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Critical Exchange

Rethinking Politicisation

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Politicisation, in a broad and basic understanding, means to turn something – an issue, an institution, a policy – that previously was not a subject to political action

into something that now is subject to political action. So far, most definitions of the concept would agree. But besides this basic approach, there is much discussion: Politicisation is a concept that is currently much used in the social sciences, and also a concept that is contested in its definitions and understandings. Several paths and subdisciplines contribute to the debate, but they are not necessarily connected to one another. Political theory or political economy discusses politicisation and also what can be termed the counter-concept, depoliticisation, theoretically and often with a normative background, whereas comparative politics and EU studies have increasingly taken to deliver empirical studies on the politicisation of the European Union. These latter studies most often rely on the indicators of salience, actor involvement and polarisation in and of political debates and processes. International Relations, last not least, increasingly discusses the politicisation of international politics and international organisations.

This is why the contributions in this Critical Exchange bring together differing strands of the debate and aim to rethink politicisation in both theoretical and empirical understandings and usages. Kari Palonen starts the exchange with an overview on historical usages of the concept. Claudia Wiesner follows with an approach to challenges and possible pathways of concept specification. Veith Selk discusses politicisation and its linkages to populism. Niilo Kauppi and Hans-Jörg Trenz, as well as Claire Dupuy and Virginie van Ingelgom, critically regard the state of the art in studying EU politicisation and depoliticisation. Philip Liste closes with a discussion of the linkages between the concepts of juridification, depoliticisation, and politicisation in transnational politics. Taken together, the contributions raise a number of crucial issues in the academic debate on politicisation: the conception of politics and the political that politicisation relates to, its linkage to depoliticisation and juridification, and the relation of politicisation and populism.

Claudia Wiesner

Politicisation: Disorder or chance? From literary to parliamentary debates

This contribution to the Critical Exchange seeks to set the academic debates on politicisation – especially EU politicisation – into a broader conceptual context. In order to do so, I will focus on examples of how 'politicisation' has been conceptualised in different historical and cultural contexts. My analytical viewpoint is based on the methodologies of conceptual history and rhetorical analysis. The analysis will maintain a historical distance from the current discussion and avoid what Quentin Skinner (1969, pp. 24–30) has called the 'mythology of parochialism', that is, the short-sightedness of an insider, common to EU and comparative politics studies. My goal is to raise a general point: politicisation has often been discussed as

bringing about disorder, while it might as well be argued that it offers new chances for politics. I therefore choose to focus on different historical usages of politicisation, with the understanding that every choice of terms also has a political aspect. For example, in the twentieth century, 'democracy' turned into a 'descriptive-normative concept': describing democracy already includes the dimension of commending (Skinner, 1973, p. 299). References to 'politicisation' tend in a similar vein to either condemn or commend it, as politicisation presupposes a specific view on 'politics' or 'the political' (see Kauppi *et al.*, 2016 and Wiesner in this Critical Exchange). Speaking of politicisation can thus refer to a broad range of speech acts. Speakers who condemn politicisation tend to regard it as bringing about disorder, while those who support it frequently see in it a chance for renewal in politics. I shall discuss these opposed ways of referring to politicisation, that is, either rejecting or defending it, by building on three different cultural and political contexts that illuminate conceptual differences: German cultural debates in the early twentieth century, which illustrate the context in which politicisation was first used; and parliamentary debates in the British House of Commons and in the German Bundestag, which show how acting politicians use the concept.

The origins of the modern use of the term 'politicisation' lie in Germany in the first decade of the twentieth century, whereas its usage in English and French began around 1930 (Palonen, 1985, 2006). In the German context, politicisation became publicly visible in 1907–1908, when the historian Karl Lamprecht (1907) wrote on the 'politicisation of society' (*die Politisierung der Gesellschaft*) in the conventional sense of a growing importance of 'politics in society'. The feminist Minna Cauer (1908) spoke also of the 'politicisation of the woman' (*die Politisierung der Frau*), referring to the interest and activity of persons in politics. In 1908, the expressionist writer Ludwig Rubiner (1990, p. 37), for his part, spoke of the 'politicisation of theatre' in the sense of reinterpreting theatre from a political perspective, which he saw as a French, as opposed to German, practice (see Palonen, 1985, pp. 57–68; Palonen 2006, pp. 205–207).

For Lamprecht, *Politisierung* expressed a change that had happened without the intention of any of the actors contributing to it, whereas both Cauer and Rubiner understood *Politisierung* as a chance to open up something new. This is even more obvious in Rubiner's [1912] (1990, pp. 70–71) essay 'Der Dichter greift in die Politik', in which he demanded that politics should be more open to polemics and controversies. Another expressionist writer, Kurt Hiller (1913, vol. 1, pp. 92, 241), introduced a finer political distinction when he demanded a politicisation of the politicians ('[E]rst politisiere sich gefälligst der Politiker') and saw in the publication of a picture or poem an 'ichpolitischen Akt'. The two expressionist literati thus demanded rethinking politics as a quality of any type of activity. For the rethinking of politics and art, politicisation definitely marks a chance to open up something new and to bring controversies to topics from which they have been missing.

Such thinking soon provoked militant opposition. The most famous pamphlet against not only politicisation, but also politics as such, or as a disorder to be resisted, was Thomas Mann's *Betrachtungen eines Unpolitischen* (1918). It is a polemic against Francophile expressionists, including his brother Heinrich Mann as well as Hiller and Rubiner. Music and *Ästhetismus* are Mann's counter-concepts for politics, democracy, expressionism etc., and in that, the book is a classicist apology of the *vita contemplativa.* The stigmatisation of politicisation indicates nostalgia for the old regime. An open defence of one's own activity as a politicisation has, indeed, been rare. The expressionist *literati* have not found many followers even among professional politicians, and academics have remained still more reluctant towards the idea. An early exception was jurist Hugo Preuß (1915, pp. 186–187), who accepted the personal dimension, 'vollkommene Politisierung des deutschen Volkes'. It is common to claim that it is the others who are 'politicising' the question, as Carl Schmitt well understood in a footnote to *Der Begriff des Politischen*:

> In Wahrheit ist es … eine typische und besonders intensive Art und Weise, Politik zu treiben, daß man den Gegner als politisch, sich selbst als unpolitisch (d.h. hier: wissenschaftlich, gerecht, objektiv, unparteiisch usw.) hinstellt. (Schmitt, 1932, p. 21)

In other words, Schmitt regards it as a 'typical and particularly intensive way of doing politics' to blame the adversary as 'political' and to declare that one's own activity is 'unpolitical' (that is, scientific, just, objective, or impartial). Schmitt's dictum cautions us to be suspicious of any claim of an act being 'unpolitical' or 'apolitical' or of an issue being 'depoliticised', and to look instead for what kind of politics may lie behind such claims.

The parliamentary uses of the expression 'politicisation' becomes of special interest when one recognises that every item set on a parliament's agenda is 'political'. An item on the parliamentary agenda is expected to be debated from opposite points of view. To parliamentarise a question marks the willingness not to leave it to the discretionary power of government and administration. Parliamentarisation politicises an item by opening up a deliberation *pro et contra* on it, and includes the possibility that the original motion may be amended during the course of the debate rounds. The core of parliamentary politics is debate, with decision by voting being the final speech act in the debate (see Palonen, 2018, ch. 4). It is also in the interest of governments and majorities to get their motions accepted in parliament as easily as possible. Occasionally, even the opposition or backbenchers may argue that their own standpoints are 'not political' in order to get the majority to accept more easily a motion or amendment.

In order to analyse this dualism inherent to parliamentary politics, I have studied the parliamentary uses of 'politicisation' in the digitised debates of the British House of Commons and the German Bundestag. The majority of the usage in both

parliaments is derogatory, but for just that reason, it is important to direct attention to demands for or acceptance of politicisation, the actors and themes involved, and the debates themselves. The preceding short sketch of the plural conceptual origins of the formula provides a frame for distinguishing typical uses of ‘politicisation’, which are also applicable to the speech acts of the two parliaments.

In the House of Commons the vocabulary around *politicisation* enters into debates only as late as 1972, but according to Historic Hansard it has since then been used almost 700 times as of 2005. In the Bundestag, *Politisierung* has been used since the first session in 1949 and it is mentioned in less than 200 debates, but this count does not include single uses. It is also well known that the total number of speeches is much larger in the House of Commons, a consciously debating parliament, than in the Bundestag, where a large number of speeches are prepared in advance (Proksch and Slapin, 2014, pp. 102–103). The majority of expressions of the term in both parliaments repeatedly lament, for example, the politicisation of the judiciary, the administration, the military, schools, and universities. The Conservative John Biffen asks to be excused for using the ‘ugly word’ (12 June 1974) and the former Labour Prime Minister James Callaghan refers to it as an ‘awful word’ (11 June 1983). Note that not the phenomenon itself, but the word is what is condemned.

