectoral collaboration, becomes feasible as an innovative way of generating value. Consequently, this chapter argues that the outbreak of a global pandemic has led to a "leap of faith" (Klie-vink et al. 2018: 383) in data collaborations, which might explain their increased occurrence. As a nexus of novel stakeholder resources, in both tangible and intangible forms, a diverse set of stakeholders contribute to the common good, which is attributed to a self-activated transaction-based logic. The exploratory, qualitative analysis of the eighteen cases has illustrated tendencies of their emergence in response to COVID-19.

Returning to the first research question, namely what kind of cross-sectoral data collaborations have emerged to address COVID-19 and its societal consequences in the EU, it was highlighted that in March 2020, mainly intelligence products and trusted intermediaries emerged which are particularly likely to contain location and behavioural data and which were generated through broad civil society participation. The results and purpose of SVC in data collaborations is answered with regard to the

second research question. This is linked in the analysis in particular to situational awareness and the response of the population and public service design and delivery, mostly aiming to create healthcare or mobility patterns. Besides this strong tendency, however, the SVC category has also shown other innovative benefits of data collaborations in the response to pandemics.

However, given the need for an agile and adaptive governance structure in the management of pandemics (Janssen & van der Voort 2020: 6) and the location of datasets that were mainly in private hands (Susha et al. 2017a: 2696), trans-sectoral data collaborations were particularly quick to emerge in this area to create societal value. Whether the pandemic actually catalysed their emergence, however, cannot be conclusively stated at this early stage as the research base for comparison is lacking. Certainly, however, data collaborations for the common good have formed in response to COVID-19, whose qualitative representation is the aim of this chapter and can thus be seen as a contribution to the initial research.

6. Limitations

The interaction between business and civil society is a complex and controversial field of research (Adloff et al. 2016: 14f.), as is the phenomenon of data collaborations. Scholars have emphasised that, due to its novelty, there is a lack of both theoretical background and empirical research (Susha et al. 2019a). Consequently, the theoretical part is largely based on research by a few prominent scholars all contributing through qualitative work. The explorative analysis is based on the notion that the COVID-19 pandemic offered a unique window of opportunity to study the mechanisms around data collaborations. However, this also means that it is a momentary capture of a process that is still unfolding. Additionally, the fact that the case data only comes from one source is due to the fact that, at the time of writing, the only institute that has studied the link between data collaborations and COVID-19 has been GovLab.

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The Role of Civil Society in Tackling Institutionalised Group-Based Misanthropy within the Police in Germany and Austria

Cara Thielen, Vincent Steindl and Lukas Schmitzer

1. Introduction

Group-based misanthropy within the police has long been a recurring topic in Germany and Austria. Over the past twenty years, politically motivated acts of violence committed by German police officers, in which migrants and people of colour died in custody or during police action, caused headlines nationally. These included, among others, the cases of Aamir Ageeb (1999), Achidi John (2001) and Laya-Alama Condé (2004), Oury Jalloh (2005), Hussam Fadl (2016), Yaya Jabbi (2016), Amad Ahmad (2018), William Tonou-Mbobda (2019) and Rooble Warsame (2019). In prominent cases of racist attacks in Hoyerswerda (1991), Rostock-Lichtenhagen (1992) and Mölln (1992) the German police has been criticized for its failure to render assistance to victims. In Austria, a similar picture can be observed. Between 1990 and 2000, the overwhelming majority of victims of abuse by the police were members of ethnic minorities, as Amnesty International reports (2009). One of the most famous cases is that of Marcus Omofuma (1999) who died during a deportation attempt. In later years, further incidents occurred during which members of ethnic minorities suffered assault and abuse in police custody or as a result of police action. These include, among others, the cases of Richard Ibekwe (2000), Cheibani Wague (2003), Edwin Ndupu (2004), Yankuba Ceesay (2005), Bakary Jassey (2006) and Mike Brennan (2009).

The killing of George Floyd by a police officer in May 2020 in the USA triggered a wave of mass protests around the world against police violence. The Black Lives Matter (BLM) movement not only stood in solidarity with George Floyd but raised awareness for the fact that institutionalized discrimination by the police against minorities constitutes a fundamental problem in many countries. Also in Germany and Austria, large-scale protests erupted and reinforced the public debate on structural problems with police violence. Social movements such as the BLM movement are crucial players in the political agenda-setting process, articulating aspects of public opinion and putting pressure on governments. Apart from occasional waves and outbursts of protest, civil society, to which social movements are to be counted, and its organizations continue to raise attention on critical topics.

Looking at Germany's and Austria's past of incidents of police violence and re-considering the basic principles upon which democratic states are built, it is worth questioning in which way civil society players can use their voices to call attention to the human rights violations caused by state officials. Against this background, this study aims to provide an overview of the role covered by civil society in the political and social reappraisal of police violence. As this specific topic has not been covered by existing research, the focus is to rather broadly depict perspectives, inherent potentials, impediments to improvement as well as success factors of civil society engagement, provided by relevant stakeholders from Germany and Austria. Accordingly, this paper is intended as a "conceptual paper" with the aim of giving an introduction to the topic and laying the foundations for further research.

The current state of research is briefly summarized in the second sub-chapter. In the theoretical section, the basic nexus of human rights and democracy will be elaborated, illustrating inherent core values. Afterwards, the underlying understanding of civil society will be explained, before the concept of group-based misanthropy will be introduced. Following the outline of the research methodology, the findings drawn from the data collected will be presented and discussed in the context of the theoretical section.

2. Literature Review

2.1 Data on Structural Police Violence in Germany and Austria

Most studies on discriminatory attitudes and practices within the German police were published in the 1990s. However, these primarily examined attitudes of individual police officers (Mietzko & Weins 1999; Eckert et al. 1998; Backes et al. 1997; Jaschke 1997; Bornewasser 1996), which did not produce any results that would allow conclusions on whether systematic or structural xenophobia exists within the police (Kopke 2019). Instead, the problem of attacks on minorities was attributed to the constant strain of everyday police work (Eckert et al. 1998) and are rather "[...] actions with a valve function" (Maibach 1996: 191), which are generally directed against people with little power to complain (ibid.). Subsequently, the number of published studies on the above topics decreased. Any studies that did appear in this period painted a virulent picture, such as those by Schweer and Strasser (2003) and Wiendieck et al. (2002).

Studies on the (unlawful) use of force by the police in Germany have so far hardly addressed the question of the extent to which persons with a migration background or people of colour (PoC) are affected more frequently or differently (Abdul-Rahman et al. 2020). One exception is the collection of case studies by Bruce-Jones (2012, 2015), which identify structures of institutional racism. End (2017) examines police practice with regard to investigative approaches concerning discrimination against Sinti and Roma and points to a possible lower threshold of the use of violence in this case. A recent study from Hamburg among police trainees also showed that negative stereotypes towards people perceived as Muslim mainly existed among those who reported contact with this group in their professional capacity; police officers with corresponding private contacts, on the other hand, had a more positive attitude (Kemme et al. 2020). Another recent survey in the German state of Hesse found that the majority of officers surveyed placed themselves in the political centre. Almost one-fifth (18%) of participants said that colleagues had made racist remarks to them, 45% saw the police as being rather prejudiced and 40% did not perceive critical behaviour (HMdIS 2020). It was also found that 44% of the police officers interviewed stated that they had experienced the "insinuation of racism when carrying out measures" as being particularly stressful (ibid.: 10). The results indicate that the officers themselves generally do not see themselves racist or discriminatory and are

therefore often unable to comprehend the accusations made by the persons concerned. Nevertheless, the research situation in Germany is insufficient and does not do justice to the quantity and severity of past and present incidents. Moreover, academic findings show large gaps with regard to the manifestation and spread of discriminatory attitudes and practices. On the one hand, the studies available to date have only examined individual areas of activity and work in the daily routine of the service and, ultimately, only regional sections. On the other hand, however, the information base is in-adequate and access to research is difficult (Hunold & Wegner 2020).

