



Europe's Democracy Blind Spots

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Introduction: Widening the Lens on EU Democratic Renewal

— Richard Youngs

As the 2024 European Parliament (EP) elections and change in European Union (EU) leadership loom into view, concerns are once again evident about the state of European democracy. The rickety state of democracy featured strongly in the 2019 electoral campaign, and the incoming senior leadership made many promises to make democratic renewal a policy priority. Yet, four years on, it is difficult to identify deep reform or improvement to the vitality of European democracy.

Far-reaching progress has not been made on tackling European democracy's underlying weaknesses since the last EP elections and changeover in Brussels leadership posts. Many new laws have been agreed at the EU level on issues such as online standards and political advertising, political party financing, media freedom, and the like. But these have made limited inroads to reviving the state of democratic politics.

European commissioners promised to prioritise initiatives more effectively to democratise the EU in their follow-up to the Conference on the Future of Europe, which concluded in May 2022. A European Democracy Action Plan has served as an umbrella framework for new regulations on political advertising and other online risks. A new Defence of Democracy package focuses (not without controversy) on external funding and interference in democratic elections. European funding has increased for pro-democracy civil society organisations across the continent. And the commission has belatedly begun to turn the conditionality screws on Hungary and Poland, withholding sizeable amounts of funds from both countries in late 2022. Poland's October 2023 election, which saw the incumbent Law and Justice party lose power, suggests that this pressure may have had some pro-democratic effect.

When the last EP elections took place in 2019, many politicians, journalists, and analysts were strikingly fretful about the risks facing democracy. The predominant perspective among policymakers and writers alike was that adherence to democratic norms had become worryingly brittle and shallow among elites, some insurgent political parties, and parts of the electorate. The general view through the 2010s was that democracy was in deep crisis and swaying uncertainly on the edge of an illiberal-authoritarian precipice.

In some ways, democratic politics have stabilised in the last four years. The change of government in Poland is potentially the most hopeful and significant turn, even if challenges remain to the full restoration of democratic norms there. Democratic systems have generally shown themselves resilient, even through a world-paralysing pandemic. The 2019 EP elections and several subsequent

national elections saw a rise in participation rates and better-than-expected resistance against illiberal-populist forces. Most annual democracy indices suggest a slight flattening out of the year-on-year decline in EU democracy scores registered since the early 2010s. According to the Economist Intelligence Unit, 15 EU member states had lower democracy scores at the end of 2022 than in 2012, with only 11 of them now ranked as full democracies, while the scores for Western Europe then improved slightly in 2022 and 2023.¹

Yet, even if democracy has shown itself resilient in many places, the commitment to democratic quality remains worryingly unfulfilled. European democracy has not imploded, but neither has it reformed deeply enough to address the continent's underlying political malaise. If some years ago the general outlook on democracy was perhaps overly wrought and alarmist, today it is arguably too dismissive of the need for really ambitious and far-reaching political change. Debates about EU "democratic reform" have become repetitive and formulaic, centred on a constantly repeated and restricted range of institutional fine-tunes of modest resonance to ordinary citizens. The very fact that analysts have been advocating the same reforms for over a decade surely invites a more probing focus on the deeper factors that explain why these fail to advance.

Most alarmingly, of course, the far-right has been gaining support in many places and appears set to gain a significant number of seats in the European Parliament elections. Since the last EP elections, hard-right parties have won power or taken some role in government in Italy, Finland, Sweden, and the Netherlands and have attracted rising levels of support in Austria, Estonia, and Germany. On a different ideological plane, leftist-populist Robert Fico's return to power in Slovakia has also raised concerns over democratic governance. Most commentary is now dominated by the prospect of the far-right gaining a significant number of seats in the upcoming European Parliament elections.

The nature and forms of populism are also evolving. Adding complexity to current trends, in some countries an eclectic version of hard-right populism has taken shape that flouts some democratic norms while also appearing to be more embedded in mainstream politics and that often frames its slightly softened anti-EU positions as a quest for recovered democratic self-determination. Yet the increased presence and leverage of these political forces represents a still-unaddressed threat to the very survival of core democratic norms. Sharp debate continues over whether the main menace to democracy in Europe comes from illiberal societal value shifts or from elite strategies of political control.² The relationship between democracy and populism has certainly become more varied and contested.

Russia's war on Ukraine has of course changed the script of European politics. Ukrainian resistance has galvanised rhetorical commitments to democracy's importance. European Commission President Ursula von der Leyen framed her 2022 State of the Union speech almost entirely around democracy. She and other leaders have repeatedly insisted that Russia's war on Ukraine makes the defence of democracy a more urgent priority and a more central pillar to the whole European project. The imperative of supporting a democratic Ukraine to resist Russia's invasion has made it harder for EU leaders to continue being so passive in the face of the union's own democracy problems. Still, the war has led the EU to focus most strongly on external – Russian, Chinese, and other – efforts to distort and disrupt European democratic processes, arguably taking the focus away from the union's own

internal pathologies. The EU has developed resilience in dealing with multiple crises, and yet its crisis decision-making mode risks compounding executive-heavy preponderance over vibrant popular accountability.³

Taken all together, the result of these trends is a debate about European democracy that is simultaneously somewhat revived and also increasingly constrained analytically. Concerns now overwhelmingly centre on the far-right's apparent surge, while many reports home in on a familiar range of reform issues - the possible structure of alliances in the EP, the lead-candidate system and processes for choosing new EU leaders, the question of transnational political-party lists, the use of EU citizen initiatives, and the like.⁴

Our report contends that equal attention needs also to be paid to the deeper-rooted imbalances and deficiencies that afflict European democracy at the EU, national, and subnational levels. The persistent prominence of a familiar menu of policy recipes impoverishes debates about the future contours and reimagining of European democracy. Institutional reforms of the type routinely advocated in policy and analytical debates may be necessary but often treat the symptoms more than the causes of democratic malaise. The focus on external interference is vital but risks downplaying the far more consequential internal sources of democratic weakness.

This report takes a wider perspective and suggests that these debates leave a number of blind spots unaddressed in EU democracy. It does not offer a comprehensive assessment of every aspect of EU democracy but rather selects a number of pressing concerns most seriously overlooked by current policy and analytical EU debates. These include the need for a wider conception of "democracy" to drive democratic renewal, a more politicised notion of democratic politics, a more permanent notion of citizen participation, and ways to give voice to future generations. The report takes on board ways in which governments are still narrowing civic freedoms while also struggling with more pervasive corruption and a gender backlash as well as trying to reconcile energy transitions with democracy. In the report's final chapter, experts from other regions offer an outside perspective of what lessons might help make European democracy more equitable, resistant, plural, and participative.

The question of rising support for far-right parties in the forthcoming elections is undoubtedly of immense importance and will continue to attract most media attention, along with the familiar dramas around the selection of the new EU leadership team. But this report argues that deeper, underlying issues need to be considered as the long-term arbiters of democracy's fortunes. Our concern is with the depth and quality of democracy rather than with the elections turning the EU in any particular ideological direction. If the far-right menace to democracy is to be tackled, these deeper-seated issues need to be addressed - quite apart from how well illiberal populist parties do in the forthcoming elections.

The common thread that runs through the following chapters is this: the EU's notion of what counts as democratic reform is unduly narrow and excludes some of the really important changes that need to be made to the underlying foundations on which liberal politics rest. Many of these are about national politics and call for a focus on broader European democracy as opposed to narrower, institutional aspects of EU democracy. The term "EU democracy" is taken here to include political processes at

the EU, national, and subnational levels; formal and informal actors and actions; and representative, direct, and participative dynamics.

The chapters present a range of different views; the report does not seek to advocate one particular notion of democratic renewal or a single programme of recommendations. The report's chapters offer a number of key arguments.

Michael Saward points to the way that vital aspects are missing from EU concepts of democracy as expressed in key documents.

Hans Kundnani stresses that EU democracy will not be revived if the notion of democracy itself is not repoliticised.

Alberto Alemanno highlights the need to accord democratic rights and voice to future generations and proposes concrete ways in which the EU can do this.

Suzanna Carp laments that EU democracy still needs to show itself capable of dealing with the main challenge of the energy transition in a just and participative fashion.

Alvaro Oleart argues that EU democratic reforms need to do more to include political contestation and intermediary organisations.

Niccolò Milanese makes the case for a permanent citizens' assembly and a more political way of conceptualising the notion of democratic participation.

Aarti Narsee argues that stronger approaches are needed against governments' assault on civic freedoms and rights, and that these are being sidelined by overly sanitised visions of EU reform.

Maia Koytcheva and her Open Government Partnership colleagues insist that broader anti-corruption strategies are needed to prompt wider democratic reforms in member states.

Elene Panchulidze warns that European democracy needs better strategies for dealing with a creeping backlash against gender rights, and that these must go beyond existing women's empowerment initiatives.

Senem Aydın-Düzgit, Niranjan Sahoo, and Andreas Feldmann suggest that EU democracy must take on board key lessons from outside and learn to import democratic reform.

In sum, our report is not so much a list of specific policy suggestions as a plea for deeper democratic renewal. The whole way of conceptualising Europe's democracy challenge needs careful re-examination if effective policies are to be crafted in its defence. The report's authors stress that this involves a rethink at the EU, national, and local levels – and from formal institutional, political, and civil society actors. We resist the tendency here to think in terms of there being discreet policy tweaks that can “rescue democracy”: democracy is struggle and contestation, and always subject to challenge.

European policymakers may not need think-tank analysts to suggest that they should take the defence of democracy more seriously; as debates have evolved in recent years, such a line appears too blunt and unfair to the huge amount of effort now invested in democracy initiatives. The more pertinent questions are now more subtle in nature and revolve around the way in which democratic renewal is defined and understood. This invites policymakers and democratic reformers to take a step back and adopt a wider and deeper analytical prism to understand what blind spots exist in their current policies. Now, as concern turns to the upcoming elections – and issues like the far right's possible strong showing – it is important to keep these deeper questions in mind. We hope our report contributes to this endeavour.

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The European Union and Democratic Design

— Michael Saward

Some prominent European Union (EU) discourses on democracy have limitations that can get in the way of a clearer and more comprehensive understanding of EU democratic change. These limitations may produce blind spots in the way that the European Commission sees European democracy, or they may be a product of “seeing like a state”.⁵ This contribution offers a brief sketch of a more comprehensive – and, perhaps, a more practical – framework for thinking about democratic change in the EU.

Characteristics of the EU's democracy discourse

Recent key commission documents are revealing about how the EU sees the problems and challenges of democracy, and about its blind spots in addressing them.

First, there is often an emphasis on protecting democracy in the EU. This can imply that EU democracy is largely achieved and that the main problems come from pernicious external challenges. There is also much on how existing democratic governance structures may be improved, but the protection and improvement elements are not effectively conjoined.

In commission documents, there is little consistency in defining democracy for the EU context, leaving open the question of exactly what is to be protected. For example, the communication on the European Democracy Action Plan states that “democracy is about the richness of participatory practices, civic engagement and respect for democratic standards and the rule of law, applied throughout the electoral cycle”.⁶ Elsewhere, as in the report of the Conference on the Future of Europe, there is an emphasis on deliberative practices as the core of democratic richness.⁷

Second, the commission's expressions of what should be done for, with, or to democracy in the EU are commonly couched in highly metaphorical and indistinct language. Terms such as nurture, protect, defend, bolster, resilience, election integrity, empowering citizens, vibrant civil society, active participation, mainstreaming, and disinformation are routinely deployed. These are redolent of management speak – catch-all terms that are open to widely different interpretations, often used for general effect rather than to convey specific proposals.

This approach is also reflected in the use of positional metaphors and the passive voice. For example, the commission's report “The Future of Government 2030+” speaks of “shaping policies that affect [citizens'] lives”, “putting citizens at the heart of European democracy”, and “[bringing] citizens to the centre of the scene”, and says that “new forms of democracy, governance and public value generation

need to be considered”.⁸ There is a lack of clarity as such indistinct, catch-all terms can be interpreted in multiple ways. This may be deliberate for political reasons: vagueness can be strategically helpful because it can help keep very different political groups on board, since they can read their preferred meanings into the terms. But the downside is that it is not fully clear what different political actors have signed up for when specific plans must be devised to achieve these goals and values.

Third, just how broadly the idea and practice of democracy in (or for) the EU should be understood is a source of tension in recent EU statements. Specifically, it is not clear how far wider social conditions and policies should be considered a core component of EU democracy.⁹ For example, the European Group on Ethics in Science and New Technologies in the European Commission advocates a “thick” conception of democracy that includes “justice, equality and solidarity” in which “the majority principle serves to realise and protect other substantive values”.¹⁰

Fourth, the commission lists multiple principles of democracy but pays little attention to how they might be related conceptually or institutionally – which is primary, which secondary. For example, the EU communication on the European Democracy Action Plan states that “the Commission is proposing a response centred around individual rights and freedoms, transparency and accountability”.¹¹ Elsewhere in this document, principles of freedom of elections and the media, independence of the media, free and fair elections, social equality, and participation are listed. However, principles associated with democracy are not necessarily all compatible with each other. The components or implications of some principles may dilute or modify in practice those of others. A simple listing of democratic principles can only be a first step that then requires a more discriminating analysis of such tensions and an ordering of priorities.

Fifth, often the commission moves quickly from general principles to very specific forms and techniques without intervening reasoning to back up the move. There has at times been a specific focus on deliberative democracy, the most prominent element of democratic institutional reform in recent decades (in democratic thinking and, increasingly, also in practice). For example, the Conference on the Future of Europe featured European citizens’ panels at the core of its work. In “The Future of Government 2030+”, citizen engagement and involvement seems to come down to deliberative devices: “there are many ways to engage citizens in dialogues, e.g., science cafes, focus groups, deliberative polls, citizen juries, scenario workshops, consensus conferences”.¹² Such deliberative devices can be useful, but they are limited in democratic terms: they are often selective and small participative opportunities that involve very few citizens directly, and often with low profiles and under the control of facilitators.¹³ Such a focus on citizen dialogue does not translate straightforwardly to citizen empowerment.

