Comment

A 'Whole-Of-Society Approach' to Defending Democracy in the EU

Introduction 437
Rhetoric Without Enforcement: A Credibility Gap 440
When the 'Whole-of-Society' Includes Captured Institutions 442
Externalising Democratic Threats 444
Making a 'Whole-Of-Society' Approach Meaningful 445
Conclusion 449

Introduction

The past years have witnessed a certain 'turn towards democracy' as regards the EU's political priorities and legislative initiatives. With the European Democracy Action Plan (EDAP) and the Defence of Democracy Package (DoD Package), the European Commission (Commission) proposed a range of measures with the declared purpose of defending the key pillars of democratic will-formation.[1] This trend continues with the European Democracy Shield (EDS), published in November 2025.[2] Announced as one of the Commission's flagship initiatives in its Political Guidelines 2024-2029, the EDS represents the third major initiative under the presidency of Ursula von der Leyen in the area of protecting democracy in the EU.[3]

1 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European Democracy Action Plan, COM/2020/790 final; Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on Defence of Democracy, COM/2023/630 final.

2 Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, European Democracy Shield: Empowering Strong and Resilient Democracies, JOIN(2025) 791 final.

3 I understand (European) democracy as the self-government of free and equal persons across all levels of the EU polity. This understanding encompasses rights (such as freedom of expression, assembly, and association), processes (such as opinion-formation processes, free and fair elections, direct-democratic processes, or civic engagement practices) and institutions, both majoritarian and counter-majoritarian (such as elected parliaments, independent courts, or the public sphere), as both the products and preconditions of democracy. I developed this understanding of democracy and how it translates to the EU context in more detail in my doctoral dissertation: Franca Maria Feisel, *The EU's Democratic Self-Defence: A Reflexive Approach* (European University Institute 2025), Print.

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Yet, a closer look at the EDS reveals that it is rather thin in substance.[4] Its only real addition to the EU's toolbox is a European Centre for Democratic Resilience (ECDR) – a hub for information-sharing and operational cooperation in countering foreign interference and information manipulation. Beyond this, the EDS largely reiterates existing European Union (EU) laws and initiatives, or announces soft-law outputs still to come. Far more intriguing than its substance is the EDS's shift in rhetorical framing as regards the EU's defence of democracy: the Commission's call for a 'whole-of-society approach'. While the concept has occasionally appeared in other EU policy areas (e. g. the EU's foreign and security policy),[5] its use in the context of defending democracy – be it the EDS or recent Council Conclusions[6] – is a novel and interesting development.

From the EDS Communication,[7] two aspects emerge as characteristic of a 'whole-of-society approach' to defending democracy in the EU. First, the protection and promotion of democracy across all levels of the EU polity are presented as complementary processes.[8] Second, European citizens and civil society actors are considered the main drivers of both these processes.[9] These two features of a 'whole-of-society approach' come together in the EDS's emphasis that defending European democracy requires strengthening and connecting democratic actors and infrastructures at all levels of the EU polity (spanning the supranational, national, regional, and local).[10]

Read in this light, the concept of a 'whole-of-society approach' suggests a shift towards a more decentralised, bottom-up, and citizen-centred model of defending democracy. Where earlier EU approaches cast European citizens as

4 For critical comments on the EDS, see inter alia Luise Quaritsch, 'The European Democracy Shield – Papering Over the Cracks', Jacques Delors Centre, 2025, <https://www.delorscentre.eu/en/publications/detail/publication/the-european-democracy-shield-papering-over-the-cracks>, last access 29 May 2026; Valentina Golunova, 'The European Democracy Shield – A Toolbox for Safeguarding Digital Democracy?', TRAFO – Blog for Transregional Research, 9 December 2025, https://trafo.hypotheses.org/63227.

5 Communication from the Commission to the European Parliament and the Council on the Second Progress Report on the implementation of the EU Security Union Strategy, COM (2021) 440 final.

