

Should a Citizens' Assembly Complement the European Parliament?

Edited by | Rainer Bauböck and Kalypso Nicolaidis



© European University Institute, 2025

Editorial matter and selection © Rainer Bauböck and Kalypso Nicolaidis, 2025

Chapters © authors individually 2025

© cover artwork: Ari Saunders

This work is licensed under the [Creative Commons Attribution 4.0 \(CC-BY 4.0\) International license](https://creativecommons.org/licenses/by/4.0/) which governs the terms of access and reuse for this work. If cited or quoted, reference should be made to the full name of the author(s), editor(s), the title, the series and number, the year and the publisher.

Views expressed in this publication reflect the opinion of individual authors and not those of the European University Institute.

Published by

European University Institute (EUI)

Via dei Roccettini 9, I-50014

San Domenico di Fiesole (FI)

Italy

ISBN:978-92-9466-662-8

doi:10.2870/9250462

QM-01-25-046-EN-N



**Co-funded by
the European Union**

Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Education and Culture Executive Agency (EACEA). Neither the European Union nor EACEA can be held responsible for them.

Should a Citizens' Assembly Complement the European Parliament?

EDITED BY

Rainer Bauböck and Kalypso Nicolaidis

European University Institute, Florence, Italy

Table of content

Preface	1
Representing European Citizens: Why a Citizens' Assembly Should Complement the European Parliament	3
Kalypso Nicolaidis	
The case for a Permanent European Citizens' Assembly	5
The case for holistic democracy	6
Transnationalism in theory: Towards a demoicratic polity	8
Transnationalism in practice: Citizen participation between elections is the new EU mantra...	10
...But a permanent Citizens' Assembly would do a better job	13
Embedding the ECA in the EU's institutional landscape and public spheres	15
Popular Sovereignty: The argument from equal representation	15
...But who is us? Composition, criteria and pools	17
Democratic Governance: The argument from integrity	20
...But should the ECA be enabled to decide?	23
Civic Culture: The argument from epistemic democracy	24
...But how does the ECA connect to a wider European public sphere?	26
Conclusion: Contrasting imaginaries and academic debate as co-creation	31
Why Citizens' Assemblies should not have Decision-making Power	33
Cristina Lafont and Nadia Urbinati	
The pitfalls of complementing elections with sortition	34
Accountability vs blind deference	35
Why the ECA will be ignored by the wider public	36
Empowering citizens through a mediating role for Citizens' Assemblies	37
Empowering European Citizens but Avoiding Illusionary Promises!	39
Sandra Seubert	
A distorted image of electoral politics	40
Concealing the power of experts	41
The problem of legitimation rivalry	43
Conclusion: Routinisation without permanence!	44

Can a European Citizens' Assembly Improve Political Equality and Overcome the Demoi-cratic Disconnect?	47
Richard Bellamy	
How equal and empowering is representation by sortition?	47
An alternative, a supplement or a complement to electoral democracy?	50
Democracy and the democratic disconnect	51
Conclusion	53
Would a European Citizens' Assembly Justify a Sense of Democratic Ownership?	54
Svenja Ahlhaus and Eva Schmidt	
A sense of democratic ownership: justified or unjustified?	55
A re-focused ECA: Three ideas	57
Conclusion	59
Democracy 3.0 in the 21st Century: The Case for a Permanent European Citizens' Assembly	60
Yves Sintomer	
For a non-ideal and historically-situated theory of democracy	61
Provincialising Western democracy	63
Global governance and citizens' assemblies	64
Conclusion: Democracy 3.0	67
Grounding 'Democratic Innovations' in Wider Decolonial Movements Within and Beyond EU Borders	68
Alvaro Oleart	
The EU's 'citizen turn' and the private industry of 'deliberative democracy'	70
The Palestine encampments and the "decolonial project for Europe"	71
The Advantages and Perils of a Civil-society-led European Citizens' Assembly	74
Brett Hennig	
Advantage: Freedom to experiment	76
Advantage: Freedom of topic and agenda	76
Peril: Biased composition undermining legitimacy	77
Peril: Lack of (direct) political impact of the assembly outcomes	78

Peril: Lack of independence leading to low legitimacy	79
Peril: Lack of budget leading to low quality	80
Advantage: Spreading the deliberative word!	80
Conclusion & Advantage: Concrete activity building a movement to upgrade democracy at the EU level	81
How to Make Citizens' Participation Successful: The Case for Citizens' Panels on Key Commission Proposals	83
Daniel Freund	
Thematic Scope: Focus on concrete issues	84
Support: The necessity of political and institutional backing	85
Transparency: Representing and including the wider public	86
Backup: Optional decision by referendum	86
Conclusion	87
Can a Complementary ECA Democratiser European Democracy?	88
Jelena Džankić	
Who? Those vicious technicalities of eligibility and sortition	89
How? Iteration and rotation – a costly exercise?	91
What? Input is precious, but output and support matter too	92
So What?	93
The Two European Demoi: Authorizing EU Legislation and Deliberating on Affected Interests	95
Rainer Bauböck	
Strengthening deliberative democracy in Europe	96
Why the deliberative demos must be wider than the legislative demos	99
The test of effective transformation of citizens' preferences	102
Perceptions and Practicalities of a Standing European Citizens' Assembly	103
Anthony Zacharzewski	
Media reporting: between invisibility and inaccuracy	104
The legitimacy challenge: Who selects the questions?	105
Not running before we can crawl: ECA as the goal, not the starting point	106

Rotation, task Definition and an Increased Membership: An Alternative Imaginary for a Permanent ECA	108
Graham Smith and David Owen	
Rotation, specific task assignment, and two-stage sortition	109
Agenda-setting in a responsive ECA	110
Connecting to publics: Challenges and possibilities for the European Citizens' Assembly	113
Melisa Ross and Andrea Felicetti	
Transnational publics, plural	114
From issue salience to issue ownership	115
Bridging across publics	117
The cost of experimentation	119
Enlarged Complementarity: How an ECA Should Relate to Other Institutions and Actors	121
Lucile Schmid	
Why complementarity is key	123
Putting the Green Deal on the ECA agenda	124
An expanded vision of complementarity	125
Why a European Citizens' Assembly Should Replace Sortition with Liquid Democracy	128
Chiara Valsangiacomo and Christina Isabel Zuber	
The problem with sortition	129
A liquid European Citizens' Assembly	131
A thought experiment	133
Rome Was Not Built in One Day, Neither Will a European Citizens' Assembly	135
Camille Dobler and Antoine Vergne	
Complementing transnationalism with translocalism	136
Intersubjective representation and radical inclusion	137
Complementing institutionalization with "porous" experimentation	138
Falling forward, from citizens' juries to an ECA?	140

Democratisation Through Europeanisation: the Case for a Permanent EU Citizens' Assembly	142
<i>Alberto Alemanno</i>	
The realities of EU democratic life	143
Europeanisation: the missing link between politicisation and democratisation	144
A Citizens' assembly to Europeanise EU politics	146
Mind the Gaps: Scaling up Digital Spaces to Increase Translocal Porousness in an ECA	149
<i>Andrea Gaiba</i>	
Porousness in agenda-setting	151
Porousness in sortition	152
Porousness in composition	152
Porousness in follow-up	153
Technological challenges and opportunities of scaling porousness	154
Rejoinder: A Permanent Citizens' Assembly is not a Magic Wand for Europe. But...	158
<i>Kalypso Nicolaidis</i>	
Popular sovereignty: Can the assembly really claim to instantiate the people?!	160
Democratic Governance: How should the ECA work?	167
Civic Culture: Can the ECA really reach the demos?	173
Conclusion: How to get there?	181

List of Contributors

Svenja Ahlhaus is Assistant Professor in Political Theory at the University of Münster. Her research focuses on democratic theory, especially on belonging, democratic boundaries, and political representation. In her new research project at the Cluster of Excellence “Religion and Politics” she analyses the democratic legitimacy of religious strategic litigation. Her monograph *Die Grenzen des Demos* (Campus, 2020) discusses the democratization of membership politics.

Alberto Alemanno is the Jean Monnet Professor of EU Law, HEC Paris and currently Democracy Fellow 2024-25 at Harvard Kennedy School and Visiting Scholar at the Harvard Center for European Studies Minda de Gunzburg.

Rainer Bauböck held the chair in Social and Political Theory at the European University Institute from 2007 to 2018 and is co-director of GLOBALCIT and of the DILEMMAS project at the EUI. He is also corresponding member of the Austrian Academy of Sciences where he chaired a Commission on Migration and Integration Research until 2024. He teaches as a guest professor at the Nationalism Studies Program of Central European University Vienna. His research interests are in normative political theory and comparative research on democratic citizenship, European integration, migration, nationalism and minority rights.

Richard Bellamy is Professor of Political Science at University College London (UCL). He was educated at the University of Cambridge and the European University Institute at Florence. After three years as a Post-Doctoral Research Fellow at Nuffield College, Oxford, he went on to lectureships at Cambridge and Edinburgh and then to Chairs at the Universities of East Anglia, Reading and Essex before joining UCL in 2005. He was elected a Fellow of the Academy of Social Sciences (FACSS) in 2008, of the British Academy (FBA) in 2022, and a Member of the Academia Europea (MAE) in 2024. His book *A Republic of European States: Cosmopolitanism, Republicanism and the EU* was published by Cambridge University Press in 2019.