Finally, when commission documents discuss EU or European democracy, it is not always clear which political unit or community is being referenced. Often, “EU democracy” is used to refer only to democratic principles and practices at the level of EU governance; yet, it should also incorporate such principles and practices at the level of the member states, as suggested in the introduction to this collection.

The narrow focus on areas of strict EU competence can help coordinate but ultimately has limited

impact on democratic or governance practice in member states. Relatedly, the over-general use of the term “member states” implicitly reduces all of them to a common type, setting aside the historical, institutional, demographic, and other differences that strongly affect the way democracy may be understood or practised from one state to another. The broader understanding of “EU democracy” is essential.

Systemic and design conceptions of democracy

Several factors are likely behind these blind spots. Not least is the fact that the commission is constrained by multiple pressures and limits of jurisdictional competence and therefore not easily able or disposed to take a comprehensive view of democracy. Yet arguably, such a view is sorely needed in EU official debates.

Repairing these blind spots requires better democratic design. Different elements of democracy should not be separated from each other. Thus, for example, the impact of new digital technologies cannot be taken in isolation. Democratic governance consists of a complex web or network of technologies and techniques: old, new, and envisioned. Electoral systems, deliberative forums, and regulatory bodies with their material and discursive parts are also technologies. Government involves techniques such as observation, regulation, and examination. New digital technologies need to be seen as woven into wider technologies and techniques of democracy, and their misuse examined in that context.

It should not be assumed that democracy has a fixed meaning. Talk of safeguarding and protecting implies that a static democracy is the thing to be safeguarded or protected. But democracy, in all its forms, claims, practices, and structures, changes and evolves. It is always unfinished business. Therefore, safeguarding or protecting it may involve a moving, dynamic thing. Perhaps democracy must become something it has not yet been, and thus its process of becoming is what must be safeguarded.

Equally, democracy's principles or values cannot be separated from its practices and procedures. Values such as equality, freedom, rights, participation, and accountability mean little unless they are specifically enacted through democratic practices or institutions. The philosophical tradition of separating abstract normative ideals like equality from the machinery of government has not contributed much to the hard work of democratic design; too often, it assumes that the only thing that matters is policy, and not the polity (or the democratic process) that is able to produce it.

Protecting democracy should extend to protecting, or enabling, its wider societal preconditions. These include functioning and equitable systems of health care, education, and housing for old and new citizens. Democracy is a wider social system within which a political system operates, not just the political system more narrowly conceived.

Taking a comprehensive view can make life more complex for democracy's defenders or reformers. Yet, a systemic design perspective on democracy helps to get a grip on the complex systems of democratic practices, institutions, and values.

The concept and practice of design in thinking about EU democracy features in some parts of

commission thinking. “The Future of Government 2030+”, for example, notes that “integrated design approaches ... improve the work of governments and public sectors ... The development of a highly participative culture with the inclusion of citizens in co-creation and co-design of policies could increase the legitimacy and efficiency of the government and consequently contribute positively to our democratic societies.”¹⁴

However, design here is firmly rooted in the specific area of policy – it addresses governance outputs (policies), not governance itself.¹⁵ The EU needs a wider view of design in the context of polity, not just policy – that is, the design of democratic governance itself.

Design perspectives on democracy open a critical space for recognising how provisional and reworkable ideas of democracy are, and for generating new and hybrid designs for democracy. Democracy in this frame becomes less of a familiar and given thing and more of a design challenge. It is essential to work on what democratic governance can be, not on what people assume it is or must be. When doing design work, it is critical to ask “What if?” as well as “What is?”.

Design thinking accepts uncertainty. A crucial aspect of this is a shifting or unstable relationship between problem and solution: “In the process of designing, the problem and the solution develop together”¹⁶ or “co-evolve”.¹⁷ A design approach would also stress that there can be no final form of EU democracy. Even when a novel democratic practice is implemented, the environment will continue to change, creating the potential need for further thinking and adaptation. The search for a democratic solution is not a search for “the optimum solution”; it is a creative search for usefulness in light of particular challenges or problems.¹⁸

Further, a design orientation stresses the need to avoid presuppositions about what democracy is or can be, and recognise the profound importance of designing for specific national or other contexts. Finally, design encourages taking multiple perspectives on democracy’s problems. Where one looks at democratic governance from will qualify what or how much one sees: for example, the politician and the activist, or members of majority and minority cultures.

A design approach would help address the EU’s current blind spots by bringing a big-picture systems perspective on democracy and its challenges. It keeps the whole in mind while attending to the parts, seeing democracy as dynamic and taking multiple forms, and working with the grain of national, local, and other contexts. It requires asking new “What if?” questions, being self-critical when thinking about democracy, and knowing that problems and solutions can at times swap places and morph into one other.

Crucially, a systemic and design approach to democracy is especially germane to the EU as a near-unique supranational political entity. Its manner of being or becoming a democracy will be a continuing process towards a distinctive and hybrid form. A systemic design perspective would be of particular help in moving this process forward.

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Depoliticisation and the Crisis of Democracy in Europe

— Hans Kundnani

During the last decade or so, there has been much discussion about democracy in Europe in the wider context of fears about a global “democratic recession” or a “rollback” of democracy. But the way this has been framed has confused rather than clarified. There has been a tendency towards denial and, in particular, to think that democracy in continental Europe is in better shape while the UK and the US are experiencing an acute crisis. There has also been a tendency to see democracy in Europe through the prism of US politics and focus on the threat from populism, which has led to a misunderstanding of the specificity of the crisis in Europe.

The widespread tendency in Europe to conflate the crisis of democracy and the rise of populism, or to reduce the former to the latter, is problematic for two reasons. First, it ignores the ambivalence of populism in relation to democracy. As Cristóbal Kaltwasser has shown, populism should be understood not merely as a threat but also as a potential corrective.¹⁹ Second, the focus on populism ignores other threats to democracy – especially technocracy, which is a particular threat in the European Union (EU) and to which populism can be understood as a response. In fact, since the Covid-19 pandemic, which has been perceived as having discredited populism, there has been a tendency to double down on technocracy in the EU.²⁰

More broadly, the way in which the crisis of democracy in Europe has been discussed has obscured the complexities of the idea of liberal democracy. If liberalism is understood as a system of individual rights guaranteed by a constitution and democracy as popular sovereignty embodied in fair and free elections, there is a tension between them. In a liberal democracy, liberalism constrains democracy. This can be a good thing because it prevents what is sometimes called the “tyranny of majority”. But it can also go too far, which few centrists or liberals in Europe seem to recognise. This liberal overreach – or, to put it differently, depoliticisation – is at the heart of the crisis of democracy in Europe.

The failure to distinguish between liberalism and democracy and to understand the tensions between them, and instead to simply treat them as if they mean the same thing, has led to a blind spot in debates about democracy in the EU. For example, the focus on how well populists might perform in the 2024 European Parliament elections has obscured what is a crisis of the EU's model of depoliticised governance. Centrist-liberal politicians in the EU generally see protecting European democracy as a matter of finding consensus about European integration and taking polarisation out of politics. Yet, this is exactly the opposite of what is needed.

Polarisation is clearly a problem in the US, where it has gone so far that the independent institutions that guarantee the constitutional or liberal pillar of liberal democracy no longer function properly. In Europe, the problem is not polarisation but convergence, with independent institutions that are too powerful.²¹ In particular, they are too powerful in determining economic policy, which has in effect been placed beyond democratic contestation. Thus, what is required is repoliticisation, especially of economic policy. However, although this could help renew democracy, it also raises difficult questions about the EU.²²

Depoliticisation as a solution and a problem

From its beginnings in the 1950s, European integration was about depoliticisation – specifically, of economic policy. One might say that this was the genius of European integration – in particular because it made war between France and Germany “not merely unthinkable but materially impossible”, as Robert Schuman famously put it in 1950. But its effect was also to limit democracy understood as popular sovereignty. Though it is rarely put this way, at least by its supporters, European integration took policy out of the space of democratic contestation and created rules to govern it, which could then be challenged only in the courts. Put simply, law replaced politics.

This strategy of depoliticisation through European integration took place in a wider context in which, as Jan-Werner Müller has shown, European states sought not so much to **restore** democracy after the Second World War but to create a **new** form of democracy that was highly constrained by unelected institutions, such as constitutional courts.²³ This new mode of governance was based on a deep distrust of the people. “The constitutionalist ethos that came with such democracies was positively hostile to ideals of unlimited popular sovereignty,” Müller wrote.²⁴ For obvious reasons, this distrust was greatest in West Germany, which thus went furthest in constraining popular sovereignty and creating a liberal democracy that was skewed towards liberalism.

Michael Wilkinson has argued that even in the early period of the European project, the EU tended towards “authoritarian liberalism”.²⁵ Whether or not one agrees with this, what is clear is that as European integration went further, particularly with the creation of the single market in the 1980s and the Maastricht Treaty in 1992, the problems with the EU’s depoliticised mode of governance became more apparent and there was an increasing popular backlash against the constrained form of democracy it represented. This brought to an end the permissive consensus that had allowed elites to push ahead with integration without interference from citizens.²⁶

The further depoliticisation that took place in the EU after the end of the Cold War can be thought of as an extreme version of a general trend in the context of hyper-globalisation.²⁷ As the system of global economic rules was expanded, in particular with the creation of the World Trade Organisation in 1995, the economic policy space for states shrank. For democratic ones, that meant further constraints on the ability of their citizens to determine economic policy. Thus, as Dani Rodrik has argued, hyper-globalisation undermined democracy.²⁸ The EU went further than the rest of the world in removing internal barriers to the movement of capital, goods, and people.

In those years, when the process of depoliticisation through European integration went further, the

spectre of war between France and Germany had become much more remote than in the immediate post-1945 period – not least because of the success of European integration – and European societies had become less deferential. Together, these developments produced the backlash that would be labelled “populism”. While much of this backlash was directed against specific policies, the structure of the EU transformed opposition to policies into opposition to the union itself.²⁹ In other words, the EU generated Euroscepticism.

Because of the widespread tendency to reduce the democratic crisis to the rise of populism, the debate about populism in Europe has been framed as a straightforward battle between supporters and opponents of democracy. But a more helpful way to think of it is as a struggle over the balance between liberalism and democracy – that is, between those who want to maintain or create more rules that remove policy from the space of democratic contestation and those who think this has gone too far and want to reverse it. In the EU more than anywhere else in the world, the balance between liberalism and democracy has shifted even more to liberalism at the expense of democracy.

Neoliberalism and the depoliticisation of economic policy

A further way in which the democratic crisis in Europe has been misunderstood is the neglect of the role of economic policy in it. Because the crisis has been conflated with the rise of populism, economic policy has hardly figured in the debate, except in terms of economic factors as drivers of populism. Many commentators also concluded that although economic issues played a significant role in the election of former US President Donald Trump and the decision of the British people in 2016 to leave the EU, they were less significant in the rise of populism in continental Europe.

This has to do with how neoliberalism is associated with the UK and the US. In continental Europe, it is widely believed that the EU stands for a more moderate form of capitalism – the social market economy – than the Anglo-American one. In particular, it is believed there is less economic inequality in continental Europe than in the UK and the US. But continental Europe also has regions and even countries that have been left behind. And even in prosperous parts of the EU, economic factors can play a role – either because people fear for their prosperity or because they do not want to share their wealth. For example, the Alternative for Germany party was initially created in 2013 to oppose a more redistributive EU.

Even more importantly, it is a mistake to think of neoliberalism simply in terms of Anglo-American financialisation or even of the growth of economic inequality. It is necessary to distinguish between different schools of neoliberalism. Particularly relevant to the EU is the Geneva school, which focused on the creation of a transnational economic constitution. As Quinn Slobodian has shown, it sought to “encase” economic policy to protect it from democratic interference.³⁰ In other words, neoliberalism – or, at least, its Geneva school – is closely connected to depoliticisation.

Thus, the EU has its own neoliberalism that is relevant to its specific democratic crisis. The depoliticisation of economic policy on which European integration has focused since the beginning is particularly problematic, because more than other areas of policy, it has distributional consequences. Economic policy ought to be at the centre of democratic contestation. Moreover, its removal – captured in the

idea that there is no alternative – shifts democratic contestation to cultural policy issues. Thus, the depoliticisation of economic policy produces what is sometimes called identity politics or the culture wars.

In the last few years, there has been much discussion of an economic paradigm shift on both sides of the Atlantic. In particular, the administration of US President Joe Biden has taken steps to move beyond neoliberalism, based on the idea that doing so will help strengthen democracy in the US, or at least reduce the appeal of populism. This democratic element is entirely missing from the economic steps the EU has taken in response, which are largely aimed at protecting European companies from unfair competition. In other words, while the Biden administration aspires to revive democracy through industrial policy, the EU does not seem to be trying.

The necessity and dangers of repoliticisation

The rise of populism in the EU, and especially the battles Brussels has fought with Hungary and Poland over the rule of law, has drawn attention away from the problems with the EU itself from a democratic perspective. Chris Bickerton has argued that there was a moment in the 1990s and 2000s when European elites were aware of the gap between them and citizens and sought – unsuccessfully – to close it. He wrote that since then, “the debate about the EU’s ‘democratic deficit’ has been recast as a struggle between EU democracy and the illiberalism of [Hungarian Prime Minister] Viktor Orban and the Law and Justice Party (PiS) in Poland”.³¹

The exclusive and obsessive focus on the threats to democracy from illiberalism or populism in Hungary and Poland has drawn attention away from the inherent democratic problems of the EU, to which the rise of populism and “illiberal democracy” are, at least to some extent, a response, as some leading scholars of populism like Cas Mudde recognise.³² European centrist-liberals should therefore be more self-critical – and more creative and open minded. The EU has launched countless democracy initiatives, but these tend to instrumentalise democratic participation as a means of legitimising the EU rather than encouraging open-ended pluralism.³³

Instead, a more political EU is needed to renew European democracy. There has long been talk about a more political European Commission, suggesting at least some implicit recognition that depoliticisation is a problem. But little has been done to create something more like the kind of democratic politics that exists in states – one in which there is a government and an opposition that argue about distribution and rotate in and out of power instead of governing together in the kind of permanent grand coalition that exists in Brussels, without any opposition except the Eurosceptics whom they seek to exclude.

