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SECURITY & SOVEREIGNTY IN THE 21ST CENTURY

CONFERENCE PROCEEDINGS



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THE ORGANISATIONS OF BUSINESS INTERESTS IN EUROPE

Péter Krisztián Zachar, Ph.D.

*Department of International Relations and History,
Kodolányi János University of Applied Sciences
zacharpeter@kodolanyi.hu*

Abstract: *In the last few years the question of policy making in the European Union is getting more and more relevant for both scholars interested in European politics and those concerned with the legitimacy of decision-making on European level. The field of work and influence of interest groups is especially the target of scientific interest. The chambers of commerce as economic associations are representing a very special type of interest groups in Europe. The recent study is giving an insight into the difficulties of defining a European standard for the organisations of business interests and the author is trying to show the actors of lobbying on the European level. Several national chambers, large city chambers of commerce and also associations of chambers have their own representations in Brussels, which are trying to influence the decision-making processes of the European Union directly. The study is dealing with the role of these interest groups and it is analysing the role of EUROCHAMBRES, the Association of European Chambers of Commerce and Industry, which is one of the largest business representative organisation in Brussels.*

* * *

A) The tradition of chamber autonomies in Europe

In our days, more and more attention is being paid to the activities of the civil sphere, to the framework and questions of its operation. The role and range of action of the organisations established as a result of the self-organisation of citizens, however, are not familiar to a lot of people, and little is known about their genesis and evolution either.

This is especially true in the case of the various interest protection and representation organisations, since the issue of these forms of autonomies has not stayed in the foreground of scientific attention so far. Both the Hungarian and the European scientific life and public are showing an increasing interest in these organisations. Our present work examines one part of this self-governmental segment, namely the chamber autonomies. We have chosen to deal with it especially because very little is known about what the exact task of these organisations is, and along what obligations and licences they operate.

Based on our experiences, not only do the chamber autonomies have great traditions in Europe, but now they also play – through their efficient operation – a decisive role in the EU

decision making processes, especially through the umbrella organisations present on the European stage as well as their joining the processes of the European Social Dialogue.

As an introduction to our topic, it is worth referring to the marked duality characterising the chamber autonomies established in the European culture. In the historical point of view, we may differentiate – with a slight simplification – between two main types of professional/economic self-governments: the Anglo-Saxon and the continental interest representation models. (Kluth, 2005, pp.78–81)

I) The Anglo-Saxon model

The establishment of the structures belonging to the Anglo-Saxon system is typical of Great Britain and its colonies – in this respect including the later United States as well. An important peculiarity of the Anglo-Saxon chamber systems is that they may be regarded as self-organisations fully built from the bottom: the central power was not present at their birth; therefore, they were granted no state licences of any kind. These organisations were not legal entities created by law, but were/are functioning as associations: each merchant, craftsman, lawyer, economist etc. could decide for himself to be or not to be member of the chamber. In this sense the British chambers of commerce, industry and agriculture were functioning either as structures representing local interests or as umbrella organisations of different associations, societies, but in every case, they were – and still are today – organised on free association basis and are a real part of civil life. They rarely participate in the professional public administration, neither do they help the government with counselling work in an institutional form. The activity of economic chambers is mainly concentrated on promoting the establishment of and stimulating business contacts, while in the case of professional bodies on ethical issues, the representation of its members' interests, and self-help. (Bennett, 2011) The chambers following the Anglo-Saxon model are virtually fully independent of the government and state public administration, although due to their optional membership system they represent only a fraction of the economic/professional circle, therefore their membership number, financial strength and social weight is often fairly trifling.