6 Council of the European Union, 'Presidency Conclusions on Strengthening EU Democratic Resilience', <https://polish-presidency.consilium.europa.eu/en/news/presidency-conclusions-on-strengthening-eu-democratic-resilience/>, last access 29 May 2026.

7 A Commission Communication is a policy document which sets out the Commission's agenda and future initiatives in a given area. Such document does not have binding legal force.

8 EDS (n. 2), 3-4. The EDS presents defensive and participatory measures as integrated pillars of one and the same approach to strengthening democratic resilience.

9 EDS (n. 2), 20.

10 EDS (n. 2), 25-26.

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the passive beneficiaries of the EU's attempts at defending democracy,[11] the EDS now positions them as its central agents. Moreover, the EDS represents a further step in advancing beyond ex post, reactive EU approaches to democratic regression in Member States.[12] It recognises the need for complementing different forms of EU sanctions (such as financial conditionality and infringement actions) with a more preventive and holistic approach. Yet, a closer look at the practice and the EU's track record in the context of defending democracy requires putting this positive shift into perspective.

In this comment, I will take the concept of a 'whole-of-society approach' as the starting point for an immanent critique of both the EDS itself and the EU's approach to defending democracy more generally.[13]

I argue that the EU's legal and political practice contradict a 'whole-of-society approach' to defending democracy in several regards. First, the EDS's invocation of a 'whole-of-society approach' risks operating as a smokescreen for the Commission's own lack of decisiveness in enforcing the EU's existing tools for defending democracy. This is illustrated inter alia by its reluctance to enforce instruments such as the Digital Services Act (DSA)[14] in politically sensitive contexts, such as the recent Hungarian election campaign. Second, and more broadly, several recent EU legal instruments aimed at defending democracy rest on a distorted view of the democratic condition of European society. Measures such as the European Media Freedom Act (EMFA)[15], the Political Advertising Regulation (PAR)[16], and the DSA presuppose the independence and reliability of national authorities tasked with their enforce-

11 See e. g. Félicie Remlinger, 'EU Citizens' Place in the Process of Concretising the Value of Democracy' in: Gaëlle Marti (ed.), European Citizenship Through the Lens of EU Values (Intersentia 2025), 143.

12 See inter alia Matteo Bonelli, 'The European Union's Democratic Turn', re:constitution Working Paper, Forum Transregionale Studien No. 38/2025, available at <https://reconstitution.eu/working-papers.html>, last access 29 May 2026; Martina Coli, 'The Role of the European Union in Protecting Democracy Through Legislation: The Case of Disinformation', European Papers 11 (2026), 81-111.

13 This approach builds upon a previous blogpost of mine on the EDS. See Franca Maria Feisel, 'The European Democracy Shield and Its Whole-of-Society Approach: From the Bottom-Up, but Short on Concrete Action', VerfBlog, 20 November 2025, doi: 10.59704/f034b1513d9eebaa.

14 Regulation 2022/2065/EU of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act) (Text with EEA relevance), PE/30/2022/REV/1, OJ L 277, 27. October 2022, 1-102.

15 Regulation 2024/1083/EU of the European Parliament and of the Council of 11 April 2024 Establishing a Common Framework for Media Services in the Internal Market and amending Directive 2010/13/EU (European Media Freedom Act), OJ 2024 L 1083/1.

16 Regulation 2024/900/EU of the European Parliament and of the Council of 13 March 2024 on the Transparency and Targeting of Political Advertising, OJ 2024 L 900/1.

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ment, despite mounting cases of institutional capture in a number of Member States. Third, a 'whole-of-society approach' to defending democracy sits uneasily alongside a persistent tendency in EU legal and political discourse to frame threats to democracy primarily in external terms. Foregrounding foreign interference risks obscuring structural vulnerabilities within the EU's own society, including the economic, social and political dynamics that enable democratic erosion from within.

With a view to making this argument, the comment begins with a critical scrutiny of whether the course of action proposed in the EDS, as well as the EU's broader approach to defending democracy, actually live up to the ambition of a 'whole-of-society approach'. Against this backdrop, it then considers what a genuine 'whole-of-society approach' to defending democracy would positively require from the EU.

