



Conference on the Future of Europe: a glimpse into the future of participatory democracy?

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The Conference on the Future of Europe had its official start on 9 May 2021 and the process has brought together citizens and politicians in the Conference plenary with the aim of discussing recommendations on the future of the EU and its policies. As the Conference comes to its conclusions, the question of what will come after is becoming all the more salient. By answering the question of why citizens' participation matters and looking at some examples of deliberative democracy, the question on what could be the outcome of the Conference process will be dealt with, and discuss the role the 2024 Belgian Council Presidency could play in its tracks.

INTRODUCTION

From the outset, it was clear that conclusions of the Conference on the Future of Europe could be expected under the French presidency of the Council of the European Union. Although the pandemic caused some delays, this goal still seems in sight: the final European Citizens' Panel will make recommendations at the end of February, a deadline

for contributions to the digital platform has been set, and the Plenary sessions are starting the work of assembling citizens and politicians from all over Europe. In these plenaries, they will discuss recommendations from the European Citizens' Panels, complemented by input from other levels such as the national initiatives and the digital platform.

More than two years after its conception, what outcomes can observers, politicians, and citizens expect as the process enters its final phase?¹ Some have feared that the quarrels between the institutions, most notably the leadership debate, and the pandemic would handicap the process from the start, while others have already celebrated the successes of the process, especially the vibrant atmosphere of citizens deliberating in houses of democracy all over Europe. Rather than evaluating the process itself, we consider what might be the outcome out of this grand endeavour.² Although treaty change is definitely not an end in itself, it is too big an elephant in the room not to at least consider it. And after the Conference, will citizens maintain their seat at the table? Lastly, to what extent can the 2024 Belgian Council Presidency play a role in this outcome? Before answering those questions, it is necessary to take a step back and answer the question as to why citizens' participation matters.

WHY DOES CITIZENS' PARTICIPATION MATTER?

At the root of whether citizen participation matters is a question of the value of democracy – by definition the governance of the people, by the people and for the people.³ Participatory democracy is – at least partially – the answer to the shortcomings of representative democracy in achieving this triple goal.⁴ As our societies are continuously expanding, it is not possible for all citizens to be involved in governing themselves and it is thus very clear why representative democracy came to be the most wide-spread method of governance. With time, it has however also become clear that the model of representative democracy does not grant the needed satisfaction. While citizens expect democracy to support certain values such as political participation (inclusive to members of minority groups), representation and equality, a diminished citizen interest in participation weakens the government's ability to deliver on these very same issues. Declining voter turnout and growing distrust towards elected bodies due to a lack of responsiveness to citizens' requests are just some of the signs of difficulty. Other concerns with our current democratic system include *"short-termism, an emerging caste of full-time politicians and a growing discrepancy between the qualities needed to be elected and those that are needed to run a country"*, insofar as even leading up to the claim that *"we are in the process of destroying our democracy by limiting it to elections"*.⁵

Since the power belongs in essence to the people – and although they have the opportunity to delegate this power to their representatives every few years by participating in elections – there is a need for representative democracy to be complemented by participatory democracy. Citizen participation matters, not because participatory democracy should replace representative democracy but because it offers different ways of legitimizing politics and thus bringing our systems of governance closer to the ideal of a democracy of, by and for the people.

As *effective* citizen participation⁶ is not yet realized, there is a legitimate need for reforms allowing citizens to be able to raise their voice directly regarding policy and politics. The question remains how to legitimize decisions taken by such cross-section of society that does not have a system of accountability such as elections where they have to answer for them. For all its flaws, representative democracy is still the most equal system in that each vote is equal at the ballot box and allows for accountability through sanctioning of elected officials at this very same ballot box. It is hard to think of a more equal sanction/reward system. Many participatory tools are not necessarily better at achieving a more inclusive democratic system, as their openness makes them vulnerable to abuse by certain parties or their technical nature effectively limits the participation of non-organized (groups of) citizens to truly participate. Furthermore, the output of participatory tools does not always properly feed into, or is not properly taken into account by, the system of representative democracy. Within these problems lie opportunities.