In the case of Austria, it is hardly possible to present a comprehensible and congruent academic research into the topic of discriminatory attitudes and practices in the police. On the one hand, this is due to the fact that the clarification of the events and cases is hardly pursued legally. On the other hand, there are only very few published studies on topics such as discriminatory attitudes and practices within the Austrian police. In 2011, an investigation by the Austrian advisory council on human rights (German: "Menschenrechtsbeirat" (MRB)) revealed that, particularly in the Vienna police inspectorates, allegations of abuse were often regarded as routine on the part of the officers and were not investigated appropriately. The commissions of the MRB also gained the impression that the heads of the respective departments showed little interest in the fact that allegations of mistreatment were frequently made against certain officials (Bundesministerium für Inneres 2012). In addition, the MRB found that prisoners from certain nations or regions (primarily GUS countries and Africa) are discriminated against compared to other prisoners (Bundesministerium für Inneres 2012). A study by the Austrian Center for Law Enforcement Studies at the University of Vienna notes that, in the period from 2012 to 2015, 1518 allegations of mistreatment, were made against Vienna and Salzburg police officers (Reindl-Krauskopf et al. 2018). Between the beginning of 2017 and the end of May 2019, this number amounted to 3677 cases, as emerged from a parliamentary question of the NEOS party to the Ministry of Justice (Bundesministerium für Verfassung, Reform, Deregulierung und Justiz 2019).

2.2 Democracy, Human Rights and Civil Society

A modern democratic state allows its citizens to draw on a set of fundamental, inalienable rights, while it is obliged to facilitate and secure constitutional settings which preserve and formulate these legal principles in detail (Lessenich 2019; Vorländer 2019). Typically included into the democratic legal framework is the acknowledgement of universal human rights. As Amartya Sen (2020) points out, these are not an independent legal frame, but rather moral and ethical demands which, broadly speaking, emphasize human freedoms, rights and consecutive duties, regardless of one's nationality.

Human rights seek to protect the human beings against all kinds of endangerment and legitimates actions to ensure safety, to counter possible threats and create a secure environment. The democratic state is seen as one of the most effective and successful articulations of human rights and their political implications, lifting them from mere ethical principles to concrete laws (Llanque 2016). Furthermore, democracy is commonly known and defined as the form of government that places the sovereignty of the people at the very heart of its constitution. By facilitating freedom and equality, connected to political participation and engagement in the decision-making process, the political process necessarily becomes more transparent. By implication, the term "democracy" describes a way of legitimation of a government and its power as well as the way this power is exercised. The people decide on constitutional matters, on political order and its protagonists and thus receive access to legislation and governmental activity (Vorländer 2019; Frevel & Voelzke 2017).

In the logic of human rights, individual freedom is regarded as the natural human condition and, at the same time, the ideal state of personal living. For the sake of equality this not only legitimates pursuing one's own freedoms and rights, but also justifies an interest in other people's freedoms and rights (Sen 2020). Accordingly, one person's freedom constitutes the limiting factor of another person's freedom, and vice versa. Recognizing this special balance holds several political and social implications. Freedom of speech, expression and opinion, for example, are crucial features of every democracy and its values. Accordingly, a pluralist, diverse and, at the same time, tolerant society becomes a democratic ideal, recognizing that modern states combine a multitude of interests, attitudes, living situations, ethnicities, religions, sexualities (Frevel & Voelzke 2017).

While legislation in conformity with human rights is an important pre-condition to foster the standards and norms connected to them, it is certainly not the only means. Success and failure of human rights are also determined by public discourse and reasoning. Each related claim must be ultimately sustained through public review (Sen 2020). A transparent and accessible public sphere as a place for deliberative exchange is indispensable for guaranteeing human rights (Castells 2008). The public sphere furthermore serves as the stage for interaction between the state and its stakeholders where demands, consent and contention can be expressed. Democracy is thus also founded on mobilizing individual and collective players to participate in deliberative discourse. In other words:

> "[…] the lifeblood of democracy consists in citizen self-organized participation in politics." (della Porta & Felicetti 2018: 263)

On this basis, civil society players, such as NGOs or social movements, emerge and can perform a function of advocacy for human rights as well as monitoring violations. By embedding their findings and accusations into public discourse, they possess a powerful tool for integrating human rights norms into the democratic framework (Sen 2020).

Civil society connects individuals and organizations who voluntarily engage in public matters and try to pressure governments into a preferred direction (Brieskorn 2005). The concept recognizes that citizens can organize their interests and concerns to express them collectively. This is the condition for civil society to take a role in politics and influence other parts of society (Schade 2005). By politicizing themselves and actively promoting their values across the public sphere, they make use of and strengthen the democratic principles of political participation (Klein 2001). Hence, the concept postulates a special relation between the political apparatus and the citizens, which is enacted in democratic constitutions. In the latter, political participation is generally facilitated through active and passive suffrage and basic democratic rights and freedoms. This is connected to a normative image of the mature and responsibly acting citizen (Schade 2005).

Civil society organizations (CSOs) are typically based on voluntary engagement by their members who subjectively pursue goals of the common good, do not carry out governmental tasks, are non-profit, do not distribute surpluses from their activities to members, shareholders or

third parties, act in a self-authorized and self-organized manners, and rely to a significant extent on the degree to which their associates are willing to invest their time and work (Strachwitz 2020). In practice, the range of civil society players and of possibilities for participation is broad nowadays. While there are more formal players such as non-governmental organizations, foundations and think tanks, also less formally organized activist groups exist who typically engage in activities such as protesting, signing petitions and organising sit-ins (Stehr 2016).

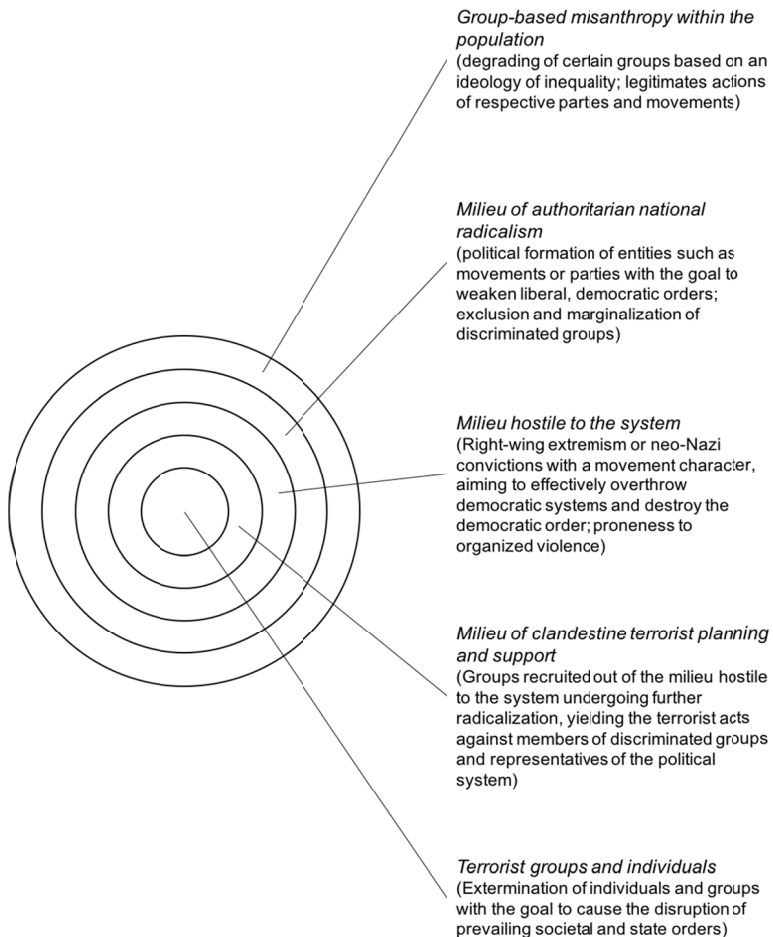### 2.3   Group-Based Misanthropy and Institutional Discrimination

The term "group-based misanthropy" (GBM) describes an ideology of inequality and disintegration. People are discriminated against based on their ethnicity, nationality, religion, culture, or because of their gender or sexual orientation. Also, long-term unemployed, disabled or homeless people are confronted with GBM. Notably, GBM not only comprises the rejection of what is perceived as an alien threat, but the general denigration of what is assessed as a deviation from accepted norms. It is empirically proven that a person with a derogative opinion about one discriminated group is likely to express comparable attitudes about other groups as well. While these attitudes as such do not necessarily result in the use of force, GBM serves as the legitimation for political radicalization. Following the assumption that GBM-based convictions are relatively widespread within society, it allows those who are more radicalized to draw on 'the people' as the ones who share the same convictions (Heitmeyer et al. 2020; Klein et al. 2014; Zick & Klein 2014).

