EU-CIEMBLY

Creating an Inclusive European Citizens' Assembly

Deliverable 2.2

Analytical and Normative Framework

v.2

EU-CIEMBLY

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LIST OF ABBREVIATIONS

CJEU	Court of Justice of the European Union
ECtHR	European Court of Human Rights
EU	European Union
LGBTQI+	Lesbian, gay, bisexual, transexual, queer, intersex and other identities that describe one's experiences of their gender, sexuality, and physiological sex characteristics
NGO	Non-governmental organisation
PMIMG	People (or persons) belonging to multiple, intersecting marginalised groups
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union

EXECUTIVE SUMMARY

The overarching objective of the EU-CIEMBLY project is to identify and address patterns of exclusion from citizens' assemblies as democratic innovations. It does so through the adoption and application of intersectionality as an analytical lens for understanding and overcoming structural marginalisation. The overall purpose of the present Deliverable 2.2 is to ground this objective in an analytical and normative framework which (drawing from and building on the literature identified in Deliverable 2.1) advances existing efforts at integrating the concepts of inclusion and equality into the design and delivery of citizens' assemblies by explaining the added value of considering these concepts through an intersectional lens. This analytical and normative framework will guide all aspects of the project, most notably the choice of models to adopt in Deliverable 2.3 as well as the design choices for the pilot citizens' assemblies to be designed (Work Package 3) and piloted (Work Package 4) over the course of the project. As explained in this deliverable, intersectionality, understood as the analysis of multiple, overlapping oppressive structures, reinforced by underlying power relations is therefore employed as an analytical lens through which to promote equality, inclusiveness, and deliberation in all aspects of citizens' assemblies' design and operation.

As a starting point, Deliverable 2.2 seeks to integrate academic research on citizens' assemblies as a form of democratic innovation, on the one hand, with the theory on intersectionality, on the other. The emergence of new and innovative forms of democratic participation necessitates a consideration of the extent to which such mechanisms might replicate and reinforce the deficiencies evident in more traditional democratic processes, notably the lack of diversity and the absence of meaningful participation of (intersectionally) marginalised groups. Our contention here is that existing efforts at inclusion, while laudable, remain unfulfilled due to the absence of an intersectional (power relations) analysis. As such, our project cannot simply be about 'grafting' intersectionality theory as an analytical lens onto existing approaches to the design of citizens' assemblies. Rather, what is required is a more expansive (re)consideration of the very nature and functioning of citizens' assemblies to improve their receptiveness to intersectionality with a view to achieving *genuine* inclusion. Having said this, the inevitable constraints of time and resources will necessitate choices to be made as to precisely which elements of citizens' assembly design to reconfigure and test empirically during the project's pilot stage. In categorising these design choices, we are guided by the concepts of input, throughput, and output legitimacy which have already been deployed in existing work on the analysis of democratic innovations.

Against this background, the current deliverable **seeks to fulfil three more specific purposes.** First, to define the project's animating principles, objectives, and limitations, essentially by explaining how our project fits within the wealth of existing literature concerning inclusion (or inclusiveness, with both terms being used interchangeably here), equality, and good deliberation in citizens' assemblies. Second, the discussion provides the key theoretical and normative concepts that will be used throughout the project and can also be used more broadly by other researchers and stakeholders interested in the topic of intersectionality in citizens' assemblies. Third, the deliverable aims to provide an interim conceptual framework for the project with an understanding that further refinements to that framework might be necessary as we progress through the next stages of the project.
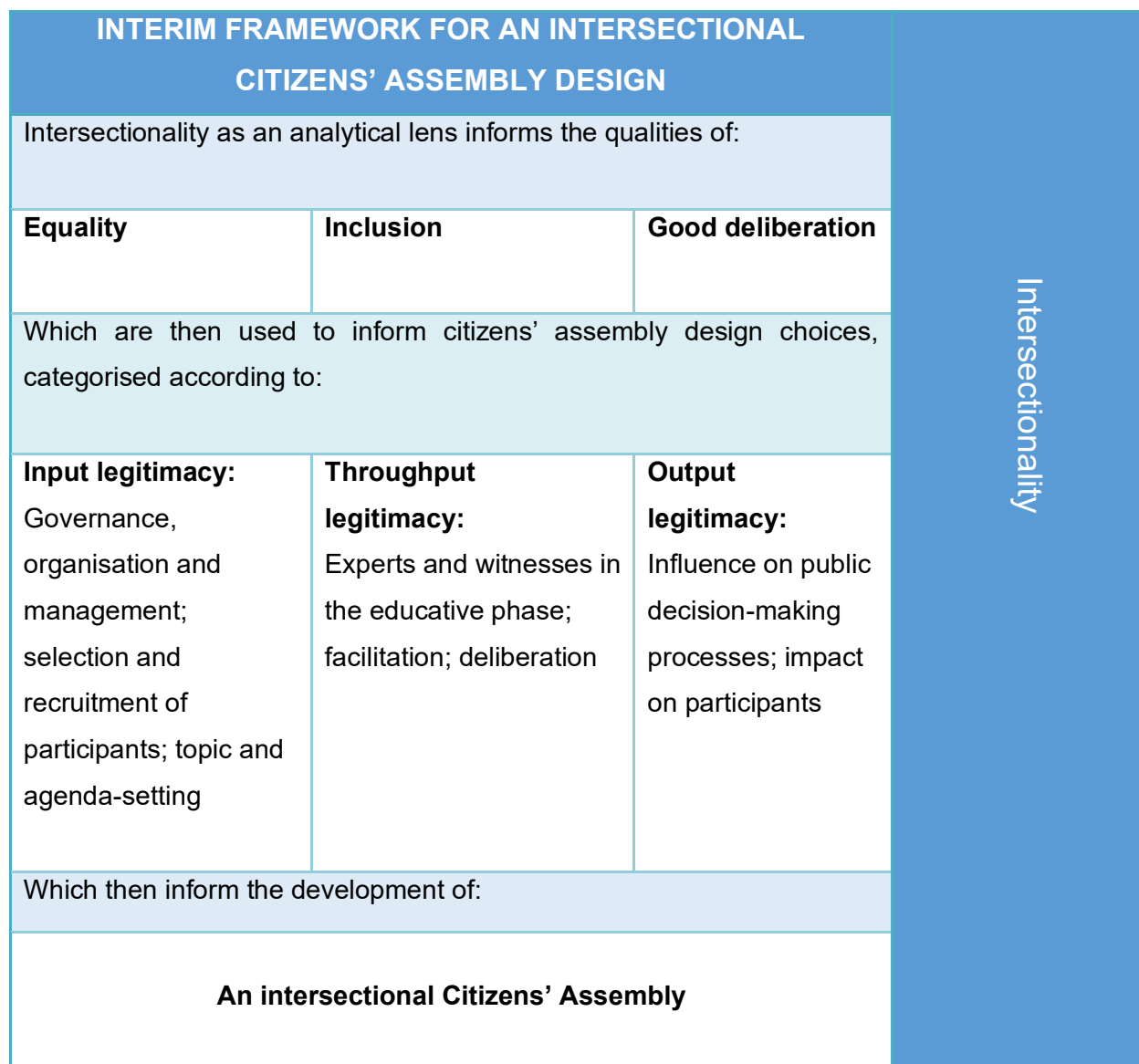
These objectives are achieved across six sections. **Section I** provides an introductory contextualisation of the overall project and explains how the present deliverable fits within this overall context and helps to further the project's objectives. **Section II** then sets out our understanding of the definition of 'citizens' assembly' for the purposes of the project. This exercise starts from our assumption that embedding intersectionality in the design and operation of citizens' assemblies might necessitate experimenting with core design features of citizens' assemblies. In so doing, the deliverable also takes a step back to expound on its framework for understanding the design and functioning of citizens' assemblies. We explain the choice of input, throughput, and output categories as a way of categorising and understanding the key stages in the design and delivery of a citizens' assembly, before moving to discuss how trade-offs in citizens' assembly design are relevant to the project's pursuit of a novel intersectional framework for inclusion, equality, and good deliberation in citizens' assemblies.

Section III sets out the project's understanding of the concept of intersectionality. It shows that the meaning of intersectionality as well as its application have developed over time, with that theory now constituting a way of describing and (crucially) overcoming oppression and disadvantage caused by overlapping and ever-changing power relations and dynamics. The EU-CIEMBLY project seeks to employ intersectionality theory to our understanding of the deficiencies (and opportunities) within existing approaches to the constitution of citizens' assemblies while also applying an intersectional lens to each of the design features of an assembly. As such, intersectionality can help in considering the operation not just of citizens' assemblies themselves, but also how such assemblies and other democratic innovations fit within wider (structural or societal) systems of power, including traditional democratic mechanisms.

Section IV brings together the relevant literature on intersectionality and the relevant literature on citizens' assemblies (a gap already identified in Deliverable 2.1). First, it discusses recent literature offering views on how intersectionality can be operationalised in deliberative democratic mechanisms. Second, the deliverable discusses the growing body of literature examining the participation (or lack thereof) in deliberative mini-publics of people belonging to particular marginalised and vulnerable groups, linking this to the design features of such deliberative mini-publics. This discussion can inform how (intersectional) equality and inclusion concepts and qualities might be applied in practice. We then explore how the literature on inclusion, equality, and good deliberation can benefit from examination through the lens of intersectionality.

Section V consolidates the discussion to identify the project's guiding principles, objectives, and limitations and propose an initial analytical and normative framework of intersectionality in citizens' assemblies. It is on the basis of this initial analytical framework (drawn from the project's proposal) and the discussion and analysis conducted in the present Deliverable 2.2 that we have developed the below-illustrated interim analytical and normative framework for the EU-CIEMBLY project as explained further in **Section VI**:

<table>
<tr><td colspan="3" align="center">**INTERIM FRAMEWORK FOR AN INTERSECTIONAL CITIZENS' ASSEMBLY DESIGN**</td><td rowspan="7" align="center">Intersectionality</td></tr>
<tr><td colspan="3">Intersectionality as an analytical lens informs the qualities of:</td></tr>
<tr><td>**Equality**</td><td>**Inclusion**</td><td>**Good deliberation**</td></tr>
<tr><td colspan="3">Which are then used to inform citizens' assembly design choices, categorised according to:</td></tr>
<tr><td>**Input legitimacy:** Governance, organisation and management; selection and recruitment of participants; topic and agenda-setting</td><td>**Throughput legitimacy:** Experts and witnesses in the educative phase; facilitation; deliberation</td><td>**Output legitimacy:** Influence on public decision-making processes; impact on participants</td></tr>
<tr><td colspan="3">Which then inform the development of:</td></tr>
<tr><td colspan="3" align="center">**An intersectional Citizens' Assembly**</td></tr>
</table>

Based on this interim framework, Deliverable 2.3 will offer more specific operationalisation 'options' for embedding intersectionality into citizens' assembly design, while Work Package 3 will focus on exploring citizens' assemblies 'on the ground' through the collection of primary empirical data (in the form of interviews) and a secondary data analysis of existing citizens' assemblies in practice. In this sense, while Work Package 2 relies on existing literature, Work Package 3 relies on the collection of primary and secondary data, including from evaluation reports and other evidence from citizens' assemblies in practice (e.g. testimonies or presentations of assemblies), that may not yet have found their way into the literature.

Finally, in order to facilitate engagement with the literature and navigation of this deliverable, we have sign-posted key points through the use of coloured text boxes. Boxes coloured in **blue** contain quotations that we have drawn from the relevant literature, which serve to illustrate or reinforce our analytical and normative framework. Boxes coloured in **green** serve as summaries of the main points being discussed in a relevant section of the deliverable and also to emphasise key stages in our approach to designing the project's analytical and normative framework.

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I. Introduction

The EU-CIEMBLY project aims to theorise and pilot citizens' assemblies through an intersectional lens, which views inequality or discrimination as resulting from multiple, overlapping oppressive structures, reinforced by underlying power relations. The project's objective is to improve citizen participation and civic engagement at the EU level by developing a model Citizens' Assembly. The overarching goal of the project is to enhance EU democratic legitimacy by ensuring wider and deeper participation for those at the intersection of multiple marginalised groups, thereby building upon existing efforts at improving diversity and inclusion in innovative democratic mechanisms. Intersectionality is therefore employed as an analytical lens through which to promote equality, inclusiveness, and deliberation in all aspects of citizens' assemblies' design and operation. As a starting point, it is the aim of the present deliverable to integrate academic research on citizens' assemblies as a form of democratic innovation, on the one hand, with the theory on intersectionality, on the other hand. The emergence of new and innovative forms of democratic participation necessitates a consideration of the extent to which such mechanisms might (unintentionally) replicate and reinforce the weaknesses found within more traditional democratic processes, notably the lack of diversity and the absence of meaningful participation of (intersectionally) marginalised groups.

> Citizens' assemblies are an innovative form of public engagement where randomly selected everyday people are tasked with learning, deliberating and generating recommendations on a specific issue. These forums are often celebrated for giving voice to those frequently excluded from political conversations but have also been criticised for reproducing inequalities (Veloso et al., 2025 p. 1).

Across Europe, citizens' assemblies are beginning to become more formalised, institutionalised, and systematised. This gives rise to a unique opportunity to ensure that intersectionality informs the development of these innovations with a view to enhancing the inclusiveness — and indeed the effectiveness — of citizens' assemblies as democratic innovations. It is well known that systems (for example, legal systems) can create oppression, and so we should be alert to the risks posed by the systematisation of what were once seen as relatively 'radical' efforts at enhancing democratic participation, such as citizens' assemblies.

> Part of the appeal of citizens' assemblies is their claim to radical inclusion. Unlike traditional political participation methods, they aim to include people from all walks of life by giving everyone an equal chance to be randomly selected for policy deliberation (Veloso et al., 2025 p. 2, referring to the 2020 OECD Guidelines).

Our contention is that existing efforts at inclusion, while laudable, remain unfulfilled due to the absence of an intersectional (power relations) analysis. As such, our project cannot simply be about 'grafting' intersectionality theory as an analytical lens onto existing approaches to the design of citizens' assemblies. Rather, what is required is a more expansive (re)consideration of the very nature and functioning of citizens' assemblies to improve their receptiveness to intersectionality with a view to achieving *genuine* inclusion (as opposed merely to diagnosing the problem of exclusion). Having said this, the inevitable constraints of time and resources will necessitate choices to be made as to precisely which elements of citizens' assembly design to reconfigure and test empirically during the project's pilot stage. In categorising these design choices, we are guided by the concepts of input, throughput, and output legitimacy which have already been deployed in existing work on the analysis of democratic innovations. The purpose of the present Deliverable 2.2 is, therefore, to set out the project's understanding of the theoretical aspects of intersectionality in the context of citizens' assemblies. It does so by building on the literature that was identified in Deliverable 2.1 as pertinent to furthering our project's objectives. Deliverable 2.3 will then outline potential models for operationalising an intersectional approach to the design of citizens' assemblies, which will be used to inform the design choices to be made under Work Package 3 and then tested (piloted) under Work Package 4.

Deliverable 2.1
Intersectionality (broadly understood) in the literature on CAs

Deliverable 2.2
Theoretical understandings of intersectionality in the context of CAs

Deliverable 2.3
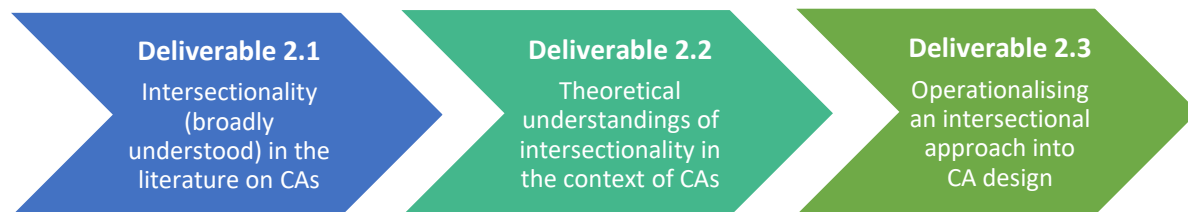Operationalising an intersectional approach into CA design

Figure 1: The progression of deliverables under Work Package 2

The present deliverable is therefore the first substantive step in our attempt to create a more inclusive, intersectional model for (EU) citizens' assemblies. **It seeks to define the project's analytical and normative framework** building on the literature identified in Deliverable 2.1. To do this, we need to bring together two fields of theory and practice that have not yet been the subject of much explicit interaction, namely intersectionality and citizens' assemblies, understood as mechanisms for involving citizens in public decision-making. Interestingly, while intersectionality has tended to focus on 'exclusion' and 'inequality' in understanding the effects of intersecting characteristics on marginalisation, deliberative democratic theory tends to be framed around 'inclusion' and 'equality' in the design of deliberative mini-publics, of which citizens' assemblies are one example. Indeed, inclusion and equality are not only visible but also central to the design of citizens' assemblies as democratic participation mechanisms. As will be shown throughout this deliverable, this observation is evidenced in the literature and practice around citizens' assemblies, which already make active efforts to engage with marginalised social groups. The common (i.e. common to both intersectionality and deliberative democracy) concepts of 'inclusion' and 'equality' serve here as entry points for incorporating intersectional reasoning into the design and delivery of citizens' assemblies which, when coupled with (good) 'deliberation' as a central feature of deliberative mini-publics, form the three underlying concepts driving our approach to intersectionality in citizens' assemblies.

The bodies of literature on intersectionality studies, on deliberative democratic theory, on democratic innovations, and on participatory democracy theory are vast, complex, and multi-faceted. This deliverable does not claim to cover all aspects of the literature (nor could it). Instead, it focuses on selected literature, using Deliverable 2.1 as the starting point, that will assist the project in defining some of the key concepts and definitions necessary to attain our research objectives. Eventually, these concepts and definitions will feed into a framework for the creation of intersectional citizens' assemblies that present the qualities of inclusiveness, equality, and good deliberation. In this sense, Deliverable 2.2 develops an interim, rather than a finalised analytical framework of the project and builds on the initial framework outlined at the project proposal stage.

Our research to date (Deliverable 2.1) has shown that 'intersectionality' as such does not feature prominently in the literature on citizens' assemblies, albeit that more recent literature is beginning to consider the relevance of intersectionality in the design of deliberative mini-publics and citizens' assemblies. Instead, the dominant theme from the existing literature has been to explore the participation (or lack thereof) in deliberative mini-publics of particular or discrete marginalised

social groups, essentially in isolation and through the broader notions of inclusion and equality (or diversity) rather than through the related but distinct lens of intersectionality.

Against this background, the current deliverable **seeks to fulfil three purposes.** First, to define the project's animating principles, objectives, and limitations, essentially by explaining how our project fits within the wealth of existing literature concerning inclusion (or inclusiveness, with both terms being used interchangeably here), equality, and good deliberation in citizens' assemblies. Second, the discussion provides the key theoretical and normative concepts that will be used throughout the project and more broadly by other researchers and stakeholders interested in the topic of intersectionality in citizens' assemblies. Third, the deliverable aims to provide an initial conceptual framework for the project with an understanding that further refinements to that framework might be necessary as we progress through the next stages of the project:

Framework (WP2)
Taking account of equality, inclusiveness, deliberation and intersectionality

Evaluation and development of models (WP3)
at local, national, and EU level

Piloting of models (WP4)
at local, national, transnational level

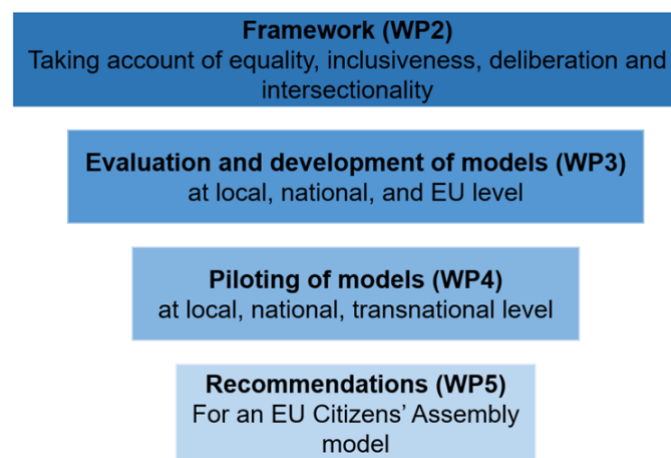**Recommendations (WP5)**
For an EU Citizens' Assembly model

Figure 2. EU-CIEMBLY progression of work packages

In addressing the three purposes of this deliverable, the following factors have been considered:

1. The **interdisciplinary nature** of the project: for example, legal academics define 'social groups' or 'protected grounds' differently than political scientists; 'inclusion' may not necessarily mean the same thing to practitioners and theorists; and 'equality' may have different connotations to a public administration researcher than to a policymaker.

> [B]ecause intersectionality's raison d'être lies in its attentiveness to power relations and social inequalities, it constitutes a broad-based knowledge project. Intersectionality also houses a dynamic assemblage of interpretive communities, each of which has its own understanding of intersectionality and advances corresponding knowledge projects (Collins, 2015 p. 3).

2. The **context surrounding a citizens' assembly itself**, which is particularly important for the design of such mechanisms. Designing and implementing a **local citizens' assembly mandates** different types of nuances than designing and implementing **a national or, even more so, a transnational citizens' assembly.** Previous research shows differences between deliberative practices at these levels. As such, some concepts do not (easily) travel across all three types of citizens' assembly and thus some of our project's conclusions may not be applicable in the same way to all three types of assembly. Similarly, some concepts do not travel across in the same way in **top-down** and **bottom-up citizens' assemblies.** The former are traditionally initiated by a public body (commissioning authority) and the latter tend to be initiated by grassroots, civil society, or community movements. At the same time, the very idea of intersectionality or indeed equality can change depending on the context, causing particular challenges in—and opportunities for—applying an intersectional lens at different levels of governance, including the transnational level. Indeed, intersectionality has so far been a theory that has tended not to travel.

> [T]he focus of intersectional analysis in general continues to be on the putative West, domestic and local, leaving unexamined cross-border dynamics (Patil, 2013 p. 853).

3. There are various strands of **intersectionality studies**, each focusing on different aspects of intersectionality as a normative, analytical or methodological concept. Defining our project's understanding and vision of intersectionality — and more importantly how it understands the way(s) in which intersectionality might be applied to citizens' assembly design — is thus crucial for the next stages of the project design as well as for its overall recommendations.

> Intersectionality as method (...) adopts a distinctive stance, emanates from a specific angle of vision, and, most crucially, embodies a particular dynamic approach to the underlying law of motion of the reality it traces and traps while remaining grounded in the experiences of classes of people within hierarchical relations (MacKinnon, 2013 p. 1020).

In addition to setting out a project-level understanding of key terms and **common definitions,** our journey towards designing an intersectional citizens' assembly will benefit from having an overall **framework** to guide our research from its inception (i.e. trying to articulate key concepts in this deliverable) on to the next stages (i.e. designing the empirical part of the project and the pilots) and, finally, the recommendations. Setting a conceptual framework as an anchor for the project will provide guidance on the research questions, match the methodology of the inquiry with these questions, and guide us in setting the limitations of our research as the project progresses. As further explained later in this deliverable, the project combines **intersectionality as an analytical framework**, with an understanding of **citizens' assembly design choices** through the lens of input, throughput, and output legitimacy and with an emphasis on **design trade-offs** (Caluwaerts & Reuchamps, 2023; Beauvais & Baechtinger, 2016). In this way, the three dimensions of categorising design choices (input, throughput, and output) act as a 'guardrail' i.e. direction point, when it comes to reassessing and redesigning various aspects of a citizens' assembly design through the lens of intersectional equality, inclusion, and good deliberation. This will ensure that our recommendations further the field of research on citizens' assemblies and are apt to create impact, while remaining conscious not to blunt the radical potential of intersectionality as an analytical and normative framework.

This deliverable is structured in the following way. Section II starts by setting out our understanding of the definition of 'citizens' assembly' for the purposes of the project. **This exercise starts from our assumption that embedding intersectionality in the design and operation of citizens' assemblies might necessitate experimenting with core design features of citizens' assemblies.** As such, one of the questions with which our project has been grappling is the extent to which we can modify core features of a deliberative mini-public to ensure that intersectionality considerations are incorporated, without risking that the mini-public is no longer considered a citizens' assembly. Providing such a definition helps define the limits of our inquiry. Subsequently, the project takes a step back to expound on its framework for understanding the design and functioning of citizens' assemblies. We explain the choice of **input,**

throughput, and output categories as a way of categorising and understanding the key stages in the design and delivery of a citizens' assembly, before moving to discuss how **trade-offs in citizens' assembly design** are relevant to the project's pursuit of a novel intersectional framework for inclusion, equality, and good deliberation in citizens' assemblies.

Section III then turns to the other major aspect of this project's inquiry, namely **intersectionality theory**. It will be shown that the meaning of intersectionality as well as its application have developed over time, with that theory now constituting a way of describing and (crucially) overcoming oppression and disadvantage caused by overlapping and ever-changing **power relations and dynamics.** The EU-CIEMBLY project employs intersectionality theory to our understanding of the deficiencies (and opportunities) within existing approaches to the constitution of citizens' assemblies while also applying an intersectional lens to each of the design features of an assembly. Intersectionality is not merely about the creation of ever more complex 'identity' categories, but rather about understanding how **power exists, operates and is distributed in a given context,** albeit that identity-based categorisations remain an important practical first step in identifying marginalised groups. In so doing, it must be borne in mind that such groups and identities are themselves the product of power relations and social construction.

> If structural relationships are the focus of analysis, rather than the underlying assumption or context of the analysis, categorization is inevitable. The only question is whether such an approach can adequately respond to legitimate, and often quite fatal, critiques of the homogenizing and simplifying dangers of category-based research (McCall, 2005 p. 1786).