II) The continental model

The other group of chambers contains the economic/professional self-governments organised based on the continental model. These were mainly established following the French pattern, and markedly differed – and still differ in our days – from the structures set in the Anglo-Saxon countries. The chamber organisations created since the 19th century overall on the European continent were in most cases established by central will, their sphere of authority, tasks and responsibilities were regulated by regal decrees, later by the law. (Kluth, 2005:78) They were usually organised based on compulsory membership system, their main tasks were to help legislation preparation work related to the represented sphere by suggestions and proposals, and to represent the interests of the given economic/professional circle towards the

government and the society. During time, the chambers organised on the basis of the continental model have become legal interest representations that included the whole of a particular sphere, and through maintaining regular contact with the government they exerted some influence on the legislation as well. (Hendler, 2005, p.27)

If we look on the historical development of these organisations, it is worth emphasising that the French influence appeared especially with the Napoleonic Wars in Central-Eastern-Europe, then the idea of chambers gained ground from the 1848 wave of revolutions onwards. It was an important characteristic feature of the chamber organisations established in France that the monarchic/governmental and the public administrative power had a strong influence on them, so the autonomy and the individual – possibly initiative – activities of these structures could only be implemented in a very limited field. Therefore, these bodies may be considered as the executives and “extended arms” of the central will coming from above, rather than interest representations independent of external factors, serving their own members. As opposed to this, in several other countries of Europe including the southern states, Germany and Austria chamber structures with more freedom and – regarding their licences – broader influence were established. (Hendler, 1984, pp.25–26)

All in all, regarding the economic chambers three different types of interest representation may be defined in the European Community states in our days. (Sack, 2015) The first group includes the countries with organisations having compulsory membership. At this point we should mention that besides Austria and Germany, France, Italy, The Netherlands, Luxembourg, Slovenia, Spain and Greece also have interest representations (of public body nature) with compulsory membership. The second group, which at present includes Hungary as well, realize the voluntary chamber membership based on the law. Belgium, Poland, Lithuania, Slovakia, Sweden and The Czech Republic have such economic interest representations. We may place in the third group the countries that have created no legal regulation whatsoever concerning economic interest representations, so the tasks of these are performed exclusively by associations organised on civil law (association) basis. This group includes Great Britain, Denmark, Ireland, Latvia, Estonia, Malta and Cyprus.

B) The role of chambers in the socioeconomic system of Europe

The chamber operation in the 19th century repeatedly pinpointed in most of the states of Europe the inadequacy of infrastructure, especially rail transport, they raised attention to the necessity of building bridges as well as to the need for a telegraph network. Often, we can find actions in the field of social policy, the issue of cheap workers’ flats, and the interest representations also contributed to the creation of the acts on worker protection and patient aid formed at the end of the 19th century. The chambers mainly focused on the development of domestic economy, on the growth of domestic industrial and agricultural companies.

In the period between the two World Wars, the tasks and the main elements of the structure of the commercial and industrial interest representation bodies were mostly influenced by the philosophy of self-government. Despite the disastrous territorial and economic/social

consequences of the First World War, therefore no real change occurred in the traditional activities of the commercial chambers. They aimed at adapting to the altered situation and increased the intensity of their own initiatives; for instance, they played an important role in organising international fairs, in supporting the commercial school network. In the field of agriculture, the chambers established their own model farms, agricultural schools, started enterprises and supported among others the solution of the homestead problem. (Strausz – Zachar, 2008)

1) The problems of Central and East Europe

After 1945 we see a clear duality of development: while the chambers in Western Europe took a stand, and contributed to the reorganisation of the modern democratic states, in Eastern Europe these organisations were not able to further improve their activities, what is more, most of them were eliminated by the totalitarian communist rule. Thus, in Western Europe we have in a lot of countries a very strong and historically based chamber system. Here the functioning of the pluralist democracy could be reconciled with the neo-corporatist interest protection: the high level of dialogue among the different social, economic and political groups, and thus the high level of social cohesion and solidarity has contributed to the European integration. Two countries, Austria and Germany have stated in their legal regulations that the present system of self-government, together with other forms of free associations and corporations, is one of the main pillars of liberal and plural democracy. Among these the chambers established by law are organisations that were created by the legislation to protect the interests of certain social groups or profession groups (that is they are legitimate economic/professional interest representation bodies).