There is a specific German expression for passive politicisation, *Verpolitisierung,* but it is used in the Bundestag only once. Walter Althammer (CDU) uses it to decry the constant increase in the number of politicised issues (*Sachprobleme verpolitisiert*) that were once considered neutral or matter-of-fact, but have now been spoiled (*verdorben)* (25 October 1973). He blames the general climate of the time for the trend, rather than the Brandt government. In the House of Commons, Alan Williams (Labour) refers to ‘the unconscious, unintended politicisation of the civil service that has inevitably taken place through the erosive persistence, for 15 years, of the unchallenged “one of us” philosophy’ (24 February 1994). His targets are the Thatcher and Major governments, which, though unintended, have allowed such politicisation to take place.

An agent of politicisation is named in a speech by the Thatcherite Conservative Sir Keith Joseph: ‘[the] standard of living is politicised to a great extent by a Luddite trade union movement, which is indifferent, if not hostile, to the consumer, on whom [their] jobs depend’ (21 May 1979). In the Bundestag, Franz Schäffer (FDP) longs for ‘depoliticised’ market-based solutions in the nuclear energy branch in (30 June 2011). These two examples illustrate a belief in the self-regulating market, against which every intervention marks a condemnable act of politicisation. In the Bundestag, Heinrich Kolb (FDP) speaks of searching ‘objectively for a solution to the problem’ (*objektiv über die Lösung des Problems*) (21 January 2009). This corresponds to the Hegelian view that officialdom incarnates the objective spirit, whereas parliaments and politicians merely promote their partial and partisan interests. In Westminster, nobody seems to deny that questions

brought to the parliament's agenda are political. However, at the heyday of Thatcherism, the Conservative Roger King sought to avoid parliamentary dissent: 'The Industry Year 1986 campaign is non-political. It was felt that to politicise it would lead inevitably to dissent' (5 December 1985).

There are also appreciative usages of politicisation, including an acceptance of passive politicisation. An early case of this is in a speech by Hedda Heuser (FDP). She, a medical doctor, notes that, in the Bundestag, issues of health have been increasingly politicised (*zunehmend politisiert worden*). She is delighted with this as a sign of a greater interest among the population in questions of health (26 June 1968). Against the common accusation of politicising the *Bundeswehr,* Helmut Schmidt (SPD), while Minister of Defence in the Brandt government, took up the personal aspect when defending *Politisierung* as 'strengthening one's competence to co-thinking and judgment in political contexts' (*eine stärkere Ausprägung der Fähigkeit zum Mitdenken und zum Urteilen in politischen Zusammenhängen*). Theo Jung (FDP) supported Schmidt by emphasising the balance evinced between discussion and co-thinking (*Mitdenken*) by Bundeswehr soldiers, 'citizens in uniform' (*Staatsbürger in Uniform*) (both quotations 26 January 1971).

In both parliaments, the 'politicisation' of the UN and its sub-organisations has been criticised since the late 1970s. Edward Heath, the former Tory Prime Minister, however, rejected his country's proposed withdrawal from UNESCO with the following argument:

> Whenever we take an attitude towards human rights, we politicise. Politicisation exists because representation in UNESCO is by Governments, not by individuals or by representatives of learned societies. If it were, it would not be politicisation, but would merely be a repetition of the arguments in senior common rooms up and down the country, which are far more bitter and unpleasant. Therefore, I cannot accept that politicisation is an argument for withdrawal from UNESCO (22 November 1985).

Heath interprets politicisation as the activity of 'taking an attitude', for example, by participating in a debate on human rights or putting a question onto the agenda. For him 'politicisation' of UNESCO was not a recent phenomenon, because the entire organisation has always been political. In the Bundestag debate on the conditions for using of glyphosate, an herbicide, the former minister Renate Künast (Greens) shouted that the procedure for licencing it was political from the very outset (*Der war immer politisch! Vom ersten Tag an!*) (21 September 2016).

Parliamentary calls for politicisation have been quite rare. In Westminster, the Labour left-winger Martin Flannery wanted to recast the debate on Northern Ireland by politicising it: 'I shall attempt to raise the level of the debate and politicise it. Ulster Unionist Members may grin, but they do not seem to understand politics' (6 December 1978). In the Bundestag, those to present openly calls for politicisation came from the Green party, represented in parliament since 1983.

Hajo Saibold demanded the politicisation of consumption (*Politisierung des Konsums,* 6 May 1987) as a medium of empowerment, appealing directly to consumers to regard their choices as political. Peter Sellin disputes the notion that technology is neutral, and takes, in the name of democracy, a stand for the politicisation of industrial policy (*die Politisierung industriepolitischer Entscheidungen)* (23 November 1988). For Sellin, the political aspects of technology and industry transcend the policy level as they concern the political character of the technology itself.

This discussion has underlined some general points in the historical understandings and usages of politicisation. The main divide in discussing politicisation is whether politics is understood as a separate sphere or as a quality of all activities (see Palonen, 2006, 2007, and Wiesner in this Critical Exchange). Politicisation was more frequently understood as provoking disorder than as a chance to thinking and acting. But why do even parliamentarians, who recognise themselves as professional politicians, still so commonly regard politicisation as merely a disorder in the polity? The suffixes in politicisation refer in both languages to a deviation from the 'ordinary meaning' of politics. Common denunciations of politicisation or denigration of the very word are strongly connected to an unproblematic regarding politics as a separate sphere, which the speaker assumes is shared by the audience. Parliamentarians cannot reject politics as such, but for many of them politicisation, or moving the political quality of actions to a higher level, may appear suspect, rather than as an act of bringing unfamiliar problematics to the agenda for debates.

The acceptance of unintended turns towards politicisation is compatible with interpretations of it as a chance for future politicisation, either of the topics or the actors involved. Such interpretations are incompatible with limiting politics to a separate sphere. As for the explicit calls for politicisation, the general point is, as for Hiller, Rubiner, and the German Green MPs, to rethink a question in political terms that brings new chances to the horizon of debates. The current academic debate on EU politicisation has parallels with these examples. The experience of the politicisation of the EU is no marginal or recent change on the fringes of politics, conceived a separate sphere. Some parliamentarians realised this several decades ago. In the Bundestag as early as 1967, Klaus-Peter Schulz (SPD) regarded European integration as an acute and important *Politikum* (22 February 1967). In the House of Commons, Austin Mitchell (Labour) saw that '[i]n the EEC … everything is politicised' (13 January 1985). These are two examples of parliamentarians who are willing to accept politicisation, seeing the multiple polity levels of the EU as affording an opportunity for controversy that they see as a chance to something new. The politicising *chance* of the EU lies in its ability to transcend both national and international polities and moves towards an interconnected complex of polity aspects.

Kari Palonen

Rethinking politicisation as a multi-stage and multilevel concept

In my contribution to the Critical Exchange, I aim to rethink the concept of politicisation theoretically and empirically. First, politicisation will be introduced as a multilevel concept. Second, two different concepts of politics and two related conceptions of politicisation (by Schattschneider and Palonen) will be discussed. Third, I will argue in favour of analysing top-down and bottom-up politicisation processes, suggesting a multi-stage and multilevel concept of politicisation. Last, but not least, I claim to theoretically and analytically distinguish politicisation as processes, their (intermediate) outcomes, and a normative judgement of their effects.

In order to rethink politicisation as a concept, it is useful to underline first that it is a multilevel concept. As succinctly put by Matthew Wood:

> A 'multilevel concept' is one that can be applied in multiple contexts, and can have both a deep critical theoretical and even philosophical meaning, but also refers quite legitimately to concrete acts that can be usefully measured in empirical research. (Wood, 2015, p. 527)

It follows that such a concept can be employed at a theoretical or macro-level, a conceptual or meso-level and an empirical or micro-level (Wood, 2015, p. 522). In politicisation research we therefore need to distinguish philosophical and/or normative reflections or claims from the conceptualisation and operationalisation of research dimensions and research items, and then the empirical research itself. On the theory or macro-level, the question then is what theory and understanding of politics is used, what dynamics are conceived of, and what politicisation consists in. On the meso-level, the question is which processes and practices and which actors, factors, media, and channels shape politicisation. On the micro-level, concrete cases will be analysed empirically. Accordingly, researchers should clarify, respectively, what analytical level they are on, and they should also carefully reflect how the levels can be linked.

In order to conceptualise politicisation on the macro- or theoretical level, it is necessary to first clarify the concept of politics that it presupposes (see also Palonen in this Critical Exchange), because the respective understanding of politics predetermines how politicisation is theorised and analysed on every level of its conceptualisation. The concept of politics, again, has a long history and its usages are manifold. It is not possible in this contribution to elaborate so broadly on this matter as to include all possible and more or less current theoretical understandings of politics (see Palonen, 2006, 2007). In order to clarify the implications for the conceptualisation of politicisation, I will therefore focus on two different and ideal–typical accounts of theorising politics and politicisation, one by Elmer Schattschneider and one by Kari Palonen. The two approaches underline a crucial

theoretical difference that corresponds to opposed traditions of thought in modern political thinking (Palonen, 2006, 2007, 2003): the question is whether to conceptualise politics as a sphere or field, or as an activity (see in detail Kauppi *et al*., 2016, and Palonen in this Critical Exchange). A number of crucial theoretical and methodological consequences follow from this first decisive distinction.