A particular challenge is how to repoliticise economic policymaking. Here, it is necessary to distinguish between fiscal and monetary policy, which function in different ways and have been depoliticised to different degrees. Fiscal policy, still in principle directed by elected governments, is theoretically more politically responsive than monetary policy delegated to an independent central bank. One first step towards repoliticising fiscal policy would be to abolish the EU’s fiscal rules, which have been suspended since the pandemic. However, it seems more likely that the EU will adopt a reformed

version of them.

Monetary policy is trickier. Here, the central actor is the European Central Bank, which is even more insulated from democratic control than fiscal policy actors are. Along with constitutional courts, independent central banks have played a key role in the expansion of technocratic modes of governance, especially in Germany. The tragedy for the EU is not only that the European Central Bank was created following the German model but also that it is more independent than the Bundesbank, the German central bank. It could be made more responsive, but there would likely be resistance to this from Germany.³⁴

Finally, although it is necessary to make the EU more democratic, repoliticisation could also be a danger to it. In particular, a more political EU in which there is more open political contestation over distribution risks further intensifying conflicts between creditor countries and debtor countries, which could tear the EU apart. In short, there is a fundamental tension between democracy and cohesion in the EU, which makes it very difficult to make the union more democratic without endangering it. In this context, the biggest threat to democracy in the EU may be the belief that the European project must be protected at all costs.

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Future Generations as Europe's Democratic Blind Spot

— Alberto Alemanno

The European project emerged as a long-term response to the immediate and tangible challenges facing all European countries in the aftermath of the Second World War. It was rooted in a desire to prevent the recurrence of destructive conflicts across the continent through unprecedented economic cooperation. As such, what is now the European Union (EU) was envisioned from its inception as a project meant to transcend current generations to protect future ones. Italy's former prime minister, Mario Monti, famously dubbed the EU the "trade union" that defends the interests of future generations.³⁵

Yet, the big crises of the past decade or more – from the eurozone crisis to Brexit, the Covid-19 pandemic, and Russia's invasion of Ukraine – have led to doubts about the EU's ability to think and act for the long term. These rapidly succeeding events have put the union and its member states in a permanent emergency mode, with seemingly no space left for a longer view. While the EU proved its resilience by taking swift emergency decisions in relation to these crises, its responses also revealed the fundamental deficiencies of a system that seems capable of responding only to the present.

No recognition of future generations

Future generations have no rights or representation in the EU's decision-making today. Its existing long-term strategies do not extend beyond 2050.³⁶ In these circumstances, in which unborn generations do not have a seat at the table, neither policymakers nor political leaders are incentivised to think and act for the long term. They tend to respond instead to the wishes of the current generations of voters. The EU institutions – as those in other jurisdictions – are not legally mandated to think for the long term and lack the tools to systematically design future-proof policies.

First, the EU's founding treaties do not recognise or define future generations. While the EU has over time acknowledged the emergence of future-oriented principles of law – such as sustainable development, the precautionary principle, the solidarity principle, and environmental non-regression – these fall short of sanctioning a principle of intergenerational equity. Only such a principle could require the EU's policymakers, courts, and administration to embrace a systematic consideration of future generations' interests. The EU's Charter of Fundamental Rights, which states that the enjoyment of these rights entails responsibilities and duties regarding other persons, the human community, and future generations, is the only instrument of primary law that makes an explicit reference to the unborn. But this has not yet prompted meaningful consideration and protection of their interests.

Second, the European Commission's system of better regulation – possibly one of the most advanced

regulatory approaches in the world – strives to assess the prospective economic, social, and environmental impacts of EU policymaking. However, it fails to consider implications beyond a time horizon of 20 years at most; that is, less than a generation from now. If the commission – the most technocratic of the EU institutions – fails to systematically take care of future generations' interests in the preparation of its legislative proposals and other initiatives, the European Parliament and the EU Council do no better. Their members are elected officials who make policy within the logic of the EU's five-year electoral cycle. Yet, many of the challenges that require an EU-level response affect the interests of future generations.

Third, the new wave of EU climate-oriented policy, under the label of the European Green Deal, is committed to supporting the transition to a fair and prosperous society that responds to the challenges posed by climate change and environmental degradation, thus improving the quality of life of current and future generations.³⁷ Yet, this appears unlikely to be adopted by the end of the current policy cycle, which ends in 2024, or pursued in the near future.

As a result, future generations are a blind spot in the EU's democratic model, despite the long-term original nature of the European project. This is set to get worse, as Europe is an ageing continent, where the share of people over 55 in the total population will rise from just under 30% today to just over 40% by 2050.³⁸ Older generations are thus set to grab even more political power.

Yet, at the same time, there are seeds of change. A growing concern about long-term risks, most prominently relating to climate change and pandemics, is raising public awareness of the importance of long-term thinking as a civilisational priority. The emergence of several academic, official, and private initiatives also suggests that the idea of embedding future generations in existing policy ecosystems is gaining traction. But while this new trend may provide an opportunity to counter short-termism, for now it remains on the margins, and far from becoming mainstream.

How to recover the EU's long-term thinking

Nevertheless, this might be the right time to create an institutional architecture that will make the "trade union" for future generations a reality in Europe. With the EU embarking on a new policy cycle in 2024, there might be an appetite for it to recover some of its original long-term thinking by embedding the interests of future generations in its decision-making. Some ideas for doing so include the following.

A dedicated EU office for future generations: One particularly symbolic and substantive approach to remedying the EU's neglect of future generations' interests would be to establish a new union-level institution to act as a guardian of future people.

There are many national examples of institutions that the EU can learn from: in Europe, where Finland, Hungary, Malta, Sweden, and Wales have such dedicated bodies; outside Europe, as in Canada, Israel, and Uruguay; or at the international level, with a 2021 proposal to appoint a United Nations (UN) special envoy for future generations.³⁹ The latter would repurpose the UN Trusteeship Council (originally created to oversee decolonisation) into a future-oriented body and may lead to the negotiation of a declaration on future generations that could give future people legal standing. At

the EU level, European Commission Executive Vice-President Maroš Šefčovič has been convening a Ministers of the Future meeting.⁴⁰ This suggests that the foundations for a new, dedicated institution might already be laid.

When considering the choice of model for representing the interests of future generations at the EU level, the first question is whether it would create new institutions and procedures, replace old institutions, or merely add competencies to existing bodies.

A European ombudsman for future generations: One add-on option would be to confer extra competencies to the European Ombudsman, which is tasked with uncovering maladministration in the activities of the EU institutions and bodies. However, under its current mandate, it is competent only to monitor the preparation of policies, not to substantively review them. What is more, the ombudsman's decisions are advisory and not legally binding. This would render it unfit for the purpose of representing the interests of future generations. But it could be invested with the authority to scrutinise policy decisions as to their impact on future's people well-being, in line with article 3 of the Treaty on European Union, which states that the aim of the EU is "to promote peace, its values and the well-being of its people".

Two other existing EU bodies with the potential to play a role in defending the interests of future generations are the EU Agency for Fundamental Rights and the European Environment Agency.

A European commissioner for future generations: Another add-on approach would be to give a portfolio dedicated to future generations to a member of the European Commission. This commissioner could even be made first vice-president to confer on this role a higher authority.

This commissioner would work across departments and act as the EU's chief "foresighter", leading a team of experts who would give their views on the commission's political priorities, annual legislative programmes, and impact assessments. In order for this commissioner to act as a guardian and conduit for future generations' interests across the EU, the incumbent would also be the "chief listener" – a channel open to direct input from citizens and organisations concerned about the long-term implications of EU actions and inaction. In this role, the commissioner might also help renew the EU's vision of the future of Europe.

In so doing, this commissioner would embrace citizen participation processes such as visioning and deliberative processes such as citizens' assemblies, or other futuring techniques, to ensure a planned transition towards a future that reflects the interests of generations to come.⁴¹

To remedy the EU's representational omission of future generations, one may also consider further complementary or alternative models and procedures.

Impact assessments for future generations: Since 2002, the EU has carried out impact assessments for its most relevant initiatives, conducted by the commission and increasingly by the parliament and the council. However, these do not have a time horizon of more than 20 years on average. Thus, there is scope to significantly expand the temporal dimension of impact assessments conducted during

the preparation of an EU initiative – in the pre-legislative and legislative phases – with analysis being documented, circulated, and discussed among those involved. Portugal has recently developed and implemented a framework for intergenerational fairness that systematically assesses public policies according to what is fair and unfair to people alive today and to future generations.⁴²

A European Parliament intergroup on future generations: Intergroups are not official bodies of the parliament but are recognised by it as forums for informal exchanges of views on specific issues across different political groups. They are also a contact point between members of parliament and civil society. Intergroups must be composed of members from at least three political groups, and they are established by agreement between the chairs of the political groups at the beginning of each legislative term.

An intergroup for future generations would be a low-cost mechanism for making the parliament's work more oriented towards the long term. However, it would not be capable of mainstreaming consideration of future generations' interests into the day-to-day examination of legislative proposals coming from the commission.

An inter-institutional agreement on future generations: Such a text could be modelled on the union's Inter-Institutional Agreement on Better Law-Making and confirm a commitment to future generations by the commission, the parliament, and the council. It would determine the relationships among the various mechanisms and bodies envisioned across these institutions to ensure their coordination.

Regardless of which institutional arrangement the EU might adopt, what matters most is for it to recognise that the time has come to prepare itself to govern problems that span temporal boundaries as well as spatial ones. Should the union succeed in embracing this new dimension in its work, this may help enrich its democratic qualities while laying the foundation for a new generation of future-oriented political reflexes and institutions. That is exactly what the EU must urgently acquire to be democratically future ready and potentially future proof.

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The Climate Action Blind Spot in EU Democracy

— Suzana Carp

The combination of the democracy crisis and the climate emergency poses the make-or-break societal challenge of this century. The relationship between these two phenomena is all the more important because it is only through deep democracy that the international community can address the climate emergency. This is because the rapidly diminishing global carbon budget – the maximum amount of greenhouse gas emissions that can still be released into the atmosphere before global temperatures surpass a certain safety threshold – belongs to everyone. The atmosphere is public property and needs to be managed democratically.

The climate-democracy challenge refers to the relationship between two questions. First, on the climate emergency, how much time is left before the world runs out of its carbon budget and, hence, its space for a liveable future? Second, on the democracy crisis, what is the best way to decide how to effectively implement solutions to the climate emergency? The sheer scale of the transformation cannot be driven efficiently from the top down but only through societal involvement in the solutions. Attempts to circumvent democracy to mitigate the climate emergency will only lose more time.

There has never been a more acute need for active citizenship as the avenue through which individuals and communities take part in decision-making on the basis of a set of rights and obligations. Governments and private entities also need to act, but decision-making for the future has to be broadened beyond them, especially when it comes to the implementation of technical solutions.

The European Union (EU) treaties established an important principle of environmental law that polluters are responsible for greenhouse gas emissions. But this principle has proved insufficient to manage the climate crisis alone, not least because in the EU carbon market, polluters received a 25-year derogation from their obligation to pay for greenhouse gas pollution. There has been no clarity over how to rectify this fundamental mismanagement.

The transnational nature of climate change means that political involvement in the climate emergency is ushering in a new politics, which is simultaneously more local and more global, as well as a new economics of climate solutions. This novel landscape sets the scene for a new form of environmental and economic citizenship, or a socio-economic climate contract, as the world moves towards mitigating the climate emergency.

Fast and deep transformation

As the planet is now warming at an unprecedented speed and scale, record-breaking temperatures are already affecting agricultural yields, with long-term damage posing a threat to food systems, economic structures, and the stability and predictability of human civilisation. The survival of most

species, including our own, is also under threat, and scientists have flagged that the world has already entered the sixth mass extinction.⁴³

It is therefore no surprise that the gravity of the situation provides fertile ground for an idea that has gained currency: democracy may be less effective than other forms of political organisation in enabling the efficient and effective mitigation of climate change. Current attempts to deal with the climate emergency through the EU's lengthy policymaking procedures seem to have left many disappointed, inviting the question of whether current decision-making processes are fit for the task at hand.

The EU's 2020 European Green Deal promised to overhaul the union to make it fit to deal with the climate emergency. At both ends of the climate action spectrum, whether one favours fast action or slower approaches, citizens have been left dissatisfied. Some are frustrated that economic and industrial processes have not changed since the 2015 Paris Agreement. Others are losing economic options for navigating the technological changes ahead against the backdrop of new carbon levies and other environmental measures. While the manufacturing and production of solutions compatible with the net-zero goal can be expedited in a top-down fashion, there still has to be a demand for these solutions as well as a commitment to implement them locally. That is unlikely to exist at the level required – namely, a technological overhaul in record time – without the deep involvement of citizens and communities around the world. This gap must be bridged to propel faster progress on mitigating the climate emergency.

To combat the worst impacts of climate change, what is needed is a fast and profound transformation of the technological landscape to move away from burning fossil fuels. The sheer scale and speed at which this needs to occur has invited the unhelpful notion that there will be no space or time for public consultation in this regard and that it is therefore necessary to move to a new age of top-down, streamlined decision-making. However, this view misses the point, which is that public consultation is a catalyst for change and that the question on which debates have focused so far – whether or not to move away from fossil fuels – has to be adjusted to the new reality of living through and with climate change: how to adapt to a changing climate while urgently phasing out fossil fuels across the whole economy.

Environmental ownership

The provisions of the European Green Deal could be read as implying that the atmosphere belongs to the polluters: it extends beyond 2030 free pollution permits to some carbon-intensive industries and weakens the treaty obligation on polluters to pay for their negative impact on the environment. This sad reality has invited citizens to press instead for a “real green deal” that brings in the critical missing piece of the puzzle: European citizens, as owners of the atmosphere.

The elected members of the European Parliament have failed to correct shortcomings in the European Green Deal. Two critical examples of this stand out. The first is the EU climate target that greenhouse gas emissions should be 55% lower in 2030 than in 1990. The parliament voted for a 60% reduction target but was ignored by the European Commission and the EU Council. For those sceptical of democracy's ability to respond to the climate emergency in line with scientific

requirements, this example confirms the narrative that deliberations can yield a lowest-common-denominator approach.

