PROTECTING EUROPE'S OPEN SOCIETIES: THE VIEW FROM BRUSSELS

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This study forms part of *Voices on Values: How European publics and policy actors value an open society*, a joint project by the Open Society European Policy Institute and d|part. The project was launched in September 2017 in Germany, France, Italy, Greece, Poland and Hungary. The views expressed in this report are those of the author.

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EXECUTIVE SUMMARY

The cliché about 'aloof EU bureaucrats' is unhelpful and misguided, as we discovered during our interviews with a small sample of EU officials for our *Voices on Values* project. We wanted their take on our *Voices on Values* survey results[1], the challenges facing Europe's open societies, and the best strategies for protecting civil rights and liberties.

Most of the interviewed EU officials expressed a strong commitment to the basic pillars of an open society, with most of them regarding such principles as freedom of expression, freedom of religion and minority rights as inviolable. However, they also understood that not all Europeans share their (degree of) commitment and that support for an open society comes in different gradations, as indicated by our findings. They further understood that a significant group of Europeans do not automatically prioritise democratic freedoms and rights above economic wellbeing and physical security.

Based on this awareness, many of the interviewees had strong views on how to strengthen democratic attitudes and reach those Europeans who feel there is a trade-off between openness and (economic and physical) security. The interviews provided some interesting takeaways for European politicians, civil servants and civil society leaders.

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1   For more information on the *Voices on Values* project and the survey results please refer to the project website: voicesonvalues.dpart.org as well as to the *Voices on Values* publication "The Hidden Majority".

INTRODUCTION

In recent years, the Western world has witnessed a significant backlash against open society principles. From Brexit to the election of Donald Trump, from the return of authoritarianism in Poland and Hungary to the rise of populism in Italy and Germany, there seems to be a growing discomfort with liberal and open values.

However, our research, which examines people's attitudes towards characteristics of open societies in Germany, France, Greece, Italy, Poland and Hungary, has demonstrated that a 'hidden majority' of Europeans are supportive of, or at least sympathetic to, an open society[2].

Yet it has also shown that a considerable number of open society supporters do not automatically prioritise democratic freedoms and rights above economic wellbeing and physical security. In fact, a significant group of Europeans (circa 40%) is willing to trade off open society principles when presented with the option to prioritise material wellbeing, security or social cohesion.

To reflect on these findings and their implications, we spoke to a small sample of eight European Commission officials – at the Directorate General for Migration and Home Affairs, the Directorate General for Justice and Consumers, the Secretariat General, and the European Political Strategy Centre. In addition, we also spoke with two Members of the European Parliament. We chose them for their expertise on and/or involvement in the politics of migration, security, justice, and/or fundamental rights – areas all intimately linked to an open society. Some of the interviewees agreed to be mentioned by name whilst others preferred to remain anonymous. Citations have been attributed accordingly.

Most of the interviewees had clear ideas about how to respond to our survey findings and strengthen Europeans' commitment to democratic and open principles. The interviews helped us identify two broad strategies for protecting Europe's open societies. The first would focus on improving democratic trust by genuinely listening to European citizens' concerns, while assertively addressing misunderstandings about, for instance, globalisation and migration. The second would focus on tackling the perceived trade-off between civil rights and liberties on the one hand and security and wellbeing on the other, by creating and implementing policies at EU level that would protect not only democratic freedoms and rights, but also employment and physical security.

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2   For a detailed overview of the survey results, please refer to the *Voices on Values* publication "The Hidden Majority" (to be found on the project website voicesonvalues.dpart.org).

ON THE DIFFERENT DEGREES OF SUPPORT FOR AN OPEN SOCIETY

It is hardly surprising that most of the interviewees expressed strong support for an open society. One senior official at the European Commission noted that one of the EU's main aims is to consolidate 'openness' in Europe:

"EU integration has also been about opening societies, and bringing them closer together by building on and consolidating some of the principles that would fall under your conception of an open society – namely mutual respect for all, especially those most vulnerable, respect for fundamental freedoms, fairness, and the rule of law."

A majority of the interviewees regarded freedom of speech, religious freedom and minority rights as fundamental, non-negotiable principles. A senior advisor at the Directorate General for Justice and Consumers, for instance, described the rule of law and freedom of expression as inviolable.

Yet most recognised that not all Europeans enthusiastically embrace an open society, and few were surprised by our finding that some Europeans reject some of its aspects outright. According to Paul Nemitz, Principal Advisor at the Directorate-General for Justice and Consumers, a certain percentage of people would always be attracted to illiberal and antidemocratic ideas.

Most EU officials were confident, however, that the majority of Europeans would at least in principle embrace the basic components of an open society, an assumption confirmed by our research. However, they also understood that not all Europeans share their degree of commitment and that support for an open society comes in different gradations.

One senior advisor at the European Commission did acknowledge that, up until now, European debates about open versus closed societies had largely been informed by one-dimensional understandings:

"We assumed at this point of the European debate that it was either/or. You are either predisposed towards openness and liberal values or you are at the other end of the spectrum…. We have these us versus them identification systems… It is not easy for everyone to understand that there are different shades."

