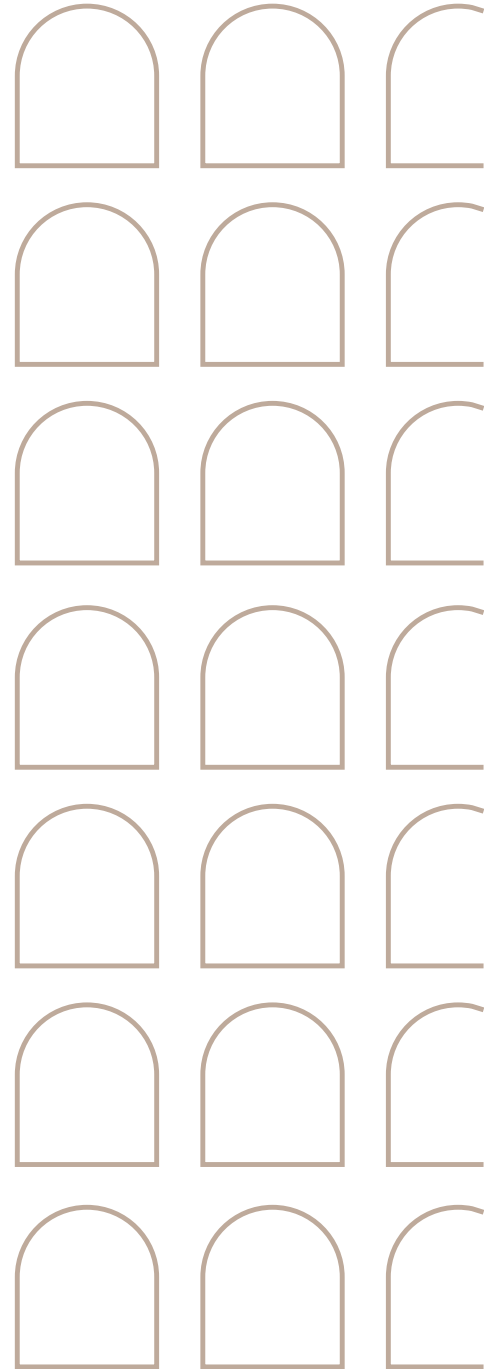


STG Policy Papers

POLICY BRIEF

**AT (EN)LARGE: CAPTURING THE
VOICE OF CITIZENS THROUGH
CITIZENS' ASSEMBLIES ON THE
EU LEVEL**

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EXECUTIVE SUMMARY

This policy brief discusses citizens' assemblies (CA) as a way of deepening and improving public engagement in political decision-making at the EU level. While commending the EU for using citizens' assemblies in an unparalleled way during the Conference on the Future of Europe (CoFoE), it demonstrates that the first CAs held on the EU level after CoFoE indicate that the EU institutions are still keen to keep strong control over the process and results of citizens' assemblies. The brief argues the EU needs time to develop more confidence and a better understanding of the potential of CAs to further democratise EU institutions and their decision-making process. Albeit they are no panacea for all the intricate problems of contemporary polity, CAs qualify among the best candidates to help increase the trust in and legitimacy of strategic decisions on the EU level. This policy brief recommends having CAs on EU enlargement with citizens from both current member states and candidate countries. Enlargement is a great candidate for citizens' assemblies due to its rich deliberative potential, derived from conflicting understandings and arguments of whether, how and when should the EU accept new members. Having citizens' assemblies on enlargement would be an exemplary showcase of the EU's commitment to inclusive, participatory, and deliberative democracy, and a strong statement of EU institutions' willingness to fully consider the opinion of their constituencies.

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Note from the author: Luka Glušac, Assistant Director and Research Fellow, Institute for Philosophy and Social Theory, University of Belgrade. Email: luka.glusac@ifdt.bg.ac.rs. I thank Irena Fiket for helpful comments on an earlier draft of this brief. All remaining errors are my own.

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1. INTRODUCTION

Since the Second World War, [there has not been a single decade](#) without a debate on the crisis of (the legitimacy) of democracy. Yet, this does not relieve the feeling that something is not right. This particularly refers to the problems of democratic efficiency and the lack of opportunities for citizens' participation and deliberation.