Camille Dobler is the Head of Research at Missions Publiques. She joined the team after four years working in academia as a Marie Skłodowska-Curie Fellow: her own research questions the inter-linkages between citizen participation, deliberation and political identities in the EU. At Missions Publiques, Camille has been working extensively with EU institutions towards the institutionalisation of deliberative mini publics at the European level. Together with Antoine, she coordinates the EU-funded Coordination and Support Action SCALEDDEM, which aims at scaling the impact of democratic innovations and is an active member of the Democratic Odyssey Constituent Network.

Jelena Džankić is Part-Time Professor in the Global Governance Programme at the Robert Schuman Centre of the EUI, where she is Director of GGP Southeastern Europe and Co-Director of the Global Citizenship Observatory (GLOBALCIT). She is also (recurring) visiting professor at Central European University, and senior research fellow at the Hellenic Foundation for European and Foreign Policy (ELIAMEP). She is the author of the *Global Market for Investor Citizenship* (Palgrave 2019) and *Citizenship in Bosnia Herzegovina, Macedonia and Montenegro: Effects of Statehood and Identity Challenges* (Routledge, 2015).

Andrea Felicetti (PhD, Australian National University) is a Senior Assistant Professor at the Department of Political Science, Law, and International Studies at the University of Padua. His main research interests revolve around democratic theories, public spheres, and governance. He is the author of *Deliberative Democracy and Social Movements* (Rowman & Littlefield International, 2016) and co-author of *Discursive Turns and Critical Junctures* (Oxford University Press, 2020). His research is featured in numerous distinguished international journals including Science, Journal of Politics, European Journal of Political Research, and Journal of Business Ethics.

Daniel Freund is a Member of the European Parliament for the German Greens since 2019. He works on transparency, the rule of law and EU reform. He was the chair of the Green Caucus at the Conference on the Future of the EU.

Andrea Gaiba is Programme Manager at the Transnational Democracy Programme (Florence School of Transnational Governance, EUI), where he works on research projects concerned with democratising foresight, scaling democratic innovations and bridging artificial and collective intelligence. He has previously published on e-participation platforms deployed during delibera-

tive processes and has a forthcoming publication proposing a digital, participatory infrastructure for Europe. Among other responsibilities, Andrea coordinates the activities of the Constituent Network of the Democratic Odyssey project, tasked with co-designing a crowdsourced blueprint for a permanent People's Assembly for Europe and the deployment of an open-source digital platform to complement the Assembly process.

Brett Hennig co-founded and is a director of the Sortition Foundation, which helped run the Global Assembly and campaigns to institute the use of democratic lotteries (also called sortition) in government. He authored *The End of Politicians: Time for a Real Democracy*, which was described as “a powerful critique and provocative alternative” by the late Professor Erik Olin Wright and has given many talks promoting sortition, contributed a chapter, “Who needs elections? Accountability, Equality, and Legitimacy under Sortition” to the book *Legislature by Lot: Transformative Designs for Deliberative Governance* (Verso, 2019) and co-authored the article in *Nature*, *Fair algorithms for selecting citizens' assemblies*.

Cristina Lafont is Harold H. and Virginia Anderson Professor of Philosophy at Northwestern University. She is the author of *Democracy without Shortcuts. A Participatory Conception of Deliberative Democracy* (Oxford University Press, 2020); *Global Governance and Human Rights* (Spinoza Lecture Series, van Gorcum, 2012); *Heidegger, Language, and World-disclosure* (Cambridge University Press, 2000), *The Linguistic Turn in Hermeneutic Philosophy* (MIT Press, 1999). With Nadia Urbinati she is co-author of the book *The Lottocratic Mentality: Defending Democracy against Lottocracy* (Oxford University Press, 2024).

Kalypso Nicolaidis is Professorial Chair of Global Affairs at the EUI Florence School of Transnational Governance in Florence, where she convenes the Democratic Odyssey, the Transnational Democracy Programme, the EUI democracy cluster, and the Global Peace Tech Hub. She is emeritus fellow at the University of Oxford and was professor at Harvard University's Kennedy School of Government and at ENA, Strasbourg. She has worked with every EU institutions, including the European Parliament. Her research revolves around the connections between global and European governance at the intersection of democracy and geopolitics. Her last book is: *A Citizen's Guide to the Rule of Law - Why We Need to Fight for the Most Precious Human Inventions of All Time* (with Adis Merdzanovic, 2021). Her website: <http://kalypsoNicolaidis.com/>.

Alvaro Oleart is an FNRS postdoctoral researcher at the Department of Political Science and the Institute for European Studies of the Université Libre de Bruxelles. His research focuses on the relationship between political conflict and democracy through a decolonial lens in the context of the European Union by analysing the discourse in the European public spheres, citizen participation processes, political parties, the media, civil society and transnational social movements from both an empirical and normative perspective. He is the author of the books *Framing TTIP in the European Public Spheres: Towards an Empowering Dissensus for EU Integration* (Palgrave, 2021) and *Democracy Without Politics in EU Citizen Participation: From European Demoi to Decolonial Multitude* (Palgrave, 2023).

David Owen is Professor of Social and Political Philosophy at the University of Southampton. He has published nine books, most recently the collectively authored *Prospects of Citizenship* (Bloomsbury, 2011), as well as articles and book chapters on a wide range of topics in social and political theory. Recent work includes: *Refugees, Fairness and Taking up Slack*, *Moral Philosophy and Politics* 2016; 3(2): 141–164; *Citizenship and Human Rights in Shachar et al. (eds.) The Oxford Handbook of Citizenship* (Oxford University Press, 2016); *In loco civitatis: on the normative structure of the international refugee regime in S. Fine and L. Ypi (eds.) Migration in Political Theory* (Oxford University Press, 2016); and *Populus, Demos and Self-Rule* in R. Baubock (ed.) *Democratic Inclusion* (Manchester UP, 2017).

Melisa Ross (PhD, Humboldt Universität zu Berlin) is a Postdoctoral researcher at SOCIUM Research Center on Inequality, University of Bremen. She received her PhD in 2022. In the past, she was a research fellow at the LATINNO project (Democracy and Democratization Department, WZB Berlin Social Science Center) and the Healthier Democracies project (Public Agenda, New York, USA). She currently co-leads the Global Citizens' Assemblies Network (GloCAN) and is part of the Global Solidarity cluster (GloLab) at the University of Bremen. Her research spans contemporary Latin American politics, neoliberalism and postneoliberalism, citizen participation, deliberation, and democratic innovations, especially at the regional and transnational level.

Lucile Schmid studied at *Ecole nationale d'administration* (ENA) and began her career at the Ministry of Economy and Finance in the international department. After this first step, she worked in different ministries (social affairs,

culture, and planification). She was elected at the regional and local level as a socialist. In 2013 she has cofounded *La Fabrique écologique* a think tank dedicated to green issues where she is specifically in charge of relations with academics. She is a member of *Esprit* magazine editorial committee (focusing on 1/green issues 2/ public action and civil society). Since 2023 she works in the NGO Emmaüs on developing links between social and green issues with people experimenting precarious status.

Eva Schmidt is a PhD candidate at the University of Münster. In her dissertation, she is working on the intersection between epistemic injustice and deliberative democracy. She has recently published an article on *Epistemic Injustice in Deliberative Mini Publics* in the *Journal of Deliberative Democracy*.

Sandra Seubert (*1968) is Professor of Political Theory at Goethe University Frankfurt. Her research focuses on transnationalisation of democracy, transformations of citizenship and the shifting boundaries between public and private. She is co-spokesperson of the Research Training Group “Standards of Governance” and was Work Package Coordinator EU KP 7 Integrated Project: “Challenge: Exercising EU Citizenship: Removing Barriers”: Barriers towards EU Citizenship (bEUcitizen),. For the academic year 2019/20, she was Alfred Grosser visiting professor at Sciences Po Paris. Her recent publications include *The Conference on the Future of Europe as a chance for democratic catching up? Towards a citizen-centred perspective on constitutional renewal in the EU, in: Global Constitutionalism*, online first <https://doi.org/10.1017/S2045381723000199> and *Reconsidering EU citizenship. Contradictions and Constraints*, co-edited with Oliver Eberl and Frans van Waarden, (Edward Elgar Publishing 2018).

Yves Sintomer (www.sintomer.net) is Professor of Political Science, Paris 8 University, Honorary Senior fellow at the French University Institute, and has a honorary degree, Liège University. He has been invited scholar or professor at Harvard, Yale, Oxford, University College London, Tsinghua and Peking universities, Science Po Paris, Frankfurt and Berlin-Humboldt, Neuchâtel and Lausanne (Switzerland), UCL and ULB (Belgium), EUI Florence. His most recent book is *The Government of Chance. Sortition and Democracy from Athens to the Present*, (Cambridge University Press, 2023). He has written on participatory and deliberative democracy, and political representation. His writings have been published in 20 languages.