As such, intersectionality can help in considering the operation not just of citizens' assemblies themselves, but also how such assemblies and other democratic innovations fit within wider (structural or societal) systems of power, including traditional democratic mechanisms. Of course, intersectionality is not — and cannot be — the only way to understand either 'identity' or how the interaction of identities influences participation in citizens' assemblies. **Intersectionality, nevertheless, represents a sophisticated approach to understanding, analysing, and addressing exclusion and discrimination, particularly when combined with substantive equality concepts** (Fredman 2016a and 2016b)**.**

Section IV **brings together** literature on intersectionality and literature on citizens' assemblies. It highlights the current lack of an explicit emphasis on intersectionality in the literature on citizens' assemblies **but demonstrates that intersectionality is not completely unknown to the research on citizens' assemblies,** as evidenced by two observations. First, there is recent literature that offers views on how intersectionality can be operationalised in deliberative democratic mechanisms, more generally:

> The great challenge for successful implementation is to find an operative formula that grasps the multiple and contrasting interpretations of intersectionality, while preserving its critical approach to power dynamics and the complexity of social phenomena (La Barbera et al., 2022 p. 19).

> [A]pplying intersectionality fundamentally involves: consideration of representation (who is represented, and whether and how to represent others); and coalition and solidarity building (Christoffersen, 2021 p. 8).

Second, there is a growing body of literature examining the participation (or lack thereof) in deliberative mini-publics of people belonging to particular marginalised and vulnerable groups, linking this to the design features of such deliberative mini-publics. While not considering intersectionality in citizens' assemblies *per se*, this literature nevertheless offers valuable insights into concepts that are crucial to taking our project forward, for example by informing how (intersectional) equality and inclusion concepts and qualities might be applied in practice. We explore how the literature on inclusion, equality, and good deliberation can benefit from examination through the lens of intersectionality**. In other words, what can intersectionality add to existing theoretical work on citizens' assemblies design?** We then explore the key components of the initial framework that we formed to address intersectionality in deliberative democracy by emphasising qualities such as equality, inclusion, and good deliberation.

Section V consolidates the discussion to identify the project's guiding principles, objectives, and limitations and propose an initial analytical and normative framework of intersectionality in citizens' assemblies. It is on the basis of the analytical framework outlined in Section V and

finalised in the Concluding Remarks (Section VI), that Deliverable 2.3 will offer more specific operationalisation 'options' for embedding intersectionality into citizens' assembly design, while Work Package 3 will focus on exploring citizens' assemblies 'on the ground' through the collection of primary empirical data (in the form of interviews) and a secondary data analysis of existing citizens' assemblies in practice. In this sense, while Work Package 2 relies on existing literature, Work Package 3 relies on the collection of primary and secondary data, including from evaluation reports and other evidence from citizens' assemblies in practice (e.g. testimonies or presentations of assemblies), that may not yet have found their way into the literature.

In order to combine the theoretical, empirical, and practical aspects of the project we will first need to make a preliminary decision within the present deliverable as to which design features of citizens' assemblies should be prioritised when applying an intersectionality lens. In other words, certain design features may be identified as being particularly problematic from an intersectional equality and inclusion perspective or they may lend themselves particularly well to integrating intersectional transformations that can empower citizens' assembly participants. The aim here is to identity such general features of a citizens' assembly, to explore existing efforts – as documented in the literature – at rendering those features more 'inclusive' or 'equal' (whether or not through an (explicitly) intersectional lens, to discuss the weaknesses in those existing efforts from an intersectionality perspective, and finally to suggest (preliminary) ways in which an intersectional lens might be deployed throughout the project either more effectively to diagnose the potential 'problems' with existing approaches or to suggest potential improvements from the perspective of intersectional inclusion, equality, and good deliberation.

II. Citizens' Assemblies in Context

The twenty-first century has witnessed a marked and sustained rise in deliberative democratic practices in many Western countries, emphasising citizen participation in decision-making processes (Parvin, 2018). This trend, often referred to as the 'deliberative wave', has seen governments and organisations worldwide adopting and institutionalising practices such as citizens' assemblies, deliberative polls, and participatory budgeting (OECD, 2020). At the core of this movement is a commitment to deepening citizen engagement in public decision-making. Efforts to drive democratic innovation seek to strengthen trust in democratic institutions and to bridge the gap between citizens and their governments (Pausch, 2020). Along these lines, democratic theorists have advocated the establishment of mechanisms to bring citizens closer to political decision-making and surpass the limitations of traditional fora of democratic participation (Smith, 2009). Such limitations include, for example, the considerable time that passes between one election and the next in a representative democratic system, whereby citizens traditionally have limited opportunities to affect public decision-making. Deliberative democratic theorists argue that such participation should be achieved via public deliberation among free and equal citizens within a public sphere (Bohman, 1998). Mechanisms that advance this type of participation in public decision-making are often labelled 'democratic innovations' (Smith, 2009).

One type of democratic innovation that aims to bring public decision-making closer to citizens is that of deliberative mini-publics, which was first proposed by Robert Dahl (1989). Citizens' assemblies are considered to be one type of such mini-public (Curato et al., 2021; Escobar & Elstub, 2017), and they were chosen as the focal point for EU-CIEMBLY because they have already attracted a great deal of academic attention due to their capacity to involve a diverse group of citizens in discussions on issues of public concern (Smith, 2009; Vrydagh, 2023). Although the use of deliberative mini-publics as participatory fora is still a relatively recent (and therefore 'marginal') phenomenon, evidence from across the EU Member States indicates an increased reliance on citizens' assemblies to gauge the public's views on often controversial issues (Smith & Setälä, 2018). Furthermore, citizens' assemblies tend to be constituted of around 50–150 participants, a scale that allows for the piloting of such assemblies in practice within the (inevitably limited) framework provided by a research project such as EU-CIEMBLY.

In their early days, citizens' assemblies were commonly conceived as a testing ground for deliberative democracy. In what has more recently been defined as 'the systemic turn to deliberation' (Dryzek 2010; Mansbridge et al. 2012), the focus of researchers turned to the contribution that citizens' assemblies can have on the broader deliberative system (Vrydagh, 2023). This evolution is aptly described by Jonsson (2019), who summarises it in terms of three 'waves'. In the first wave (the deliberative turn), researchers focused on the theoretical and normative aspects of deliberative democracy. The second wave focused on the empirical testing and further scrutiny of the deliberative ideal across different contexts (the empirical turn). During this time, citizens' assemblies were seen as a 'testbed' for deliberative ideals (Bohman & Rehg, 1997; Elster, 1998, Habermas, 1996). The third phase in the study of deliberative mechanisms such as citizens' assemblies aims to create further applications of democratic innovations in ongoing political processes, signalling a move to a more systemic analysis. Here, all aspects of a political system have different – potentially deliberative – functions that, when taken together, create a deliberative system (Jonsson, 2019).

> We see EU-CIEMBLY's contribution not as 'a micro strategy for testing and realizing deliberative democracy' (Vrydagh, 2023), but rather as seeking to include in the research further systemic contexts and lenses of analysis (i.e. intersectionality) to enhance the use of citizens' assemblies within the EU as an established political system.

Regarding the significance of citizens' participation in the EU as a political (and legal) system, citizens' participation in EU decision-making gained prominence after the insertion in the Treaty of Lisbon of the provisions on democratic principles (Article 10 of the Treaty on European Union (TEU), Article 11 of the Treaty on the Functioning of the European Union (TFEU)). According to Article 10 TEU, the functioning of the EU shall be founded on representative democracy, whereby EU citizens are directly represented at the EU level by the elected Members of the European Parliament, and indirectly in the European Council by their heads of state or government and in the Council by their governments. The latter is a form of indirect representation in the sense that the heads of state or government and the governments are themselves democratically accountable either to their national parliaments, or to their citizens. Article 10(3) TEU further stipulates that '[e]very citizen shall have the right to participate in the democratic life of the Union. Decisions shall be taken as openly and as closely as possible to the citizen'.

Complementing the above is Article 11 TEU, which focuses on additional means through which citizens can participate in EU decision-making processes. According to Article 11 TEU, the EU 'institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action'; and 'shall maintain an open, transparent and regular dialogue with representative associations and civil society' (Article 11(1)-(3) TEU). The European Commission must carry out 'broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent' (Article 11(3) TEU). Finally, Article 11(4) TEU introduces for the first time in the EU a democratic innovation in the form of the European Citizens' Initiative (ECI), according to which 'not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties'. Article 24 TFEU further fleshes out the procedures and conditions required for the ECI and stipulates additional rights for EU citizens to have a voice in the EU: the right to petition the European Parliament; the right to apply to the Ombudsman, and the right to write to any of the EU institutions or bodies in any language and receive an answer in the same language. Despite the insertion of Article 11 TEU in the Treaty of Lisbon, regarding citizens' participation, the emphasis in the EU over the last few years has been predominantly on the ECI.

None of the above Treaty provisions refers to deliberative mini-publics or citizens' assemblies as one of the ways in which EU citizens can participate in EU decision-making processes. This observation does not mean that a (permanent or ad hoc) EU citizens' assembly cannot be established at all. For example, writing in 2020, de Búrca drew lessons from the Irish citizens' assembly experiences to suggest the possibility for a trans-European citizens' assembly for the EU on salient divisive policy matters, such as the asylum and migration crisis (de Búrca, 2020). Alemanno and Organ rightly point out the need for a 'systemic turn' to the way in which opportunities for citizen participation are developed in the EU's democratic system: it is through the combination of democratic innovations such as referenda, citizens' initiatives, and stronger engagement with social movements, that EU democratic legitimacy can be enhanced (Alemanno & Organ, 2021 p. 5).

In this sense, the project sees an (intersectional) EU citizens' assembly as only one piece of the puzzle of democratic participation at the EU level. Such an assembly needs to fit into the broader

institutional balance that characterises EU decision-making processes, whereby the primary source of legitimacy comes from citizens' representation directly in the European Parliament and indirectly in the European Council and the European Council.

Smith (2021) has argued that the design of a European Citizens' Assembly would depart from existing EU participatory practices that have either engaged the already politically interested and organised, through national or linguistic populations, or engaged only one side of an issue. According to Smith, a European Citizens' Assembly can 'facilitate informed deliberation across a highly diverse sample of the European public' (Smith, 2021 p. 152). At a more detailed level, Alemanno (2022) has studied the potential for embedding a randomly selected citizens' assembly within the EU legal order that would operate in parallel with existing EU participatory channels. He has advocated for the creation of 'a permanent Citizens' Chamber, populated by randomly selected citizens *with previous deliberative experience*, who would regularly discuss initiatives generated either from the bottom-up, by citizens through existing EU participatory channels, or from the top-down, by the EU institutions within their prerogatives, with the aim to propose on a yearly basis the convening of one or more ad hoc EU Citizens' Panels to advise on those very same themes' (Alemanno, 2022 p. 7). A 2022 study by Bertelsmann Stiftung similarly puts forward a model for institutionalising citizens' assemblies at the EU level, which takes into consideration the peculiarities of the EU's institutional and policy-making architecture (Abels et al., 2022).

While this deliverable is not the place to delve into the details of the above proposals, the discussion shows that **scholars** researching citizens' participation at the level of the EU have explored the potential establishment of an EU-level citizens' assembly as one of the ways in which citizens can be involved in EU decision-making. More recent calls have advocated the creation of a European Citizens' Assembly to complement the European Parliament (Bauböck & Nicolaidis, 2025; Abels et al., 2022). Democratic Odyssey,[1] which is a pan-European project taking place in parallel to EU-CIEMBLY, is testing an innovative European Citizens' Assembly model in practice. The most notable of all EU-related examples, however, is the establishment, by the European Commission, of the European Citizens' Panels,[2] as a new (albeit non-codified) piece of the EU

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[1] See: https://democraticodyssey.eui.eu/home accessed 5 July 2025.

[2] See: https://citizens.ec.europa.eu/european-citizens-panels_en accessed 5 July 2025.

participatory 'machinery'. Though they are not usually referred to as 'citizens' assemblies', the Panels bring together randomly selected citizens from all 27 Member States to discuss in small groups and in plenary sessions, key upcoming proposals, and make recommendations for the European Commission to consider when defining its policies and initiatives (for a critique, see Demidov, Greubel & Petit, 2023).

Amid the growing use of the European Citizens' Panels, their precise legal format remains rather obscure. There is publicly available information as to the method and good practices followed by the Commission in organising these panels.[3] It is also well known that the Panels are a more permanent form of the Citizens' Panels that took place during the Conference for the Future of Europe. However, while the Conference was initiated on the basis of a Joint Declaration of the European Parliament, the Council and the European Commission on the Conference on the Future of Europe, there is neither a similar Declaration for the Panels, nor any legal instrument governing the process, such as Regulation 2019/788 that governs the operation of the ECI.[4] This leads to the question of whether a legal basis should be required, what form it might take, and whether the current format of the Panels should be reformed prior to any codification, for example to incorporate an intersectional lens into their operation.

> EU-CIEMBLY sits within the broader background of democratic participation in Europe and the EU: it relates both to how citizens' assemblies have risen as a form of citizens' participation in European countries and at the level of the EU as a supranational organisation.[5]

Despite the popularity of deliberative mini-publics and citizens' assemblies in Europe and the EU, and as we will discuss in more depth in Section IV of this deliverable, significant challenges remain in achieving meaningful engagement of minorities and marginalised communities in their design and implementation (Wojciechowska, 2019). The starting point of the EU-CIEMBLY project is that embedding intersectionality considerations into citizens' assemblies can help alleviate such

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[3] European Citizens' Engagement Guidebook: Corporate Governance on Citizen Engagement, 29 July 2024, available at: https://citizens.ec.europa.eu/european-citizens-panels_en accessed 5 July 2025.

[4] Joint Declaration of the European Parliament, the Council and the European Commission on the Conference on the Future of Europe [2021] OJ C 91I.

[5] We use the term 'European countries' rather than EU Member States, to allow the consideration of citizens' assemblies taking place in the UK in subsequent stages of our project.

challenges, thus creating more equal spaces for *all* citizens in democratic life. The embedding of intersectionality considerations into existing citizens' assembly practices requires an understanding of those practices and where they already stand in terms of intersectionality (or, more broadly speaking, vis-à-vis the qualities of inclusiveness, equality, and good deliberation). What is more, amid the growing formalisation and popularity of citizens' assemblies in the EU and its Member States, this is an opportune moment to reconsider the design and delivery of this form of democratic innovation. This is especially so given that attempts at standardisation or creating checklists of specific citizens' assembly design features (e.g. OECD, 2020) may be misguided in light of intersectionality considerations.

Reconsidering how we do citizens' assemblies is not an easy task given that there is currently no set definition of citizens' assemblies, and there is no static definition of intersectionality i.e. we are engaging with dynamic and ever-changing concepts. Our position as a project is that this lack of a common definition is not necessarily problematic, despite the challenges that it poses for embedding intersectionality in citizens' assembly design. Instead, it necessitates examining citizens' assemblies through the prism of **qualities** *before* we look at their design. It is the qualities that should guide the design choices behind citizens' assemblies, rather than the other way around. This approach, which is reflected in the quote below, underpins the project's analytical and normative framework.

> There is no one way of implementing [deliberative mini-publics]. Neither is there a perfect mini-public design. At best, and true to the spirit of deliberative democracy, design choices are only as good as the justifications for making them (Curato et al. 2021).

> The above is an apt guiding principle for the EU-CIEMBLY project. We are not looking to design the perfect citizens' assembly. Going forward, the next stages of our project must serve the purpose of our academic inquiry i.e. to collect further data on citizens' assemblies on the ground, to operationalise intersectionality in citizens' assemblies, to test selected aspects of that operationalisation, and to draw recommendations for the purpose of furthering the wealth of existing good practices in the design and running of citizens' assemblies.

Given that, as a research team, we are trying to integrate two research areas that have not been fully integrated before (i.e. intersectionality and citizens' assembly design choices), we may have

to challenge existing **definitions, design choices, and practices.** What are, according to our project, the essential qualities of citizens' assemblies? How do these inform the design choices behind a citizens' assembly? Relatedly, how should these considerations then inform the design choices that we, as a research project, are particularly interested in exploring and potentially challenging? With this in mind, and against the above discussion, the following section delves into the three **qualities** that form the focus of this project: inclusion; equality; and good deliberation. Below, we argue that a framework for the creation of intersectional citizens' assemblies must present these three qualities, albeit in ways that are informed by an intersectional lens (i.e. intersectional inclusion, intersectional equality, and intersectional (good) deliberation).

1.   The Qualities of Inclusion, Equality, and Good Deliberation

The choice of inclusion, equality, and good deliberation as the three qualities of particular interest to this project comes from a review of key literature in the field of deliberative mini-publics and citizens' assembly design which attempts to define citizens' assemblies by combining findings from theory and practice. Although various authors offer differing definitions of citizens' assemblies, we see that inclusion, equality, and good deliberation are three frequent common denominators. For example, in a volume produced by leading researchers in the field, the authors explain that deliberative mini-publics present three core design features: representativeness; open, inclusive, and informed character of discussions; and an impactful process (Curato et al., 2021). According to Curato et al., (2021), the design of such mini-public — of which citizens' assemblies are one example — should be guided by the principles of **inclusion and equality**. Inclusion here is seen as the way in which deliberative processes are designed to overcome exclusion in recruitment and exclusion in the actual deliberation that takes place 'in the room' (see also Young, 2002). In this context, Curato et al., (2021) define equality as ensuring that all participants have the same opportunity to speak, contribute to establishing the discussion rules, and engage in meaningful dialogue, characterised by active listening, clear communication, and shared speaking rights. Finally, the same authors refer to what can be defined as **good deliberation,** in the sense that citizens' assemblies should strive to ensure that participants are placed on the same level of ability to communicate, in a way that allows for their claims to be acknowledged and considered seriously. Good quality deliberation is also particularly important in the context of 'contentious' topics in order to facilitate more 'nuanced multi-layered discussion that is both "deeper" in being based on multi-faceted arguments and "wider" in terms of a more accommodative view' (Suiter et al., 2021).

By way of comparison the contributors to Reuchamps et al (2023), offer a somewhat different conceptualisation and definition of citizens' assemblies. According to Vrydagh (2023 p.1) '[a] Citizens' Assembly is a participatory institution that brings together an **inclusive group of lay citizens** who engage in a deliberation on a public issue so as to exert a public influence'. This definition is distinguished from narrower approaches to deliberative mini-publics, which require that citizens' assembly participants precisely mirror the demographics of the broader population.[6] Similarly to the definition given above (Curato et al., 2021), the authors of Reuchamps et al (2023), deconstruct deliberative mini-publics into three elements: **deliberation, inclusion, and public influence.** It is apparent from their discussion that they also view **inclusion, equality, and deliberation** as key qualities of citizens' assemblies: citizens' assemblies must be inclusive both at the level of deciding who comes to the deliberation, and during the actual deliberation, a view which corresponds to Young's work on internal and external inclusion (Young, 2002). Equality here is seen as giving everyone at the table an equal opportunity to participate, while deliberation is understood as an avenue to forming 'a collective will after considering various solutions and weighing the pros and cons of each' (Manin, 1987 pp. 351-355; Vrydagh, 2023). At the same time, it should be recognised that it is simply not possible to 'control' all aspects of deliberation and that the deliberation may eventually take different forms and directions than envisaged at the outset by the citizens' assembly designers.

The above discussion has focused on what we have identified as two recent leading attempts in the literature to define citizens' assemblies. Both attempts recognise that deliberative mini-publics in general and citizens' assemblies more specifically, lack a pre-determined definition. A notable distinction can, however, be observed between the two. While the first attempt refers to 'representativeness', the second attempt refers to 'inclusion'. This raises a significant point of interest to our project: if representativeness is taken as the starting point of our conceptualisation of citizens' assemblies, then the standard requirement is that citizens' assemblies must be reflective of the broader population. In fact, some authors would say that a participatory mechanism is no longer considered to be a deliberative mini-public if it loses this representative element (Lafont, 2023). This is a relatively 'narrow' definition of citizens' assemblies, whereby the change in the composition of the citizens' assembly results in it not being considered a citizens'

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[6] See, e.g. the definition given by Escobar & Elstub (2017 p. 1), according to whom citizens' assemblies are a form of deliberative mini-public that bring together a body of citizens 'demographically representative of the larger population to learn and deliberate on a topic in order to inform public opinion and decision-making'.

assembly at all. What is more, it raises questions about whether the traditional way of recruiting participants to a citizens' assembly caters to the needs of groups of citizens that tend to be marginalised or disengaged from political processes (Harris, 2021; Spada & Peixoto, 2025), or indeed as to what is meant by 'representative'. Using 'inclusion' as an alternative point of view in conceptualising a citizens' assembly opens the possibility to a more diverse and flexible way of imagining citizens' assembly design and practice, and one that may better accommodate intersectionality considerations. This is not to say that representativeness should be put aside when thinking about citizens' assemblies. Instead, it illustrates the point that the project may need to approach existing concepts and definitions around citizens' assemblies with a degree of flexibility and responsiveness to the concept of intersectionality.

A natural question at this point is: how are the above qualities manifested in citizens' assemblies? The answer lies in **citizens' assembly design**. At their core, citizens' assemblies broadly consist of three stages: information gathering (including presentations from academics or experts or witnesses); facilitated deliberations in small groups; and some form of publicly presented opinion or recommendation (Harris, 2019). The way in which these three stages are designed, planned, and implemented consists of a series of design choices that can be understood and evaluated through the dimensions of **input, throughput, and output legitimacy,** which are often used in the literature on democratic innovations (Reuchamps & Suiter, 2016; Geissel & Gherghina, 2016, Beauvais & Baechtinger, 2016; Harris, 2021; Miscoiu & Gherghina, 2021) and that of EU studies (Scharpf, 1999; Schmidt, 2013). The same framework has been advocated as the basis for a concrete evaluation method for a citizens' assembly to examine the input, throughput, and output *phases* of a citizens' assembly (Caluwaerts & Reuchamps 2016; 2023).

2.   The Dimensions of Input, Throughput, and Output Legitimacy

Considering deliberative mini-publics in their constitutional context and from the perspective of deliberative democracy theory, Reuchamps and Suiter (2016) define input legitimacy as determined by who deliberates, what they deliberate on, and what level of information they are given to deliberate on. Throughput legitimacy has to do with the nature of deliberation, how the process of participation is organised (including the applicable rules), how the group makes its decisions, and in what context the participation takes place. Output legitimacy is concerned with the political uptake of the recommendations, the responses from formal constitutional actors to the assembly participants, and the social changes that the process may bring to the political

system. Recognising the importance of institutional design in the success of participatory processes, Geissel and Gherghina (2016) add a further dimension to the framework by stressing the need to examine both ex-ante design choices and ex-post reality i.e. achievements in practice. They define input legitimacy as referring to inclusive participation, including considerations of whether underprivileged strata of society take part in participatory procedures and whether the agenda for the citizens' assembly is open or closed. Regarding throughput legitimacy, the focus is on the quality of deliberation, while for output legitimacy they refer to the impact of the deliberative procedures (i.e. impact on the constitution, influence on the broader citizenry, impact on citizens' attitudes towards the political system).

More recently, Caluwaerts and Reuchamps (2023) proposed a new operational evaluation tool called Citizens' Assembly Evaluation Survey, for use in the evaluation of the quality of an assembly, which also relies on the input, throughput, and output dimensions of citizens' assemblies. Under 'input', the authors include representativeness, openness of the agenda, and epistemic completeness (i.e. what the participants of an assembly can learn about the issues at stake). By 'throughput', the authors refer to the quality of participation, including its diversity and inclusion not only in terms of who is present but also the extent to which participants' voices are allowed to be heard. In this 'category', authors also refer to participatory equality i.e. the fact that discursive inequalities can undermine the quality of citizens' assemblies. Quality of decision-making, and contextual independence are also included under the throughput dimension. With regard to the 'output' dimension, the authors refer to public endorsement, political uptake, and policy implementation.

We have taken inspiration from the above research on input-throughput-output legitimacy in the study of citizens' assemblies and tailored it to EU-CIEMBLY's focus on intersectionality, by linking input-throughput-output legitimacy to three typical phases of designing and implementing a citizens' assembly, and with the additional element of intersectionality as the applicable analytical framework. 'Input' design choices include those that relate to the design and management of a citizens' assembly, much like the 'backstage of a theatre' (Dean et al., 2024; Parry & Curato, 2024); the way in which participants are selected and recruited, the topic and the agenda-setting, as well as the timing and duration of the event. Throughput choices include those that relate to the process of deliberation, i.e. the type of experts and witnesses that are invited to the assembly and how they present to the participants, the type of facilitation that will take place during the deliberation, the style of deliberation that will be encouraged; and the way in which the assembly

will make its decisions. Finally, output has to do with what we call 'the follow-up' to an assembly, meaning the possibility for the findings of the assembly to exert influence on public decision-making processes but also the influence of the experience of participation on the participants themselves.

As seen in the framework below, the design choices under each of the input-throughput-output dimensions are broken down into what we perceive, based on the literature explored in subsequent sections of this deliverable, as the most pertinent design features that need to be decided in a citizens' assembly which aims to further the inclusion of persons belonging to multiple, intersecting marginalised groups (PMIMG) in public decision-making processes.

CITIZENS' ASSEMBLY DESIGN CHOICES			
	INPUT	**THROUGHPUT**	**OUTPUT**
Intersectionality as an analytical lens	Governance, organisation, and management	Experts and witnesses in the 'educative' phase	Influence on public decision-making processes
	Selection and recruitment of participants	Facilitation	Impact on the participants
	Topic and agenda-setting	Deliberation	
	Timing of the event	Decision-making Process	

Figure 3. Input, throughput and output legitimacy in citizens' assembly design choices

The overall categorisation of citizens' assembly design choices into these three categories is useful for EU-CIEMBLY in exploring citizens' assembly design in the literature and, in subsequent parts of this project, citizens' assemblies in practice. It also resonates with current literature (examples above) which tends to conceptualise deliberative mini-publics broadly speaking across three axes: 'representativeness or inclusion' (related to input legitimacy), 'character of discussions or deliberation' (related to throughput legitimacy), and 'impact or policy influence' (related to output legitimacy) (Curato et al., 2021; Vrydagh, 2023). Using the three categories to understand the design of a citizens' assembly will help us take a step back from existing positions in the literature that support one or other understanding of elements of citizens' assembly design, and

to reconsider those positions in light of the project's focus on intersectionality. In this sense, our position is that a citizens' assembly that aims to utilise intersectionality as its analytical framework, must remain mindful to legitimacy considerations: here, input, throughput, and output legitimacy are seen as the guardrails guiding what the project aims to produce, i.e. recommendations for designing citizens' assemblies which aim to further the inclusion of persons belonging to multiple, intersecting marginalised groups (PMIMG) in public decision-making processes, while maintaining their legitimacy.

