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Liesbeth van de Grift

Representing European Society

The Rise of New Representative Claims in 1970s European Politics*

The 1970s saw a concerted effort by the European Commission, as well as by sectoral and public interest groups, to bring the European Community (EC) closer to »the man on the street«. ¹ Direct elections to the European Parliament were introduced in 1976. Perhaps less well-known, however, are the consumer and environmental policies proposed by the Commission at the start of the decade. They were designed to give the Community a more »human« face, to help shift its image from an organisation primarily focused on common market and trade policies to one geared more towards guaranteeing a particular standard of well-being and quality of life for its citizens. The 1970s saw the strengthening of consumer representatives and, later on, environmental organisations in European governance with the goal of making European institutions more representative of modern society and more responsive to citizens' demands. Outside of Brussels, meanwhile, these civil society groups resorted to direct action like protests and boycotts to influence European policy-making.

These aspects of »bottom-up« mobilisation and civil society engagement have been somewhat understudied in the history of European integration, for they run counter to the prevailing view of European integration as a technocratic project undertaken by political elites and only made possible by a lack of interest on the part of the general public. ² In fact, the expansion of the global consumer economy since the 1970s and growing concerns about the regulation of markets, environmental protections and food safety, together with the rise of new public interest groups, gradually transformed the EC. This change allowed transnational consumer-oriented NGOs, such as consumer groups, to enter the European political arena and influence cross-border issues. In doing so, they challenged the power of vested interest groups, such as agriculture, industry and trade unions, and altered conceptions and practices of interest representation.

This article uses the European Economic and Social Committee (EESC) as a lens through which we can observe this change on the supranational level. Many sectoral and public interest groups represented in the advisory EESC, such as consumer organisations and small and medium-sized businesses, welcomed the launch of consumer protections and more stringent environmental policies, seeing them as opportunities to pursue their own agendas and strengthen their position on the European level. Others, like trade unions and

* This article is based on research I was able to do as a Visiting Fellow at the European University Institute in Florence in 2017. I presented this research at the conference »Government by Expertise: Technocrats and Technocracy in Western Europe, 1918–1973« in Amsterdam. I would like to thank the organisers and participants for their feedback. I am grateful to Martin Conway for his constructive feedback and for the opportunity to present my research at the University of Oxford. I would like to thank Koen van Zon and the editors of the AfS for valuable comments.

1 Unless indicated otherwise, the abbreviation EC refers to the European Communities – the Economic Community and Euratom.

2 Umberto Tulli for instance describes the inclusion of topics like mass movements, public opinion and the rise of grassroots activism as one of the desiderata for European integration history. *Umberto Tulli, The Search for a European Identity in the Long 1970s. External Relations and Institutional Evolution in the European Community*, in: *Contemporary European History* 25, 2016, pp. 537–550, here: p. 549.

agriculture groups, felt threatened by the rise of new organisations claiming to speak in the name of vague categories like »consumers« and »the environment«. As a result, fierce debate ensued over »representativeness« and the nature of EC institutions, laying bare the contested and dynamic nature of European governance. Moreover, the discursive construction of such representative claims and the representative roles taken on by consumer activists developed a strongly performative dimension as they came to shape the functionality of interest representation.

Since the 1970s, the increased involvement of civil society organisations in national, supranational and global governance has been an observable pattern.³ For the EU, this is particularly salient: its »multi-layered« character has long offered myriad opportunities for organised citizens to influence policy at all levels. European institutions, moreover, have been particularly open to input from public interest groups as they work to compensate for the EU's often-invoked »democratic deficit«, as the case of consumer organisations shows.⁴ The causal correlation between the inclusion of NGOs and the growth of democratic legitimacy is, however, contested. According to civil society theorists, the inclusion of voluntary associations can enhance the democratic legitimacy of a political system when NGOs are able to communicate local concerns to policymakers and help foster public debate.⁵ However, as Michael Edwards has shown, assessments of the role of voluntary associations and the extent to which they are able to encourage public debate and serve the common good are highly dependent on pre-existing normative notions of what a »good society« entails.⁶ Reflecting this lack of consensus, some scholars and political actors welcome the consultation of public interest groups as an important means to increase engagement and empower »citizen-lobbyists«, while others deride their inclusion in policy-making processes as evidence of the non-transparent and »top-down« nature of European governance.⁷

This article proposes a non-normative, historical approach to questions of interest representation in European governance. Rather than assessing the »democratic deficit«, it explores how perceptions, practices and venues of political representation have changed over time and how they have shaped governing structures as we know them today. Political representation, as Peter A. Hall writes, is crucial to the operation of democracy. Democratic governance »is a system in which choices are made and compromises forged among com-

3 Akira Iriye, *Global Community. The Role of International Organisations in the Making of the Contemporary World*, Berkeley/Los Angeles 2002; Thomas Davies, *NGOs. A New History of Transnational Civil Society*, London 2013.

4 Joseph H. H. Weiler/Ulrich R. Haltern/Franz C. Mayer, *European Democracy and Its Critique*, in: *West European Politics* 18, 1995, issue 3, pp. 4–39; Andrew Moravcsik, *In Defence of the »Democratic Deficit«: Reassessing Legitimacy in the European Union*, in: *Journal of Common Market Studies* 40, 2002, pp. 603–624.

5 Michael Edwards, *Civil Society*, Cambridge 2009; Sabine Saurugger, *Interest Groups and Democracy in the European Union*, in: *West European Politics* 31, 2008, pp. 1274–1291; Jens Steffek/Patrizia Nanz, *Emergent Patterns of Civil Society Participation*, in: *id./Claudia Kissling* (eds.), *Civil Society Participation in European and Global Governance. A Cure for the Democratic Deficit?*, Basingstoke/New York 2008, pp. 1–29.