Graham Smith is Professor of Politics at the University of Westminster and Chair of the Knowledge Network on Climate Assemblies (KNOCA). He is a specialist in democratic innovations, particularly in relation to climate governance and recently published open access *We Need to Talk About Climate: How Citizens' Assemblies Can Help Us Solve the Climate Crisis* (University of Westminster Press).

Nadia Urbinati is Kyriakos Tsakopoulos Professor of Political Theory Department of Political Science at Columbia University. She is the author of *Me The People: How Populism Transforms Democracy* (Harvard University Press, 2019; it received the Capalbio award); *The Tyranny of the Moderns* (Yale University Press, 2015); *Democracy Disfigured: Opinion, Truth and the People* (Harvard University Press, 2014); *Representative Democracy: Principles and Genealogy* (University of Chicago Press, 2006), and of *Mill on Democracy: From the Athenian Polis to Representative Government* (University of Chicago Press, 2002; it received the David and Elaine Spitz Prize). With Cristina Lafont, she's co-author of the book *The Lottocratic Mentality: Defending Democracy against Lottocracy* (Oxford University Press, 2024)

Chiara Valsangiacomo is a postdoctoral researcher at the School of Politics and International Relations, University College Dublin, Ireland. Prior to joining UCD, she was a postdoctoral fellow and doctoral candidate at the University of Zurich, Switzerland. Her research interests include political philosophy, normative democratic theory, democratic innovations, political representation and constitutional design theory. Her current research project, "Let the future be liquid. Democracy in the twenty-first century", aims to develop a unified theoretical and normative framework that can be used to evaluate liquid democratic institutions and compare them with other democratic innovations.

Antoine Vergne is the Co-Director of Missions Publiques. He holds a dual PhD from Freie Universität Berlin and Science Po Paris on the theory and practices of sortition in politics. He has been working since 2004 on improving democratic processes with the help of sortition based methods, at all scales of governance. Antoine's research interests span across a large spectrum, from decentralized governance to tech-enhanced deliberations. Since 2017, Antoine has been coordinating coalitions of private, public, and civil society actors to bring sortition, and citizen voices at the table of global UN negotiations, first with the World Wide Views on Climate, and then with We The Internet.

Anthony Zacharzewski is President of Democratic Society, a Brussels-based NGO that he co-founded in 2006. He was previously a senior civil servant and local government officer in the UK.

Christina Zuber is Jean Monnet Fellow at the EUI's Robert Schuman Centre of Advanced Studies and Professor of German Politics at the Department of Politics and Public Administration of the University of Konstanz. Before joining the University of Konstanz, she was a postdoctoral research fellow at the University of Bremen and at Pompeu Fabra University and taught at the Universities of Zurich and Lucerne. Her main research areas are democratic theory and party politics, nationalism studies, and citizenship and integration policy. Current research investigates nationalist mobilisation in contemporary and historical European democracies and explores ways to integrate insights about the relevance of social identities for political behaviour into standard models of party competition.

Preface

The European Union has a unique ensemble of supranational institutions that provide checks and balances but also need to cooperate in order to get EU policies adopted and implemented. Yet, even more than most of its member states, the EU's democratic mandate has persistently been questioned and its politics have recently become more confrontational as well as captured by special interests.

When member states had to face major decisions on which national publics seemed to be deeply divided or for which the ordinary process of legislation seemed to provide insufficient legitimacy, they have sometimes revived a very old instrument of democracy: deliberative citizens' assemblies whose members are selected by lot.

In this GLOBALCIT forum debate, Kalypso Nicolaidis proposes a bold plan to create a European Citizens' Assembly (ECA) with some major innovative features: the assembly should be permanent with rotating membership rather than devoted to a single issue for a limited period of time; it should be composed of randomly selected citizens from across Europe as well as non-nationals residing in Europe; it should be itinerant rather than located in Brussels, Strasbourg or Luxembourg; crucially she argues that such an assembly would enhance rather than compete with the EP's legitimacy by providing a space for new kinds of interactions with the broader public; and it should have agenda-setting powers for the European Parliament that go beyond the consultative role of most national-level citizens' assemblies.¹ In her opening essay, Nicolaidis elaborates and defends these and several other construction principles for an ECA.

1 'Representing European citizens: Why a Citizens' Assembly should complement the European Parliament', GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/>.

This proposal is, obviously, controversial and we have attempted to bring together critics, supporters, and modifiers of this idea in a wide-ranging dialogue that involves 23 authors in 19 responses. This collection concludes with a rejoinder by Nicolaidis, in which she does not so much attempt to rebut objections as to further develop her proposal in the light of arguments advanced in the debate.

This GLOBALCIT forum unfolded between June and December 2024, on a rolling basis with each new contribution building on the previous ones. This period has seen tumultuous changes with the rise of the far right in European Parliament elections, the appointment of a new European Commission, and the re-election of an American president whose political agenda is overtly hostile to European integration. None of these events have killed the idea of a European Citizens' Assembly. On the contrary, the Democratic Odyssey project has successfully launched a pilot that has provided a "proof of concept".²

This is the 20th GLOBALCIT forum, a successful format that aims to create a dialogue between interlocutors rather than merely collecting independent contributions by different authors.³ We mark this achievement and also the greater number of contributions in this forum by publishing it not as a working paper, but as an open access e-book. Our hope is that it will find productive uses among both civil society activists for deliberative citizens' assemblies and among institutional actors and policymakers at local, national and European levels.

Our special thanks go to Jadé Botha, Raghavi Viswanath and Giorgio Giamberini who have provided excellent editorial support.

Vienna and Florence, January 2025

Rainer Bauböck and Kalypso Nicolaidis

2 'Democratic Odyssey', Democratic Odyssey, <https://democraticodyssey.eu.eu/home>.

3 'Forum', GLOBALCIT, <https://globalcit.eu/category/forum/>.

Representing European citizens: Why a Citizens' Assembly should complement the European Parliament

Kalypso Nicolaidis⁴

Once again, the European Parliamentary elections taking place in June 2024 have produced democratic angst: do citizens care at all? Will more than half of the European electorate even bother to vote? Will we witness another series of parallel national campaigns? Will a new European Parliament reflect both greater polarisation in Europe and the growth of extreme right representation? Ultimately, these questions boil down to one: do Europeans feel represented by their members of the European Parliament – or, for that matter, by EU institutions in general?

Alas no. Or at least not enough. But there is a silver lining: Our current democratic predicaments offer opportunities for change and for representative democracy to re-invent itself, i.e., the ways citizens, representatives and other actors interact. The challenge is to re-organise democratic life in a social, political, technological and economic context that will never again be the one that prevailed at the 18th century birth of parliamentary governments. In the era of unfiltered web-democracy we must radically bolster the sense of 'democratic

⁴ European University Institute

ownership' of the EU's institutions by its citizens.

I will argue that such a sense of ownership can be enhanced through a radical institutional innovation: the introduction of a permanent European Assembly of randomly selected people into Europe's political landscape. Randomly selected Citizens' Assemblies (CA) have proliferated around the world in the last two decades, mostly at the local level – a trend labelled by the OECD as the deliberative wave.⁵ A few of these have become permanent, yet there is no such permanent assembly transnationally. Such a European Citizens' Assembly (ECA) would not be sitting 'up there' in Brussels but be an itinerant body, travelling around Europe and its peripheries, meeting with local actors in multiple configurations that would change over time, with frequent rotation of its members. It would be embedded in a pan-European participatory eco-system that it would also help to bring into being. Call this a leap of faith, but I believe that if citizens can literally *see* power diffused, they might start to believe they own a share in it.

I am currently campaigning for such an assembly along with others who have set sail under the banner of the Democratic Odyssey Project⁶ and its initial blueprint.⁷ The beauty of the project is that it has lent itself to academic activism: testing one's ideas by putting them into practice (through a 'proof of concept') and revising them as they fail or succeed. Here I would like to take a step back in the spirit of the GLOBALCIT forum by soliciting pro-and-con arguments linked to competing conceptions of citizenship and democracy.

Before I proceed, let me put my cards on the table. This proposal does not rest on a comparative claim as can be found in the vast historical and theoretical scholarship on the respective merits of selection by election vs by lot, a debate brilliantly re-invigorated in our times by the likes of Dahl and Manin whose views were far less univocal than that of those who seek to appropriate them today.⁸ I do not argue for replacing elections by sortition (as do Guerrero,

5 OECD. (2023), *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave*, OECD Publishing.

6 'Towards a Peoples' Assembly for Europe', Democratic Odyssey, <https://democraticodyssey.eu.eu/home>.

7 Berg, C., Chwalisz, C., Nicolaidis, K and Sintomer, Y. (2023), 'The European Citizens' Assembly: Designing the missing branch of the EU', https://www.demnext.org/uploads/The-EUCA-Paper_040923-FINAL.pdf (hereinafter, 'EUCA, 2023').