3. The Recognition of Design Trade-Offs

Lastly, design choices inevitably come with **trade-offs.** Deliberation can achieve a number of different goals and, in practice, the way in which deliberation is designed can impact which normative ideals are achieved and which are sacrificed in civic forums (Beauvais & Baechtinger, 2016). Trade-offs are inherent in democratic innovations so that design choices made to meet one objective might affect other choices and the overall functioning of a citizens' assembly (Caluwaerts & Reuchamps, 2023). For example, choices made to increase inclusion of marginalised voices in an assembly might have an impact on the representativeness in the group's composition, which might then affect its legitimacy and potentially the chances of political uptake of the assembly's recommendations. Moreover, efforts at redressing imbalanced between majority and minority voices may open citizens' assemblies up to the criticism that they are 'undemocratic' (Garry et al., 2022).

'Deliberative theorists and practitioners should ultimately accept that various ideals may sometimes form trade-offs that require thinking about which designs and processes are most appropriate for realizing particular normative outcomes' (Beauvais & Baechtiger, 2016, p. 2).

Trade-offs further depend on the **context** in which an assembly takes place, and being aware of that context is important for properly delineating the scope of the project's recommendations. Deliberative mini-publics have been criticised as becoming 'off-the-shelf' solutions that do not pay close attention to the local realities and political contexts in which they take place (Curato et al., 2021; Veloso et al, 2025; Dean et al., 2024). Past research has also highlighted the difficulties with comparing findings on national, constitutional, values-focused citizens' assemblies with findings on local, problem-solving ones (Geissel & Gherghina, 2016). As already emphasised, 'it

is intuitively convincing, that for example national versus subnational topics as well as concrete problem-solving versus abstract, constitutional aspects most likely require different deliberative structures and generate different results' (Geissel & Gherghina, 2016). The picture becomes more complicated when the transnational dimension is introduced into the equation.

In light of the above, can EU-CIEMBLY provide transversal recommendations on embedding intersectionality in citizens' assembly, which will apply to citizens' assemblies taking place at all three levels (local, national, and transnational)? And, if transversal recommendations are not possible then how can we ensure that the project's recommendations are useful to policy makers, practitioners, and researchers? Should intersectionality considerations be embedded into the design of local, national, and transnational citizens' assemblies in the same way? This is a challenge that our project will tackle as part of its next steps, and particularly at the stage of analysing the findings from the empirical research (Deliverable 3.3) as well as designing the pilot assemblies (Deliverable 3.4). Our position at this theoretical stage of the project is that, in dealing with the above questions, the project needs to be mindful of the applicable context in two ways:

(1) Context matters in terms of citizens' assembly design. For our purposes, we take the following definitions of local, national, and transnational citizens' assemblies as guiding points of our enquiry:

Local context: Local citizens' assemblies are defined for our purposes as citizens' assemblies taking place at the level of a local community. We adopt a broad definition of 'local community' which depends on the type of issue that is being deliberated, and the authority which can act on it. In this sense, a local citizens' assembly is a citizens' assembly that deliberates on an issue of concern to the community, which can be directed towards and/or acted upon by a decision-making authority with powers at the local level;

National context: National citizens' assemblies are often government or state-led assemblies. They are usually initiated by a public authority (usually the government) in a consultative format. Following a similar definition as above, we define national citizens' assemblies as assemblies that deliberate on an issue that concerns the population of a country, on which that country's government or parliament can act upon;

Transnational context: A 'transnational citizens' assembly' is one that takes place at a level beyond the national: it concerns topics that transcend national politics, and it involves people that come from more than one country. These have been less frequent than the

two previously mentioned, with the Global Assembly on the Climate Crisis and the EU Citizens' Panels being notable recent examples. [7] Given EU-CIEMBLY's focus on creating a prototype for a citizens' assembly tailored to the EU, we define a transnational citizens' assembly as one that seeks to respond to nuanced issues that transcend borders and that can be addressed by supranational decision-making bodies, such as the EU institutions.

(2) Context further (and relatedly) matters when we think of **social groups** within each separate level of citizens' assembly. Here, we recognise that precisely what is meant, for example, by 'racial or ethnic' origin, or as to who precisely is marginalised within those social groups, may need to be adapted to the local (or national, or transnational) context in subsequent stages of the project, such as the design of the pilot assemblies under Work Package 3 as explained further below when setting out our understanding of intersectionality theory.

We take it as a given in our inquiry that achieving different objectives of a citizens' assembly comes with its own trade-offs and depends on the context in which the assembly takes place. This, in turn, necessitates a consideration of which designs and processes are most appropriate for realising particular outcomes in particular levels of governance. In our case, it is the analytical framework of intersectionality, as elaborated in the next section of this deliverable, that should determine what these trade-offs should look like.

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[7] See https://participedia.net/case/global-assembly-on-the-climate-ecological-crisis accessed 5 July 2025.

III. The Theoretical Conceptualisation of Intersectionality

1. The Meaning of Intersectionality

Intersectionality is an analytical lens for understanding how different forms of inequality and marginalisation intersect and compound to create unique challenges for individuals and social groups (Crenshaw, 1989). Intersectionality emphasises that social categorisations such as race, class, gender, sexual orientation, and physical ability are not independent and isolated, but rather intersect to create overlapping interdependent systems of discrimination and marginalisation. Intersectionality remains an essentially 'theoretical' concept not least due to the difficulty of translating its inherently flexible nature into practice. One of the central aims of the EU-CIEMBLY project is to operationalise the concept of intersectionality through its integration into the practice of citizens' assemblies, but before doing this the existing challenges in the conceptualisation and application of intersectionality theory need to be addressed, which is what this section of the present deliverable seeks to do.

The term 'intersectionality' was famously adopted by Kimberlé Crenshaw as a way of articulating the long-recognised, but little understood **discriminatory burdens** faced by those at the intersection of race and sex, namely Black women in the United States (Crenshaw, 1989). The idea of intersectionality therefore predates the label.

> Intersectionality describes the unique forms of discrimination, oppression and marginalization that can result from the interplay of two or more identity-based grounds of discrimination (Ajele and McGill, 2020 p. 4).

The use of the term 'interplay' is worth noting here in that it suggests that the relationship between intersections and subsequent discriminatory or exclusionary consequences are dynamic and ever-changing rather than static, in the same way that individual identity characteristics are not (necessarily) fixed. In her later writings, Crenshaw has also made clear that she never intended for intersectionality to become a 'grand theory', but rather to constitute a 'metaphor' through which to articulate the invisible experiences of persons at the intersection of multiple marginalised characteristics (Crenshaw, 2018). According to Crenshaw (1989), the concept of intersectionality can be understood through the analogy of a traffic intersection. Discrimination should be

envisioned as traffic moving through the intersection, where it can come from different directions, like a car. If a collision occurs at the intersection, it could be caused by vehicles travelling from any number of directions — or even from all of them simultaneously. In the same way, when for example a Black woman experiences harm at the intersection of her identity (sex and race), that harm could result from sex discrimination, race discrimination, or both.

Crenshaw (1991) further argued that to fully understand the oppression and violence faced by Black women, legal and societal systems must consider both race and gender-based discrimination simultaneously. Conventional approaches that examine only one form of discrimination at a time, fail to capture the challenges that Black women encounter (Hancock, 2007). Intersectionality theory is capable of capturing the full scope of individual characteristics, though its application has been particularly prevalent within the context of the intersection of gender and race. More recent critiques of intersectionality have also emphasised the importance of 'material' considerations i.e. socio-economic conditions in understanding power relations of dominance and oppression (Ajele & McGill, 2020 p. 28).

Crenshaw's purported more limited intention in articulating the concept of intersectionality, has not prevented a proliferation of writing on the theorisation and (attempted) application of intersectionality, which has ensured that the concept has long ceased to be a 'mere' metaphor. Nevertheless, intersectionality as a theoretical concept remains rather nebulous, capable of being framed in various ways and of being deployed to various uses. Indeed, the very **malleability** of the concept has been the subject of much of the criticism levelled at intersectionality theory, including from those otherwise committed to the furtherance of (gender) equality (e.g. Conaghan, 2007). In other words, the added value of the application of intersectionality can be difficult to conceive, particularly within the context of existing equality and anti-discrimination frameworks which remain attached to a single axis approach to equality.

Within the EU equality law context, for example, intersectionality is not explicitly defined despite EU equality legislation recognising that discrimination can arise from 'multiple' grounds (Directive 2000/43/EC, Recital 14; Directive 2000/78/EC, Recital 3). In *Parris*, the Court of Justice of the European Union (CJEU) rejected the introduction of a new category of *intersectional discrimination* within existing EU equality law, consisting of the combination of more than one

ground (that case involved sexual orientation and age).[8] This judgment highlights the **deficiencies** within the Union's anti-discrimination law regime and stands in contrast to the more progressive approach adopted by the European Court of Human Rights (ECtHR) in *BS v Spain*, in which that court recognised the 'particular vulnerability' to discriminatory treatment of the applicant, who was a Black migrant woman doing sex work, although without adopting an explicitly 'intersectional' approach.[9]

The absence of a legal definition of intersectionality has not, however, precluded the reliance of EU bodies and institutions on the concept. The European Institute for Gender Equality (2016) defines it as 'an analytical tool for studying, understanding and responding to the ways in which sex and gender intersect with other personal characteristics/identities, and how these intersections contribute to unique experiences of discrimination'. Reliance by the EU's institutions on this understanding of intersectionality has been integrated into its broader approach to addressing discrimination, as evidenced in the Union's action plan on racism which recognises that '[i]n addition to religion or belief, racism can also be combined with discrimination and hatred on other grounds, including gender, sexual orientation, age, and disability or against migrants. This needs to be taken into account through an intersectional approach' (European Commission, 2020, p. 2). The action plan adds that '[a]n intersectional perspective deepens understanding of structural racism, and makes responses more effective' (European Commission, 2020, p. 13).

Nevertheless, the concept of intersectionality has not yet been properly integrated and operationalised within EU law. Indeed, the recent abandonment of proposals for a horizontal equality directive suggest that the political appetite for equality law reform has waned, which can be coupled with the wider (international) scepticism now being directed towards Equality, Diversity and Inclusion (EDI) initiatives, notably in the United States. For this reason, little reliance can now be placed on legislatures (or courts) to further intersectional equality and so it falls to more bottom-up and grassroots initiatives to continue these goals. At the same time, and as the early analysis of this project has shown, citizens' assemblies are themselves governed by a rather weak and malleable EU 'legal' framework. For instance, there is no explicit legal basis in EU law for the establishment of a citizens' assembly as part of the EU law-making process, by way of contrast

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[8] Case C-443/15 *Parris v Trinity College Dublin* ECLI:EU:C:2016:897.

[9] *BS v Spain* Application no. 47159/08 24 October 2012.

for example, to Article 11(4) TEU which establishes the European Citizens' Initiative. As such, there is no inherent reason why the design and delivery of EU citizens' assemblies should be constrained by the current level of legislative inactivity in the equality field. Nevertheless, we as a project must remain conscious of—but again, not necessarily restricted by—the receptiveness of policy makers and the wider public to EDI-related interventions in the context of citizens' assemblies, which after all form an increasingly important part of the democratic process across many EU Member States. Moreover, one of the very purposes of intersectionality as a concept is to *challenge* prevailing perceptions and structures of marginalisation, with a view to overcoming them. Indeed, this is part of the radical and critical tradition the pursuit of which should underpin and is underpinned by the use of intersectionality as an analytical lens, more on which below.

For now, it can be noted that the above observations lead to the need for the project to fill two **gaps**, namely in: (1) the definition and application of 'intersectionality'; and (2) the definition and design of (intersectional) citizens' assemblies.

> Articles, even books, have been spent in finding ways of translating intersectionality theory into the precincts of discrimination law practice. Despite this, the framework of discrimination law has proven to be too resistant to have been able to transform the will to address intersectionality into a way of redressing it in discrimination law (Atrey, 2019 p. 2).

Beyond EU equality law, there are different ways of understanding and conceptualising intersectionality. While the intersectionality framework has been widely used in qualitative studies, its adoption in quantitative research is more recent (see Bauer et al., 2021). Some scholars have used the framework to explain the additive impacts of inequality and marginalisation (Ferraro & Farmer, 1996; Hayes et al., 2011). One such effort is described as the 'double jeopardy' hypothesis. The hypothesis assumes that women of colour, for instance, incur two forms of (pay) inequality additively, one associated with being female and another associated with being non-White (Ferraro & Farmer, 1996; Greenman & Xie, 2008; Hayes et al., 2011). However, caution has been advised for those adopting an additive approach to understanding the complex nature of marginalisation among different social groups.

> Intersectionality decries the idea of disaggregated identities and instead stresses their co-existing and co-constitutive nature, such that disadvantage associated with one could not be defined in isolation from other forms of disadvantage (Atrey, 2019 p. 43).

Intersectionality does not merely involve the combination of identity categories in order to analyse another group's experience (Cho et al., 2013). For instance, the Black transgender experience is not simply the sum of the normative 'Black experience' and the normative 'transgender experience'. Instead, it represents a unique experience that must be understood in its own right (Kupupika, 2021). Black feminist scholars (King, 1988; Collins, 1990) have warned that an additive approach often focuses on individual identities without acknowledging the **systemic nature of inequalities** and the overlap of multiple oppressive structures that produce and maintain these inequalities. For instance, when discussing how race and gender intersect to shape the experiences of women of colour, an intersectional approach centres the analysis on understanding how patriarchy and racism, as oppressive power structures, produce the disadvantages experienced by women of colour. In other words, theorists argue that discussions of intersectionality should focus on **how power structures marginalise different social groups** (Cho et al., 2013; Collins, 2019).

The marginalised status of some social groups is shaped by **oppressive power structures** and historical and ongoing conditions such as colonisation, capitalism, imperialism, globalisation, migration, and displacement (Dei & Asgharzadeh, 2001; Lerche & Shah, 2018). Power also operates to construct identity categories themselves (Fredman, 2016a) i.e. identity groups are socially constructed (Makkonen, 2002). Marginalised status is also characterised by membership in non-dominant and non-mainstream social groups. This type of marginalisation translates into disproportionately lower access to power, wealth, opportunities, and resources (Mathieson et al., 2008). Consequently, these marginalised groups experience inequitable outcomes in well-being indicators such as health, education, employment, housing, social connection, **social and political participation and inclusion** (Mathieson et al., 2008). To overcome structural barriers and improve well-being outcomes, marginalised groups may need **more favourable treatment** in the form of affirmative or positive actions, which include a set of policies and practices within a state or organisation aimed at benefiting marginalised groups, which challenges conventional conceptions of 'equality' as treating 'like' alike (Crosby et al., 2006), which are explained further below in the discussion on 'intersectional equality'. These seemingly different understandings of

approaches to intersectionality should not be understood as contradictory, but rather as iterative and complementary.

> Attentiveness to identity, if simultaneously confronting power, need not be interpreted so narrowly. As deployed by many intersectional academics and activists, intersectionality helps reveal how power works in diffuse and differentiated ways through the creation and deployment of overlapping identity categories (Cho, Crenshaw & McCall, 2013).
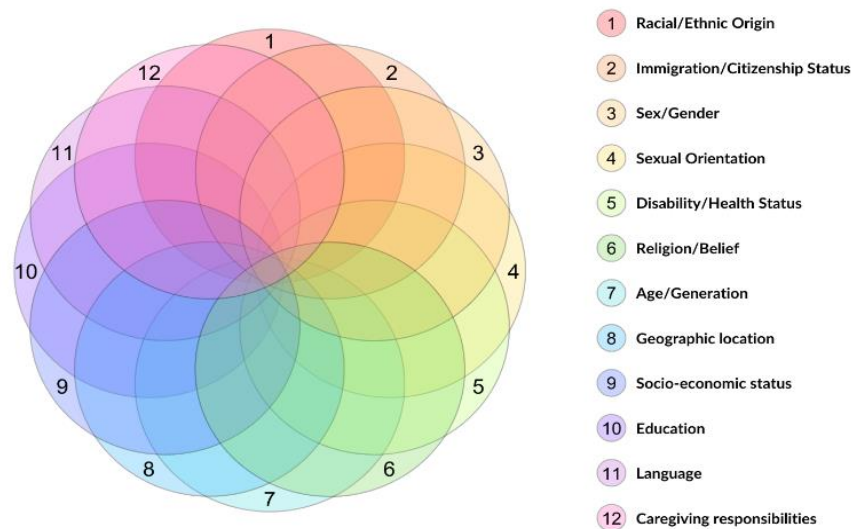

Figure 4. The complex intersection(s) between identity characteristics (adapted from Duckworth, 2020).

Identity categories should also not be viewed as 'essentialised', i.e. there is no universal or single female or Black or indeed Black female experience as experiences can change depending on the individual and the context. Nor is it possible to isolate particular aspects of a person's identity, which must necessarily remain interconnected and interdependent (i.e. this is a relational approach to understanding how identities and characteristics interact).

An essentialist outlook assumes that the experience of being a member of the group under discussion is a stable one, with a clear meaning, a meaning constant through time, space, and different historical, social, political, and personal contexts (Grillo 1995).

In the same way, not everyone within a particular social group will share the same opinions or viewpoints. Understood in this way, **there are no 'pure victims or oppressors'** as the interaction of multiple characteristics can be associated with patterns of both privilege and disadvantage (marginalisation) (Atrey, 2019).
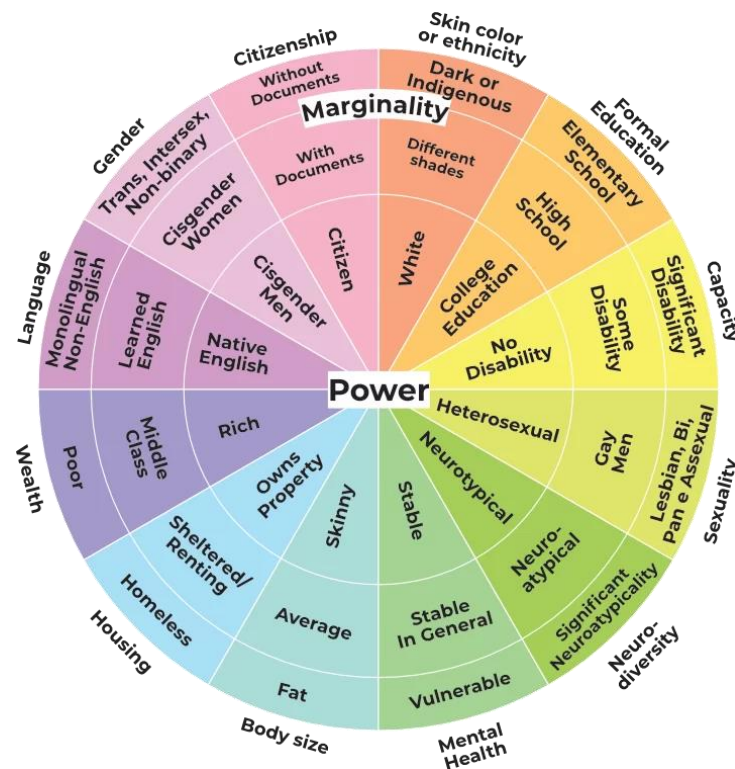
Figure 5. The interaction between power and marginalisation (Duckworth, 2020)

[We should not ignore] the role of power in structuring relationships between people. Discrimination is not symmetrical; it operates to create or entrench domination by some over others. But such power relations can operate vertically, diagonally and in layers (Fredman, 2016a).
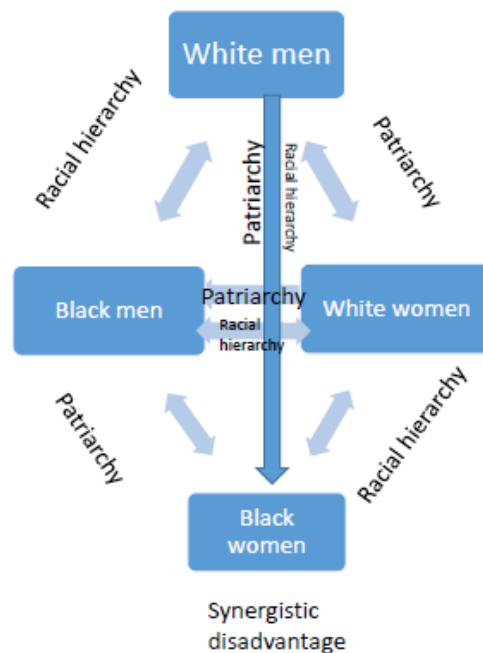
Figure 6. Vertical, diagonal and layered relationships of power (Fredman, 2016a)

In adopting an intersectional approach based on overlapping and interrelated power relations and marginalisation, we as a project team must also remain conscious of our own positionality. As a team composed largely of academics and professionals, we hold a relatively more privileged position to others (with regard to educational attainment, for example). Our professional backgrounds mean that many (though not all) of us have a bias in our research towards Western (European) perspectives on intersectionality and citizens' participation in public decision-making. At the same time, each of the project's team members bring their own individual positionality, which exhibits elements of both privilege and marginalisation. Regardless of our individual positionality, we also adopt the concept of **'allyship'** in our approach to researching intersectionality in citizens' assemblies, a concept grounded in solidarity and interconnected understanding between relatively privileged and relatively less privileged groups (Ajele & McGill, 2020 p. 36).

Our approach is informed by literature on intersectionality, which places a particular emphasis on the **positionality** of researchers. For the purposes of the EU-CIEMBLY project, positionality is relevant not only for the project team as researchers but also to the role that we are called to play in this project, e.g. as organisers, facilitators, and evaluators of the pilot citizens' assemblies that will take place under Work Package 3.

> Positioning ourselves in relation to this work is important not least because our respective social locations, experiences and backgrounds necessarily informed the questions we asked, the sources we gathered, our interpretations of the cases and materials canvassed, and the way that we have communicated our findings (Ajele & McGill, 2020 p. 14).

It can be seen from the above discussion that there are various approaches to the definition of intersectionality as a theory or a concept. Similarly, as demonstrated in the next section, there are many different ways in which intersectionality can be deployed or applied i.e. there are multiple potential ways of *engaging* with intersectionality theory.

2. Engaging with Intersectionality

Three predominant types of engagement with intersectionality theory have been identified by Cho et al., namely: (1) **the application of an intersectional analytical framework**; (2) debates as to the scope and content of intersectionality; and (3) political interventions that deploy an intersectional lens (Cho et al., 2013). Other categorisations of **intersectional interventions** are also possible. Verloo for example, identifies four such categories, namely: (1) reactive approaches, which involve the exposing of marginalisation; (2) pragmatic approaches, which highlight the possibility for adopting intersectional politics within existing instruments; (3) substantial approaches, which call for structural change; and (4) procedural approaches, which focus on the inclusion of particular groups (Verloo, 2013).

The EU-CIEMBLY project is concerned largely with the adoption of intersectionality as an analytical framework (i.e. Cho et al's point 1 above), but one which is to be adopted with a view to transforming the design, structure, and operation of citizens' assemblies to improve the inclusion of marginalised groups (i.e. Verloo's points 2-4 above). For our purposes, intersectionality can therefore be understood as an **analytical lens** for exploring how different

forms of inequality and marginalisation intersect and compound to create unique challenges for individuals and social groups when taking part in citizens' assemblies as a form of participation in public decision-making. Intersectionality emphasises that social categorisations such as race, class, gender, sexual orientation, and physical ability are not independent and isolated, but rather intersect to create overlapping interdependent systems of discrimination, exclusion and marginalisation.

> [w]hat makes an analysis intersectional—whatever terms it deploys, whatever its iteration, whatever its field or discipline—is its adoption of an intersectional way of thinking about the problem of sameness and difference in relation to power. This framing—conceiving of categories not as distinct but as always permeated by other categories, fluid and changing, always in the process of creating and being created by dynamics of power—emphasizes what intersectionality does rather than what intersectionality is (Cho, Crenshaw & McCall, 2013).

Indeed, the literature deploying intersectionality is now so extensive that it is not possible to engage with this literature in its entirety, though an effort has been made here to present the most significant authors and positions in the field. It is also not possible to conceive of a single theoretical or justificatory framework underpinning intersectionality, which it should also be remembered constitutes a 'contested' and 'uneven' concept (Ajele and McGill, 2020 p. 18). The meaning of the term 'intersectionality' can change or even be lost as it is adopted in—and adapted to—new contexts. It cannot be precluded, therefore, that in applying and testing intersectionality in the context of citizens' assemblies, that **new understandings** of that concept itself (and its limitations) will emerge.

> Intersectionality literature is too vast and variously applied to be simply 'defined' in a single stroke. Like other academic work on theories of justice, theories of human rights, theories of discrimination law etc., intersectionality is a broad church and has many theoretical or justificatory accounts which have contributed to the development of the field (Atrey, 2019 p. 36).

Nevertheless, it is possible to point to several animating purposes that **guide** the EU-CIEMBLY project's understanding and application of intersectionality as an analytical framework. The first

purpose is to **render 'visible'** the marginalisation or exclusion that occurs at the intersection of identity characteristics (or protected grounds to use the term found within EU equality law, though as discussed below, the concepts of identities and protected grounds are not necessarily synonymous). In particular, intersectionality emphasises 'patterns' of (social, systemic, or structural) disadvantages, something that contrasts with equality law's existing focus on single axis individual discrimination claims. While sequential multiple discrimination and additive multiple discrimination can be accommodated within the existing legal framework, the law fails to recognise that intersectional discrimination (or for our purposes, marginalisation and exclusion) is qualitatively different and 'synergistic' i.e. it leads to unique and compounded disadvantage (Fredman, 2016a). The relationship between 'mere' multiple (sequential and additive) discrimination and intersectional discrimination can therefore be understood in terms of the quantitative (multiple) and the qualitative (intersectional) (Solanke, 2009), and therefore intersectionality can itself be conceived as a form of multiple discrimination analysis.

