The impact of direct democracy on policy change: insights from European Citizens' Initiatives

Introduction

Policy scholars have taken a great interest in the patterns and causes of policy change. For example, policy change constitutes *the* central empirical phenomenon that policy process theories such as the Advocacy Coalition Framework, the Punctuated Equilibrium Theory (PET), or the Multiple Streams Framework strive to explain (Weible and Sabatier 2017). In terms of the patters of change, policy scholars have acknowledged the occurrence of both transformative and incremental policy change, as well as the existence of incremental change that can become transformative over time (Baumgartner and Jones 2009; Hall 1993; Mahoney and Thelen 2010; Rahman and Thelen 2019; Streeck and Thelen 2005). In terms of causes, the literature has identified various factors affecting policy change such as learning, emulation, crises and other windows of opportunity (Béland et al. 2021; Nohrstedt and Weible 2010). Simultaneously, pertinent research has emphasized the importance of powerful actors such as political parties and governmental coalitions (Walgrave, Varone, and Dumont 2006), and other, seemingly less powerful actors, such as social movements and more generally outsiders (Giugni 2004, 2007; Della Porta 2013).

Of all the potential causes of policy change, forms of direct democracy have received the scantest attention. And among the studies on the relationship between direct democracy and policy change, most have predominantly conceived of direct democratic instruments as sources of veto points which some actors can use to prevent policy change (on veto points and policy stability and change see Béland and Powell 2016; Immergut 1992).

In this study, we concentrate on citizens' initiatives—as the most typical "bottom-up" tool of direct democracy—and their potential to bring about policy change. In so doing, we focus both on the direct and indirect effects of citizens' initiatives. By indirect effects we mean policy processes started or reinforced by a citizens' initiative that eventually result in policy change. We argue that citizens' initiatives can bring about changes that are initially incremental but can accumulate to transformative

change. Our understanding of transformative change concurs with Hall's (1993) concept of paradigmatic change, which entails new beliefs about the existence and nature of a policy problem and the instruments used to address it. Such a paradigmatic shift can take place suddenly or more gradually, in a cumulative manner, over a longer period of time (Coleman, Skogstad, and Atkinson 1996).

To this end, we offer a systematic and comparative assessment of the policy effects generated by a purposefully selected set of European Citizens' Initiatives (ECIs). ECIs provide an ideal setting for uncovering the differing effects of such instruments since they have no binding effects (Kandyla and Gherghina 2018), and therefore at first glance are unlikely to bring about policy change, let alone transformative policy change. Despite this evident formal limitation of ECIs, we will show that some of them had a tangible effect on European Union (EU) and/or (sub)national policies.

However, to be able to observe these effects we need to acknowledge the EU's multi-level structure and the fact that they can materialize at a different level than the one originally addressed, and with a time lag. The latter corresponds to a situation compatible with a long-term view of policy change centred on the idea that incremental change could accumulate over time to become transformative. Our strictly illustrative empirical analysis shows that ECIs can lead to policy change both directly and indirectly, and that some of the instances of policy change observed have a high transformative potential.

In the remainder of this study, we first position our analysis within the literature. We then continue to give information on the design and functioning of the ECI. Subsequently, we present our conceptual model and then carry out the empirical analysis to probe its plausibility. In the closing section we discuss our findings and offer some concluding remarks.

Positioning this study within the literature

Policy change

Considering that this study is featured in a special issue about transformative policy change, brief remarks on how we understand this concept in the context of our study are appropriate. Drawing on the work of Kathleen Thelen and her colleagues (Mahoney and Thelen 2010; Rahman and Thelen 2019; Streeck and Thelen 2005), we start from the perspective that transformative change can take an incremental form, which means that, over time, the accumulation of seemingly small policy steps can lead to transformative change. This understanding of transformative policy change complements the more traditional approach of the PET which stresses the weight of sudden shifts preceded and followed by long episodes of policy stability, in which change remains path dependent in nature (Baumgartner and Jones 2009).