The second example concerns the EU taxonomy for sustainable activities, a classification system intended to clarify which economic activities are environmentally sustainable. This scheme was meant to provide guidelines on which investments are compatible with the Paris Agreement. Against the scientific advice, gas from fossil fuels made it onto the list of green investments, not only undermining the credibility of the tool but also showing that elected representatives failed to withstand outside pressure. If the costs of the transition increase because decision-makers delay determining what is green and what is not, then citizens need to be brought in.

Given these suboptimal aspects of the green deal, one might worry about the future of democracy in the age of the climate emergency. Although the commission has been piloting some innovative experiments in the field of advancing democracy, political decision-making continues to be detached from new citizen panels and other participative forums.

This situation must be reversed, as the only way to meet the ambitious goals of the Paris Agreement is to create systemic synergies that allow stakeholders to amplify each other's contributions, as opposed to operating in silos. Individuals and communities with participatory decision-making agency must come front and centre. Communication exercises are no longer sufficient, as Europe is permanently challenged by extreme weather events and a war on its border in which the aggression is funded by the fossil-fuel economy.

This is not about shifting responsibility onto consumers or citizens, as some would like to understand it. Rather, it is about coming to terms with the fact that to stand a chance of meeting the most ambitious challenge of our times, the EU and the international community more widely must create a new societal model of collaboration and deliberation – with popular ownership of climate solutions. This will require European political actors to shift their climate protection systems from polluters to citizens. Such systems can exist, but they must be drawn up by those at the forefront of the crisis: citizens.

Climate citizenship

The continued influence of fossil-fuel lobby groups has weakened citizens' overall trust that governments and institutions are able or willing to do what it takes to address the grave economic and societal suffering that is already being felt in the European regions most affected by the climate crisis. Even as trust is being eroded, the climate emergency is accelerating, providing fertile terrain for the dystopian illusion that less democracy could yield more climate action. This is a dangerous and inaccurate proposition that lures the minds of many, from the liberals at the forefront of climate activism to dissatisfied citizens who start flirting with the idea of illiberalism as a way to prevent climate regulation from advancing further.

The climate crisis will not be solved by coercion and top-down policymaking but by deep, bottom-up engagement with the energy transition and ownership of the solutions by the citizens most at risk. The 21st century poses such deep threats to societies around the globe that it requires a genuine

21st-century citizenship to emerge as the voice of collective reason and agency. Citizenship is the key to solving the climate crisis, but what is needed is a new, modern form of it, built on three key pillars: intergenerational justice, environmental rights, and political participation.

In the 21st century, citizenship has to evolve to provide a way through the climate crisis. Since the Maastricht Treaty of 1992, the EU has developed a form of citizenship that exists beyond the confines of the nation-state. That treaty introduced many provisions on sharing space, in particular clauses that secure equal treatment, non-discrimination, and avenues to involvement in political participation. However, it contained too few provisions that help with today's climate emergency – and in this sense, the whole EU edifice needs to be reinvented.

The magnitude of the climate issue makes it essential to begin to map out the required set of rights and responsibilities. The notion of intergenerational justice is surfacing in the debate, and the Fridays for Future movement, in which children and teens took to the streets to claim their right to a stable planet, has been the most visible expression of this trend. But it has not been the only example, and this debate has also been unfolding in the legislative world. In September 2023, a group of six children took 32 countries to court for their lack of action on fighting climate change and protecting children's future.⁴⁴

These cases are no longer isolated exceptions: they are becoming the norm, which should come as no surprise, as it has taken centuries to build up a judiciary whose verdicts yield to evidence. In the case of the climate emergency, the evidence is overwhelming, which is why most climate litigation cases end up in favour of the plaintiffs.

Conclusion

If citizens, courts, and scientists are all asking for protection of the right to life, if today's economic system is crumbling, if economic instability will be a natural consequence of the breach of planetary boundaries, if insurance companies are no longer offering cover in areas exposed to climate risks, and if pension funds still maintain links to fossil-fuel investments and may collapse as a result, then the question arises: how does the EU correct the blind spots in its climate policies and create a political process capable of addressing these challenges?

The EU needs to devise a new form of socio-economic climate citizenship through a real green deal. This must enable heightened agency for citizens to act and decide on their adaptation options and their economic income. The EU has to create the space for European societies to decide how to move away from an economy plagued by risk because of its reliance on the continued use of fossil fuels. Citizens need to have ways to ensure that their taxes go towards solutions and not towards the destruction of future generations. This requires a fundamental overhaul of EU democracy and can only be managed democratically, with official political institutions playing their part. This overhaul will be best initiated by institutions, driven by citizens, and managed by everyone together for successful implementation. The alternatives to this approach do not offer the dignity that comes with active participation in the choices that will shape people's livelihoods in the 21st century.

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Mass Politics and Collective Actors in EU Democratic Innovation

— Alvaro Oleart

The European Union (EU) has recently organised a series of citizen-centred processes that suggest a new pattern of democracy and participation. The Conference on the Future of Europe in 2021–2022 included a set of European citizens' panels, national citizens' panels organised by member states, and a plenary that combined different types of representation. Since the conference ended, the European Commission has organised a series of further European citizens' panels. The aim of this EU "citizen turn" is to reduce the distance between EU institutions and citizens by reaching out directly to them.⁴⁵ However, while some see this as a "new paradigm of democracy", the EU has been implementing it in a way that reproduces a very depoliticised understanding of democracy.⁴⁶

It is telling that it is the commission that has emerged as the dominant EU body when it comes to institutionalising citizen participation, as shown by the new generation of European citizens' panels. When implementing such processes, the commission has tended to reproduce its self-understanding as a non-political or technical institution that operates mostly through consensus. The emphasis on embedding citizen participation within its consensus-oriented policymaking process hinders a pluralist debate that channels political conflict.

Furthermore, such processes fail to connect citizen participation with the broader public sphere and involve a heavily mediated form of politics – yet are framed as a purer representation of EU citizens. The European citizens' panels were organised by private consultancies subcontracted by the EU, whose expertise lies in organising sortition-based exercises of deliberative democracy. This type of mediation is disconnected from the public sphere and mass politics. The influence of these deliberative democracy entrepreneurs selling a new form of mediation to the EU institutions raises questions about European democracy. Thus, the trend towards citizen assemblies and panels in the EU entails a blind spot of increasingly depoliticised democracy.

Disentangling democracy from mass politics

The depoliticised understanding of democracy that remains dominant in the EU can be a good match to some approaches to deliberative democracy – particularly those focused on mini-publics, set up to have a group of citizens deliberate in a bubble-like setting with tightly controlled external inputs. This aims to replace the public sphere with carefully managed deliberation among randomly selected citizens, who are meant to be broadly representative of the population. By design, the European citizens' panels were meant to be insulated from wider societal and political debate and to individualise political participation.

This depoliticised approach to democracy has a demobilising effect, since political parties, trade unions, and civil society actors are discouraged from participating. The resulting “democracy without politics”⁴⁷ risks deepening the trend towards hollowed-out democracy.⁴⁸ Pluralist democratic politics requires collective actors to be able to put forward and confront their contrasting ideas in the public sphere. The emerging EU participatory initiatives sideline these actors and base their political legitimacy entirely on randomly selected groups of citizens. This cuts the feedback loop with the public sphere and embeds a strongly technocratic component in the political process.

Creating an artificial depoliticised space where individualised citizens are brought together as equals sidelines the ways in which systemic discrimination based on race, class, gender, or sexual orientation takes place in society. Under a label of being politically neutral, such participation reinforces the imbalances and injustices of the status quo and stifles any serious challenge to existing policy templates.⁴⁹

This means that the current wave of citizen initiatives risks being reduced to something of a public relations exercise aimed at communicating a supposed desire to close the gap between EU institutions and citizens, rather than offering a genuine opportunity to reshape the EU in any far-reaching way. The EU's citizen turn lacks a systemic view of deliberative democracy. It fails to link up with or foster any wider “deliberative system”⁵⁰ and militates against agonistic contestation in the European public sphere.⁵¹ It is precisely this micro-macro disconnect that is one of the blind spots that most needs addressing in EU democracy.⁵² In this regard, processes such as the Conference on the Future of Europe and its European citizens' panels do not enhance the overarching quality of EU democracy in a meaningful way.

Politicising participation

None of this is to argue against participatory initiatives, but rather to suggest that such democratic innovations need to fit with a more agonistic form of democracy. This can be done. In Ireland, citizen assemblies on abortion and same-sex marriage absorbed and in turn influenced broader public debate. In France, the Citizen Convention for Climate reshaped public discourse on climate change. EU citizen initiatives need to focus more on their embeddedness in the broader public sphere and less on selective input into particular policies.⁵³

This could be helped by having parliaments or other non-executive actors organise such exercises. This would establish a clearer connection between individual citizen exercises and the macro public sphere. The main indicator of success for democratic innovations should not be how far they alter individual policies but rather how firmly they are embedded in the EU's overall political system and the public sphere.

Overall, initiatives controlled from the top down – such as the European citizen panels – will not help create a mass politics of EU democracy.⁵⁴ Only through a priority emphasis on wider democratic pluralism and agonistic politicisation can citizen participation initiatives fulfil their potential to improve EU democratisation. For EU democracy to be vibrant, processes of contestation need to include the confrontation of alternative visions of society and open transnational deliberation on these visions in

politicised public spheres. Democracy can only emerge by questioning current EU structures and by fostering political debates on them.

In moving towards a more politicised understanding of participatory democracy, the EU should look at how citizen participation can be taken out of its consensus-oriented and technocratic policymaking process.⁵⁵ It needs to introduce ways of connecting its many citizen initiatives with the broader public sphere and other channels of democratic politics.⁵⁶ Reclaiming an agonistic public sphere nourished by strong collective actors such as political parties, trade unions, civil society, and social movements would help develop innovations that contribute more meaningfully to democratising the EU.

Mass politics and collective actors

A blind spot in EU democracy is that current reforms and participatory exercises do little to cultivate spaces for collective action and dissensus. The distance of the EU's politics from national political debates is a major challenge, as a stronger EU democracy requires the joint development of stronger collective actors at the national and transnational level. This entails a broader reconfiguration of how democracy is conceived and more effort to reimagine ways for citizens to engage in EU politics.

Mediating actors, which stand between individual citizen participation and the state, such as civil society, trade unions, political parties, and social movements, can mobilise people not previously socialised in EU politics. They help people to realise that their political problems are intertwined with those of others across the EU and beyond. Such intermediary bodies need to focus on better interaction between the national and the EU level. EU democracy needs stronger horizontal connections (for example, between trade unions in different member states) and vertical ones (for example, between national and EU-level civil society). This is crucial, since at the moment, most people tend to be socialised through national politics.

These bodies are needed especially for citizens who are structurally marginalised in politics in general and in EU politics in particular. Powerful individuals and multinational corporations, actors that already have many lobbyists regularly involved in policymaking processes, in practice have more weight in participatory processes than, say, factory workers or refugees. Collective organisations that allow citizens to come together in a particular ideological direction can help correct this imbalance and enable wider political engagement that connects EU politics “in the corridors and in the streets”.⁵⁷ The political empowerment of vulnerable social groups requires mediation through collective organisations. Only by enabling the participation of these organisations will the voices of undocumented migrants, delivery riders, and other precarious communities be prioritised and heard in a meaningful way.

To reverse such inequalities, EU institutions need to offer more support to such intermediary bodies. This requires more funding and more political protection for civil society and other actors. Given the highly professionalised nature of EU policymaking, Brussels-based civil society often operates through technocratic codes that enable the role of business lobbyists. Furthermore, civil society organisations often compete with each other for EU funding. Therefore, the EU could nurture collective organisations at the national and the EU level through flexible funding schemes, rather than funding for specific projects, as well as through wider political recognition and engagement, not

only in Brussels but also across the member states. This is particularly relevant in countries such as Hungary and Poland that have undergone democratic backsliding.

Similarly, EU democracy requires ways to increase the political weight of national parties and parliaments in democratic innovation.⁵⁸ A stronger intertwining of EU-level and national politics is needed. The role of social partners, particularly trade unions, could also be strengthened to match the prominent role that business lobbyists play in the EU. At the moment, trade unions channel their EU affairs mostly via EU-level umbrellas, such as the European Trade Union Confederation or the European Federation of Public Service Unions; involving national trade unions in EU politics would bring in a wider range of actors. All of these collective actors should be at the forefront of any innovative democratic processes of citizen participation.

In sum, current approaches to EU democratic reform suffer from a serious blind spot in the way they give primacy to individualised citizen participation and neglect the need for more engagement with the activists and collective organisations most excluded from EU politics. A more systemic conception of deliberation in the EU requires strong transnational coalitions of collective actors that nourish politicised debates in the European public sphere. Transnational linkages and horizons have long existed, and it is only by connecting them that a meaningful democratic transformation can take place. This is not the task of one organisation alone. The challenge for the EU is to support local and national bodies as mass organisations to counter the decades-long trend that has seen trade unions and political parties hollowed out, while at the same time constructing a space of permanent dialogue between mediators across borders.

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The Case for a Permanent European People's Assembly

— Niccolò Milanese

The Conference on the Future of Europe promised citizens to put “the future ... in your hands”.⁵⁹ Yet, this unprecedented institutional exercise, which involved the European Union (EU) institutions, panels of 800 randomly selected citizens from across the EU, and a plenary session with representatives of the citizens' panels, national governments, parliaments, and civil society, was rapidly overtaken by events. Conceived by French President Emmanuel Macron in 2019 as an attempt to restart the engine of European integration after years of Brexit negotiations, the conference was delayed at the beginning by the Covid-19 pandemic in 2020, while its concluding months in 2022 were overshadowed by Russia's full-scale invasion of Ukraine.

These world events were to a significant extent unforeseeable – although the Russian war against Ukraine has been ongoing since 2014, and the EU hosted a Global Vaccination Summit in 2019. Yet, the methodology used for the conference, despite being the EU's best effort to be more inclusive, revealed several serious blind spots: only EU citizens, not residents, were eligible to be selected for the citizens' panels; citizens from the EU's neighbours were therefore excluded until some Ukrainian citizens were heard in the event's final meetings; decision-making in the conference was opaque; the follow-up was non-committal; and citizens' participatory experiences – both in the citizens' panels and online – were individualising, depoliticised, and strictly time limited.