6 Edwards, *Civil Society*, pp. 45–62.

7 Alberto Alemanno, *Lobbying for Change. Find Your Voice to Create a Better Society*, London 2017. For a critical treatment of the role of consumer organisations in European governance, see Adam Burgess, *Flattering Consumption. Creating a Europe of the Consumer*, in: *Journal of Consumer Culture* 1, 2001, pp. 93–117. On the role of stakeholders in European governance: Saurugger, *Interest Groups and Democracy in the European Union*; Steffek/Nanz, *Emergent Patterns of Civil Society Participation*; Jelle Behagel/Esther Turnhout, *Democratic Legitimacy in the Implementation of the Water Framework Directive in the Netherlands: Towards Participatory and Deliberative Norms?*, in: *Journal of Environmental Policy & Planning* 13, 2011, pp. 297–316.

peting interests, and the quality of a democracy is determined, in large measure, by how well the views of the people are represented by its governing institutions«. ⁸ While this is certainly true, the questions of who ought to be represented, who ought to represent them, and what are the appropriate institutional mechanisms to ensure balanced representation are deeply political. Their answers have been contested and redefined over time, reflecting broader political and societal change.

In her seminal work »The Concept of Representation« (1967), political scientist Hanna F. Pitkin introduced the now-classical typology of formalistic, symbolic, descriptive and substantive representation. The first, formalistic representation, is the institutional arrangement by which authority is vested in a representative, who then acquires the freedom to act as he or she sees fit, and by which accountability is established. Symbolic representation concerns the ways in which a representative »stands for« the represented – the meaning and degree of acceptance that a representative enjoys. Descriptive representation indicates that the representative stands, rather than acts, for others. Resemblance is the basis of representation; the representativeness of institutions depends on their being mirror images of society as a whole. Substantive representation links representation with activity and considers what the representative »really« represents, as well as whether he or she truly serves the interests of those represented. ⁹ Taken together, these typologies can be subsumed under the two categories of »acting for« (a person – the formalistic and substantive types) and the more passive »standing for« (a person or object – the symbolic and descriptive types).

By distinguishing different forms of political representation, Pitkin focuses on the representative rather than on the represented. The latter, in her account, is a known or knowable entity. In more recent years, however, political theorist Michael Saward has criticised this unidirectional approach for failing to highlight the process by which the »represented, or that which needs to be represented«, is constructed. Instead, Saward proposes that we shift our frame of reference in order »to explore what is going on *in* representation – its dynamics, if you like – rather than what its (old or new) forms might be«. ¹⁰ Viewed in this way, political representation is not merely a settled state of affairs established by elections, but should be seen instead as an ongoing process of contestation among actors with partly overlapping representative claims. ¹¹

This article adopts Saward's approach by exploring the extent to which the rise of consumer and environmental policies ushered in new understandings and practices of interest representation at the European level in the 1970s. At the same time, however, it recognises the usefulness of Pitkin's categories in analysing the ways in which historical actors have *themselves* constructed and substantiated their representative claims. It is based on research conducted in the archives of the EESC, housed at the European University Institute in Florence. Source materials include minutes of board and group meetings, the many sections and study groups on specific issues, as well as public documents such as annual reports, where necessary complemented by published materials from the European Com-

8 Peter A. Hall/Wade Jacoby/Jonah Levy et al., Introduction: The Politics of Representation in the Global Age, in: *id.* (eds.), *The Politics of Representation in the Global Age. Identification, Mobilization, and Adjudication*, Cambridge/New York etc. 2014, pp. 1–18.

9 Hanna F. Pitkin, *The Concept of Representation*, Berkeley 1967; *Political Representation*, in: *Stanford Encyclopedia of Philosophy*, version 6 January 2017, URL: <<https://plato.stanford.edu/entries/political-representation/#PitFouVieRep>> [28.2.2018]; Wim van der Voort, *In Search of a Role. The Economic and Social Committee in European Decision Making*, PhD Thesis, Utrecht 1997, pp. 137f.

10 Michael Saward, *The Representative Claim*, in: *Contemporary Political Theory* 5, 2006, pp. 297–318, here: p. 298.

11 *Ibid.*

mission and Council and from the news media. Following some background discussion of the EESC and the ascent of consumer protections and environmental policy to the European agenda, the article examines the varying degrees to which interest groups' appropriation of the consumer and environmental discourse were successful, the factors that explain their success, and the effects new public interest groups had on the nature of European governance as such.

I. THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

Enshrined in the Treaty establishing the European Economic Community and Euratom of 1957, the EESC was to »consist of representatives of the various categories of economic and social activity, in particular, representatives of producers, farmers, carriers, workers, dealers, craftsmen, professional occupations and representatives of the general public«. It acted as an advisory body to both the European Commission and the Council and did so upon request until it obtained the right of initiative in 1974.¹² Its 101 members were proposed by member states; the final decision regarding the composition of the EESC was left to the Council of Ministers, which generally adopted proposals made by national governments.¹³

The notion of a bicameral system composed of both parliamentary and functionally representative bodies had already been central to early post-war discussions of European unification within the framework of the European Movement. After the European Movement was side-tracked by functionalists pursuing political unification through sectoral integration, the institutional architecture of the European Coal and Steel Community came to include a consultative committee, established to advise the executive high authority and composed of producers, workers and ›consumers and merchants‹ in the coal and steel sectors.

The EESC was created by the EC against vehement opposition from the West German government. The impact of the perceived failure of the *Reichswirtschaftsrat* in the Weimar years had affected German perceptions of the need to establish a form of economic democracy, as did the predominance of liberal conceptions of free market organisation in the post-war years.¹⁴ Proponents of establishing a strong Economic and Social Council with the right of initiative included the Belgian and Dutch governments, which had had positive experiences of similar institutions in their own countries. Additionally, Brussels and The Hague knew supranational institutions would be an effective counterweight to the power of larger member states.¹⁵ In the end, the compromise was an Economic and Social Committee that was relatively weak; lacking the right of initiative, it could only contribute an opinion at the explicit request of the Council or the Commission.

As Gerda Zellentin has shown, debates at the time about the role and function of the EESC revealed a range of arguments both in favour of and against the establishment of an advisory body comprised of interest groups. In the assemblies of the Council of Europe and the European Coal and Steel Community, proponents alternately argued that the EESC would serve as a democratic bulwark against the technocratic tendencies of the Community's executive institutions; mobilise public opinion in favour of European integration; and provide a necessary platform for negotiations among

12 Van der Voort, In Search of a Role, pp. 117–119.

13 Gerda Zellentin, *Der Wirtschafts- und Sozialausschuß der EWG und Euratom. Interessenrepräsentation auf übernationaler Ebene*, Leiden 1962, pp. 33 and 67.