<u>Typology of Multiple Discrimination</u>

1. **Sequential** multiple discrimination is discrimination on the basis of different characteristics and on different occasions.
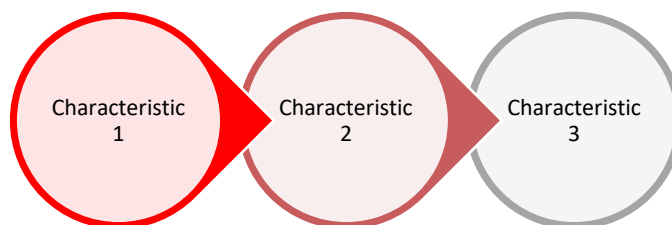

Figure 6. Sequential multiple discrimination.

2. **Additive** multiple discrimination is discrimination on the basis of different characteristics, but on the same occasion.
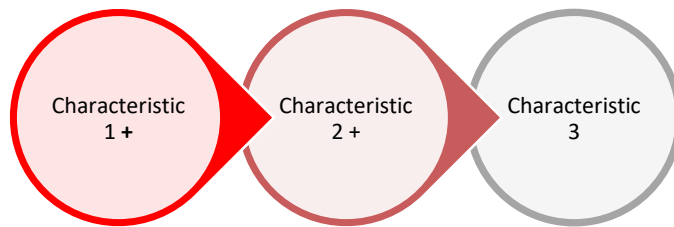

Figure 7. Additive multiple discrimination.

3. **Intersectional** discrimination is caused by the coincidence of multiple characteristics, leading to discrimination that is qualitatively different to the mere sequence or addition of individual characteristics.
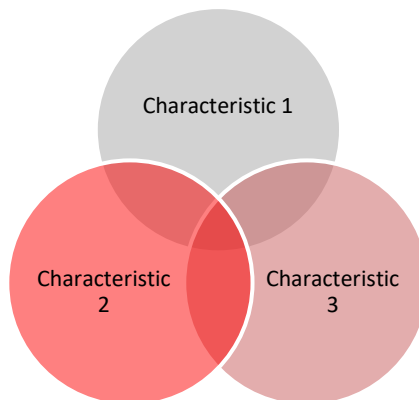

Figure 8. Intersectional discrimination.

> For example, black women may experience discrimination in a way which is qualitatively different from either white women or black men. Black women share some experiences in common with both white women and black men, but they also differ in important respects. Thus while white women may be the victims of sex discrimination, they may also be the beneficiaries and even the perpetrators of racism (Fredman, 2016a).

Using intersectionality as an analytical framework entails two types of action. First, an intersectional analysis is applied to 'identify' and 'analyse' the problem**.** This includes considering the question of 'what obstacles preclude the participation of such marginalised groups in (mechanisms such as) citizens' assemblies.' The second use to which intersectionality will be adopted is to address or transform the identified patterns of disadvantage or exclusion **in order to overcome them** e.g. by 'empowering' the (intersectionally) marginalised. In this way, intersectionality does not merely describe or identify discrimination, exclusion or disadvantage, but rather seeks to contextualise, challenge, and dismantle exclusionary structures. Fulfilling this task may require the adoption of more 'substantive' as opposed to 'formal' approaches to equality and inclusion.

> Intersectionality illuminates the dynamic of sameness and difference in patterns of group disadvantage based on multiple identities understood as a whole, and in their full and relevant context, with the purpose of redressing and transforming them (Atrey, 2019 p. 37).

As Fredman put it, '[t]he central problem identified by the notion of intersectional discrimination then is how to render visible and properly remedy the wrongs of those who suffer from multiple disadvantage (Fredman, 2016a p. 28). This may necessitate a move away from more 'formal' or 'procedural' conceptions of equality i.e. like must be treated alike, towards more 'substantive' visions of equality, which recognise the potential need for more favourable (as opposed to 'equal') treatment to be given towards marginalised groups. This is directly linked to the points made in Section III.1 above about **equality** in citizens' assemblies and how intersectionality considerations necessitate revisiting more traditional understandings of equality in citizens' assemblies as giving every citizen an equal chance to be included, participate, and deliberate (Bonito et al., 2013; Lupien, 2018).

In order to address this persistent inequality, we must set substantive equality as our goal. Doing so allows us to approach inequality as a problem of structural power, which creates and perpetuates systems of privilege and disadvantage in society (Smith, 2016).
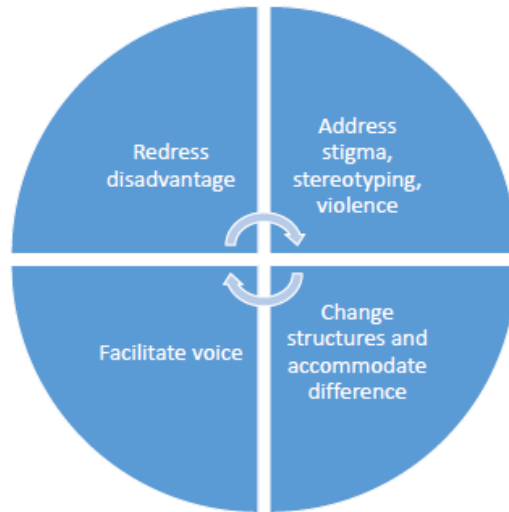

Figure 9. Substantive equality: a four-dimensional concept (Fredman, 2016a)

In particular, it can be seen that intersectionality can be aimed at addressing stereotypes and stigma, while facilitating voice and change structures to accommodate difference, all of which are of direct relevance to the EU-CIEMBLY project's overarching aims. As should be clear by now, the essential purpose of the EU-CIEMBLY project's use of intersectionality is to address **patterns of exclusion** from citizens' assemblies with a view to avoiding the replication and reinforcement of existing exclusions from traditional democratic fora. Going back to the discussion on **inclusion** that took place in Section II of this deliverable, exclusion is to be understood broadly here as not merely relating to prima facie exclusion from deliberative or participatory democratic mechanisms, but also to the quality of **deliberation** and participation that takes place within these mechanisms, as well as the follow-up of any recommendations deriving therefrom. We further explore these points in the discussion on intersectional inclusion, equality, and deliberation in Section V.

In other words, our contention is that intersectionality can and should inform **design choices** at all stages of a citizens' assembly from conception to conclusion. It is hoped that the proper integration of intersectional considerations into the design and delivery of citizens' assemblies and the attendant improved participation of people belonging to multiple intersecting marginalised groups (PMIMG) will lead to impactful cultural changes within democratic innovations, and perhaps eventually in wider society given the increased prominence of citizens' assemblies as innovative democratic mechanisms. The next two sections of this deliverable aim to bring together the discussion on citizens' assemblies and intersectionality that took place in Sections II and III respectively, by showcasing existing (implicit or explicit) examples of considerations of intersectionality in citizens' assemblies **as documented in relevant literature** (Section IV) before setting out the project's **proposed framework** for incorporating intersectionality into citizens' assembly design (Section V).

IV. Existing Considerations of 'Intersectionality' in Citizens' Assemblies

As mentioned in the discussion so far, intersectionality is an increasingly widely adopted framework across various academic disciplines and policy settings including feminist theory, legal studies, sociology, social movements, and public health (Hancock, 2007). The framework has been used to understand barriers to participation and representation of marginalised groups in political and democratic fora (see, Bergersen et al., 2018; Brown, 2014; Collins, 2019; Hancock, 2007; Hughes, 2011; Weldon, 2006). Authors have argued that intersectionality helps explore how the democratic participation of individuals from multiple marginalised groups is often shaped by ingrained stereotypes and prejudice as well as structural and institutional impediments (Bergersen et al., 2018; Brown, 2014). However, despite its increasingly widespread application across both disciplines and substantive fields, intersectionality has not yet been systematically and comprehensively integrated into deliberative democratic theory and practice (Wojciechowska, 2019).

> [D]emocratic innovations usually focus on one, separate identity category at a time. Indeed, some democratic innovations are even identity-blind. As such, participatory and deliberative institutions at present are explicitly exclusionary towards the experiences and oppression of members of many disempowered groups (Wojciechowska, 2019 p. 2).

An assessment of existing published academic research indicates that scholars of deliberative democracy are aware of the challenges in achieving deliberative democratic ideals within the context of **structural inequality** and there is also academic literature on deliberative democracy that engages explicitly with intersectionality (Asenbaum, 2016; Bächtiger et al., 2018; Karpowitz et al., 2012; Karpowitz & Raphael, 2016; Lupien, 2018; Siim, 2011; Su, 2017; Wojciechowska, 2019; Young, 2002). These studies highlight the importance of addressing power imbalances and structural inequality to ensure the inclusion of diverse, marginalised perspectives and to acknowledge the voices of these groups.

However, while research on deliberative democracy acknowledges these challenges, it has yet systematically to incorporate the intersectionality framework into the research and design of democratic participation mechanisms. For instance, as Lupien (2018) contends, while participatory mechanisms primarily address the exclusion faced by lower socioeconomic groups,

they are not yet fully designed to consider other marginalised social groups, such as racial or ethnic minorities. He further notes that there is a need for deliberative democrats and those responsible for designing deliberative fora to recognise the impact of membership of multiple, overlapping social groups on citizens' experiences, and how these dynamics **shape power relations within these fora**. A recent study on empowering marginalised voices in deliberative democracy also recognises the need to embed *enabling* rights and practices into participatory processes to mitigate power imbalances and avoid recreating exclusionary factors such as under-representation and unequal access to decision-making (Dell'Aquila et al., 2024).

Academic literature has already examined the experiences of participants in deliberative mini-publics from the perspective of inclusion and equality, but without (explicitly) addressing such inclusion or equality from an intersectional perspective. For example, discussion on the exclusion of Roma women is inherently intersectional (most obviously on the basis of sex and racial or ethnic origin), but the experience of Roma women is not necessarily articulated and examined through an explicitly intersectional analytical lens, despite recognition of their multiple marginalisation.

[A] Roma woman, coming from a marginalized community and known for her grass roots activism on social housing. She brought together multiple forms of under-representation and marginalization: a woman, member of an ethnic minority subjected to discrimination in the country and as a person experiencing poverty and social exclusion. All three categories to which this top candidate belongs are systemically under-represented in Romanian politics (Stoiciu & Gherghina, 2020 p. 183).

There is also broad recognition that diversity and inclusion are important for the functioning and legitimacy of democratic processes.

The exclusion of significant sectors of society from decisions that determine their futures and quality of life risks weakening the democratic credentials of such outcomes, as it undermines the diversity required to meet democracy's legitimacy, epistemic and ethical functions (Beauvais & Baechtiger, 2016; cited in Harris 2021, p. 679).

The same is true of citizen's assemblies specifically, which endeavour to achieve inclusion through their design features, including their recruitment methods; the provision of accessible 'expert' opinion and information; facilitated small group deliberations; and decision-making rules (Harris, 2021). Deliberation can reinforce inequalities and power imbalances that already exist in the public sphere, and this has been demonstrated both by research on deliberative mini-publics and by research on the participation (or lack thereof) of specific social groups in such mini-publics. This research is discussed below. The argument made by deliberative democratic researchers here is that deliberative mini-publics will not overcome these issues. However, the design of such mini-publics can help temporarily address these inequalities (Curato et al., 2021).

The purpose, therefore, of the present section of this deliverable is to explore some of the existing literature on the exclusion of marginalised groups within the context of deliberative democracy. This is done in two ways: we consider the literature on how citizens' assemblies have been designed to address these exclusions first from the perspective of **general design considerations** and, second, from the perspective of **particular relevant social groups**, as these perspectives have been documented in academic literature. Section V will then account for our understanding of intersectional inclusion, equality, and deliberation and what these principles might mean for the (general) design choices in a citizens' assembly.

1. Equality and Inclusion in General Design Considerations

For ease of reference, this part of the discussion focuses on equality and inclusion in general design considerations as viewed through overlapping and interconnected categories: (1) governance, organisation, and management; (2) selection and recruitment of participants; and (3) facilitation and deliberation processes. As already discussed, and will be further expounded later in this deliverable, these categories or stages also map onto the input, throughput, and output legitimacy framework. For now, they serve here as a useful categorisation for considering **existing efforts** at making citizens' assemblies more equal and inclusive at all stages of their design and delivery. Without purporting to have exhausted the literature on deliberative mini-publics or citizens' assembly design, the purpose here is to set out some key overarching or general design considerations that have been identified as being particularly important for inclusion and equality. This will allow us in subsequent deliverables to apply—and consider the consequences of applying—an intersectional analytical lens to these design features.

From an inclusivity perspective, concrete action and a clear outcome may be particularly important for marginalised groups, whether to incentivise participation or to ensure that the assembly will lead to 'real' change. While it would be disheartening for anyone to see their recommendations ignored, there is more at stake for disadvantaged citizens or, more generally speaking, those who have to endure greater barriers to participate in the citizen's assembly in the first place. On the other hand, in many states there is a long history of ignoring the experiences and opinions of those from marginalised groups (Bashir, 2012; Maddison, 2014), and so marginalised groups may find a lack of influence or impact to be less surprising than majority group members. Some of the ways to alleviate this issue include the promotion of the institutionalisation of mini-publics, ensuring the involvement of elected representatives in the deliberation, public interactions between mini-publics and representatives, and opportunities for involvement of the participants in later stages of the follow-up stage, for example when the policy proposals are discussed and voted on in parliaments (Setälä, 2017).

1.1. Governance, Organisation, and Management

1.1.1. Who is involved in governance, organisation, and management?

The governance, organisation, and management of citizens' assemblies involves choices for the design and management by persons who may be less visible within the citizens' assembly itself due to their 'backstage role' (Beauvais & Bachtiger, 2016; Dean et al., 2024; see also the concept of 'deliberative integrity' in Parry & Curato, 2024). The question of who makes these decisions is often connected to the reason why the citizens' assembly was created in the first place. Many of them are initiated by a public authority, such as a government or local authority, wanting citizens to deliberate and reach a common decision on a specific issue (Warren & Pearse, 2008). Other citizens' assemblies have been convened by organisations seeking to use the results for social change (Malkin et al., 2023). Inclusion and equality are clearly relevant to the question of who is governing, organising, and managing these citizens' assemblies and what precise task those involved may be undertaking. For instance, when compared to men, women may not be represented fairly in governance structures but may be overrepresented in administrative roles (Baloch et al., 2024).

Personnel included in a citizens' assembly process range from those who commission, fund, or initiate the citizens' assembly, including those who set the topic(s); the facilitators and note-takers; the experts who present to the citizens' assembly; individuals addressing the citizens' assembly

whether they are from interest groups, communities or the public; those who serve as chairs; and those conducting research or evaluating the citizens' assembly and its outcomes (Beauvais & Bachtiger, 2016). Equality and inclusion in the design process can have subsequent consequences for the equality and inclusion of the conduct of a citizens' assembly, for example in shaping the topics for deliberation (Elstub & Khoban, 2023; Deveaux, 2018). In other words, the composition of the organisation structure of an assembly can contribute to decisions that either enhance or inhibit the participation of marginalised groups. As a clear example, citizens' assembly administrators may decide on the approach to sampling and recruitment, which then influences the social groups to be prioritised for inclusion in the assembly (Podgórska-Rykała, 2022). A decision not to include a characteristic for sampling can subsequently have an impact on the deliberation itself in terms of the voices being excluded, as well as the outcome of such deliberation (Thompson, 2008).

1.1.2. Popular control and inclusion

Popular control has been identified in the literature as an important element of the inclusionary promise of citizens' assemblies in part because they 'recast' relations between the citizen and the state (Smith, 2009). The extent to which the everyday citizen has control over the management and direction of a citizens' assembly is therefore particularly important. Similarly, Dryzek (2010) argues that citizens' assemblies should be 'empowered spaces', highlighting the need for a link between the findings of an assembly and the relevant public decision-making institutions and actors. The representation of the priorities, views, and lives of a broad range of citizens is a core component of democratic innovations, including citizens' assemblies (Smith, 2009). Arguments have therefore been made for the inclusion of diverse (and marginalised) citizen input into decision making, including deciding on the topic or policy priorities and having influence over the rules, priorities, and scope of the citizens' assembly (Malkin et al., 2023). Past work has identified that citizen- or targeted community- input into decision making and agenda-setting may help to balance power in citizens' assemblies, and that giving marginalised groups greater decision-making power is important for inclusion and equality (Wojciechowska, 2019).

Literature on power and popular control promotes the idea that design choices should be contextual and situated (Dean et al., 2024; Veloso & Luis, 2023). This means the design choices for citizens' assembly practices need to be based on a detailed contextual understanding of how the core deliberative elements (i.e., randomised selection or sortition) and deliberation are locally understood, and in how they have been practised in the past (Dean et al., 2024). This may include

engagement in community co-design, seen as shared resourcing and decision-making where organisers work collectively with the relevant communities (Goodwin & Boulton, 2024). More basic forms of co-design may still be helpful to ensure attentiveness to context, equality, and inclusion such as collaboration, or presentations on the design and process of a citizens' assembly to communities and seek their input before confirming the design. Such considerations can help introduce and connect these democratic innovations with existing practices in the political environment in a sustainable and impactful way (Curato et al., 2024). It should be noted, however, that funding, time, and capacity can limit the extent to which such inclusion or co-design can be incorporated into a citizens' assembly (Malkin et al., 2023; Parry & Curato, 2024).

1.1.3. Citizens' assemblies and policy action

Pathways to influencing policy outcomes are an important feature of a citizens' assembly with potential implications for equality and inclusion. Citizens' assemblies should ideally have an impact and influence on decision making processes, including through policy action and law reform (Beauvais & Bächtiger, 2016; Machani, 2024). A frequent drawback of mini-publics is that their recommendations are unlikely to be considered by elected representatives (Setälä, 2017). The deliberative democracy literature on inclusion points out the importance of the 'follow-up' stage, related to output legitimacy, which addresses what happens to the policy recommendations of the assembly after its conclusion. A predefined pathway to impact or decision making can help increase the incentive for participation, including among marginalised groups (Malkin et al., 2023). Some citizens' assemblies have direct relationships with decision-makers, who may or may not have commissioned the assembly in the first place. These citizens' assemblies may have greater potential to instigate policy action, or at least that decision-makers will consider, review, and respond to the recommendations. Other assemblies are created and run by non-state actors such as non-governmental, civil society, or related organisations that are seeking policy action as a result of their advocacy (Machani, 2024). The results of such assemblies are often used as a basis for a campaign for change and to lobby decision-makers.

Having said that, it is not a given that a citizens' assembly led by a political organisation (top-down) will have more impact at the follow-up stage than one initiated by the bottom-up (civil-society-led). Some participants may refrain from participating if the organisation is viewed as biased in any way (Martini et al., 2024). What is more, the distinction between these two forms of citizens' assemblies may be more nuanced than it first appears. Bussu and Fleuß (2023) challenge the view that civil-society-led democratic innovations are better suited to include

marginalised voices while top-down approaches are better capable of ensuring that the citizens' assembly will have some type of impact on the political decision-making process. For marginalised groups, design choices might have as significant an impact on citizen empowerment as would the assembly having a direct impact on the political decision-making process. These choices include the openness of the process, the involvement of participants in agenda-setting, and the values and goals of an assembly. In essence, simply because a citizens' assembly is initiated by civil society does not ensure its connection to the needs and preferences of affected individuals, especially if the process is not explicitly aimed at broad inclusion. Equally, the fact that a citizens' assembly has been initiated by a public authority, does not automatically guarantee that it will have any impact on policy making.

1.1.4. Topic selection and agenda setting

A recent Global Citizens' Assembly Network report opened with a universalised anecdote, the idea that in any given citizens' assembly a participant will stop and say, 'why are we even talking about this?' (Malkin et al., 2023). Topic selection falls under 'agenda setting' in the citizens' assembly literature (i.e. it is relevant to 'input' considerations); alongside decisions about the boundaries of a topic or issues that a citizens' assembly contains, and how the problems are framed (what can and cannot be discussed or decided upon; Malkin et al., 2023). In other words, this is the question of who has the power to decide what gets discussed. Transparency is an important part of agenda setting as the availability of information allows participants and observers to scrutinise the decision making behind the citizens' assembly and showcases any biases or conflicts of interest (Malkin et al., 2023). To improve equality and inclusion, marginalised groups should be involved in governance, topic selection, and agenda-setting roles. The commissioning context may also relate to equality and inclusion in that some groups may not wish to participate in a project if the sponsor has a poor reputation in their communities (Malkin & Alnemr, 2024). Research further suggests that those from marginalised groups may abstain from participating in a citizens' assembly if they view the topic as more contentious (Martini et al., 2024). Topic selection may also relate to the quality of the deliberation and the possible effects of such deliberation on marginalised groups.

1.1.5. Timing

A key set of decisions related to organising a citizens' assembly involves the timing, duration, and frequency of sessions. Organisers must determine when to schedule the assembly during the

year, the timing of individual sessions, and how often participants will meet throughout the process (Boswell, 2021). Research indicates that these factors can significantly influence the participation of marginalised groups and their inclusion in deliberative processes (Martini et al., 2024). Marginalised groups often face **unique time constraints** due to factors such as demanding work schedules, low income, childcare, or elder care responsibilities, and religious obligations (Jacquet, 2017). As Velikanov (2017) notes, participation in a deliberation is time-consuming, which can lead to biases since people with more income, more education, and more time are more likely to participate (Ganuza & Menéndez, 2020). Moreover, scheduling assemblies on weekends or public holidays to maximise participation can sometimes have drawbacks, as participants may prefer to focus on their private lives during these times (Jacquet, 2017). Complaints often arise about the trade-offs participants must make, such as rearranging work shifts or arranging childcare (Boswell, 2021).

Individuals from lower socio-economic backgrounds are particularly affected by the timing of assemblies, as they may lose income and not receive adequate compensation for their time (García-Espín, 2023; Jacquet, 2017). Therefore, it is crucial to balance the duration of the assembly with the length of each session. Shorter sessions with more frequent meetings may be more accessible for those balancing multiple responsibilities. They can help participants consolidate their knowledge, feel confident in making recommendations, reduce fatigue, and make the process easier to follow.

The design of citizens' assemblies should be mindful of the above considerations to make assemblies more inclusive for marginalised groups and PMIMG. Sessions should avoid overlapping with important cultural or religious holidays and must consider school breaks and child responsibilities. An increasingly common feature of citizens' assemblies is the provision of appropriate (monetary) allowances, along with reimbursement or advance payment for travel and accommodation costs and arranging for child and elder care during the assembly process (García-Espín, 2023; Lupien, 2018; Merkel et al., 2021; OECD, 2020). Researchers have warned, however, of the need to be attentive to the context of an assembly before making such decisions. In some contexts, for instance, compensation may be frowned upon as it could be perceived as a form of corruption (Parry & Curato, 2024) and research has shown that some barriers to participation simply cannot be dealt with using financial incentives (Curato & Calamba, 2024).

1.2. Selection and Recruitment of Participants

1.2.1. Random sampling

Citizens' assemblies aim to include 'regular' people i.e. those who are not already particularly involved in politics or policy making processes in deliberating policy issues and ultimately, political decision making (Harris, 2019; Smith, 2009). Participation in elections or in other participatory mechanisms often rely on a level of self-selection i.e. those who are particularly motivated, interested or invested are more likely to participate in political action (Baharav & Flanigan, 2024; Flanigan et al., 2021; Setälä, 2017). However, a prominent attribute of existing citizens' assemblies has been random selection. In other words, assembly members are often selected using scientific, probabilistic selection methods from a given list of potential participants, named 'a sampling frame' (Warren & Pearse, 2008). Part of the rationale is that the participants who are regular citizens will have no vested interests in a particular policy outcome and can draw on their experiences in deliberation about an issue. Thus, many citizens' assemblies have traditionally been designed to maximise representativeness (Carson et al., 2013; Fournier et al., 2011). This works from the basis of (formal) equality, where everyone has an equal chance to be included, and where 'everyday' (i.e. non-elite) citizens are asked to contribute their views on a policy issue (Setälä, 2017).

Random stratified selection methods (often labelled 'sortition'; Harris, 2019, p. 49) are possibly the most frequently used methods for recruiting participants to a citizens' assembly. Such recruitment usually involves a two-stage process, where sampling techniques are used at both stages: (1) participants are selected and asked to participate in the citizens' assembly by entering a participant pool; and, (2) a selection algorithm is applied to the participant pool to ensure that the selected participants mirror the demographic characteristics required for that particular citizens' assembly (Setälä, 2017). This staged approach can be important for the inclusion of marginalised groups. Past citizens' assemblies have ensured that their selection methods mean that certain groups are included (based on gender, age, and region/ electorate) and have had mixed results for the representation of other characteristics because their methods still rely on self-selection to some degree (Setälä, 2017; Warren & Pearse, 2008). For example, a citizens' assembly may not intentionally select participants based on ethnic origin but may still incidentally end up with a representative sample of this demographic (Warren & Pearse, 2008).

There is a large body of literature showing biases in who participates in citizens' assemblies and similar activities such as filling out a census or surveys, or jury duty (Baharav & Flanigan, 2024; Jacquet, 2017). Those who are available and interested are more likely to respond to the citizens' assembly invitation, and there are demographic and attitudinal biases in who these people are. They are also more likely to be 'joiners', i.e. those who already engage in community activities or volunteering (Fournier et al., 2011; Smith, 2009; Warren & Pearse, 2008). It is for such reasons that citizens' assemblies tend to rely on a second stage of selection, using a method or an algorithm to select from the participant pool to ensure a required degree of (external) inclusion i.e. to determine the composition of the assembly.

While sortition has traditionally been the gold standard of recruitment to citizens' assemblies, there have been accounts in the literature that question the limits of what sortition can achieve in terms of inclusion and equality in deliberative democracy. For instance, scholars have been alert to the need to avoid 'token representation' i.e. having just one member (or few members) of a particular social group present in a citizens' assembly. This is linked to the concept of 'threshold representation', i.e. groups need to meet a certain threshold of representation in the population for that social group to have more than one participant included in the citizens' assembly (James, 2008; Smith, 2009). The idea is to prevent any individual voice from becoming isolated within a large group, which can be especially important for participants who might otherwise feel marginalised or overlooked. Additionally, having representation from the same social or cultural group bolsters the confidence and expression of participants, empowering them to contribute more actively to discussions. Furthermore, it ensures that a plurality of views is present in citizens' assemblies, enriching the deliberative process by bringing diverse perspectives to the table (Warren & Pearse, 2008). Of course, threshold representation also has its limitations in that a particular social group needs to meet a minimum level of representation in the population in order to appear in the citizens' assembly.

