UNDERSTANDING TRANSNATIONAL ADVOCACY NETWORKS: HOW THE POLITICAL OPPORTUNITY STRUCTURE IMPACTS THEIR EMERGENCE

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It is an increasingly accepted fact that international politics are shaped nowadays by a diversity of actors as states interact in world politics with individuals, civic groups, international organizations and international nongovernmental organizations (INGOs), among others (Held, 1991). The interaction between these entities is often structured in terms of networks (Castells, 1996; Keck and Sikkink, 1998). We call these networks transnational as their constitutive entities are situated across state borders and at least one actor in the network is a non-state agent or does not act on behalf of a state (Risse-Kappen, 1995).

This paper will engage with a particular subspecies of transnational networks, the 'transnational advocacy network' (TAN). A TAN is defined as a set of: 'relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and a dense exchange of information and services' (Keck and Sikkink, 1998, 2). TANs are only those transnational networks 'organized to promote causes, principled ideas, and norms, and they often involve individuals advocating policy changes that cannot be easily linked to a rationalist understanding of their *interests*' (Keck and Sikkink, 1998, 9). In the case of TANs, the factor that motivates action is intellectual and emotional dedication on behalf of the participants (Rodrigues, 2004). The TAN actors will be referred to throughout the paper more broadly as activists or advocates.

The proliferation of transnational networks in recent decades has led to an increasing interest among International Relations scholars in investigating the role that these structures play in world politics (Castells, 1996; Keck and Sikkink, 1998; Khagram et al., 2002; Betsill and Bulkeley, 2004; Kahler, 2009; Yanacopulos, 2009). Despite the fact that progress has been achieved recently in documenting transnational networks in general (and TANs in particular), questions concerning the way these

networks form, the way they operate and the degree to which they impact on world governance are still a matter of debate. This paper aims to contribute particularly to the debate on how these transnational structures emerge and to show how the interplay between the domestic and the international political opportunity structure is instrumental in fostering the emergence of a TAN. We now turn to explaining in more depth the concept of 'political opportunity structure'.

INTRODUCING THE THEORETICAL CONSIDERATIONS SURROUNDING THE CONCEPT OF 'POLITICAL OPPORTUNITY STRUCTURE'

The concept of 'political opportunity structure' was developed by the social movement theory and is defined as 'the set of social and institutional variables that are likely to affect the development of collective action' (Diani, 1995, 14).

Sikkink makes a clear distinction between the domestic and the international political opportunity structure (Sikkink, 2005). The domestic opportunity structure is defined as 'how open or closed domestic political institutions are to domestic social movement or NGO influence' (Sikkink, 2005, 157). The larger the number of parties, the more independent the legislative branch, the easier the procedures with which to build policy coalitions, the more open the political opportunity structure will be to different interest groups (Kitschelt, 1986). The international political opportunity structure 'refers mainly to the degree of openness of international institutions to the participation of transnational NGOs, networks and coalitions' (Sikkink, 2005, 156) and is most often comprised of: "a number of international governmental organizations like the UN, the EU, the World Bank and the IMF, establishing a number of formal treaties, international regimes, systems of global governance, as well as, sometimes, structures of norms and values." (Van der Heijden, 2006, 32).

Such international institutions serve as sites that can bring parallel groups together internationally, but also as targets for group protest (Tarrow, 2001) as they are: 'likely to increase the availability of channels that transnational actors can use to target national governments in order to influence policies' (Risse-Kappen, 1995, 31). The 'boomerang pattern' becomes manifest 'when channels between the state and its domestic actors are blocked [...] NGOs bypass their state and directly search out international allies to try to bring pressure on their states from outside' (Keck and Sikkink, 1998, 12). Domestic groups will seek the support of foreign governments or intergovernmental organizations in the hope that, by taking a stance on the issue,

these entities will exert additional pressure on the national authorities (Keck and Sikkink, 1998).