14 Ibid., p. 69.

15 Ibid., p. 20.

»social partners; and satisfy the desire of interest organisations to be heard on the European level. Those opposing the ESC expressed concern about high costs; the weakening of the European Parliament; the dilution of responsibilities for legislative and executive institutions; the institutionalisation of corporatist and syndicalist ideals; and the political dependency of the ESC on national governments through its nomination procedures.«¹⁶

As noted above, the Treaty of Rome established that the EESC was to be comprised of »representatives of the various categories of economic and social activity«. Its representative quality, in turn, was organised along both national and functional lines. Each country was allocated a fixed number of seats. When the EESC was founded, its 101 members were distributed among the member states in the following way: Italy, France and the West Germany could each deliver 24 members, Belgium and the Netherlands were each allotted 12, and Luxembourg nominated 5 members. When the United Kingdom, Ireland and Denmark joined the EC in 1973, the number of seats rose to 144; Italy, West Germany, France and the United Kingdom each held 24 seats, while the smaller states were each allocated between 6 and 12.¹⁷ In addition, each member belonged to at least one of three groups within the EESC: Group I represented employers, group II employees, and group III »various interests«. Several sections within the EESC, consisting of representatives from each group, were organised according to key European policy areas – agriculture, nuclear energy, transport, and social and economic questions. Reflecting changes in those policy areas covered by the EC, new sections addressing environmental and consumer issues appeared in the 1970s. Within these sections, smaller study groups examined directives and proposals from the Commission and composed draft opinions and reports to be discussed by the section as a whole. The entire Committee would then vote on those reports in plenary sessions. Additionally, temporary study groups were tasked with studying particular topics, such as the Mansholt Plan, »Agriculture 1980«.¹⁸

The dynamic and contested character of the EESC is apparent in its very institutional architecture. Rather than providing an exhaustive list of the groups it would represent, the Rome Treaty left ample room for conflicting and shifting interpretations of what interest groups satisfactorily expressed the voice of organised civil society. In particular, the category »representatives of the general public« inevitably provoked debates as to which organisations were most representative of European society, leading to tensions between members.

Additionally, the Treaty of Rome held national governments responsible for ensuring »appropriate representation«. Clearly, opinions as to what that ought to mean were shaped by the political inclinations of national governments, some of which considered the nomination of loyal deputies to be key.¹⁹ National cultures of representation and the domestic distribution of power among interest groups were also reflected in EESC membership. For instance, consumer organisations saw their position strengthened with the entry of the United Kingdom and Denmark in 1973, mirroring their prominence in these countries.

16 Ibid., pp. 29f. About the EESC and other consultative committees in the early years of the EC: *Fritz Fischer*, *Die institutionalisierte Vertretung der Verbände in der Europäischen Wirtschaftsgemeinschaft*, Hamburg 1965.

17 Belgium 12, Denmark 9, Federal Republic of Germany 24, France 24, Ireland 9, Italy 24, Luxembourg 6, Netherlands 12, United Kingdom 24. Yearbook of the EESC, 1974, Archive of European Integration (AEI), URL: <<http://aei.pitt.edu/56125/1/B1155.pdf>> [7.3.2018].

18 On the organisational structure and procedures of the EESC: *Nadine Bernard/Claude Laval/André Nys*, *Le Comité Économique et Social*, Brussels 1972.

19 *Zellentin*, *Der Wirtschafts- und Sozialausschuß der EWG und Euratom*, pp. 84 and 113.

II. BUILDING A »CITIZENS' EUROPE«

»We all feel that our society is in the state of anxious expectancy and conflict which is the forerunner of major changes. [...] The task of the present generation is to seek a transition to a post-industrial society which respects the basic values of our civilisation and reconciles the rights of the individual with those of the community.«²⁰

At the European Council's request a year earlier, the Belgian Prime Minister Leo Tindemans published his report on the future of European Union in 1975. In it he laid out proposals for the development of new common policies, such as an economic and monetary union and a common foreign policy. Aware of the need for the EC to boost its accountability, he advocated direct elections to the European Parliament and proposed policies that were relevant to citizens' concerns. Enhanced protection of consumer rights and of the environment were among these proposals.²¹

Bringing the Community closer to »the man on the street« by developing consumer and environmental policies was a goal that was widely shared. Meeting in Paris, heads of government had called upon the European Commission to strengthen and coordinate consumer protections and develop an environmental policy.²² In the following years, the Commission worked out an »Environmental Action Programme« and a »Preliminary Programme of the European Economic Community for a Consumer Protection and Information Policy«, which were adopted by the Council of the European Economic Community (EEC) in 1973 and 1975 respectively.²³ The 1975 programme included the declaration of five fundamental consumer rights: the protection of health and safety; the protection of economic interests; the right to redress; the right to information and education; and the right of representation.

These innovations were accompanied by a shift in discourse, from a Community that ensured economic prosperity to one that would safeguard the quality of life of individual citizens. Speaking in 1973 to the members of the newly founded EESC section on the environment, public health and consumption, Vice-President of the Commission Carlo Scarascia Mugnozza stated in 1973 that these developments would be »the best method of presenting a Community with a more human face to European public opinion, [resulting] in the greater participation of Community residents in the process of European integration«.²⁴ This dual emphasis, on citizens as the recipients of services (output) and as active participants in the policy-making process (input), became a central feature of the Commission's discourse from the 1970s on. Consumers took on a central position as the end user of products and services provided by the internal market. Their concerns about the risk of unlimited economic growth or about their quality of life were to be taken seri-

20 European Union. Report by Mr Leo Tindemans, Prime Minister of Belgium, to the European Council, 1975, p. 12, AEI, URL: <http://aei.pitt.edu/942/1/political_tindemans_report.pdf> [10.5.2017].

21 Ibid.

22 Statement from the Paris Summit (19.–21.10.1972), Bulletin of the European Communities. October 1972, no. 10, URL: <http://www.cvce.eu/obj/statement_from_the_paris_summit_19_to_21_october_1972-en-b1dd3d57-5f31-4796-85c3-cfd2210d6901.html> [7.3.2018].

23 *Jan-Henrik Meyer*, Greening Europe? Environmental Interest Groups and the Europeanization of a New Policy Field, in: *Comparativ – Zeitschrift für Globalgeschichte und vergleichende Gesellschaftsforschung* 20, 2010, no. 3, pp. 83–104, here: pp. 86f.; *Lothar Maier*, Consumer Policy in the European Union, in: *Stephen Brobeck* (ed.), *Encyclopedia of the Consumer Movement*, Santa Barbara 1997, pp. 248–251, here: p. 248.