8 Dahl, R. (1989), *Democracy and Its Critics*, Yale University Press (hereinafter 'Dahl, 1989'); Manin, B. (1997), *The Principles of Representative Government*, Cambridge University Press (hereinafter 'Manin, 1997').

and Landemore) and share many of the criticisms that have focused on the risks associated with denying the import of politics, parties and organised civil society.⁹ But neither do I believe that an ECA should simply be a subordinate body, a mere advisor or *faire-valoir* for the EP. Instead of throwing out the baby with the bathwater of 'lottocracy', the proposal turns on the idea of complementarity and synergies in order to develop a holistic approach for the EU that combines the best of democratic models by supplementing the EP with an ECA.¹⁰ In short, its value rests above all on its idiosyncratic features (transnationality and permanency) and on its experimental character.

I start by making the case for such an assembly, along its three features, namely, the value of holistic democracy, the challenge of transnational democracy and the promise of permanence. I then move on to offer a heuristic for our discussion along three contested dimensions of democratic legitimacy: popular sovereignty, democratic governance, and civic culture. Each of these is associated with a different rationale for a transnational CA, namely equal representation, integrity, and epistemic diversity. On each dimension I open up the debate to what I consider some of the most difficult questions with a view to making the proposal conditional on addressing potential pitfalls. I will conclude with some reflections on the process of co-creation in the shadow of alternative imaginaries.

The case for a Permanent European Citizens' Assembly

The story has been told how, in the 18th century second democratic transformation, political elites prevented the re-birth of ancient practices of sortition in order to limit access to power in the incipient state and to adjacent

-
- 9 Guerrero, A. (2014), 'Against Elections: The Lottocratic Alternative', *Philos Public Aff*, 42: 135-178 (hereinafter 'Guerrero, 2014'); Landemore, H. (2020), *Open Democracy: Reinventing Popular Rule for the Twenty-First Century*, Princeton University Press H. (2020), *Open Democracy: Reinventing Popular Rule for the Twenty-First Century*, Princeton University (hereinafter 'Landemore, 2020'); for a discussion, see also Owen, D and Smith, G. (2018), 'Sortition, Rotation, and Mandate: Conditions for Political Equality and Deliberative Reasoning', *Politics & Society*, 46(3): 419-434 (hereinafter 'Owen and Smith, 2018').
- 10 Rummens, S and Geenens, R. (2020), 'Lottocracy Versus Democracy', *Res Publica*; Umbers, L. (2021), 'Against Lottocracy', *European Journal of Political Theory*, 20(2):312-334; Lafont, C. (2023), 'Democracy Without Shortcuts: An Institutional Approach to Democratic Legitimacy', in Eich S., Jurkevics, A., Nathwani, N and Siegel, N (eds.), *Another Universalism: Seyla Benhabib and the Future of Critical Theory*, Columbia University Press (hereinafter 'Lafont, 2023').

property rights.¹¹ Representative democracy has been riddled since the beginning, with deep conflicts regarding the appropriate configuration of power in societies aspiring to deliver equal citizenship.

Yet, the backdrop of increasingly complex state-society relations in the contemporary era, many will argue that representative democracy has been uniquely successful in balancing the dual goals of incorporating citizens' will, on the one hand, and expertise for efficient policy making, on the other. Today, however, the balance is deeply under strain. I will not rehearse here the diagnosis of democratic dissonance between our system of representation and the interests and aspirations of ordinary people. Representative democracy is being criticised for not being inclusive, responsive or accountable enough and, at the same time, for being too responsive to short-term popular preferences. Out-of-touch elites are pitted against populists, expert knowledge against opinion polls and social media. No wonder populist leaders have emerged to exploit this persistent social anger against institutions.

Thus, we have woken up from what Americans used to call the 'dream of full representation', a system that was born for a society that no longer exists, where cross-cutting social cleavages could coalesce into temporary aggregations of interest and political coalitions. What we witness instead today is polarised pluralism, with infinite numbers of radically heterogeneous groups, often isolated from each other and unable to connect. Even if political classes had not appropriated politics, today's parliaments and governments cannot pretend to represent the whole of society, nor to offer solid resilience against populist and technocratic capture. This state of affairs seems to be compounded at the European level. And so, in short, my proposal rests on three pillars: a holistic approach, transnationalism, and permanency.

The case for holistic democracy

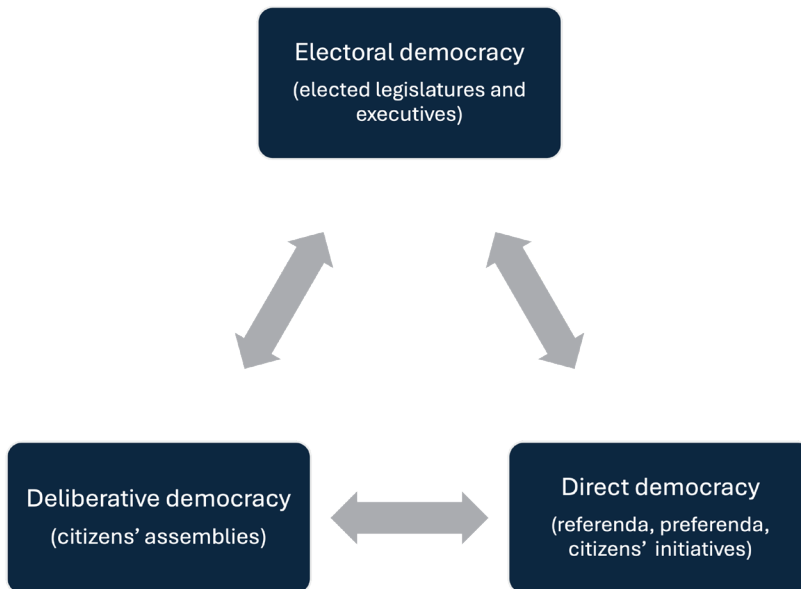
Most importantly, when we speak of citizen or peoples' assemblies, we need to stress that they rest on combining three crucial ingredients, namely sortition, deliberation and rotation. Each of these plays a key but different role in their legitimacy. In its simplest form, the ECA proposal can be traced back to the 'sortition movement' initiated by James Fishkin, who sought to reassert the importance of Habermasian deliberation in our quest for political equality in the making of collective choices, holding up mini-publics as an alternative to the

11 Dahl, 1989; De Djin, A. (2020), *Freedom: An Unruly History*, Harvard University Press.

distortions of opinion polls.¹² Since then, the deliberative wave has given rise to scores of conceptual and empirical debates and refinements, and such assemblies have become the symbol of democracy between and beyond elections.¹³

At the heart of it all lies the injunction to rethink the idea of 'representative democracy' by questioning that the delegation of power to political representatives in a legislature and executive is the only form of re-presenting citizens. This leaves us with the need to reinvent the meaning of re-representation as the many ways in which citizens can be made 'present' in the political sphere. If democratic representation can take many interconnected forms, selecting the members of an assembly by lot simply contributes to representing society as a whole.

To cut a long story short, the proposal builds on the many ways in which the three logics of representation (electoral, deliberative and direct) and sources of legitimacy can be reconciled and synergised, as they indeed have been in countless experiments, starting with the streams of democratic reforms in Athens in the 6th and 5th centuries BC, from Clisthenes to Pericles.



12 Fishkin, J. (1993), *Democracy and Deliberation: New Directions for Democratic Reform*, Yale University Press.

13 Van Reybrouck, D. (2013), *Against Elections: The Case for Democracy*, The Bodley Head Ltd.

Only sociologically are these three fundamental forms of democracy alternatives to each other. Elected representatives are often wary of deliberative forms of democracy that they feel might usurp some of their legitimacy or dilute their own control over the levers of power. And advocates of direct democracy fear that deliberative approaches might serve as fig-leaves for citizen participation put forth by those who want to do away with direct democracy altogether.

And yet, when it comes to democratic practices, it would be absurd to do away with any one of these three forms of democracy or diminish their distinct appeal. Instead, if power sharing is effectively to happen, democracy needs to flourish in all its forms at a time where the complexity of governance, regulation and social control has been pushing societies in the opposite direction, namely towards centralisation and monopolisation of control by a few at the expense of the many.

The three fundamental modes of electoral, direct and deliberative democracy are not alternatives to each other. As Hannah Arendt argued, power is not a zero-sum game. Creating a new (polycentric) centre of power in the EU would likely increase its legitimacy as a whole and, therefore, the legitimacy of the EU itself.¹⁴ It is the combination of these three forms of power and representation that I term ‘holistic democracy’. This view is in keeping with the ‘systemic turn’ in democratic theory, which takes democracy as a unified ideal, not as attached to a specific model, but as a set of practices that can, in various combinations, contribute to the democratic character of a polity.¹⁵

Transnationalism in theory: Towards a democricatic polity

Many will argue that CAs may make sense at the local level, even possibly at the national level, as we have witnessed in Iceland (2010), Ireland (2016) or France (2019/2020), but why is it desirable to up the ante by promoting them at the supranational level?

Arguably, the limits of electoral democracy are even stronger beyond the state, where directly elected MEPs may complement the indirect legitimacy of government councils but where such directness is not felt by the average voter.