In the course of the regime change, the countries of Central and East Europe (as indicated by Lőrinczné, 2007:36-47) recreated some historical institutions, including the traditional chambers in their civil society. In these years, the number of organisations calling themselves chambers increased from month to month. Mostly they were established on the basis of the right of association, so they are commonly called associative chambers. The number of members, financial possibilities and therefore the range of motion of these chambers established on voluntary membership basis widely differed. However, in connection with the bigger organisations serving real needs, also the government realised that their status should be regularised, and in order to ease the burden of the state apparatus, they could be commissioned to perform certain public tasks. To realise this intention, in a lot of Central and Eastern European countries the chambers of economic nature were declared by law to be public bodies. In Hungary, this process took place in the year 1994. Thus, the chambers of commerce and industry, the chambers of craftsmen uniting the small entrepreneurs, and the chambers of agriculture were established – with compulsory membership and of public body nature. Although this could have marked a return to a historical chamber system, in the following years the legal status of these organisations changed again due to uncertainty in the political decision making processes. (Strausz – Zachar, 2008)

The forced reform of the economic self-governments occurred mostly in the years when it was the greatest need for the chambers to be able to perform their activities uninterrupted. The countries of CEE were in the entrance hall of the accession to the European Union, and one of the most significant tasks of the chambers would have been to prepare both in general the national economy and the domestic economic players for the consequences of the accession to the community. (Koudela, 2015, pp.40–49)

If we take a deeper look at the Hungarian economic chambers, we must state that after the legal changes they needed a further four or five years to consolidate their activities, to create the necessary financial resources for their operation, and to join once again in articulating the interests of the Hungarian economy, with an increased number of members. Nowadays they have still a voluntary membership system, though in theory operating with public body nature. They are located somewhere half way between the public administration and the professional self-organisation, on the middle level of the relationship system between the state power and the citizen. They also occupy a curious mid-position in the comparison of the international chamber systems, since on the one hand they are established by law and are operating as public bodies serving the interests of all in the field of economy, on the other hand they have voluntary membership. In this respect, they do not fully fit into either the Anglo-Saxon or the traditional continental system.

II) The Austrian model

If we are trying to localize the most developed and most influential chamber system in Europe, we can find it in Austria. By way of the different legal regulations following the Second World War – as well as due to the appearance of the informal forum of Social Partnership – the present-day system of the Austrian economic chambers took shape. The most important change may be detected in the fact that the requirement of the realisation of service within the chamber was brought into the foreground. The new program set the previous tradition based economic interest representation, the co-operation with the social partners and the various (civil) associations as the basic objective of the economic chambers, at the same time stating that they must not forget about acting in concert, that is about the realisation of the reconciliation and alignment (equalization) of interests among the members. (Zellenberg, 2007, pp.54–85; Rieger, 2003, pp.279–327)

In Austria, we can find not only find the traditional chambers of commerce and industry, but there is also an influential representation of agrarian interests: like in Hungary, the chambers of agriculture were established in 1920, and all natural and legal persons working in the agricultural sphere were obliged to become members of these. One chamber (*Landwirtschaftskammer*) was established in each province, and their structure and exact sphere of authority/field of work was regulated by the chamber act passed by the particular Provincial Assembly. Following the Second World War, besides promoting the issues of the agrarian sphere, the assistance of the authorities' work by suggestions, proposals, statistics and reports was set as the task of the chambers. Besides this, the interest representations ever since operating with an unchanged sphere of authority/field of work are obliged to co-operate

with the other agricultural organisations and associations, and they must provide their members with direct services by means of organising counselling, professional education and training. (Zachar, 2006)

Another unique fact of the Austrian chamber system is the existence of a legitimate interest representation of the employees: this was established as the curiosity of the Austrian system based on the bill of Ferdinand Hanusch, Minister of Social Affairs, on the establishment of the Chamber of Labour (*Arbeiterkammer*, AK) in 1920, which granted public body licences to this interest representation as well. The structure of the employee's interest representation bodies has been overall unchanged. Per the legal regulation, there is an AK in each province, and all individual employees registered in the given province have to be members of that. They are categorised into three groups: workers (*Arbeiter*), white-collar workers (*Angestellte*) and transport workers (*Verkehrsaktive*). Besides them, the unemployed have also been members of this organisation since 1992 (who, of course, do not pay the membership fee that mean the financial basis of the chambers' operation). No wonder the AKs have the highest member number among the Austrian chambers of economic nature. (Zachar, 2007, pp.116–125)