24 Statement by the President of the European Commission. Minutes of a meeting of the section for the environment, public health and consumption, 14.–15.5.1973, Historical Archives of the European Union (HAEU), Economic and Social Committee (CES) 5239, p. 20.

ously; in this way the Community was able to demonstrate its responsiveness to citizens' demands. Simultaneously, the enhancement of consumer protections and the inclusion of consumer representatives in the policy-making process would give citizens »the feeling of effective participation within the framework of the Community institutions and hence, within the framework of European integration«.²⁵

The European Commission found allies in new member states that could boast strong experience in these policy fields.²⁶ Moreover, their nomination of EESC members significantly strengthened the position of consumer representatives. When the EESC began its work in 1958, it had included only one consumer representative, Dr. Irmgard Landgrebe-Wolff, who led the counselling service of the German Nutrition Society and who was involved in the consumer committee of the Federal Ministry of Nutrition, Agriculture and Forestry. Nearly twenty years later, in 1977, the expanded EESC included seven consumer representatives who held senior positions in their national organisations.²⁷ The establishment of the Consumers' Consultative Committee (CCC) by the European Commission in 1973 also illustrated the strengthened position of consumer organisations as compared with the previous decade.²⁸ Thus the centrality of consumers to the European project from the 1970s onward was the direct result of a concerted effort on the part of the European Commission as well as consumer organisations.

III. REPRESENTING »POST-MATERIAL« SOCIETY

The »long« 1970s were a tumultuous decade. The »shock of the global«²⁹ made itself felt as productivity decreased, unemployment rose and oil prices surged. At the same time, the detrimental effects of economic growth and industrialisation of the 1950s and 1960s became increasingly manifest. The emerging idea that humanity faced a global ecological crisis was nurtured by a series of environmental disasters such as the wreck of the »Torrey Canyon« oil tanker in 1967. Publications like Rachel Carson's »Silent Spring« (1962) and the report »The Limits to Growth«, published by the Club of Rome in 1972, caused fierce public debates about the negative impact of economic growth, technology, population growth and the depletion of natural resources on the environment. These concerns motivated new civic engagement and gave rise to an activist mass movement in the 1970s that introduced new notions of grassroots democracy.³⁰ The rise of the environment as a global concern and the pressure exerted by NGOs would lead to the adoption of an environmental policy agenda on the national, European and global level.

These developments were reflected in the EC, where consumer rights and environmental protection emerged onto the political agenda in the 1970s. Within the EESC, members agreed that European society was undergoing rapid and fundamental change. Tensions

25 Minutes of the EESC plenary session, 27.–28.3.1974, HAEU, CES 5280.

26 Ibid.

27 Directory of the Economic and Social Committee, 1977, AEI, URL: <<http://aei.pitt.edu/66952/1/1977.pdf>> [9.7.2018].

28 Commission Decision of 25 September 1973 relating to the setting up of a Consumers' Consultative Committee (73/306/EEC), Official Journal, 10.10.1973, pp. 18f., URL: <<https://eur-lex.europa.eu/eli/dec/1973/306/oj>> [9.7.2018].

29 Niall Ferguson/Charles S. Maier/Erez Manela et al. (eds.), *The Shock of the Global. The 1970s in Perspective*, Cambridge/London 2011.

30 Neil Carter, *The Politics of the Environment. Ideas, Activism, Policy*, Cambridge/New York etc. 2007 (first published 2001), pp. 5f.; Stephen Milder, *Greening Democracy. The Anti-Nuclear Movement and Political Environmentalism in West Germany and beyond, 1968–1983*, Cambridge/New York etc. 2017.

simmered over the degree to which the various sectoral and public interest groups involved were, in fact, representative of this changing society. Being »representative« of European society – of the sum of its social and economic interests – was the source of the EESC's legitimacy, and it was paramount that the institution's membership reflected that change.

The EESC's group III, representing »various interests«, was particularly bolstered by a new emphasis on »post-material concerns«, regarding it as a welcome opportunity to fortify its own position in relation to groups I (employers) and II (employees). The heterogeneous composition of group III had until then proven an important weakness compared to the trade unions' and employers' groups, which had more overlapping interests and which were characterised by a higher degree of organisation. That said, in the face of trade union antagonism, which will be discussed in more detail later, group III often managed to maintain a united front towards the outside world.³¹ Moreover, the tripartism that characterised the EESC had at times enabled group III to act as kingmaker when groups I and II failed to reach an agreement.³²

The long-time chair of group III, Sir John Peel, saw the transition from a consumer society, focused on increased production and the availability of cheap and standardised goods, to a post-industrial society aspiring to a better quality of life, as particularly compatible with the aims and interests of his group. In his final speech to the body in 1978, Peel argued that an array of interests – consumers, craftsmen, small businessmen, farmers, shopkeepers, and suppliers of services – could all tap into this new discourse that stressed the improvement of citizens' well-being. Private businessmen were in the best position to offer personal service and satisfy their customers, while farmers and family farms were key to the preservation of country life. He called these interests »a force for the future«: »Society will be glad that the self-employed have kept alive the qualities of creativity, enterprise, devoted craftsmanship, and service.«³³

The various sectoral and public interest groups represented within group III made attempts to appropriate the new environmental discourse as well, with »the environment« broadly comprising issues ranging from working conditions to product safety. Small and medium-sized businesses boasted that they had maintained their emphasis on quality and craftsmanship in the heyday of mass consumerism – values that were once again being appreciated by European buyers. Consumer organisations claimed to represent these critical citizens, who were to be well informed about the environmental and health risks associated with the production of the goods they consumed. Even farmers tapped into the environmental discourse in stressing the important role of agriculture in preserving rural landscapes.³⁴ The ambivalence of these claims was clear, albeit unspoken, with producers, consumers and farmers themselves all contributing to environmental degradation.³⁵

Group III's rise met with resistance from the trade unions organised in group II. In the 1950s they had been in favour of a strong Economic and Social Council as a form of economic democracy, parallel to the political democracy of the European Parliament.³⁶ In this EESC, social partners were to be represented. But on the ground, the EESC had been weak

31 *Zellentin*, *Der Wirtschafts- und Sozialausschuß der EWG und Euratom*, p. 175.