As Zick and Küpper (2016) argue, a sufficiently strong conviction has the potential to influence individual and collective behaviour. Paired with a general acceptance and willingness to use force, especially in environments that do not counter GBM-attitudes consistently, the incorporation into the behaviour is facilitated. Heitmeyer et al. (2020) suggest a concentric model of escalation to illustrate the stages of radicalization (Figure 1). The model is conceived as an onion pattern with five layers, to differentiate between the growing proneness to using violence concomitant with the stages of radicalization.

The outer layer contains general group-based misanthropy within society connected to discrimination against certain groups as described

above. With each following layer, GBM gradually becomes more ex-treme and more connected to the acceptance and use of violence. Hence, the innermost layer consists of terrorist associations with distinct at-tempts at destruction. While the degree of radicalization and the propen-sity towards violence increases with each layer, general approval among the population decreases.

Figure 1: Concentric Model of Escalation

Group-based misanthropy within the population
(degrading of certain groups based on an ideology of inequality; legitimates actions of respective parties and movements)

Milieu of authoritarian national radicalism
(political formation of entities such as movements or parties with the goal to weaken liberal, democratic orders; exclusion and marginalization of discriminated groups)

Milieu hostile to the system
(Right-wing extremism or neo-Nazi convictions with a movement character, aiming to effectively overthrow democratic systems and destroy the democratic order; proneness to organized violence)

Milieu of clandestine terrorist planning and support
(Groups recruited out of the milieu hostile to the system undergoing further radicalization, yielding the terrorist acts against members of discriminated groups and representatives of the political system)

Terrorist groups and individuals
(Extermination of individuals and groups with the goal to cause the disruption of prevailing societal and state orders)

Source: Heitmeyer et al. (2020). Own translation.

The model furthermore highlights that widespread GBM, as the outermost layer, serves as the foundation of extremist attitudes and legitimates the use of violence as a means to substantiate beliefs and social and political ideals (Heitmeyer et al. 2020). With each further layer of the concentric model presented above, the idea of democracy and human rights is increasingly neglected and opposed. It depends on the level of radicalization whether the minimum consensus of democracy, consisting among other things in the recognition of human rights, freedom and equality as the natural human condition, as well as civil society and an accountable government, is met. It follows that, while GBM exists within democracies, it is not regarded as an integral part of it (Backes 1989).

GBM can be found on all levels of society, including state institutions. Consequently, it leads to institutional discrimination, defined as:

> "[…] practices that discriminate, legally or illegally, a minority group by virtue of its ethnicity, gender, culture, age, sexual orientation, or other target of societal or company prejudice." (Aronson et al. 2013: 451)

Further, institutional discrimination refers to the disadvantageous treatment of persons by the "[…] organisational actions of central social institutions […]" (Gomolla & Radtke 2009: 169) such as the police. In detail, there are several ways of unjustifiably disadvantaging persons or groups, distinguishing between both direct and indirect discrimination. Direct institutionalized discrimination refers to actions that are possible or prescribed in the organizational or local context of action and are intended to have a negative effect on members of particular groups. In contrast, indirect institutionalized discrimination refers to practices that have negative and differential effects, even though the organisationally prescribed norms or procedures were established and carried out without direct prejudice or intent to harm. Superficially, and in terms of their intent, these practices are perceived as appropriate, justified or at least neutral (Feagin & Booher Feagin 1986).

3. Methodology

Methodologically, this work relies on a qualitative approach, combining a thorough literature review as well as qualitative questionnaires that were answered by relevant organizations and experts from both Austria

and Germany. A total of six interviews were conducted, of which four were with organizations and experts from Germany and two from Austria. Almost 40 relevant stakeholders were contacted and asked for interviews.

Interview partners were selected based on their relevant work in the field of violence committed by the police in Germany or Austria. The data was collected via qualitative questionnaires that were either sent out and answered via mail, in written form, or orally by telephone or online. The questionnaire consisted of nine questions dealing with civil society and police violence. For the analysis, data drawn from the interviews was combined with recent research on the topic to complement and underpin statements by the interviewees. These findings were then evaluated in the light of the theoretical framework.

Austria and Germany were chosen since, based on their shared language and common history, cultural proximity can be assumed. Furthermore, the literature review and preliminary research from Germany and Austria have shown that the situation concerning police violence is comparable in the two countries. Based on these findings, the role of civil society in both countries is analysed. Notably, however, the two countries are not compared with regard to commonalities and examples. The aim is to depict the current situation in both countries together.

4. Findings: Police Violence in Germany and Austria and the Role of Civil Society Organizations

4.1 Role, Function and Measures

Unveiling hidden structures through monitoring and documentation remains a crucial task. As two interviewees stress, civil society initiatives are indispensable for the documentation and analysis of relevant cases. On this matter, figures of the light and dark field are discussed frequently. The light field, i.e., official figures, are, for example, the provided by the police itself. German police crime statistics recorded 1579 alleged victims of assault by police officers in 2019. Of these, 25% did not have German citizenship, and a further 5% were asylum seekers or refugees. The most common countries of origin were Iraq, Afghanistan, Lebanon, Turkey, Syria, Poland and Romania, indicating GBM regarding skin colour or

nationality. In about one of ten cases, the nationality of the victims could not be clarified (Bundeskriminalamt 2020). Similar figures were found in a file analysis in Bavaria (Luff et al. 2018: 234). Considering the proportion of people in Germany who do not have German citizenship, which amounts to 12%, and those who have a migrant background, which amounts to 26% (Statistisches Bundesamt 2020: 134), it becomes apparent that those with a migrant background or non-Germans are over-represented among the alleged victims of bodily by police officers. Moreover, it is evident from the statistics that the number of assaults by police officers has remained largely constant after a decline in recent years.

Figures on the dark field of GBM-motivated cases of police violence in Germany are hardly available. They are only recorded by NGOs such as KOP – Campaign for Victims of Racist Police Violence[1] who published the "Chronicle of Racially Motivated Police Incidents for Berlin from 2000-2020" (KOP 2020). In addition, Amnesty International Germany published the report "Perpetrators unknown"[2] in 2010. It is based on the organisation's research on deaths in police custody, excessive police violence and abuse cases in Germany since 2004, focusing not only on GBM-motivated police violence but on police violence in general (Amnesty International 2010). Amnesty International concluded that the investigation methods and procedures in cases of alleged police ill-treatment or disproportionate use of force regrettably do not yet comply with the principles enshrined in the human rights treaties signed by Germany (Amnesty International 2010). One German interviewee refers to activities in cooperation with other organizations as well, examining research perspectives on the prevention of extremism, which includes structural violence within the police. Furthermore, the interviewed organisation cooperates with research institutions to tackle implicit consequences of GBM within the police and its impact on society.