While analysing the peculiar experiences of the Austrian chamber system, three main sets of questions arose. One of these is the professional and political debate surrounding compulsory chamber membership. The chambers, under the influence of politics, organised in the 1990s a voting among their own members on the maintenance of the compulsory membership, and it ended in sweeping results. The members of the chambers in each province stood up for their institution by more than two-third majority. At the same time the debate contributed to a great extent to the taking shape of new fields of work in the life of the chambers, and – by redefining themselves – to the establishment of a modern, service-centred chamber operation having much deeper roots towards its members. (Strausz, 2007, pp.92–116; Oberndorfer 1993)

As the second set of questions, it is worth referring to the role of the chambers in the achievement of the Austrian EU membership. The different interest representation bodies participated in the preparatory work of the Austrian accession from the very beginning, what is more, they experienced a significant expansion of their licences. This could mainly be detected in the work of the “Council of the Austrian Integration Policy Related Issues” (*Rat für Fragen der österreichischen Integrationspolitik*). The structure of the council may be regarded as an extraordinary novelty. In order to create broad social consensus – besides the Chancellor, the Vice-Chancellor, the Foreign Minister and the Ministers of the appropriate department suitable for the given topic under discussion – the party-political representatives of the Austrian parliament, the delegates of the Provincial Assemblies (usually the presidents of the Provincial Assemblies) and the delegates of the social partners (that is the chambers and the trade unions) were also members of the council. (Karlhofer – Tálos, 1996) It was a further gesture on the part of the government towards the interest representation bodies that – pursuant to the social-democrat/people's party ‘Europe Agreement’ – the social partners could play a significant role in the negotiations of professional fields that concerned them as well. The agreement ensures their ‘equal participation’ in the Austrian decision making

processes going on in the framework of the EU, and as part of this, they may appear in the Austrian diplomatic mission as well.

Finally, as the third stressed set of questions, it is worth to analyse the genesis and operation of the Austrian Social Partnership, and within this examine the role of the chamber umbrella organisations. In Austria, this dialogue-based partner relationship consists of the wide range of institutionalised formal and informal relationships, in which the state, the associations of the employees and the employers, that is the Austrian Federal Economic Chamber (*WKÖ*), the Federal Chamber of Labour (*Bundesarbeiterkammer*), the Austrian Federation of Trade Unions (*ÖGB*), the Presidential Conference of Austrian Chambers of Agriculture (*Präsidentenkonferenz der österreichischen Landwirtschaftskammern*), and the government itself participate. The institution is considered by many the most developed form of the so called (neo-)corporative tripartism, in the course of which close relationship is established in every field of economic and social politics – while pushing the element of competition into the background – among the three key actors of economy, the state, the employer and the employee organisations discussed in detail in this volume as well.

This was partly due to the peculiar political structure of the Austrian modern age republic: two major political parties, the Social Democratic Party and the Christian conservative party aimed at co-operating for the sake of ‘consensus democracy’ (*Konkordanzdemokratie*). Social Partnership was – for both parties – the third route leading on the balk between capitalism and Marxism-Leninism. Perhaps this is why it is natural that the interest representation bodies tried to bring their own social standpoint into the decision-making processes not only through formal channels; there were (and still are) close connections between the individual umbrella organisations and the political parties.

C) Chambers on the European level – an overview

In today’s Europe, the chamber systems of the EU member states are very different. As we presented in the first section of our study, there are countries with organisations having compulsory membership, countries that realize the voluntary chamber membership based on the law. And last but not least we can find countries that have created no legal regulation whatsoever concerning economic interest representations.

Due to these differences we have various umbrella organisations on the European level, which participate in different ways in the operation of the Social Dialogue appearing on the community level. The interest representation bodies of the entrepreneurs, which belong to our primary field of research, are present – from institutional/organisational point of view – in a very scattered way, often with significant differences in quality and resource-basis in Brussels. (Lőrinczné, 2015, pp.231–260) On the one hand, we should differentiate the level of the European associations as the highest interest representation forum, where we can find not only the renown European social partners, but also several other Pan-European associations (e.g. EUROCADRES, EUROCHAMBRES, ECEC, UEAPME, CCBE, CEPLIS). Besides these, we have the individual sector trade union and employer organisations, which are not

members of the Pan-European associations, and their number may run to several hundred (e.g. EUROCOMMERCE, COPA, CEI, CEA etc.). Finally, on the third level, the national interest representation organisations appear before the Brussels and Strasbourg forums, which often run offices in the EU centres. Their rather straightforward aim is to gain information and to perform informal lobby activities. Most of the wide-spectrum interest representations come from the industry, while the minority originate from the commerce, freelance occupations and service sectors.