During the conference, the EU took significant decisions about how to address world events such as the pandemic and the Russian invasion, but the political processes that led to these decisions had no connection to the event's participants. The most important blind spot revealed by the conference was the conference itself: a large institutional exercise that went almost totally unnoticed by the European public and was barely covered by the media.

If, following this experience, greater citizen participation in European affairs is still important for the legitimacy of the EU institutions and could even improve policymaking by benefiting from citizens' collective intelligence, the question arises of whether a permanent people's assembly for Europe could do any better.

Which Europe?

It is perhaps worth starting with the word “Europe” itself, which has always had ambiguous meanings from its earliest mythological sources. It is often used as a shorthand for the EU member states but is also claimed by those who feel no affection towards that club (“Love Europe, not the EU” was a Brexiteer bumper sticker in the UK) as well as by those who long for EU affiliation or membership, as

with Ukraine's Euromaidan movement. "Europe" of course has many other uses that reflect varied geographies, from football and singing competitions to schools of philosophy. Instead of trying to foreclose its own possible meanings and geographies, a people's assembly for Europe should perhaps embrace this ambiguity and not set itself a predefined, circumscribed territory.

At the same time, to have a political impact, a people's assembly needs to have at least one political authority in its sights – and the EU is the obvious primary interlocutor and target. But what does this mean? During the negotiations on the mandate of the Conference on the Future of Europe, one of the interesting discussions was about whether the conference should cover only matters within the EU's competence or whether it should be able to deal with any political topic. Figures in the European Commission expressed the view that citizens should be free to bring up any topic and that the conference secretariat should be able to address the right authority, given that all levels of European governance were involved in the plenary session.

This innovation and opening up of the logic of European governance is surely beneficial: while it is important for reasons of accountability to be clear which authority has competence for which decisions, these restrictions do not need to be introduced at the start of participative processes, which risk sending citizens from pillar to post in search of someone to address. Rather, the institutional channels of participation should guide and accompany people in finding the right institution while fostering collective processes throughout.

Is it possible to square an assembly's undefined territorial scope with the need to address political institutions that do have a territorial remit? The answer lies in the way the assembly decides who has an interest in being heard on each topic under consideration. Arguably, these voices will often be from outside the EU. Why should people from the countries most affected by rising sea levels not be heard in an assembly discussing the EU's climate policies, for example? Why should people from migrants' countries of departure not be heard in an assembly discussing Europe's migration policy?

One of the advantages of participative democracy over representative democracy should be the former's ability to overcome, at least partly, the blind spots built into the logic of the latter. These blind spots result from the need to establish constituencies that are represented, which leads to people outside these constituencies being ignored, if not excluded. A people's assembly can be more nimble, flexible, and variable in its geographies and therefore more inclusive, going some way to integrate externalities. All the while, the assembly must keep in mind that it cannot include the whole world: the idea of a perfectly inclusive participative process is unattainable.

Transnational, topical, permanent

Rather than representing a circumscribed territory or attempting to encompass the whole world, the concept of Europe can signify going beyond borders – a form of transnationalism that can foster deep diversity. Above all, transnationalism should go hand in hand with localism: a people's assembly should be embedded in local communities, work with municipalities and mayors as much as with politicians in the EU institutions, and articulate the various levels of European politics. That is to say, an assembly should relate the levels of European decision-making to the concrete, everyday experiences of people living in or affected by Europe.

Moreover, instead of having a permanent central location, a people's assembly could be nomadic in a way that takes into account local specificities and critically reflects on local contexts and their connections to other contexts across Europe. A people's assembly for Europe could even be the locus of an ecosystem of assemblies across Europe and beyond, including not only those formally established by authorities but also those that are more spontaneous and led by civil society.

To be visible to a wider public, a people's assembly needs to be topical. This is about more than choosing issues of current and broad public political concern: crucially, it is also about how the assembly inserts itself into debates. Here, the starting point is that the assembly needs to involve itself in debates that are already happening in other places and spaces, rather than assume that its declarations will have an automatic audience outside its members by fiat. This requires using the languages and symbols of popular debates, not the jargon of institutions, and approaching issues from the point of view of people and their experiences, not from the viewpoint of policy.

But more than this, it requires a strategy that is developed over time and an audience for and around the assembly. The assembly's nomadism is part of this, as is its embeddedness in local contexts. More generally, the assembly's strategy needs to benefit from the energy of people and wider civil society to communicate about and through the assembly, including by critiquing it, contesting it, trying to influence it, and engaging in all other aspects of healthy democratic relationships with power and institutions. This is the opposite of the controlled-experiment approach to citizens' assemblies, which may work to introduce these assemblies in consolidated democracies where political institutions are anchored in the public sphere and the public has a firm grasp of what would count as a representative sample of itself but results in assemblies remaining invisible to European publics and therefore lacking in legitimacy.

The permanence of a people's assembly is thus a crucial aspect: the assembly will develop over time as its authority and legitimacy grow. This, after all, is a similar trajectory to that of the European Parliament. Permanence in this context does not mean that the assembly should include the same members over time – quite the opposite, the institution of the assembly should be a permanent fixture of the European political landscape, while its membership should be able to change. An institution is a body that has a collective identity separate from the identities of its members. If the institution were not permanent, each assembly of selected citizens would be a new formation, to be dissolved again after completing its work.

Ephemeral assemblies convoked on a European scale are weakly embedded into other structures where publics can hold power to account and are therefore always at risk of being instrumentalised. To prevent this, two conditions are required to build an assembly with its own authority. First, the assembly needs the time and permanence to hold accountable the external power that it addresses, to prove its effectiveness with regard to other institutions. Second, it needs the time and permanence to learn from its experiences and develop its relevance, inclusiveness, and capacity for deliberation; these qualities concern the assembly's internal relations as well as its external relations with the public, the media, and wider civil society. In this sense, the assembly is a process, a continuous adventure of construction and reconstruction, and, ultimately, an experience in autonomy.

The most important part of a permanent people's assembly for Europe would be the sense that it has been constructed by the people – and continues to be over time. A permanent people's assembly could claim to be the first European institution established by the people and therefore provide a much-needed democratic origin story for the evolving EU. As the EU is increasingly seen as distant and detached, even as it is ever more present in people's lives, this would be a major advantage of a people's assembly.

This sense of ownership is the opposite of the usual experience in citizens' assemblies convened and managed by states, where it is often professional facilitators and the mandating authority that run the show and control the time and space of the assembly. One of the enemies of autonomy is bureaucracy, and the people's assembly would therefore need to benefit from the agile ways of working that are common in civil society movements and avoid the rigid formalism and hierarchies often found in political institutions.

A catalyst for co-creation

How likely is any of this to happen? The EU institutions are going to continue talking about citizen participation. The Conference on the Future of Europe made a recommendation to hold periodic citizens' assemblies; even before this, the commission had launched a Competence Centre on Participatory and Deliberative Democracy and designed numerous calls under the EU's Horizon Europe research programme to promote the holding of assemblies.⁶⁰ The commission has followed the conference with further citizens' panels, which it says should become permanent fixtures of European policymaking. Meanwhile, the parliament has passed resolutions that mention various possibilities for greater citizen participation and the use of citizens' panels.

If left to their own devices, the EU institutions will continue to fill this space with the kind of instrumental, highly circumscribed, and alienated forms of citizen participation witnessed during the conference and the citizens' panels. Currently quite detached from this, there is an evolving ecosystem of deliberative assemblies that are driven either by civil society movements or in connection with local municipalities or regions. At the moment, these two worlds almost never interact. A permanent people's assembly for Europe needs to be the catalyst that brings these two spheres together to offer a process of co-creation between those who hold the reins of political power in Europe and the people on whose behalf that power should be wielded.

The creation of a people's assembly would potentially displace the current destructive struggle between a popular and a technocratic Europe as they disassociate themselves ever further. The year 2024, when the next European Parliament elections will take place, is a crucial moment for democracy in Europe and around the world. Now is surely the time to redirect these dynamics into the generation of a transformational assembly.

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European Civic Space at Risk

— Aarti Narsee

In her final State of the Union address before the 2024 European Parliament elections, European Commission President Ursula von der Leyen addressed several issues, from climate change to competitiveness, from gender equality to enlargement, and from geopolitics to migration.⁶¹ Yet, worryingly, the terms “civil society” and “civic space” were completely left out of her address, while “democracy” was mentioned only fleetingly. Von der Leyen’s failure to recognise the importance of civil society and civic space highlights a blind spot in the European Union (EU) institutions’ current approach to democracy.

While the EU has put civic space on the agenda in the last few years, the right to protest and access to civic space for excluded groups remain overlooked. And although the EU has increasingly acknowledged the democratic and societal role of civil society through its narrative and sectoral policies, the union’s approach to the growing challenges faced by civil society remains reactive and piecemeal. Additionally, in the absence of a clear strategy for civil society, EU legislation has contributed to putting pressure on the space for civil society and to distorting its nature.

Von der Leyen rightfully identified that institutions need to “[earn] the trust of Europeans to deal with their aspirations and anxieties”, but she failed to capture the fact that building trust goes together with strengthening democracy and civic space. And to secure trust, the EU needs to deliver inclusive and coherent policies that leave no one behind and create an enabling environment for civil society actors.

If the EU is committed to strengthening democracy, especially given the upcoming elections and the future mandate of the EU institutions, it is crucial that the union shifts its approach to public policy to ensure it serves people’s needs and to push for stronger tools to tackle the ongoing assaults on civic freedoms. The only way the EU can overcome this blind spot is to prioritise civic space by putting forward coherent policies aimed at supporting, empowering, and protecting civil society.

Challenges to civic space across Europe

Both globally and in the EU, democracy and civic freedoms are under threat. Two telling trends demonstrate the internal threats to democracy in the EU: a series of recent electoral victories for far-right political groups in countries such as Finland, Italy, and Sweden; and ongoing pressures on civic freedoms in several member states.

Research by the European Civic Forum, a transnational network of over 100 nongovernmental organisations (NGOs) across Europe, and the CIVICUS Monitor, a data platform that tracks and rates

civic space, confirms that civic freedoms and democracy are in decline in the EU.⁶² According to the CIVICUS Monitor, the top three restrictions in the EU in 2023 were intimidation, censorship and detention of protesters, while the right to freedom of peaceful assembly has been repeatedly targeted year on year.⁶³ In addition, the enabling environment for civil society is constrained by funding hurdles and limited opportunities for participation and structured dialogue with policymakers.

Worryingly, even countries that are regarded as stable democracies with an enabling environment for civil society are facing major challenges to civic space. Civic freedoms in **France** were significantly contested in 2022 and 2023.⁶⁴ The country's so-called separatism law requires any association that applies for public financing to sign a "contract of commitment to Republican principles". This law has increased the powers of administrative authorities to impose sanctions on associations and dissolve those they deem to be acting against the principles. Thus far, authorities have withdrawn public funds for several climate rights and feminist associations; dissolved some organisations, such as the Antifascist Group of Lyon and Surroundings and the Coordination Against Racism and Islamophobia; and threatened others with dissolution for allegedly failing to comply with the law.

In one example, the association Femmes sans frontières (Women Without Borders), which helps victims of domestic violence and migrants, was accused of "not respecting Republican values" because its director, Faïza Boudchar, wears a veil.⁶⁵ Since 2021, the department of Oise has questioned the Republican values of Femmes sans frontières and retracted its funding. In another case, on 21 June 2023, the French government issued a decree that dissolved the environmental movement Les Soulèvements de la Terre (Earth's Uprisings) after Interior Minister Gérald Darmanin accused the group of staging violent actions during a large demonstration in the western town of Sainte-Soline against the construction of giant reservoirs.⁶⁶ A day before the announcement, counterterrorism officers took members of the movement into police custody, and several activists from the group face criminal charges in relation to the protest.⁶⁷ The Council of State, France's highest administrative jurisdiction, later annulled the decree dissolving the movement.⁶⁸

In addition, ongoing protests against pension reforms and police violence have faced disproportionate restrictions.⁶⁹ There have also been concerns about surveillance ahead of the 2024 Olympic Games in France, after the government introduced the Olympic and Paralympic Games Bill, which includes security measures through the use of various tools of intrusive algorithmic surveillance in public spaces.⁷⁰ The final text of the bill excluded some of the most worrying elements.

Regarded for many years as a stable democracy, the **UK** has seen some notable declines in civic freedoms in the last decade.⁷¹ The government has passed a restrictive protest law that gives the police in England and Wales more powers to crack down on demonstrations. It has also put forward several proposals to clamp down on strikes, environmental rights protests, and the rights of migrants and asylum seekers. Although Britain is no longer a member of the EU, it is important to pay attention to these worrying signs from a country that has long inspired good practices, especially in the context of a regional and global democratic decline.

Restrictions on civic freedoms in **Spain** have also intensified.⁷² Despite attempts to reform the so-called gag law of 2015, the legislation has been used to target protesters and journalists. Additionally, vague amendments to the Criminal Code relating to public disorder may lead to the criminalisation

of political dissent and pose further threats to protests. Environmental movements, housing civil society organisations (CSOs), the LGBTQI+ community, and people of colour remain targeted by police measures, sanctions, and restrictions.

In addition, 2022 was defined by the CatalanGate political scandal, which involved cases of severe espionage and mass surveillance schemes against figures in the Catalan independence movement, including the location and interception of calls and messages, the use of spyware, the physical trailing of people, and the installation of localisation devices in cars. In one example, undercover police officers infiltrated two pro-independence youth organisations. In November 2023, after four years of a secret judicial investigation, the Spanish National Court announced that 12 people were under investigation for terrorism offences in connection with their alleged participation in the 2019 mobilisation and protests in Catalonia as part of the Democratic Tsunami movement.