An understanding of politics as a sphere or field refers to politics as a nearly geographically fixed area with more or less stable borders. It is obvious that a systems approach to politics as it was influentially formulated by David Easton (1953) builds on such an interpretation. If, then, politics is like a clearly bounded area into which one can enter or leave, politicisation means to shift issues into this area – or out of it. At the maximum, politicisation means to extend the borders of the area, for example in the relationship to other areas, such as culture, law, economy, or religion. The Schattschneiderian (1957) understanding of politicisation quite apparently relates to this tradition and the notion of the political system. Using a conflict-oriented concept of politics, he introduces four dimensions that characterise political conflicts, namely intensity, visibility, direction, and scope. These are applied in order to understand and analyse when and how conflicts enter the political system. This conception of politicisation is behind several of the current empirical accounts of measuring politicisation of the EU, and the four dimensions are accordingly used in a number of studies that focus on a set of standards indicators, namely the salience of EU issues, an increase of actor involvement, and an increase in party-political polarisation (e.g. Hoeglinger, 2016; de Wilde *et al*., 2016; Statham and Trenz, 2013a, b; Hutter *et al*., 2016; see also Dupuy and van Ingelgom in this Critical Exchange). An implicit assumption in these models of politicisation is that an issue only is to be counted as politicised when it makes it into the political system. What is more, the empirical indicators of salience, polarisation, and actor involvement in themselves involve static measurements at a given moment in time. They allow for measuring a process only via an alignment of a series of measurements that indicate how a process of politicisation has unfolded.

The other path of theorising politics and politicisation, which is also the one I have been following in my collaborative work with Niilo Kauppi, Kari Palonen, and Taru Haapala (Kauppi *et al*., 2016; Wiesner *et al*., 2017), departs from the idea that politics is an activity. Accordingly, the term refers to political acts and actions in various senses. Understanding politics as an activity, as opposed to the view of politics as a field or sphere, also means that politics has no boundaries, and virtually everything and everyone, in every possible setting and situation, can be part of politics at all times. Politics relates to what actors do, and not to the field in which they act. Politics then also is contingent: it is always possible to act otherwise. Palonen (2003, p. 171) further suggests that we speak of politicking as the doing of politics, in the sense of the German ‘Politik treiben’ or the French ‘faire de la politique’. It is quite obvious that this view entails that we see politics and

politicisation as processes. The analytical focus is set on the political and politicising actions themselves, rather than on intermediate outcomes of politicisation processes that can be measured in indicators such as salience. This perspective then allows us to study how the process of how politicisation unfolds much more easily.

I would like to underline that seeing politics as an activity of course means that the activity of politics can result in or lead to conflict, or be acted out in conflict. But it does not necessarily mean that politics is *only* conflict, and neither does it end up in an antagonistic model of politics or even a Schmittian friend–enemy dichotomy. We can rather speak of a debate culture of politics here.

In this context, politicisation is to be understood as the act of naming something as political, of making it a subject to political actions. Within this horizon we can define 'politicisation' as an active use of contingency, of rendering something contested or controversial. This, importantly, is not an extension of the margins of the activity of politics itself, but rather is constitutive of politics. In this sense *politicisation constitutes politics*, not vice versa, and all politics is a result of politicising moves (Palonen, 2003; Kauppi *et al.*, 2016).

A core example of such an understanding – politicisation as naming something as political – is the womeńs movement's famous claim that 'the personal is political'. This act of naming 'the personal' political in reality aimed at a major questioning of traditional marriage and family, and hence a potential shift in power relations by questioning structures and institutions that were not to be questioned beforehand because they had been considered as 'private', and hence as non-debatable, by a dominant social discourse.

So where do the differences between the field and the activity approach that have been described for the macro-theoretical level of the concept lead to on the meso- and micro-level of analysis? The two paths that have been sketched agree in that there are many potentially political – or conflictual – issues in a society. And if we understand politics as an activity, and politicisation as the act of naming something as political, it can hence be argued that at some point there is compatibility between the two approaches. Schattschneider (1957, p. 940) does not argue that conflict *only* occurs within a political system, but that out of the great number of existing or potential conflicts in a society, only a very small number have an influence within the system – a fine but decisive distinction. The approaches that build on Schattschneider have mostly left out this fine-grained distinction. For most current accounts that study politicisation empirically, it is only taken into account when and if it is visible in the political system, which is, in turn, linked to the fact that relevant actors in the system believe a conflict is a strategic issue. Such an understanding entails theoretical and analytical limitations, as it tends to leave out a focus on political action taking place outside the political system – or politicising actions within the system that do not directly have a measureable effect in terms of salience.

In the activity concept, on the other hand, politics can take place anywhere, at any moment. And hence, any issue can become political, at whatever level and group of society. Accordingly, understanding politicisation as politicising actions decisively broadens the analytical lense.

As said above, I further claim that this conceptualisation of politicisation adds and emphasises the process perspective on politicisation, and it hence leads to distinguishing the activity and the process of politicisation from its results that can be measured (e.g. in the salience of an issue).

But, quite importantly, to understand politicisation as action raises an important operationalising question for the meso- and the micro-level of analysis: from what point and how should we analyse politicisation empirically? From which stage onwards can we and should we conceptualise and analyse conflicts as indicators of politicisation, and which actors are considered to be relevant in our analyses? If we claim that there can be politics outside the classical political system, how can politicisation be analysed in its early stages? And if virtually every action can be political action, is there still an analytical criterion or threshold to actually analyse some action as politicisation?

Theorising and analysing politicisation thus leads us into a field that invites, or even requires, first, conceptual reflection and, then, mixed-methods research that combines qualitative and quantitative data and methods in a methodological and problem-oriented pluralism.

This brings me to suggesting a multilevel and multi-stage-model of politicisation. On the theoretical or macro-level, politics should be considered as an activity and politicisation as the activity that names something as political. On the meso- and micro-level, on the other hand, the model involves a number of different stages that refer to the discussion above. First, an issue is named as political. A second stage is a first degree of public resonance or salience. The issue enters public or semi-public arenas, by media, social media, protests, or campaigns. Social media in this context are a kind of limited and preselected public. Third, and linked by different channels to those public or semi-public arenas, there is the political system in an Eastonian sense, and the ways issues enter into it from the different arenas – because taken up by party or other actors, or by new parties forming and entering the system, new issues become a matter of institutionalised political conflict and finally decisions are taken on them. As according to this stage model, when we can concretely *measure* salience, polarisation, etc., we already notice politicisation in the mainstream arenas and the system structures, i.e. at stage three of a politicisation process.

So far, most empirical accounts on politicisation take into account the major changes in the stages two (media analyses) and three (party-political politicisation). The channels and the sideways perspectives between these levels and stages, or the ways something is debated in the early stages are often left out. It is also a decisive

question why something is once named as political and then does *not* enter stage three.

As said above, this broadening of the research perspectives also entails the problem of catching the analytical object especially on the micro-level, i.e. the concrete choice of research material and research design. In order to study top-down as well as bottom-up and sideways dynamics, as well as politicising actions and speech acts, research should focus on micro-political strategies and processes of politicising an issue (Wiesner, 2018). Possible methods of analysis are focus group discussions, monitoring social media, participant observation, the study of local media, and the analysis of opinion polls.

In conclusion, politicisation should be seen as a multilevel concept, linking a macro- or theoretical and normative level to a meso-level of conceptualisation and operationalisation and a micro-level of empirical analysis. Furthermore, we need to distinguish the processes of politicisation from their (intermediate) outcomes. Last, but not least, I recommend that we conceptually and analytically separate normative and analytical judgements on politicisation. Politicisation is neither 'good' nor 'bad' per se, whether at the national level or on the EU level.

Claudia Wiesner

The populist politicisation of post-democracy

The current rise of right-wing populism can be interpreted as an attempt to politicise post-democracy. In order to substantiate this thesis, I will clarify the concept of post-democracy and illustrate the retrograde though politicising character of current right-wing populism. I conclude by arguing that right-wing populism counters post-democracy with the politics of retro-democracy.