Not only depicting the victims' perspective and gathering data but serving as a point of contact appears to be a crucial function of CSOs. On a national and sub-national level, different information and advice centres exist which specialise in different fields of GBM-related dis-crimination and violence and which also deal with police brutality. Here, victims can

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[1] Original: Kampagne für Opfer rassistischer Polizeigewalt.
[2] Original: Täter unbekannt: Mangelnde Aufklärung von mutmaßlichen Misshandlungen durch die Polizei in Deutschland.

seek legal advice and assistance in pursuing legal redress. One Austrian interviewee also elaborated on the case on Bakary Jassey, an immigrant who was seriously abused and tortured by Austrian police officers during a failed deportation attempt in 2006. The case gained wide publicity, and civil society organisations, among them Amnesty International, supported the victim and his family throughout the trial and conducted thorough research and documentation.

Besides gathering and providing information and advice, running training with the police is another important aspect of civil society work. One interview partner, for example, initiated a congress in 2020 where representatives of the police, researchers and civil society players gathered to discuss structural and institutional GBM within the police. Some security authorities also received direct advisory services from the foundation, specifically dealing with GBM and police brutality. One Austrian expert also refers to several training courses that have been, and are being, conducted with police officers of all ranks.

4.2   Omissions and Obstacles

In 2003, a study was carried out with civil servants in Duisburg, Germany. 92% stated that they would treat non-German and German persons equally yet at the same time 45% said that their colleagues tended to discriminate against persons of foreign origin (Schweer & Strasser 2003: 256f.). In a survey by Wiendieck et al., also carried out in Germany, 86% of police officers rated a case of racist police violence as "very bad", whereas 23% said that such a case could certainly happen (2002: 40). In the case of Austria, Amnesty International published a report in 2009 stating that the majority of victims of abuse by police were members of ethnic minorities (Amnesty International 2009).

Although measures have been and are being taken by the police, there is still criticism that certain informal structures are an impediment to effective accounting. The esprit de corps is constantly[3] blamed when it

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[3] There is no precise definition of esprit de corps. In the broadest sense, it is understood as an identification with a group association. In this group association, one feels obliged to show solidarity with the other members because the other members of this association belong to one's own professional group and this solidarity leads

comes to institutionalized GBM. While it is often stressed on the part of the police that police officers must be able to rely on each other, one interviewee stresses that esprit de corps leads to the silencing of critical voices from the inside. Informal structures fostering beliefs as well as the normalization of the use of force to solve conflicts are thus reproduced and strengthened. For example, it has been argued that attacks ascribed to a GBM-motivated attitude were excused by the constant strain of everyday police work and came to be regarded as a result of (negative) work experience (Eckert et al. 1998). They must rather "[...] be seen as actions with a valve function" (Maibach 1996: 191). Jaschke (1996) also contributed an approach consisting of four interpretive patterns that are used to relativise xenophobia by police officers and are still used today. First, violent police officers are often seen as lone perpetrators in order to avoid conclusions being drawn about the police as a whole. Second, reference is often made to other professions with similar cases in order to put GBM-related incidents into perspective. Furthermore, it is claimed that the police can be seen as a mirror of society and that the accusation of xenophobia is therefore unjustified. Finally, the accusations are simply negated as a construct of the media with the intent to defame the police (Jaschke 1996).

One interviewed expert further states that the effects of habituation have a direct impact on younger colleagues who are trained and influenced accordingly. These observations are underpinned by a study conducted between 2013 and 2017 with 160 candidate inspectors of the University of Applied Sciences for Public Administration in North Rhine-Westphalia, Germany. Participants were interviewed regularly during their studies and six months after they had joined the police on how they dealt with "foreignness". Notably, a change in attitude was observed among participants. While there was a decrease in xenophobic attitudes during their studies, there was an increase in the first half year after they began their work (Krott et al. 2019).

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to active actions. In the police context, this is often perceived negatively. Here, esprit de corps is "[...] primarily associated with an 'alliance of silence', i.e. when police officers do not contribute to the clarification of a crime in the course of a public prosecutor's investigation or in a court trial, but conceal the facts of the case through obvious collusion or conspicuous forgetfulness" (Behr 2006: 93).

Although there is evidence of cases of police violence and discrimina-
tory behaviour against certain groups, the data remains insufficient, and it
must be assumed that the estimated number of unknown cases far outrank
official figures. Moreover, the explicit academic findings show large
gaps with regard to the manifestation and spread of discriminatory atti-
tudes and practices. On the one hand, this is because the studies available
to date have only examined individual areas of activity and work in the
daily routine of the police and ultimately only regional sections. On the
other hand, the information is inadequate and access to research and data
is difficult (Hunold & Wegner 2020). In Austria, even less data is avail-
able than in Germany. One German interview partner points out, the phe-
nomenon of police violence generally did not receive enough attention,
accusing research projects of not giving sufficient emphasis to the situa-
tion. This is recognized during another interview, during which it is stated
that a nationwide survey on GBM-related violence must be conducted.
Any holistic analysis is further exacerbated by Germany's federal struc-
ture since responsibility for policing is the remit of the federal states.
While in some states such as Schleswig-Holstein, individual studies have
been commissioned, they are still at an early level and a nationwide sur-
vey is called for. This is also explicitly recommended by the European
Commission against Racism and Intolerance (ECRI 2020). It is stated
that access to relevant data is partially restricted, presumably by the rele-
vant authorities.

Ultimately, the police posseses considerable power to define what is
considered dangerous or deviant in society so that discriminatory actions
by the police can reproduce racist structures within society (Feest &
Blankenburg 1972; Basu 2016). In this context, Thompson (2018) em-
phasizes that the frequency of police stops against PoC:

> "contribute[s] to the societal criminalization of racialized subjects, as it
> leaves the public with the impression that the police have a reason to do
> so and that those stopped and searched are in fact criminals." (ibid.: 206)

Thus, controls of PoC in public spaces create the perception in society of
an increased incidence of crime among these individuals (Mohrfeldt 2016:
60).

4.3   Trends, Potentials for Improvement and Success Factors

A German interviewee remarks that although it has become easier for victims to seek help and advice there are still too few independent advice centres and complaints offices, and investigations are not sufficiently far-reaching. As positive examples, the United Kingdom and Denmark are named. However, it is also observed that legal prosecution of GBM-related violence by the police remains lacking. Overall, the capacities of independent police complaints bodies in Germany and Austria are not regarded as comparable to those in other European countries, where complaints bodies have the powers of an investigative authority. The capacities of the independent complaints bodies in Germany, such as access to files at the interior ministries of the police authorities subordinate to the Länder, are very limited (Görgen & Hunold 2019). According to an Austrian Expert, recent plans in Austria to set up such offices have been criticised for their lack of independence as they are intended to be directly connected to the Ministry of the Interior.

A German interview partner observes more frequent dialogue between civil society and academia, while researchers have examined police violence constantly and critically. Also politicians have begun to express an interest. However, the police itself is only rarely willing to participate in any such exchange. This trend is recognised as the success of civil society players who have repeatedly drawn attention to the topic. The role of journalists and experts in shedding light on connections between police offices and the extremist scene is stressed. Especially the debate around "racial profiling" has been brought up by civil society organisations. The exchange of information and research between civil society and academia needs to be strengthened.