Although direct democracy can help trigger sudden transformations, for example, through referendums on national sovereignty such as the Brexit vote, we argue that citizens' initiatives are much more likely to lead to incremental policy that can be transformative in the end. In line with Hall (1993), we set transformative change equal to paradigmatic shift, that is, changes in policymakers' views on or beliefs about policy problems, their nature and how they should be addressed. This transformative change can be sudden or much more gradual and cumulative in nature (Coleman, Skogstad, and Atkinson 1996). Simultaneously, we do not define policy change, transformative or not, as inherently progressive, as change can take regressive and reactionary forms.

Democracy and public policy

Democracy is portrayed as "the elephant in the corner" of policy studies (Ingram, deLeon, and Schneider 2016), and how (direct-)democratic instruments shape policymaking has not often drawn the attention of policy analysts. Studies of policy responsiveness to the preferences of voters in national systems of representative government exist, and they come to rather optimistic conclusions through the use of the "thermostatic" analogy. According to this approach, electoral incentives compel governments to anticipate citizens' retrospective vote, which lead these governments to adjust their policies to voter preferences (Soroka and Wlezien 2010). Simultaneously, scholars claim that policy

representation is “dynamic”, which means two things: that governments alter their policy choices in light of shifts in public opinion, and that voters adjust their preferences depending on changes they observe in governmental policies (Stimson, Mackuen, and Erikson 1995). Although this body of work concludes that policy outputs usually do mirror democratic input, it fails to open-up the black box of the policy process. In addition, such a direct line from “we the people” to government, and downward from government to society (Hupe and Edwards 2012) is less apparent in a compound governance system such as that of the EU.

The European Parliament (EP) is the only directly elected institution in the EU and, although it gradually became a co-legislator in most policy areas, it continues to share power with the Commission and the Council of the EU. As EU policies result from interinstitutional compromises, the preferences of the “median voter” tend to get lost. Besides, even the electoral connection of the EP with voters is loose (Hix and Høyland 2013). For example, support for European integration continues to be higher in the EP, which is said to act as “a cartel advancing European integration” (Rose, 2015: 12), than among the mass public. One of the reasons for this is that voters in European elections take their cues for voting decisions from different levels of the EU’s multi-level system. Consequently, it is argued, electoral choices on the part of citizens tend to reflect their evaluations of their national government’s performance rather than their preferences for EU-level policies (Schmitt et al. 2020).

Limits of veto point theory with regards to the agenda-setting role of direct democratic instruments

Direct democracy procedures display a great variety of forms (Altman 2014). This study is concerned with direct democracy instruments that are the result of pressure “from below”. The use of these instruments is not constitutionally mandated nor decided in a discretionary way by political bodies, and only citizens have the formal initiative right, so they share the property of not being under the control of office holders as regards who determines the issue on the agenda. Direct democracy is strongly controlled by the system when public authorities are able to determine the issues to be decided, the timing of the procedure and whether the referendum vote is to be binding or not (Smith 1976).

The use of direct democracy is normally seen as an ex post legislative veto point, which is a point of "strategic uncertainty that arise[s] from the logic of the decision process itself" (Immergut, 1992: 66), with judicial review, for example, functioning as an equivalent. In this regard, Hug and Tsebelis (2002: 466-467) contend that "the possibility of a referendum introduces one additional veto player in each country: the population. As a result, it moves policy outcomes closer to the preferences of the median voter (if such a voter exists), but, provided that the remaining veto players keep their powers, it also makes significant policy changes more difficult". Furthermore, veto points have indirect disciplining effects on the self-restraint of policymakers, who are incentivized to anticipate the verdict of actors controlling veto points and to consider their preferences with the purpose of pre-empting the risk of veto (Friedrich 1937).

In what follows, we use the concept of veto points only, but it should be noted that both concepts, veto points and veto players, associate direct democracy with the conservation of the policy status quo. The literature on veto points tends to concentrate on instruments—such as mandatory or optional referendums—that allow to challenge the outputs of the official legislative institutions and tends to overlook instruments that aim to put new issues on the agenda. In Switzerland, for example, optional referendums boost the "blackmailing power" of constituencies with entrenched interests, thus creating a potential veto point they can use to prevent policy changes they oppose from happening (Papadopoulos 2001). We argue that citizens' initiatives can certainly function as veto points, but that they can also facilitate policy change, directly or indirectly.