One of the ways to deal with the sense of crisis of democracy was the introduction of democratic innovations – that is, institutions and practices that are expected to deepen and improve public engagement in political decision-making. A widely used device of democratic innovations is deliberative mini-publics or citizens' assemblies (also known as citizens juries, deliberative polls, citizens assemblies, town meetings etc.). Citizens' assemblies (CA) are here defined as forums in which a sample of (lay) citizens, selected from the population affected by some public issue, discuss that specific issue.

[Nielsen and Sørensen](#) divide the story of the evolving relationship between the crisis of democracy and CAs roughly into four parts. First, the 1960–1970s, when CAs were motivated by a perceived democratic deficit originating from state centralisation and resulting in alienation; second, the 1980s, when CA inventions were motivated by societal conflicts over structural change; third, the 1990s, when CA formats were invented to address the inability of public organisations to handle complex challenges; and fourth, the 2000–2010s, during which time CAs were motivated by the inability of democratic institutions to govern efficiently and legitimately. We may say that we are currently in the fifth phase, which should ideally lead to the institutionalisation of CAs, on different governance levels.

As a forum of inclusive deliberation, CAs aim to improve the epistemic and moral qualities of public decisions as well as enhance their legitimacy. CAs rely on three core principles - [deliberation, inclusion and public influence](#), insofar as their design is based on inclusiveness, exposure to different opinions, reasoned opinion expression and the making of a collective decision, but it can vary from one CA to another. However, as argued by [Fiket](#), they all share some common basic features, aimed at ensuring the achievement of the ideals of deliberative democracy through moderated small group discussion, facilitated interactions with politicians and experts and formulation of policy proposals.

CAs have been organised for a variety of purposes, including civic education, consulting policymakers and, in an increasing number of cases, making policy decisions, particularly on the regional level, as in Tuscany (Italy) or Ostbelgien (Belgium). Inclusive and high-quality citizen deliberation has also been called for on the most important political decisions, such as constitutional issues, basic human rights, and issues with long-term effects.

The effects of CAs vary considerably. [Setälä](#) suggests shifting or expanding the scope of how mini-public (CAs) formats are evaluated: from the direct and measurable effects of individual experiments to the broader functional effects that putting different mini-public formats in the toolbox of decision-makers and institutions has on the democratic system. In other words, we should allow for sufficient time and the CA volume to assess their ultimate impact: (1) in policy terms; (2) influence on the overall political system; and (3) the effect on citizens and their competencies, as well as the level of interest for political engagement.

What is now already undisputed is that CAs could be used as trusted sources of information for voters. When accessible to the general public, reasoning processes in CAs could help citizens understand arguments for and against different policy alternatives and critically reflect on them. This helps those who didn't participate in CAs to make better-informed decisions and [to identify themselves more easily as a constituency](#) that could generate legitimate political authority.

The level of democratisation, local context and the very design of CAs are all recognised as important factors for their ultimate success. CAs can be easily misused and manipulated, thus calling for very careful timing, organisation and methodology. For example, it is easily imagined that policymakers may organise CAs to strengthen their position in the eyes of the public or to advance and legitimise policies they want to pursue. At the same time, they can also attempt to delegitimise and silence critical voices from the civil society, by using CAs as 'token' consultations. These factors come into play irrespective of the governance level which CAs seek to influence. While CAs have so far primarily been used at local and national levels, a rather unique attempt from a global perspective is their utilisation on a supranational level - in the European Union.

2. EUROPEAN UNION LEVEL CITIZENS ASSEMBLIES

Since 2005, the EU has continuously promoted various types of CAs. [The first EU initiatives](#) that took the form of CAs were two Citizens Conferences organised within the 6th Framework Programs (FP) financed by the European Commission. The most recent example, and what could be a potential game-changer, is the Conference on the Future of Europe (CoFoE). The

Conference, which ran from April 2021 to May 2022, has opened a window of opportunity by offering an experiment with its four Citizens' Panels that each brought together 200 people selected by lottery from across 27 member states to deliberate in 24 languages for around six days.

Although many have hoped that CoFoE would lead to treaty change and institutional reforms, these hopes were quickly disappointed, and replaced by more modest expectations. The most prominent result of CoFoE has been introducing the citizens' assembly, as a new form of (deliberative) participation in the EU, which might be permanently institutionalised. The explicit hope is that the CoFoE could develop prefigurative power such that this format of including citizens in policy-making becomes [a permanent part of the EU political system](#). Indeed, a proposal to regularly hold citizens' assemblies made it into the [final report](#) of the Conference on the Future of Europe.