32 *Ibid.*, p. 79.

33 Minutes of Group III meeting, 31.5.1978. Annex: Chairman's Statement, HAEU, CES 8422.

34 Minutes of the Agriculture Section meeting, Sicily, 17.–19.3.1973, HAEU, CES 4753.

35 See for instance the question posed by one of the members of the Environment Section to commission representative Robert Toulemon about the doubtful contribution of farmers to environmental protection. Minutes of the Environment Section meeting, 31.5.1972. Annex: Summary of dialogue between Toulemon and members of the section, HAEU, CES 4398.

36 Cf. Koen van Zon's unpublished chapter of dissertation »The Confines of Community. European Delegates between Expertise and Representation, 1950–1967«. The research is carried out at Radboud University Nijmegen.

from the start, and its tripartite structure and the rise of new public interest groups meant that trade unions lost their monopoly on speaking on behalf of employees. This was the indirect result of a modernising society, where economic change had created new categories of citizens who did not fit strictly into pre-existing categories like workers and employers. Against this backdrop, trade union representatives sought to undermine group III by lobbying for its abolition, arguing that this would enhance the effectiveness of the EESC.³⁷ Their strategy entailed exerting pressure from both inside and outside the committee, by boycotting sessions and by publishing opinion pieces in major European newspapers.³⁸

These disputes were politically revealing. They reflected differing conceptions of European societies and of the parties that had a right to representation. Trade union officials placed a strong emphasis on parity between employers and employees. This neo-corporatist discourse, which highlighted functional interest groups representing labour and capital, was increasingly challenged in the 1970s. Group III, representing various interests, criticised what its members saw as a polarised vision of society, which failed to do justice to the immense diversity and heterogeneity of modern society. One of its delegates described the group as »liberal«, representing »the middle classes who rejected categorical division into economic and social fields and claimed to occupy an original distinct place in the socio-economic arena«. Its members were free to express their views without having to toe any line.³⁹

Arguments used to justify power for either trade unions or the various interests represented in group III were based on underlying notions about the role of the EESC as a body that represented social and economic actors. The neo-corporatist structures championed by trade unions were based on the idea of a social partnership between the interests of capital and labour, involving collective bargaining and consensus-building between the leaderships of these groups in the name of the common interest. Zellentin refers to this interpretation of the EESC as a *Handlungsgebilde*, wherein effective bargaining can only be ensured when representation is limited to a select number of powerful interest groups (i.e., trade unions and employers' organisations).⁴⁰ Group III put forward a different view of the EESC, which emphasised the importance of consulting an array of public and sectoral interests. Zellentin calls this conception a *Meinungsgebilde*, the representativeness of which depends on its adequate reflection of the plurality of interests characteristic of modern society.⁴¹

This interpretation of the EESC is clearly manifest in the words of group III chairman Peel. Negotiations between the social partners and the state were critical, he argued, but »it is of equal importance that the views of all the other organisations, broadly represented by the membership of this group, should be made known to governments. After all they do represent in toto the largest number of individuals in the Community.«⁴² These parties, Peel noted, demanded a greater say in the decisions taken by governments throughout Europe affecting them directly, and rightly so.⁴³ He highlighted all the functions these socio-economic

37 Minutes of Group III meeting, 26.10.1976. Annex Statement by the Chairman, HAEU, CES 7361; Minutes of Group III meeting, 30.3.1977, HAEU, CES 7362.

38 Minutes of the sub-commission Influence of the [Economic and Social] Committee, 13.2.1977, HAEU, CES 7589; Minutes of Group II meeting, 1.3.1978, HAEU, CES 7924; Minutes of Group III meeting, 30.3.1977, HAEU, CES 7362.

39 Minutes of a meeting of the secretaries-general within Group III, 15.12.1976, HAEU, CES 7362.

40 Zellentin, *Der Wirtschafts- und Sozialausschuß der EWG und Euratom*, pp. 74f.

41 Ibid.

42 Minutes of Group III meeting, 24.9.1975. Annex by Sir John Peel, HAEU, CES 7360.

43 John Peel, Six Community Countries Set up Tripartite Advisory Committees. EEC Concept for Government Consultation, in: *The Times*, 1.3.1977.

conomic organisations could serve, in addition to defending members' interests. First, they were »genuine economic and social indicators« with »first-hand knowledge of the lives and anxieties« of the people they represented. This knowledge enabled them to influence political decisions and to »counterbalance the dangers of centralised bureaucracy. These indicators [were] closer to reality than statistics, and will enable governments to continuously ›feel the pulse‹ of the economic and social operators.«⁴⁴

Interest groups could also exert »public criticism«. In order fully to benefit from their knowledge, European policymakers were to establish the »machinery for discussion and dialogue«. The eventual decision-making, Peel stated, should remain the task of the executive authorities. But if the EESC was to live up to this »democratic imperative«⁴⁵, wherein citizens whose lives were affected by political decisions have the right to be involved in making those decisions, »the widest possible composition so as to represent the largest possible spectrum of interests« was essential.⁴⁶ Here, above all else, the function of the EESC as *Meinungsgebilde* is clear.

IV. CHANGES AND CHALLENGES IN GROUP III

As representative claims by the »various interests« group were strengthened by the ascent of environmental policy and consumer rights to the European political agenda – in the face of resistance from groups I and II – internal schisms continued to hamper its effectiveness. Tensions stemmed from shifts in the distribution of seats within the group, divergent views on style and strategy, and the question of which organisation was most representative of European society.

As consumer organisations grew stronger, the composition of group III changed. Not only did the number of consumer representatives increase, their image was also markedly different from that of long-time EESC members. In the 1960s, the Committee's only consumer representative, Landgrebe-Wolff, had been one of two women with seats on the EESC. On a 1958 members' list she was described as a »housewife« with expertise on consumer issues, rather than as the holder of a PhD who was part of the German Nutrition Society and of the consumer committee of the Federal Ministry of Nutrition, Agriculture and Forestry.⁴⁷ EESC records show Landgrebe-Wolff consistently sought to champion the consumer's perspective, but to little avail: consumer issues remained peripheral in EC policy discussions.