Design and Functioning of the European Citizens' Initiative

The Lisbon Treaty introduced the ECI to give citizens an "opportunity to express their concerns in a very concrete way and to influence the European political and legislative agenda" (European Commission 2015, 1). Article 1 of EU Regulation 211/2011 stipulates that "every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative." In terms of organizing and promoting ECIs, civil society organizations and other collective actors rather

than individual citizens are the dominant actors (Greenwood 2019; Kandyla 2020; Kandyla and Gherghina 2018), which mostly results from the constraints of the multi-step procedure that the organizers have to follow.

An ECI begins by setting up a citizens' committee, which must consist of at least seven EU citizens who are residents of at least seven different member states. After an eligibility check by the Commission, the next phase concerns the collection of a minimum of one million signatures from at least seven member states within 12 months, with a minimum required number of signatories in each of those states. If these criteria are met, the national authorities verify the collected statements of support for the ECI at hand. The Commission examines then that ECI, publishes it in the ECI register, schedules a meeting with the ECI organizers, and sets up public hearings in the EP. Eventually, the Commission decides whether it will take legislative action or not on the issue at hand. Most ECIs demand policy action from the Commission, but there are some few ECIs that explicitly asked the Commission to refrain from action (e.g., “Stop TTIP”) (Tosun and Schaub 2021). The latter ECIs align with the perspective of direct democracy as a veto point used to prevent policy change from occurring.

At the time of writing, out of 87 registered initiatives, only six ECI campaigns completed have officially met the threshold for collecting signatures. To put these figures into perspective, in Switzerland, 348 out of 493 initially launched initiatives succeeded in collecting the required number of signatures (100.000 within eighteen months), despite the much higher threshold compared with the EU requirements as the number of Swiss citizens with voting rights was under 4 million people when the threshold of required signatures was doubled in 1977.

The first ECI that was successful in terms of signature collection was the labour union-led *Right2Water*, which stated that water and sanitation are a human right which must not be privatized. *One of us* was supported by the Catholic Church and demanded an end to embryonic stem cell research. *Stop Vivisection* was supported by Italian animal welfare organizations and demanded animal testing to be phased out in Europe. *Ban Glyphosate* demanded a phase-out of glyphosate-based herbicides and was supported by online campaigning platforms such as WeMove.EU. *Minority*

SafePack demanded a protection package for national minorities and was supported by the Federal Union of European Nationalities (Greenwood 2019). *End the Cage Age* which strives to end the keeping of farming animals in cages is the latest ECI acknowledged by the Commission as a successful collection of signatures.

The term "success" must be used with care in the context of ECIs because on formal grounds it simply means that the Commission must then issue a formal reply to the demands of an initiative. Thus, on formal grounds, it is a weak decision-making instrument, and the Commission's monopoly over legislative initiative remains intact (Greenwood 2019). The ECI can thus be considered as a least likely case for policy influence among direct democracy tools.

Research has shown that the immediate policy effects of ECIs are limited, even if these succeed to attract sufficient public support, that is, if the organizers manage to collect the necessary number of signatures. The work by Kandyla (2020) is particularly insightful in this respect, and the author finds the overall record in terms of policy impact of the four ECIs that she studied modest. Yet, as we shall show below, being designed as a formally toothless instrument does not mean that ECIs do not bring about policy change. Depending on the analytical perspective adopted, ECIs have policy effects, of which most are, however, rather indirect than direct. And even more importantly, of the instances of policy change analysed here, many can be regarded to have a high transformative potential.

Conceptual model

In this study, we make a two-fold argument. First, in line with their formal design, we contend that ECIs can directly bring about policy change at the EU level. This perspective has been assessed by several studies (Kandyla 2020; Kandyla and Gherghina 2018; Szabó, Golden, and Erne 2021). The overarching finding of this body of research is that there exist only few instances of direct policy change induced by the EU. However, expecting ECIs to have either a direct impact or no impact at all is too simplistic – we need to develop a more granular understanding of the ECIs' policy consequences. As

suggested above, we know from various literatures that transformation is a process that comes along in multiple steps and over a significant period of time (see, e.g., Campbell 2004). Consequently, we make the second argument that we need to adopt a dynamic and subtle understanding of how ECIs may impact policy decisions, which is consistent with the understanding of policy change as incremental yet potentially transformative.