The term 'post-democracy' was introduced by Sheldon S. Wolin, Jacques Rancière, and Colin Crouch to criticise the transformation of western liberal-democratic regimes and their political culture since the 'neoliberal revolution'. Wolin (2001) saw the possibility of democratic action hampered by a growing, depoliticising consumer culture and the amalgamation of state power with business corporations in the context of a meanwhile 'totalized' capitalism (Wolin, 2008). Analogously, Rancière (1999) argued that in the era of post-democracy bureaucratic policing and techniques of social control such as opinion polling and the like undermine popular political action. Crouch (2004), who published the most developed account of the concept, described post-democracy as a dual-structured regime. According to Crouch, the most important institutions and procedures of democracy are still existent. We can witness fair elections, and there is, to a certain degree, party competition; the rule of law prevails, and, most importantly, regular changes in government take place. On the other hand, the idea of democratic legitimacy, popular sovereignty, does not correspond to political reality: election

campaigns are controlled spectacles, managed by spin doctors, and dominated by party elites and opinion makers. When the electoral spectacle is over, most citizens only play a passive role, as spectators. The effective political agenda is dominated by informal and opaque network-structured interactions between elites, experts, lobbyists, and powerful corporations in particular. Thus, for Crouch, the actual substance and decision-making power has shifted outside of representative democratic institutions.

Despite the theoretical differences between these authors, the post-democracy discourse can be broken down to one core diagnosis: in post-democratic times not only are the most important policy areas shielded from democratic contestation, but also the polity becomes depoliticised. Thus, when it comes to the 'hard issues', post-democratic structures seem to frustrate hopes for fundamental change and create the impression that 'there is no alternative'. This diagnosis might be dismissed as exaggerated. In particular, its disregard for the reduction of institutional discrimination in western democracies in the course of cultural liberalisation can be rightfully criticised. However, in its explication by Crouch, the post-democracy thesis resonates with prosaic and empirically grounded research, which for instance observes the weakening of core institutions like parliaments (Benz, 1998), electoral turnout and parties (Mair, 2013), demonstrates growing informal transnational political rule (Greven, 2005), shows the closure of political competition as well as effective opposition by party cartelisation (Katz and Mair, 1995; Mair, 2013), and provides evidence for the predominant representation of the 'haves' in contrast to the 'have-nots' (Elsässer *et al.*, 2017). More importantly, it is consistent with the disaffection with existing democracy among many citizens. It mirrors their realistic opinion that they do not control the political affairs of 'their' democratic polities, which is an important reason for the current rise of populism. Populism has diverse roots (cf. Jörke and Selk, 2017), but the disaffection with post-democracy and its depoliticising effects is one of them. The rise of populism, in turn, can be interpreted as an attempt to politicise post-democracy.

Following a well-established approach in populism studies, populism is oftentimes defined as a 'thin ideology' which is opposed to elitism and pluralism. This ideology pictures society as divided between 'the corrupt elite' and 'the homogenous people' and demands the realisation of the will of the people (Mudde, 2004). Since it is poor in content, thus politically ineffective, it must be combined with political ideas, programs, and demands. Therefore, in real political life no populism as such exists, but only diverse populisms, such as liberal, neoliberal, right-wing, conservative, centrist, and left-wing populisms, which in turn have to be understood as ideal types. In order to understand the populist politicisation of post-democracy, two further additions must be made.

First, populism has an intrinsic though ambivalent relation to democracy (Arditi, 2003; Canovan, 1999; Kaltwasser, 2011). Especially the history of populism in the United States (Goodwyn, 1976; Kazin, 1995) but also inclusive policies of Latin-

American populisms show that populism can be a democratic reaction to phenomena that are worthy of criticism, especially against the background of the ideal of equal democratic freedom. These include tendencies of self-serving behaviour, exclusive recruiting, and corruption among the political class; gaps in representation, i.e. an actual or alleged asymmetric representation of social identities and groups, interests, ideas, claims, and conflicts; the implementation of far-reaching political decisions without the necessary acceptance or without previously forming an democratically constituted political will; the perception of urgent yet unsolved collective problems. Populists frame these phenomena as a result of a constellation in which 'the elite' governs without regard for the 'will of the people'. The people are presented as an authentic, good community, whereas the elite appears as a corrupt community that is immoral and self-righteous, driven by ideology or self-interest; it is portrayed as decadent, untrustworthy, and detached. Thus, populists symbolically represent themselves as advocates of the people and their alleged will or welfare, in contrast to a ruling, allegedly corrupt elite. While doing this, populists often refer to widely appreciated political principles such as fairness and the common good, and they also refer to the key democratic idea: popular sovereignty. On the other hand, populists can radicalise and intensify problematic processes in democracies, for instance by demagogic political mobilisation and propaganda; through excessive symbolic politics, the personalisation of structural problems, and scapegoating; by aggressive friend-enemy rhetoric, illiberal policies in office, and the circumvention of inclusive decision-making in favour of 'bonapartist' strategies of gaining mass loyalty. The transition from populism *in* democracy to populism *against* democracy can therefore be fluid (cf. Finchelstein, 2017).

Second, populism can be combined with heterogeneous political ideas, programs, claims, or ideologies. The left-wing populist *Podemos*, for instance, has a current that combines populism with feminism. However, in most cases in Europe and the US populism goes hand in hand with a reactive, retrograde, or reactionary political orientation (cf. Priester, 2012; Selk and Sonnicksen, 2017). This is obvious with respect to contemporary right-wing populism. Since it is the most important form of populism in the context of Western democracies, I will concentrate below on right-wing populism. Right-wing populism expands the populist ideology by picturing the people as threatened from two sides: by a corrupt elite and by foreigners. This leads to an amalgamation of identity politics with interest politics. One's own people are represented as a collective with a uniform identity and homogeneous interest. At the centre of the right-wing populist political imagination is the idea of a 'heartland' (Taggart, 2004, p. 274). It constitutes a political ideal that is mainly derived from an idealised 'golden past'. Thus, this 'heartland' is a backward-looking utopia. Correspondingly, most ideas, claims, and programs of right-wing populist movements, parties, and politicians are retrograde in nature. They aim at mitigating, stopping, or reversing current developments in

order to restore something good that allegedly has been lost ('Make America great *again*').

This reactive, protest-affine, and normatively retrograde orientation can be observed in many policy areas, from migration policy to economic policy as well as in cultural and environmental policy. When addressing them, right-wing populists usually do not develop new ideas, they aim at reversing the formerly predominant or allegedly dominant policy ideas in these fields. More precisely, they seek to reverse the cultural, economic, and political liberalisation processes that went hand in hand with the emergence of post-democracy in the last decades. In short, right-wing populists promise the restoration of an imagined ideal world of 'olde tyme democracy' in which the order of sacred family, nativist community, national sovereignty, and proper industrialism is restored. Right-wing populism counters post-democracy with a model or pattern of politics I refer to as retro-democracy.

One important difference between right-wing populists and right-wing extremists is that the former use a strong politicising democratic rhetoric. Borrowing a term from Aby M. Warburg (1906), one could say that they employ a politicising democratic pathos formula. They vigorously attack political elites for suppressing popular participation and claim that they lack popular representation and responsiveness, a claim which is generally combined with the demand for direct democracy. On the level of political style, this is put forward by slogans symbolising popular action and democratic self-rule ('taking back control'), and in the manner of passionate politics, marking a strong difference to the politics of professional career politicians. The dilettantism of some leading populist politicians is, in this context and in the short run, more an asset than a detriment. By employing this democratic pathos formula, right-wing populists appropriate a role model and its representative function that due to the neo-liberalisation of social democracy and the disappearance of communist parties became vacant: the tribune of the *plebs* (Camus, 2015; cf. Eribon, 2013).

Post-democracy paves the way for populist politicisation for two main reasons. First, it leads to increasing political complexity. Post-democratic governance involves a large and confusing amount of political actors, such as party elites, politicians, bureaucrats, social movements, NGOs, consultants, lobbyists, journalists, experts, courts, commissions, round tables, and the like. Their interaction is oftentimes characterised by informal negotiations, frequently behind closed doors, across borders, and at several political levels. This leads to a diffusion of responsibility. For, in this constellation, responsibilities for decisions and non-decisions are difficult or impossible to allocate. Such complexity not only weakens parliaments and parties in their function as mediators of the people; it also makes it more difficult for leading politicians to formulate programmatic alternatives in election campaigns and to govern coherently (in the sense of political steering towards democratically decided goals). Thus, the policy inputs, outputs, and outcomes cannot be plausibly linked to electoral majorities or public opinion.

Politics and policy are becoming more situational, informal, opaque, and confusing – at least for ordinary citizens. Second, as a result of its weakening of formal democratic procedures, post-democracy favours powerful, politically effective actors and their clientele, it widens social inequality and thereby undermines what the Social Democrat and Weimar Republic political theorist Hermann Heller (1928) has termed the 'social homogeneity' of the citizenry, an essential pillar of political democracy.