Thanks to public pressure created by civil society the topic is now increasingly acknowledged by institutions and the public. Thanks to a number of prominent cases that caused a massive wave of awareness in both Germany and Austria, the topic has moved higher up the public agenda. It is remarked by a German interview partner that, within police unions, training and research are recognising the issue's urgency more and more. An Austrian expert also acknowledges successes with regard to training and highlights the professional performance of the Austrian police during demonstrations and at football matches. At the same time, he states that the success of training is always limited by the esprit de corps, the inter-

nal culture and individual belief systems that sustain certain patterns of behaviour. Abdul-Rahman et al. (2020) stated in the second interim report of the current study KviAPol[4] that intercultural and anti-racism training for police officers was generally considered useful to reduce discrimination and unlawful use of force. However, the training was also questioned because it was neither extensive enough nor given enough time in basic and advanced training. Furthermore, the knowledge acquired was not transferred into the police culture of the police stations. There has also been criticism that the training was often reduced to individual prejudices and took less account of social structures (ibid.). The experts from the affected persons' representations and advice centers also pointed out that the police need to be made aware of a "comprehensive understanding of racism" (ibid.: 47), since this understanding is still "extremely narrow" (ibid.).

Several interviewees conclude that in order to tackle police violence effectively, perpetrators have to be persecuted with more vigour. In Austria, as Amnesty International elaborates, even in publicly known cases, culprits usually get away with:

> "[...] minimum sentences and extremely lenient disciplinary measures, and not infrequently they are publicly supported by their administrative superiors." (Amnesty International 2009)

In Austria, the bodies entrusted with investigating and punishing racist discrimination by officials have repeatedly failed, even in particularly serious cases. Even with publicly known cases, they usually get away with minimum sentences and extremely lenient disciplinary measures, while they often are publicly supported by their administrative and political superiors (Amnesty International 2009). As one expert states, in Austria the esprit de corps reaches beyond the police itself so that also officials from the Austrian Ministry of Interior or the jurisdiction often cover up for allegedly guilty officers. Often relevant deeds are played down as individual cases, denying structural problems. As a result, most cases are not documented properly. Also interview partners agree that a culture of impunity is thus created. This is also exemplified by the low number of con-

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[4] Original: Zweiter Zwischenbricht zum Forschungsprojekt "Körperverletzung im Amt durch Polizeibeamt*innen" (KviA-Pol) – Rassismus und Diskriminierungserfahrungen im Kontext polizeilicher Gewaltausübung.

victions. A study by the Austrian Center for Law Enforcement Sciences clearly shows that in about 1500 reported cases between 2012 and 2015, there were only seven indictments. None of these cases resulted in a conviction while the remaining cases were dropped before coming to trial (Reindl-Krauskopf et al. 2018).

In one interview, it is pointed out that the state also has responsibility in supporting civil society in its fight against tendencies in state institutions. CSOs can legitimately claim state assistance in their research and can demand transparency. While it remains the task of civil society players to actively approach authorities and explicitly demand cooperation, it is emphasised that the democratic state is also accountable to civil society. At the same time, all interviewees conclude that institutional discrimination and violence originating from the police are to be regarded as an impediment to democracy. Due to the lack of political willingness to approach the topic effectively victims lose faith in the police and the state as such, as another interviewee points out. It is furthermore stressed that the impunity of police officers shows the inconsistency of the constitutional state and incomplete enforcement of the law in the state institutions. The lack of political will not only jeopardizes the condition of the constitutional democracy but is, according to an Austrian expert, the limiting factor of civil society work since claims and demands usually peter out.
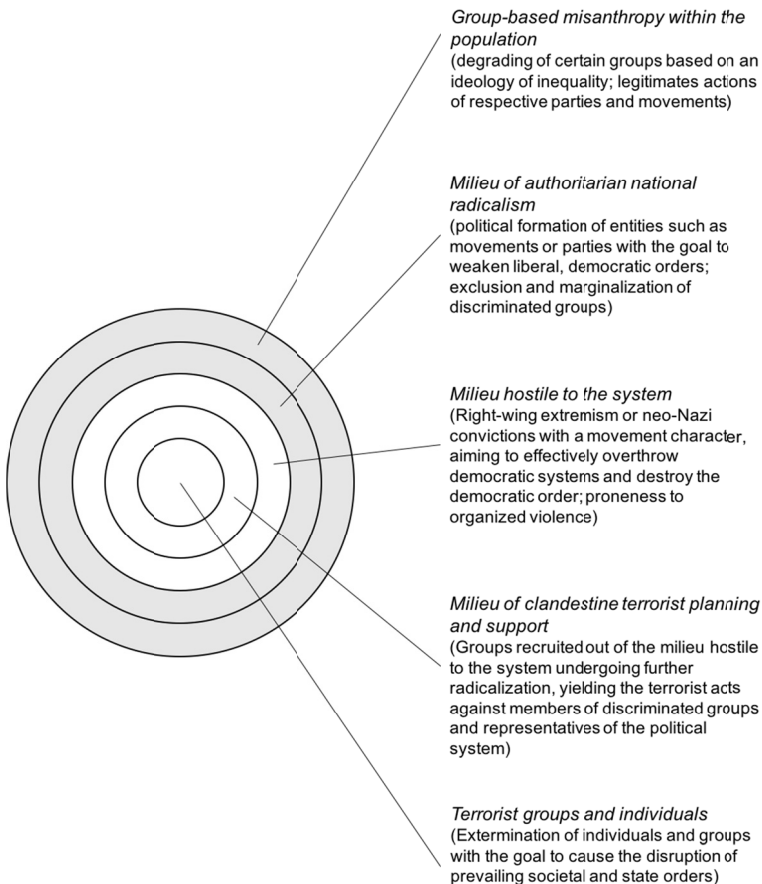
5. Discussion

Reviewing the information and data on police violence collected it can be stated, based on the assumptions made in the theoretical part, that GBM-motivated structures within the German and Austrian police, leading to the unjustified use of force, exist. Applicable research and the experts interviewed for this study agree that police officers not only exhibit discriminatory behaviour towards certain groups, but that they also use violence. Placing the kind of violence described in the concentric model of escalation presented above, police violence would be located between the first and second layers (Figure 2).

Large parts of the work of CSOs revolve around documenting relevant cases and making them public. This is also proven by the fact that most of the research and studies cited in this work have been published and produced by non-governmental organizations and research institutions.

Accordingly, CSOs tackling police violence in Germany and Austria contribute to creating greater transparency as well as a basis for deliberative decision-making processes. At the same time, it has been clarified that CSOs serve as a point of contact for victims to obtain advice and assistance in pursuing potential legal action. Thus, they help to ensure that perpetrators are charged. This means that civil society not only holds the state accountable by means of public pressure but by upholding the constitution and insisting on the enforcement of human rights.

Figure 2: Adapted Concentric Model of Escalation

Group-based misanthropy within the population
(degrading of certain groups based on an ideology of inequality; legitimates actions of respective parties and movements)

Milieu of authoritarian national radicalism
(political formation of entities such as movements or parties with the goal to weaken liberal, democratic orders; exclusion and marginalization of discriminated groups)

Milieu hostile to the system
(Right-wing extremism or neo-Nazi convictions with a movement character, aiming to effectively overthrow democratic systems and destroy the democratic order; proneness to organized violence)

Milieu of clandestine terrorist planning and support
(Groups recruited out of the milieu hostile to the system undergoing further radicalization, yielding the terrorist acts against members of discriminated groups and representatives of the political system)

Terrorist groups and individuals
(Extermination of individuals and groups with the goal to cause the disruption of prevailing societal and state orders)

Source: Adapted from Heitmeyer et al. (2020). Own translation.

Esprit de corps has been identified as one of the main obstacles to effectively tackling police violence. It has been found to have an indoctrinating impact on young police officers and leads to critical beliefs and patterns of behaviour being replicated. As a result, accountability within the police is severely hindered. Regarding the work of CSOs this is especially problematic. On the one hand, through the cultivation of silence and secrecy, the possibilities to conduct thorough research on relevant cases are limited. Acts of violence against marginalized groups do not receive proper coverage. Highly relevant aspects of police work are hidden from public debate and mostly kept away from political agenda-setting. On the other hand, perpetrators are rarely accused and convictions are even rarer. This shows the limits of civil society assistance for legal measures. This fact has further implications for the secrecy and coverage for culprits within public administration and the judiciary.