To do this, we must define an adequate benchmark for assessing indirect effects of ECIs. First, in this article, we acknowledge the role of ECIs as an **agenda-setting tool** (Greenwood 2019; Tosun and Varone 2021), which also aligns with a broader research perspective on citizens' initiatives (see, e.g., Schiller and Setälä 2013). Agenda setting is about organizing attention to an issue in situations with competing information, interests, and ideas and limited processing capacity (Baumgartner and Jones 2009). Depending on how this attention to an issue is managed and maintained by advocacy groups or advocacy coalitions and the public opinion on the issue concerned (Giugni 2004, 2007), policy consequences of agenda setting can materialize with a time lag.

Second, we need to pay attention to the **EU's multilevel polity**, and therefore any assessment of ECIs' policy consequences must acknowledge that these are not limited to the EU level but can also materialize at the national or subnational level. Furthermore, this perspective entails that policy analysts need to pay attention to how the different levels interact with each other and how an output of a policy process at one level can provide an input for a policy process taking place at a different one.

The main lines of our argument are summarized in figure 1, which differentiates between the EU, the national, and the subnational level. Furthermore, it acknowledges that the impact of ECIs can materialize over time, as indicated by the different points in time (T1 and T2). The model shows that, in the short run, an ECI can either result in direct policy change (**outcome 1**) or no policy change at the EU level. If no direct policy change occurs immediately, this does not preclude policy change at the EU level to occur at a later point in time (T2) as an outcome of the policy process started or reinforced by an ECI's agenda-setting function (**outcome 2**).

Given the EU's multi-level system, an ECI cannot only bring about policy change at the EU level, but also at the national level (**outcome 3**). Another potential outcome is that the member states' governments adopt the policy demands of an ECI, in part or in full, because it did not produce any policy change at the EU level. In this case, the ECI would shape the policy agenda of the member states and start a policy process there, which could then produce policy change (**outcome 4**).

Similar to the national level, the subnational level in the member states could embrace proposals put forth by an ECI (**outcome 5**). Eventually, it is conceivable that subnational policymakers adopt the demands of ECIs that previously failed to bring about policy change at the national level and the EU level. This policy change would also result from agenda setting and therefore materialize with a time lag (in T2) (**outcome 6**).

Figure 1 about here

Our model offers the advantage that we take the agenda-setting nature of ECIs seriously to the extent that we explain the (non-)occurrence of policy change regardless of whether the ECIs were formally successful or not, that is, whether the organizers managed to meet the minimum threshold of one million signatures. This allows us to engage with the whole range of ECIs registered with the Commission and to seize the extant empirical basis to the fullest.

Of course, when an ECI succeeded in collecting the necessary number of signatures, there is a higher level of pressure on the Commission to take that matter forward but, from an agenda-setting perspective, it is one of several aspects that account for the policy consequences of ECIs such as the ability to form powerful political alliances or the strategic capacity to benefit from favourable public opinion that makes the subject matter of an ECI salient (Giugni 2004, 2007). For example, in Germany, left-wing parties have embraced the political demands of the *Right2Water* initiative and incorporated them into their election manifestos. As a consequence, the demands of the ECI continued to reappear in German politics even many years after formally concluding the ECI (Tosun and Triebskorn 2020).

While it may initially look like a less favourable outcome for an ECI to influence policymaking at the national or subnational level, the EU's political system has been shown to be open not only to

top-down (initiated by the Commission) but also to bottom-up policy initiatives from the member states (Exadaktylos and Radaelli 2009). In other words, it is a feasible scenario that the demands of an ECI are only heard by one or few member states or their subnational entities, but these member states could be the ones that reintroduce the policy demands put forth by the ECI organizers through the Council of the EU or even by pursuing legal action with the European Court of Justice (by bringing forward actions for failure to act). From this perspective, our conceptual model aligns with recent attempts of theorizing multi-level governance by acknowledging the upward and downwards policymaking dynamics inherent in the EU's political system (Maggetti and Trein 2019).

Empirical findings

In this section, we present case studies that correspond to the policy effects of ECIs identified by the conceptual model. The cases were chosen deliberately to illustrate the plausibility of these hypothesized policy effects and to identify the causal mechanisms that brought about the individual outcomes.