Rhetoric Without Enforcement: A Credibility Gap

In a way, the EDS and its 'whole-of-society approach' suggest a new sense of institutional humility. Instead of continually expanding its own toolbox, the Commission appears to be taking a step back, shifting its focus towards empowering and protecting democracy defenders within national civil society. Another declared dimension of this approach is to prioritise the enforcement of existing EU laws and policies for defending democracy over the creation of new ones. With the EMFA, the PAR, the DSA, and the Artificial Intelligence (AI) Act,[17] the EU has already created a rather comprehensive set of rules over the past years to address different threats to democracy. Most of these instruments only recently entered into force. Therefore, it seems logical to concentrate on their enforcement. However, the EDS lacks concrete strategies to that effect. Indeed, the Commission's hesitation to utilise the EU's tools for ensuring the integrity of the recent Hungarian elections contradicts its professed commitment to enforcement.

The EDS does not lay out any concrete steps for improving the enforcement of EU legislation with a view to defending democracy. Therefore, the 'whole-of-society approach' and the EDS's inclusive rhetoric may eventually obscure the lack of a clear agenda for rendering the EU's existing tools more

17 Regulation 2024/1689/EU of the European Parliament and of the Council of 13 June 2024 Laying Down Harmonised Rules on Artificial Intelligence and amending Regulations 300/2008/EU, 167/2013/EU, 168/2013/EU, 2018/858/EU, 2018/1139/EU and 2019/2144/EU and Directives 2014/90/EU, 2016/797/EU and 2020/1828/EU (Artificial Intelligence Act), OJ 2024 L 1689/1.

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effective. Whether the announced additions of a (non-binding) DSA Incidents and crisis protocol, 'Guidelines on the fair, transparent and responsible use of AI in electoral processes,' or the (already dysfunctional) Code of Conduct on Disinformation will make a difference in this regard may be doubted.[18] This gap between rhetoric and action is further reiterated by the Commission's hesitance to enforce the DSA in the context of the recent Hungarian election campaign. There were many reported instances of deepfakes used to discredit the former opposition leader (now Prime Minister) Peter Magyar.[19] However, the Commission held back on enforcing the DSA's provisions for targeting disinformation during electoral campaigns, presumably because it does not want to be perceived as interfering in national elections.[20]

This hesitance stands in sharp contrast to the Commission publicly championing election integrity in both the EDS and in a previous Recommendation on the matter.[21] It undermines the credibility of and trust in EU institutions, which constitute important building blocks for a 'whole-of-society approach' to defending democracy. Moreover, there is another, more structural issue in relation to the enforcement of EU legal instruments for defending democracy, which stands at odds with the proclaimed 'whole-of-society approach'. Many of the EU's recently created instruments suffer from a structural blind spot: They fail to account for the advanced level of demo-

18 See e. g. European Fact-Checking Standards Network (EFCSN), 'Commitments Unfulfilled: Big Tech and the EU Code of Practice on Disinformation', 18 December 2024, <https://efcsn.com/news/2024-12-18_commitments-unfulfilled-big-tech-eu-cop-on-disinfo/>, last access 29 May 2026.

19 'EU in a Bind as Deepfakes Flood Hungarian Election Campaign', POLITICO, 10 March 2026, <https://www.politico.eu/article/brussels-bind-hungary-deepfakes-online-election-peter-magyar/, last access 29 May 2026.