Connected to the scarcity of data is the lack of political will to tackle violence by the police effectively. Where information is not fully available, the public debate slows down. Only occasionally, when certain prominent cases become public, do waves of collective awareness reach the wider public. However, as it appears, pressure on governments and their representatives has not been sufficient to yield concrete action. At the same time, as long as politicians do not express their willingness to tackle the issue with more determination, and as long as GBM-motivated violence within the police is denied, the situation will most likely not improve.

In the case of police violence, the interplay between the poles of democracy and GBM is of particular relevance. As a democratically legitimated institution with the duty of ensuring public security it is fatal if representatives of the police display discriminatory and abusive behaviour towards certain groups. If those officially charged with the task of law enforcement act against the constitution and against the inherent values of human rights, this can be regarded as a particular threat to the quality of democracy. This leads to the fact that trust in the state and its organs is diminishing among those groups targeted by violence. This also contributes to the normalisation of GBM.

Generally, if the state does not act according to its own constitution, and if the system of checks and balances fails to counterbalance critical conditions within the executive forces, this implies further deficiencies in the quality of a country's democracy and its commitment to human rights. Determined political action and reform are called for to finally improve

protection for victims and weaken the dynamics of GBM within state institutions. In Germany, there has recently been a debate around a comprehensive study on racist structures within the police.

6. Conclusion

Scrutinising the role of civil society in tackling police violence, it appears that, in the current situation, civil society in Austria and Germany has a key role in raising awareness of the problem of police violence. Apart from occasional waves of protest and awareness in the media and the wider public, connected to particularly heinous cases, police violence is not an inherent part of public debate. Since both in Germany and Austria there appears to be no political will to truly tackle the problem and recognise it as such, civil society must continue to raise awareness, document relevant cases, support victims individually and in court, conduct research, run training, raise awareness of the topic in public and hold decision-makers accountable. As long as police officials and representatives of the state do not begin to initiate change, these actions will not be as successful as they could be. Perpetrators within the police have to be indicted and convicted of the crimes they commit. The esprit de corps must be broken in a way that allows crimes to be uncovered. Civil society experts must gain prolonged access to the institutions to independently collect data on relevant cases, to document and describe situations realistically and to enable effective prosecution. Finally, politicians have to recognise police violence as an existing structural problem with grave consequences. As long as these barriers are not tackled, raising awareness through the various channels available will lead to nothing. After all, providing legal assistance where no trial takes place is certainly in vain.

To conclude, the role of civil society in Germany and Austria is more than crucial in tackling violence within the police. As the only stakeholder constantly and consistently fighting it and regarding it as a structural problem, civil society's responsibility is huge. It mediates between the two poles of democracy and anti-democracy. Also to recognize the fact that police violence is a structural problem that is not limited to single cases in individual states, stronger civil society cooperation across borders would be beneficial. This would not only lift national activism on a

supranational scale but would also contribute to the strengthening of a European civil society.

The findings of this research are limited by the number of interviews and by the answers received by the interviewees. Furthermore, because this paper is designed to be very broadly based, many relevant topics could only be dealt with on a superficial level. Accordingly, the present research can be seen as the foundation for a variety of further research projects. Firstly, the database could be complemented with information from other countries and knowledge from further experts and organisations. Secondly, the different barriers could be analysed in more detail as could their contribution to maintaining institutional discrimination. Finally, the various measures and functions of civil society could be examined further.

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How Can Social Movements Contribute to Societal Change?

Using the Example of the Black Lives Movement and its Stakeholders in Germany

Iulia Moaca

1. Background

1.1 The Death of George Floyd and the Social-Political Movement Aftermath

On 20 April 2021, eleven months after the death of George Floyd, former police officer Derek Chauvin was found guilty of all three murder charges against him by the court of Minneapolis. Police violence against Black and Indigenous People of Color (BIPoC) had been a topic of discussion in the United States of America for a long time before this incident, but circumstances around the death of George Floyd seemed to radically change the political discourse about racism and racist structures in societies around the world, especially those with a colonial past.

On 25 May 2020 during a police operation in Minneapolis, Minnesota, Derek Chauvin arrested George Floyd. While holding Floyd in custody, Chauvin knelt on Floyd's neck and back for approximately nine minutes, while Floyd repeatedly claimed that he could not breathe due to Chauvin's position on his body. Even though Floyd made it clear that Chauvin's actions were causing him distress and physical pain, Chauvin ignored Floyd and did not change his position on Floyd's body; Floyd died of suffocation. Chauvin was convicted of second-degree unintentional murder, third-degree murder and second-degree manslaughter. Chauvin could face up to forty years in prison for second-degree murder, up to twenty-

five years for third-degree murder and up to ten years for manslaughter. Minnesota's sentencing guidelines recommend about twelve and a half years in prison for each murder charge and about four years for the man-slaughter charge. In the case of Derek Chauvin, the state has asked for an even tougher sentence than the recommendations normally provide (cf. Cooper & Levenson 2020).

After the death of George Floyd, citizens of the United States of America and many other states around the world demonstrated against racist structures of police action, racist societal structures and the every-day racism experienced by BIPoC around the world. The worldwide pro-tests, which were the focus of media attention in the following weeks, gave the impression that Floyd's death led to an emotional, but honest, discussion of the complex topic around racism that had not been in the spotlight to such an extent thus far.

1.2   The Black Lives Matter Movement and Its Influence in Germany

The Black Lives Matter movement was founded by Alicia Garza, Patrisse Cullors and Opal Tomei in 2013 (cf. Black Lives Matter 2021). Their aim was to address the unequal treatment and discrimination of BIPoC, mainly by blogging on social media. In recent years, the Black Lives Matter movement has grown into a transnational social movement which is active in many states around the world, one of them being Germany, whose story of its own colonial past is yet to be fully examined histori-cally and socially. The worldwide Black Lives Matter protests in 2020 demonstrated that many states have difficulties to identify recast patterns and behaviours within their societies. Action to fight and overcome deep-seated racism needs to be developed over time. Germany, being one of the states that maintained colonial power over African states in the 19th century, is well known for its multicultural population nowadays. But in Berlin and other German cities, there are still streets named 'Mohren-straße', pharmacies named 'Mohren Apotheke' or even a brewery named 'Mohrenbrauerei' – 'Mohr' being an old German term for a person of colour (in English: Moor), a term that is perceived as derogatory and of-fensive for the black community in Germany. Even though this term is no longer used in German and is perceived as an old-fashioned and non-contemporary term, it can still be found in everyday life in Germany. In

2020, there was a debate about renaming "Mohrenstraße" in Berlin into Anton-Wilhelm-Amo-Straße, but resistance from local residents and politicians prevented action initially (cf. Wildangel 2020). In March 2021, the district authority of Berlin Mitte finally decided to rename the street Anton-Wilhelm-Amo-Straße; Anton Wilhelm Amo was the first black German philosopher and jurist (cf. Roelcke 2021). In Germany, the country's own colonial past and the crimes committed during colonialism, for example, the genocide of the Herero and Nama people in Namibia, were never the subject of debate as finally happened in 2020 (cf. Pelz 2021). The institutional racism experienced on a daily basis but rarely openly addressed as a central issue by those who have the voice and power to do so shows the ignorance with which this topic was handled in the past. Daniel Pelz (2021) describes this as "a topic that barely sees the light of day in Germany". It is worrying that the German school system does not give Germany's colonial past the space that it needs to educate and build an understanding and realistic view on that topic (ibid.).

1.3 Research Question

Starting from the interest of the aftermath of the tragic incident and the circumstances of the death of George Floyd, this study aims to explore whether, and if so how, social movements like the Black Lives Matter movement in Germany can contribute to societal change. In order to answer the research question, three German Black Lives Matter stakeholders and their socio-political commitment were analysed.