Yet the majority of the interviewees understood that there are different shades of support and that not all open society supporters automatically prioritise the protection of democratic freedoms and rights above all else. A senior official at the Secretariat General argued that, while most Europeans care about an open society, they also care about their economic wellbeing and security:

"I've always argued that we need to invest much more in a 'Europe that protects'. When you look at public surveys, you'll notice that people care most about their security… For a long time, unemployment was the primary concern, today security and migration are foremost on people's minds. Essentially, people just want to feel they are being protected. They want an open society, certainly, but with the assurance that the open society does not abolish itself."

WHY SOME EUROPEANS ARE TURNING AWAY FROM DEMOCRATIC AND OPEN PRINCIPLES

Recognising that support for open society principles comes in different gradations, many interviewees emphasised the importance of taking people's economic and security concerns seriously – arguing that leaving them unaddressed would leave Europe's open societies more vulnerable.

Several interviewees mentioned that Europeans' economic and security concerns can cause them to turn away from open society principles, or trade them off. According to a senior official at the DG Migration and Home Affairs, legitimate security concerns should not be ignored:

"If I look at the attacks in different Member States over recent years…In almost all cases, it was found that these could have been avoided, were it not for errors in cooperation between authorities, in registration processes, and elsewhere…"

The official also noted that concerns about globalisation and digitalisation caused people to turn inwards:

"The refugee crisis is often mentioned as being an important trigger for populism. Yet the rise of populism is primarily rooted in concerns about the consequences of globalisation and digitalisation. Many people fear for their jobs; that technology will make them dispensable. That, in turn, causes them to retreat to their fireplaces, closing off from outsiders who might become competitors."

Dietmar Köster, MEP for the German social-democratic SPD, says that legitimate socio-economic concerns are one reason why people are turning away from an open society:

"As soon as citizens are worried that the welfare state will no longer be able to alley their fears about their livelihood, about unemployment, illness or retirement, about whether their statutory pension will provide for a secure income or not, they turn away from democracy."

This is not helped by the apparent feeling among some citizens that they are not being listened to. Bruno Gollnisch, MEP for the French Rassemblement National, explains the rise of populism, including that of his own party, as rooted in the increasing gap between the political elite and the public – with the elite deciding policies that the public feels it has not been consulted about, as in the case of migration policy:

"Many people feel that they are becoming foreigners in their own country because of policies decided by elites, either in business or in politics, without their consent. They feel resentment and hence you have these movements that are called populist….. There is a gap between a large body of the people and the largest part of the economic and political elite. Which is a problem in a democracy."

According to Gollnisch, his party represents those who feel they have not been consulted. Some of the other interviewees – though perhaps at odds with RN politics – agree at least in part with Gollnisch's assessment of the increasing gap between the elite and public and emphasise the importance of bridging it.

However, even if most interviewees empathised with people's concerns about migration, security and unemployment, they also expressed frustration at how populists were exploiting these concerns and presenting people with false trade-offs. Subjective, as much as objective, feelings of insecurity are responsible for people turning more inward, some officials claimed. One senior advisor at the European Commission noted:

"The topic of migration, more than anything else, plays on people's emotion. There are sufficient cases of anti-migrant feelings in constituencies that haven't seen many migrants. These are subjective feelings of threat that have no resonance in reality. And we are not responding effectively to that. Because of the nature of liberal democracy, we are so deeply respectful of people's feelings that we extend that respect to their misalignment with reality and to their reference to false facts."

In short, many of the interviewees had strong views on some of the reasons for why some Europeans are turning away from open society principles.

HOW TO PROTECT EUROPE'S OPEN SOCIETIES

Many of the interviewees also had strong views on how to strengthen democratic attitudes and reach those Europeans who feel there is a trade-off between openness and (economic and physical) security.

STRATEGIES

Their suggestions could be grouped under two strategies. The first strategy focuses on improving trust in democracy by listening to European citizens' legitimate concerns whilst simultaneously addressing misunderstandings about, for instance, migration and globalisation.

Many interviewees agreed that there was a failure on the part of political elites to respond to people's concerns about their security and livelihood. To help close the gap between the public and the elite, and to improve trust, they stressed the need for politicians and civil servants to listen better to these concerns about migration, security and employment and take them seriously.

However, some interviewees stressed that not all citizens' concerns are equally valid and legitimate and that respecting people's misinformed anxieties would not improve their trust in democracy. The senior official at DG Migration and Home Affairs argued that it was not just the duty of responsible politicians to listen to people's concerns but also to address misconceptions and not let them fester:

"**It is part of responsible political discourse that politicians challenge populist rhetoric, and explain that migration is unavoidable in the age of globalisation. I always say that it's unnecessary to talk about the pros and cons of globalisation. Globalisation is a fact… We cannot put up fences and say goodbye to globalisation. That is the task of the responsible political forces in our countries – to explain this, instead of offering simple solutions and selling them to the population. The problem is that, at the moment, the populists are receiving the media attention. Their arguments are taken way too seriously.**"

The second strategy focuses on tackling the perceived trade-off between civil liberties and rights on the one hand and security and economic wellbeing on the other. This could be done by implementing what the senior official at the Secretariat General called 'a Europe that protects'; a Europe that not only protects democratic freedoms and rights, but also employment and physical security.