The cases analysed comprise four initiatives that met the threshold for being considered successful: *End the Cage Age, Minority SafePack, Right2Water*, and *Stop Glyphosate.* Research has shown that meeting the formal signature threshold does not mean that an ECI automatically triggers policy change at the EU level (Kandyla 2020; Kandyla and Gherghina 2018; Tosun, Lelieveldt, and Wing 2019; Tosun and Varone 2021). *People4Soil* did not meet the threshold and therefore, on formal grounds, it represents an unsuccessful ECI. The last initiative examined is *Save Bees and Farmers*, which concluded the collection of signatures in September 2021. From the information given on the Commission's website on ECIs, *Save Bees and Farmers* appears to be another successful initiative but at the time of writing this was not officially confirmed by the Commission.

Policy change at the EU level at T1 (outcome 1)

Launched in September 2018, *End the Cage Age* called on the EU Commission to ban caged animal farming. One year later, the ECI initiators had collected 1.6 million signatures, which means that the EU Commission was obliged to consider the policy demands of *End the Cage Age* and to issue a formal reply. In June 2021, the Commission announced that it would put forward a legislative proposal to phase out the use of cages for farm animals, and to ensure that all imported farm products in the EU comply with future regulatory standards. The mechanism that brought about policy change is the support for the ECI's demands by both the EP and the member states (on the latter see also below). The policy change induced by *End the Cage Age* can be regarded as transformative because it means the adoption of a new policy paradigm on farm animal welfare in the EU member states (see Vogeler 2019).

Policy change at the EU level at T2 (outcome 2)

Soil is an environmental medium that has received scant political attention in the past. In 2016, *Legambiente* (an Italian environmental organization) launched the initiative *People4Soil* with the goal of recognizing soil as a shared heritage to give it a protection status and to develop a legal framework covering erosion, sealing, organic matter decline, biodiversity loss, and contamination. *People4Soil* did not come up with these policy demands itself but took them from the Commission's proposal for a European Soil Framework Directive that it withdrew in May 2014. The literature argues that one of the reasons for the Commission's withdrawal of the proposal was strong opposition by the governments of Austria, France, Germany, the Netherlands, and the United Kingdom (Chen 2019). The ECI organizers wanted to revive the Commission's proposal, but they failed to collect the necessary number of signatures by the end of the collection period in September 2017 and therefore their call for soil protection remained unheard, at least at that time.

In 2021, the EP adopted a resolution on soil protection. In the preamble, the resolution "recalls the 'People4Soil' European Citizens' Initiative of 2016, which was supported by 500 European institutions and organisations, which called on the EU to do more to protect soil" (European Parliament

2021, 10). The EP's resolution is not the only pre-legislative activity in relation of this issue. The EU Commission has also implemented a public consultation on a new soil strategy from February to April 2021, which suggests that it is considering proposing legislation.

This case study shows that the ECI was helpful in bringing the issue back on the EU's political agenda. Considering that it was the member states' opposition that prevented the adoption of a European policy on soil protection, the ECI served as a justification of the revival of the political attempt to overcome the impediments that may have existed previously. Thus, this case clearly demonstrates the importance of having political allies (in this case most importantly the EP) that support the demands of a given ECI (see Greenwood 2019; Szabó, Golden, and Erne 2021). The transformative potential of the policy change that could materialize in response of these recent developments and the ECI is relatively low. Overall, the EIC demanded to expand the EU's existing protection framework to a new environmental medium.

A second illustration for outcome 2 is provided by *Right2Water*. This initiative is the most successful and best examined case in the literature (Kandyla 2020; Kandyla and Gherghina 2018; Szabó, Golden, and Erne 2021; Tosun and Schaub 2021; Tosun and Triebskorn 2020). The initiative formulated a wide set of policy demands, which most supporters and the public primarily associated with forbidding water and sanitation services to be privatized. However, this ECI had also a second effect, which only materialized upon the revision of the Drinking Water Directive. In the proposal for the new directive, the Commission explicitly referred to *Right2Water* to substantiate its claim that "drinking water is clearly high in the minds of many Europeans" (European Commission 2018, 1). The Commission continued in explaining that *Right2Water* demanded universal access to water and sanitation and that the proposal directly followed up on it (European Commission 2018, 2). Directive 2020/2184 adopted in 2020 also referred to *Right2Water* to motivate its focus on ensuring access to water (European Parliament and Council of the EU 2020). Consequently, the directive contains measures for the sustainable use of water and better access to water, particularly for vulnerable and marginalized groups.