Quickly, [several models](#) for institutionalising citizens' assemblies emerged, as a form of 'next level citizen participation in the EU'. The European Parliament's Committee on Constitutional Affairs (AFCO) commissioned [a study](#) outlining how the European Union could use citizens' assemblies to meet 'mounting citizens' expectations for greater participation in EU decision-making'. According to this model, which takes inspiration from the CoFoE, there would be two types of EU citizens' assemblies: a permanent Citizens' Chamber and temporary Citizens' Panels, both composed of randomly selected EU citizens. The task of the Citizens' Chamber would be to deliberate on which topics Citizens' Panels should be set up (climate change, electoral reforms etc.), which would then work on concrete ideas for new EU policies. This process could be activated in both a bottom-up and top-down way – that is,

initiatives could be brought to the Citizens' Chamber by ordinary citizens, for example through petitions, and by the main EU institutions. [The decision](#) on whether to set up citizens' assemblies and how to implement their recommendations would be left to the Commission, EP, and Council. Similar ideas for a 'European Citizens Assembly' (ECA) have been suggested by Citizens Take Over Europe ([2022](#)), and most recently by Berg and others ([2023](#)).

Initiated and designed in this way, a permanent citizens' assembly would command a pro tanto legitimacy that would give it a powerful voice difficult to dismiss by the European Union's regular powers, argues [Patberg](#). Can we expect bottom-up models in practice? Many are pessimistic, claiming that we should expect EU institutions to strive for a model of citizens' assemblies that do not seriously challenge their position. Anticipating CoFoE, [De Búrca](#) argued that there is every reason to doubt the willingness of EU institutions and of member state governments to establish a citizens' assembly intended to have real influence.

In line with this, the Commission's communication on how it will follow up on the CoFoE's final proposals – particularly on the call for permanent citizens' assemblies – points in the direction of ad hoc mini-publics to be convened by the Commission at its convenience and on [carefully pre-selected topics](#). [The Commission](#) stated that it will 'enable Citizens' Panels to deliberate and make recommendations ahead of certain key proposals'. [The Commission Work Programme 2023](#) specified that the 'new generation of citizens' panels will deliberate on ...food waste, learning mobility and virtual worlds'. As expected, all three CAs concluded in 2023 without any notable public response. [Patberg](#) argues that if citizens' assemblies are employed in this way – that is, as forums for the deliberation

of feel-good topics predetermined by the Commission, then they serve as a façade of participation.

Such warning is shared by [other scholars](#) who perceive purely consultative CAs as types of 'focus groups' rather than legitimate forums of collective will-formation, where it often [remains obscure](#) as to how, exactly, their advice is taken into account. Although well-based, these views overlook the broader benefits of CAs, even if implemented in this way. [Bohman](#) advanced the argument that CAs at the EU level, can serve to extend citizens' exercise of communicative freedom in transnational public spheres to more formal settings; these, even if they have been established by regular political institutions, cannot be fully controlled by them. He posits that by interacting with deliberative institutions at various levels, members of CAs also interact with each other, thereby beginning a process of deepening democracy over which the delegating institution has no direct control. As empowered members of various polities and of the EU itself, [such participants](#) can make claims to other publics and to other institutions as they exercise their political rights as members of the European polity. Such pressure has the potential to challenge and contest EU institutions and to push for their democratisation. In other words, CAs could strengthen the capacity of citizens to initiate deliberation about common affairs, including the design of the EU polity. The potential of CAs to generate democratic legitimacy [rests on the propensity of the citizens](#) included in the CA to recognise themselves as members of the polity and to identify as a constituency that is (self)empowered to authorise and control government.

3. TOWARDS CITIZENS' ASSEMBLIES ON ENLARGEMENT

To continue to grow, the EU has to continue to enlarge. This is the bottom line of the supporters of the EU enlargement. It is now clear the EU needs to come up with a comprehensive set of legal, political, and economic set of measures to prepare for enlargement.