Right-wing populism exploits these effects of post-democracy by politicising them in two ways. First, in a democracy, politics and policy must be comprehensible for ordinary citizens. Right-wing populism promises exactly this by its simplifications, clear attribution of responsibility, its idea of popular sovereignty, the plea for strong political steering, and its rustic policy recipes. It is often said, and mistakenly considered as valid criticism, that populism promises 'simple solutions for complex problems'. In a democracy, when it comes to problems that affect many citizens, actually this is what is needed. Second, right-wing populism offers an alternative to the eroding social homogeneity in western societies. It does so by propagating the restoration of a cultural or ethnic homogeneity as an alternative pillar of political democracy that in truth is long gone or probably never existed. These ideas resonate with ethnocentric mentalities and xenophobic attitudes, and their acceptance is partially grounded in flawed conceptions of democracy. However, there is a rationale behind this resonance: citizens are experiencing the erosion of political democracy and social homogeneity in their lifeworld, and they begin to search for alternatives. And some of them, we can conclude, find them in the past. Picking up the multilevel approach to politicisation (see Wiesner in this Critical Exchange; Hay, 2007, pp. 78–89), we can sum up by saying that right-wing populists have politicised the attitudes and mentalities of populist-affine milieus that opposed the liberalisation of culture, polity, and economy but lacked political representation (cf. Lefkofridi *et al.*, 2014). By transforming them into political claims and demands, gaining public resonance, and finally campaigning with them in successful elections, the politics of retro-democracy has entered the 'political system'.

Veith Selk

Notes on the politics of (de)politicisation

Three understandings of the politicisation of the EU can be distinguished in the literature, which can be characterised as drama, as exceptional or as everyday politics. The first account is delivered by Hooghe and Marks (2009), who argued that politicisation is the driver of deep transformation of European integration. They argue that politicisation has consequences for the substantive character of European integration, introducing a new era of 'constraining dissensus' that

replaces the old era of 'permissive consensus'. The decisive change takes place at the level of public opinion and partisan contestation. Because of this transformation due to the politicisation of European integration, the preferences of the public and of the national political parties, until then more or less insignificant, became key issues in European integration. Politicisation is according to them not just exceptional or limited to times of crisis but denotes an axial transformation of European integration. As such, it calls for a new paradigm in the study of European integration: As functional integration is no longer viable, Hooghe and Marks formulate a new post-functionalist theory to account for the causal impact of 'a new politics of identity' on constraining the political options of integration.

Such a dramatic reading of EU politicisation as epochal change contradicts an understanding of politicisation as something that happens occasionally and breaks the routine of everyday politics (de Wilde and Trenz, 2012). According to this second understanding, EU politicisation would be confined to singular events, it would remain exceptional and distinct from 'regular politics', marking a period of heightened attention and mobilisation. In terms of party competition, Hanspeter Kriesi (2016) has emphasised that EU politicisation is not only time-dependent but also varies according to national contexts. Political institutions, governments, and parties can at one point decide to politicise certain issues and at other point develop strategies of depoliticisation. As such, EU politicisation can temporarily reach impressive levels, even before Maastricht, but in most times remains consistently low or even declines. Politicisation would thus remain confined in time and space. It would not necessarily encompass the whole of the EU but can be sectorially or territorially differentiated (de Wilde *et al.*, 2016). Such episodes of politicisation can nevertheless have lasting impact or even lead to rupture, such as Brexit. Yet, as there are no 'iron rules' that the EU is on the road of integration or disintegration, this happens almost accidentally and remains open-ended.

Michael Zürn proposes a third, minimal account of politicisation as 'agenda-setting': moving something into the field of politics. 'Politicisation, in general terms, means the demand for, or the act of, transporting an issue or an institution into the field or sphere of politics—making previously unpolitical matters political' (Zürn, 2016, p. 167). This classical political science understanding makes politics, the study of the interplay of conflicting powers within any formal or informal institutional setting (a state, an organisation, a group of people, etc.), the object of analysis. Politicisation occurs when political power enters the game. This understanding presupposes that there are other non-political spheres that can be politicised. Not everything is political, but everything can become political.

As this short overview demonstrates, the politicisation of the EU can be considered exceptional or normal, it can denote deep rupture and system change or it can open a game of power politics. In the following, our notes on a politics of politicisation are not intended to formulate a genuine theory of politicisation, but

are rather informed by our interest as political sociologists in the broader dynamics of European integration/disintegration.

Our starting point is the distinction between the political and the non-political. To talk about politicisation assumes that the meaning or the character of issues to be political can be contested. This also means that politicisation as the force or the dynamic of turning something political can only be understood in relation to the countervailing force or dynamic that something should not be considered political. Politics can only be situated in a world in which not everything is political. Politicisation cannot be discussed in any depth without a deeper thinking of politics (see also Palonen and Wiesner in this Critical Exchange). The current literature on EU politicisation unduly separates the two. To re-open this debate, we start with a reflection about the meaning of 'turning something political'. The transformation of something not political into something political can assume two distinct but interrelated meanings (1) making something publicly visible, and (2) making something debatable and open to conflict. In the first case, politics are the realm of the public, where actors and issues become visible (Nassehi, 2002). An issue is highlighted over others, which means that particular technics are applied to increase its visibility making it salient but also relevant for others. Someone asserts, for instance, that an issue should be considered being of public interest or affecting a wider public. In the second case, politics are essentially about conflicts and the political move consists in turning something a priori not contested, politically unmarked, devoid of struggle and disagreement, into something disputable or at least discussable, involving different perspectives and interests (Kauppi *et al*., 2016).

Neither of these two different meanings of 'turning something political' is sufficient to describe politicisation. Politics as the process of creating visibility is usually described as 'agenda-setting' (McCombs, 1981). As such, it does not need to be controversial. We do not talk of politicisation if there is agreement that an issue should be raised on the public agenda. Politicisation further relies on a public agenda of issues that are already made visible. It cannot set the agenda, but only build on it. Politicisation is triggered when agenda-setting has been successful and when issues that have become salient are debated further in the public realm of politics. This needs to be distinguished from conflicting interests that can be fought in the private realm or from political struggles that do not reach the threshold of publicness. We can debate with our political adversaries but be unsuccessful in raising an issue to the public agenda and gaining attention for our concerns, or we can fight our conflicts backstage. In EU decision-making, interest politics between governments and member states behind closed doors is a case in point. Such forms of non-public conflicts unfold below the threshold of what we commonly define as politicisation.

Politicisation, as we shall argue, is the special case of 'turning something political' that combines the visible and the contested dynamics of the political. The

'politics of politicisation' unfold as a competition for the attention of the public. If politicisation demarcates the field of the struggle over public attention and legitimacy, it follows from this that we do not need a theory of politicisation, we need a theory that describes the contradicting forces of raising attention and its contingent effects on the shaping of public opinion and political legitimacy. Such theories exist and do not need to be reinvented. As political sociologists, we can rely here on insights from two interrelated theory traditions: first, the Bourdieusian theory of the political field, which allows us to contextualise how contestation over political issues is related to legitimising practices of collective actors; and second, Habermasian public sphere theory, which allows us to focus on the mediating infrastructure for the unfolding of political debates and the validation of competing claims for political legitimacy through external publics.

In relation to these two grand theory traditions, the 'politics of politicisation' combines a form of status politics with a form of attention politics. Politicisation as status politics is about the positioning of particular actors as political competitors. Politicisation as status politics can, however, also be about the status of particular issues as political or as non-political and their ranking on the public agenda. Politicisation as attention politics goes beyond the interplay of competing actors or issue agendas and calls for the attention of a third party (the public) as a mediator in the dispute between competing actors. As such, politicisation as action in time and in more or less defined spaces expands the field of politics to include those who call for attention for political issues and those who pay attention to (not necessarily the same) issues. Both politicisation as status politics and politicisation as attention politics are only insufficiently described as a strategic game between competing actors but are intrinsically normative in the way the struggle over status and attention is linked to particular norms that justify why an issue deserves to be of public interest. To the extent that politicisation triggers debates about the status of political issues to be of 'public interest', these debates also need to adjust to the normative constraints of the public sphere and the demands for justification that distinguish public reasoning from private interest negotiation (Eriksen, 2014).

The case of EU politicisation is often distinguished as unfolding outside the institutionalised infrastructure of an established party system for political contestation and of a public sphere for the mediation of political debates. The political field for contestation and the public sphere for attention that distinguish the 'politics of politicisation' are therefore generally considered to be confined to the realm of national politics or leading to the re-nationalisation of EU politics (Hooghe and Marks, 2009). We would claim, however, that EU politics cannot simply be grasped by the dynamics of fragmented politicisation within established national politics, but rather offers itself to study the constituting transnational dynamics of an emerging European political field (Kauppi, 2005) and of a European public sphere with new political stakes. In focusing our attention on the combination of status and attention politics, EU politicisation offers a useful

framework for analysing these constituting dynamics of a political field and a public sphere that emerge over the contestation of political issues and the establishment of the basic relationship between conflicting political actors and their public. In this sense, EU politicisation is to be understood as a move to overcome the fragmented political landscape of Europe. As such, it creates mutual dependencies in negotiating the status of political actors and issue agendas that resonate across borders. EU politicisation becomes, for instance, increasingly important as a form of status politics of prominent Eurosceptic leaders and their attempts to converge issue agendas in European Parliament election campaigns (Galpin and Trenz, 2018). Engagement in status and attention politics can also become a normative requirement. EU actors and institutions are increasingly expected to develop appropriate public communication strategies to launch debates about the EU and making issues on the EU agenda publicly salient. Prominent key figures, such as the *Spitzenkandidaten* in European Parliament election campaigns, appear in their role as unifiers of political debates, which include also the possibility of becoming the target of public contestation.