Citizens' panels offer the opportunity to gather input and feedback from citizens representing a cross-section of society at any stage in the policy cycle, be it as agenda-setters or to evaluate a policy proposal, and allow for policy to be more legitimate by being closer aligned to citizen views. However, as there is inherently no way to hold panels accountable, it is not only representative democracy that needs to be enhanced by participatory democracy but they are rather mutually re-enforcing. By linking the input of those citizens with decisions taken by elected representatives, the representatives are held accountable for their follow-up on citizen input, not only when they decide whether to implement the recommendations, but also when they ignore the input altogether. The question therefore becomes how to link the practice of participatory and representative, to avoid that they pass each other like ships in the night.⁷

Hybrid bodies, bringing together politicians and citizens can ensure that politicians effectively understand citizens' requests and cannot ignore their input without being held accountable. Different configurations however can be adopted to ensure that the political response to citizens' input is being monitored efficiently. Not only is it now clear why citizen participation matters, but hopefully it also makes clear why it *still* matters: citizens' participation is at the core of democracy and although this is being recognized, the current democratic system does not yet properly allow for *effective* citizen participation.

A DEMOCRATIC INNOVATION TAKING PLACE ALL ACROSS THE EU

How to better prove an idea's worth than by providing some notable examples? From the big political breakthroughs to the gradual rethinking of our democratic framework: these examples offer lessons to consider when merging citizens' participation into the EU's democratic framework.

A first example is perhaps the most well-known: Ireland. The Irish case is notable because two of the citizens' recommendations, the legalization of same-sex marriage and lowering the age of eligibility for the presidency, were put to a referendum (linking deliberative to direct democracy). The former recommendation was approved with a 62% majority, illustrating how deliberative democracy can formulate policy on a matter prone to political deadlock.

The below examples might have had varying degrees of success, but show that rather than being an isolated event, Ireland is part of a bigger trend, taking place across Europe at the local, regional and transnational levels. Iceland invited randomly selected citizens to deliberate in the framework of its constitutional reform process. France – in response to the 'gilets jaunes' - organised the 'Grand Débat National' followed by the 'Convention Citoyenne sur le Climat.' At the transnational level, the EU organised the very first European Citizens' Panel in

the framework of its European Citizens' Consultations. Although their outcome might not always have lived up to expectation – which is a serious issue to keep in mind – these examples show that in very different environments and contexts, the deliberative process does work, all throughout Europe. On the local and regional levels, many more examples support this argument and are recounted in the exhaustive OECD report 'Catching the Deliberative Wave'.⁸

In Belgium, citizens' assemblies did gain a permanent role in its democratic framework, although on the regional level. The story began already more than 10 years ago with the G1000. An answer to the nearly endless government formation in 2010-2011 where the citizens were side-lined, the G1000 quickly became one of the biggest democratic innovations at the time. This non-governmental initiative had, after extensive online consultations, 1000 citizens deliberating on the state of (Belgian) democracy on 11/11/2011.

The G1000 clearly caused a spark, as two permanent citizens' assemblies have been established to date in Belgium. First the German-speaking community introduced a permanent citizens' assembly – often referred to as the Ostbelgien model – and was later followed by the French-speaking Parliament of the Brussels Capital region. Belgium might have its fair share of democratic challenges, but it also shows itself to be a democratic pioneer. G1000 and the Ostbelgien model already are widely discussed in the field of deliberative democracy and the Brussels French-speaking Parliament might be added to this list: it is also telling that in a country the size of Belgium two institutional deliberative assemblies have adopted rather different structures. The former comprises exclusively citizens, while the latter includes citizens and parliamentarians in mixed assemblies. Taking inspiration from the previous successes, Belgians boldly integrated these panels into their democratic fabric, being one of few to have the courage to take this step to date.

While the successes and innovations of these experiments are promising, they stand amid examples that lacked the necessary political commitment to succeed. Those examples should serve as lessons in the follow-up to the Conference: when giving citizens a say on their future, they deserve either some explanation when their recommendations do not lead to action or to see their efforts put into policy. Underdelivering will lead to even more frustration with politics, a phenomenon already labelled as the expectation/disappointment gap⁹. Understanding European efforts in participatory democracy thus far, it is now possible to imagine how they will progress in the years ahead.

