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Inclusive Democracy, Reflecting Gender and Intersectionality

D 7.6 tasks 7-8 WP7, D2.2. tasks 7-8 and Concluding Synthesis of D 7.5 (A and B)
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*The Rings-on-Water methodology and the Complex Intersectional Critique as a single,
mutually anchored*

Executive Summary

Deliverable 7.5 responds to the Horizon Europe Grant Agreement’s request for a report on *Inclusive Democracy, reflecting gender and intersectionality*. The deliverable is composed of two mutually anchored component studies. D 7.5-A develops the Rings-on-Water (RoW) methodology through which HRJust conducted civil-society engagement across Sweden and Taiwan, and articulates the epistemological warrant that grounds that methodology in the complex-intersectional commitment developed in the companion study. D 7.5-B develops the complex-intersectional critique of how states in Taiwan, Finland, and Sweden use Human Rights Justifications (HRJs) to manage populations across the pandemic, migration, and climate axes. The present report reads the two components as a single deliverable and draws the conclusions the Grant Agreement asks for.

The Rings-on-Water methodology is the procedural expression of what the Complex Intersectional Critique identifies as the condition of inclusion itself that categories of relevance and vulnerability must emerge from engagement with real subjects rather than being imposed by the state or by the researcher in advance. This joint claim is now explicit in both components: D 7.5-B articulates the theoretical apparatus (complex intersectionality, the monist-subject critique, vulnerability theory, and the hierarchy-of-vulnerability problem); D 7.5-A, in its §2.4 and throughout its limitations and conclusions, specifies the methodological form that this apparatus takes when enacted in civil-society engagement.

1. Introduction: two studies, one deliverable

The Horizon Europe Grant Agreement defines Deliverable 7.5 as a public report that provides “narratives and examinations of how gender and intersectionality affects the sense and access to democratic inclusion.” The deliverable is led by NCKU with the joint responsibility of IIAS, UGOT, and SU, and addresses three questions: how states defend and legitimise their actions through human rights; how the general relates to the particular in that defence; and what role geopolitics plays in the strategy, resources, and reach of state HRJ practices.

Against this mandate, HRJust has produced two substantive component studies. D 7.5-A — *Rings on the Water: An Empirically Developed Methodology for the Reinvigoration of an Inclusive Civil Society and Democratic Participation* — documents the staged, concentric methodology through which civil-society engagement was organised across the Swedish and Taiwanese contexts, and articulates, in its §2.4, the epistemological warrant that grounds the methodology in the critique developed by its companion study. D 7.5-B — *A Complex Intersectional Critique of Human Rights Justifications in Taiwan, Finland, and Sweden* — develops the theoretical apparatus for reading HRJs as mechanisms that construct and act upon and applies that apparatus to empirical cases across the pandemic, migration, and climate domains.

This concluding report reads the two studies as a single deliverable whose internal coherence is now explicit in each component. D 7.5-A names D 7.5-B as its theoretical companion and develops its design principles, its limitations analysis, and its conclusions in terms drawn from the complex-intersectional

critique. D 7.5-B, for its part, produces an empirical and theoretical account whose methodological consequences are enacted — rather than merely asserted — through the engagement infrastructure documented in D 7.5-A. Read together, the two constitute what the Grant Agreement calls an account of “democratic inclusiveness”: a treatment of inclusion that is consistent with its own object, in the sense that the method of producing the account does not contradict the critique the account offers.

2. Framework: the complex intersectional critique as epistemology of inclusion

2.1 From identity-intersection to complex intersectionality

The foundational framework for this deliverable is Kimberlé Crenshaw’s intersectionality (Crenshaw 2013), which establishes that an individual’s experience of privilege or oppression is shaped by the combination of identity positions they occupy, not by any single axis taken alone. D 7.5-B extends this framework into what it calls complex intersectionality: an intersectionality oriented specifically to how states, through HRJs, construct a singular “standard citizen” whose protection justifies restrictions of liberty that fall disproportionately on those who do not match the construction.

The concept reorients intersectional analysis from *description of who is marginalised* to *diagnosis of how the state’s own invocation of rights performs marginalisation*. Where classical intersectionality reads the position of, for example, women of colour in the court system, complex intersectionality reads what the state assumes when it invokes “public health,” “child protection,” “successful integration,” or “green transition” as a justification for a coercive measure — and it makes visible the specific intersectional positions that the assumption writes out of the picture.