20 Under Arts 34-35 DSA, the Commission holds exclusive competence to supervise and enforce the obligations of so-called 'Very Large Online Platforms' to identify and mitigate systemic risks to civic discourse and electoral processes. Its enforcement toolkit includes the power to issue requests for information, order access to platform data and algorithms, impose interim measures where urgent risk of serious harm exists, and ultimately levy fines of up to 6 % of a platform's global annual turnover (Arts 67-73 DSA). In the context of the Hungarian election campaign, the Commission activated the DSA's 'rapid response' mechanism – a voluntary coordination system involving platforms, fact-checkers, and civil society organisations – but stopped short of initiating formal enforcement proceedings against platforms such as Meta, despite documented evidence of coordinated deepfake campaigns and widespread political advertising violations. See e. g. Guerin Lee Green, 'Russian Bots, Kremlin Agitprop, and Meta's Blind Eye: The Disinformation War Over Hungary's 2026 Election', The Cherry Creek News, 8 April 2026, <https://thecherrycreeknews.com/hungary-election-disinformation-2026-thecherrycreeknews/>, 29 May 2026.

21 Commission Recommendation 2023/2829/EU of 12 December 2023 on Inclusive and Resilient Electoral Processes in the Union and Enhancing the European Nature and Efficient Conduct of the Elections to the European Parliament, OJ 2023 L 2829/1.

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cratic regression in certain Member States and its corrosive effects on the very national institutions tasked with their enforcement.

When the 'Whole-of-Society' Includes Captured Institutions

As is well known, EU institutions themselves have limited enforcement capacities. Therefore, national institutions in the Member States are central to the EU's day-to-day functioning. The EU depends on them and their co-operation for the implementation of its policies, the enforcement of its laws, and its system of judicial review. This manifests in a particularly ambiguous manner in the context of defending democracy, where the supranational enforcer of legal measures is, in many regards, dependent on the national target. This creates a fundamental paradox: The more advanced democratic regression is in a given Member State, the less reliable its national institutions are as enforcers of the very EU laws designed to counter that regression.

Consider the EMFA, the PAR, or the Anti-Strategic Lawsuits against Public Participation (SLAPP) Directive[22]. All of these instruments operate on the counterfactual assumption that national authorities across Member States enjoy full independence in exercising the tasks foreseen for them under the respective laws. National competition authorities must assess media concentrations for their impact on pluralism and editorial independence. National election commissions and data protection authorities must supervise political advertisers' compliance with transparency requirements. National courts must determine whether civil lawsuits designed to suppress public participation are manifestly unfounded. This becomes problematic once such institutions have been captured – meaning that, while retaining their formally independent status, they have effectively been subordinated to the political interests of the incumbent government through appointments, funding decisions, or political pressure. According to the EU's very own reports, this is the case in more than one Member State.[23] Hence, the European legislator (knowingly) entrusts the exercise of sensitive tasks under its laws for defend-

22 Directive 2024/1069/EU of the European Parliament and of the Council of 11 April 2024 on Protecting Persons Who Engage in Public Participation from Manifestly Unfounded Claims or Abusive Court Proceedings (Strategic Lawsuits against Public Participation), PE/88/2023/REV/1, OJ L.

23 See e. g. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2025 Rule of Law Report – The Rule of Law Situation in the European Union, COM(2025) 900 final, 8 July 2025.

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ing democracy automatically to captured institutions – which are a symptom of the very democratic regression these laws are meant to counter in the first place.[24] This paradox is illustrated, for instance, by the implementation of the DSA in Hungary.

The National Media and Infocommunications Authority – which is considered to be politically controlled by the former Orbán government – is the designated Digital Services Coordinator (DSC) responsible for the application and enforcement of the DSA in Hungary.[25] For supervising platform providers operating within the Member State and ensuring their compliance with the DSA, national DSCs are *inter alia* meant to designate so-called 'trusted flaggers', whose notifications of potentially illegal content to online platforms have to be treated with priority.[26] The Hungarian DSC has thus far only awarded one such 'trusted flagger' status – to its own Legal Aid Hotline.[27] By monopolising the 'trusted flagger' status in this way, the Hungarian DSC retains effective control over which online content receives prioritised scrutiny. This enables it to shield government-aligned disinformation from removal under DSA rules, while simultaneously shutting out independent civil society actors from the enforcement process.