Other EU member states are displaying early warning signs of a further downward trend for civic freedoms. For example, in **Germany**, there have been recurring threats and attacks on journalists by the authorities and far-right protesters as well as disproportionate responses to protests.⁷³

Most recently, public authorities in several member states have imposed restrictions on citizens who express solidarity with the Palestinian people. This includes disproportionate measures such as the pre-emptive banning of protests as a risk to “public order” and “security”; the use of excessive force and detention of protesters in several countries, among them France, Germany, Greece, Hungary, and Poland; and the conflation of legitimate criticism of the Israeli authorities with anti-Semitism, with a chilling effect. Individuals have faced repercussions for speaking out, including dismissal, disciplinary action, or the threat of deportation if they are foreign nationals.

Those who advocate for environmental rights have faced challenges in numerous member states. In **Austria** and **Finland**, police violence during protests has particularly affected climate activists.⁷⁴ In April 2023, the Italian government proposed a law to criminalise damage to cultural and artistic goods, which would significantly restrict acts of civil disobedience by environmental rights activists.⁷⁵ In Germany, police raided the homes of members of the Last Generation climate activism group and placed it under surveillance.⁷⁶

The criminalisation of solidarity with migrants has intensified: the Platform for International Cooperation on Undocumented Migrants recorded that in 2022, at least 102 people were facing criminal or administrative proceedings in the EU for such acts of solidarity, including in France, Germany, Greece, Italy, Lithuania, Malta, Poland, and Spain.⁷⁷ The European Network Against Racism has documented ongoing threats and violations experienced by racialised human rights defenders and those who work on racial inequality, migration, and non-discrimination in countries like Cyprus, France, Greece, and Portugal.⁷⁸

Shortcomings in the EU's approach

Five years ago, there was little knowledge in the EU of what “civic space” meant; now, the concept is recognised at the European level and has been placed on the policy agenda. In March 2023, the EU Council approved conclusions on the role of civic space in protecting and promoting fundamental rights in the EU. The commission has put forward legislative tools such as the directive to counter strategic litigation against public participation (SLAPP), which is aimed at protecting journalists and human rights defenders from abusive litigation, and a directive that will regulate conditions for non-profit associations to operate across borders.

However, there are significant blind spots in the commission's approach to civic space and civil society. An illustration is the commission's annual rule-of-law reporting cycle, a mechanism that aims to promote the rule of law in all EU member states and “prevent challenges from emerging or deteriorating”.⁷⁹ Within this process, civil society has an opportunity to update the commission on national developments in relation to the rule of law and democracy. Yet, the reports marginalise civic space and do not adequately investigate the challenges that civil society faces, with little understanding of its multifaceted role in the rule-of-law ecosystem. Each report's analysis of civic space is limited to one or two paragraphs. In addition, the right to protest does not fall under the scope of the reporting, nor do systemic human rights violations.

What is more, given that civic space developments can unfold rapidly in some member states, as documented in France and Greece, the process provides little opportunity for an early-warning mechanism for civil society to alert the commission directly to rapidly emerging concerns. While the reports make recommendations, they are neither timely, concrete, nor specific enough to push member states into taking action to improve the situation.

The shortcomings in the commission's approach to civic space and civil society are also illustrated in policies that have been put forward to strengthen democracy. The commission's Defence of Democracy package focuses heavily on threats from outside the EU and on some symptoms of weakening democracies while not paying enough attention to civic space restrictions in member states.⁸⁰ Despite widespread concerns expressed by hundreds of CSOs in consultations, meetings, and letters, the commission adopted a foreign funding directive as part of the package in December 2023.⁸¹ Instead of protecting democracy, the directive will be deeply harmful to it and will fail in its stated intention of exposing covert foreign interference in policymaking. The one positive element in the package is the inclusion of a recommendation on civic engagement. Although non-binding, the recommendation is a step in the right direction as it encourages member states to take measures to protect, support, and empower civil society to ensure a thriving civic space and recommends ways to establish structured dialogue with CSOs in the policymaking process.

Meanwhile, the EU's draft Artificial Intelligence (AI) Act is currently being finalised in the legislative process. This legislation, which aims to restrict the development and deployment of harmful technology, is in principle a positive step, and the EU is leading the way globally in its aim to create boundaries for AI. However, the proposal put forward by EU legislators once again ignores many of the demands of civil society and fails to fully safeguard fundamental rights for all, the rule of law, and democracy. Civil society has raised several concerns about the impacts this legislative tool

could have on civic space, especially on excluded groups. They have flagged specific dangers to the freedom of peaceful assembly, liberty, the right to asylum, privacy and data protection, the right to social protection, and non-discrimination when such technology is deployed by the authorities and companies.

These examples expose several gaps in the commission's approach to policymaking, which could be strengthened if civic space and civil society were more central in the commission's understanding of democracy in practice.

Why the EU needs a civil society strategy

The EU must fine-tune its approach if it wants to strengthen its tools and processes for a vibrant European democracy and build on existing progress. The 2024 European Parliament elections are a key opportunity to turn the tide of shrinking civic space, but the EU can only do so if it commits to support, empower, and protect civil society. A broad coalition of CSOs has launched the Civil Society for EU campaign manifesto, which calls on European political parties and groups to take concrete steps to make civic space and civil dialogue central topics in the elections.⁸² In the next five years, the future parliament and commission must create an empowering environment for civil society by developing an EU civil society strategy and a civil dialogue agreement.

The agreement should ensure that civil society has a real seat at the table to contribute meaningfully to all steps of policymaking at both the EU level and the national level through regular, transparent, and meaningful civil dialogue. This will ensure that civil society is a permanent, empowered, and engaged actor in future European governance.

Through a dedicated civil society strategy, the EU should strengthen the existing monitoring tools at its disposal. This includes bolstering the recommendations in the annual rule-of-law reporting cycle and creating an early warning mechanism so that civil society can publicly raise concerns and alert the commission about worrying civic space developments.

The union should also protect civil society and human rights defenders against attacks by devising an EU mechanism to allow civil society to report on assaults and negative developments on an ongoing basis. Such a mechanism would go a long way towards prevention by providing direct assistance to civic actors and rights defenders and ensuring accountability when attacks take place. Overall, these tools would promote a proactive rather than reactive approach to dealing with declines in democracy and civic space.

Finally, for civil society to continue its work in protecting civic space, the EU should aim its funding policies at nurturing the democratic role of the civic sector through multi-annual, consistent, and flexible structural funding. Overcoming this blind spot means that the EU must meaningfully prioritise civic space and civil society both in its policies and in practice. It is only with this approach that the EU can truly defend democracy.

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Blind Spots in EU Anti-Corruption Efforts

— Maia Koytcheva

In May 2023, the European Union (EU) took a significant step in the battle against corruption by proposing a new directive on combating it.⁸³ The EU has hailed this as a milestone at the national and the European level. The move came in the wake of *Qatargate*, one of the biggest corruption scandals to hit Brussels, with allegations of elected representatives, officials, and lobbyists being involved with criminal organisations, corruption, and money laundering. Despite the promising moves forward, however, there are major blind spots in the EU's approach to corruption, and these have significant impacts on the quality of European democracy.

The interconnectedness of the EU's endeavours with the global fight against corruption cannot be overstated. The EU can play a significant role in inspiring, promoting, and enforcing global best practices, norms, and standards. Its Digital Services Act, General Data Protection Regulation, and draft Artificial Intelligence Act are examples of its commitment to lead in setting high standards. It is therefore encouraging to see the EU taking decisive action against corruption and promising to deliver on the commitment made by European Commission President Ursula von der Leyen in her 2022 State of the Union address.

As corruption commonly exists across all sectors of government and society, efforts to combat it cannot be effectively and sustainably pursued by governments alone. Neither can they be separated from the need for wider democratic reform that addresses power imbalances and public mistrust. The EU has done too little to anchor its anti-corruption work in the interdependent values of transparency, accountability, and participation.

Five broad challenges are at the heart of EU debates on corruption.

Abuse of EU funds by authoritarians: European and other governments continue to receive EU funding and subsidies despite their ongoing attacks on the rule of law. The use by Hungary's Prime Minister Viktor Orbán of European subsidies to fund a patronage system and enrich his friends and family, protect his political interests, and punish his rivals is only the tip of the iceberg.⁸⁴ In March 2022, prosecutors in the Czech Republic announced that former Prime Minister Andrej Babiš was facing charges of fraud for allegedly pocketing millions of euros in EU agricultural subsidies.⁸⁵

A destination for money laundering: Criminal organisations in and outside the EU continue to move money through its ports, property, art markets, and other channels. Successful anti-money laundering operations – such as the one in 2022 in Spain, where a major European money launderer was arrested on suspicion of laundering over €200 million (\$219 million) through an underground

banking system, using shell companies based in the UK and premium brands of vodka to conceal illegal activities – remain few and far between.⁸⁶

Influence peddling and conflicts of interest: The Qatargate scandal and influence-peddling cases – for example, in climate lobbying – have demonstrated that access to decision-makers is unequal and that the wealthy and well-connected benefit from existing opacity. These clear cases of bribery are overlaid onto a situation where donors, often illiberal foreign governments, take advantage of legal loopholes to fund major political candidates in Europe.⁸⁷

Enabling corruption abroad: Companies and individuals regulated by EU institutions may help sustain corruption abroad through illegal or legal bribe payments or by exploiting weak anti-corruption compliance regimes. This has the effect of exacerbating poverty in the name of profit. The Swedish company Ericsson, for example, has previously admitted to engaging in bribery in several countries, leading to a \$1 billion settlement with the US Justice Department and a dropped investigation by the Swedish Prosecution Authority because of a lack of evidence that payments had been made in bad faith.⁸⁸

Security vulnerability because of corruption: Russia's unprovoked full-scale war on Ukraine shows the danger of tolerating kleptocratic governance for too long; in this case, this has led to the most significant war in Europe since the Second World War. Russian oligarchs and other actors have hidden their money, laundered their reputations, and sown disinformation in the EU for decades.

Cooperation among policymakers, civil society, interested citizens, and free and independent media is essential if the EU is to counter these challenges without sacrificing its liberal values and freedoms.

Open government as the solution

There are several blind spots in anti-corruption measures at the EU level as well as globally. The importance of transparency is well established across government and civil society, but what needs to follow it is less clear. Transparency must be used to hold governments to account and enable the participation of all relevant stakeholders. This is a key step towards establishing true dialogue in policymaking and rebuilding public trust, which has steadily declined in recent years.

Promises to end corruption frequently make it into election campaigns and show a pervasive focus on “small democracy” – quick fixes to systemic issues – when what is really needed is democracy beyond the ballot box: democracy that is inclusive and practised daily and consistently.

The EU tends to frame anti-corruption as a technical fix. Rather, it needs a broader open-government approach. Collaboration between government and civil society positively correlates with reforms that are more ambitious and have stronger outcomes.⁸⁹ Yet, open-government principles are not applied consistently and rigorously enough in EU policymaking, including when it comes to corruption, where they have the following concrete benefits.

Policy design: The inclusion of non-governmental actors can ensure a wider identification of where corruption may occur and can help identify relevant policies. At the same time, many of these actors

have incentives to ensure that the fight against corruption is coherent with respect for fundamental human rights.

Detection and evidence gathering: Journalistic organisations such as the Organized Crime and Corruption Reporting Project and the International Consortium of Investigative Journalists, as well as open-source intelligence organisations such as Bellingcat, have played an outsized role in detecting illegal and unethical activities and led to criminal prosecutions. Many such cases may not have been discovered as quickly, if at all, had law-enforcement bodies alone investigated.

Citizen monitoring of public spending: Citizens can play an important role in monitoring public expenditure to improve the delivery of services and desired impact. Citizen auditors' initiatives can leverage the power of digital tools to monitor public policies and contracting processes, bringing greater oversight and accountability.

Informing the public and extralegal interventions: Certain types of corrupt activities, such as reputation-laundering or information operations, might not explicitly break the law. These cases can be tried in the court of public opinion and, where they affect politicians, can also be punished at the voting booth.

Ensuring sustained implementation: Civil society groups, the private sector, and the media have an interest in maintaining transparency when it comes to data on governance, violations of the law, and the enforcement of regulations. They can help ensure that anti-corruption programmes are maintained across changes in government and staffing in public administration.

Aiding coordination at multiple levels: EU policy operates at multiple levels, and civil society plays a critical role in informing voters about what goes on in Brussels, ensuring that EU rules are transposed and implemented in member states, and identifying incoherence between policy levels.⁹⁰

Open government and anti-corruption cornerstones

The public can play a practical role in ensuring that anti-corruption policy is well designed and implemented. This is true for organised interests, such as civil society organisations (CSOs), trade unions, and industry organisations, as well as individual citizens. An anti-corruption policy that relies only on government action, as is frequently the case, will miss out on the advantages of a multi-sector approach. The key to allowing this wider participation and oversight is the provision of open, high-value data.

Data from 67 countries, including 28 in Europe, reveals significant gaps in data frameworks and availability related to countering political corruption.⁹¹ While most European countries have laws that require the collection of data in anti-corruption areas, few mandate its public availability. And data often lacks accessibility when published, with only a minority of it presented in machine-readable formats, which makes analysis and accountability challenging. Open data on how decisions are made, what officials own, and whose interests they serve can shine a light on political corruption and help make political systems fairer and more inclusive.

Making data available cannot follow the simple principle of more is better, because transparency alone is not enough. Governments increasingly understand that data needs to be useful and used by citizens, businesses, and researchers to generate practical outcomes. Open data can lead to major gains in political accountability, generate economic value, and improve the quality of government services. But structures and relationships must be in place for the release and use of high-quality and trusted data for this to happen.

The EU's Open Data Directive mandates the publication of machine-readable open data for specific "high-value datasets", such as geospatial information and company ownership, but this notably excludes procurement data, despite public procurement representing 14% of the EU's gross domestic product.⁹² Open contracting and procurement transparency are crucial not only for fighting corruption but also for enhancing the business environment, achieving cost efficiency, and delivering improved services. In some places, open contracting has been a prevalent reform area.⁹³ While national performance on open contracting varies within the EU, amending the Open Data Directive to include procurement data among high-value datasets can significantly elevate transparency standards.