This changed in the 1970s. As consumer issues gained in prominence, so did consumer representatives, who came to occupy senior positions within the EESC and contribute to and shape debate within the EESC to a much greater extent. Among them were high-profile women. The foremost example is Eirlys Roberts, the long-time head of research at the British Consumers Association and editor of its magazine, »Which?«. Roberts had served in military and political intelligence during World War II and worked in public relations for the United Nations Relief and Rehabilitation Administration mission in Albania in the immediate post-war years. After the war, she became increasingly involved in the British consumer movement. When the United Kingdom entered the Common Market in 1973,

44 Minutes of Group III meeting, 24.9.1975. Annex by Sir John Peel, HAEU, CES 7360.

45 Peel, Six Community Countries Set up Tripartite Advisory Committees.

46 Minutes of Group III meeting, 24.9.1975. Annex by Sir John Peel, HAEU, CES 7360.

47 List of first members of the EESC in 1958, Journal officiel des Communautés européennes (JOCE), 6.10.1958, no. 17, URL: <http://www.cvce.eu/obj/Les_premiers_membres_du_Comite_economique_et_social_22_avril_1958-fr-54eaf218-2e7f-4a72-b1d0-3181e25da090.html> [9.7.2018]. This is a point also made by Koen van Zon in his dissertation.

she turned her attentions to Europe. She was the first director of the European Consumer Organisation (BEUC) from 1973 to 1978 and headed the environmental and consumer protection section of the EESC from 1973 to 1982. In 1978, she set up the European Research Institute for Consumer Affairs and would remain at its helm until 1997.⁴⁸

The rise to prominence of women in international organisations in fields like nutrition, food, consumer issues, public health and human rights – areas traditionally associated with the role of women – is an observable pattern throughout the twentieth century.⁴⁹ International collaboration proved particularly appealing to those who had been excluded from the more traditionally male-dominated bastions of power, such as trade unions, agricultural associations, and employers' organisations. Consumption was traditionally regarded as belonging to the private sphere and thus to the domain of women, whose household and consumer expertise was universally accepted. By making consumption into a public issue, by framing the consumer as a public actor, female consumer activists empowered themselves both as experts and as citizens. As Marie-Emmanuelle Chessel so aptly wrote of the female activists in the French »Ligue Social d'Acheteurs« at the turn of the century: »They performed acts of citizenship well before they secured the right to vote.«⁵⁰ In a sense, one could say that the emergence of female actors in the EESC had a similarly performative dimension, in that women reinforced the character of the organisation as a *Meinungsgebilde* by making it more representative of society as a whole through their presence and participation. The importance of consumer groups as potential intermediaries between Brussels and female »consumer-citizens« was explicitly recognised by the European Commission.⁵¹

The new assertiveness of consumer activists rested on the idea that they represented the people of the EC; consumerism was now linked to notions of citizenship and political engagement. As Eirlys Roberts asked rhetorically in 1976: »[W]here does a consumer end and a citizen begin?« He or she was not merely the consumer of »commercial goods and services, but of the services of the nationalised industries, of central and local government, of the law, of the environment, indeed of the whole system under which we live.«⁵² This connection between consumers and citizens was also made by another member of group III: Hedda Heuser, a member of the executive board of the German Doctors' Congress,

48 *Anne Pimlott Baker*, Eirlys Rhiwen Cadwaladr Roberts, in: Oxford Dictionary of National Biography, version of 24 May 2012, URL: <<https://doi.org/10.1093/ref:odnb/100115>> [15.9.2017].

49 *Glenda Sluga*, Women, Feminisms and Twentieth-Century Internationalisms, in: *Patricia Clavin/ id.* (eds.), *Internationalisms. A Twentieth-Century History*, Cambridge 2017, pp. 61–84; *Jessica Reinisch*, Introduction. Agents of Internationalism, in: *Contemporary European History* 25, 2016, pp. 195–205; *Celia Donert*, From Communist Internationalism to Human Rights. Gender, Violence and International Law in the Women's International Democratic Federation Mission to North Korea, 1951, in: *ibid.*, pp. 313–333; *Christine von Oertzen*, Whose World? Internationalism, Nationalism and the Struggle over the »Language Question« in the International Federation of University Women, 1919–1932, in: *ibid.*, pp. 275–290.

50 *Katherine Pence*, Shopping for an »Economic Miracle«. Gendered Politics of Consumer Citizenship in Divided Germany, in: *Alain Chatriot/Marie-Emmanuelle Chessel/Matthew Hilton* (eds.), *The Expert Consumer. Associations and Professionals in Consumer Society*, Aldershot 2006, pp. 105–120. The prominent role of women within the consumer movement is also an observable pattern in the other chapters of the volume »The Expert Consumer« and in *Matthew Hilton*, *Consumerism in 20th-Century Britain. The Search for a Historical Movement*, Cambridge 2003.

51 Report by Mr Carpentier, Director of the Environment and Consumer Protection Service. Annex to the minutes of the meeting of the section for the environment, public health and consumption, 14.–15.5.1973, HAEU, CES 5239; Minutes of EESC plenary session, 27.–28.3.1974, HAEU, CES 5280.

52 As quoted in *Hilton*, *Consumerism in 20th-Century Britain*, p. 252.

stated that »all citizens are consumers« and that »[a] consumer policy must treat Community citizens as individuals«. The rights of individuals, not just of social and economic collectives, should be defended.⁵³

Further illustrative of the new assertiveness was the demand that consumer representatives occupy all three group III seats on the study group on liable products in 1976. Most members of group III opposed the demand. They argued that product liability interested manufacturers and distributors as well, and that all of the seats should not be taken up by representatives with a particular vested interest: »Otherwise there would only be farmers to discuss agricultural issues, only consumers to discuss consumer issues and only craft representatives when craft issues were on the agenda.«⁵⁴ Some members went even further, having questioned the very right of consumer representatives to chair a study group on the subject of consumer protection two years prior. In 1974, a group III member had argued that under the chairmanship of Roberts, the study group on the Consumer Protection Plan of the European Commission had produced a final report that »100%« reflected consumer organisations' interests. He linked this to the organisation of national and international consumer groups under Roberts' leadership. This critique lacked broad support within group III, however; several members of the study group underlined that it had been composed of representatives with various interests and that the report had been a genuinely collective effort.⁵⁵