With Ukraine and Moldova being granted the status of EU candidate countries, a new incentive for enlargement appeared on the EU horizon. As the Western Balkan countries have already been a few years deep into different stages of the accession negotiations, it has become clear that the EU has to reflect more strategically and resolutely on these developments and decide if it wants to embrace new members, and if yes – when and how.

Clearly, candidate and accession countries have to fulfil the Copenhagen criteria, with a special emphasis on the rule of law requirements that have become more prominent in the EU accession process in recent years. A more difficult question seems to be what the EU has to do to get ready for any form of enlargement.

Many new research and policy documents have been developed recently, seeking to cut the Gordian Knot of EU enlargement. Those are primarily aimed at structural, legal and procedural reforms of the EU institutions. Still, one has to ask what is the role of the EU citizens and those of accession countries in this process. Should their opinion(s) on such a strategic issue be heard only through the voices of their elected political representatives, or should they be allowed to discuss the issue of EU enlargement themselves? This refers to both the EU citizens and those of accession countries.

CoFoE failed to include citizens from accession countries, and went largely unnoticed by the larger public, especially in candidate and accession countries. However, as argued by [Milanese](#), “if this exercise was a test-run before running citizens panels on enlargement and the redesign of the EU that will come with it, including this time citizens from the accession countries, tied to really consequential decisions that need to be made with a timetable for making them, then the EU has an innovative tool at its disposal to both help build social consensus for enlargement and to reassert its dearly held commitment to democracy.”

Holding a CA on EU enlargement, with citizens from both current and future member states would be, indeed, an exemplary showcase of the EU's commitment to inclusive, participatory, and deliberative democracy. Enlargement is as a strategic topic as one can be, with a direct impact on EU citizens' lives.

With the support of trusted local partners, experienced in conducting CAs, the EU could facilitate national citizens' assemblies on the topic of enlargement in the member states and support their organisation in the candidate countries, together with central CA on the EU level.

Enlargement is a great candidate for CA, due to its rich deliberative potential, derived from conflicting understandings and arguments of whether, how and when should the EU accept new members.

CAs on enlargement may have different starting points and purposes in the member states compared to those in candidate and accession countries, depending on the nature of the public discussion of the issue. If there is a lack of public discussion on enlargement, CAs could be used to inform citizens and discuss pro et contra

arguments. If the public discourse is saturated with one-sided views on enlargement, a CA could help bring in another side of the story, be it pro or against enlargement. For instance, looking from the candidate/accession country perspective, if a CA results in strong support for the EU membership, this can influence the government to invest more effort in reforming and addressing the outstanding issues needed for the accession. One can potentially see Albania or North Macedonia as examples of this case. On the other hand, if a starting position is the lack of objective and evidence-based public discussion about EU membership, as in Serbia, a CA can help rectify this, using the power of communicative freedom.

4. CONCLUSION AND RECOMMENDATIONS

Democracy is a 'moving target', which needs to be continuously reshaped and reformed to keep up with social and economic change, and to continue to match citizens' expectations. This applies to democracy on local, national, and international levels.

On an international level, the European Union has gone the furthest in developing and utilising different democratic innovations. To that end, it serves as a laboratory for advanced innovative democratic tools aiming at increasing the level of participation and deliberation and closing the gap between citizens and decision-makers.

The Conference on the Future of Europe used CAs on the European level in an unparalleled way. Many sought this as a signal of readiness to introduce them as an additional and rather independent "institution" of the EU. Yet, the first CAs held on the EU level after CoFoE indicate

that the EU institutions are still keen to keep strong control over the process and results of citizens' assemblies.

Although CAs on the EU level could be still considered "only" consultative forums with only potential power, their kinetic energy is clear. It seems potent to keep pressuring the EU to continue and further improve its approach to and usage of citizens' assembly.

The EU needs time to develop more confidence and a better understanding of the potential of CAs to further democratise EU institutions and their decision-making process. What is already clear is that CAs stimulate mutual understanding between citizens, and between citizens and politicians. Albeit they are no panacea for all the intricate problems of contemporary polity, CAs qualify among the best candidates to help increase the trust in and legitimacy of strategic decisions on the EU level.

Having citizens' assemblies on EU enlargement would be a strong statement and evidence of EU institutions' willingness to fully consider the opinion of their constituencies. If such an opinion is reflected in the ultimate decision, that would be a triumph of deliberative democracy.

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