It is remarkable that *Right2Water* influenced EU policy even years after the conclusion of the immediate policy process in 2014. One of the reasons can be seen in the fact that the EP contributed to keeping this topic on the political agenda. Furthermore, the adoption of the Sustainable Development Goals (SDGs) in 2015 and the EU's need to implement them additionally facilitated policy change. In fact, both the Commission's proposal and the directive acknowledge the SDGs as another stimulus for revising the EU's policy on drinking water and adding aspects demanded by *Right2Water* to it. The revised Drinking Water Directive demonstrates a new perspective on the issue, which takes into consideration social and sustainability aspects. Therefore, the transformative potential of the policy change observed here is high.

Policy change at the national level at T1 (outcome 3)

The ECI *End the Cage Age* discussed above also serves to illustrate the plausibility of outcome 3 for it resulted in policy change in the Czech Republic in 2020, that is, before the EU Commission had taken legislative action. The Czech Republic was neither the only nor the first country to ban caged hens (at that time they were already banned in Austria and Luxembourg), but it constitutes a case where we can establish a connection between the policy action and public demand for it. For the Czech Republic, Skrabka (2020) identifies citizens' initiatives as a likely driver of policy change. The study points out that in addition to the ECI there existed a national citizens' initiative demanding a ban on caged hens.

The interesting feature of this case is that the Czech government engaged in policy change because it was confronted with public demands for it put forth by the ECI and a national citizens' initiative. Thus, this case demonstrates how important the EU's multi-level polity is for triggering policy change and that citizens' initiatives taking placing at multiple levels can increase the stimulus for policymakers to adopt potentially transformative policies. What is more, the Czech government was also influential for inducing the EU Commission to propose legislation since it vocally advocated the policy demands of the ECI. The policy change observed has a high transformative potential since it establishes a new policy paradigm concerning the keeping of hens.

Policy change at the national level at T2 (outcome 4)

Only few ECIs experienced as much turbulence as *Minority SafePack*, which proposed a set of measures to protect and conserve diverse minority nationals, languages, and cultures across Europe. This ECI was first launched in 2012, but the Commission refused to register it by claiming that its demands would not fall into the EU's area of competence. The main promoter of the initiative, the Federal Union of European Nationalities, then appealed to the European Court of Justice, which annulled the Commission's decision. In response to this, the Commission registered *Minority SafePack* in 2017. The collection of signatures lasted from April 2017 to 2018 and produced the necessary number of validated signatures to reach the threshold (Crepaz 2020).

In December 2020, the ECI was the subject of a public hearing in the EP, which adopted a resolution strongly supporting it. Despite broad support for the ECI in the EP, in early 2021, the Commission stated that no further legal acts will be proposed in response to *Minority SafePack*. Instead, it argued that the initiative's goal could be attained by implementing the policies already in place.

The Commission's decision was criticized by the EP but also by member states such as Germany. In November 2020, the German Federal Parliament unanimously adopted a resolution appealing to the EU Commission to implement the policy demands put forth by *Minority SafePack* (Bundestag 2020). The coalition agreement between the Social Democratic Party, Alliance 90/The Greens, and the Free Democratic Party signed in December 2021 goes even one step further and recognizes the ECI and states that the government of Chancellor Olaf Scholz *"*proactively support[s] the Minority SafePack initiative" and is "implementing it in Germany" by "expanding projects for the preservation and development of minorities, their languages and culture" (SPD, Bündnis 90/Die Grünen, and FDP 2021, 122).

The reason why Germany, and arguably other member states supporting the initiative such as Hungary, did not already take policy action is that it has been unclear which political level would be competent to protect cultural and linguistic diversity. In January 2022, the European Court of Justice

ruled that this falls within the competence of the EU. Consequently, the announced policy change in Germany may not materialize if the Commission eventually takes action in response to the court ruling. Policymakers in Germany openly stated that they preferred policy change to take place at the EU level since this would entail the most effective protection of minorities (Bundestag 2020).