Both the domestic and the international opportunity structure are dynamic. The opportunity structure includes both 'highly inert components that are more or less permanent features of the terrain' (Ferree et al., 2002, 62) and 'windows of opportunity' which are open only briefly (Gamson and Zald, 1996). The domestic opportunity structure 'varies primarily across countries, but it also varies over and across issues within countries' (Sikkink, 2005, 157), while the international opportunity structure varies 'over time and across intergovernmental institutions which in turn is related to variation across issues, and across regions' (Sikkink, 2005, 156-157). In addition, favourable political opportunity structures are not only found, they can also be created (Sikkink, 2005). For instance, human rights activists from Argentina and Chile brought cases of human rights abuse committed by their governments to the Spanish National Audience Court, which accepted their cases and in this way opened new arenas for the activists' actions (Sikkink, 2005).

For the purpose of this paper, the role that the political opportunity structure plays in the emergence of TANs will be discussed in relation to a Central and Eastern European (CEE) transnational advocacy network calling for the banning of cyanide-based mining, a technology potentially harmful to the environment. The network will be referred to as the Cyanide Ban Network (CBN) in this study¹. The CBN integrates, among others, nongovernmental organizations (domestic NGOs and INGOs, international NGOs), politicians (Members of National Parliaments, MPs), and Members of the European Parliament (MEPs), scientists and local social movements from Romania, Hungary, Bulgaria and Greece.

The discussion on the CBN will be conducted in relation to the campaigns waged so far by different segments of the CBN or the entire network, that is to say, campaigns demanding national cyanide bans in Romania, Hungary, Bulgaria and a campaign to ban cyanide at the EU level. As will be shown below, it was particularly the domestic failure of the Romanian activists to ban cyanide domestically that triggered the internationalization of the cyanide-ban campaign and implicitly the formation of a transnational advocacy network.

Presently, cyanide-based mining is banned in the EU in the Czech Republic, Germany and Hungary, in the last case as a result of the CBN, whilst used in gold exploitation and/or processing in Bulgaria, Sweden and Finland (European Commission 2010).

A CLOSING DOMESTIC POLITICAL OPPORTUNITY STRUCTURE

When the campaign to ban cyanide began in Romania in 2007, the domestic political opportunity structure was extremely favourable. Activists could count on the support of two members of the Romanian Senate (Upper Chamber of the Romanian Parliament) who were willing to propose a cyanide ban. In addition, the Rumanian Ministry of the Environment issued several public declarations and provided the Parliament with expert statements in support of the ban as a result of NGO pressure (author's interview with the former Romanian Minister of the Environment, 2010). This increased the support for the ban at the parliamentary level. An activist advocating with the Romanian Parliament for a ban remarked: 'the Ministry of the Environment expressed public support for the legislative initiative and this triggered a snowball of support in all the Parliamentary Commissions in the Chamber of Deputies' (author's interview with a representative of the Romanian environmental NGO Terra Mileniul III, 2010).

There was also widespread opposition to the use of cyanide in mining at the level of Romanian public opinion. A survey conducted by an independent Bucharest-based market research institute at the request of CFR showed that 66% of Romanians were in favour of banning cyanide-based mining (IMAS 2008). As parliamentary elections were following in autumn, MPs became more sensitive to public opinion and were reluctant to oppose a highly publicized proposal that benefited from wide public support: "the people in the Parliament are not interested in subjects less central to their agenda unless there is an electoral moment when things get precipitated and all the subjects are potentially important for certain groups, the moment 2008 was a climax moment for the campaign, we reached the Parliamentary Commissions, we had promises because that was an electoral moment." (author's interview with a representative of the Romanian environmental NGO The Independent Centre for Environmental Resources, 2010).