The heterogeneity within group III even threatened to cause a split in 1978. Chairman Peel criticised the group's limited effectiveness, blaming its *de facto* division into two groups, the »professionals« (farmers, craftsmen, small and medium-sized businesses, managerial staff, etc.) and »representatives of the general interest«. In Peel's view, the increasingly powerful position of consumer representatives had led to hostile attitudes towards the professionals. As a result, the two camps had begun holding their own caucus meetings. Peel proposed the creation of a fourth group within the EESC as a potential – if not his preferred – method of ending the deadlock.⁵⁶ While recognising the struggles within group III, the majority of members rejected the idea of a split, arguing that the group was a critical venue for dialogue and exchange.⁵⁷

The Commission's establishment of consultative committees, among them the CCC, was also seen as undermining the position of group III and that of the EESC more broadly. Whereas the group's members applauded consultation with social and economic groups, they argued that the EESC was the legitimate venue for this. Consultative committees institutionalised particular interests, while the EESC served the common interest.⁵⁸ »While [the EESC] in no way claims a monopoly of the consultative process, there is a serious danger that its responsibilities and effectiveness will be undermined if further specialised committees are to operate in parallel at the same stage in the consultative machinery.«⁵⁹ Group III members felt particularly threatened by a renewed emphasis on collective bargaining in the context of the economic downturn of the 1970s. Roberts certainly welcomed

53 Minutes of a meeting of the section for the environment, public health and consumption, 13.1.1976, HAEU, CES 7299.

54 Minutes of Group III meeting, 29.9.1976, HAEU, CES 7361.

55 Minutes of EESC plenary session, 27.–28.3.1974, HAEU, CES 5280.

56 Minutes of Group III meeting, 31.5.1978, Annex – Chairman's statement, HAEU, CES 8422.

57 Minutes of Group III meeting, 11.12.1978, HAEU, CES 8422.

58 Reflections of Group III on the situation of the Economic and Social Committee in the context of recent developments and the Tindemans report, 19.2.1976, HAEU, CES 7360.

59 Minutes of Group III meeting, 31.3.1976, Annex – revised version of Reflections of Group III on the situation of the Economic and Social Committee in the context of recent developments and the Tindemans report, HAEU, CES 7361.

the establishment of the CCC but claimed to deplore the fact that the EESC had not been consulted on it beforehand.⁶⁰

The question of how the rise of consumer representatives in European policymaking processes affected the culture of negotiation and deliberation is more difficult to answer. The concise, often technical nature of EESC records poses challenges to scholarship in this vein. What can be stated with certainty, however, is that interventions by consumer representatives grew more frequent and more assertive in the 1970s. But the new style and rhetoric of consumer organisations, compared to that of more traditional interest groups, were not always appreciated. François Bourel, vice-chairman of the French Association for Agricultural and Foodstuff Industries, deplored the combative style deployed both by the Commission and consumer organisations when it came to issues of consumer protection. The Commission, in its official publication »Industry and Society«, used terms like »consumer battle« and »consumers' victory«. The language of consumer organisations, he complained, was sometimes »rather militaristic«. Roger Ramaekers, president of the Belgian Consumer Council, countered Bourel by pointing to very similar language used by companies, including terms like »market domination« and »sales front«. This was seconded by the director of the Commission's Environment and Consumer Protection Service, Michel Carpentier, who attended the meeting, and who cited the war-like rhetoric of marketing manuals. Carpentier ended on a question: »Since our generation has introduced war into all fields, is it any wonder that our children have adopted the slogan ›Make Love, Not War?‹?«⁶¹

Bourel's remarks reflect more than just discomfort with the language used by consumer activists. Bourel seemed to be in mourning for a bygone time, when dialogue and consensus rather than conflict and polarisation characterised the policymaking process. He held that in order to convince an interlocutor of a point of view, it was necessary first to try to understand *their* point of view and only then to use arguments to persuade. Bourel knew there were always valid arguments both for and against, as the minutes reveal. It was important to maintain this constructive atmosphere, for otherwise »dialogue would break down and a power struggle would begin. If this happened, conflicts would inevitably occur.«⁶² His views may have been coloured by recent experiences with the CCC. As Carpentier explained at the same meeting, it had been impossible for the representatives of the many consumer-backing associations to arrive at a common position. Instead, the CCC had broken down, and the commission received five or six opinions on one subject. Carpentier noted:

»The associations which defended consumers were numerous and varied. But everyone defended consumers in his own way; the industrialist, whose business depended on consumers, the public authorities, the trade unions, co-operatives, family associations, and consumers' associations in the true sense of the word.«⁶³

At the same time, the strengthened position of consumer representatives within the EESC coincided with a fresh wave of consumer activism outside politics in the 1970s. Throughout Western Europe, organisations mobilised consumers around issues such as industrial hazards, toxic waste, and hormone-raised beef, which caused a public outcry at the end of the decade. Their efforts were to have an immediate impact on European policies, not least through the alliance they were able to establish with the recently empowered – now di-

60 Minutes of a meeting of the section for the environment, public health and consumption, 21.3.1974, HAEU, CES 5926.

61 Minutes of a meeting of the section for the environment, public health and consumption, 13.1.1976, HAEU, CES 7299.

62 Ibid.

63 Ibid.

rectly elected – European Parliament. Two examples serve to illustrate the impact, both concerning the mass boycott of consumer goods.

The first concerns a 1976 explosion at a chemical plant in Italy, often called the »Seveso disaster« after the municipality whose inhabitants were most severely affected by dioxin contamination. Plant officials had kept quiet about the toxic leak and authorities only learned about it a week after it began. The owner of the factory, Swiss pharmaceutical firm »F. Hoffmann-La Roche«, only exacerbated the crisis by transporting toxic waste across the border to France and refusing to disclose the location of the dump site.⁶⁴ In response, a coalition consisting of medical doctors, consumer and environmental organisations, and local political groups, initiated an EC-wide boycott of the company's products. The BEUC played a central role in this action.⁶⁵ The environmental catastrophe and the outburst of public indignation led to the first European legislation aimed at preventing and controlling major industrial accidents, which has been referred to as the Seveso Directive to this day.