2. Theoretical Foundations

2.1 Civil Society as Arena of Collective Action

Before the death of George Floyd in May 2020, the German Black Lives Matter movement and its stakeholders were barely visible in Germany. Topics such as racism and racist structures in German society had rarely been exposed to a wider debate before. Taking a look at the media shift from 2020 to 2021 related to the Black Lives Matter topic, it can be seen that the Black Lives Matter protests in 2020 brought more visibility and

therefore relevance to the issues of racism and discrimination in Germany. One year after the murder of George Floyd it can be seen that the media presence of the German Black Lives Matter stakeholders analysed has decreased again and the main topics around their socio-political commitment are no longer presented by the German media on a daily basis as they had been one year previously. Nevertheless, the global Black Lives Matter protests and the German Black Lives Matter movement as a social movement have raised a new discussion about the current status of ideological beliefs in German society when it comes to topics of racism and racist societal structures in Germany, but also the country's colonial past, which remained a taboo for many years and has only now begun to be discussed and taught in a more differentiated manner.

As a social movement, the Black Lives Matter movement has its roots in the civil society which, as part of society, is organised in different ideological groups that can have an influence on the state and the market. The theoretical foundation of this study is based on Priller, Strachwitz and Triebe's understanding that society is divided into three arenas of collective action (cf. Priller et al. 2020: 142).

The authors rely on the model of the three arenas of collective action and their different logics of action developed by Francois Perroux, who studied the concept of the homo oeconomicus, which states that individuals always act with their own economic benefits in mind (cf. Priller et al. 2020: 143). These three arenas of collective action within a society are the following: the arena of the state, the arena of the market and the arena of the civil society. Every arena has a different logic of action and the individual, being the smallest unit in the societal complex, stands in the center of the three arenas. The three arenas exemplify the complexity of the organisational structures and conditions in which individuals act in modern societies. The three arenas are permeable areas that allow intersections and overlapping action by individuals, groups, corporations and institutions (ibid.: 142 f.). In summary, the research in this study is based on the understanding that society as a construct is divided into multiple functional parts that work as a system with its own rules and mechanisms. These functional parts do not exist as isolated fields within a society but have a mutual influence on one another and function together as a whole.

Figure 1: Three Arenas of Collective Action
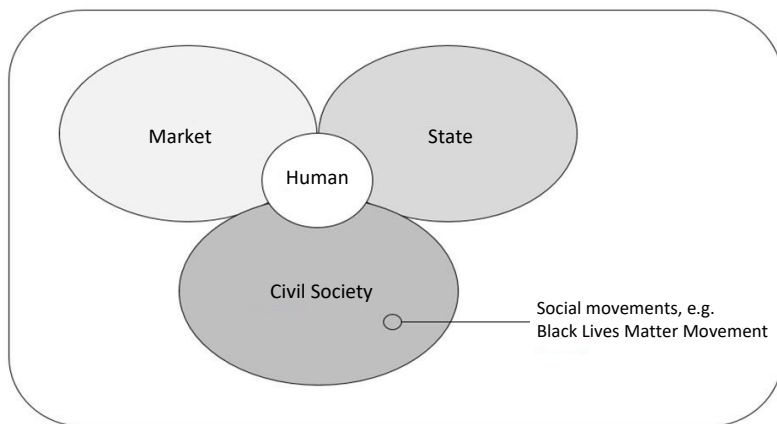
2.2   Social Movements as Change Agents of Civil Society?

Social movements act as civil society stakeholders in one of the three arenas of collective action: civil society. Priller et al. (2020) state that civil society stakeholders can have two different functions: voice and loyalty. Social movements are allocated to the function of voice because they can have an impact on the political decision-making process by demonstrations, rallies, petitions or by ensuring that the issues they are concerned with are constantly present in the media or on social media (ibid.: 217 f.).

Social movements often become visible through protests, rallies, demonstrations and marches. Through these events, collective social discontent can be made visible and can be seen and understood by people, institutions and organisations outside the ideological context of the social movement. In social movements, activists and stakeholders act as agents for people who see themselves represented by the topics addressed. Social media and all forms of communication are very important for social movements to reach out to their stakeholders and to position themselves in political debate. In other words, the following can be stated about social movements:

"Coming together to address common goals continues to raise the impact
of minority groups' visibility and empowers those engaged in activism
to confront challenges from intersectoral perspectives." (Germain et al.
2019: 152)

The impact of the actions of social movements can have a direct influ-
ence on political, cultural and socio-political aspects in a society. This
impact becomes slowly visible and more accessible over time. According
to the authors Germain et al. (2019: 157) there are three key factors for
the which can affect the impact of social movements on societal change.
These three factors are:

1. The political opportunities and constraints confronting any would-be
   movement.

2. The organizational vehicles available to embryonic movements as
   sites for mobilization.

3. The collective processes of interpretation, attribution, and social con-
   struction that mediate between opportunity and action. Political capital
   as well as political influence can have an impact on whether, and if
   so how, social movements can be initiated and how large the individ-
   ual and collective support from society is.

3. Methodology: Analysis of Three German Black Lives Matter Stakeholders and Their Societal Commitment

The research topic of this study is how social movements contribute to
societal change using the example of the Black Lives Matter movement
and its stakeholders in Germany. It also questions whether social move-
ments even have the power to contribute to societal change at all by giving
impulses to change the status quo. To answer and analyse the research
question, three German Black Lives Matter stakeholders and their civil-
society commitment were analysed by examining their activism and its
sociopolitical influence. To protect their identities, the codes A, B and C
were attributed to them. The analysis is based on a content and social
media analysis of the three selected German Black Lives Matter stake-
holders and also on the analysis of their presence on their social media
channels. It is important to highlight that the content analysed for this

study was selected because the three stakeholders involved in the German Black Lives Matter movement played a substantial role in the media perception of this social movement. Based on the content analysis, the main form of commitment by German Black Lives Matter stakeholders was identified: it can be described as coaching on racism-related topics in different forms that are described further in this text.

After the death of George Floyd and the worldwide protests his death triggered, there was a massive shift in the German media to Black Lives Matter-related topics about racism and racist structures in modern societies. In Germany, this media shift was also highly influenced by the three stakeholders A, B and C analysed in this study.

4. Findings and Discussion

The research topic was analysed with a particular case analysis in three steps for each of the three stakeholders. For the analysis, the author examined and described in which way the stakeholders shaped their commitment. The first step was to describe the commitment of the stakeholder to build a foundation for the analysis and interpretation. The second step was to classify the relevance of the commitment for German society by highlighting why the commitment is relevant in a sociopolitical understanding. The third step of the analysis was to interpret the sociopolitical impact of the stakeholder's engagement to German society. Subsequently, there is discussion as to why the findings are relevant in relation to the research question.

4.1 The Commitment of the Stakeholders

The commitment of each of the stakeholders is presented as the following: Stakeholder A is an anti-racism and diversity trainer for teams and corporations, teaching people about hidden racist structures used in everyday language, behavior and common knowledge and how to overcome these hidden structures by raising awareness, educating people and discussing these topics. Stakeholder B is an author and an anti-racism trainer. The commitment of this stakeholder can be measured by the level of presence and popularity in the German media in 2020. This stakeholder

has written a book about racist structures in German society and how these structures could be overcome by society as a whole by educating others about these hidden structures in socially accepted behavior. With their book, stakeholder B has also committed to a larger understanding of historical facts around racism in Germany that had not previously been raised by many other scholars. Stakeholder C is an author who has written a book about intersectoral issues of female BIPoC in Germany.