Adopting an intersectional approach to inclusion requires us to be mindful of the above risk but also to account for membership of more than one structurally marginalised social group. Before recruiting a citizens' assembly which aims to be representative of the population in some way, the organisers must select which characteristics they will be trying to sample for or represent. This process is complicated by the adoption of an intersectionality framework (Wojciechowska, 2019). This is a challenge associated with taking intersectional theory (as a qualitative and theoretical approach) and implementing it in a quantitative, applied context (Bauer et al., 2021; Bowleg &

Bauer, 2016). There are many marginalised social groups that could be included in a citizens' assembly within any given society (e.g., women, younger and older people, ethnic or racial minorities, migrants, language minorities, those with lower education, and lower socio-economic social groups etc). Taking into account the intersections between these social groups would lead to a significant number of complex social positions that would necessitate a participant (or more than one under the ideas of 'threshold' or 'token' representation) to ensure at least descriptive inclusion or intersectionality.

The size of a citizens' assembly would therefore need to increase to account for this intersectional representation, or there would need to be a trade-off with representativeness. Indeed, one the critiques of intersectionality theory set out above, is the risk of over-categorisation of increasingly fragmented social groups. As explained below while addressing the concept of a 'social group' for the purposes of this project, such a view fails, however, to account for more sophisticated understandings of intersectionality which require consideration of power structures and dynamics rather than exclusively of (the intersection of) individual characteristics. The intersection of characteristics e.g. of sex and race, nevertheless, remains an important starting point—indeed an analytical necessity—if the scope of an intersectional assessment is to be properly delimited.

Citizens' assembly organisers also have to determine which social groups should be included in their sampling. This has often entailed considering the topic at hand, where some perspectives may be necessary to be heard in order to ensure and enhance the quality of the deliberation. One approach to descriptive representation in citizens' assemblies has been to describe the social groups relevant to the society, and those relevant to the issue at hand, then from this to determine the relevant social groups and participants (James, 2008). The idea that the relevant social groups in need of representation will be tied to the context, time, and place has been part of representational theory since Hanna Pitkin's classic work (1967). It also strongly relates to the 'all-affected' principle, where those who are potentially affected are consulted or represented (Habermas, 2006). An alternative way to look at the issue of representativeness and who is selected to participate in a citizens' assembly might be based on the 'most deeply affected' principle. According to this principle, 'those most-deeply affected by both the current decision in question and the historical process and practices shaping the choices available' should have a stronger claim to legitimacy than everyone else (Afsahi, 2020b). Although demographic data, such as the census, can help in this task, marginalised social groups are often undercounted in such data due to barriers such as language, lack of permanent address, or uncertain citizenship status

(Simon Fraser University, 2021). Such gaps have necessitated a consideration of alternative approaches to sampling, some of which are illustrated below.

1.2.2. Alternative approaches to sampling

The literature introduces alternative models for sampling cross-sectional representativeness. Such models propose that the representation of relevant demographic categories and perspectives in deliberative mini-publics do not necessarily need to mirror the same proportions as the population at large (Steel et al., 2020). This is done to ensure a diversity of perspectives in deliberation which may be lost in a statistically representative group if one perspective tends to dominate in the population (Steel et al., 2020; Brown, 2006). One place where this has been done in the past is in settler-colonial contexts where Indigenous groups may be a small part of the population but there is a constitutional and Indigenous rights-based rationale for their inclusion (James, 2008; Kymlicka, 1995). Another example is Belgium's G1000, which specifically allocated 10 percent of its seats to those identified as 'difficult to reach' and worked with grassroots organisations to ensure that ethnic minority groups and homeless people were included (Caluwaerts & Reuchamps, 2016). Cross-sectional sampling, especially through an intersectional lens, may necessitate the expansion of categories of social groups and of their intersection to such an extent that it becomes unfeasible to include all of them and therefore one must choose which categories are most important actively to include within the citizens' assembly.

Some deliberative processes explicitly adopt a self-selection approach to recruitment. As already mentioned, there are limitations around self-selection, including well documented biases where those who self-select tend to be a particular type of character or background. For instance, those who put themselves forward may be more educated or more interested in politics (Jonsson, 2019). Other researchers are particularly critical of a self-selection approach, as they contend that this method cannot lead to inclusive participation because 'the usual suspects' prevail. According to this position, inclusive participation is only reached in procedures designed with random or other types of participant-selection mechanisms (Geissel & Gherghina, 2016). However, scholars have raised the idea, based on the feedback of communities, that random selection limits their participation, including the participation of those most deeply embedded in communities most affected by a given issue (Veloso & Luis, 2023). There is also the possibility of combining random sampling and self-selection from marginalised communities, in a 'hybrid sampling' model. In other words, self-selection has the potential to be more inclusive in certain ways (Steel et al., 2020).

Finally, there is also the possibility of self-selection within a randomly selected unit e.g. a household or a community.

In determining sampling methods, it is important to consider the **aims and objectives** of a particular citizens' assembly. As Steel et al. (2020) note: (1) the aim of a mini-public defines the importance of statistical representativeness; (2) regardless of the aim of a mini-public, counteracting inequities may necessitate increasing the representation of marginalised groups above what would be expected from random sampling; and, (3) deliberative mini-publics with mixed aims often justify recruitment strategies that combine elements of statistical and cross-sectional representativeness as well as those that oversample for specific minority groups. Intersectional inclusion may lead organisers to explore alternative models of inclusion, for instance through community representatives, or including their viewpoints in some other or more creative way than experts sharing information (whether it be through storytelling, presentations or other mechanisms). Another strategy for maximising inclusiveness is to open the forum to all who want to participate while making special efforts to recruit a critical mass of people who would likely be under-represented otherwise (Karpowitz & Raphael, 2016).

Finally, more recent research raises questions as to the claims of deliberative mini-publics to achieve inclusion through representation by selecting participants through sortition. Spada and Peixoto (2025) suggest targeting specific problems of inclusion rather than adhering to a strict idea of achieving representativeness within a mini-public. They refer to an example of neighbourhood-level urban planning meetings in a city that disproportionately engages one group of stakeholders (developers, homeowners, and business owners) instead of another (renters) In such a case, a stratified random sample approach could be used to reserve quotas for renters *and* includes specific incentives to attract them. Such a strategy, therefore, would consist of three steps whereby: (1) specific inclusion failures have been identified; (2) quotas have been reserved for those that were not initially included; and (3) specific incentives are given to attract participants from those demographics (Spada & Peixoto, 2025).

1.2.3. Recruitment into the participant pool

Citizens' assemblies do not exist outside of the context of history and current group-state relations (Bashir, 2012), and historically excluded social groups may be suspicious of mechanisms pursuing their inclusion (Maddison, 2014). Jacquet (2017) completed a qualitative study on why

people do not participate in deliberative mini-publics and the findings provided six common reasons for non-participation: (1) concentration on the private sphere (i.e., family life, caregiving responsibilities); (2) lower internal political efficacy; (3) the desire to avoid public meetings; (4) scheduling conflicts; (5) political alienation; and (6) not believing there would be any impact on the political system. To this can be added difficulties caused by the method of recruitment e.g. a postal campaign or a telephone campaign might risk overlooking certain marginalised demographics such as those with no fixed address.

Full transparency and public scrutiny have been argued to create trust in the process of citizens' assemblies and democratic innovations more broadly and may facilitate recruitment (Smith, 2009), with some citizens' assemblies even live-streaming events. Other assemblies include a list of names and profiles of participants (these public displays have been called 'external deliberation': Ferejohn & Pasquino, 2004). However, this may be a complicating factor: different groups have different views of privacy and those from intersectionally marginalised groups may place a greater emphasis on privacy, or may view transparency differently (Dean et al., 2024; Kukutai et al., 2023). Relatedly, some participants may not be comfortable (publicly) identifying with a particular social group and perhaps would not identify as such on a survey, (e.g. an initial recruitment survey).

Finally, although participants are selected, it is not a foregone conclusion that they will show up to the first session or remain for the duration of the assembly. The citizens' assembly sampling and recruitment strategy needs to ensure that there is enough diversity in the remaining participant pool to account for participant drop-out (Lubensky & Carson, 2013). Participants from marginalised groups may be more prone to attrition, so there need to be suitably diverse backups in the participant pool. According to Podgórska-Rykała (2022), substitute participants i.e. those selected but not included in the participant pool typically constitute around 20% of the total pool.

Intersectionality applies an additional layer of analysis to each of these considerations in that the reasons for the non-participation of—or the ignoring of invitations by—the intersectionally marginalised remains relatively underexplored. Research into the participation of marginalised communities shows that the actual design features of the assembly and the inclusiveness standard that the assembly adopts may also play a role in the inclusiveness of the assembly. For example, a study by Miscoiu and Gherghina (2021) reveals that the disregard of specific social, ethnic or cultural categories in the design of deliberative mini-publics may discourage involvement

of people belonging to marginalised social groups. Ehs and Mokre (2020) illustrate the importance of a well-designed citizens' assembly, which should reflect the population's socio-economic and ethnic background both in its composition and in the way in which deliberation takes place, especially in situations of deep societal and political conflict. Wojciechowska (2019) further finds that participants from marginalised and intersectional identities may be more likely to participate if they see inclusion from people like themselves in the citizens' assembly.

Research has also explored the role of incentives for the inclusion of those from marginalised groups including payment to participants for their participation (monetary payment or in the form of gift cards), offering meals, accommodation, or covering transportation costs, adapting location and language, and either reimbursements for or on-site childcare (Eriksson, 2021; Fung, 2003; Lomazzi & Crespu, 2019; Vrydagh, 2023). In addition, authors have highlighted the importance of a broader, community-based strategies in participant recruitment. This can include publicising the citizens' assembly in a variety of ways, such as through the use of community leaders, media, or elders to promote the cause and encourage participation (Abdullah et al., 2016; Veloso & Luis, 2023). All in all, research shows that the way in which citizens' assemblies are designed and implemented in practice matters for the participation of marginalised groups.

1.3. Facilitation and Deliberation Processes

One of the most important aspects of a citizens' assembly when it comes to inclusion has to do with the facilitation and deliberation process. It is through the design of the deliberation that citizens' assemblies often seek to overcome **power imbalances** and become more inclusive (Vrydagh, 2023). The facilitation and deliberation stages of a citizens' assembly typically follow a structured process. It starts with an orientation, followed by expert information delivery, a deliberation phase, and finally, synthesising the information to reach a consensus (Gastil & Richards, 2013). During the orientation, participants are briefed on the assembly's purpose, processes, expectations, and the roles of experts, facilitators, and participants. Invited experts then present information and evidence on the selected topic and related issues (Boswell, 2021). This gives participants the opportunity to build background knowledge, ask questions, and seek clarification from the experts. Following this, the deliberation process begins, where participants typically break into small groups to discuss specific aspects of the topic. Facilitators guide the deliberation to ensure everyone has a chance to speak. After the small group discussions, findings are shared with the larger assembly. Facilitators help synthesise key points to work

towards building consensus on recommendations through structured dialogue and negotiations and therefore have an important role to play in the integration and inclusion of marginalised participants.

At the outset of some citizens' assemblies, participants engage in establishing or agreeing upon the rules of engagement, including speaking times, deliberation protocols, and voting procedures (Gastil & Richards, 2013; Boswell, 2021). The process can vary from having the rules presented in documentation, through to the group making modifications to such rules (Gastil & Richards, 2013). This process is crucial for ensuring the effective functioning of the assembly. For example, setting guidelines on how participants show mutual respect, manage interruptions, and address disagreements can contribute to a safe and productive environment for marginalised groups. Some citizens' assemblies empower participants to set these rules themselves, rather than having rules imposed by organisers. Lupien (2018) highlights that having well-defined participation methodologies and consensual voting processes is essential for marginalised groups to feel included in the deliberation and decision-making process. Marginalised groups are likely to feel more engaged if they have a say in the rule-setting process and discussions about these rules.

1.3.1. Diversity of representation, modes of expression, and opinions

Ensuring that the facilitation process is inclusive of marginalised voices and perspectives is one of the key challenges for citizens' assemblies. Existing inequalities, power imbalances, and historical and ongoing injustices contribute to difficulties in developing facilitation that ensures the meaningful inclusion of marginalised voices (Abdullah et al., 2016; Boswell, 2021; Drake, 2023; Lupien, 2018; Maddison, 2014; Young, 2001). Research suggests that despite efforts to recruit and represent participants from marginalised groups, these individuals can still experience exclusion when in the room due to communicative challenges, less access to educational and political resources, inexperience in deliberative skills, elite domination, historical and ongoing trauma, and distrust in democratic institutions (Drake, 2023; Lupien, 2018; Young, 2001). To overcome these challenges, an inclusive approach to citizens' assembly design needs to be attentive to ensure three forms of diversity in the design features: (1) diversity of opinions; (2) diversity of modes of expression; and (3) diversity of social group membership (Young, 2001; Mansbridge et al., 2010; Asenbaum, 2016).

The conventional conception of deliberation, which tends to emphasise rational discourse, whereby speakers must provide logical reasoning and evidence to support their positions, can disproportionately impact the ability of marginalised groups to deliberate effectively and to influence outcomes (Karpowitz et al., 2009; Young, 2001). Indeed, research shows that those with higher education or social status speak more frequently, and 'the vast gap between elite and citizen expertise is likely to make elites far more influential than citizens' (Karpowitz et al., 2009, p. 1). For instance, Young (2001) notes that a neutral public sphere reinforces conversational norms that privilege male and middle-class forms of communication.

In response to the above criticisms, scholars have suggested broadening the concept and normative understanding of deliberation to include diversity of opinions, diversity of modes of expression, and diversity of social identities (Karpowitz et al., 2009; Lupien, 2018; Young, 2001). To ensure that the normative standards of deliberation do not act as an exclusionary mechanism, an intersectional model for citizens' assemblies should therefore aim to include everyday experience, emotional and casual talk, storytelling, humour, narratives and written contributions such as post-it notes, as valuable parts of the deliberation process to ensure that marginalised groups have an equal footing to deliberate (Abdullah et al., 2016; Graham, 2010; Karpowitz et al., 2009; Lupien, 2018).

In addition, the facilitation of citizens' assemblies needs to be attentive to the creation of a **safe and fair deliberation environment** for marginalised groups. Deliberative democrats have suggested different mechanisms to achieve this, including enclave and subaltern publics (Abdullah et al., 2016; Karpowitz et al., 2009). Sunstein (2002, p. 177) introduced the term 'enclave deliberation' to describe communication among 'like-minded people who talk or even live, much of the time, in isolated enclaves'. In mini-publics, enclave deliberation is a type of discussion or decision-making process that occurs within a small, homogeneous group, often isolated from outside perspectives (Dean et al., 2024; Karpowitz et al., 2009; Harris, 2021). Deliberation in a protected enclave should allow marginalised participants to explore their ideas in an environment of mutual encouragement (Abdullah et al., 2016; Karpowitz et al., 2009). However, there are critics of such forms of deliberation as homogeneity can undermine the legitimacy of deliberation. It also has the potential risk of leading to group polarisation, where members of the group become more extreme in their views due to the lack of diverse perspectives (Grönlund et al., 2015; Karpowitz et al., 2009).

Another challenge is that mere external inclusion from marginalised groups does not guarantee the internal inclusion of diverse perspectives (Curato et al., 2019; Young, 2002). Participants from these groups may not feel safe or comfortable actively deliberating or articulating their viewpoints due to the aforementioned challenges. An inclusive (intersectional) model should, therefore, prioritise the creation of an environment that supports the expression of minority views. Facilitators play a pivotal role in this process by bringing out such minority views, providing balanced materials and expertise to all participants, and allowing participants to meet in small groups to develop questions for the experts (Abdullah et al., 2016). To achieve an inclusive deliberation environment, facilitators should adopt moderation techniques that flatten internal hierarchies such as differences in socio-economic status, education, communicative skills, gender, sexuality, and ethnicity. Additionally, they must be mindful of group dynamics including the intersecting influence of gender, ethnicity, and sexuality, to create a more equitable deliberative environment (Asenbaum, 2016; Mansbridge et al., 2010; Moore, 2012; Smith, 2012; Trénel, 2009). Finally, different assemblies have different rules around consensus and their final recommendations. To achieve a more inclusive environment, some assemblies ensure the documentation of minority perspectives, even after the assembly has finished by giving minority participants a chance to describe viewpoints and ideas from their own perspective (Harris, 2019; Setälä et al., 2010).

1.3.2. Experts and the educative phase

The educative phase of citizens' assemblies is crucial in equipping participants with the necessary knowledge to engage in informed deliberation. This phase typically involves the introduction of expert knowledge through various means such as information packets, guest speakers, and online resource packs, as well as interactive elements such as question-and-answer sessions, expert 'speed-dating', and field site visits (Boswell, 2021). These tools provide participants with a well-rounded pool of expert knowledge, evidence, and balanced information on the assembly's topic. One of the primary purposes of the educative phase is to address the 'asymmetry of knowledge' among participants, that is, the unequal distribution of information, expertise, or understanding within the group (Boswell, 2021; Curato et al., 2019). This asymmetry can result in more knowledgeable participants dominating discussions, thereby influencing the decisions of others. Effective facilitation is essential to ensure that all participants have equal access to information, and that diverse perspectives are represented and valued in deliberation. This can be achieved through providing clear and accessible briefing materials, having experts present

balanced viewpoints, and fostering an environment of inclusive participation, all of which help to mitigate knowledge asymmetry and lead to more equitable deliberation.

While much attention is given to the diversity and representation of participants in citizens' assemblies, the diversity of the experts and facilitators involved is often overlooked. A review of multiple climate assemblies by Roberts et al. (2022) highlighted the absence of demographic information about experts giving evidence during proceedings, and the lack of equity, diversity, and inclusion targets regarding expert participation. For a citizens' assembly truly to respond to the needs of marginalised groups, it is vital that the selection of those organising and facilitating the assembly reflects a commitment to diversity and inclusion. Ensuring that these roles are filled by a diverse group of individuals is crucial to creating a deliberative space where all voices are heard and valued. However, over-reliance on expertise in deliberations can also inhibit diversity. When deliberation is framed as a search for objective truth, expert knowledge is often privileged over everyday experiences, personal perspectives, and intuition, which can disadvantage marginalised groups (Dahlgren, 2009). Expertise can create exclusionary discourses and closed circles of deliberation, which act as **barriers** to citizen participation and limit the valuable contributions given by those outside of expert circles (Asenbaum, 2016; Smith, 2012).

The use of expertise sheds light on **structural inequality**, too. Research has shown that the use of expertise may have 'exclusive effects on marginalised groups like women and ethnic and sexual minorities, which obstruct diversity' (Asenbaum, 2016). The role of experts under an intersectional model is also particularly important because the diversity of perspectives presented to the participants is key to ensuring that competing arguments are included in the conversation (Harris, 2019). Plenary sessions with experts might deter those less confident from sharing their experiences (Smith, 2012) and often create a sense of hierarchy within the deliberation, which may also lead to bias in the ideas of participants (Asenbaum, 2016). The educative phase of an intersectional citizens' assembly should therefore explore methods of sharing information and expert knowledge with participants from multiple marginalised groups in ways that are less intimidating and overwhelming.

1.3.3. Consensus building and voting

Conventionally, deliberative theorists have argued that deliberative processes should strive for consensus decision-making (Curato et al., 2019). The goal is to reach decisions that reflect a

broad consensus among participants while ensuring that minority opinions are considered and reflected. This process involves facilitating discussions where participants explore different perspectives, negotiate differences, and work towards a shared agreement that everyone can support, or at least live with. The aim is not necessarily to achieve unanimity but to find a solution that most participants find acceptable (Niemeyer & Dryzek, 2007).

However, efforts to build consensus can sometimes pressure minority group members to align with the majority position (Maddison, 2014; Young, 2002). This pressure needs to be carefully managed to ensure genuine inclusion and equitable deliberation for (intersectionally) marginalised groups. Consensus decision-making may disadvantage less vocal or less politically experienced participants (Young, 2002). Literature shows that social pressure to conform can weigh more heavily on those with fewer social and economic resources, as well as on members of marginalised social groups, such as women and ethnic and sexual minorities (Asenbaum, 2016; Maddison, 2014).

More recently, theorists have suggested that deliberation should strive for meta-consensus (Curato et al., 2019; Niemeyer & Dryzek, 2007). Meta-consensus is defined as agreement on the underlying frameworks, values, and principles that participants share, even when they disagree on specific outcomes (Dryzek & Niemeyer, 2006). In practice, meta-consensus means that 'the work of Assemblies is geared at producing a set of recommendations rather than a consensus outcome. The production of recommendations is typically the end goal facilitators urge participants to strive for' (Boswell, 2021 p. 3). The recommendations are then shared with the organisers who commissioned the assembly and often include explanations, noting how strongly participants feel about certain issues and highlighting any differing opinions. Adopting this approach ensures that marginalised groups are not coerced into agreeing with the majority opinion to reach a consensus, while still allowing their voices to be reflected in the final recommendations.

Voting may be used as a tool in citizens' assemblies to reach a decision. Voting ensures that a decision is made, even if there is no complete agreement, providing a clear, democratic mechanism for determining the outcome of discussions (Ferejohn, 2008). However, it is important to consider the limitations of such a method for decision-making when it comes to marginalised groups or minority voices. If a citizens' assembly aims for increased intersectional inclusion, equality, and deliberation, then the use of voting may not be appropriate. A majority vote can

mean the majority can overrule minority interests regardless of the type of deliberation that takes place before a vote. Many of the arguments that apply to minority rights in representative democracies and majoritarian voting systems also apply to voting in the citizens' assembly context. It is difficult to tell what effect a majority vote could have on the ideas or solutions proposed by marginalised group or those taking minority positions, and whether these suggestions would subsequently tend towards incrementalism or piecemeal modifications of the status quo (Young, 2001). There is a possibility that participants may censor their ideas or deliberate differently in order to lobby for majority support. One of the strengths of democratic innovations is the opportunity to avoid replicating the types of deliberation and voting methods that make conventional democratic mechanisms exclusionary. Voting should, therefore, be used sparingly or in a considered manner in citizens' assemblies that aim to represent minorities and traditionally excluded groups.

1.3.4. Language

While a cross-cutting consideration for all aspects of citizen assembly design, language is a particularly important factor for (intersectional) deliberation. The best-known democracy models (e.g. Dahl, 1989) and various acclaimed lines of thought in political theory (connecting, for instance, John Stuart Mill, Karl Deutsch, Jürgen Habermas and Dieter Grimm) place emphasis on a common language as a prerequisite for democracy. Generalising somewhat, this is linked to two main factors. First, they believe a common language is required to ensure equal access to information. Without access to information, citizens cannot make informed decisions. Second, they argue that a common language forms the basis for identity and solidarity mechanisms without which democratic or majority decisions would not be considered (Kraus, 2011; Leal, 2021). However, in today's context of multilingualism and increasingly diverse realities, the conventional one-state-one-language or English as a lingua franca model has become both outdated and insufficient.

Within the EU, increased mobility across the 27 Member States, alongside various migration waves and refugee crises in recent decades, has resulted in a more **linguistically diverse citizenry.** In cities like Vienna, for example, it is estimated that half of the population speaks a language other than German at home (Leal, 2021). Multilingualism entails more than 'foreign languages'—it encompasses **language uses within a single language**. Linguistic prejudice, or linguicism, is a phenomenon within 'single' languages (Cenoz, 2013). In the context of citizens'

assemblies, there is often an implicit assumption that the average citizen will be competent in the national language of the location. This assumption excludes not only individuals who do not speak the national language or speak it as just one part of their complex linguistic repertoire, but also those from marginalised backgrounds, those with varying levels of education, and individuals who are deaf or hard of hearing or experience other disabilities. The debate in political theory concerning majority-minority needs and decisions raises significant questions about language (Kymlicka & Norman, 2000).

If citizens' assemblies are intended to enhance citizen participation in democratic decision-making, they must address the needs of both majority and minority groups, recognising that these needs often conflict. The foundational guidelines of any citizens' assembly should explicitly consider the linguistic dimensions of different social groups and participants with appropriate 'language provisions'. **Language provisions** encompass all necessary resources to ensure the inclusion of groups who do not speak the national language. These provisions should cover every aspect of the process: topic selection, recruitment of participants and facilitators, and the drafting of background information, to workshops or training on the topic, educational materials, deliberation and discussion, and post-assembly follow-up measures. Implementing these steps necessitates translation, interpretation, careful recruitment of facilitators, and the involvement of stakeholders with the relevant language skills.

The selection of topics and decision-making processes within a citizens' assembly have significant language implications. Certain forms of language — particularly those associated with structurally marginalised groups like the LGBTQI+ community, immigrants, and members of certain religious communities — are often **excluded from public discourse or met with disdain** (Baker, 2006; Stollznow, 2020). Therefore, when selecting topics and choosing relevant partners (i.e., communities and other stakeholders), explicit attention must be given to language inclusivity. For instance, when engaging marginalised young citizens, it is crucial to accommodate their languages and modes of expression.

Recruiting participants from migrant and refugee backgrounds for a citizens' assembly without offering appropriate language provisions can be misleading. Virtually anywhere in Europe today, the multilingualism of citizens and residents cannot be taken for granted. This means that regardless of the topic selected, any assembly that wishes to be inclusive needs to make language provisions even in those so-called 'monolingual' states. Recalling the example of Vienna

(capital of the officially 'monolingual' Austria), not involving speakers of languages other than speakers of German as first language effectively means excluding half of the population. Citizens' assemblies should, therefore, accommodate multilingualism for reasons of equality, inclusion, and ensuring good deliberation.

Mapping the relevant languages (and language uses) prior to topic selection and recruitment is the first step. Then, associations, local representatives, NGOs and other organisations, on the one hand, and recruited facilitators, on the other, can assist with the relevant language provisions. Professional translators and interpreters can also help in the process. Facilitation and post-assembly follow-up steps can be managed in a multilingual way and depending on the assembly's specific needs. For example, pre-assembly workshops may need to be interpreted into sign language, pre-assembly informative material may need to be drafted and/or translated into different languages or registers, deliberation sessions may require interpreters, post-assembly documents may require translation, and so on. Those recruited to assist with language-related matters will then ensure that adequate language services are provided.