Conceptualising EU politicisation in relation to the constituting dynamics of a European political field and a public sphere does, however, not mean to conceive politicisation as a unifying force. Politicisation does of course not exclude differentiation in the way the public agenda is raised and shifts across the EU political landscape (de Wilde *et al*., 2016). We expect EU politicisation to differentiate not only across time and across countries but also across different media formats. In practice, differentiation may result often from the scarcity of public attention as a resource for political mobilisation. In EU politics (and not only), visibility and public attention are, despite continuous efforts to politicise EU actors and issue, still to be considered as scarce resources. The realm of politics is already overpopulated with actors and issues that compete for public attention.

In the EU setting, politicisation remains exceptional, while depoliticised governance remains the rule. At the same time, we can notice that EU politicisation has developed in a strange symbiosis with EU governance (see Dupuy and van Ingelgom in this Critical Exchange). On the one hand, the complex technocratic character of the EU administrative apparatus puts a constraint on the possibility of politicisation as the opportunities for engagement in status and attention politics are seriously restricted. On the other hand, EU technocracy has become increasingly the target of politicisation undermining the trust in expertise and claiming to regain political control over bureaucratic decision-making. This symbiosis opens up another line of conflict between those who wish to keep issues disclosed from public attention and those who wish to uncover the political. Depoliticisation as driven by bureaucrats and experts is a protective move to shield the realm of governance and the efficiency of decision-making from the perceived illegitimate interferences by partisan political actors. Politicisation instead often detracts attention from EU policy output and performance and focuses instead on the system

character of the EU fundamentally questioning the delegation of political authority to a supranational body (de Wilde and Trenz, 2012).

EU politicisation and depoliticisation remain ultimately tied together in the struggle over the public agenda about what deserves to be at the focus of public attention in the EU. In this struggle over public attention, it is important to notice that politicisation and depoliticisation do not stand in a symmetrical relationship to each other. Once an issue is politicised for a broad group of people through the media, it will not easily be depoliticised. Attempts to erase the already political are not only often unfeasible, they might be also counterproductive and perceived as illegitimate political moves. In this sense, politicisation does not only leave indelible political traces, but also introduces important normative changes (or learning by reflexive political actors). Politicisation then becomes indeed the norm in a highly mediatised public sphere, while depoliticisation is suddenly perceived as exceptional or even unwanted.

We have argued for an understanding of EU politicisation that has not simply developed against the template of the old permissive consensus but in synergy with EU depoliticised governance. Without depoliticisation as a countervailing force, EU politicisation would lose its distinctive character. It would not be able to collect enough political momentum, not be prolonged by actions from others, or start forming political habituation patterns. EU politicisation continues to drive because there are resistances to it. From the vantage point of a political sociology of the EU, we can therefore conceive politicisation and depoliticisation as two countervailing forces of EU politics. EU politicisation takes the form of status and attention politics of political actors that have entered the EU power game. Politicisation is, however, not just a question of various strategies of these actors to gain access to EU politics but a structural problem of unequal access and opportunities for participation in EU politics. EU politicisation happens because attention remains such a scarce resource within the system of EU governance. As there is no general answer to the question of what is to be included on the public agenda, a constant struggle follows in which actors, academics included as the current boom of politicisation research testifies, attempt to delimit and define European politics, its legitimate attributes, processes, and players.

Niilo Kauppi and Hans-Jörg Trenz

Depoliticised policies, depoliticised citizens?[1]

In the field of EU studies, there is a wide consensus among scholars that 'something like politicisation has occurred' regarding the European integration issue (Schmitter, 2009, pp. 211–212). The soaring salience of European governing has been documented, as well as the expanding scope of actors that take an interest in EU affairs and scrutinise them, like national political parties and national media across

member states (de Wilde, 2011; de Wilde *et al.*, 2016; de Wilde and Zürn, 2012; Statham and Trenz, 2013a, b). Euroscepticism of ordinary citizens is deemed to provide further evidence of politicisation of the EU at the level of public opinion (de Vries, 2018). As persuasive and widely accepted as they are, these characterisations appear to be strangely at odds with other empirical observations. Studies have pointed at a growing disinterest of ordinary citizens towards the EU, a sense of fatalism and indifference regarding the European integration (Duchesne *et al.*, 2013; Van Ingelgom, 2014; White, 2010, 2011) and little political participation at the EU level, as evidenced by turnout at the European parliament elections (Belot and Van Ingelgom, 2015). On a similar note, extensive debates in national or European political arenas may actually focus on the absence of alternative (Borriello, 2017). How then are we to reconcile both sets of observations? We contend that much of these seemingly contradictory observations boils down to what is considered to be political and whether or not the conception of the political allows for grasping politicisation *and* depoliticisation alike. In this contribution, we strive to argue for a finer-grained conception of the political that is able to capture visible forms of politicisation as well as less open forms of depoliticisation. The missing link, we contend, is EU policies and preferred administrative arrangements. Our ultimate objective is to account for citizens' distance to EU politics and issues.

Much has been achieved by the scholarly investigation of EU politicisation. It mostly revolves around de Wilde's (2011, p. 560) influential definition as 'an increase in polarisation of opinions, interests or values and the extent to which they are publicly advanced towards the process of policy formulation within the EU'. Here, the political is conceived as public deliberations and actors' positions and/or their reactions to them. This definition has been largely associated with the study of politicisation in the mass media through content analysis. In this respect, de Wilde's definition has mostly been treated not as a concept but as the concept's operationalisation. Thereafter, measures of EU politicisation have flourished in the literature, in the form of coverage of EU issues and measures of support or opposition to the EU. The side result of this quasi-exclusive focus on politicisation is the neglect of less visible but arguably as important processes of depoliticisation.

To be fair though, EU studies have not been entirely oblivious to depoliticisation. Conceptually, de Wildés definition opens up the possibility to reflect together upon politicisation *and* depoliticisation. Returning to the theoretical meaning of the notion, he proposes with de Wilde and Zürn (2012, p. 139) that '"Politicisation" in general terms means the demand for or the act of transporting an issue into the field of politics – making previously apolitical matters political'. Depoliticisation could consequently be considered as the act of transporting an issue out of the field of politics. The literature, however, did not pick up on that. In addition, a fundamental flaw of the dominant understanding of politicisation of the EU is that it tends to conflate the rise of institutional authority with politicisation of the EU. Arguing that

the rise of politicisation of European integration is primarily a reaction to the increasing authority of the EU (de Wilde and Zürn, 2012) simply overlooks how the EU is actually politically framed. As such, it is a matter of further empirical investigation, but it may well be that it is constructed and perceived as apolitical or as a depoliticised polity. The fact that the EU has sometimes been presented as a not-yet-politicised area or as being weakly politicised (instead of as not politicised or depoliticised) is illustrative of this important but understudied dimension of the question (Kauppi and Wiesner, 2018; Schmidt, 2006).

We therefore suggest that the politicisation of the EU should not only be understood in terms of salience, polarisation, and extension of actors, but also by precisely looking at how EU-related issues are actually framed as political or apolitical. We follow Hay's four-pillared conception of the political as entailing '… *choice, the capacity for agency, (public) deliberation, and a social context*' (2007, p. 65 – italics in original). The emphasis on public deliberation is largely similar to de Wilde's understanding of the political. To a lesser extent, the consideration that the political is embedded in social contexts (i.e. partly characterised by the collective consequences it yields at some point in time) is also congruent with prevalent understandings in EU studies. What makes Hay's (2007, p. 65) synthetic conceptualisation of the political distinctive and, in our view, stronger in terms of analytical traction, is the reasoning that politics occurs only in situations of choices, where 'actors possess and display the capacity for agency' (Hay, 2007, p. 67). This conception of the political is instrumental to mapping the political realm and its different shapes.

Interestingly therefore, some of the discussions on the EU that would count as evidence of EU politicisation under de Wilde's operational definition would count as evidence of EU's depoliticising effect following Hay if these discussions emphasise the lack of alternatives, and thereby make an EU-related issue fall into the realm of necessity. How then specifically could we define depoliticisation and capture it empirically? Drawing from Hay, Wood and Flinders (2014, p. 135) offer insights for a concise and straight-to-the-point answer: anytime there is 'the denial of political contingency and the transfer of functions away from elected politicians'. By including choice and agency alongside public deliberation as defining features of the political, we are therefore able to account for politicisation and depoliticisation alike. Furthermore, we are also able to locate where and how depoliticisation by the EU and actors who talk in its name or about it may occur. For this purpose, the three faces of depoliticisation identified by Wood and Flinders are a fruitful conceptual distinction.