Some interesting initiatives are taking shape in this area and can be built on. Italy's government has launched and strengthened OpenCoesione, an innovative online platform that publishes the budgets and expenditure of the EU's Cohesion Policy and national funds for territorial development in the country as open data. Italy is one of the largest recipients of Cohesion Policy funds, and their distribution had long been a source of corruption and mismanagement, particularly in the country's south. OpenCoesione is a critical tool for citizens to monitor public spending and identify cases of misuse. As of 2022, the portal included information on nearly 1.8 million projects with €107 billion (\$117 billion) in funding. Citizens are encouraged to use this information through a civic hackathon that coordinates journalists, civil society, and data scientists to use the data. High-school students have also been targeted through competitions encouraging them to monitor public spending on local projects.⁹⁴

As Ukraine gradually moves towards the EU, current member states should draw from its experiences in anti-corruption. Here, significant progress has been made in open data since 2014 through initiatives like ProZorro and DoZorro, online platforms that are now used by large numbers of citizens, municipalities and CSOs to identify violations in procurement processes. ProZorro has expanded to support wartime procurement by offering a catalogue of over 100 humanitarian goods categories. Local and state authorities, military and civil administrations, and humanitarian organisations can easily find suppliers through the platform, leveraging the established trust between citizens, civil society, and the government. These platforms have thrived because of their commitment to open-government principles, where government-held information is accessible to civil society, the private sector, and citizens, and because of the presence of a government that listens and engages effectively.

Curtailing money laundering

The Panama Papers, the Paradise Papers, the FinCEN Files, and the Pandora Papers have accelerated interest in beneficial ownership transparency reform as an important tool to prevent corruption and money laundering. Collecting and publicly disclosing company beneficial ownership data can help reveal money laundering, conflicts of interest, improperly awarded government contracts, and tax

evasion. Knowing who ultimately owns or benefits from a company or property can also help identify responsibility for other violations of law, such as environmental or employment rules.

The EU needs to learn from others in this field. Nigeria provides an excellent example. It publishes company beneficial ownership data in a free, public register following Open Ownership's Beneficial Ownership Data Standard. The portal is searchable by entity name, entity number, or an individual's name, and users can view historical information about a company's beneficial owners. More importantly, Nigeria did not simply establish the register – it also ran sensitisation workshops with civil society, the private sector, the media, and government agencies to inform them about the relevance of the register. Steps like these are crucial in a holistic approach to reform.

Information provided through such registries feeds into several layers of accountability needed to combat corruption, from independent oversight bodies to investigative media and an active civil society. For example, civil society and citizens gain more insight into land claimed by the government, companies, and other actors, enabling people to claim their rights to their land.

The EU's fifth anti-money laundering directive requires each member state to create and publish a beneficial ownership register. However, it does not define a data standard, which has led to a patchwork of approaches and some poorly accessible registers, despite a mandate that registers should be interconnected. As one of the preferred destinations for laundered assets, the EU can play a role in raising the cost of laundering money into its jurisdictions. This has the benefit of deterring criminal activity and ensuring that Europe's democracies increasingly represent the will of the voters. Tragically, in November 2022, the EU Court of Justice struck down the directive's requirement for public access to beneficial ownership registers, granting greater privacy to company owners and threatening the transparency and accountability gains of recent years.⁹⁵ It is critical that the EU addresses the ruling by clearly ensuring access for CSOs and journalists, as the court still recognised their legitimate interest in accessing information in the fight against money laundering.

The case of France highlights that registries alone are not enough. Six years after the country began collecting information on the beneficial owners of companies, a third of legal entities have de facto failed to comply with the requirements, without repercussions. In July 2023, Transparency International revealed that more than two-thirds of corporate-owned real estate in France is anonymously held.⁹⁶ Further investigation has revealed such properties are linked to alleged money launderers and to politicians accused of corruption abroad. The role of the media and civil society in uncovering such failings is key and underscores the importance of a cross-sector approach that goes beyond simple transparency to include participation and accountability through stakeholder engagement during the implementation of beneficial ownership regimes.

Safeguarding ethical access to decision-makers

Lobbying is an essential component of democracy, as people must be able to talk directly to officials and elected representatives about issues of interest. However, too often the opportunity to influence decision-making is monopolised by those with the resources, political connections, and know-how, leading to decisions being heavily favourable to these vested interests. Lobbying regulations can set

standards of conduct and mandate the collection and publication of data, including who lobbyists are, which public officials they meet, and how these meetings may have influenced decision-making.

Many countries are working to include lobbying registers in various parts and at various levels of government. The UK has promised to tighten its lobbying rules following the Greensill scandal and members of parliament breaching rules on paid advocacy.⁹⁷ However, it has been revealed that only 21% of EU member states require the collection of lobbying data and only 16% require its publication.⁹⁸ This area needs much greater attention at the national and the EU level. Meanwhile, the Qatargate legal case could be falling apart as the member of the European Parliament at the heart of it is launching a legal challenge, arguing that Belgium's federal police acted illegally by violating her parliamentary immunity, potentially rendering the evidence collected inadmissible in court.⁹⁹

There is also a troubling bias in the EU's Transparency Register, where CSOs face stricter disclosure requirements, including an obligation to reveal all their funding sources, than other interest groups, such as industry, which only have to produce estimates of their lobbying expenses with no external validation.¹⁰⁰ This places undue scrutiny on CSOs and creates a misleading perception that they exert more influence, when they are actually less represented on the register than corporate entities. There are similar imbalances in transparency at the member-state level, discouraging diverse stakeholder participation and strengthening private-sector interests. To achieve true participation, civic inputs should be on par with political inputs in policymaking.

Creating a transparent lobbying register is one of the major measures to ensure that access to public officials is open, accessible, and ethical. Lobbying data – especially when combined with legislative voting records, transparency in political finance, and strong ethics enforcement – can make the legislative process more accountable to the public interest.

Anti-corruption and fundamental freedoms

Anti-corruption reforms cannot be sustainably implemented in isolation. If they are not accompanied by robust measures to protect civic space – especially the fundamental freedoms of assembly, association, and expression – underlying power imbalances will remain. The protection of civic space remains a serious EU blind spot, with the possibility, in the worst cases, of authoritarian governments using anti-corruption measures to stifle opposition and suppress civil society.

Some elements of the EU's response to Qatargate, particularly those aimed at tackling covert foreign interference, may negatively affect civil society in its work to engage with the EU institutions and promote issues of public interest. Regulating civil society activity should be proportionate, transparent, and independently administered. Furthermore, there is a need to go beyond preventing the degradation of civic space. The EU should comprehensively address calls, including from the Conference on the Future of Europe, to open up its institutions and decision-making to much wider public participation and scrutiny.

The absence of corruption is an essential but not a sufficient ingredient for democracy to flourish. Ultimately, where trust is the challenge, people want more of a say in the decisions that shape their

lives. Open governments place citizens at the heart of their work. They allow a greater diversity of stakeholders to observe, inform, and influence policymaking. They do not treat citizens as passive recipients of services; instead, they invite feedback, consult, deliberate, and co-create. This is the foundation on which trust can be rebuilt, with the multifaceted struggle against corruption functioning as scaffolding and key support.

It is vital to adapt global norms to national reforms. European governments need to focus on developing or enhancing comprehensive anti-corruption strategies that cover beneficial ownership, open contracting, political finance, lobbying, and extractive industry transparency.

As the EU's ambition is to fight corruption beyond its borders, it is crucial that open government norms spread further within the union as well as outside it. Innovative reforms and approaches based on transparency, accountability, and participation should take hold across governments at all levels to improve the lives of citizens and strengthen democracy. Realising these goals requires political leadership and a broader cadre of open-government champions across all government branches and levels, to offer an alternative to the trend of declining democracy and closed governance.

In sum, for all the EU's focus on anti-corruption, open-government principles are not being applied consistently and rigorously in the union. Too often, the EU institutions and member states stop at transparency, and in some cases, even that baseline is not reached. An approach based more on open government and participation is needed to correct this blind spot in EU democracy and anti-corruption efforts.

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The author thanks Joseph Foti and Paul Braithwaite for their contributions.

Gender Equality and European Political Renewal

— Elene Panchulidze

The European Union (EU) is formally committed to fostering gender equality across all of its policies as a foundation of just and democratic governance. As part of this overarching agenda, during the 2019–2024 legislative term, the EU has placed a strong emphasis on advancing gender equality in both its internal and its external policies. The union has tabled and adopted legislative initiatives to address sex-based disparities and violence against women to achieve equal rights and representation for marginalised groups. In addition, the EU has started to invest more in non-legislative measures such as awareness raising, cross-country experience sharing, and national and grassroots initiatives.¹⁰¹

Yet, the EU's prevailing narratives on and approaches to gender equality have limitations that hinder genuinely gender-transformative democratic politics in the EU. These limitations and other obstacles, such as the union's limited competencies, result in blind spots in the EU's work on gender and risk being counterproductive for gender equality and even deepening a conservative backlash.

Crucially, these shortcomings will become more consequential as the 2024 European Parliament elections approach, with gender issues likely to figure prominently in electoral campaigns. This chapter explores the blind spots in the EU's internal gender equality discourse and outlines the contours of a more comprehensive and transformative framework for gender politics in the EU.

A union of equality

In her 2023 State of the Union address, European Commission President Ursula von der Leyen described the EU's work on gender equality as “ground-breaking and pioneering”.¹⁰² Although many considered the speech overly self-congratulatory, the commission's first female president has indeed moved up a gear in the fight for gender equality. Von der Leyen listed gender equality among the key priorities of her programme and nominated Helena Dalli as European commissioner for equality to pursue this goal, supported by a dedicated task force.¹⁰³

In the current legislative term, gender equality has emerged as a prominent issue in political discourse and the media, leading to increased commitments at both the EU and the national level and sparking breakthroughs in decision-making. The commission has managed to advance several policy measures that many believed would be impossible to agree.¹⁰⁴

In March 2020, the commission presented its EU Gender Equality Strategy 2020–2025, which outlines challenges, benchmarks, and necessary actions to address gender issues in the EU.¹⁰⁵ The strategy is a significant step up from previous EU-level commitments to addressing gender discrimination.

The strategy is based on a dual approach that combines targeted measures and reinforced gender mainstreaming across all EU policy areas, both internal and external. Importantly, the strategy also introduces intersectionality as a cross-cutting principle, recognising unique experiences of discrimination.¹⁰⁶

While some EU member states have prioritised gender issues, the driving force advancing gender equality has come from the top down under the strong leadership of the commission. Initiatives like the EU's directive on gender balance on corporate boards met significant resistance. Several member states, including Croatia, Denmark, Germany, Greece, Hungary, the Netherlands, Poland, Slovakia, and Sweden, opposed the directive, challenging the efficacy of binding measures at the EU level to achieve the desired objective. Breakthroughs were possible only after changes in government, including in Germany and the Netherlands.¹⁰⁷ After a decade of standstill in the EU Council, the commission achieved progress with a push from the French presidency of the council in 2022. The directive sets a benchmark for companies to have at least 40 per cent of their non-executive director positions filled by women by 2026.¹⁰⁸ In December 2022, the European Parliament and the council reached a political agreement on a directive on pay transparency measures. Introducing obligatory pay transparency was a priority for the commission president, and the directive marks another step towards fostering gender equality.¹⁰⁹

The EU's landmark accession to the Istanbul Convention, a human rights treaty of the Council of Europe focused on fighting violence against women, has also been controversial for several member states, including Bulgaria, Croatia, Hungary, Poland, and Slovakia. The convention paves the way for a comprehensive, pan-European legal framework dedicated to safeguarding women from all forms of violence.¹¹⁰ Although ratification is still pending in six member states, the EU's accession to the convention marks a significant development that can also serve as an important instrument to foster member states' adherence to the treaty.¹¹¹

Despite all this, conservative narratives in several member states have significantly hindered EU advances on gender equality. The long-standing criticism of the issue of gender is that it is inconsistent with family values and fosters the narrative that gender norms and identities are socially constructed rather than biologically determined.¹¹² Discussion of gender also conflicts with the goal of conservative governments to advance a broader conservative understanding of the family that seeks to reinforce traditional hierarchies. While von der Leyen's State of the Union address acknowledged all the above-mentioned efforts, she also stressed the need for more progress in one particular area – the fight against sexual violence – and expressed the need to legally establish the basic principle of sexual consent encapsulated in the phrase “no means no”.¹¹³

Blind spots in the EU's approach

In sum, the commission's efforts in the current legislative term have made significant improvements to the EU's commitments to address gender-based inequities. However, a forward-looking strategy requires reflection on a number of blind spots at the EU and the national level. The EU's conceptual documents, such as the Gender Equality Strategy and the Gender Action Plan, suffer from several limitations.

First, and of crucial relevance to this collective report, the EU frequently frames gender discourse as distinct from the democracy and human rights agenda. Although the commission has committed to greater gender mainstreaming across all policies, the EU's gender policies have developed as a separate track from the union's human rights and democracy policies. This is problematic not only in discursive terms but also because it makes gender an easy target of populist and far-right actors, at both the national and the EU level, and risks deepening polarisation in society. This is because the current EU approach risks gender issues being seen as a particular ideological leaning rather than as a core part of democratic rights across all parts of society.

Second, the EU's stance on gender equality adheres to a binary conception of gender, mirroring the conventional male-female dichotomy. The EU strategy defines its goal as to promote equality between "women and men in all [EU] activities". Such a binary outlook does not comprehensively encompass the intricate spectrum of all gender identities. Although the strategy endeavours to expand the gender spectrum and envisions a union where "all women and men [in] all their diversity are equal", the language retains a binary nature.¹¹⁴ By maintaining a binary template for gender, the EU inadvertently overlooks the distinctive experiences of individuals who identify outside the binary conception. This poses an obstacle both for accurately identifying the challenges and for developing comprehensive solutions.

In response to requests from gender advocates, the EU has made efforts to expand its gender discourse. For instance, the strategy explicitly calls for a broader intersectional approach. The document recognises intersectionality as a cross-cutting principle that considers the interplay between gender and other characteristics, such as age, ethnicity, sexual identity and orientation, and disability.¹¹⁵ However, civil society representatives and independent gender experts note that the framework does not meaningfully engage with the concept, therefore overlooking the structural, institutional nature of intersectional discrimination and oppression.¹¹⁶ Progress on addressing this blind spot has been limited.