2.2 Vulnerability theory as corrective supplement

D 7.5-B is explicit that intersectionality alone is insufficient for this task. Critics have long noted that intersectional analysis risks infinite regress of sub-categories, essentialisation of identities, and fragmentation of solidarity. D 7.5-B responds not by abandoning intersectionality but by supplementing it with Fineman’s vulnerability theory (Fineman 2018). Where intersectionality identifies how identities are differentially positioned, vulnerability theory directs attention to the institutions that distribute resilience resources unevenly across the population.

The critical move that distinguishes D 7.5-B from conventional intersectional analyses is its willingness to turn the critique reflexively on intersectional practice itself. Any framework that aggregates vulnerability implicitly *ranks* vulnerabilities — it decides whose vulnerability matters most and whose interests define “the collective.” This is the hierarchy-of-vulnerability problem. Applied to state practice, it shows why states routinely narrow “collective interest” to the biological survival of the majority. Applied to research practice, it shows why even intersectional research designs can re-centre the voices of institutional actors if the vocabulary of early stakeholders is allowed to frame what later stakeholders are heard as saying.

The hierarchy-of-vulnerability problem is the conceptual hinge on which D 7.5-A and D 7.5-B join. D 7.5-A §7.1 now explicitly diagnoses its own echo-chamber risk in these terms and responds with a specific procedural self-correction: a structured debrief at the close of each ring, organised around three questions concerning whose voices became quieter, which analytical categories were supplied by participants rather than by prior rings, and whether a different sequence of inclusion would have produced a different framing. This procedural response is the form in which the theoretical apparatus of D 7.5-B is enacted within the methodology of D 7.5-A.

3. Empirical findings across three jurisdictions

D 7.5-B examines HRJ practice in Taiwan, Finland, and Sweden across the HRJust project’s three thematic axes: pandemic governance (WP4), migration (WP5), and climate (WP6). The findings can be organised under four recurring intersectional configurations, each of which illustrates the monist-subject construction at work.

3.1 Class and migration status: the shield that becomes a cage

In Taiwan’s pandemic response, the “Digital Fence” surveillance system — justified as protection of the right to life and health — operated through base-station triangulation that generated frequent positioning errors. Because migrant workers’ “home” was a crowded dormitory rather than a private residence, a technological error of a few metres could trigger a middle-of-the-night police dispatch. Unlike local citizens, migrant workers faced contract termination or deportation as the immediate consequence of such errors. The state’s protective shield became a cage for those without citizenship.

The finding is not that technology was misused; it is that a HRJ organised around an abstract “public” inevitably lands with disproportionate weight on the bodies most distant from the assumed citizen. The monist subject of “public health” is not neutral; it is structured around the domestic arrangements, labour status, and linguistic competence of those already protected.

3.2 Gender, nationality, and the paternalism of protection

Taiwan’s Consular Interview system for marriage-migrant spouses from twenty-one specified countries, justified as preventing human trafficking and protecting national security, in practice scrutinises the intimate life of Southeast Asian spouses in ways Western spouses are not asked to endure. Financial capability tests, framed as ensuring “self-sufficiency” for the migrant’s own family, function as class-based barriers to marriage rights. The state’s HRJ reduces the migrant to either “potential fraudster” or “victim in need of paternalistic rescue,” stripping agency under the sign of protection.

Sweden’s stricter family reunification measures under SOU 2025:95 follow the same logic through different institutional means: “successful integration” and “protection from honour-based violence” become HRJs that gatekeep the right to family life, treating the migrant family as a burden rather than a

subject of rights. Across the two jurisdictions, the HRJ vocabulary is the same even where the legal mechanisms differ.

3.3 Age, ability, and digital invisibility

Finland’s pandemic response offers a particularly instructive case. Formally, the Finnish government used non-binding recommendations for those over 70 to isolate, preserving the appearance of legality; in practice, these recommendations operated as de facto binding measures — what the Chancellor of Justice identified as “soft coercion” that risked violating non-discrimination principles and interfered with the right to family life. The formalist adherence to legality masked indirect discrimination.

The pattern extended across Finland and Sweden in what D 7.5-B names digital invisibility: as essential services (vaccine booking, child-friendly health information) migrated online, elderly persons and persons with disabilities lacking digital literacy found themselves excluded not by any decision but by the structural assumption that the standard citizen has digital access and fluency. The HRJ of “administrative efficiency” produced de facto social invisibility — what the report frames as “social death” under the claim of protecting physical life.