While all of the above-mentioned EU instruments were introduced with the explicit rationale of defending democracy and the rule of law in the EU, their legal design does not sufficiently take into account that these principles are already compromised in more than one Member State.[28] Some of the EU's recent legislative innovations in the area are thus based on a skewed, insufficiently differentiated picture of the 'whole' of (European) society that is meant to defend democracy. Even in case of a democratic change in government – as will hopefully result from Peter Magyar's astounding victory in the recent Hungarian elections – the road to effectively undoing years of entrenched institutional capture is long and rocky. In the meantime, the EU's legal tools for defending democracy risk being enforced (at best) ineffectively precisely where they are most needed.

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24 See also Michael Dougan and Christophe Hillion, 'Adapt or Perish: Reviving the EU's Raison d'Être', CML Rev. 63 (2026), 61-76 (68).

25 Zsófia Fülöp, 'The Hungarian Media Authority Favoured Its Own Ranks When Deciding Who Could Report Illegal Content to Online Platforms', Lakmusz, 20 February 2026, <https://lakmusz.hu/2026/02/20/the-hungarian-media-authority-favoured-its-own-ranks-when-deciding-who-could-report-illegal-content-to-online-platforms>, last access 29 May 2026.

26 Art. 22 DSA (n. 14).

27 Fülöp (n. 25).

28 See e. g. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 2025 Rule of Law Report – The Rule of Law Situation in the European Union, COM(2025) 900 final, 8 July 2025.

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Externalising Democratic Threats

As the previous section illustrated, a 'whole-of-society approach' to defending democracy calls for squarely acknowledging and addressing the current democratic shortcomings inside European society. In the same vein, it precludes outsourcing the blame. In this regard, however, the EDS continues a problematic tendency within recent EU political and legal discourse on defending democracy: framing 'foreign' actors (i. e. those who do not belong to the EU legally speaking) as the 'other' who represents the gravest threat to European democracy.[29] Foregrounding external interference and securitising the defence of democracy runs the risk of sidelining the domestic dynamics that a genuine 'whole-of-society approach' would need to confront first and foremost. The EDS reproduces the skewed image of a democratic EU 'inside' that is being attacked by anti-democratic 'outsiders', already depicted in previous initiatives like the Defence of Democracy Package and its proposal for a Directive on the transparency of foreign interest representation (TFID).[30]

Proposed in late 2023, the TFID was a reaction *inter alia* to the so-called 'Qatargate' corruption scandal, in the context of which several Members of the European Parliament (MEPs) were accused of accepting money and gifts from foreign governments – notably Qatar – in exchange for influencing EU policies according to their interest.[31] 'Qatargate' certainly illustrated the threat to European democracy ensuing from foreign governments not exactly famous for their commitment to democracy and human rights.[32] Just as much, however, it illustrated democratic shortcomings and a lack of integrity within the EU's own institutions. Yet, instead of regulating lobbying gener-

29 Luise Quaritsch, 'A New European Democracy Agenda – The Commission's Security Focus and What It Misses', Policy Brief, Hertie School Jacques Delors Centre, 13 December 2024, <https://www.delorscentre.eu/en/publications/detail/publication/a-new-european-democracy-agenda>, last access 29 May 2026.

30 Proposal for a Directive of the European Parliament and the Council establishing Harmonised Requirements in the Internal Market on Transparency of Interest Representation Carried Out on Behalf of Third Countries and amending Directive 2019/1937/EU 2023.

31 In exchange for cash payments and subsidised trips, a number MEPs supposedly influenced resolutions on the human rights situation in Qatar and pushed for visa freedom for Qatari citizens. See 'Anatomy of a Scandal: How "Qatargate" Crisis Shook EU to Its Core', POLITICO, 17 December 2022, <https://www.politico.eu/article/scandal-qatargate-crisis-european-union-corruption-crisis/>, last access 29 May 2026.

32 Freedom House classifies Qatar as 'Not Free', noting that the hereditary emir holds all executive and legislative authority, that political parties are not permitted, and that public participation in the political arena is extremely limited. See Freedom House, 'Qatar', *Freedom in the World 2026*, <https://freedomhouse.org/country/qatar/freedom-world/2026>, last access 29 May 2026.