Several interviewees stressed the importance of protecting democratic freedoms and rights, for instance by sanctioning fundamental rights violations in Member States, making more funds available to civil society, and actively targeting online hate speech.

However, in order to protect an open society, some officials argued it would be equally important to also invest in strengthening people's objective sense of security and economic wellbeing.

The senior official at DG Home and Migration stressed that it was not only essential that EU policy elites *listened* to people's security concerns, but also *responded* to them, for instance by implementing a common and effective border policy that people have confidence in. Similarly, Köster argued that it was essential for the EU to create a more 'social Europe' and to reduce some of the socio-economic fears created by migration.

THE ROLE OF CIVIL SOCIETY

Most interviewees considered civil society an important ally in implementing both strategies. Köster explained that civil society plays an important role in relaying people's concerns:

"For me as a politician, it is important to maintain and build contact with civil society in my region, at home, to learn where the daily problems are, where the challenges are, and to determine where politicians can help to solve these problems."

An official at DG Justice and Consumers explained that civil society has an important educational role to play not only in deconstructing misconceptions, but also in teaching citizens about their rights and freedoms. This also means pointing out cases where some of these rights and freedoms are threatened.

Another official at DG Justice and Consumers noted that civil society plays an important advisory role, providing the Commission with much needed 'on-the ground' information – on civil rights violations in Member States, for example.

Civil society was also seen to play an important role in coping with some of the challenges posed by migration: helping to integrate newcomers and debunking myths surrounding migration.

There was also some criticism, however. The senior official at the Secretariat General remarked that the effectiveness of some civil society organisations was undermined by their lack of commitment to fact-based advocacy:

"The dilemma is that civil society, too, and we have seen this very often in recent years, can be manipulated...We have basically lost the commitment to fact-checking. I consider civil society as vitally important, but it must do one thing; it must be able to fact-check. Many organisations aren't doing this."

The senior official at DG Home and Migration remarked that while civil society organisations are important allies for confronting the challenges of migration, they ought to have a comprehensive approach:

"When we are in the process of making laws, we conduct public consultations, we seek the dialogue with civil society...In the area of refugee policy and integration, civil society is of enormous importance. The problem is ... they should not cherry pick. If an NGO thinks they can only sing one tune, then at some point people will stop listening to them."

IMPLICATIONS AND RECOMMENDATIONS

The interviews provide us with takeaways for European politicians, EU bureaucrats and civil society leaders. European politicians should know that many EU officials are frustrated with what they see as politicians' failure to address misconceptions about migration, globalisation and the EU. A number of officials stressed the need for politicians to listen to the legitimate concerns of the public, but also to counter populist rhetoric and to 'educate' the public where necessary.

EU officials, although most of them know this, should remember that their views about the inviolability of basic democratic rights and freedoms are not necessarily representative of the wider public. Moreover, it is not just European politicians that have an important responsibility in bridging the gap between public and elites. The European Commission has a significant role to play.

In an additional interview, Mirko Schwärzel, Head of the European Department at the German National Network for Civil Society (BBE), explains that the European Commission's current strategy for dialogue with civil society still leaves a lot to be desired:

"What the European Commission is doing now, after realising that there is a wide gap between citizens and the institutions, is to invest a lot of money into communicating with citizens. To me, that's money wasted. It's not going to work... There are no criteria, standards or principles for these participatory processes... There is no master plan. These processes are more likely to lead to greater frustration, to even greater distance... They need to turn to the citizens, but they need a master plan first."

Finally, the main takeaway for civil society leaders is that most EU officials see them as allies in protecting open society principles; they stress the importance of civil society's role as an information provider, educator and representative of the public. But some EU officials consider their advocacy as insufficiently backed by evidence, and not always adaptable enough.

CONCLUSION

Our interviews with EU officials demonstrated that the narrative of the 'aloof EU official' is unhelpful. Nearly all of the interviewees expressed a strong commitment to the protection of civil rights and liberties, with most of them regarding such principles as the freedom of expression, freedom of religion and minority rights as inviolable. However, most understood that not all Europeans share their (degree of) commitment and that support for an open society comes in different gradations, as indicated by our findings. Many of the interviewees could empathise with some of the reasons why people are turning away from open society principles, and had strong views on how to address the root causes.

The interviews helped us identify two broad strategies. The first would focus on improving democratic trust by genuinely listening to European citizens' concerns while simultaneously actively challenging any misunderstandings about, for instance, migration or globalisation. The second would focus on tackling the perceived trade-off between civil rights and liberties on the one hand and security and wellbeing on the other, by creating and implementing policies at EU level that would protect not only democratic freedoms and the rule of law, but also employment and physical security.

European politicians, EU officials and civil society leaders all have an important role to play in implementing these two strategies and in reaching out to those Europeans who feel there is a trade-off between openness and (economic and physical) security.

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