3.4 The reverse test: elites under the monist subject

An important finding for the deliverable’s theoretical claim is that the monist-subject logic operates on high-status professionals as well as on marginalised groups. During Taiwan’s Zero-Covid policy, pilots and flight attendants — conventionally perceived as socially privileged — were subjected to a continuous “quarantine-work-quarantine” cycle that deprived them of family life for over a year (Chen et al. 2025, 33, 50). One pilot, despite being vaccinated and testing negative, faced severe legal penalties and public shaming for a perceived quarantine breach. The logic that turned migrant workers into “risks to be managed” applied identically to the professional bodies of airline crew.

The implication is that the complex-intersectional critique is not a minority-protection framework but a **general critique of HRJ logic**. A HRJ organised around a monist subject will flatten everyone who does not match the construction, although the consequences fall hardest on those with least recourse. This strengthens the critique’s portability across policy domains and across jurisdictional contexts.

4. Methodological findings: Rings-on-Water as enacted epistemology

4.1 What RoW does, and the principles that govern it

D 7.5-A documents a methodology of successive concentric rings of stakeholder engagement. A small core group — in the Swedish case, a Supreme Court Justice, the NHRI, leading human-rights defenders, and HRJust researchers — convened to co-define concepts. Subsequent workshops progressively widened the circle, integrating additional civil society organisations, Taiwanese NGOs, and international academics.

Continuity was maintained through overlap: the same core participants joined each ring, while new voices were added gradually. Each workshop's findings fed into the next workshop's design.

D 7.5-A §2.3 specifies six operational principles that govern this design: *Start Small, Iterative Co-Creation, Participation with Continuity, Real-World Problem Orientation, Institutional Buy-In and Alliance Formation*, and — added during the project as its reflective contribution to methodological design — *Corrective Iteration*. The sixth principle names explicitly what the others had implicitly practiced: that iteration is not primarily about widening participation but about correcting the silences of each preceding ring. Each new ring is chosen not merely for breadth of representation, but to bring into the conversation positions that were structurally underheard in the prior one. Under a pure-widening logic, iteration adds scope; under corrective iteration, the direction of expansion is set by what the previous ring made visible only in its omissions.

The empirical reach of the process included BRIS, Civil Rights Defenders, Serve the People Association, the Taiwan International Workers' Association (TIWA), the Taiwan Association for Human Rights, and the Nordic Rule of Law Forum; it generated outputs including the Sweden–Taiwan civil-society bridge, the Civil Society Engagement Toolkit led by the WP5 migration team, the Strategic Litigation Roundtable, and the Norwegian parliamentary consultation,.

4.2 How RoW detects and corrects its own structural risks

D 7.5-A §7.1 identifies the structural vulnerability that follows from any staged design: a risk of echo-chamber formation in early rings when initial stakeholder selection is dominated by institutional actors. The report refuses to treat this as an incidental imperfection to be corrected through goodwill and better stakeholder lists in future iterations. It diagnoses the risk, in the language of D 7.5-B, as a predictable consequence of the **hierarchy of vulnerability**: any framework that aggregates perspectives implicitly ranks the positions it aggregates, both through the sequence in which voices enter and through the vocabulary that enters with the earliest voices.

The methodology's procedural response, now built into D 7.5-A itself, is a structured debrief at the close of each ring organised around three questions:

- Which voices became quieter, or dropped out, between this ring and the previous one, and does the pattern of attrition correlate with any identifiable social position?
- Which analytical categories used in recording and reporting this ring came from the participants themselves, and which came from the vocabulary set in earlier rings?
- If the same constellation of stakeholders had been assembled in the opposite order — marginalised voices first, institutional authority last — would the project's working framing now look materially different?

Answers are not themselves the corrective; they are the input to the corrective. Where the debrief identifies a specific silence, the subsequent ring is designed to address it — not merely by adding participants in the affected position, but by adjusting the vocabulary in which the ring is convened so that

the newly present voices do not enter a conversation whose terms have already been fixed without them. This is the procedural form in which D 7.5-A answers to the hierarchy-of-vulnerability critique rather than merely acknowledging it, and it is the operational content of the sixth principle of corrective iteration.