4.2   The Placement of the Socio-political Relevance of
the Stakeholders' Commitment

The placement of the socio-political relevance of the analysed stakeholders' commitment can be described as agenda-setting in the socio-political debate around racism and racist structures in Germany. Stakeholders B and C became visible as German Black Lives Matter stakeholders and supporters through their literature about racist structures in German society. Stakeholder B focuses on the area of conflict when it comes to unconscious racist bias in German culture and highlights the importance of awareness in the use of language. In the literature analysed, stakeholder B illustrates how to start thinking in a racism-critical manner, by giving many examples from their own experience and explaining why these situations are racist and how to act in a better way. Stakeholder B contributes to the awareness that racist experiences of BIPoC and racist structures in Germany are not individual cases, but part of a collectively experienced unequal treatment of German BIPoC. The literature of stakeholder C is focused on the intersectorality of female BIPoC in Germany. The socio-political commitment of stakeholder C is also an educational matter, because stakeholder C picks up on two aspects of discrimination in German society and explains why the factors 'female' and 'BIPoC' reinforce each other when it comes to social inequality by illustrating her own experiences from the past. Similarly, to social movements having the function of 'voice', stakeholders of social movements themselves can act as a 'voice' for the people who feel 'spoken to' by the topics. Stakeholder C raises the issue of how female BIPoC in Germany experience a different form of gender inequality. An important question that stakeholder C raises is also where the term 'BIPoC' begins and why it matters for the Black Lives Matter discussion. The placement of the socio-political commit-

ment of stakeholder A can be described as being active in a social entre-
preneurship company that teaches people, teams and companies how to
overcome racist paradigms that are rarely examined in German society.
Stakeholder A is a social entrepreneur who runs workshops and is active
as a trainer. The commitment of his company is depicted on social media,
where the stakeholder not only makes his activism visible for everyone
but also discusses important topics and explains his activism.

4.3   The Socio-political Impacts of the Stakeholders' Commitment

The socio-political impact of the stakeholders' commitment to society
can be explained as describing the problems of the societal status quo in
Germany and giving impulses for change addressed in the context of the
worldwide Black Lives Matter movement. The three stakeholders stand
out from the collective of the German Black Lives Matter movement and
appear visible not only as stakeholders in the context of the social
movement but also as stakeholders per se in the socio-political debate
about racism in Germany that arose following the death of George Floyd.
The three analysed stakeholders step out of the civil society arena of col-
lective action, where their commitment as stakeholders of the German
Black Lives Matter movement as a social movement is originally located,
and enter the other two arenas of collective action through their commit-
ment, the arena of the market and the arena of the state. Stakeholder A
describes the status quo by addressing problems in daily communication
and language structures. The concept of the stakeholder's activism is to
immediately impact other people in a safe space, where every workshop
participant can become active. For this stakeholder, the first step to
changing the status quo is to accept and understand why the status quo is
problematic. The activism of stakeholder C through social entrepreneur-
ship has a socio-political impact in Germany because the stakeholder suc-
ceeds in explaining why there is a problem with the status quo and how
every member of society can become actively involved in changing it for
the better, because everyone can begin by taking action themselves. The
human being the central unit of society, is able to induce further societal
change by starting with himself. Through the literature, stakeholder B
unifies aspects of culture, history, language and psychology and creates
an interactive part where readers can become active and start to reflect on

the topics in the book. Stakeholder B also focuses on humans themselves to start rethinking the societal structures but also their own behaviour. It is important to highlight here that the aim of the stakeholder is to focus on the human as a central unit in society. The stakeholder's activism is based on an educational function for members of society who are not aware of racist structures. The literature of stakeholder C is focused on a more theoretical level. The socio-political impact is that the stakeholder highlights and makes visible the intersectoral aspect of female BIPoC in Germany. Stakeholder C highlights that discrimination is not one-dimensional but can have different forms based on skin colour, gender, educational level, social environment or milieu. Stakeholder C states that discrimination is perceived individually but is actually a structural problem that needs to be addressed and made visible. Stakeholder C also focuses activism on an educational level; here it can be seen that all three selected stakeholders aim their commitment at the human as a unit of society who can influence organisations, institutions and political decision-making.

The stakeholders' commitment demonstrates that Black Lives Matter activism existed before the death of George Floyd, too. It must be acknowledged that the death of George Floyd changed the discourse about racism, racist structures and racist paradigms in countries with a colonial past. Before 2020, these topics were of socio-political relevance, but George Floyd's death had a catalytic effect on creating space for BIPoC to set the agenda on these topics.

5. Conclusion

To sum up, it can be stated that social movements have the power to contribute to societal change. The question whether and how social movements such as the Black Lives Matter movement in Germany can induce lasting change in German society can be answered in the following way: Social movements certainly have the possibility to bring about societal change by taking small steps within and beyond the arena of collective action of civil society. The German Black Lives Matter stakeholders analysed in this study decided to focus on the smallest unit of society, the human, for their commitment. It seems that for deep-seated anchored racist structures and racist paradigms, there is the possibility to be solved bottom-up, from individual decisions and daily choices of people who

understand the problem around racism and want to make a difference. Laws, rules and regulations, which usually apply top-down, could possibly have only limited influence on the daily behaviour of people, so maybe the starting point of societal change could be brought up not via institutions, but through education, inclusion and a more diverse and inclusive discourse that includes as many societal groups and actors as possible. As a result of the content analysis in this study, social movements as part of civil society as an arena of collective action have the possibility and ability to induce societal change by creating a stream and network of different stakeholders, creative power and voice for their topics and issues of interest. The stakeholders who consider themselves members of the social movement experience the power of the social movement as a catalyst for opening their commitment to a wider audience who usually do not take part in the social movement in question.

6. *Limitations*

The limitation with the biggest impact on this project were the challenges linked to the COVID-19 crisis in Germany. It was difficult to contact German and European experts in the field and network of the Black Lives Matter movement in Germany for discussion or interviews. The pandemic and the fact that many people were working from home made it difficult to speak directly to the experts. Many attempts at contacting experts were not successful. This meant that the methodology of this project had to be reconsidered from qualitative research based on interviews to particular three-step case analysis of three German Black Lives Matter stakeholders and their societal commitment. The analysis is based on the information and literature that comes directly from the stakeholders, but it was difficult to measure the influence of the three German Black Lives Matter stakeholders by their appearance in the German media and their presence on their social media channels; this data cannot necessarily provide significant information about the societal influence of their commitment. To evaluate the commitment of the three stakeholders analysed, one opportunity for future research could be to interview German Black Lives Matter experts on the basis of this research project about their assessment of whether the three stakeholders analysed laid the foundations for societal change in Germany. Furthermore, for a broader analysis more

stakeholders could be included in future studies on the influence of social movements on societal change. Another research limitation was the focus of this project on the German Black Lives Matter movement context. A different context could lead to different findings in this field. I suggest that a comparative study with different contexts and including different countries could be interesting for further research on this topic.

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What are the practical opportunities and limitations of European civil society cooperation? Which social, economic, cultural and political effects of such cooperation can result? What contributions can civil society make if we understand it as part of a complex network of transcultural relations for dealing with current and future issues?

This book reflects on the development paths and potentials of civil society cooperation in Europe by applying a relational approach. Based on the conceptual works of Josef Wieland and Rupert Graf Strachwitz, it presents the results of a transcultural research group with participants from five European countries, who worked in international teams on different sub-projects and examined the common research interest from various disciplinary and cultural angles. Accordingly, the case studies range from civil society cooperation to establish a truth and reconciliation commission in the Western Balkans, the Black Lives Matter movement and social change in Germany, empowerment of civil society through EU cultural projects, transsectoral data collaboration for the common good and the relationship between NGOs and banks to the role of civil society in tackling group-based misanthropy. This publication combines conceptual approaches with empirical analyses, and thereby seeks to contribute to the debate on the role of civil society cooperation for facing current European challenges and for proactively harnessing the inherent potentials of civil society engagement in Europe.