If we examine the European lobby possibilities only with respect to our narrower topic, the chamber organisations, we may conclude that the chambers are present in Brussels by means of both Pan-European associations and regional chamber representations and national chamber offices. This European level cavalcade is especially conspicuous if we contrast it to the previously presented and analysed well-organised structures of the Austrian Social Partnership and the social groups covered by the chambers.

The structural weaknesses of the European level (company related, chamber) interest representation may be confirmed by other factors as well. Thus, the intensity of representation is often low, that is not every association and organisation is member of the European level umbrella organisations. Moreover, the member associations do not fully represent the interests of the circle they intend to present either, since in the case of organisations with voluntary membership system the strength and legitimacy of the interest representation institution always remains doubtful. (Leitl, 2005; Mandl, 2004)

Three Pan-European interest representation bodies take part in the institutionalised Social Dialogue which has slowly been becoming neo-corporatist in nature: the European Trade Union Confederation (ETUC), the Confederation of European Business (now: BUSINESSEUROPE, previously: UNICE), and the European Centre of Public Enterprises (CEEP). The institution of the Social Dialogue itself contributes to the strengthening of the European economic environment in many ways. On the one hand, as shown by the nation-state experiences, the social partners – through their co-operation – are willing to shoulder responsibilities concerning the whole of the economy, and they forego enforcing their short-term particular interests by all means. The compromise and consensus made in the course of the bilateral dialogue are represented collectively by the partners towards the external parties, and they are implemented within their own circle. In order to have a stabilising function in terms of the whole of the economy, the dialogue must not be confined to the narrow terrain of social policy; it has to be interpreted comprehensively in economic management. Last but not least, the social dialogue bearing the above-mentioned criteria can be realised only between professionally competent parties. Thus, it has a decisive and unique role in the democratic governance of the EU, for it is the driving force of the modernisation of the EU economy and of the European social model, and it ensures that solidarity is preserved throughout the creation of welfare.

D) Conclusions

Throughout our work, we were intent on giving an overall picture of the past, the present structure, the activities and the up-to-date problems of the European chamber systems. In addition, we tried to present briefly the functioning of the various national and supranational social interest reconciliation forums as well as that of the international chamber associations. We did it in the hope that this way we may gain further information not only about the individual chamber systems, but also about the decision-making and social political philosophy of the given country or community. In fact, the interest reconciliation and occasionally interest representation work performed by the chambers is not an isolated, individual activity, but it is organically intertwined with the everyday life of the societies. We assume that the attitude of a certain political system towards the representatives of the non-political sphere gives away a lot about its mechanism of action, what is more, its outlook on democracy: are they considered as partners, and are some of them allowed to participate as real actors in decision preparation, or perhaps in the actual decision making processes, or not? Since the chambers belong among the above-mentioned non-political organisations (and they are perhaps the most tarnished and most powerful structures in this field), their recognition or non-recognition by the government and their relationship system with the government are good indicators of what the political life of a certain country thinks about the 21st century challenges and methods of exercising power.

This study shows that often very different answers were (and still are) provided by the various countries to these questions. It is true, however, to virtually all of the EU member states that political life, or the so-far interpretation of democracy, has been struggling with an increasingly serious legitimating problem. In this very respect, we could take advantage of the chambers located in the ‘mezzo sphere’, since one of their main functions should be the mediation and reconciliation activity. If, however, the possessors of power – regardless of political orientation – do not consider the different organisations of the society, including the chambers, as real, in some cases equal partners, the communication between these structures and the government will remain insincere and hypocritical. It is society that loses the most on this self-destructive process.

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