4.3 Engagement method and knowledge claim: what RoW can and cannot warrant

D 7.5-A §8 concludes by clarifying, in its own voice, how the outputs of the Rings-on-Water process should be described. It is tempting to present those outputs as *the* civil-society view of the Swedish and Taiwanese HRJ contexts, or as *the* account of state human-rights practice that emerges from sustained engagement with those affected. Both descriptions would overstate what the methodology can warrant. What Rings-on-Water in fact generates is the view that this particular ring configuration, convened under these particular geopolitical and institutional conditions, made audible.

The Swedish ring configuration could begin with an NHRI, a Supreme Court Justice, and a well-developed civil-society infrastructure of specialised human-rights NGOs; the Taiwanese configuration could not, because Taiwan's exclusion from the United Nations treaty system and from most international human-rights architecture removes several of the ring positions that the Swedish configuration could assume. Asymmetries of this kind are not imperfections to be corrected before reporting findings; they are constituent of what findings the methodology was positioned to generate. A methodologically honest account of the RoW outputs therefore specifies, alongside the substantive findings, the conditions under which those findings became audible, and marks clearly the boundary between what the methodology can claim to have heard and what would require a differently configured engagement to hear.

4.4 Asymmetric geopolitics as constituent of method

The distinction articulated in §4.4 above is itself a substantive answer to the Grant Agreement's question on the role of geopolitics. Geopolitical positioning conditions which rings can be assembled: the ability to convene an NHRI and a Supreme Court Justice in the first ring is a geopolitically-enabled affordance, not a universal design choice; the impossibility of doing so in Taiwan is not a deficiency of Taiwanese civil society but a consequence of international exclusion. D 7.5-A §6.7.2 formulates this as a methodological proposition in its own terms: in contexts of geopolitical constraint or international isolation, the outward expansion of the Rings-on-Water methodology from local to national to international engagement is not merely a scale-up but a substantive amplifier of what civil-society voice can reach. Geopolitics enters the methodology, in other words, not as context but as design parameter.

5. Recommendations

5.1 For policymakers and treaty-body reviewers

1. Heightened scrutiny of intrapersonal-conflict HRJs. Treaty-body reviews of state reports should identify HRJs that produce intrapersonal rights conflicts as a suspect category, and require specific justification for why the rights-holder's own judgement is being overridden in their name.

2. Digital-invisibility impact assessment. Any HRJ justifying digital-first service provision should include a structural assessment of the population that will become de facto invisible to the service, including elderly persons, persons with disabilities, and non-literate or language-minority subjects.

5.2 For civil-society organisations and human-rights defenders

3. RoW as replicable template. The six-principle engagement methodology articulated in D 7.5-A is replicable in jurisdictions with sufficient civil-society density; the conditions of that density must be realistically assessed before adoption.
4. Corrective iteration as a procedural commitment. Implementing RoW requires the structured ring-closing debrief set out in D 7.5-A §7.1 — the three-question self-check and the translation of its answers into the design of the next ring. Iteration without this procedural commitment reduces to widening without correction.
5. Explicit documentation of whose voice did not enter. Organisations implementing RoW should document, at the close of each ring, which positions were structurally underheard, and use that record as the agenda for the next ring. This record should be a permanent appendix to the engagement output, not an internal working note.

6.3 For the research community

6. Portability of the complex-intersectional typology. The HRJ categories developed in D 7.5-B are portable beyond the three jurisdictions studied; their application to additional jurisdictions (particularly within the EU and in countries with significant EU external relations) would strengthen the Horizon Cluster 2 evidence base.
7. Explicit geopolitical self-statement. Any future civil-society-engagement methodology should state the geopolitical conditions under which it can and cannot be applied. D 7.5-A §6.7.2 and §8 model how this should be done.

7. Limitations

Three limitations of this deliverable should be stated explicitly.

- Jurisdictional coverage. The empirical work is concentrated on Taiwan, Finland, and Sweden. The complex-intersectional critique is argued to be portable, but it has been demonstrated rather than tested across the full range of EU member states or across EU external-relations partners.
- Civil-society density. The Rings-on-Water methodology was implemented in two jurisdictions whose civil-society actors were, by D 7.5-A's own admission, unusually well connected. Replicability in jurisdictions with thinner civil-society density, or where civil-society actors face direct repression, remains to be established.

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