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ally, the draft TFID and its reporting and transparency requirements apply only to civil society organisations and other providers of interest representation services that are considered to represent the interests of third countries. In doing so, the proposal misdiagnoses the source of the problem. It treats foreign influence as the predominant threat, rather than addressing the vulnerability of democratic institutions to intransparent and unregulated lobbying more generally.[33]

The presumption of 'foreign = evil' that underlies the logic of both the draft TFID and the EDS is a fallacy to begin with. This does not mean dismissing the significance of threats to European democracy stemming from outside the EU. On the contrary, Russian interference in Member State elections, or the influence on public discourse exercised by tech billionaires like Elon Musk, are amongst some of the biggest challenges for national and supranational democratic processes to date.[34] At the same time, such foreign actors always seek the cooperation of like-minded political forces within the EU. This is the only way in which their anti-democratic agitations can fully unfold. In this light, just as dangerous as malign foreign actors themselves is the political and societal breeding ground which they find in the EU. Obscuring that such a breeding ground exists only weakens the EU's aim to mobilise society as a whole for the defence of democracy. Rather than mere entry points for foreign actors, societal vulnerabilities in the EU should be recognised and treated as democratic problems that require political attention in their own right.

Making a 'Whole-Of-Society' Approach Meaningful

So far, I have discussed a number of inconsistencies and contradictions between the 'whole-of-society approach' to defending democracy, proclaimed in the EDS, and the EU's concrete actions to that effect. These contradictions manifest in a lack of political will to assertively enforce existing EU rules, blind spots to political capture at the national level in the very design of these rules, and a one-sided threat perception. Having identified

33 For a critical comment, see Franca Maria Feisel, 'One Step Forward, Two Steps Back: The EU's "Defence of Democracy" Package', VerfBlog, 19 December 2023, doi: 10.59704/8303905cd0dced61.

34 See e. g. Alberto Alemanno and Jacquelyn D. Veraldi (eds), *Musk, Power, and the EU: Can EU Law Tackle the Challenges of Unchecked Plutocracy?*, (Verfassungsbooks 2025, <https://verfassungsblog.de/wp-content/uploads/2025/05/Alemanno-Veraldi_MuskPowerAndTheEU_2025.pdf>, last access 29 May 2026; Marietje Schaake, *The Tech Coup: How to Save Democracy from Silicon Valley* (Princeton University Press 2024).

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these tensions, I now turn my immanent critique from diagnosis to reconstruction.

Recall the two features which emerge from the EDS Communication as characteristic of a 'whole-of-society approach' to defending democracy: first, that the protection and promotion of European democracy are approached as mutually reinforcing processes; and second, that European citizens – or, more broadly speaking, the people living in the EU – ought to be the main drivers of both these processes. These characteristics give some guidance as to the kind of positive action a genuine 'whole-of-society approach' to defending democracy would require from the EU.

First, the EU should systematically include those actors and organisations from European civil society who are most affected by different attacks on democracy – and who therefore have the most contextual knowledge regarding how they manifest – in the design and enforcement of its instruments for defending democracy. Regarding the proposals of the EDS, for example, the setup and operation of the new European Centre for Democratic Resilience should be approached accordingly. A 'whole-of-society approach' would require that the Stakeholder Platform – meant to include inter alia civil society organisations and academics who can flank the Centre's operations – becomes not an ancillary or purely consultative body, but that it be equipped with a real say in agenda-setting, threat detection, and enforcement processes. This rationale can also be extended to already existing EU instruments for defending democracy.