A GLIMPSE INTO THE FUTURE

Two topics often promptly come to mind regarding the outcome of the Conference: EU treaty change and attributing a structural or institutionalized character to Conference tools such as the digital platform and citizens' panels. Those initial concerns about the Conference's shortened timeline should be eased by the strong commitment from the European institutions regarding the Conference outcome: they want to dedicate the second half of the 2019-2024 term to tabling proposals responding to the recommendations coming out of the Conference.

On the topic of treaty change, one should not dwell too much: yes, certain amendments to the treaty are requested by both citizens and politicians (e.g. unanimity rule, electoral rules, ...) but on the other hand it is clear as well that a lot can be done within the existing framework of the Treaties. The Conference itself is a prime example because its legislative basis is an interinstitutional agreement. Outside of the Treaties, technically nothing else stands in the way of the institutions continuing to make such agreements.

If, however, there is strong support for recommendations requiring treaty change, such as

enshrining European Citizens' Panels in the treaties in a similar fashion to the European Citizens' Initiative (ECI), or rethinking majority rule, is it realistic to imagine a reopening of the treaties after almost 20 years? Either a convention or a 'simple' intergovernmental conference must precede treaty change.¹⁰ In either case, these procedures for treaty change do not require citizens' involvement. Although one should not claim causality when talking politics but when after being side-lined throughout the conception of the European Constitution, it did not manage to gain majority support in several member states before the plug was pulled. This time round however, the citizens' involvement is there and support for possible treaty change is clear from their recommendations.

Furthermore, the recent German and Dutch coalition agreements – perhaps surprisingly enough – mentioned openness towards treaty change. Notably, the Netherlands was one of the countries where the referendum on the European Constitution failed. With furthermore a French presidency of the Council that is highly committed to the Conference on the Future of Europe, there certainly is political momentum. While there will certainly be roadblocks, they should not exclude the possibility of having the debate when the demand for one is present.

A second point on the outcome of the Conference is whether tools offering citizens a role in political decision-making might become an institutionalized practice beyond the Conference. Commissioner Šuica previously mentioned that she hopes people in the future will talk of a democratic era pre- and post-Conference on the Future of Europe, and furthermore declared that the Commission is ready to *“attribute a structural character to citizens' involvement”*.¹¹

While her comments might be limited to the digital platform,¹² a structural involvement through citizens' panels would be an even better option. A digital platform for observing broad trends is an interesting and innovative tool and, in theory, can be

open to all. However, it still has difficulties of going beyond the usual suspect. Citizens' panels, although more restrictive in the number of participants, can constitute a truly inclusive environment because of their random selection method. Citizens who have participated usually report it as a positive experience, allowing them to learn, exchange ideas and, most of all, have their voice heard. Representatives from the political sphere as well are happily surprised by the quality of the recommendations formulated.

Already, there is clear indication of political willingness to retain citizens' panels as a tool at the European level. The EP adopted a resolution last year calling for the panels organised in the framework of the Conference to serve "*as a pilot for their future institutionalisation as a permanent mechanism of citizen participation in key debates.*"¹³ Many questions would have to be resolved, including the configuration, composition, the means and timing of convocation, and its competencies.

Without trying to be exhaustive on technicalities, some initial observations might be thought-provoking regarding the delicacy of the structural organization of citizens' panels. There are for example some key points in time where it would definitely make sense, such as at the beginning of a new legislature when the Commission and Council set out the priorities for the coming years, or in the context of a possible treaty change. This however is an event-based approach and does not allow for citizen participation in between elections, on a more recurring base. A first step could be to structure deliberations around certain *crucial* legislative proposals such as the implementation of strategic priorities. Another one could be to allow for citizens themselves to be able to ask for a deliberative process, perhaps through the success of an ECI or a petition – so that not only those in favour of the initiative can be heard but rather a cross-section of society. A further question is whether citizens should deliberate on their own, as they do in the European citizens' panels, or in a hybrid form with MEP's and other officials, as is the case in the

Plenary. While the former may put citizens more at ease throughout the process, the latter offers the opportunity to link citizens' input with politicians' accountability and thus not only strengthen input and output legitimacy, but possibly also throughput legitimacy.