Third, the EU's approach and many of the union's flagship initiatives remain centred on realising women's rights through targeted initiatives on equal pay, representation on boards, or gender balance in decision-making, rather than focusing more on a conducive environment for gender justice in society at large. Investing more in fostering such an environment and in supporting civil society initiatives to this end would help broaden the range of gender equality beneficiaries and empower receiving actors to influence change from the bottom up.

A conservative backlash

From these blind spots flows a more overarching political concern. Over the past decade, gender politics has gained prominence in both national and EU-level discussions. While EU institutions and member states see the remedies to gender inequalities in legislative proposals, the prominent discourse also needs to be reconsidered to achieve a genuinely gender-transformative environment. Yet it is here where the gender discourse at both the national and the EU level continues to develop as a separate issue from the broader democracy agenda. This decoupling is exacerbated by the conservative backlash against gender equality in many member states.

Amid the rise of populism and the far right in EU member states, gender has emerged as a highly polarising issue and even a bargaining chip for political forces that seek to connect with and gain the support of more conservative parts of society. For example, during the 2022 election campaign in Italy, the country's current and first female prime minister, Giorgia Meloni, doubled down on traditional family values.¹¹⁷ Her perception of womanhood – in 2019 she described herself as “a woman, a mother, Italian, Christian” – has been widely perceived as an attempt to speak to particular parts of conservative society with traditional family values.¹¹⁸

Fundamental rights, such as reproductive rights, women's political representation, and non-discrimination against LGBTQI+ communities, should not be contemplated as separate agendas for specific segments of society. Political ideologies may offer genuinely different templates for upholding fundamental rights, but such rights are central for democracy and should be seen as reflecting particular ideological options.

In the current EU legislative term, some national conservative narratives have affected EU-level decision-making. Poland was among the member states that opposed the EU's accession to the Istanbul Convention. In response to the commission's firm stance on the issue, in 2020 Poland's right-wing government declared its desire to withdraw from the convention on the grounds that the treaty does not respect “religion and [promotes] controversial ideologies about gender”. Discussions of Poland's potential withdrawal from the convention were accompanied by a legislative counter-initiative entitled “Yes to Family, No to Gender”.¹¹⁹

This situation can be seen as part of the previous Law and Justice government's sustained assault on sexual and reproductive rights, including a ban on abortion.¹²⁰ It is widely believed that these restrictive policies, which dismiss the rights of a significant part of society, have fuelled strong pushback from women and even influenced election outcomes.¹²¹ The Polish case serves as a compelling lesson, highlighting that neglecting fundamental democratic values, especially under the guise of so-called traditional values, has its limits – and that eventually, democratic societies resist such infringements.

At the other end of the spectrum, several member states, including Spain, have witnessed a pronounced shift towards feminist agendas. Former Spanish Minister of Equality Irene Montero introduced measures to combat rising domestic violence; enacted legislation to extend LGBTQI+ rights; safeguarded reproductive health, including through the introduction of menstrual leave; and established “Solo sí es sí” (Only yes means yes) legislation, which declared consent to be the decisive factor in cases of sexual assault.¹²² Although Spain has made impressive and important progress on

issues of equality, prominent controversies have also emerged, deepening polarisation in society. Problems with the “Solo sí es sí” legislation led to several hundred offenders having their sentences shortened or being released. Instead of admitting mistakes, the minister framed the issue as a case of right-wing judges being against her efforts. Spain shows how adopting a certain approach to gender can lead to deeper polarisation and make broader buy-in for this agenda more difficult.

Gender rights and democratic renewal

Multiple elements of the EU's conceptual approach risk exacerbating the conservative backlash in many member states. While these constraints will persist, the commission must invest in correcting its blind spots if it is to achieve genuinely transformative gender politics. To avoid deepening polarisation, progressive forces must tackle the difficult conundrum of avoiding any demonisation of conservative parts of society while maintaining their priority focus on gender. Transformation takes time, especially when addressing entrenched issues of structural inequalities. The gender discourse should remain constructive and based on the notion that these rights are not separate from fundamental rights but are a central part of democratic politics.

The EU should consider embracing a more comprehensive framework that incorporates both intersectional perspectives and diverse gender identities under one gender equality umbrella. The union should also invest in strengthening analytical capacity at both the national and the EU level and enhance civil society participation in designing, implementing, and monitoring gender equality strategies to ensure intersectionality as a guiding principle.

Finally, the commission should invest more in non-legislative measures, including data collection, monitoring, and awareness raising. It should broaden its focus and work more to stimulate a conducive environment for the participation of women and marginalised communities. Fostering such an environment and supporting civil society initiatives would help broaden the range of gender equality beneficiaries and empower receiving actors to influence change in a bottom-up way.

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Outside Views on Europe's Democracy Blind Spots

— Senem Aydın-Düzgit, Niranjan Sahoo, and
Andreas E. Feldmann

The failure of European governments and political actors to absorb helpful lessons and advice from democratic reformers and activists elsewhere in the world is a major blind spot in European Union (EU) democracy. Observers from the Middle East, South Asia, and Latin America are often puzzled by the naivety and complacency with which European societies and institutions have reacted to the challenges posed by populist extreme-right parties. If the EU had the ways and willingness to absorb helpful experiences from around the world, it might gain a broader and more rounded political understanding of its democratic shortcomings – and perhaps be less clouded by its own institutional peculiarities.

Containing autocratisation

The resilience of the opposition in Turkey in the face of two decades of polarising populist authoritarian rule provides multiple lessons for the EU. These suggest how democratic forces can and should act to survive, overcome polarisation, and challenge an autocratising government.

From a Turkish perspective, a major blind spot in EU democracy is that not enough attention is paid to building coalitions among opposition forces. Even though many European countries are experiencing polarisation that requires democratic opposition forces to unite, this is a rare occurrence. In Turkey, this has become the major element for pushing back against autocratisation. Since the country's shift to hyper-centralised presidentialism in 2018, opposition forces have actively coordinated in two key elections: the 2019 local ones and the 2023 presidential one. In the first case, coalition building played a major role in the governing Justice and Development Party (AKP) losing major metropolitan cities, including Ankara and Istanbul, opening new pockets of resistance for the opposition forces. However, the May 2023 presidential election demonstrated that opposition coordination is a necessary but not sufficient factor for defeating populist authoritarian leaders.

Viewed from Turkey, it seems clear that it will not be possible to improve democracy in the EU if opposition forces do not have better strategies for coordinating. While addressing this blind spot, democratic forces should be wary of three risks that the Turkish experience highlights. First, opposition in-fighting on the division of spoils can prevent effective coordination, as it did in Turkey in 2023, when it led to the postponement of critical decisions, such as the choice of a presidential candidate, which came only 10 weeks before the election. Second, policy cohesion is of key importance. Too many promises to the electorate from a variety of leaders in a fragmented opposition coalition raise doubts among citizens about its ability to govern.¹²³ Third, opposition coordination can end in failure if the candidates chosen to run in elections are weak and do not enjoy mass appeal. For instance, in the 2019 local elections, in which the opposition had major successes, opposition parties generally agreed on candidates with

strong local appeal, whereas the opposition's presidential candidate in 2023 did not enjoy mass appeal.

Another blind spot from a Turkish perspective relates to the discourse of pro-democracy forces against polarising populist authoritarians. In Europe as elsewhere, identity debates fuelled by polarising actors are often met with responses that also entail identity politics and personal attacks. The Turkish experience shows that depolarising discourse is of key importance in defeating populist authoritarians like President Recep Tayyip Erdoğan who thrive on polarising rhetoric. During the campaign for the 2019 local elections in Istanbul, the government attempted to pull the opposition's candidate into polarising debates on identity. However, he adopted inclusive language, refrained from engaging in personal attacks on Erdoğan, focused on bread-and-butter issues that affect citizens' lives instead of getting entangled in identity discussions, and communicated his message in rallies in AKP strongholds.¹²⁴ This strategy paid off and resulted in a landslide opposition victory.

A final blind spot as viewed from Turkey concerns local politics. Given the rising inequality that fuels anti-democratic forces in Europe as much as in the country, municipalities controlled by democratic forces should devise and implement large social programmes that reach the broad public. Opposition-controlled municipalities in Turkey have done so since the 2019 local elections. Such municipalities in Europe should establish partnerships with peers elsewhere in Europe and beyond. Turkey shows that partnerships like these are useful in finding alternative sources of funding and know-how, especially where anti-democratic actors control the national government.¹²⁵

Countering sectarian and political polarisation

From an Indian perspective, it can often seem as though Europeans underplay the risks of democratic regression and do not make enough of an effort to address them through features like constitutionalism and multiparty federalism. In India, these features have in recent years been used to resist and check autocratisation.

Ever since it came to power in 2014, the right-wing nationalist Bharatiya Janata Party (BJP) has wreaked havoc on India's democracy and liberal ethos. This should resonate to some degree with Europeans. The government pressures key autonomous democratic institutions to do its bidding.¹²⁶ It has tried to usurp the constitutional rights and autonomy of individual states, especially since the BJP's second national victory in 2019, and weaken regional parties in India's federal system. Even more concerning is the government's aggressive push for the cultural and political homogenisation of a huge, deeply diverse, and pluralist country.¹²⁷ The BJP's One Nation, One India project, which confronts the idea of India as a pluralist and secular nation, has been relentlessly pushed by the party's leadership and the state institutions under its rein.¹²⁸

The framers of India's constitution envisioned a federal system with a strong centre, but they also gave considerable powers and rights to the states. Over decades, the decline of the once hegemonic Congress Party and a series of national coalition governments has enabled the states to assert these powers and rights, making federalism a centrepiece of democratisation. Opposition-ruled states and even some of the BJP's coalition partners have made full use of this to fight back against the party's centralising rule. This was visible during the nationwide opposition to the controversial Citizen Amendment Act in 2019, which was opposed by the BJP's close allies in Bihar and Punjab.¹²⁹ Calling the act discriminatory against Muslims, the legislatures in several opposition-ruled states passed resolutions against the new

law. The open defiance by states, opposition from state-level allies, and protests from Muslims forced the government to freeze its notifications under the act indefinitely. Furthermore, the independent judiciary has also acted as a vanguard against the centralising federal government's encroachment on state powers and rights through several ground-breaking judgements.

While the BJP has been dominant at the national level since 2014, it continues to face electoral challenges at the state level. It has won few state elections in recent years, and it lost the only southern state it controlled – Karnataka – in 2023.¹³⁰ This has acted as a moderating force against the One Nation, One India project. The BJP's coercive tactics to attack and weaken regional parties and target opposition-ruled states have triggered counter-mobilisation by its opponents. Twenty-six opposition parties, including the Congress Party, have joined forces to form a united bloc against the BJP in the 2024 parliamentary election.¹³¹

From an Indian perspective, it is puzzling that there is not more of an effort from such sub-national powers to contain authoritarian tendencies. India's experience in recent years should be a lesson to European democrats to make full use of the similar space they have. EU democracy can learn from the Indian experience of resilient constitutionalism, multiparty federalism, and the power of opposition parties building coalitions in pursuit of the common cause of fighting autocratisation.

Strategies to preserve democracy

The experiences of several Latin American countries that have faced the rise of populist parties and leaders with authoritarian tendencies and found ways to push back can be helpful for Europe. Their experience is in no way perfect, given that populist leaders from opposite extremes of the political spectrum have succeeded in moving El Salvador, Nicaragua, and Venezuela towards authoritarianism. But by contrast, Bolivia, Brazil, Colombia, Ecuador, Mexico, and Panama have successfully resisted or even reversed autocratisation.

A bitter legacy of authoritarianism and instability has instilled in Latin American political systems and societies a dose of resilience and ingenuity that has proved critical to defending the democratic gains of the 1990s.¹³² Adroitness and creativity have contributed to fending off the dangers of populism, including political polarisation, the erosion of party systems, and massive social discontent that fuels violence and domestic disturbances.¹³³

While strategies to combat populism and authoritarianism have varied from country to country in Latin America, the formula for success revolves around some concrete axes: the formation of a broad coalition of diverse actors, such as political parties, civil society, trade unions, the media, officials, and institutionalists in the state apparatus; mass mobilisation to pressure incumbents and defeat extremist parties in elections; and the use of international leverage and pressure by allied states, regional bodies, investors, and transnational activists.

Democratic social and political forces that challenge populist forces in Latin America use a combination of institutional and extra-institutional means. The former include reliance on courts to challenge decisions and policies of the executive; parliamentary work, in particular tactics to delay or water down restrictive or anti-democratic legislation; the use of oversight agencies; and reliance on formal diplomatic

mechanisms in regional and international bodies. The latter include protests, the enfranchisement of marginalised groups, engagement with moderate wings of populist forces, and the use of media and social networks.¹³⁴

In Colombia, attempts by former President Álvaro Uribe to politicise the courts, weaken legislative mechanisms, and extend his presidency beyond the constitutionally stipulated mandates were successfully countered by the opposition through a combination of litigation, lobbying, and delaying tactics in Congress to push back against executive overreach.

In Bolivia, the opposition relied on massive mobilisation and external pressure to counter former President Evo Morales's autocratic tendencies, which included restrictive legislation, harassment of the opposition, and attempts to secure an unprecedented third term. The opposition created a broad movement to contest the result of the 2019 presidential election, which international observers had found marred by irregularities and in which Morales declared himself the winner.¹³⁵ The mobilisation paralysed the country, and the opposition secured the support of the armed forces and polls.¹³⁶ This opened the way for a caretaker government until a new president was chosen in free and fair elections.

Conclusion

The experiences of Turkey, India, and Latin America should inspire Europeans to overcome their blind spot about learning from other countries and regions, as doing so would enable Europeans to take bolder steps to confront democratic dangers. The enormous complexities related to the rise of populism notwithstanding, these cases show there are avenues to push back against the threat. The fact that mass mobilisation has worked in combating autocratisation in some other parts of the world should convince European leaders to change their position and promote such efforts rather than dampen them out of fear that mobilisation may embolden populists. Importantly, from the perspectives of other countries and regions, European leaders have been too timid and reluctant to use the EU itself to spur democratic renewal. Similarly, mainstream European parties' do not seem to have cast around systematically for international lessons on how to avoid giving more oxygen to the populist right. In light of all this, the EU sorely needs to reverse its gaze on democracy.¹³⁷

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