The support that the Romanian activists managed to attract for their proposal at the domestic level was lost in late 2008 after the elections took place. The two Senators supporting the ban lost their positions and a new political configuration opposing the cyanide ban obtained most of the seats in the Parliament and in the Executive. Aware that they might have to wait for another legislative electoral opportunity to achieve a national ban (author's interview with the coordinator of the Romanian cyanide ban campaign, 2010), the activists decided to seek international support hoping that in this way they would be able to put pressure on the domestic institutions: "when you have

a blockage at the national level, you try to find other environments, other structures of political opportunity so that you can keep the problem on the public agenda and in this way you can hope that by creating strong enough external pressure you will be able to impact any kind of political configuration that forms at the national level." (author's interview with a volunteer and legal adviser in the Romanian cyanide ban campaign, 2010).

TAKING ADVANTAGE OF THE OPEN INTERNATIONAL POLITICAL OPPORTUNITY STRUCTURE

Although the Romanian political arena was closing, the regional arena was gradually opening up. As argued by Schattschneider (1960), the losers in a policy debate will try to switch arenas and will appeal to those not involved in the debate. In this way, they hope to change their position to a winning one as new persons brought into the debate will most probably take their side. The Romanian campaigners turned to the Hungarian NGOs who had started a similar cyanide ban campaign in Hungary in early 2009 (author's interviews with the initiators of the Hungarian cyanide-ban campaign, 2010). Romanian and Hungarian activists were equally involved in shaping and implementing the Hungarian cyanide-ban campaign. According to an interviewee central to the campaign, the Romanian and Hungarian activists virtually 'sat together' and decided on how to go about banning cyanide in Hungary: 'this is a great example, the cyanide ban equally provoked by Hungarians and Romanians' (2010).

NGOs in Hungary acted out of solidarity with their Romanian cyanide-ban campaigners, but also because they feared trans-boundary pollution in case several cyanide-based mining projects were implemented in Romania. Not faced with the serious threat of a cyanide-based mining project being implemented in Hungary, the organizers of the Hungarian campaign hoped to impact the Romanian environmental legislation. As one of the leaders of the Hungarian Green Party involved in the campaign recalls: 'we thought that an official act like this, the ban of cyanide in Hungary, could help the efforts at the regional level and in Romania to advance with the national cyanide ban' (2010). The Hungarian campaign aimed to trigger a 'boomerang pattern' and put pressure on the government in neighbouring Romania to favour a cyanide ban.

A favourable domestic political opportunity structure was essential to achieving the cyanide ban in Hungary. As highlighted in an interview with a representative of Greenpeace Hungary: 'the timing for the campaign was perfect' (2010). Several factors were perceived by the activists as fostering a favourable political opportunity structure. Firstly, the Hungarian parliamentary elections were approaching so all the political parties were interested in supporting a ban that benefitted from wide public support (author's interview with a representative of Friends of the Earth Hungary, 2010). An opinion poll conducted in early December 2009 indicated that 74% of the respondents favoured a cyanide ban (Median 2009). Public opinion in Hungary was already well aware of the impact that cyanide had on the environment owing to the pollution of the Tisza as a result of the 2000 Baia Mare cyanide spill. Secondly, the fast-moving Hungarian ban campaign left little time for any kind of opposition on behalf of the industrial mining lobby (that in general is weaker in Hungary than in Romania) to coalesce into a counter-campaign (author's interviews with the campaign coordinators, 2010). Thirdly, activists were successful in adjusting the political opportunity structure when needed and made it work in their favour. Hungarian politicians were provided with the draft of the bill and presented the prospect of passing the ban as an effective way of improving their public image. According to a representative of Greenpeace Hungary, 'our tactic was to win all the parties in the Parliament and to provide them with an extended draft looking almost like the text of a law, they like it if they do not have to work too much'.