As Mueller and Bundi (2024, p. 18) argue, 'if policy makers know that a (…) language group is particularly affected by a crisis, they could ensure that information and resources are provided in their language to help them better understand and respond to the situation'. In the context of EU-CIEMBLY, this insight highlights the importance of being mindful of language considerations when selecting topics for citizens' assemblies, conducting the assemblies, and managing post-assembly tasks. Specifically, policymakers might not only translate policy responses into different languages but also tailor the content according to the needs of each language group. For example, communication could be more explicit and focused for language communities that are more sceptical of certain policy measures (Mueller & Bundi, 2024). Therefore, the citizens' assembly should prioritise language provisioning at every stage of its design and facilitation to ensure the inclusion of intersectionally marginalised groups.

The above section aimed at giving an overview of how current literature on citizens' assemblies (and, by extension, on deliberative mini-publics) deals with general design features aimed at addressing equality and inclusion in the context of citizens' assemblies. We have categorised this overview across three aspects of citizens' assembly design: governance, organisation, and management; selection and recruitment processes; and facilitation and deliberation. The discussion also attempted to highlight how an intersectional lens might be more in favour of

specific interventions than others. The next section looks at literature which considers equality and inclusion of specific social groups in citizens' assemblies (and, where relevant, in deliberative mini-publics more broadly speaking).

2. Equality, Diversity,and Inclusion of Specific Social Groups

As mentioned above, it has been observed that deliberation in deliberative mini-publics may reinforce inequalities and power imbalances that already exist in the public sphere. Beyond research on citizens' assembly general design features, this also has been demonstrated by research on specific social groups, which is discussed in this section. Although deliberative mini-publics cannot and will not entirely overcome such issues, the design of such mini-publics can help temporarily address these inequalities (Curato et al., 2021). Without doubt, some people do not participate in citizens' assemblies because they do not want to participate. However, research shows that participation is impacted by other factors that prevent people from participating. These factors include age and gender biases, socio-economic disadvantage, and immigration status and disabilities, which have been said to 'contribute to a complex landscape of **marginalisation**, which collectively prevents or slows down the active political participation of certain populations [or otherwise of certain social groups] in deliberative democratic frameworks' (Dell' Aquilla, 2024).

As explained below in Section V, the social groups of particular interest to this project are (1) age and generation, (2) sex and gender, (3) socio-economic status, and (4) race and ethnicity; we consider these *the **anchoring characteristics*** for this project. While not one of our anchoring social groups, (5) disability is an important factor that should influence the design choices in the context of citizens' assemblies, regardless of the precise social groups or characteristics chosen for examination. This is, in part, due to the distinct nature of disability discrimination itself which is addressed through a 'reasonable accommodation' model. In Section V, we will more fully define and explain the rationale behind our choice of exploring these social groups. For now, it can be noted that these characteristics are particularly prevalent in existing literature on citizens' assemblies when considering demographic factors vis-à-vis inclusion and equality, as illustrated in the discussion that follows.

2.1. Age and Generation

Age has been highlighted as an important factor in citizens' assembly design and conduct in three respects: (1) determining the minimum age for participation in deliberative democracy; (2)

addressing the debate and challenges surrounding the inclusion of children; and (3) ensuring that the basic requirements and accessibility needs of older age groups are met. While there is a growing recognition of the importance of including children in policy decision-making and incorporating their perspectives, several challenges remain (Hayward, 2020). One key challenge is the conventional method of participant recruitment in citizens' assemblies, which typically involves randomly sampling individuals, often based on voter registration lists, thereby excluding the perspective of children or younger adults (Nishiyama, 2023).

Of course, there are also practical and ethical considerations associated with the inclusion of children, such as ensuring that their participation is voluntary and informed, adapting a facilitation process that is age-appropriate, and addressing the power dynamics between adults and children in discussions. Citizens' assemblies that aim to ensure children's participation should consider including their parents or guardians and child councillors as support, as well as promoting a child-friendly facilitation process (Guerra, 2005). As the debate over the inclusion of children in deliberative processes continues, finding effective ways to integrate their voices into citizens' assemblies remains an important area of exploration for enhancing the inclusivity and fairness of these democratic innovations (Harris, 2021; Nishiyama, 2023).

We are increasingly seeing examples of participatory institutions and processes in which children and young people are actively involved. For example, in countries such as Austria, the right to vote has been extended to 16-year-olds (European Commission, 2023), and in some jurisdictions voting rights for European Parliament elections have also been extended to 16-year-olds. Six EU Member States allow their citizens to sign a European Citizens' Initiative from the age of 16.[10] Another way that children participate in politics is through so-called 'youth parliaments', which have a limited political impact but play an important civic, educational, and socialising role. In addition, participation of youth in deliberative processes through 'enclaves' allows excluded groups to clarify their common objectives, strengthen their arguments, and develop recommendations (Harris, 2021).

More recently, there have been efforts at incorporating age-related elements into the design of citizens' assemblies e.g. by over-recruiting young people. Particular attention has been placed

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[10] See European Citizens' Initiative Data Requirements accessible at: https://citizens-initiative.europa.eu/data-requirements_en accessed 5 July 2025.

recently on the involvement of young adults in citizens' assemblies, especially in the context of climate change (Harris, 2021; Reid, 2024). Similarly, the participation of elderly people in citizens' assemblies requires attention. Elderly people can bring diverse perspectives and lived experiences into the deliberation. To ensure that a citizens' assembly is inclusive of elderly participants, it must address key factors such as physical accessibility, transportation, and adequate technological and linguistic support (Barnes, 2005). As explained in Section V below, age is also a critical — if at times overlooked — factor in intersectional marginalisation, particularly when combined with the intersection of sex, race, and socio-economic status.

2.2. Sex and Gender

As mentioned in Curato et al (2021), some deliberative mini-publics 'raise concerns about participants carrying their biases in deliberation, as in the case of women's arguments not getting the same amount of uptake compared to their male counterparts making the same argument' (see also Beauvais, 2019). This is a concern about the deliberative experience itself – i.e. **what happens *in the room*.** Although women's presence is secured in deliberative mini-publics, women tend to speak less because they lack 'the opportunity to engage in actions that society associates with authority' (Karpowitz & Mendelberg, 2014; Curato et al., 2021). Significant gender gaps have been identified both in attendance and more particularly in public speaking. Research shows that these gaps are partly decreasing among younger women for attendance, but not for speaking, indicating ongoing barriers that have not been addressed through a commitment to formal equality (Gerber et al., 2018).

Gender is a crucial cross-cutting factor in the work on inclusivity within citizens' assemblies design features (Harris et al., 2020). Women are more likely to have to care for older people, and those with health concerns (Palacios et al., 2016; Siim, 1994). Instituting specific efforts around childcare or other caregiving responsibilities to promote the inclusion of (especially) women is, therefore, a fairly well-established feature of most citizens' assemblies (Harris et al., 2020). Caregiving responsibilities can also vary depending on culture, including across European cultures (Lomazzi & Crespi, 2019). Experimenting with the way in which decisions are taken within the assembly is another way in which women's participation 'in the room' has been encouraged: research shows that unanimous rule rather than majority rule tends to empower women (Mendelberg et al. 2014; Dell' Aquila et al., 2024).

2.3. Socio-Economic status

Participants from lower socio-economic backgrounds often experience exclusion in policy decision-making and public deliberation (Smith, 2012; Bächtiger et al., 2018; Gherghina et al., 2021). Research demonstrates that participants with lower incomes are less likely to demonstrate the capacities needed for deliberative participation (Curato et al., 2021; Gerber et al., 2018). Academic research, however, has also shown that lower socio-economic status is not only linked to a person's perception about participation but is also linked to whether the person *wants* to participate. For instance, a study by Ruijer et al (2024) showed that inhabitants of a community in the Netherlands that was associated with criminality and poverty showed a distrust in the government and a feeling of neglect and marginalisation despite the implementation of relevant government initiatives to encourage participation (Dell'Aquila et al., 2024).

In citizens' assemblies, these participants frequently face multiple barriers at various phases of the process. For instance, recruiting participants from lower socio-economic groups through standard probabilistic random sampling can be logistically challenging due to housing instability and homelessness (Gąsiorowska, 2023). Even when these individuals are invited to participate, they often encounter difficulties attending and engaging in deliberation due to precarious and contingent employment situations that offer limited resources and entitlements, such as paid leave or working hours that clash with those of the majority (García-Espín, 2024; Harris et al., 2020). These challenges can be further compounded by caregiving responsibilities, which also has clear (intersectional) gender dimensions.

Persons from lower (itself a problematic term) socio-economic backgrounds also generally have lower levels of education, where higher levels of education are a well-established predictor of political participation and lower political efficacy (García-Espín, 2024; Rasmussen & Nørgaard, 2018; Walsh & Elkink, 2021). A lower socioeconomic status has been linked to disempowerment and feelings of inadequate internal and external efficacy with these feelings also being more prevalent among women than men (Fernández-Ballesteros et al., 2002). While the education phase of a citizens' assembly is meant to help bring all participants to the same level of knowledge, due to their experiences with institutions and politics, some may feel they have less skills or confidence to contribute, feel that institutions are corrupt, or their lower levels of education and socio-economic background may mean they feel less interested in politics, policy, or participating (Jacquet, 2017; Rasmussen & Nørgaard, 2018; Walsh & Elkink, 2021).

Research suggests that online and hybrid modes of deliberation could help overcome some of these logistical challenges (Harris et al., 2020). However, such approaches may also marginalise these participants further, as limited access to technology and communication channels can hinder their involvement in both in-person and hybrid sessions. This is well established in literature on the 'digital divide', which shows that in many countries there is still a small group of citizens that have no or intermittent access to the internet, which also varies by social group (e.g., see Elena-Bucea et al., 2021 for a discussion of the 'digital divide' and demographics in the EU).

2.4. Race and Ethnicity

Internal exclusion (i.e. inclusion during deliberations) is also linked to race and 'participation in deliberation can be a racialized experience' (Curato et al., 2021). According to Sanders (1997) the norms of good deliberation found in deliberative democracy 'reflect racialized power dynamics that can be exclusionary towards people of colour'. Black, Indigenous and People of Colour may also face assumptions about political knowledge that may be held by other participants (Davis & Silver, 2003). Racial dynamics can structure the way in which reasons are presented for arguments (Mendelberg & Oleske, 2000).

A study by Miscoiu & Gherghina (2021) reveals that the disregard of specific social, ethnic or cultural categories in the actual design of deliberative mini-publics may discourage involvement of people belonging to marginalised social groups. Their study on the lack of participation by people living in the *banlieues* in France's Grand Débat (Great Debate) (a large-scale deliberative mini-public) shows that groups of citizens that are marginalised from the process may not be so entirely for personal reasons. According to the authors, 'the *banlieues* have acquired over time their own social, ethnic, cultural and economic identity that make them a distinct unit in French society' and they are 'peripheral area(s) where the living conditions have almost continuously degraded and where the inhabitants face serious challenges in satisfying average or even basic needs' (Miscoiu & Gherghina, 2021 p. 700). Many of the people living there have a non-European cultural identity; many are Muslim and descend from families born in a former French colony. What is particularly relevant for our purposes is the finding of the study that the poor ethnocultural inclusiveness was one of the reasons behind the non-involvement of the *banlieues* in the Great Debate. Although all the participants agreed that there was insufficient diversity in the Great Debate, and a lack of intention to integrate the voices of people living in the *banlieues*, not

everyone agreed whether this was a result of their marginalised social and economic status, or a result of racism.

> Participants of French and European origins – who were white and European – claimed that the cause of their exclusion was their marginalized social and economic status. By way of contrast, participants from Northern African and Sub-Saharan African origin believed that their exclusion was directly linked to 'skin colour', in that the banlieue has always been associated with a population of migrants whose demands are ignored by elites (Miscoiu & Gherghina, 2021 p.701).

Another notable finding was the difference between participants as to the role of **discrimination in this deliberative process.** While some believed that exclusion was a result of the **racist attitudes of the system (i.e. ethnic and cultural discrimination),** others saw this as a problem deriving from politicians' will to ignore social and economic societal problems not directly related to the origin of the *banlieue* inhabitants (Miscoiu & Gherghina, 2021 p. 701). Seen through the lens of intersectional theory, as discussed previously in this deliverable, the above finding corresponds to the warning against an essentialist outlook which presupposes that persons belonging to the same intersection of social groups have the same experiences (Atrey, 2019).

Earlier literature had outlined more 'personal' or individual issues as an explanation for the lack of participation: priority of the private sphere; conflict-averse nature of people; and perceived inability to participate in important decisions. By way of contrast, the participants in this study did not mention any of these reasons to explain their (conscious) lack of involvement in the Great Debate. The research showed that participants from the *banlieues* refused to get involved in the Great Debate process because of its '"fake intentions", poor inclusiveness, lack of responsiveness to demands, and flawed functioning' (Miscoiu & Gerghina, 2021 p. 706). Overall, the authors found four main reasons for which citizens living in the Paris *banlieues* did not get involved in the Great Debate, all related to the exclusionary features of the deliberative practice, as opposed to the citizens' internal political efficacy.

These features are logically connected and refer to the inability of the deliberation to fulfil the function of genuinely including citizens' voices (…) [D]eliberations can attract citizens if they provide opportunities that can persuade citizens of the quality of the process. (…) Future research can build on this approach and compare the reasons for which citizens belonging to several social or ethno-cultural groups do not engage in deliberation (Miscoiu & Gherghina, 2021 p. 704).

A recent study further illustrates the disadvantages faced by minority groups, including immigrants, in participating in public life (Dell' Aquila, 2024). Regarding the usual method of sortition in recruiting for an assembly, the source population for creating a random sample may not be the most inclusive. Using official government records, such as electoral registers, may lack information about immigrants, residents of informal settlements, or non-voters. Information about inhabitants in certain areas may not even exist. Even where lists do exist, they contain inherent biases that may lead to the exclusion or underrepresentation of certain demographic groups such as those from ethnic or racial minorities or those that do not possess the nationality of a country (Spada & Peixoto, 2025). As to the process of the assembly itself (i.e. what happens *in the room)*, literature has shown that immigrants may face time and resource constraints, often due to precarious employment conditions, which prevents them from engaging in time-intensive deliberative processes (Veloso et al, 2025; Dell' Aquilla, 2024).

2.5. Disability

As already mentioned, disability is an important consideration for equality and inclusion in the *design* of citizens' assemblies. Indeed, disability is unique within the context of equality law in adopting a 'reasonable accommodation' model and which requires design adjustments to improve accessibility, including of deliberative spaces. It is for this reason that disability is examined as a transversal issue rather than as a social group for the purposes of this project. Despite its importance, disability is a relatively underexplored topic in political participation and the discipline of political science (Halvorson et al., 2018; Prince, 2009). Human rights mechanisms such as the United Nations Convention on the Rights of Persons with Disabilities affirm disabled communities' rights to inclusive and equitable political participation (Harpur & Stein, 2022). It is therefore important to ensure that disabled communities are not left behind in the so-called deliberative

wave in the same way they have been in other social innovations such as technological developments (Afsahi, 2020a; Prince, 2009; Raisio et al., 2014).

Research has shown that a range of barriers exist between disabled communities and participation in voting or contributing to law and policy development (Halvorson et al., 2018). The same barriers exist to participation in citizens' assemblies for disabled persons as exist in many other components of society where spaces are not designed for those with physical disabilities. Various mechanisms have been developed to ensure inclusion, such as confirming that venues are wheelchair accessible, and that easy-to-read or sign-language versions of policy documents are made available (Agran et al., 2016). Design features that are implemented for the inclusion of disabled communities can also have positive effects on others too (Reid, 2024).

There are often unanticipated barriers to the participation of disabled groups. Consultation with communities, including perhaps representative associations and NGOs, is necessary to identify and meet these needs (Prince, 2009). Researchers have also discussed the limitation of democracy generally for those with cognitive disabilities, with some proposing a citizens' assembly solely for those with cognitive disabilities to represent their interests (Umbers, 2020). There are barriers in a citizens' assembly, particularly in the educative phases of deliberation, for those with intellectual or learning disabilities (Redley & Weinberg, 2007), and also regarding verbal expression, the importance of which has been emphasised in conventional approaches to deliberation (Clifford, 2012).

The literature also highlights the potential role of community organisations or disability-focused organisations in representing or creating spaces for disabled people to deliberate (Afsahi, 2020a). Enclave deliberation is important for disabled people, being 'a more generous account of deliberative speech and behaviours' that allows supporting people to help represent those with physical, cognitive or intellectual disabilities (Afsahi, 2020a p. 751). In designing citizens' assemblies, it is important to consider the barriers that communities face, and which design choices could allow for greater inclusion. More time and resources will need to be allocated toward disabled participants and perhaps the inclusion of their support people or support animals (Agran et al., 2016) as well as alternative models of inclusion such as discursive inclusion through organisations, experts, or particularly relevant stories or materials (Afsahi, 2020a; Barnes, 2002; Celiktemur, 2016). Considerations of accessibility in the planning of a citizens' assembly will be necessary to ensure intersectional inclusion (Power et al., 2013).

Finally, disability quite clearly overlaps with other marginalised social group membership. For instance, an intersectional analysis showed that women with disabilities face more barriers to participation in representative politics and voting than both men and non-disabled women (Sackey, 2015). As such, disability is an important factor not only in ensuring accessibility as an end in itself, but also in identifying, understanding, and addressing intersectional marginalisation and exclusion of (other) social groups i.e. for our purposes, age and generation, sex and gender, socio-economic status, and race and ethnicity.

Taking stock of existing research as explored in this deliverable so far, the following Section V sets out the project's approach to the definition and exploration of these social groups in citizens' assemblies from an intersectional point of analysis.

V. A Proposed Framework for Incorporating Intersectionality into Citizens' Assemblies

Equality and inclusion are essential concepts for the functioning of democratic processes to ensure that all those who are affected by law and policy are included in its formation (the 'all-affected principle') and to provide justifications and a mandate for policy (Dryzek, 2017; Habermas, 1996). Our overarching objective as a project is to ensure that such efforts at inclusion and equality are properly mediated through an **intersectional lens** with a view to achieving genuine and meaningful participation in citizens' assemblies for people belonging to multiple intersecting marginalised groups or PMIMG. The discussion that preceded this section showed that, according to the literature, 'inclusion' and 'equality' are concepts that speak both to intersectionality theory and the theory governing deliberative democracy. At the same time, efforts at inclusion and equality within deliberative mechanisms would be incomplete without also ensuring a high quality of deliberation.

It is essential for the purposes of this project that all three of these aspects, (1) equality, (2) inclusion, and (3) deliberation be viewed through an intersectional lens i.e. (1) intersectional equality, (2) intersectional inclusion, and (3) intersectional deliberation. This intersectional framework for citizens' assemblies allows for the consideration of **overarching qualities** for the design of an (intersectional) citizens' assembly, relating for example to the question of who is included, or what type of topic might be discussed i.e. these are qualities that must be considered in designing any (intersectional) citizens' assembly. These qualities will in turn guide the more specific design choices to be made at later stages of the project, including when attempting to operationalise intersectionality (Deliverable 2.3) and setting out the models to be piloted (Deliverable 3.4). The figure below shows our initial framework for an intersectionality-oriented citizens' assembly design. The discussion that follows in this Section expounds on the framework in light of the analysis of the relevant literature that took place in this deliverable so far. A revised analytical and normative framework is then presented in the Concluding Remarks (Section VI).

(INITIAL) FRAMEWORK FOR A CITIZENS' ASSEMBLY DESIGN				
Intersectionality (infuses the design of the Citizens' Assembly in achieving the intended qualities)	**Design Choices**			
	When? (topic and timing)	How? (institutional set-up and rules)	Who? (participants, experts and facilitators)	What? (impact and influence on decision-making processes)
	Qualities (characterising each element of the Citizens' Assembly)			
	Equality			
	Inclusion			
	(Good) Deliberation			

Figure 10. The initial project framework for a Citizens' Assembly design (from the project proposal stage)

1. Intersectional Equality, Inclusion, and Deliberation

As evident from earlier discussion, academic literature has already been examining the experiences of participants in deliberative mini-publics from the perspective of inclusion and equality, but without the added layer of analysis provided by intersectionality theory. Given the insufficient theorising on intersectionality in the field of deliberative democracy, there is a need for the EU-CIEMBLY project to provide definitions of equality, inclusion, and deliberation using an intersectionality lens i.e. to focus on marginalised communities or account for power relations in the process of designing, implementing, and studying citizens' assemblies as democratic innovations. In other words, what is required is a more explicit recognition that citizens' ability to participate—and the extent of their participation—in democratic processes is often determined by power imbalances, the relational positions of their different social groups, and historical or ongoing injustices (Cho et al., 2013; Lupien, 2018; Wojciechowska, 2019). It should be noted that while the concepts of equality, inclusion, and deliberation are presented separately here, these concepts cannot be uncoupled when studying and designing citizens' assemblies. One cannot appreciate inclusion without engaging with the concept of deliberation, and one cannot define intersectional inclusion without appreciating the need for equal or equitable treatment of participants. In other words, the three concepts are interdependent and mutually reinforcing.

1.1. Intersectional Equality

Under conventional approaches to equality in deliberative democracy, there is an expectation that every citizen is given an equal chance to be included, participate, and deliberate (for a discussion see Bonito et al., 2013). This reflects a 'formal' understanding of equality and one which is also espoused by the existing EU equality law framework. Under such a formal or 'procedural' approach to equality, the emphasis is on consistency of treatment i.e. treating 'like' alike. This approach can be contrasted with more 'substantive' conceptions of equality which focus on the outcome i.e. equal outcomes rather than the starting point i.e. equal opportunity (to participate). There are additional weaknesses in the legal regime governing equality and non-discrimination from an intersectional perspective, notably the continued focus on the single ground or axis approach to discrimination, which necessitates a comparison against a (usually more privileged) comparator (Cabrelli, 2020; Fredman, 2011). The 'grounds'- based approach is addressed more fully below when discussing the relevant 'social groups' for the purposes of the EU-CIEMBLY project.

At this stage, it should be noted that the project accepts — indeed advocates — the need to depart from restrictive (legal) approaches to the definition and application of 'equality', by viewing that concept through an intersectional lens. In so doing, it must be recognised that the concept of 'equality' itself has multiple potential normative underpinnings in that it can be supported by concepts such as individual autonomy, human dignity, (state) neutrality, preventing group disadvantage, social inclusion, restitution, justice (redistributive or procedural), or indeed democratic participation (Bell, 2002; Hellman & Moreau, 2013; Khaitan, 2015; O'Cinneide, 2008). The concept of equality is therefore capable of narrower or broader definitions, depending on whether this concept is viewed in formal or substantive terms, or in terms of single ground or multiple (intersectional) discrimination (Westen, 1985). Notably, an intersectionally substantive approach to equality may, for example, require *more favourable* (rather than equal) treatment for marginalised groups to overcome structural or societal barriers to participation (Crenshaw, 1991; Cho et al., 2013; Lupien, 2018). The substantive approach is also coupled with a recognition of the 'asymmetrical' nature of equality, which accepts that discrimination and marginalisation is experienced differently for example between men and women (Schiek & Kotevska, 2021). The purpose of a substantive approach is therefore to overcome structural or societal inequality and discrimination by **removing barriers to participation** as opposed to merely providing everyone with an equal starting point.

As already discussed above, a more **expansive** conception of intersectional equality is also possible, namely an approach that focuses on power structures rather than individual characteristics (Fredman, 2016a). This power relations approach recognises that a White woman may be in a position of 'subordination' to a Black man on the basis of sex due to structural discrimination, but at the same time the White woman may be in a position of 'dominance' compared to a Black woman on the basis of race (Fredman, 2016a). In other words, groups are not homogenous and there may be differences within them. The typical comparator in a case of race discrimination might be a White person, while the typical comparator in a sex discrimination claim would be a White woman, thereby rendering those at the most marginalised intersection of both sex and race invisible i.e. Black women (Fredman 2016a).

In summary, it is the position of the EU-CIEMBLY project that an intersectional approach to equality is likely to require a departure from pre-conceived notions of that concept derived, among other factors, from the existing EU equality law framework. An approach to intersectionality that replicates the single ground framework of equality legislation, risks overlooking the importance of power dynamics in understanding and addressing intersectional discrimination and marginalisation. By way of contrast, an intersectional approach to equality recognises that there are structural or societal barriers to equality, which require structural strategies and interventions to overcome them. Existing approaches to equality in deliberative democracy, especially those advocating for sortition as the best way to achieve inclusion, are largely focused on ensuring that everyone has an equal chance and opportunity to participate and deliberate issues and ensuring that there are no active barriers in the form of discrimination. This approach has included ensuring people are protected against exclusion or discrimination on the basis of single or individual protected characteristics. In contrast, an intersectional approach to equality recognises that some social groups may need to be treated differently or more favourably in order to achieve genuine equality in participation or inclusion, including recognising and removing as many barriers as possible. This recognition also includes acknowledgement, and perhaps specific design choices to recognise that cumulative marginalisation, multiple discrimination, and/or unequal power relations can occur in the lives of participants and that this influences their standing within deliberative processes.

1.2. Intersectional Inclusion

1.2.1. Who is the citizen in a citizens' assembly?

An important task for the design of any citizens' assembly is to define *who should be included* in the deliberation. Dahl posits that for the purposes of inclusion 'the demos should include all adults subject to the binding collective decisions of the demos' (1989, p. 120). Others have linked inclusion firmly to the legitimacy of the state and the democratic process: democratic decisions earn their legitimacy by the fact that those subjected to them have the right, opportunity, and capacity, to participate in the making of those decisions (Gherghina et al., 2021; Goodin & Dryzek, 2006; Hendriks et al., 2007). Democratic theory, however, recognises that exclusionary factors often prohibit democratic decision-making processes from taking all peoples' interests into account (Gherghina et al., 2021).