Although these questions of configuration are certainly important, perhaps this decision could and should be the topic of discussion in a next European Citizens' Panel: if we trust them with a formal role in the policy-cycle, then let's not patronize them by deciding for them how to debate, but let them weigh the pro's and con's of these questions of configurations themselves. The OECD has published guidance on different ways to institutionalize citizens' assemblies which, indeed, refers to some of the same examples discussed here and could be part of the expert input in such configuration process.¹⁴

Lastly, when opening the treaties to enshrine deliberative process, one should not overlook the participatory tools already available, such as the right to petition, public consultations, citizens' dialogues or the European Citizens' Initiative. They all serve their purpose and clearly help in establishing a participatory culture, but they are not flawless, to the extent that representative and participatory democracy are considered ships passing each other in the night.^{15,16}

With a clear understanding of the possible outcomes of the Conference process, and the question that need to be answered along the way, let's now look at the role Belgium could play by making use of its upcoming 2024 Council Presidency.

WHAT ROLE FOR BELGIUM?

Some notable examples of deliberative democracy in Europe have already been introduced and for the wider public the examples of Ireland, Iceland or even France might have rung a bell. Belgium however can be seen as a pioneer: firstly, thanks to the G1000, but also, and maybe even more

importantly, because Belgium also has experience with institutionalizing deliberative democracy, as can be seen in both Brussels and Ostbelgien where two different kinds of permanent citizens' assemblies have been established. Their outcomes might not be as salient to the public as in Ireland, but the institutionalized character of the assemblies show a high degree of innovativeness. Within the framework of the Conference on the Future of Europe, Belgium was also one of only few EU member states to organize national citizens' panels as part of its contribution. This is not to say that other member states did not experiment with participation tools – the Netherlands, for example, had a digital platform – but it shows that Belgium is a pioneer not only within its regions but also on the federal level. Almost 200 years after Belgium adopted one of the most progressive constitutions of the time, the question arises whether Belgium will solidify itself once again as a democratic pioneer.

Why is all this important? Although France is highly committed to its Council Presidency and the Conference on the Future of Europe, the delays caused by the pandemic make it unlikely that there will be lasting conclusions under its presidency. Belgium, however, holds the 2024 first semester presidency and has always been a very committed member of a strong Union. As one of the most innovative countries when it concerns (deliberative) democracy, part of its programme could be to put the crown on the outcome of the Conference. It could do so by being the catalyst in a possible process of treaty change but even more importantly Belgium could take the lead on making citizens' participation part of the EU's democratic fabric.

Belgium should commit itself to supporting the institutionalization of citizen participation in the EU's democratic fabric. It has already hinted at being up for the challenge in its justification for

organizing its national citizens' panels as a contribution to the Conference, where it is claimed that – very much in line with academic work on the topic – direct participation could enrich representative democracy. It should live up to this statement and, in view of its 2024 Presidency, make sure that the Conference is not a unique occurrence but instead a precedent offering tools for lasting participation on the EU level. Not only could Belgium perpetuate the involvement of citizens on a European scale, but it could also take the earlier initiative of hosting citizen discussions in preparation for its own presidency. Both a digital platform and citizens' panels could prove interesting tools to define the priorities a country's constituents want to see addressed when taking on a presidency that comes only once every 14 years.

CONCLUSION

The Belgian presidency could serve as the opportunity to fulfil all the requirements of treaty change, supposing it is really on the table in the follow-up of the Conference. This process needs a balanced and thought-out approach because the issues surrounding the adoption of the Lisbon Treaty have caused a reluctance to reopen the treaties and navigate the many possible pitfalls yet again. Furthermore, Belgium can use its role as a pioneer of deliberative democracy by including participatory tools in the framework of its presidency, and also possibly by having a hand in giving them a structural character on the European level. Brussels was once chosen to host the seat of the EU institutions because of its strategic location in Europe; though this might no longer be true geographically, the return of the Presidency to this shared capital could perhaps allow Belgium to once again be a central player in advancing European integration where citizens hold a formal role.