14 Arendt, H. (1958), *The Human Condition*, University of Chicago Press.

15 Dahl, 1989.

The lens of demoicratic theory in particular serves to emphasise the *horizontal* quality of the EU, a polity of multiple distinct but interdependent peoples committed to the mutual opening of their respective democracies.¹⁶ The point of a transnationalism, as opposed to nationalism and supranationalism, is less to deny or debate the existence of an elusive European demos than to elevate horizontality from a positive concept describing the nature of international or European cooperation to a normative one conveying the ideal of 'ever closer' mutual commitment between imagined peoples short of modern nation-state-building.¹⁷ Crucially, such horizontality cannot be operationalised without deepening the direct links between European citizens themselves, which in turn requires radical democratic innovations to regulate the joint democratic government of inescapably different, yet also inescapably interdependent *demos*.¹⁸

In short, demoicratic citizenship shifts the spotlight from the vertical focus on domestic accountability of liberal theories to horizontal accountability *among* demos, among citizens themselves, taking transnational cooperative entanglements *all the way down* to the citizens, thus translating the idea of transnationalism into translocalism. As leaders balance their respective democratic mandates, publics must demand cognitive tools for engaging in transnational societal empathy and establishing a form of joint and equal control over the conditions that allow their reciprocal non-domination through institutional and legal safeguards at the (EU) centre.

Demoicratic agency is therefore not only exercised simultaneously through the dual routes of national and EU citizenship¹⁹ but also through the various channels of democracy from below, empowering both formal and informal civil society to make good on the Lisbon Treaty's provision on participatory de-

16 Nicolaidis, K. (2013), 'European democracy and its crisis', *J Common Mark Stud*, 51: 351-369; Nicolaidis, K and Liebert, U. (2023), 'Chapter 5: Demoicratic theory: Bridging positive, critical and normative approaches to European studies', in *The Elgar Companion to the European Union*, Edward Elgar Publishing (hereinafter 'Nicolaidis and Liebert, 2023').

17 Nicolaidis, K. (2023), 'The Peoples Imagined: Constituting a Demoicratic European Polity', in Jan Komárek (ed.), *European Constitutional Imaginaries: Between Ideology and Utopia*, (Oxford Academic; Tilley, C. (2007), *Democracy*, Cambridge University Press.

18 Ronzoni, M. (2017), 'The European Union as a democracy: Really a third way?', *European Journal of Political Theory*, 16(2): 210-234.

19 Scherz, A and Welge, R. (2014) 'Union Citizenship Revisited: Multilateral Democracy as Normative Standard for European Citizenship', *Journal of Ethnic and Migration Studies*, 41(8): 1254–1275.

mocracy.²⁰ This involves enhancing formal mechanisms that allow *demoi* more effectively to borrow from one another and interconnect their different parliamentary, political party and electoral systems. GLOBALCIT has debated in the past how such an agenda would best be served by introducing transnational party candidate lists for European elections,²¹ by extending mobile EU citizens' voting rights to national elections in their host countries²² and by extending the local franchise to third-country nationals.²³

But in this panoply, only participatory and deliberative democracy offers the possibility to connect nationals through a mechanism for mediating political contestation in different political and social fields of action. A democratic ethos explores a 'right to participate and deliberate' jointly with citizens from other states, beyond traditional models of representative democracy that cannot achieve direct democratic interaction and debate across national or metropolitan polities and citizens in Europe.

Transnationalism in practice: Citizen participation between elections is the new EU mantra...

It is noteworthy then that such an ethos has started to be put in practice by a plurality of EU actors, bureaucrats or politicians, as they realise that the EU's legitimacy deficit might call for an even greater emphasis on citizen participation than in the member states – to counter democratic disaffection and the fragmentation of the European public sphere, to seek legitimacy beyond voting and other traditional rights associated with European citizenship.

With the Treaty of Lisbon (2008), EU citizens acquire multiple participatory instruments (in addition to the right to petition the EP inherited from the Maastricht Treaty) – from the European Commission's public online consul-

20 Liebert, U and Gattig, A. (2013), *Democratising the EU from Below? Citizenship, Civil Society and the Public Sphere*, Routledge.

21 Blatter, J and Bauböck, R (eds.), *Let me vote in your country, and I'll let you vote in mine: a proposal for transnational democracy*, EUI RSCAS, 2019/25, Global Governance Programme.

22 Cayala, P., Seth, C and Bauböck, R (eds.), *Should EU citizens living in other member states vote there in national elections?*, EUI RSCAS, 2012/32, Global Governance Programme.

23 Bauböck, R and Orgad, L (eds.), *Cities vs states: should urban citizenship be emancipated from nationality?*, EUI RSCAS 2020/16, Global Governance Programme.

tation and Citizens' Dialogues, via the role of the European Ombudsman as an advocate for the public *vis-à-vis* the EU institutions, to the European Citizen's Initiative (ECI).²⁴

But while these mechanisms are broadly welcome, they have, unfortunately, remained too timid and largely ineffective in bolstering bottom-up participation, involving as they do experts and organised interest groups rather than ordinary citizens. They don't encourage debates on non-experts' policy preferences and are applied too often at the discretion of the political elites to justify pre-existing policy decisions. In short, they feel more like consultative mechanisms than significant democratic innovations.

To many of us, the introduction of so-called Citizens' Panels, a new tool for citizens' participation during the 2021-2022 Conference on the Future of Europe (CoFE),²⁵ which was sponsored by the three main EU institutions, offered an exciting new promise (EuroPolis, a first transnational EU deliberative experiment was organised before the 2009 European Parliament elections).²⁶ Four panels made up of 200 randomly selected citizens from all 27 Member States and reflecting the EU's diversity issued recommendations that are now making their way through Brussels' decision-making machine.

Here was a democratic EU, surfing on the deliberative wave and doing so transnationally, a first in the recent history of the revival of citizens' assemblies around the world. In the first half of 2023, three new Citizens' Panels were launched by the Commission (on food waste, virtual worlds, and learning mobility), each comprised of 150 people, which in turn also issued recommendations on their assigned topics.²⁷ Two more are taking place in spring 2024, one on energy efficiency and the other on countering hatred.

Optimists consider such a deliberative moment a turning point. At least from a political sociology standpoint, there are good reasons to hope that introducing European Citizens' Panels in the EU's *modus operandi* makes them part of a new dynamic that is likely to persist as more European civil servants

24 'European Citizens' Initiative', European Union, https://citizens-initiative.europa.eu/_en (hereinafter 'ECI-EU').

25 'Conference on the Future of Europe', European Commission, https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/new-push-european-democracy/conference-future-europe_en (hereinafter, 'CoFE').

26 'EuroPolis: A deliberative polity-making project', European Commission, <https://cordis.europa.eu/project/id/225314/reporting>.

27 'European Citizens' Panels: A new phase of citizen engagement', European Commission, https://citizens.ec.europa.eu/european-citizens-panels_en (hereinafter 'ECP').

are progressively converted to their charm. They show that transnational deliberative processes can be effective in enhancing the kind of mutual knowledge and entanglement called for by a sustainable democracy.²⁸ The CoFE has opened a window of opportunity for reflection on new kinds of political agency and interaction between citizens, political elites and bureaucracies to take the deliberative wave, which has so far reached only the local and national arenas to the supranational level as a crucial way of managing democratic interdependence.²⁹

But even if this were the case, how can we speak of a democratic revival through citizen engagement if the CoFE that was supposed to kickstart it has been largely ignored by the wider public? If none of the choices made along the way, from the composition of the assembly to modes of sortition, to choices of topic and types of facilitation, were transparent and democratic?

Above all, the panels failed to reach the wider public because they were largely insulated from ongoing political dynamics (e.g. in national parliaments, the media, social movements). They resembled mega focus groups rather than ‘the people’ in action. The stakes and their impact on actual policies remained opaque, as noted by citizens themselves in a letter to the EP’s petition committee.³⁰

Moreover, mediating actors (political parties, trade unions, civil society organisations) have only been involved very lightly, which will please purists of deliberative democracy but not those who hold a more holistic view of politics and policymaking in the EU. This remains a process of ‘technocratic democratisation’,³¹ or ‘democracy without politics’,³² where the consultative logic still prevails over the democratic alternative.

28 Alemanno, A., Mackay, J., Calum, A., Milanese, N and Nicolaidis, K. (2021). ‘What’s in an experiment?: opportunities and risks for the Conference on the Future of Europe’, *STG Policy Briefs*, 2021/16, <https://hdl.handle.net/1814/72598>.

29 Chwalisz, C. (2019), ‘A New Wave of Deliberative Democracy’, *Carnegie Europe*.

30 ‘Revision of ECP letter to Council presidency’, Google Docs, <https://docs.google.com/document/d/1SJBZXOLXUcvJhlunDBWmxkoPH-LEhSrAzC-dYcsjy/c/edit?tab=t.0#heading=h.cb2fa6z0u29m>.

31 Gjaldbæk-Sverdrup, E., Nicolaidis, K and Hernández, N. ‘Technocratic democratisation’: what can we learn from the European Commission’s new generation European citizens’ panels?, EUI RSCAS, 2023/65.

32 Oleart, A and Theuns, T. (2023), ‘Democracy without Politics’ in the European Commission’s Response to Democratic Backsliding: From Technocratic Legalism to Democratic Pluralism’, *JCMS: Journal of Common Market Studies*, 61: 882–899.