The federal political level in Germany support *Minority SafePack* since the regional governments and parliaments in those states with national minorities (e.g. Schleswig-Holstein with its Danish minority) support it and regard the measures proposed by the ECI reasonable and relevant (Bundestag 2020). In other words, there is broad political support for the ECI across the different political levels in Germany. The transformative potential of the policy change can be judged as moderate since the EU has already committed itself to respecting cultural, religious and linguistic diversity in Article 22 of the Charter of the Fundamental Rights of the EU. If policy change eventually materializes at the European level, it would most likely strengthen and maybe expand the set of policy instruments already existing in the EU.

Policy change at the subnational level at T1 (outcome 5)

The illustration of this outcome is the most challenging one since the policy effects of ECIs predominantly materialize at the subnational level with a time lag. Nonetheless, there exist some examples of which one is the agricultural policy change as it took place in the German State of Lower Saxony during the campaigning phase of the ECI *Save Bees and Farmers*. Registered in summer 2019, the ECI campaign coincided with the citizens' initiatives on saving bees and protecting biodiversity taking place in several German states. In fact, the organizers of the German citizens' initiatives "uploaded" them to the EU level and acted as influential figures in *Save Bees and Farmers* (Tosun and Koch 2021).

Consequently, the governments of several German states such as Lower Saxony saw themselves confronted with demands from the local citizens' initiatives targeting state policies and at the same time from the ECI. The government of Lower Saxony responded to the citizens' demand for

agricultural policy change and signed a binding agreement with farmer and environmental groups for strengthening the protection of nature, species and water in agriculture. While the policy change in Lower Saxony is a response to the citizens' initiative organized by local groups, the policy measures included in the agreement as adopted by the state government aligns with the demands of the ECI, too, as the environmental groups involved stated (Düwert 2021).

This case provides a good sense of the indirect effects of ECIs because political pressure to act came mostly from the Lower-Saxonian citizens, but this pressure was complemented through *Save Bees and Farmers*. The policy demands formulated by the local citizens' initiative and ECI have the potential to transform agricultural policy as they demand restrictions on and a phaseout of the use of pesticides and an expansion of organic farming (Tosun and Koch 2021).

Policy change at the subnational level at T2 (outcome 6)

Stop Glyphosate was registered in January 2017 and represented a direct response to the process of renewing the authorization for the active substance glyphosate that had started in 2015 (Tosun and Varone 2021). Ahead of the deadline for completing the collection of signatures, the ECI organizers terminated it since they had already surpassed the minimum requirement for obliging the EU Commission to respond to its demands. While we lack space to elaborate on the political controversy surrounding the renewal process, suffice saying that glyphosate had become heavily politicized in 2017 (Tosun, Lelieveldt, and Wing 2019), and the voting on the renewal proposal in the Standing Committee on Plants, Animals, Food and Feed of the Council of the EU was very close (Zeitlin et al. 2021). The member states fell in two camps: the supporters and the opponents of the renewal request. In the end, the vote by the German delegation resulted in the adoption of the renewal proposal. Immediately after the voting in the Standing Committee, the Commission issued its response to the ECI organizers in which it stated that it would not ban glyphosate.

Subsequently, several member states announced they would ban glyphosate unilaterally. In some member states such as Luxembourg this resulted in the adoption of a ban, which corresponds to

outcome 4 of the conceptual model. In other member states, the policy process did not produce the announced bans. For example, French President Emmanuel Macron announced that he would take all necessary measures to ensure that glyphosate would be banned as soon as an alternative was available. This announcement caused an outcry among farmers, who subsequently mobilized their interest groups to prevent policy change. The government's bill came before the French Parliament in May 2018 and was rejected. The Members of Parliament from the political right and centre rejected the bill, arguing that the farmers should not be antagonized. After initially failing to gain a majority for the proposed three-year phaseout of glyphosate, the bill was put forward for a second time and once more failed (Tosun, Lelieveldt, and Wing 2019).

Disappointed by the national government's failure to institute the ban at the national level, French mayors banned glyphosate from their municipalities (Reuters 2019). For example, the mayor of the commune Langouët, Daniel Cueff, started a movement in which 80 communes participated and banned the use of glyphosate on their territories (Politico 2019). The local bans were annulled by a court ruling in 2020, but due to the elevated public attention at the substance, the French health and environment agency announced restrictions on the use of glyphosate in farming (Reuters 2020).