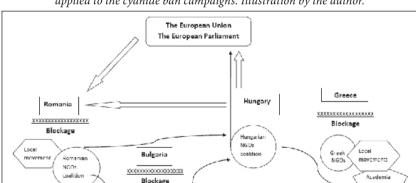
By achieving a cyanide ban in Hungary, activists managed to attract in their network a new type of actor, a state, Hungary. After cyanide use in mining was banned in Hungary, Hungarian official representatives adopted a discourse highly supportive of a cyanide ban at the CEE and EU level: "we think in Hungary that a technology based on cyanide is dangerous, is unsafe. We have the counterarguments of Sweden, Finland, Canada claiming that those technologies are safe, that they are not worse than the nuclear technology. We do not believe so. We think that cyanide technology as such is not safe. We oppose whenever and wherever somebody uses cyanide technology in mining." (author's interview with the Hungarian Ambassador to Romania, 2010).

The Hungarian government attempted to impact upon environmental norms in neighbouring countries. The Hungarian officials engaged in dialogue on the topic of banning cyanide with their Romanian counterparts, trying to push for a change in the position of the Romanian authorities in relation to cyanide-based mining. The Hungarian Ambassador to Romania has stated while interviewed that: 'we are in constant dialogue with the Romanian government on this topic. They are saying that the technology is safe and at this point we reach a deadlock. We claim that it is

unsafe. They claim that it is safe'. However, despite external pressure, little change in the position of the Romanian authorities was achieved.

The Hungarian government has also secured the support of the Visegrad group, a group of Central European states (Hungary, Slovakia, the Czech Republic and Poland) that tend to synchronize their point of view on environmental affairs (interview with a former Romanian Minister of the Environment, 2010). Hungary and other countries from the Visegrad group (particularly Slovakia) have expressed their interest in achieving a ban at the EU level, hoping that in this way they will impact the national legislation of several CEE countries whose waterways are connected with those of the Visegrad group countries. For example, Hungary and Slovakia have recently overcome their traditional rivalry and exercised political pressure in supporting a cyanide ban at the European level (interview with the Hungarian Ambassador to Romania, 2010).

The alliance with the Hungarian NGOs has enabled Romanian activists to gain the support of a state actor that has attempted to put diplomatic and political pressure on the Romanian government and to support (as will be shown below) the CEE and Greek civil society efforts to achieve a cyanide ban at the EU level. In this way, a 'boomerang pattern' was triggered (figure 1) in response to the closure that the Romanian, Bulgarian and Greek cyanide ban movements were facing at the domestic level and with the hope that the external pressure would make the authorities in these countries change their mind.



(scientists)

Information

Pressure

Figure 1: The 'boomerang pattern' as defined and illustrated by Keck and Sikkink (1998) applied to the cyanide ban campaigns. Illustration by the author.

Local

ACCESSING THE POLITICAL OPPORTUNITY PROVIDED BY THE EUROPEAN UNION

The EU has been credited with providing from many aspects a fertile ground for the emergence of transnational networks. Scholars have claimed that the EU opens several points of access for different interests, given its interdependent institutions and its dynamic agenda (Hooghe and Marks, 2001). Environmental interests are no exception. The EU adds an extra layer of supranational environmental regulation, generally promoting higher environmental standards at the European and global level (Sbragia, 2000; Zito, 2000; Pridham, 2002; Sbragia, 2002; Van der Heijden, 2006).

Not surprisingly therefore, the European institutions have been found to be spaces of political opportunity in demanding a cyanide ban by CEE-based NGOs and social movements. After achieving the Hungarian ban, CEE-based, Greek and transnational NGOs contacted several MEPs who were more likely to take a similar initiative at the European level (author's interviews with both NGO representatives and MEPs' assistants, 2010-2011). In early 2010, the office of János Áder, a Hungarian MEP (member of the Hungarian Civic Union, the main conservative party in Hungary and a member of the European People's Party in the EP) started to work on a European Parliament (EP) cyanide ban resolution. János Áder was soon joined in his efforts by other MEPs, mainly from Hungary, Romania, Greece and Bulgaria. On the day of the vote, 5 May 2010, the EP resolution recommending the ban of cyanide-based mining technologies in the EU by the end of 2011 was passed with 448 votes in favour, 48 against and 57 abstentions.