In this context, can the European Parliament not offer its own path to combining modes of democracy? It could play a leading role as a standard bearer for strong and more open democratic standards while offering sufficient resources for citizen participation processes and a non-bureaucratic source of legitimacy to confer the type of authority necessary to ground rule making and compliance.

...But a permanent Citizens' Assembly would do a better job

Even while many would agree that Europe needs more than ad-hoc panels, the idea of a new permanent body for the EU meets with much resistance. Permanent CAs may make sense at the local level, in cities like Paris and Brussels, objectors argue, but why is it desirable to add yet another institution to the already very complex EU edifice as this proposal³³ and others argue?³⁴ Let me spell out five reasons.

Continuity. The term 'permanence' can be misunderstood. It does not mean that the assembly would be permanently sitting or that its members would hold their mandates for a long time. On the contrary, the ongoing nature of the ECA's existence will be combined with intermittence through rotating membership (of a few months), a feature which has nearly always characterised bodies selected by lottery in democratic and republican history. Members would meet intermittently and in different places. Nevertheless, such a standing body would become a genuine fixture of the EU institutional landscape, and its stature would be continuous as institutions are meant to be, with a privileged relation to the EP.

Independence. A permanent CA would escape the vagaries of the political cycle. It would avoid falling prey to arbitrariness and cherry-picking as to when and how citizens are convened to form a temporary assembly (or panels for the Commission). As an independent space within the EU institutional structure, it would be well placed not only to provide policy input as do the current panels but could become a source of sunlight shining onto the whole EU edifice – an open monitoring body whose vigilance could enhance the le-

33 EUCA, 2023.

34 Abels, G., Alemanno, A., Crum, B., Demidov, A., Hierlemann, D., Renkamp, A and Trechsel, A. (2022), *Next level citizen participation in the EU: Institutionalising European Citizens' Assemblies*, Bertelsmann-Stiftung (hereinafter 'IECA, 2022').

gitimacy of other EU institutions, including the EP. And its independence would be sustained through its own budget. While power cannot just melt in deliberation through the force of argument, institutional staying power can help mitigate power asymmetries.

Learning. Permanence would also correct for one of the drawbacks of ad-hoc assemblies namely the lack of knowledge consolidation, by promoting collective learning over time and refining from experience the way the assembly operates by collecting best practices. Its translocal character would allow for what is sometimes referred to as side-scaling and thus mutual learning across political systems. The learning dynamic through different iteration would not only benefit facilitators but the citizens themselves.

Embeddedness. Permanence would allow the ECA to become more embedded over time. Within EU institutions, both the Commission and the EU would draw its Citizens' Panels from the ECA membership. It would also be able to develop relations with national parliaments, a crucial dimension of embeddedness. At the same time, its permanency will facilitate the ongoing involvement of civil society as interlocutors, collaborators or counter power. This, in turn, would empower advocates of citizen engagement within EU institutions in a virtuous circle of connected political spheres.

Publicness and social imagination. Finally, by existing as a standing body labelled 'assembly' rather than the more obscure term 'panel,' this body would be public in the proper sense, visibly part of the institutional landscape (with or without Treaty change). Permanence would allow it to acquire a status understood and valued by the citizenry as citizenship in action, while the very label and, look and feel of the assembly would hopefully appeal to their democratic imagination. There would be a story to tell about the long march of democratic progress, a new way to enlarge the franchise ushered by the third democratic transformation, however tentatively.³⁵ In this way, the ECA would be a tool for systemic change, not only a footnote to electoral democracy. By giving effect to popular power in a non-ephemeral way at the EU level, it might even convey the message that the EU is becoming more democratic than its member states. And beyond the EU, it could strengthen the EU's claim as a global norm-setter on new democracy, adding to its growing clout on data protection and the governance of digital platforms, thus strengthening its ability to support citizens fighting autocratic control.

35 Nicolaidis, K. (2024), 'The Third Democratic Transformation: From European to Planetary Politics', *JCMS: Journal of Common Market Studies*, 62: 845–867. (hereinafter 'Nicolaidis, 2024a').

Embedding the ECA in the EU's institutional landscape and public spheres

How, then, do we proceed to assess this proposal? Let me now offer a methodological heuristic and conceptual framework to organise our discussion.

First, I suggest three main criteria. These are standard dimensions of democratic legitimacy, namely popular sovereignty, participatory governance, and civic culture or ownership, which correspond to different *problematiques* and sometimes even disciplinary commitments, but which are arguably complementary.³⁶ This tripartite division roughly corresponds to input, throughput and output legitimacy.

Second, I further suggest that each of these criteria allows to highlight a different argument or rationale typically offered regarding the value of citizens assemblies, and I ask how each of these rationales transfers to the transnational/permanent attributes of the ECA.

Third, however strong these arguments, the idea of an ECA has faced considerable pushback. I believe that objections are best addressed by thinking through the relationship between the ECA and the EU's institutions, most importantly its parliament and asking in particular under what conditions the ECA's relation to the EP could be synergetic rather than one of subordination or substitution.

Popular Sovereignty: The argument from equal representation

If popular sovereignty were to mean that all political power must be vested in the people, Cas, in general, and a permanent ECA, in particular, would not remedy the exclusion of the vast majority of citizens from the circle of rulers. If this is inevitable, traditional electoral representation has unique advantages of creating an explicit mandate for representing the will of voters under the banner of political equality by combining one person/one vote with the progressive expansion of the franchise across time.

An assembly created through random selection can claim to supplement such equal representation on two counts: through what Manin calls "*égalité*"

36 Szulecki, K. (2018), 'Conceptualizing energy democracy', *Environmental Politics*, 27(1): 21–4.

de probabilité” and through alternative ways of *effectively* widening the franchise. By mirroring the general population in statistical proportion, it creates another kind of proxy than the EP for popular representation. As it is practised today, sortition usually involves two stages. At a first stage, a lottery takes place to invite people to become assembly members from a pool of randomly drawn citizens. At a second stage, a process of ‘stratification’ is applied amongst all those who respond positively to this first invitation in order to ensure broad representativeness. Borrowing from techniques developed for opinion polls, potential self-selection biases are corrected to create the final assembly using criteria such as gender, age, education, income, race, and geography based on known distributions of these criteria in the general population.

Moving from the aggregate assembly, which is statistically or descriptively supposed to be representative, to the individual members, we can add an affective or identification dimension to ‘representativeness’, as research shows (with caveats) that the public tends to see these members as ‘people like us’ – in contrast with the EP, where the social gap between representatives and electorates is much more pronounced.

But can a few hundred citizens selected by lottery ‘represent’ 500 million citizens across 27 or more countries? They can, at least to the extent that the selection process is communicated and explained to the broader public in a way that is radically transparent, through what I call ‘a pedagogy of sortition’. By contrast, electoral candidates in EP elections are themselves chosen non-transparently by political parties with vertical chains of delegation that are increasingly remote from individual citizens.

Over time, the pedagogy of sortition can teach the wider public that the core ethos of randomness is equal chance. If explained well, in fun and accessible ways, sortition allows people from all walks of life to *perceive* that they have an equal chance of being selected (even if with a very small likelihood), whereas they would not stand a chance in the traditional electoral system monopolised by professional politicians, shaped by the oligarchic nature of political parties and plagued by extremely high barriers to entry, especially at the EU level. The argument for enhancing democratic equality is all the more important in an EU where some states and, therefore, their citizens are perceived as more equal than others. In an ECA, a German worker or a Latvian teacher can feel closer to respectively a Spanish worker or an Irish teacher than to their co-nationals. And collectively, they can claim to mirror the concerns and hopes of broader sways of citizens across borders.

...But who is us? Composition, criteria and pools

One first difficult conversation has to do with who decides how a representative sample of a transnational public is designed. Analysts of sortition have recently sought to develop what they call 'fair algorithms' for selecting citizens' assemblies with probabilities as close to equal for any individual within a polity as mathematically possible, creating metrics of 'closeness to equality'.³⁷

Democratic progress has traditionally been equated with the expansion of citizenship status, the franchise and electoral rights, the foci of GLOBALCIT. Citizenship thus became a byword for 'full representation' in electoral democracy, an increasingly impossible equation as societies grow and become more diverse and polarised. Moreover, progress towards inclusiveness in processes like EP elections has come to a halt both formally and informally, with rising numbers of non-enfranchised migrants from third countries and of abstention among those who have voting rights.

Here I argue that the ECA's composition would not be fixed once and for all. As an institutionalised experiment, it could evolve organically in a radically transparent and inclusive manner. Its ultimate ambition would be to stimulate and expand our social imaginary through a process of evolution, taking in citizens' understanding of citizenship and representation and their different conceptions of the public sphere.

Here are some elements:

Let us imagine that the ECA has 300 members (mirroring 300 million European voters), with a third of them renewed every 6 months. The initial pool is drawn from across Europe. A purely random technique is chosen to create the base pool from which *willing* participants will be extracted by applying criteria that will create a sufficiently diverse assembly.