First, EU preferred institutional arrangements are to be looked at to investigate governmental depoliticisation. Segments of EU governing rest on non-majoritarian institutions, like the European central bank and the Court of justice of the European Union. These institutions' independence from the executive is thought to be key for them to perform their functions, just like their expertise is central in the justification

of their setting-up. But as Papadopoulos (2013) documented, agencification and judicialisation in the name of efficiency and protection against politicians' interference have a downside. Democratic accountability weakens as elected politicians delegate their tasks to public non-governmental institutions. Similarly, setting regulations or targets, like that of the Growth and Stability Pact, is another form of delegation that binds governments' hands. Governmental depoliticisation thereby occurs in situations featuring '… the withdrawal of politicians from the direct control of a vast range of functions, and the rise of technocratic forms of governance' (Wood and Flinders, 2014, p. 156). The motion from the governmental to the public non-governmental sphere is where depoliticisation happens here.

Second, debates on EU-related issues may be a site of depoliticisation of the EU, in the form of discursive depoliticisation. Discussions on the EU after the financial crisis of 2008 and the debt crisis that followed in member states are a case thereof. The presentation in mainstream media of bail-out packages and austerity policies insisted on the necessity to comply with them and to apply tough remedies to try to save countries in perilous situations. Balanced budgets and consolidation policies have been portrayed as inescapable. Most national politicians have sustained a similar depiction of the situation of their countries and others'. Their usages of EU policies also stressed a sense of urgency and necessity (Karremans, 2017; Borriello, 2017). Discursive depoliticisation thereby occurs when discussions happen '… *alongside a single interpretation and the denial of choice*' (Wood and Flinders, 2014, p. 161 – italics in original). When public discussions on EU-related topics revolve around the lack of contingency, the issue at stake falls from the governmental or the public sphere into the realm of necessity – it is beyond the reach of national governments and politicians. The political vanishes.

A last form of depoliticisation shrinks the realm of the political. Societal depoliticisation depicts the motion of a policy issue from the public sphere to the private sphere; that is, when it shifts from being the matter of collective choice, agency, and deliberation to being that of individuals. Societal depoliticisation suggests the emergence of a disinterested democratic culture and examines the changing nature of socio-political relationships, notably the role of intermediary institutions. An existing line of research has qualitatively examined the degree to which citizens identify problems in need of public solutions, the extent to which they see political institutions as plausible means to tackle them, and whether they perceive the EU as the relevant political arena (Duchesne *et al.*, 2013; White, 2010, 2011). The perceived lack of political agency is a common feature of citizens' perceptions and the ensuing political fatalism poses a challenge for political authority at both the national and the European level (Delmotte, Mercenier, and Van Ingelgom, 2017; Van Ingelgom, 2014; White, 2010). This scholarship resonates with the quantitative literature that suggests that citizens are increasingly aware of their government's limited autonomy in context of external

constraints (Ruiz-Rufino and Alonso, 2017) and that citizens' participation decreases when citizens actually perceive these constraints (Le Gall, 2017).

When we are equipped to look more precisely at the political, the fact is that the EU may act as an agent of depoliticisation, through its policies and administrative arrangements, alongside wide-ranging public deliberations. The premise that citizens are disconnected from the processes of EU policies is reconcilable with the apparent growing politicisation of the EU in mass media. This enables us to understand how politicisation and depoliticisation are evolving in parallel and also how politicisation could lead to depoliticisation. Thus, the three faces of depoliticisation are not isolated or self-standing but are interdependent: macro-level changes may have individual-level consequences. Specifically, depoliticised policies may result in depoliticised citizens. Further steps require rethinking the mechanisms at plays and also the methods by which they are empirically researched. The literature on policy feedbacks on mass publics is instrumental in bridging changes at the macro-level to changes at the individual level (Campbell, 2012). It suggests that policies are sites of political learning. Not only do they allocate resources and incentives that are politically relevant, but they also convey normative messages regarding one's standing and worth in the political community, as well as information regarding what public authorities do and ought to do. However, recent advances have suggested that the policy feedback on citizens is conditional and therefore not uniform: it partly hinges on how citizens actually perceive and understand the policies (Dupuy and Bussi, 2018). Depoliticised policies, in return, feed back citizens' attitudes towards politics in general. At the most general level, it contends that citizens' growing disregard for politics is partly an outcome of policy changes and changes in state structures and administrations.

Patterns of politicisation and depoliticisation are intertwined empirically and the relationships between different forms of depoliticisation and politicisation should be at the agenda of further research. In particular, we insist that defining depoliticisation and its different forms is a necessary condition to be able to analyse it empirically. Otherwise, the risk is to fail to acknowledge the differences between processes of politicisation on the one hand, and processes of repoliticisation of depoliticised issues on the other, though the latter are critical counter-trends to depoliticisation (Wood and Flinders, 2014, p. 151). Paraphrasing Schmitter, we argue that no serious student of European integration should deny that something like depoliticisation has also occurred.

Claire Dupuy and Virginie van Ingelgom

Juridification, politicisation, and the politics of legal practice

The empirical study of politicisation often rests on a problematic dichotomy. The concept produces and reproduces its 'other', which is the seemingly non-political

sphere of bureaucracy and law. It is for this reason that politicisation is to be reconsidered in its dialectic relation with juridification. Even though juridification is rightly understood as constraining the scope of politically available options and can thus be said to be depoliticising, buying into the difference between a depoliticising juridification and a de-juridifying politicisation neglects the dynamic workings of power within law and legal practice. Drawing on a legal realist tradition (for an overview, see Horwitz 1992), my contribution to this Critical Exchange argues that while law enables the practical implementation of political programs and thus produces and reproduces societal relations of power, legal and bureaucratic practice do indeed leave a remarkable leverage for political decision-making. Law is not the opposite *to* politics, law *is* politics.

To unfold this argument, I will juxtapose politicisation and juridification and demonstrate how critical legal thinking in the tradition of legal realism provides an escape from the dichotomy underlying the two concepts. Against this backdrop, I will point to some of the consequences to be drawn for the study of politicisation. In brief, the constellation of problems may be outlined as follows. First, if – as reflected in the oft-used criteria of salience, polarisation, and actor involvement – it is only the public that appears to be the 'natural' sphere of the political, the political quality of both institutionalised politics and the private sphere gets out of sight (see Wiesner in this Critical Exchange). The politicisation claim is thus deeply related with the reach of the notion of the political (see Kaupi in this Critical Exchange). Second, it is already the general assumption of things being moved into the political sphere that invites a problematic perception of institutions—or of institutional, bureaucratic, legal, etc. practice – to be non-political (see van Ingelgom and Dupuy in this Critical Exchange). Instead, we would need to scrutinise how a depoliticising force operates *within* the law. This is the legal politics of law (Fischer-Lescano and Liste 2005) that also continues after the 'initial' juridification has occurred.

Politicisation is a social process through which the way how certain issues (like global finance) are governed by political institutions is contested. Politicisation thus brings to the fore a certain – and mostly public – discontent with the ways how corresponding governmental or inter-governmental regulation operates (or does not operate). This means, however, that a certain regulation is already in place, and usually, such regulation operates through law, which can of course be domestic, international, or transnational law. What gets politicised, in other words, must have been juridified at some point. It is here that it makes sense to draw on the work on 'juridification', which has often been rather critical of the phenomena described.[2] The establishment of law, the introduction of a regulation by the making of new law, is understood to be not only a proliferation of law but also to take something away, this is, to 'depoliticise' how society would usually cope with certain conflict scenarios. Against this backdrop, politicisation 're-politicises' what had been 'de-politicised' through some previous juridification. Gunther Teubner (1987,

pp. 6–13) points to the varieties of juridification as addressed in the literature, starting from an 'explosion' of law to 'expropriation of conflict', that is 'a process in which human conflicts are torn through formalisation out of their living context and distorted by being subjected to legal processes' (Teubner, 1987, pp. 7–8) to 'depoliticisation; and, finally, 'materialization' as emphasised by scholars who address juridification in historical context (for the latter, see Habermas, 1981, pp. 522-547). Initially, the term *Verrechtlichung* (juridification) has been introduced by Otto Kirchheimer in the academic context of Weimar Germany. For Kirchheimer, juridification and depoliticisation is indeed on the same page:

> Man schritt aus allen Gebieten zur Verrechtlichung… alles wird neutralisiert dadurch, daß man es juristisch formalisiert. Jetzt erst beginnt die wahre Epoche des Rechtsstaats… Der Staat lebt vom Recht, aber es ist kein Recht mehr, es ist ein Rechtsmechanismus, und jeder, der die Führung der Staatsgeschäfte zu erlangen glaubt, bekommt stattdessen eine Rechtsmaschinerie in die Hand, die ihn in Anspruch nimmt wie einen Maschinisten seine sechs Hebel, die er zu bedienen hat. Das rechtsstaatliche Element in seiner nach der Überwindung des reinen Liberalismus nunmehr sichtbaren Gestalt, die spezifische Transponierung der Dinge vom Tatsächlichen ins Rechtsmechanistische, ist das wesentliche Merkmal des Staates im Zeitalter des Gleichgewichts der Klassenkräfte. (Kirchheimer, 1976 [1928], pp. 36–37).[1]

As the neutralisation and the transposition of things from the factual to the juridico-mechanistic, juridification, in this critique, appears to be the opposite of politicisation. The practice of 'political' decision-making on the facts is replaced by mere calculation of the legal mechanism (Derrida, 1990), and this means, for Kirchheimer, to replace in such a way that the dominance of the ruling class is perpetuated. Juridification is but a stage in the development of liberalism that reacts not only to the emergence of a working class but to the fact that during the 19th century the bourgeoisie and the working class did no longer share a common basis in their resistance to feudal rule (Kirchheimer, 1976, pp. 32–33). Liberal constitutionalism is thus complemented by the juridification of labour relations

[1] The English translation reads: "In all fields of endeavor things are turned into law (Verrechtlichung) … Everything is formalized juridically and thereby neutralized. And now begins the true epoch of the Rechtsstaat. … The state lives off the law; yet it is no longer law (Recht), it is only a legal mechanism, so that those who think they are guiding the affairs of the state actually wield only a legal machinery which claims their attention in the same way a machinist is tied down by the apparatus he serves. In this age of the equilibrium of class forces, the state is essentially characterized by the curious fact that things have been transformed from the realm of factual reality into that of legal mechanics. This is the new phase of the Rechtsstaat now that is has shed the traditions of authentic liberalism. What remains is nothing but a legal mechanism if, to be on the safe side, we expect those areas which cannot be turned into law (Verrechtlichung), such as religion and military service" (Kirchheimer, 1969, p. 7–8). Note that this translation uses the German term "Verrechtlichung" and does not translate it into "juridification".

with the result that even mass political struggle is tamed by a mode of governance that allows for juridico-mechanistic calculation. Thus, the public discourse on how society *shall* be governed has been brought to an end. In this light, the introduction of law represents a lasting decision on societal order that limits the future scope of political action. Juridification is, as Teubner (1987, p. 3) puts it, 'an ugly word – as ugly as the reality which it describes…The bureaucratic sound and aura of the word juridification indicate what kind of pollution is primarily meant: the bureaucratization of the world'. Karl Marx's legal skepticism resonates here (e.g. Marx and Engels, 1990, p. 326) as does Max Weber's notion of bureaucracy as 'geronnener Geist' (congealed spirit), which is at work to manufacture the 'Gehäuse der Hörigkeit' (cage of serfdom) in which future generations will be forced to obey (Weber, 1980, p. 835).

While the various themes of juridification have rightly stressed how law and bureaucracy is laden with power, a critical limitation of this lens consists in the somewhat dichotomist assumption of an either political or juridico-bureaucratic mode of decision-making. It is here that the American legal realists, indeed somewhat like-minded contemporaries of Kirchheimer, discovered a different path – less dystopian and in fact much less skeptical of the law but, at the same time, more open to the ongoing politics of law. For these realists, formalist calculation – as criticised also by Kirchheimer – was not necessarily a fact resulting from juridification but rather from doctrinal practice used ideologically, that is, in line with the *Zeitgeist* (Holmes, 1897). Paralleling Kirchheimer, the realists argued that law structured societal relations of power. The example of property well clarifies the way how the argument works. As Morris Cohen (1927, p. 12) holds, 'we must recognise that a property right is a relation not between an owner and a thing, but between the owner and other individuals in reference to things'. Property law, as it were, structures the societal relations of power between owners and non-owners. What counts is thus not the mere possession of a thing but the *right* of using it or of asking other individuals to pay for using it (see also Hale, 1923).

But legal realism has gone beyond this structuralist argument and turned to practice – to be sure, to the entries of power in jurisprudential practice. In a 1905 landmark decision by the United States Supreme Court on *Lochner v. New York,*[3] the majority on the bench rejected a public labour regulation by the state of New York for unconstitutionally interfering into the freedom of contract. The majority's interpretation of the Fourteenth Amendment, however, was criticised in a dissenting opinion filed by Justice Holmes. As he put it, 'general propositions do not decide concrete cases' (Holmes cited in Fisher *et al.*, 1993. p. 26). The 'right' interpretation would hardly emerge automatically from the constitution but would be due to a dominant 'economic theory', which, in the case at hand, he assumed to be *laissez faire* liberalism (Holmes cited in Fisher *et al.*, 1993, p. 26). What Holmes

indicated was but an ideological contamination of jurisprudence, covered by formalist doctrine.

For Holmes, in other words, there was something at work in between legal norms (the law in the books) and practice (the law in action) (see Pound, 1910), and it soon became a core of the legal realists' research program to scrutinise what this was. While law may indeed be power-laden, it is not per se the calculating machine, as Kirchheimer had it. Rather, the law is used *as if* it worked *like* such a machine. The law's formalist doctrine has a certain function, which is to cover the ongoing reproduction of power through legal practice. Not only is power inscribed into the law of the books as during the process of juridification, but it is—and remains—at work within the law in action. Here, the realist turn to the ongoing entry of power differs from Kirchheimer's notion of a depoliticised legal machine that operates as once programmed by the dominant classes. Realism thus provides a more dynamic theory of law that enables us to account for the workings of politics *within* law. Law, in other words, 'depoliticises' to such an extent that it renders invisible its political element; it does not bring an end to politics.

The insight that this rich tradition of critical legal thinking provides is that while, arguably, juridification and politicisation are opposite concepts, an oscillation between the two does not operate in the sense of a zero-sum game. On the spectrum between juridification and politicisation, the law can take rather different paths. It may well be applied to constrain politically available options (the critique of juridification). At the same time, legal practice may work for the perpetuation of a thus constraint political spectrum of options, that is, as camouflage of a different social order possible (the critique of the early legal realists). Finally, however, this is not the whole story. Despite being laden with power, the law sometimes itself politicises. While, on the one hand, radical emancipatory claims can be made in the language of law, on the other hand, such claims will likely be de-radicalised as soon as they are brought in the formalised arenas such as a domestic court or a body of an international organisation. Radicalism then becomes institutionalised (Rajagopal, 2003). It is here that the legal realist tradition digs deeper than the politicisation approaches: First, it provides a stronger notion of legal practice so that it becomes possible not only to critique the law as a depoliticising device but to study how a corresponding depoliticising force operates within the law. Second, legal realism implies a dislocation of spaces. The perspective reveals a dislocation of the centres where political decisions are taken, though against the background of a constrained – i.e. depoliticised – spectrum of available options. At the same time, however, it also reveals a dislocation of the peripheries where such constraints may be contested through politicisation. As a result, legal realists would rather reject the distinction between core and periphery as such. What is at stake from a legal realist perspective is no longer depoliticising juridification in the centre versus de-juridifying politicisation in the periphery but the ongoing contradiction between the two.

A further point of critique that work in the legal realist tradition allows for is a too narrow focus of politicisation research on (inter-) governmental institutions (see also Scholte, 2019). This directly relates to the critique on the putative sites of juridification and politicisation and adds an argument on the merging of the public and the private. While the concept of politicisation indeed opens the debate for how civic actors are involved in the contestation of governance, private regulatory phenomena are easily overlooked. Recent work in law and society studies explicitly working in a legal realist tradition demonstrates that recent politicisation of the international (de-) regulation of finance neglects how private forms of regulation (private legal technique) indeed structure the everyday practice in the 'back offices' of globally trading banks (Riles, 2011). Here, the politicisation lens fails to highlight those sites in which global banking is effectively regulated without any direct involvement of state or interstate actors. It needs to be mentioned that this is not necessarily an argument against the study of politicisation. Quite the opposite. Annelise Riles (2011, pp. 223–247) in fact calls for more public awareness of that what takes place in the 'back offices'.

Juridification may be the 'bureaucratization of the world' (Teubner, 1987). How a bureaucratised world is governed will nonetheless remain indeterminate and thus subject to an ongoing struggle for the meaning of law. An ongoing practice of 'politicisation' can thus be found in the courtrooms as well as on the corridors of local and global as well as public and private bureaucracies. What is likewise important to notice is that, in turn, practices of Vdepoliticisation' are to be found in the various peripheries of civil society, in the media, on the streets, and among … us.

Philip Liste

Notes

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2. See Kirchheimer (1976), Habermas (1981), Teubner (1987). In contrast, work in International Relations that has drawn upon a somewhat related concept of 'legalization' has been much less critical. See only Abbott *et al.*, 2000.
3. *Lochner v. New York*, 198 U.S. 45 (1905).

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