For instance, the application of Art. 7 Treaty on European Union (TEU) – the political mechanism under the Treaties for determining and sanctioning breaches of the EU's foundational values laid out in Art. 2 TEU – would benefit significantly from the direct participation of civil society actors and their context-specific knowledge of what is happening on the ground in the Member State concerned.[35] The Council hearings where breaches are determined and potentially sanctioned under Art. 7 TEU should, accordingly, be opened up. The societal groups and representatives invited to an Art. 7 TEU hearing should, first and foremost, be representative of those most affected by the Member State's actions that are considered to violate the EU's foundational values. This would include, for example, representatives of the political opposition, judges' associations, representatives of the LGBTQI+ community, immigrants and asylum-seekers (especially from Muslim-majority countries), all of which are typically the prime targets of democracy-undermining

35 For a similar argument, see also Barbara Grabowska-Moroz et al., 'Rule of Law Beyond the EU Member States: Assessing the Union's Performance', 26 October 2024, available at SSRN: https://papers.ssrn.com/abstract=5000511>, 17-18.

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policies. Moreover, while the unanimity requirement under Art. 7(2) TEU remains a significant legal obstacle, enhanced civil society participation under Art. 7 TEU would also mean enhanced pressure on Member States to take a decision.

Second, there is an important material dimension to a 'whole-of-society approach' to defending democracy. Insufficient financial resources and administrative hurdles for accessing public funding are reportedly amongst the primary challenges which different civil society actors in the EU – especially those whose work is related to democracy and fundamental rights – are facing.[36] Therefore, the Commission should throw its political weight behind the ambitious funding proposed in the EDS for democracy promotion – €9 billion under a new AgoraEU Programme – against predictable resistance in the negotiations of the next Multiannual Financial Framework.[37]

At the same time, a mere increase in available funds would not be sufficient. A 'whole-of-society approach' requires that EU funds actually reach the places and actors within European society who need them most. However, the application for EU funding is a highly complex and resource-intensive procedure for Civil Society Organizations (CSOs).[38] Smaller grassroots associations – especially those in Member States whose governments pursue a restrictive course towards civil society actors – are the ones most in need of additional funding, but oftentimes do not have the resources to successfully apply for it.[39] In this regard, it is positive that the Commission recently introduced a re-granting scheme as part of the *Citizens, Equality, Rights and Values* (CERV) Programme – the funding programme under the current Multiannual Financial Framework dedicated to advancing political objectives related to democracy.[40] Under this scheme, EU funds are first

36 See inter alia European Civic Forum, *Civic Space Report 2024* (May 2024), <https://civic-forum.eu/wp-content/uploads/2024/05/Civic-Space-Report-2024_ECF.pdf>, last access 29 May 2026.

37 The Multiannual Financial Framework (MFF) is the EU's long-term budget, typically covering a seven-year period, which sets binding ceilings on EU expenditure across all policy areas. It is negotiated between the Member States in the Council and the European Parliament and requires unanimous approval in the Council. The current MFF covers the period 2021-2027; negotiations on the next MFF, which will cover 2028-2034, are currently underway. Funding for democracy promotion was a contentious issue in the last MFF negotiations. Without the European Parliament's insistence on a higher figure in the negotiations of the MFF 2021-27, the budget for EU democracy-promoting programmes would have remained significantly below one billion Euros.

38 Recharging Advocacy for Rights in Europe (RARE), How to Better CERV the Needs of Rule of Law & Human Rights Defenders in the EU: Tweaking the Funding Tool at the Mid-Term Review, December 2023, <https://rights4.eu/wp-content/uploads/2023/12/RARE-CERV-Policy-Paper.pdf>, 2.

39 Quaritsch, 'A New European Democracy Agenda' (n. 29).

40 European Civic Forum (n. 36) 41.

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allocated to a number of national intermediaries (typically larger CSOs), which then 'cascade down' part of the funds to smaller organisations at the national, regional and local level. For an effective, needs-based allocation of EU funds to democracy defenders on the ground, this re-granting scheme should be extended to all thematic streams of AgoraEU and other EU funding programmes under the next Multiannual Financial Framework (MFF) that contribute to democracy promotion.[41]

As regards this second suggestion, a non-trivial caveat – which this comment cannot exhaustively address – concerns the criteria by which civil society actors are deemed eligible for EU democracy funding. The EU's recent Civil Society Strategy suggests that eligibility is effectively conditional on compliance with the values enshrined in Art. 2 TEU.[42] While this may seem self-evident in the context of defending democracy, it raises difficult questions about who assesses compliance, on what grounds, and with what procedural safeguards. There is an evident risk of political gatekeeping – privileging CSOs from a certain (Western) cultural background, while excluding others – which would, once again, undermine a 'whole-of-society approach'.