The criteria chosen to compose the ECA are, of course, key. A first aspect has to do with the *distance* between a polling logic that a sample is representative only if it is sufficiently large (several thousand across Europe) and a logic of political representation where deliberation and decisions need to happen within a much smaller assembly. So even if, as with pollsters' samples, the composition of the assembly needs to match the known socio-demographic com-

37 Flanigan, B., Gözl, P and Gupta, A. *et al.* (2019), 'Fair algorithms for selecting citizens' assemblies', *Nature*, 596: 548–552.

position of the total population, we should still question the most apparently neutral criteria of ascriptive identity and ask who decides which ascription is relevant (if age why not height?). In my view, this itself needs to be debated democratically.

Moreover, the question remains on what basis it is legitimate to add weight to underrepresented groups. Arguably, it seems justified to over-represent, for instance, younger generations, in part to compensate for their weaker presence in the EU (where the average age is 50) and in part to acknowledge the agenda-setting function of the assembly. One could even imagine that the EP starts by creating a permanent youth assembly to road-test the idea.

Similarly, the assembly could over-represent small states in the EU, to balance the fact of degressive proportionality in the EP (that is proportional to the population of each member states but with overweighting smaller state). An extreme solution, which I would favour, could include the same number or quota of delegates from each member state (so about 12 per member state).

This also makes it easier to form language groups at the onboarding stage, when citizens who have been selected are first socialised and familiarised into the process and provided with information, which I do not believe would ultimately create national silos. If, for instance, the delegates from 10 member states were replaced every 6 months under the rotation principle, all member state representatives would mingle at some point in time. The criteria could also include sub-criteria of representation for the major regions of Europe, especially regions composed of some member states or parts of these (e.g. Nordic, Baltic or Mediterranean), whose representation would count for all states that they straddle.

Over-representation can also apply in socio-cultural and socio-economic terms, starting with the proposal to over-represent minorities or disadvantaged groups. This would counter-balance the more elitist socio-economic make-up of the EP. So, we need to define who belongs to which minority and ask what kind of capacity building is necessary to make effective the idea that recruited delegates who may not have thought of themselves as citizens with a legitimate voice can be helped to do so. To be sure, members recruited to the assembly on the basis of a minority criterion might think that they need to represent only the interests of that minority rather than deliberate about the common good. This risk ought to be addressed explicitly in the early socialisation phase. But in the end, how do we deal with the fact that people with, say, lower levels of education simply refuse to participate remains an open and tough question.

Even more drastic approaches might be necessary to balance the ideological self-selection bias of the Assembly. Those who say yes to the initial invitation are obviously likely to care more about Europe, thus generating an over-integrative assembly. At least the EP has a plurality of 'anti-system' delegates. Some scholars have therefore defended a selection method that would include behavioural or attitudinal criteria, perhaps through a more complex preference tableau than simply asking people if they are Europhiles or Eurosceptics. Since random sampling is anyhow not blind sampling when stratified, this would not, in my view, undermine descriptive representation legitimacy in a political rather than simply sociological sense.

Regarding inclusiveness, many in the NGO sector advocate the inclusion of long-term resident third-country nationals who cannot vote in EP elections. I would strongly advocate such inclusion, which would partially compensate for the limitations of the EP franchise and the power of member states to determine EU citizens under their own nationality laws. The selection pool for the ECA could thus provide a contrasting inclusive identity for a wider residence-based EU demos. The co-existence of this inclusive deliberative demos with a citizenship-based electoral demos for the EP would highlight the fluidity of membership boundaries in the European polity in a productive way and perhaps facilitate migrants' political integration.

Another route to inclusion would not add new criteria for the second stage of selection from a single pool but create several separate pools from which to draw *different configurations of the* assembly. To the pools of member states' nationals and residents, other kinds of pools can be added on an ad-hoc but principled basis, such as EU citizens living in third countries or even citizens from the rest of the world if the topic called for it (e.g. agriculture, trade policy). *Democratic Odyssey* activists have also proposed to create a separate pool of 'veteran citizens' (participants in earlier citizens' assemblies) in later assemblies.

To reflect and convey its itinerant, local, but also translocal character, the assembly could consist in the merger of different pools. Thus, in addition to a purely transnational pool (with all the criteria discussed above), there could be a pool of local citizens that would join the assembly for its meetings in a specific city or region and remain involved remotely for the next six months as the Assembly moves on to the next city.

Finally, beyond criteria or separate pools, the ECA can rely on a third path to inclusion and take on a mixed character, combining 'ordinary citizens' of the randomly selected kind with politicians to enhance political buy-in, as well as representatives of civil society organisations to enhance societal and activist

buy-in. To be sure, the inclusion of non-impartial actors with their political agendas will increase the influence of both locally grounded and transnationally active citizens, which is not a given in the EP context.

This third path to inclusion could also introduce altogether new logics of representation – an ECA finding new creative ways to represent the absents, including future generations and non-humans. This is one of the key challenges when dealing with environmental and biodiversity decision-making, but it is also relevant far beyond these issues. Inclusiveness here takes us all the way to a new kind of *longue durée*, ‘multispecies democracies’.³⁸ These absents can be rivers, oceans, forests, and species affected by the actions of governments and other actors that do not take their needs or rights into consideration without necessitating concurrent responsibilities. This is about imagining multi-species justice encounters, recovering the ability to create new worlds within a relationship that the Māori refer to as genealogical. Such a radical enlargement of citizenship can burst assumptions about who or what matters, given the power structures of current worlds. The assembly can include spokespersons, or rather ‘guardians’, as in the cases of rivers granted legal in courts from Australia to India to New Zealand.³⁹ More creative ways to do so include more interpretative methods through the inclusion of civic artists who literally ‘interpret’ these other worlds or life scientists who bring in stories about other species’ modes of collective action.

Taking into account this array of proposals, the standing ECA can represent Europe’s fluid and overlapping *demoi* in a quite different way from the familiar and traditional EP model and would allow MEPs themselves to explore new ways of ‘representing’ as they interact with these *demoi*.

Democratic Governance: The argument from integrity

The second group of arguments concern the processes of democratic governance, or what some refer to as open government.⁴⁰ Arguably, the ECA could serve as an ally for those MEPs who seek to furthermore open governance in the EU.

38 Celermajer, D., Schlosberg, D., Wadiwel, D and Winter, C. (2023), ‘A Political Theory for a Multi-species, Climate-Challenged World: 2050’, *Political Theory*, 51(1): 39-53.

39 O’Donnell, E. L and Talbot-Jones, J. (2018), ‘Creating legal rights for rivers: lessons from Australia, New Zealand, and India’, *Ecology and Society*, 23(1): 7.

40 ‘The Open Gov Challenge Tracker’, Open Government, <https://www.opengovpartnership.org/>.

It is commonly argued that sortition addresses what is perhaps the most universal threat to the democratic character of governance, namely the risk of corruption and capture, the appropriation of the commons by the few. Preserving the idea of the common good that collective decision making is supposed to serve is especially important if we emphasise not only procedural but also substantive understandings of democracy. As I and others have argued in a 2023 CEPS report, risks of formal and informal state capture abound in the public administrations of European countries (and candidate countries in particular).⁴¹ These include the politicisation of the civil service, nepotism in the distribution of public posts, budgetary capture by special interests, and generalised corruption at the highest level of government. An ECA could constitute a democratic tool *par excellence* to reduce social distinction in the distribution of power in Europe and to prevent power from being monopolised by a group of professionals (political, bureaucratic, judicial, or expert). At EU level, lobbies hold great sway and corruption scandals like the EP's Qatar gate have further increased citizens' distrust.⁴²

Moreover, in taking a systemic approach to considering an ecosystem of new institutions an ECA can also serve dedicated functions of oversight and monitoring, which could be integrated into the management of regulatory, certifying, and supervising agencies and in the distribution of EU funds. If EU institutions rightly allow for the expression of national interests and the agonistic confrontation of societal values, a system of CAs can help overcome the deadlocks to which such confrontations give rise. These considerations are especially relevant in responding to authoritarian challenges to democracy. A powerful and impactful ECA could greatly contribute to the EU's much needed democratic resilience.

I prefer the term integrity to impartiality here, as it is hard to imagine impartial citizens uninfluenced by prior political or cultural beliefs, including through exposition of opposing views in the assembly itself. In this sense, this proposal does not rest on criticising members of political parties for being partisan or loyal to a set of ideas. Integrity is not a quality imputed to the intrinsic nature of our randomly selected citizen but to the context of quick rotation, leaving no time and incentives to entrench corrupt practices.⁴³ They

41 Nicolaidis K., von Ondarza, N and Russack, S. (2023), *The Radicality of Sunlight: Five Pathways to a More Democratic Europe*, CEPS.

42 'Qatar corruption scandal at the European Parliament', Wikipedia, https://en.wikipedia.org/wiki/Qatar_corruption_scandal_at_the_European_Parliament.

43 Mungiu-Puppidi, A. (2023), *Rethinking Corruption*, Edward Elgar.

have no political career nor party interests to defend. Special interests, lobbies, and factions do not have enough time to capture them. They are more immune to corrupting influences than career officials or politicians. Hence, for at least partially disconnecting politics from power, rotation is as much a key to anti-corruption as sortition. And thus, the ECA would become a likely ally for all MEPs seeking to differentiate themselves for their peers who have proved highly vulnerable to capture by specific interest groups and lobbies. The ECA therefore would affect power balance *within* the EP.

