

Gautier Busschaert, *Participatory Democracy, Civil Society and Social Europe*. Antwerp: Intersentia, 2016. 238 pages. ISBN: 9781780683959. EUR 75.

The present book contributes to the academic debate concerning participatory democracy at the European Union level, assessing its moderate (i.e. considering the “Community Method” as a way to revitalize European integration through the involvement of citizens in EU political life) as well as radical (i.e. celebrating the demise of the Community Method and bringing back power to Member States working with civil society actors through the “Open Method of Coordination”) versions. The volume sets two tasks: first, to analyse participatory democracy in the EU and its paradoxes – an endeavour that the book advances through a legal perspective. The second, ambitious, task is to elaborate a (political) solution to eradicate the paradoxes of participatory democracy in the EU. This will indicate the pattern to transform the current EU decision-making system into a more participatory and inclusive one.

The structure of the book is organized according to these tasks. The first two chapters introduce the topic and review current academic debates on participatory rights in the EU. Participatory democracy in the EU, explains the author, envisages two fundamental paradoxes. The first paradox relates to the conception and application of participatory democracy at the EU level. An acute problem at the national level, the deficit of openness and transparency among supranational regulators, including the EU, is even more critical and actual. Already in 1998, Michael Zurn ironically pointed out “if the European Union (EU) were to apply for membership in the EU, it would not qualify because of the inadequate democratic content of its institutions”. Debates on the alleged deficit in democratic values have dogged the European Community and the EU since the first steps towards European integration taken in the 1950s. Over the years, following the expansion of the EU powers beyond the regulatory field, it has become a commonplace to lament the democratic underdevelopment of EU institutions and processes. Various terms have been used to describe the (supposed) incapability of the EU to be truly democratic, including “democratic deficit”, “bureaucratic distance”, “deficit of mutual awareness” (between EU authorities and civil society) and “vertical incongruence” (between the EU and local communities). Some scholars have gone as far as assuming that democratic deficit is a natural condition in supranational regulators like the EU, explaining that it would be wrong to judge EU institutions according to the same criteria used for national governments. However, it must also be acknowledged that the EU has put constant efforts into eliminating, or reducing, the alleged democratic deficit. The first electronic register of groups to be involved in public consultations dates back to 1999. Legal modifications to the framing of civil society within EU policy-making have kept occurring. The Lisbon Treaty dedicates Article 11 to participatory democracy as a founding principle of the EU legal order. Similar in scope are the newly introduced European citizens’ initiative, the on-going reform of the rules concerning lobbying activities and, to a minor extent, the recent reorganization of the rules governing experts groups.

The second paradox addressed in the book concerns the relationship between social inequalities and market capitalism. According to the author, this paradox can be envisaged in the fact that the EU was created as an economic community, and it is still developing a social dimension capable of opposing the “colonizing forces of European economic integration” (and therefore guarantee full protection of civil society interests). This claim is well supported by data and references to scholarly debate on the topic. Chapter 3 completes the legal analysis by attempting to locate civil society, the State and the market, the typology of EU democracy (pluralist, deliberative or associative) and of EU legal system in a coherent framework. In this

respect, civil society is defined as a pluralist sphere of participation between the State and the market, wherein deliberative democracy reaches its full potential.

Following the legal analysis of the first part of the book, the second part of the volume (Chs. 4 to 8) attempts to assess the second paradox – to be found in the lack of a full EU social dimension. A puzzle that the author attempts to solve through a combination of a legal and a political perspective. On this point, the volume suggests to proceed in three consequential steps. First is to assess the impact of European economic law on civil society (is this colonization or empowerment?); second consists of analysing the involvement of civil society in the Community Method and the Open Method of Coordination (does the radical version of the latter outperform the moderate version of the former?); third and last is the analysis of the effectiveness (i.e. the ability to protect civil society from European economic integration) of social Europe. While there are many reasons to recommend Busschaert's book – i.e. the original combination of a legal and political perspectives, the quality of data and scholarly references from different backgrounds, the detailed analysis of legal and economic issues of contemporary European Union – the biggest weakness is in the clarity of the author's reasoning. Particularly in the second part of the book, concepts and ideas could benefit from some degree of simplification. Yet, despite this critical remark, this remains an interesting book that carries the potential to inspire more research and debate on the present and future of the European Union.

Gianluca Sgueo
Florence