Third and last, a 'whole-of-society approach' to defending democracy is not achieved through proposals which only look good on paper. Consider, for instance, the EDS' announcement of a European Citizens' Panel (ECP) on democratic resilience. This ECP should be taken as an opportunity for the EU to move beyond its hitherto narrow and technocratic approach to participatory democracy. Singular, issue-based citizens' panels, such as the ones organised by the Commission so far, are not genuinely reflective of a 'whole-of-society' approach to defending – and at the same time rethinking – European democracy. Thus far, ECPs have suffered from limited representativeness, weak agenda-setting power, tight institutional control by the Commission, and an at best indirect impact on actual policy-making.[43]

In the spirit of a 'whole-of-society' approach, EU-level participatory processes would have to be flanked by and connected to a broader infrastructure of democratic participation at the national, regional and local levels. Even in Member States marked by democratic regression and shrinking civic

41 An extension of the re-granting scheme should, however, be done with due regard to not imposing an unrealistic burden on national intermediaries.

42 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the EU Strategy for Civil Society, COM(2025) 790 final, 13-14.

43 Alvaro Oleart, Democracy Without Politics in EU Citizen Participation: From European Demoi to Decolonial Multitude (Springer Nature 2023); Alvaro Oleart, 'The Political Construction of the "Citizen Turn" in the EU: Disintermediation and Depoliticisation in the Conference on the Future of Europe', Journal of Contemporary European Studies (2023), 1-15.

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space, local-level participatory innovations have demonstrated a capacity to foster civic engagement and resistance against authoritarian tendencies.[44] These experiences underscore the importance of integrating inclusive participatory formats at all levels of European society – especially where democratically-minded public authorities at the local and regional level can be mobilised despite a hostile government at the national level. Conversely, supranational participatory formats such as ECPs can positively contribute to a 'whole-of-society approach' to defending democracy if they are carefully tailored to their intended outcomes, backed by the necessary political commitment, and embedded in a broader democratic infrastructure across all levels in the EU.

Conclusion

This comment critically examined the EU's approach to defending democracy, as exemplified inter alia in the recently published European Democracy Shield, using the latter's call for a 'whole-of-society approach' as the starting point for an immanent critique. I argued that the prima facie positive shift towards a more holistic and citizen-centred conception of defending European democracy stands in tension with certain features of the EU's laws in this area, as well as with the actions (and omissions) of EU institutions.

A 'whole-of-society' approach to defending European democracy requires embracing the present state of European society and its political landscape without extenuation. It must come with a healthy degree of critical reflexivity regarding the question of how to defend democracy, against whom, but also with whom. This includes acknowledging and addressing the problems in the EU's own democratic house, which is as much a question of political will as it is one of legal design. Both is needed for my suggestions as to how a genuine 'whole-of-society' approach to defending democracy should look like in the EU: including civil society actors in the design and enforcement of EU instruments for defending democracy; providing sufficient and accessible EU funds for democracy promotion; and implementing participatory mechanisms, such as mini-publics, so as to enable meaningful democratic engagement at all levels of the EU. While the

44 Paulina Pospieszna and Dorota Pietrzyk-Reeves, 'Democratic Innovations as a Response to Shrinking Public Space' in: Patrice C McMahon, Paula M Pickering and Dorota Pietrzyk-Reeves (eds), *Activism in Hard Times in Central and Eastern Europe: People Power* (Routledge 2024), 47.

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EDS itself represents a missed opportunity in this regard, its emphasis on a 'whole-of-society approach' is a chance for EU institutions to put their money where their mouth is further down the road – by reconfiguring the EU's defence of democracy in light of the holistic and citizen-centred picture which this approach sketches.

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