By turning to the EU arena and changing EU environmental norms, activists from CEE and from Greece hoped they would be able to change national environmental norms in their own countries, whose governments were unresponsive to their demands: "after the Hungarians succeeded in banning cyanide, we had a couple of meetings and then it first came up as a target to ban cyanide across Europe. We thought of the possibility of banning cyanide in each of our countries, but this would have been very difficult in Greece and Bulgaria." (author's interview with the representative of the Greek environmental NGO Hellenic Mining Watch, 2011).

Activists have noticed that when acting in the European arena, CEE politicians often go through a process of metamorphosis that allows them to show more interest in environmental affairs: "we have the support of the MEPs. It is easier to support us at the European level. Environmental politics is a topic that they are more willing to

approach [...] when you look towards Europe you want to be clean and you want to be idealistic as you hope that in this way you will attract a lot of young voters, but in Romania you have to be 'Mioritic', because this is reality still." (author's interview with a campaigner based in Romania, 2010).

Romanian campaigners saw an opportunity in turning to the EP especially as some allies of the national ban campaign in the Romanian Parliament have meanwhile become MEPs and could use several non-legislative parliamentary tools such as declarations, parliamentary questions addressed to the Commission and resolutions to bring the topic to the attention of the EU institutions. "At this moment [Dec 2010] it is easier to influence European legislation than Romanian legislation. It is a cleaner process. In Romania we do not have any supporters in Parliament anymore. The structure of political opportunity has changed, from the Romanian Parliament it was transferred to the European Parliament." (author's interview with the coordinator of the Romanian cyanide ban campaign, 2010).

The EP was also perceived as a more feasible space of political action by environmental activists from Bulgaria and Greece. While the 2008 Bulgarian activists' proposal for a national ban did not secure the support of the National Bulgarian Assembly, the Bulgarian MEPs in general supported a European ban. This was due to peer pressure in the EP (author's interview with the representative of the Bulgarian Centre for Environmental Information and Education, 2011). In Greece, due to wide political support in the legislative and executive branches of the government for the mining industry, activists were aware that an attempt to achieve a Greek cyanide ban would be unlikely to succeed (author's interviews with representatives of Greek NGOs and Greek MEPs' assistants, 2011). As the representative of the Greek environmental NGO Hellenic Mining Watch stated when interviewed by the author: 'a cyanide ban was something that we could not have pursued in Greece directly because we do not have that kind of power in Greece, we do not have the leverage over the members of the Parliament' (2011). Therefore, the main opportunity for these groups remains at the supranational level, the EU. As one Greek activist has noted: 'at the EU level it is easier to change legislation than in the national level, where there are many people who think that these projects will create jobs and will bring some money to the public budget during these difficult times' (2011).

In the Romanian jargon this implies being grounded, interest driven and flexible in achieving one's interests.

The lack of response on the part of the domestic authorities towards the activists' demands in Greece and Bulgaria is well known by MEPs. Green MEPs from the region expressed support for the cyanide mining technologies ban in order to overcome the apathy which activists face on the domestic level. One Greek MEP assistant noted: 'every help that we can provide from the European to the local level is welcomed by the local initiatives that are against the cyanide-based mining projects' (2011).

The efforts of the CEE-based NGOs and local movement representatives were matched at different stages by the actions of a state, Hungary. After the EP voted the resolution demanding a cyanide ban, Hungary requested that the Commission and the Council take legislative action in line with the EP resolution: "we tried to persuade the European Commission to prepare a draft that would ban the use of cyanide. The Commission has refused. They said that we have a regulation for it, that it is a regulation that works. This is the end of the story for the time being, but we will be repeating and repeating and repeating that we are against this technology and that this technology is not safe and we would like to see much stricter regulation, a ban." (authors' interview with the Hungarian Ambassador to Romania, 2010).