As a starting point, and in line with more recent citizens' assembly practice, the project has taken the decision that 'citizenship' i.e. citizenship or nationality of the relevant polity should not be a criterion for inclusion in a citizens' assembly for the reason that a focus on citizenship is to unnecessarily exclude some of the most marginalised members of society, notably (recent) immigrants or those without formal voting rights but who nonetheless have a stake in how that society functions. Moreover, 'citizenship' itself can be a rather ill-defined concept and may extend beyond 'legal' or 'political' dimensions to include 'social' or 'civic' aspects, and with these dimensions capable of variance at local, national and transnational level. How might one define 'citizenship' of a town or region, for example? When it comes to transnational citizens' assemblies, should participation in these assemblies be open to everyone residing within the EU or only to EU citizens, who are defined in Article 9 TEU as 'nationals of Member States' (see Article 9 TEU: 'Every national of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship'). Citizenship can thereby be both an inclusionary and exclusionary concept in defining not only the rights that attract to citizenship, but also who is entitled to access those rights (see Lopes, 2020 on the various meaning of 'citizenship').

Perhaps most importantly, it would be a mistake for citizens' assemblies and other innovative democratic mechanisms to seek simply to replicate (or duplicate) existing fora, including the restrictions inherent in participating in such fora e.g. the requirement to possess a legal right to

vote which can exclude (marginalised) migrant populations from democratic processes, depending on the relevant immigration and electoral law and the duration of their stay in the host country. The ability of EU citizens to take part in democratic processes can also be compromised as a result of their mobility, particularly where national electoral law does not extend voting rights to those living outside of the state, as is the case with Ireland for example. This 'disenfranchisement' thereby results from the juncture of the voting rules of an EU citizen's home country and those of their host country. By and large, mobile EU citizens are not allowed to vote in the national legislative elections of a host Member State. The same citizens may also be unable to vote in their home country elections as Member States have discretion in defining the groups of citizens that are allowed to vote (Shaw, 2007), therefore being excluded from democratic processes.

Even when EU citizens are allowed to vote in their home country elections, this may mean that they are called to vote in the elections in a polity and society in which they might not have actually been part of for several years. It is, therefore, appropriate for our project to adopt a broader approach to the definition of 'citizen' than including only those formally holding the citizenship (or nationality) of a particular country. This approach aligns with recent efforts of the EU to give mobile EU citizens a stronger role in the democratic process by e.g. proposing safeguards to prevent mobile citizens from being automatically removed from the electoral rolls of their country of origin when they register abroad.[11] It is also suited to our understanding of citizens' assemblies as an opportunity to adopt more inclusive approaches to participation—indeed, the very purpose of the EU-CIEMBLY project is to advocate for the inclusion of diverse voices in citizens' assemblies.

1.1.2. Who to include in citizens' assemblies?

As already mentioned, the core concepts of equality, inclusion, and good deliberation cannot be viewed in isolation, with one instead informing the others. For example, for authors who recognise the need to prioritise inclusion, there is normally a recognition that the adoption of a formal equality

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[11] See Council Directive laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in elections to the European Parliament for Union citizens residing in a Member State of which they are not nationals (recast), 5 June 2025, not yet published in the Official Journal, available here: https://www.consilium.europa.eu/en/press/press-releases/2025/06/24/mobile-eu-citizens-council-strengthens-rules-on-right-to-vote-and-stand-as-a-candidate-in-elections-to-the-european-parliament/ accessed 10 July 2025.

approach has been insufficient for the participation of marginalised groups (Karpowitz & Raphael, 2016; Setälä, 2017). Due to a multitude of historical, systemic, and contextual factors; ethnic or sexual minorities, women, those with lower income or wealth, less formal education, and those whose legal status does not allow them to participate, are often underrepresented in democratic decision-making processes (Carnes, 2016; Dahlerup & Leyenaar, 2013; Gherghina et al. 2021, Giger et al., 2012; Ruedin, 2013; Talukder & Pilet, 2021).

Democratic theories have increasingly recognised the need to include marginalised groups, which is inherent in the conceptualisation of inclusion (or exclusion). Yet innovative deliberative mechanisms also present exclusionary barriers to participation, as it is simply not possible for example to include everyone in a citizens' assembly. As such, decisions need to be made around who is included and why, who represents those not present, and how (O'Flynn & Sood, 2014). Conventional approaches to citizens' assemblies consider that inclusion rests on representativeness ('constituting the demos' Goodin, 2007) as a key underlying principle. Representativeness is the idea that any given body is inclusive to the extent that it is a *mini- public* — being a mirror or representative sample of the given society (Lubensky & Carson, 2013). Put another way, deliberative mini-publics have the general goal of *descriptive representation,* where the demographic characteristics of the group deliberating will match the characteristics of the relevant broader society (Mansbridge, 1999).

The inclusion of specific groups has additionally been considered in the literature, based on the idea that the presence of individuals representing the group will lead to the group's interests being considered in decision making (Phillips, 1996; Smith, 2009). To give a concrete example, having cisgender women present in deliberation could lead to these women voicing their interests and experiences, and then these interests being considered. Under a representative model of deliberative democracy, groups are included proportionally to the rate they appear in the population, so if one group represents 20% of the population, they comprise 20% of the given body. In deliberative mini-publics, this may include social groups that have typically been marginalised in representative democracy (i.e., through elections, as politicians in representative bodies). Inclusion as thus understood, recognises that some groups may face barriers to representation (structural inequality) and that require active measures to overcome these barriers.

Young's (2002) work on internal and external exclusion is a central point in the EU-CIEMBLY project's understanding of the concept of inclusion. Young views inclusion in terms of internal and

external dimensions. External inclusion describes the mere presence of those from a marginalised social group and internal inclusion describes what *happens* in the room (Young, 2002). Internal inclusion goes beyond the descriptive inclusion of a group—for example at the sampling and recruitment stage of a citizens' assembly—and involves what happens once people from marginalised groups are included in a discussion within a deliberating group. Internal exclusion is where participants from marginalised groups make it into a given deliberative body but are either actively or passively ignored (Young, 2002). In this sense, an intersectional approach aligns with research, which acknowledges the need to adjust to systematic exclusion from deliberative mechanism and which shows that formal or procedural equality has been insufficient for the meaningful participation of marginalised groups (Smith, 2009; Beauvais & Baechtiger, 2016). This includes research that has highlighted the need to actively take measures to include people from disadvantaged social groups, including ethnic, gender, or class-based groups, in deliberative processes (for a thorough literature review in the context of local deliberative institutions, see García-Espín, 2024).

When considering approaches to inclusion, it is pertinent to keep in mind the previously-mentioned idea of token (or 'threshold') representation: that *one* individual from a marginalised group should not be given the task of representing that *whole* group. This has been advanced for several reasons including that one voice can be more easily drowned out, that a minimum level of representation can bolster group confidence to share their views, and acknowledgement that there is no one homogenous group experience to share (James, 2008). An intersectional framework should also extend the view of the limitations of token representation by acknowledging that the intersections between social group memberships create different experiences and epistemologies (hooks, 2014). This would surpass the conventional token representation argument, by ensuring there is representation across different intersections of groups rather than more than one member of any given group.

Measures to increase the inclusive character of a citizens' assembly do not necessarily guarantee intersectionality or diversity within a group: for example, the external inclusion of an ethnic minority group could include the representation of three men, who might provide a narrower perspective on the experiences of their ethnic group than what the representation of women could provide. Where a more conventional approach to inclusion may avoid token representation on the basis that it is unfair to those tokenised, an intersectional model extends this analysis to avoiding token

representation on the basis that one individual cannot represent intersectionality. Avoiding the problems of tokenism can be achieved by including a critical mass of those from marginalised perspectives in civic forums (Karpowitz & Raphael, 2016). An analysis of inclusiveness can also go beyond the participants in deliberation and relate to who has the 'agenda-setting' power, who controls resources, or makes the decisions.

An intersectional framework should, therefore, recognise that structural inequality and current or historical discrimination may lead to different approaches to inclusiveness for different marginalised groups and the intersections of different groups. This should occur for both internal and external inclusion, or in more concrete terms, for both participant sampling and recruitment (external inclusion) and deliberation (internal inclusion) in a citizens' assembly. In terms of conceptualising a model of intersectional external inclusion, different approaches to group composition may be used. Departing from the mirror model, a model of intersectional inclusion may prioritise the inclusion of marginalised groups (or intersectional positions) over representativeness. Referring to Figure 11, this means that not only are the selected social groups represented, but intersections of the relevant social groups are included too.
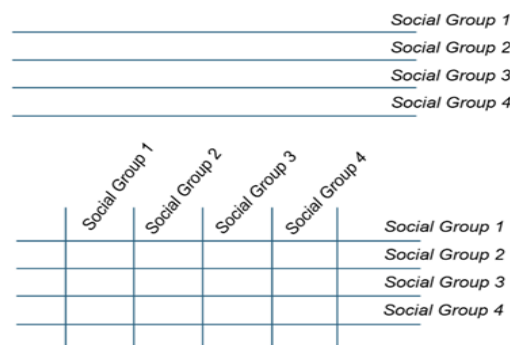

Figure 11. Comparing single axis and intersecting social groups

Beyond the recruitment of participants, inclusiveness under an intersectional model should also consider not mere representativeness or external inclusion but also marginalised group membership and intersectionality **within power structures.** Writing specifically on deliberative democracy and intersectionality, Wojciechowska (2019) challenges the field to include an analysis of intersectionality in the leadership of democratic innovations. Those in charge of a given group or institution on both a day-to-day and governance level often make choices that shape results,

and rein-in potentially challenging ideas (e.g., in terms of deliberation, they get to shape what the group views as 'reasonable'; Young, 2001). Such a model should analyse intersectional inclusion vertically, i.e. examine whether intersectional inclusion is happening at all levels of a citizens' assembly including its set up, the process of deliberation, the role of experts and facilitators, the way that members of the citizens' assembly reach their conclusions, and the follow-up of these conclusions. Put differently, considerations of intersectional inclusion should be infused in the input, throughput, and output design choices of the citizens' assembly. An intersectional model also will consider internal inclusion not only in these power structures but also in deliberation by seeking to include those from intersectional viewpoints in the deliberation. This means considering specific design features to address power imbalances and biases in communication.

1.3. Intersectional Deliberation

In its most basic form, deliberation can be defined as communicative action, involving two or more people (Goodin, 2003). Good deliberation includes the process of learning, reflecting, and discussing (Goodin, 2003). Deliberation involves both internal reflective processes (within one's own mind, e.g., learning about a new topic) and external, collective processes (through the discussion and collective generation of ideas; Goodin, 2000, 2003). According to traditional concepts of deliberation within the context of deliberative democracy, deliberation should involve careful consideration (*weighing up*) of the information at hand, alongside all of the possible options and opinions of participants (Fishkin & Laslett, 2003; Lang, 2008 citing Burkhalter et al., 2002).

Conventional perspectives on deliberation start from the assumption that participants are free and equal to share their experiences and opinions and to disagree, and that participants are informed to the same degree (Bohman, 1998). In other words, all participants have the capacity to take part in the discourse, question any assertion, introduce ideas, and express their views without hesitation, and without any kind of coercion (Goodin, 2003; Pettit, 2003). Arguments are put forth in a way that is reasoned, rational, informed, educated, cool-headed, and informative. To some extent, good deliberation is viewed as occurring in Habermas's (1996) 'ideal speech situation'. There is a level of expectation that this deliberation will take place in a calm, 'rational', controlled, reasoned, and well-articulated manner, and that participants will *listen* to one another, that is, make sense of and understand others' perspectives, and take them into account when deliberating.

Others have criticised this notion, instead positioning the ideal deliberation as 'agonistic pluralism'. In other words, debate should not so much focus on being rational and free of passion, but rather on emphasising agonistic — as opposed to antagonistic — relationships between adversaries (Mouffe, 1999). An agonistic approach to deliberation involves disagreement between participants that is respectful in their engagement in deliberative democracy, while still generating the important argumentative content that underlies the justification for a decision or policy. Indeed, the very purpose of deliberation can be said to rest on the need for justification (Dryzek, 2017; Shapiro, 2003). This is to ensure that necessary arguments and experiences are expressed and accounted for when creating a policy or law (the 'all-affected' principle; or the chamber of justification'; Dryzek, 2017; Habermas, 1996). Justification is also linked to the notion of 'reciprocity' in that 'citizens owe one another justifications for the mutually binding laws and public policies they collectively enact' (Gutmann & Thompson, 2004, p. 33).

With regard specifically to democratic innovations such as citizens' assemblies, deliberation has similarly been conceived in broad and ordered terms. According to Gastil (2013), for example, there are some key processes that are needed for good deliberation: (1) it should be informed, i.e., participants need a solid base of background knowledge; (2) it should involve an elaboration of the key values of the group; (3) it should identify a wide range of solutions; (4) it should weigh up the solutions including the 'pros and cons', and the tradeoffs; and finally, (5) it should come to the best decision possible. To ensure that deliberation is of a agood quality, Fishkin (2009) advances the following points to consider: (1) the extent to which participants have been given relevant information; (2) substantive balance across arguments and perspectives; (3) the extent to which major positions are represented; (4) the extent to which merits of arguments are conscientiously weighed; and (5) equal consideration, or whether arguments are fairly considered regardless of who suggested them. To meet these ideals, it has been widely recognised that active management is needed to make sure that speaking opportunities are distributed relatively evenly, for 'mutual comprehension' (Fishkin, 2009 p. 96), so that participants actively consider each other's contributions and in an empathetic way (Smith, 2009), i.e. participants should commit to showing respect to one another.

There has, however, been a growing recognition in the field that different efforts are needed to achieve 'equality of voice' among participants (Smith, 2009 p. 21). For those from marginalised groups, including from intersectional positions (PMIMG), it is clear that barriers exist for some groups in expressing their viewpoints and having them heard in democratic deliberation. The field

of deliberative democracy has been criticised for not considering *power*, being detached from the day-to-day reality of many people's lives and being too conservative or not radical enough when taking into account power dynamics and structural marginalisation in societies (Curato et al., 2019). There is a large body of literature that documents biases in communication. An intersectional framework of deliberation needs to take these biases into account and actively design around them. For deliberation to be of a 'high-quality' there needs to be consideration of the 'selective uptake' of views (Goodin, 2003).

Within any intersectional framework, deliberation needs to be not only free and considered, but also an 'equitable' exchange of ideas, and an equitable chance to affect the 'output' of the deliberation (Smith, 2009). This approach is also reflective of the distinction between formal and substantive equality discussed above, i.e. the equal 'chance' to deliberate is not sufficient, so more active interventions may be required to ensure the genuine inclusion of diverse voices in the citizens' assembly deliberation. An intersectional framework helps us understand that biases and power dynamics influence communication between participants and the contributions that participants make. An intersectional view of deliberation also recognises that, at the informational or educative phase participants are not neutral vessels waiting to be filled with knowledge. Rather, they bring their own biases to processing information, whether it be when listening to others' stories or receiving education on a subject (Carson & Belgiorno-Nettis, 2013; Freire, 1996). This recognition drives the need for specific design features to ameliorate biases and power imbalances in the context of a citizens' assembly (or any deliberative group), and to ensure equitable expression in deliberation.

Deliberation, whether through conventional, inclusive or intersectional approaches, is an exercise in generating ideas: it has 'epistemic value' (Gutmann & Thompson, 2004). An important rationale for the creation of an intersectional citizens' assembly is the idea that those from marginalised groups, and indeed those from more than one structurally marginalised group, have different experiences, knowledge, and views of the common good whether from other groups or even from others within the same group (i.e. intersecting identities do not create homogenous experiences). Membership of a specific social group (or intersections thereof) does, however, endow participants with specific experiences and knowledge. Having these views expressed is important to the epistemological quality of deliberation (Mansbridge, 1999; Young, 2002). The discussion of these experiences and knowledge should then enhance the quality of the deliberation by adding new discourses (Dryzek & Niemeyer, 2008, 2010; Wojciechowska, 2019), which need to be

considered when coming to solutions. An intersectional framework for deliberation should aim, therefore, to include epistemic diversity in deliberation by drawing on the knowledge or experiences of those from different social groups (intersectional experiences and knowledge), rather than merely repeating or affirming majority discourses.

Deliberation also ultimately has an end point, where a decision needs to be made, whether that be by consensus or majority vote. This is another design choice that would need to be attended to in an intersectional model (Goodin, 2003). Majority or consensus-based solutions may flatten out the epistemic contributions of those from marginalised and intersectional positions. These facets of an intersectional framework all lead to the need for specific and considered design choices for deliberation (and policy making) to ensure that the quality of deliberation is actually enhanced by these diverse contributions.

In summary, intersectionality theory provides an analytical framework for understanding how various forms of inequality and marginalisation intersect and compound, creating unique challenges for individuals and social groups. Intersectionality highlights that social categorisations such as race, class, gender, sexual orientation, and physical ability are not independent and isolated, but rather intersect to form overlapping and interdependent systems of marginalisation. The EU-CIEMBLY project advocates using an intersectionality framework to recognise the impact of belonging to multiple, overlapping social groups on citizens' experiences and how these dynamics shape power relations within deliberative and participatory fora such as citizens' assemblies through the (interrelated and mutually reinforcing) lens(es) of intersectional (1) equality, (2) inclusion, and (3) deliberation. In other words, this analytical and normative lens is in our view crucial for enhancing the meaningful inclusion, equality, and deliberation of people from multiple, intersecting marginalised groups (PMIMG).

As also already discussed above in the context of the theoretical approaches to the concept of intersectionality, a necessary first step in understanding power relations and dynamics is to **delineate the relevant identity characteristics possessed by individuals or the relevant social groups to which they belong.** Indeed, any project seeking to operationalise intersectionality will need to address the relevant identities to be examined, including how those identities are to be conceptualised and measured (Bauer et al., 2021). The discussion that follows focuses on the conceptual, theoretical and normative underpinnings of our approach to the question of the **relevant identity characteristics** to be explored within the context of this project.

In later deliverables, it will be necessary further to concretise and define more specific characteristics for the purposes for example of recruitment to — and evaluation of — our pilot assemblies through an intersectional lens.

2. Equality and Inclusion of 'Social Groups' in EU-CIEMBLY

Identity categories are not fixed or static. They are mutually reinforcing and co-dependent and are themselves socially constructed, i.e. the product of underlying power structures and dynamics. This is the added insight that an intersectional lens can bring to existing efforts at including discrete or particular marginalised social groups into participatory democracy mechanisms. An intersectionality framework is therefore a valuable tool to understand how structural and institutional barriers impact and constrain the participation of people belonging to multiple intersecting marginalised groups (PMIMG) in citizens' assemblies while also suggesting avenues for overcoming those barriers (Lupien, 2018; Wojciechowska, 2019). In particular, an intersectional approach serves to foreground the unique challenges, needs, experiences, and knowledge of marginalised individuals within the context of citizens' assemblies.

Typically, 'identity' refers to an individual's sense of self and how they perceive and express their connection to certain social categories or characteristics such as gender, race, and sexuality. Thus, identity is more about the internal experience of belonging and self-definition or selection. While individual identity and social group membership are heavily intertwined, much of the theoretical framing in the present project moves beyond the individual level to focus on collective, group-based, and structural processes. **Here, the concern is not merely with how individuals *feel* about their identities, but with how social locations — shaped by intersecting systems of power such as racism, colonialism, sexism, and capitalism — organise opportunities, shape experiences, and structure exclusions.** This approach foregrounds the consequences of social group membership, rather than treating identity as solely a personal or psychological construct. It also prevents difficulties in the practical application of an identity-based focus, which arise from intersectional differences related to identity, where these identities or measures may be interpreted or viewed differently across cultures or gender, for example. Moreover, the concept of identity has been politicised and the focus on identity (based) politics is one of the (misplaced) criticisms that has been levelled at intersectionality theory.

> The problem with identity politics is not that it fails to transcend difference, as some critics charge, but rather the opposite-that it frequently conflates or ignores intragroup differences (...) ignoring differences *within* groups contributes to tension *among* groups (Crenshaw, 1991 p.1242).

Given the eventual focus of our recommendations on the design of an **intersectional EU Citizens' Assembly**, our starting point in considering the conceptualisation of the characteristics to include in our project's intersectional analysis was the existing EU equality law framework. However, it has already been noted that EU (and national) equality law is deficient from an intersectionality perspective in that it adopts a single axis approach to discrimination, whereby discrimination claims can essentially only be taken on the basis of one characteristic at a time. A further drawback of relying on the current legal regime is that it adopts a 'closed' list approach to defining the 'protected grounds' i.e. those characteristics that are deemed worthy of protection from discrimination.

Article 10 of the Treaty on the Functioning of the European Union (TFEU) provides that '[i]n defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation'. Article 19 TFEU similarly provides a legal basis for the adoption of legislation on the same grounds. This leaves us with a rather limited (and ill-defined) list of characteristics whose protections are further elaborated within EU equality legislation which is largely composed of a series of discrete directives applicable to specific contexts.[12] Article 21 of the EU Charter of Fundamental Rights includes a more open-ended (aspirational) list of protected grounds, namely sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, sexual orientation, and nationality. Proposals have also been made to expand the number of protected grounds within EU equality legislation, for example to include socio-economic disadvantage, health status, sex characteristics, genetic heritage, physical appearance, gender identity, and gender expression (Ganty & Sanchez Benito, 2021).

> Given the limitations within the existing EU equality law framework from an intersectionality perspective, and to avoid talking at cross purposes to different audiences who might use the

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[12] Directive 2000/78/EC; Directive 2000/43/EC; Directive 2004/113/EC; Directive 2006/54/EC.

concepts of 'protected grounds', 'protected characteristics' or 'identities' differently, the project made the decision to adopt the term **'social groups'** when addressing the question of who to include within our conceptualisation of intersectionality in citizens' assemblies. The term social group can also be found in the literature on intersectionality.

The concern is with the nature of the relationships among social groups and importantly, how they are changing rather than with the definition or representation of such groups per se (McCall, 2005 p. 1785).

The emphasis on social groups thereby also serves to highlight the structural and societal nature of intersectional exclusion, the collective element of which would be somewhat lost if the focus were to remain on (individual) characteristics. In addition to being more all-encompassing than the concept of a protected ground for the purposes of EU equality law, the term 'social group' also facilitates an assessment of both multiple and intersectional equality considerations across a more expansive field of social groups (including groups within groups) without (necessarily) being constrained by pre-existing (legal) conceptions of 'protected grounds'. At the same time, the term 'social groups' is not unknown in EU law. Article 10(1)(d) of Directive 2011/95/EU defines 'social groups' in the context of refugee protection:

> members of that group share an innate characteristic, or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it, and (…) that group has a distinct identity in the relevant country, because it is perceived as being different by the surrounding society.

Although not directly transposable for the purposes of this project, aspects of this definition of a 'particular social group' that are of relevance to the concept of a 'social group' include the fact that ('in particular'): 'members of that group share an innate characteristic, or a common background that cannot be changed, or share a characteristic of belief that is (...) fundamental to identity or conscience and (...) [that the] group has a distinct identity'. The advantage of borrowing from (aspects of) this definition is that it was deliberately intended to be interpreted broadly and in an inclusive manner (European Commission, 2001) and in a way that avoids discussion as to whether the 'and' should be read as an 'or', i.e. whether the various requirements should be read conjunctively or disjunctively (Querton, 2022). A further question for us to address as a project

will be the extent to which this definition of a 'social' group can be transposed to a transnational level where there may be a lack of homogeneity in the surrounding society and therefore divergences in what constitutes 'a distinct identity'.

In summary, the EU-CIEMBLY project consistently adopts the term 'social groups' as an open-ended and broad concept that is intended to capture the various interrelated and interdependent facets of an individuals' characteristics. Consolidating these elements for the purpose of the EU-CIEMBLY project leads to the recognition of a social group where that group: (1) has a distinct identity; or (2) shares: an innate characteristic; a common background; a characteristic that is fundamental to identity or conscience. This definition encompasses but also goes beyond the list of existing protected grounds found within EU equality law.

Given the wide range of potential intersecting characteristics each of us possess as individuals, it is necessary for the project to **delimit** the scope of our inquiry to a more restrictive category of social groups. As a first step, drawing on the **interdisciplinary** nature of our project, and the theoretical research conducted as part of this deliverable, we were guided by (but not necessarily limited to): (1) the protected grounds found within EU equality law; (2) the 'standard set' of demographic groups that has emerged over time within political science, sociology and cognate disciplines, depending on the topic being studied, measured or accounted for; (3) the social groups that have been identified in the above-discussed literature as being particularly vulnerable to exclusion from citizens' assemblies (whether participation or deliberation); and (4) those social groups identified in the intersectionality literature as being historically marginalised by oppressive power structures (e.g. colonisation, patriarchy, sexism etc) (Dei & Asgharzadeh, 2001; Lerche & Shah, 2018).

The consolidation of our analysis led to the emergence of **four 'anchor' social groups** that will be emphasised throughout the course of the project, namely: (1) racial or ethnic origin; (2) sex or gender; (3) age or generation; and (4) socio-economic status. **Racial or ethnic origin** and **sex or gender** constitute the starting point given that both social groups have been prevalent from the earliest emergence of intersectionality as a field of study (i.e. the experience of Black women). Indeed, the (over-)emphasis of intersectionality theory on race and sex has been criticised for

overlooking the importance of other social groups (see e.g., the discussion of the 'sex plus' approach in Fredman, 2016a). Another criticism of early approaches to intersectionality is that they overlook the importance of socio-economic status to intersectional exclusion and marginalisation (see e.g. the discussion on material considerations in Ajele and McGill, 2020), hence the addition of **socio-economic status** as an additional layer of intersectional analysis. Finally, the literature emphasises the importance of **age** to participation in both traditional and innovative democratic mechanisms as well as potential role of citizens' assemblies in contributing to intergenerational dialogue (Deželan, 2017). What is more, most (if not all) of these social groups are already used as demographics of interest in the recruitment of citizens' assemblies, thus maximising the project's potential to offer meaningful contributions to the theory and practice around citizens' assemblies.

While not intended to form the focus of our intersectional analysis, other relevant social groups include sexual orientation, disability or health status, and religion. Disability has already been identified above as a cross-cutting issue in ensuring the accessibility of our pilots and in facilitating participation and deliberation. Moreover, while not falling within our definition of 'social groups', the following factors have been identified as important considerations for inclusiveness in citizens' assemblies, namely internet connectivity and access to technology, political orientation and party preferences, attitudinal measures relating to the Citizens' Assembly topic, caregiving responsibilities, language, education, and geographic location. These 'non-anchor' social groups and factors may still be measured and assessed within the context of the evaluation of the forthcoming pilot assemblies and will thus necessitate definition and methods of measurement at the pilot design stage. For now, the remainder of the present deliverable will focus on explaining our approach to defining and analysing the above-mentioned 'anchor' social groups, while at the same time recognising that further effort will need to take place under Work Package 3 when defining the social groups within the context of each pilot assembly.