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Endnotes

- ¹ The following commentary was published before the start of the Conference proceedings, but much of its content is still relevant today when the process is about to come to an end. Nicolai von Ondarza & Minna Alander, 'The Conference on the Future of Europe: Obstacles and Opportunities to a European Reform Initiative that goes beyond crisis management', in *SWP Comment*, 2021.
- ² For a preliminary evaluation of the Conference see: Lucas Guttenberg, 'A Political Enigma: Four open questions about the Conference on the Future of Europe', *Hertie School – Jacques Delors Centre*, 2021
- ³ Abraham Lincoln, Gettysburg Address, 1863
- ⁴ Representative democracy: the democratic system whereby citizens get represented through intermediaries, mostly associated with the practice of elections
- Participatory democracy: the direct participation of citizens in decision-making through the use of different processes and tools (elections, online petitions, participatory budgeting, citizens' consultations, ...) – Laura Sullivan, Paola Pierri and Xavier Dutoit, 'We Move Europe: Connecting online and offline citizen participation through the Stop Glyphosate ECI and mini publics.' in Alberto Alemanno and James Organ (eds.), *Citizen Participation in Democratic Europe: What next for the EU?*, 2021
- Deliberative democracy: wider political theory that claims that political decisions should be a result of fair and reasonable discussion among citizens. – OECD, 'Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave', *OECD Publishing*, Paris, 2020
- For the link between participatory democracy and deliberative democracy, and why the distinction between both is far from black and white, see:
- Thiel and Petrescu, who define deliberative democracy as a sub-variety under the participatory democracy-umbrella. (Markus Thiel and Oana Petrescu, 'Institutional Instruments for Citizen Involvement and Participation: Their Impact on the EU's Political Processes and Institutional Legitimacy' in Beatriz Pérez de las Heras, *Democratic Legitimacy in The European Union and Global Governance: Building a European Demos*, Palgrave Macmillan, 2017.)
- Fischer, who defines participatory democracy as a 'variant or subset of governance theory that puts emphasis on democratic engagement, in particular through deliberative practices'. (Claudia Chwalisz, 'The people's verdict: Adding informed citizen voices to public decision-making', Rowman & Littlefield, London, 2017.)
- ⁵ European Committee of the Regions, Report of the High Level Group on European Democracy, 2022.
- ⁶ Parks describes effective citizen participation as having "an impact on and [able to] challenge both the EU's agenda and legislative outcomes". (Louisa Parks, 'Social Movements and the Dilemma of EU Citizen Participation and Influence' in Alemanno and Organ (eds.), 2021.)
- See for example Alemanno (2018) and P9_TA(2021)0345 on specific arguments why effective citizen participation has not been achieved yet on the level of the EU.
- ⁷ Alberto Alemanno, 'Citizen Participation and the Future of Europe: A View from Academia' in Alemanno and Organ (eds.), 2021; Alberto Alemanno, 'Europe's Democracy Challenge: Citizen Participation in and Beyond Elections', in *German Law Journal*, Cambridge, Cambridge University Press, 2020
- ⁸ OECD, 'Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave', *OECD Publishing*, Paris, 2020
- ⁹ James Organ, 'Direct Citizen Participation in the EU Democratic System' in Alberto Alemanno and James Organ (eds.), *Citizen Participation in Democratic Europe: What next for the EU?*, 2021
- ¹⁰ See art. 48 Treaty on the European Union for more details on the requirements of a convention and the treaty change procedure.
- ¹¹ Luca, Fabiana (30 Dec 2021). Dubravka Šuica: "European Commission ready to attribute a structural character to citizens' involvement". EU News. Available at: [Dubravka Šuica: "European Commission ready to attribute a structural character to citizens' involvement" - EUnews](#)
- ¹² Vasques, Eleonora (21 Jan 2022). Šuica: Commission will support changes to treaties if citizens ask. Euractiv. Available at: [Šuica: Commission will support changes to treaties if citizens ask – EURACTIV.com](#)
- ¹³ European Parliament Resolution of 7 July 2021 on Citizens' dialogues and citizens' participation in the EU decision-making (2020/2201(INI)), P9_TA(2021)0345
- ¹⁴ OECD, 'Eight Ways to Institutionalise Deliberative Democracy', *OECD Public Governance Policy Paper*, 2021
- ¹⁵ Alemanno has written in detail about the flaws of the current participatory toolbox. See for example: Alberto Alemanno, 'Beyond Consultations: Reimagining European Participatory Democracy', in *Reshaping European Democracy*, Carnegie Europe, 2018
- ¹⁶ Furthermore, the aforementioned EP resolution sums up in a rather exhaustive way those flaws, calling for improvements of the toolbox and expanding it with other tools such as institutionalised citizens' agoras.