Although the resolution is a political declaration and not binding legislation, most of the cyanide ban advocates across Europe feel that it has been very effective in firmly placing the issue on the European agenda. This is an important step towards legislative change bearing in mind the other precedents in which changes in legislation were produced as a result of the environmental lobby at the EU level (Meyer, 2010). In addition, the resolution has sent a message to the Member States that at least some of the European institutions strongly support the phasing out of the use of cyanide in gold mining, so the national legislation that is to be adopted by Members should mirror the EU trends. The resolution called: 'on the Commission and the Member States not to support, either directly or indirectly, any mining projects in the EU that involve cyanide technology until the general ban is applicable, nor to support any such projects in third countries' (The European Parliament, 2010).

As anticipated, the political opportunity structure at the level of the EP was better able to accommodate activists' demands. Similarly to the Hungarian ban, the EP resolution is the result of a TAN's efforts, the CBN. Social movements, NGOs, scientists, etc., whose demands have not been met at the domestic level, sought support internationally as they perceived these external arenas as being more open. The findings in this chapter on the CBN are consistent with the observation made by

Marsh (1998) in relation to domestic policy networks. Marsh argued that the context will affect the network shape and the behaviour of the agents that are part of the network, but that in the end the response that the network sends to the environment is dependent on how the network actors interpret a particular context.

Contrary with the pre-existent theoretical assumptions, this chapter has also shown that not only obstacles but also success at the national level motivate collective action at the supranational level. This happened in the case of the Hungarian NGOs when the national legislation change was perceived as a milestone in a larger norm change process and there was an interest in externalizing and spreading the newly-adopted national environmental norms.

CONCLUSION

Analysing the political opportunity structure offers a feasible way of explaining the existence of TANs. As shown in the case of the Cyanide Ban Network, the interplay between the closure of the domestic and the opening of the international political opportunity structure can easily trigger the externalization of certain demands that are not satisfied at the domestic level. Faced with domestic unresponsive authorities, the environmental activists in Romania networked and joined in collective action with their counterparts in Hungary, Bulgaria and Greece. They aimed to change legislation in Hungary in order to be able to set a CEE model and then took their fight to the EU level.

Their intention in waging an internationalized campaign triggered the formation of a TAN. This structure managed to attract a wide variety of actors and emerged as highly heterogeneous. Although it was predictable that NGOs, INGOs and social movements would engage in collective action, this study has shown that even governmental actors can network with civil society in order to press other governments to adopt higher environmental standards.

This is not to say that other factors cannot account for or contribute to the emergence of TANs. On a more general level, the proliferation of transnational networks is linked by most scholars with globalization and the revolution in communication and transportation taking place in recent decades (Giddens, 1990; Castells, 1996; Held et al., 1999). In addition, the existing literature on transnational networks has attributed the emergence of TANs to the role that existing social networks play in fostering the emergence of new issue networks (Yanacopulos 2009). However, it is beyond the scope

of this paper to investigate how these factors have contributed to the emergence of the CBN or other TANs. Further research needs to be conducted in order to gain a better understanding of the all factors that might influence the formation of TANs and the combination in which they lead the emergence of these social structures.

An investigation of the political opportunity structure remains, however, crucial in explaining not only the existence of TANs, but also the successful outcome of certain advocacy campaigns. Comparison between the domestic circumstances in which the campaigns to ban cyanide took place in Romania and Hungary have shown that activists are more likely to achieve their goals when they benefit from the support of different branches of the government, especially in moments preceding parliamentary elections when politicians are under greater pressure from public opinion. Acting promptly and taking advantage of the political opportunity structure is crucial for the success of any campaign. As one CBN member stated: 'political results can be achieved if the timing and the set up [for a campaign] are good or are perfect and it is really important to seize this kind of opportunities' (2010).

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