Indeed, awareness of the relevant context is important not only for defining the social groups of interest to the project, but also for properly delineating the scope of the project's recommendations. At an earlier discussion in this deliverable, we asked the question of whether the project can provide transversal recommendations on embedding intersectionality in citizens' assembly design and highlighted the need to be mindful of the relevant context in terms of the local, national, and transnational levels of governance. Definitions of local, national, and

transnational citizens' assemblies were given as guiding points in Section II. decision-making bodies, such as the EU institutions.

Beyond the significance of distinguishing between the local, national, and transnational dimensions, context matters when we think of defining social groups within each of these levels of citizens' assemblies, including in the forthcoming pilot assemblies of EU-CIEMBLY. Here, we recognise that precisely what is meant, for example, by 'racial or ethnic' origin, or as to who precisely is marginalised within those social groups, may need to be adapted to the local (or national, or transnational) context given the differing levels of diversity likely to be found in different regions, contexts, and level of assembly.

Our starting point in 'defining' the relevant social groups was again to examine the various protected grounds found within the EU equality law framework, albeit accompanied by a recognition that these grounds apply in often restrictive contexts (e.g. the employment relationship), and so would be of potentially more limited use in defining the social groups for participation in citizens' assemblies i.e. equality law and citizens' assemblies have different scopes and purposes. We were only partially guided by the existing (legal) interpretations of those concepts, but we were not constrained by them given existing biases and the difficulties that are inherently associated with 'categorisation', which inevitably leads to exclusion of those who do not fall within the confines of the category's definition.

2.1. Racial or Ethnic Origin

'Racial and ethnic origin' as a protected ground is by now well-embedded within EU equality legislation. The Racial Equality Directive prohibits discrimination on the grounds of 'racial or ethnic origin', but without defining what those terms mean (though 'nationality' is explicitly excluded from the scope of the Directive, as nationality discrimination (against EU citizens) is addressed elsewhere (Council Directive 2000/43/EC, 2000, Preamble; Farkas, 2017 p. 7). The term 'racial or ethnic origin' as well as 'national origin' and 'colour' can also be found in Article 21 of the EU Charter of Fundamental rights, but with those terms again left undefined. It should further be noted that the precise meaning of these terms can change over time depending on the historical, social, and political context, which means that the Court of Justice of the European Union (CJEU), as the ultimate arbiter of the interpretation of EU law, has a particularly prominent role to play in elucidating the meaning of this protected ground.

It has been noted elsewhere that 'racial or ethnic origin' essentially constitutes a 'super-category' in that it is difficult to distinguish between 'race' and 'ethnic origin' (Farkas, 2017 p. 8). Broadly speaking, 'race' can be conceived as a social construct developed to justify systems of oppression such as slavery and colonisation. Ethnicity, on the other hand, refers to a group's 'identification' based on shared history, cultural traditions, language, customs, and other social practices. It emphasises a sense of belonging and collective identity rooted in common experiences and heritage. Another relevant factor is the concept of 'indigeneity', i.e. being descended from the original peoples of a place, while having maintained a distinctive language and culture.

The relationship between 'race' and 'ethnicity' has been more explicitly addressed by the European Court of Human Rights in the following terms:

> Ethnicity and race are related and overlapping concepts. Whereas the notion of race is rooted in the idea of the biological classification of human beings into subspecies according to morphological features such as skin colour or facial characteristics, ethnicity has its origin in the idea of social groups marked by common nationality, tribal affiliation, religious faith, shared language, or cultural and traditional origins and backgrounds.[13]

This distinction is not uncontroversial, and as already noted, it has been suggested that 'racial origin' can be read as an overarching category also encompassing ethnicity. Moreover, it has been argued that the definition of 'race' as essentially focusing on physical differences is 'reductive' (Farkas, 2017 p. 85). As Advocate General Wahl has also noted, the use of the term 'ethnic origin' has been used to avoid the 'increasingly unacceptable' exercise of defining the concept of 'race'.[14] Moreover, it has been suggested that the law attempts to combine 'contested identity facets - such as racial, ethnic, national, linguistic, cultural and religious - with the apparently objective material elements - such as origin, extraction, membership of, association with and descent' (Farkas, 2017 p. 8). Critical approaches to race also suggest that the construction of legal concepts such as 'racial origin' can themselves derive from and reinforce power imbalances and existing structural injustices (Farkas, 2017, p. 99).

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[13] *Timishev v Russia* ECHR 2005-XII 169, para 55.

[14] Case C-668/15 *Jyske Finans A/S v Ligebehandlingsnævnet, acting on behalf of Ismar Huskic* ECLI:EU:C:2016:914, para 31.

The overarching approach of most international supervisory bodies is that racial and/or ethnic origin should be interpreted broadly. This is also the approach of the CJEU, which has applied a teleological or purposive interpretation to the Racial Equality Directive.[15] Given the difficulties associated with defining 'racial or ethnic origin' and indeed 'racism,' it has been suggested that the focus should instead be on 'racialisation', namely the 'process that transforms social signifiers into racial differences' (Farkas, 2017 p. 49). For example, Muslims might be routinely subjected to police stops due to biases related for example to clothing or appearance. This raises profound issues of intersectionality, particularly given that religion is not covered by the Racial Equality Directive despite the fact that Muslims are potentially being 'racialised' in this way (Adamis-Császár et al., 2022). Other specific instances of intersectional race discrimination have been identified such as: young men from ethnic minorities being stopped by the police (age, sex, race); migrant and refugee women, particularly when wearing coverings or other religious identifiers (sex, race, religion);[16] LGBTQI+ Roma persons (sexual orientation, race); single mothers (sex and race); and migrants with disabilities (race, nationality, migration status, disability) (Adamis-Császár et al., 2022 p. 123).

Again, with regard to intersectionality, the EU's Anti-Racism Action Plan is said to mark 'a shift in the understanding of racism at the EU level by recognising the **structure dimensions of racism**, **the specific forms of racism affecting different racialised grounds in Europe**, as well as the **concept of intersectionality'** (Liger et al., 2022, p 14). The Committee for the Elimination of All Forms of Discrimination in its General Recommendation XXV on gender-related dimensions of racial discrimination, noted that 'racial discrimination does not always affect women and men equally or in the same way' and that 'certain forms of racial discrimination may be directed towards women specifically because of their gender' (OHCHR, 2000). Farkas has noted the 'nodes' approach within intersectional theory, which seeks to capture discrimination through reorganised and intersecting nodes, such as sex/gender, race/ethnicity, and disability/impairment. This approach aims to 'reconstruct' and 'compress' intersectional claims (e.g. ethnicity, language, religion etc can be subsumed into the category of 'race') (Farkas, 2017 pp. 102, 103).

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[15] Case C-394/11 *Valeri Hariev Belov v CHEZ Elektro Balgaria AD and Others* ECLI:EU:C:2013:48.

[16] Case C-157/15 *Samira Achbita, Centrum voor gelijkheid van kansen en voor racismebestrijding v G4S Secure Solutions NV* EU:C:2017:203; Case C-188/15 *Asma Bougnaoui and Association de défense des droits de l'homme (ADDH) v Micropole SA* EU:C:2017:204; Case C-344/20 *LF v SCR*L EU:C:2022:774.

It has been noted that a particular difficulty associated with adopting an intersectional approach to race is the reluctance to engage with the concept of race itself due to the 'unspeakability of race', and 'colour-evasiveness' or indeed 'post-racialism' views that race has been 'transcended' and 'no longer constitutes an organising principle in society' (Center for Intersectional Justice, 2019 p. 7).There is also a potential tension between external (socially constructed or perceived) 'ascription' or 'attribution' and self-identifying traits (whether defined by individuals or communities) (Farkas, 2017 pp. 8, 37). Some of the '**proxies'** that are used in determining racial, ethnic and national origins can include nationality, colour, descent, minority religion, minority language, minority culture and traditions as well as 'foreignness' or immigration status (Farkas, 2017).

2.2. Sex or Gender

As discussed above, sex (or gender) has been one of the most prominently discussed social groups within the context of intersectionality theory as well as regarding exclusion from democratic mechanisms such as citizens' assemblies. It should be noted that 'sex' and 'gender' are often used interchangeably within the EU law (indeed wider) context when referring to equality between men and women. There is no explicit definition of 'sex' or 'gender', or 'intersex' or 'transgender' within EU law, nor does EU equality legislation clearly distinguish between 'sex' and 'gender', and the institutions also often use those terms interchangeably. EU equality law does not expressly refer to the protected ground of 'gender identity' or 'gender expression'.[17] While gender (identity) is not a protected ground in and of itself, the CJEU held that 'gender reassignment' falls within the scope of 'sex' discrimination.[18] Gender identity has also been found to fall under sex in the equality laws of a number of EU Member States (Böök et al., 2021). Gender is a widely used categorisation in societies and often relates to different life experiences across a wide range of domains, whether relating to reproduction and health care, gendered divisions around care, or power relations and political representation (Heiss & Mokre, 2023; Karpowitz et. al., 2012; Palacios et al., 2016; Siim, 1994; Waring, 1988).

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[17] Case C-13/94 *P v S and Cornwall County Council* EU:C:1996:170; Directive 2011/95/EU, 2011; Directive 2012/29/EU, 2012; Directive 2006/54/EC, 2006, Recital 3.

[18] Case C-13/94 *P v S and Cornwall County Council* EU:C:1996:170.

Our choice of the broad social group of 'sex or gender' relates to (cisgender) women and men, to gender diversity (i.e., transgender, non-binary, and a variety of ways of self-labelling one's gender), and sex characteristics (i.e. being intersex) (Ganty & Benito Sanchez, 2021; van den Brink & Dunne, 2018). 'Gender', sometimes called 'gender identity', refers to a 'person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth' and which may or may not be expressed in different ways, such as through body modifications or dress, speech, and mannerisms (van den Brink & Dunne, 2018 p. 34; Yogyakarta Principles Plus 10, 2017).

Similarly, 'gender expression' refers to a person's presentation of their gender whether through physical appearance, mannerisms, speech, behavioural patterns, names, and personal preferences and which may or may not conform with their gender identity (van den Brink & Dunne, 2018 p. 35). Gender identity and expression are often felt in deeply personal and individual ways, meaning that it can be difficult to provide precise definitions or to categorise individuals into particular groups (van den Brink & Dunne, 2018 p. 34). In the absence of the inclusion of 'gender' identity and expression as explicit protected grounds in EU equality law as well as the absence of a definition of 'sex', it is also necessary to draw on broader definitions of those and related concepts.

A broad range of identities, labels, communities, and social groupings exist under the transgender, gender diversity or gender minority umbrella. The name of the broader umbrella also varies across context, with different people or civil society organisations preferring different terms. This is an important caveat to keep in mind when discussing these groups. For instance, the term 'trans' can include people who have a gender identity or expression that is different from the sex they were assigned at birth (the opposite term being 'cisgender'). Trans can also be viewed as an 'umbrella' term encompassing various gender identities and expressions including transgender, cross-dressing, androgyne, polygender, genderqueer, agender, non-binary, and gender variant among others. Trans people may or may not seek medical intervention to affirm their gender (van den Brink & Dunne, 2018 p. 35). Often medical interventions relate to the idea of 'transition' whereby a person undertakes a 'process' to present and live (publicly or privately) as their gender (with or without medical or surgical supervision or intervention).

Non-binary and many related genders refer to those who do not exclusively identify as male or female, man or woman. and instead exist outside of traditional gender binaries (van den Brink & Dunne, 2018 p. 35). These identities and expressions may also be fluid, i.e. they can change over

time, Intersex individuals are born with physical sex characteristics that do not fit narrow medical definitions of male or female bodies (van den Brink & Dunne, 2018 p. 34, in reliance on the Yogyakarta Principles Plus 10 Preamble). This can include variations in chromosomes, hormones, or anatomy (van den Brink & Dunne, 2018, in reliance on Council of Europe, 2015 p. 13). It is clear, therefore, that gender and sex are complex and deeply personal categories as which necessitates a need for sensitivity when it comes to recruitment to—and evaluation of—our pilot assemblies. It is also clear that, perhaps unlike some of the other social groups of interest to this project, self-identification has a more prevalent role in the context of sex and gender e.g. in the need to explain preferred gendered pronouns which itself raises questions of exclusion.

2.3. Age or Generation

Age or generation is a relatively straightforward social group to define. While age is linear, and based on date of birth, it is often characterised by age bands (sometimes five- or ten-year windows), or through generational cohorts. Generations are often tied to specific birth years or historical events and referred to with colloquial names. Examples from many Western nations include 'boomers' or 'baby boomers,' a label given to those born between 1946 and 1964 (Munger, 2022) and 'Generation Z' or 'Gen Z', born between 1997 and 2012 (Rice & Moffett, 2021). Common traits assigned to boomers are political conservatism, limited technological skills compared to younger generations, and engagement in 1960s counterculture (Munger, 2022; Rice & Moffett, 2021). Conversely, Gen Z are noted for their social media savvy, engagement with non-electoral politics, and identifying with more centrist or leftist politics (Rice & Moffett, 2021).

Age is a unique protected ground in EU law in that 'direct' discrimination on the grounds of age is objectively justifiable if there is a legitimate aim and if the measures chosen to achieve that aim are necessary and proportionate. Age is an important factor to consider for example in relation to the minimum age of participation in citizens' assemblies and accessibility for older participants. There are also ingrained, or societal perceptions based on age for example, around political or community engagement, and civic mindedness. Age might also be a more prevalent consideration depending on the topic of the assembly. For instance, there may potentially be negative stereotypes concerning older or younger people. Furthermore, age can overlap with other social groups such as socio-economic status in that there is a growing divide in many countries between asset-rich retirees and younger persons struggling to access the housing market, for example. At the same time, there has been a marked increase in recent years of pensioners living in poverty,

notably fuel poverty due to the rising cost of living. Age or generation is therefore a common social grouping or variable in the literature and there is broad recognition of inclusion based on age in many citizens' assemblies, a notable recent example being the over-recruitment of young people to the EU Citizens' Panels (see also Harris, 2021).

2.4. Socio-Economic Status

Socio-economic status is not a protected ground in EU law and so escapes attempts at 'legal' definition, though it should be noted that Article 21 of the EU Charter of Fundamental Rights does refer to social origin and property. There have, however, been recent calls for socio-economic status to be explicitly recognised as a protected ground within EU equality legislation (Ganty & Benito Sanchez, 2021). Socio-economic status is particularly context-dependent and so classification and definition on this basis will need to be sensitive to local considerations. A range of measures could be used to operationalise a marginalised economic position. Indicators of socio-economic status can include subjective, income, or wealth related markers. These could include: household and/or personal income; ability to meet day to day needs; subjective, more identity-based measures such as self-defined social class, or where you place yourself on a ladder scale relative to others (relative deprivation); assets and wealth (ownership of property, shares etc); location, or neighbourhood level indexes of deprivation that use a participant's address; sometimes occupation is used as an indicator relating to both socio-economic status or class, and education. From an intersectionality perspective, socio-economic status has been highlighted as playing a particularly important role in determining positionality or social location and thereby power relations, with a notable example being the employment of women (of a lower socio-economic background, and often from a racial minority) as domestic workers by other women (of a higher socio-economic background and often from a racial majority) (see Fredman, 2016a as well as the above for further discussion on the variation of power relations across vertical, horizontal and diagonal axes).

Having set out our definitions of intersectional equality, inclusion, and deliberation, and having defined the anchoring social groups of interest to EU-CIEMBLY, the concluding section which follows brings the discussion together by revisiting the initial normative and analytical framework of the project.

VI. Concluding Remarks

The objective of this deliverable was to set out the analytical and normative underpinnings that will serve as the foundation for the subsequent analysis and design of the EU-CIEMBLY project's pilot intersectional Citizens' Assemblies. This deliverable has, therefore, provided an account of the normative and analytical starting point of the project, largely from a theoretical perspective. The aim was to explain how the project's intended application of an intersectionality framework could tie together the distinct but related fields of intersectionality and deliberative democracy by placing the project within the wealth of existing literature and documented good practices around inclusiveness, equality, and deliberation in citizens' assemblies. In this way, the deliverable first sought to contextualise the overall project, including our decision to explore the interaction between intersectionality theory and the theoretical underpinnings of deliberative democracy within the particular context of citizens' assemblies. It was demonstrated that the interrelated qualities of equality and inclusion act as gateways for the application of intersectional analysis into the design and delivery of citizens' assemblies as democratic innovations. It was also explained that the starting point for this inquiry is that achieving different objectives of a citizens' assembly comes with its own trade-offs and depends on the context in which the assembly takes place. For the EU-CIEMBLY project, is the analytical framework of intersectionality that should determine what these trade-offs should look like.

The deliverable then set out our understanding of the meaning and potential application of intersectionality theory. It was explained that there are two interrelated ways in which intersectionality can be understood, namely: (1) the intersection of multiple individual characteristics; and (2) the relationship between intersecting and overlapping power relations and structures. These two aspects of intersectionality theory are mutually reinforcing in that power relations shape the marginalisation of particular social groups with those social groups also requiring delineation in order to facilitate an intersectional (power-based) analysis.

Quite clearly, intersectionality is a complex and contested theoretical concept whose application remains largely under-operationalised in practice and whose various components may be understood differently across various disciplines and fields of practice. As an analytical lens, intersectionality provides a framework within which individual and group experiences of context-specific, complex discrimination (or exclusion, marginalisation) are rendered intelligible, while centering the experiences of those at the intersection of multiple marginalised social identities.

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The discussion in the present deliverable made clear that intersectionality as a theory is applicable to the context of citizens' assemblies (indeed, democratic participation more generally) with concepts such as marginalisation, power, inclusion and exclusion acting as potential entryways for intersectionality to influence the design and delivery of citizens' assemblies.

This deliverable set out the EU-CIEMBLY's conceptualisation of intersectionality and explored how that theory might be used to influence the definitions of equality, inclusion and deliberation in citizens' assemblies through an intersectional lens. These guiding principles will form the basis for the design choices to be made in the subsequent stages of the project, i.e. design choices at the input, throughput, and output phases of the pilot Citizens' Assemblies will be made through the lens of intersectional inclusion, equality, and good deliberation, albeit that the project may need to be selective, for example in its choice of social groups or specific design features to test in the pilot assemblies.

The theoretical, normative, and analytical framework set out in this document will now be used to develop proposed models for operationalising intersectional equality, inclusion, and good deliberation into the design and delivery of citizens assemblies (Deliverable 2.3) which will, in turn, feed into the specific design features for the proposed pilot Citizens' Assemblies to be piloted at a local, national, and transnational level (Deliverable 3.4). Putting together the key aspects of our discussion in this deliverable, the progression of our proposed intersectional analysis can be visualised in a return to the **initial** project framework as outlined the grant application and as presented in Figure 10 above, which is also shown here:

(INITIAL) FRAMEWORK FOR A CITIZENS' ASSEMBLY DESIGN				
Intersectionality (infuses the design of the Citizens' Assembly in achieving the intended qualities)	**Design Choices**			
	When? (topic and timing)	How? (institutional set-up and rules)	Who? (participants, experts and facilitators)	What? (impact and influence on decision-making processes)
	Qualities (characterising each element of the Citizens' Assembly)			
	Equality			
	Inclusion			

It can be seen here that intersectionality provides the analytical lens through which the qualities of 'equality', 'inclusion', and '(good) deliberation' are to be defined i.e. intersectional equality, inclusion, and good deliberation. These intersectional qualities are then to be applied to the design choices in the pilot assemblies which relate to the questions of when? how? who? and what? As explained in Section II of this deliverable, we have categorised citizens' assembly design choices using the frame of input, throughput, and output legitimacy which has already been deployed in the evaluation and analysis of democratic innovations, including citizens' assemblies. Input legitimacy relates to those design choices concerning the organisation and management of the citizens' assembly, for example the recruitment of participants. Throughout legitimacy concerns for example the process of deliberation and decision-making. Output legitimacy relates to the assembly's follow-up, i.e. that the recommendations can influence wider decision-making processes. The figure below illustrates this categorisation for the purposes of our project: as already outlined in Figure 3 above and which is reproduced here:

CITIZENS' ASSEMBLY DESIGN CHOICES			
	INPUT	**THROUGHPUT**	**OUTPUT**
Intersectionality as an analytical lens	Governance, organisation, and management	Experts and witnesses in the 'educative' phase	Influence on public decision-making processes
	Selection and recruitment of participants	Facilitation	Impact on the participants
	Topic and agenda-setting	Deliberation	
	Timing of the event	Decision-making Process	

Combining each of these elements, namely: (1) **intersectionality** as an analytical lens; (2) the **qualities** of equality, inclusion, and good deliberation; (3) citizens' assembly **design choices**; and (4) the framework of input-throughput-output legitimacy, with intersectionality also infusing all aspects of the design process, leads to the following revised visualisation of the project's analytical and normative framework:
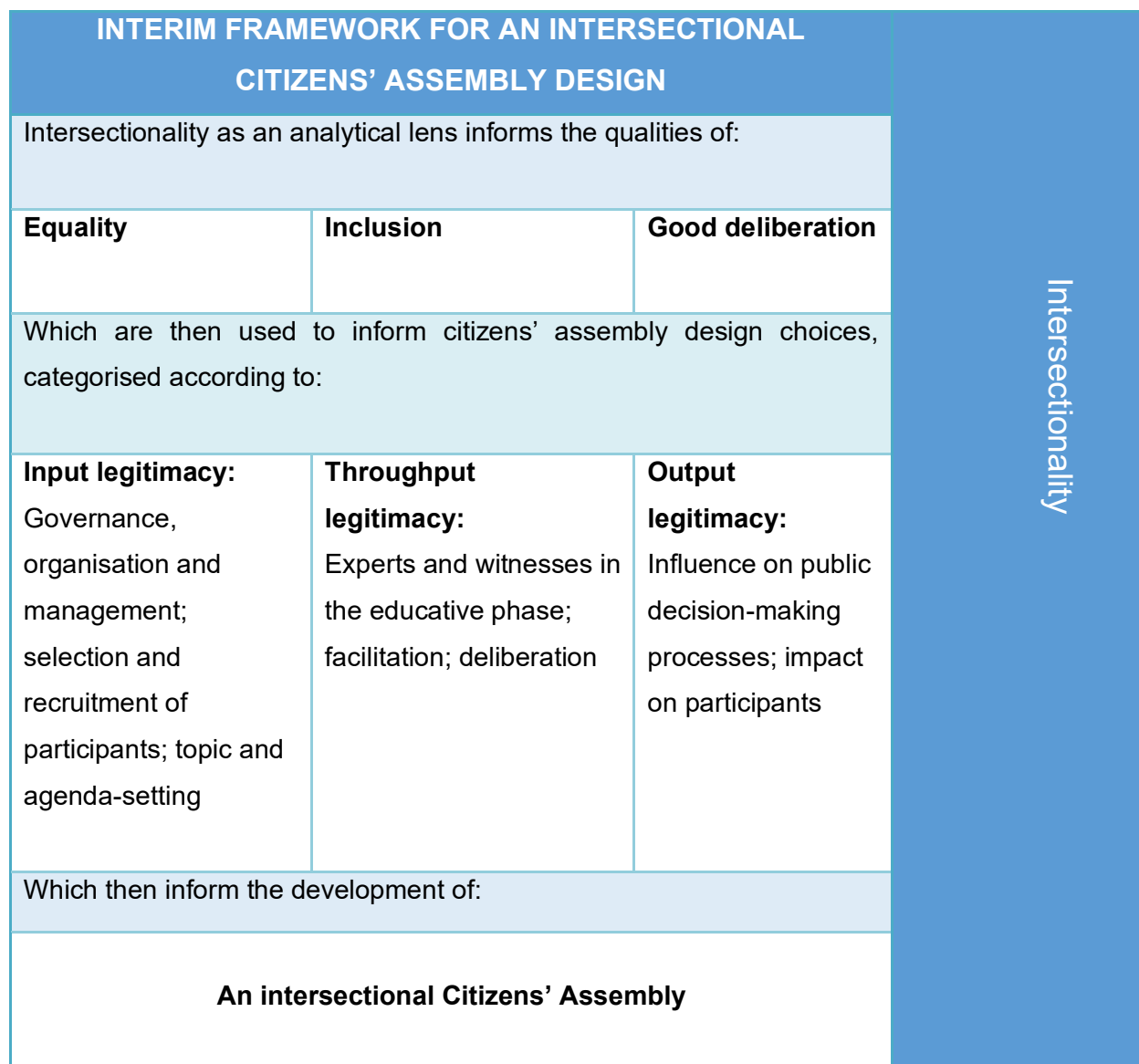
INTERIM FRAMEWORK FOR AN INTERSECTIONAL CITIZENS' ASSEMBLY DESIGN			Intersectionality
Intersectionality as an analytical lens informs the qualities of:			
Equality	**Inclusion**	**Good deliberation**	
Which are then used to inform citizens' assembly design choices, categorised according to:			
Input legitimacy: Governance, organisation and management; selection and recruitment of participants; topic and agenda-setting	**Throughput legitimacy:** Experts and witnesses in the educative phase; facilitation; deliberation	**Output legitimacy:** Influence on public decision-making processes; impact on participants	
Which then inform the development of:			
An intersectional Citizens' Assembly			

Figure 12. Interim Framework for an Intersectional Citizens' Assembly Design

Ultimately, this project aims to apply intersectionality theory as an analytical lens to understand how intersecting marginalisation affects participation in citizens' assemblies in their design aspects and to deploy strategies for overcoming barriers to inclusion, participation, equality and deliberation within the context of citizens' assemblies. In this way, the project—in the same way that intersectionality properly conceived—seeks to go beyond efforts at 'mere' 'inclusivity' or 'diversity', which while laudable fail to account to the particular form and degree of exclusion found at the intersection of multiple marginalised social groups. This work will feed into the development of a set of recommendations for embedding intersectional considerations into the design,

implementation and evaluation of Citizens' Assemblies as tools for citizens' democratic participation and will further the project's overall objective of addressing patterns of exclusion from citizens' assemblies as democratic innovations.

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