While it remains to be seen what will happen at the EU level, in those member states that restricted or banned the use of glyphosate we can observe a new approach to the use of plant protection in agriculture and therefore policy change of a high transformative potential.

Conclusion

In this study we investigated how citizens' initiatives can shape public policies. To this end, we concentrated on ECIs as the least likely forms of citizens' initiatives to bring about policy change. Our conceptual model stressed the importance of agenda setting and the policy-shaping dynamics of the EU's multi-level systems.

To better understand the policy effects brought about by the ECIs examined in detail, we identified the mechanisms underlying the instance of change observed. Table 1 summarizes these

mechanisms for the ECIs investigated and assesses their transformative potential. Our empirical findings suggest that we need to take the policy effects of ECIs seriously into account. Albeit of an incremental nature, the kind of policy change for which ECIs played directly or indirectly a role is often more transformative than one might expect from a seemingly weak agenda-setting instrument.

Table 1 about here

Although we tested our argument in the EU's political context it would be worth seeking to apply it to other kinds of multi-level systems, namely national federations. Furthermore, an analysis of the policy effects of citizens' initiatives can be connected with the concept of advocacy coalitions (Weible and Sabatier 2017) since the case studies have shown that citizens' initiatives are part of the repertoire of broader actor groups and social movements. Similarly, the study of the policy effects of citizens' initiatives in multi-level systems can seminally be combined with the concept of institutional venue shopping (Baumgartner and Jones 2009) since reformers can take advantage of the multiple policy venues (Greenwood 2019).

In closing, we should note that our relatively positive assessment does not mean that we are uncritical of the ECI as an instrument to overcome the EU's democracy deficit (Greenwood 2019; Kandyla 2020; Kandyla and Gherghina 2018; Szabó, Golden, and Erne 2021). We do not oppose scenarios for hardening the weak ECI in the EU and making this instrument more binding (Papadopoulos 2005). The more biting an instrument, the stronger not just its direct effect, but also the indirect effects of its shadow. In fact, direct democratic tools can affect policy even if they are never used since the sheer threat of resorting to them may induce anticipatory behaviour (Lupia and Matsusaka 2004). At the same time, this is not necessarily tantamount to democratic progress: considering the biases in terms of individual participation and group inclusiveness a stronger decisional impact of the ECI does not mean better democratically legitimate EU policies (Kandyla 2020).

Beyond the ECI and the EU, our analysis suggests that direct democracy is more than just an instrument actors might use to prevent policy change to occur in the first place. We invite future research to pay more attention to the contribution of citizen participation and of participatory and/or

deliberative democratic instruments to (transformative) policy change. Such research would allow for integrating policy studies with political science research, and for theorizing about the nexus between democracy and public policy.

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Table 1: Table 1: Overview of the mechanisms and transformative character of policy change.

Hypothesized outcomes	**ECIs**	**Mechanisms**	**Transformative potential**
Policy change at the EU level at T1 (outcome 1)	End the Cage Age	Support from the EP and the member states	High – New policy paradigm
Policy change at the EU level at T2 (outcome 2)	People4Soil	Support from the EP and congruence with the Commission's policy preferences	Low – Expansion of the application of policy instruments
	Right2Water	Support from the EP and need to implement the SDGs	High – New policy paradigm
Policy change at the national level at T1 (outcome 3)	End the Cage Age	Parallel mobilization and policy advocacy in the member states and the EU	High – New policy paradigm
Policy change at the national level at T2 (outcome 4)	Minority SafePack	Stepping in for the Commission	Moderate – Expansion of the policy instrument portfolio
	Stop Glyphosate	Stepping in for the Commission	High – New policy paradigm
Indirect policy change at the subnational level at T1 (outcome 5)	Save Bees and Farmers	Parallel mobilization and policy advocacy in the member states and the EU	High – New policy paradigm
Indirect policy change at the subnational level at T2 (outcome 6)	Stop Glyphosate	Stepping in for the Commission and the central government	High – New policy paradigm

Figure 1: Conceptual model of policy change