As a second example, by the end of the 1970s, hormone use in livestock rearing was becoming a hot-button public health issue. European citizens were alarmed by a number of veal hormone scandals, the most prominent of which concerned Italian-produced baby food. National consumer organisations launched a Community-wide boycott, successfully forcing baby food producers to remove contaminated meat from their products. On the supranational level, the BEUC organised an effective campaign to lobby European institutions. The European Parliament, which had only recently been directly elected for the first time, was particularly eager to show its responsiveness to public concern and passed a resolution recommending a general ban by a vast majority. In response to the public outcry, the Community started to adopt regulations which, from 1980 on, would gradually ban the use of hormones.⁶⁶ Both this and the Seveso example demonstrate the impact of a reinvigorated consumer movement on European policymaking processes, beginning in the 1970s.

V. CONCLUSION

Democracy is not a fixed condition but an often contested set of ideas and practices that have changed and continue to change over time. This case study of interest representation

64 *Bruna de Marchi/Silvio Funtowicz/Jerome Ravetz*, Seveso. A Paradoxical Classic Disaster, in: *James K. Mitchell* (ed.), *The Long Road to Recovery. Community Responses to Industrial Disaster*, Tokyo/New York 1996, pp. 86–120; *Robert Emmet Hernan*, *This Borrowed Earth. Lessons from the Fifteen Worst Environmental Disasters around the World*, New York 2010; Seveso Disaster, in: *The New York Times*, 19.8.1976; Seveso-afval zoekgeraakt [Seveso waste lost], in: *Het Vrije Volk*, 30.3.1983.

65 Duitse artsen boycotten »Seveso-firma« [German doctors boycott »Seveso firm«], in: *Het Parool*, 19.4.1983; Boycot bedreigt Zwitsers concern [Boycott threatens Swiss firm], in: *Trouw*, 20.4.1983; Consumentenbond wil boycot van medicijnen Hoffman-La Roche [Consumer League wants boycott of drugs Hoffman-La Roche], in: *Leeuwarder Courant*, 25.4.1983; Der Irrweg des Giftes, in: *Die ZEIT*, 15.4.1983; Dioxin: Chronik des Giftmüll-Skandals, in: *ibid.* About the reception of the »Seveso disaster« in Germany, see *Frank Uekötter/Claas Kirchhelle*, *Wie Seveso nach Deutschland kam. Umweltskandale und ökologische Debatte von 1976 bis 1986*, in: *AfS* 52, 2012, pp. 317–343.

66 *William A. Kerr/Jill E. Hobbs*, Consumers, Cows and Carousels: Why the Dispute over Beef Hormones is Far More Important than Its Commercial Value, in: *Nicholas Perdikis/Robert Read* (eds.), *The WTO and the Regulation of International Trade. Recent Trade Disputes between the European Union and the United States*, Cheltenham/Northampton 2005, pp. 191–214; *Ladina Caduff*, *Growth Hormones and beyond*, Zurich 2002.

in the EESC in the 1970s has aimed to highlight the agency of social and political actors in altering hegemonic discourse and changing political institutions from within. While consumer organisations had been successful at organising themselves on the supranational level in 1962, it would take until the 1970s for a window of opportunity to open that would allow them to strengthen their position within the consultative machinery of the EC. Why were consumer organisations effective at campaigning in the name of the consumer? While this question requires more research before an answer can be attempted, clues lie in the Commission's motivation to bridge the gap with European citizens by developing consumer policies; in the diminished legitimacy of trade unions as exclusive representatives of all employees; in the rising influence of new member states in an expanding EC; and in the role of women, who often found in consumer organisations a more receptive environment to their contributions than in other interest groups. This must be understood against the backdrop of what was perceived at the time to be the emergence of a »modern« society made up of individual citizens with an increased awareness of risks and hazards of unlimited economic growth on the environment and on Europeans' »quality of life«.

The EESC was never a powerful institution. For those primarily interested in questions of who gets what, when and how, it may even seem irrelevant. This article should have demonstrated, however, that an analysis of the EESC can expose broader changes in dominant conceptions and practices of political representation. These changes unfolded on several levels. First, new public interest groups began to chip away at the legitimacy of dominant post-war interest groups, such as trade unions, in Brussels. Consumer organisations were the first of these new groups, but others soon followed, such as environmental organisations, in the 1980s and 1990s. This was reflected in institutional change, such as the composition of the EESC and the establishment of new consultative committees. Second, a larger share of consumer representatives within the EESC also meant that the profile of its membership began to change, albeit gradually. The most visible example of this is Eirlys Roberts, whose assertive role in the EESC, both as a woman and a vocal consumer representative, had a performative dimension in that it disrupted existing patterns of interest representation in the EC. Third, the changing of the guards implied that a more liberal and pluralist vision of society, one composed of a variety of partially competing interests rather than the collective entities of labour and capital, was gaining traction. European policymakers and consumer representatives introduced a new organic discourse, in which the »man on the street«, the »pulse« of society and the »human face« of the EC were recurring features. This differed dramatically from the rather impersonal discourses of treaties, labour and capital, and expertise and bureaucracy that had been pervasive since the 1950s.⁶⁷

Let us finally return to Pitkin's conceptual categories of political representation. In the 1960s, the dominant repertoire of political representation was formalistic in nature. Members of the EESC, often leaders of their organisations, had the authority to act in the name of their constituencies, be they farmers, workers or employers. In particular, trade unions conceived of the EESC as a *Handlungsgebilde*, geared towards collective bargaining and consensus-building in the common interest. In the 1970s, consumer organisations, and the members of group III more generally, argued that the EESC ought to reflect modern society in its full spectrum. Representation was not the exclusive right of the most powerful interest organisations, and the EESC should serve as a channel to convey all views held by social and economic actors – Zellentin's *Meinungsgebilde*. This is a descriptive view of political representation that is based on resemblance; the representativeness of the EESC depended on its ability to mirror the plurality of interests characteristic of modern society. What all interest groups had in common was a belief that they served as important bridges between citizens and their governments. They saw themselves as able to communicate lo-

67 I wish to thank Koen van Zon for making me aware of this contrast.

cal concerns to policymakers and to inform the general public about EC policies. The emphasis on fostering public deliberation and civic engagement appeared as a new feature in the debate on interest representation in the 1970s, introduced in particular by consumer organisations and the European Commission. The question of whether this shift indeed ushered in a substantive change in civic engagement practices in the EC is one that would certainly benefit from further study.