Integrity matters all the more since the EU, as the rest of the world, is undergoing a deep transition which impacts extremely powerful players, namely the fossil fuel industry, who have the means to resist the necessary legislative changes. Being more immune from special interests can help in balancing the imperative of social justice (without which transition towards net zero climate emissions will not be legitimate in the eyes of EU citizens) with a realistic understanding of the road that has to be taken (through public hearings of all stakeholders) to fight climate change.

There are many ways how this ECA and its members could connect to other parts of the EU political system and its eco-system of power, influence and decision making. Its mandate could start with contributing to agenda setting for the EU as a force for translation of debates taking part in the EP, while also deliberating on concrete policy issues, discussing successful ECIs, or taking part in a mixed conference or convention. It could also be entrusted with scrutiny-related tasks to monitor the implementation of decisions and ensure good governance and the integrity of the European institutions alongside other bodies such as OLAF and the Ombudsman office. The assembly would cooperate closely and meet with the other three main institutions as well as civil society organisations, political parties, trade unions and other relevant organisations. Arguably, an ECA at the heart of the EU could play a crucial monitoring role in this regard, as part of what I call the ‘democratic panopticon’.⁴⁴

In doing so it would root participation infrastructure at the local level and work through multiple governance approaches to reach national and European structures and become part of a wider participatory turn that gives people confidence that there are multiple ways to bring their opinions forward. Such an open shared infrastructure for participation will rely to some extent on a learning mindset within government administration. This could help spread an ethos of democratic respect throughout the various EU instruments, in-

44 ‘The Democratic Panopticon’, Noema, <https://www.noemamag.com/the-democratic-panopticon/>.

cluding democratic control over the spending of EU funds at all levels of governance.

...But should the ECA be enabled to decide?

There are however serious debates around the pathways to impact, and in particular the binding character of recommendations issued by citizens' assemblies. Yet what would be the point of following Dahl's injunction that CAs should not decide and issue binding recommendations, keeping with a purely consultative role as with the current Citizen Panels? To make a difference in the eyes of citizens, an ECA ought to be more than a space to create 'good European citizens'. It must be a source of authority per se. Otherwise, it risks being perceived as just another tool that elites use to legitimate their policies rather than a tool of diffusion of power.

This does not mean however that the choice we are faced with is binary. The reason invoked not to give assemblies selected by lot a role in decision making has to do with accountability, which is often said to be based on the combination of personal choice on the part of the candidate involved with membership in a political party and standing for election, on the one hand, and the choice of the voters for such candidate, on the other hand. CA members, it is argued, neither choose nor are chosen. But is this argument as solid as Dahl or others would, have it? I would argue that acceptance of membership in an ECA is also voluntary and calls for a more complex sense of accountability, namely *collective accountability* as an assembly, even if members cannot be held accountable individually.

But there is a better reason to resist calls for 'bindingness' of ECA decisions. The EU is a system of shared and multi-level governance (this is for law-making of course, not executive decisions by the European Council or the EU's financial bodies that warrant a separate treatment) in which no single institution can issue binding edicts, hence the complex co-decision procedure between EP and Council. These processes need to remain tied to the electorate's consent, however tenuous the connection.

More promising and creative is the option of linking the ECA to direct democracy instruments in cooperation with the EP. For theorists who seek to ground their argument in political history, it is worth remembering that if the randomly selected council (boule) did not take decisions in Ancient Athens, it

did frame them for the popular assembly (ecclesia) akin to open air referenda. Here, we can imagine that for instance the ECA produces an ECI, which might then go to the EP to be turned into a legislative proposal if the EP were to acquire a right of initiative. The ECA could also produce directly questions for an EU referendum, or better multiple choice preferenda. The link with direct democracy could also happen upstream with the ECA taking on the agenda proposed by a winning ECI.

If these options seem too radical, let us not forget that the *boule* and the *ecclesia* could not avail themselves of innovative digital technologies, as discussed in the next section. We would, of course, need to discuss the conditions of possibility for such a radical empowerment of the ECA, including the technologies of constraint it would be subject to, from the rule of law to various bureaucratic safeguards.

Civic Culture: The argument from epistemic democracy

A third question to examine concerns the broader impact of an ECA. My hope is that the democratic respect demonstrated by its existence and performance would prove contagious and contribute to fostering a sense of civic ownership and a more democratic civic culture throughout the EU even in the absence of a unified public sphere.

This, in turn, takes us back to the deliberative quality of the ECA, which in its diversity can embody ‘epistemic democracy’, or epistemic diversity as the expression of radically different types of world views connected to different cultures and languages, by confronting them under quasi-ideal circumstances: high-quality deliberation and moderation, wide-ranging information from all sides, contradictory viewpoints, general assembly sessions alternating with small group discussions, inclusive and reciprocal listening, as well as shared decision-making by consensus.

Under these conditions, a permanent CA will not only enhance the legitimacy of EU institutions but also the quality of its policymaking, including by combating disinformation as part of a broader institutional framework dedicated to dealing with citizens’ ‘*right to know*’ and ‘*right to know how to know*’.⁴⁵

45 Alemanno, A and Nicolaidis, K. (2022), ‘Citizen Power Europe’ in Alemanno, A and Sellal, P (eds.), *The Groundwork of European Power*, Groupe d’études géopolitiques (hereinafter ‘Alemanno and Nicolaidis, 2022’).

In ancient democracy citizens had incentives to keep themselves adequately informed because they could be selected in the political sortition at any time. This seems much less relevant today.⁴⁶ But the negative argument that traditional representative democracy provides incentives for manipulation and control of information flows by the elites has not lost its relevance.⁴⁷

Even if we were to buy the neo-Platonic argument by Jason Brennan⁴⁸ and others that ordinary citizens do not have the expertise required for good government, random selection combined with frequent rotation ensures that the many are wiser than the few, whatever nuances one may attach to the 'wisdom of the crowds'.⁴⁹ New forms of citizen inclusion (not only CAs and citizen juries but also informal civil society, social entrepreneurship, and other non-electoral forms of participation) offer crucial ways of linking established sources of expertise with new ways of harnessing collective intelligence, including social media and AI.⁵⁰ As brilliantly documented by the Collective Intelligence Project, innovations offer the opportunity of enhancing all types of democratic representation and effective governing and more broadly rethinking ascribed claims to expertise.⁵¹ Civic technologists are developing tech-enhanced tools for value elicitation to aggregate, understand, and incorporate the conflicting values of overlapping groups of people as a foundation for complex decision making, such as sense-makers quadratic voting,⁵² quadratic funding⁵³ or deliberative tools like *Pol.is.* used in Taiwan and elsewhere, Barcelona's *Decidim* approach, or platforms like Participatory Value Evaluation tool (PVE), which helps lay out the policy implications and long-term consequences of policy preferences to manage large-scale deliberation leading to recommendation.⁵⁴ These can create platform assemblies to generate decisions that

46 Abbas, N and Sintomer, Y. (2021), 'From Deliberative to Radical Democracy? Sortition and Politics in the Twenty-First Century', *Politics and Society*, 46(3): 337-357.

47 Manin, 1997.

48 Brennan, J. (2016), *Against Democracy*, Princeton University Press.

49 Surowiecki, J. (2004), *The Wisdom of the Crowds*, Vintage.

50 Youngs, R., Milanese, N and Nicolaidis, K. (2020), 'Informal Civil Society: A Booster for European Democracy?', *Carnegie Europe*.

51 'Collective intelligence for collective progress', The Collective Intelligence Project, <https://www.cip.org/>.

52 Rodgers, A. (2019), 'Colorado Tried a New Way to Vote: Make People Pay—Quadratically', *Wired*, <https://www.wired.com/story/colorado-quadratic-voting-experiment/>.

53 'Plural Funding', *Radical Xchange*, <https://www.radicalxchange.org/concepts/plural-funding/>.

54 'Participatory Value Evaluation', TU Delft, <https://www.tudelft.nl/en/tpm/pve>.

can even be managed by AI boards.⁵⁵

Instead of merely watching these dynamics, the EP could partake in them in tandem with the experimental space offered by the ECA and thus connect its own debates with the wider public, especially when these debates involve difficult trade-offs and choices that need to be debated in the open.

Arguably, this epistemic advantage of the ECA would be even stronger because its transnational nature could make it over time the visible incarnation of the EU as a ‘community of translation’ across political cultures and beyond politics, exploring ways to overcome linguistic barriers between ordinary people where diversity is radically magnified, and where learning systems vary as do cognitive and collective biases. Europe is more likely to make good on the democratic promise if it sets up ways of channelling the life wisdom, knowledge spheres and expertise of a broader range of individuals than those self-selected in the political and bureaucratic spheres.

This effect would be all the more precious as a permanent assembly would visibly and publicly serve to counteract insidious polarisation, which even the EP is increasingly succumbing to, by elevating the value of collective compromise and consensus and attracting members to the radical middle allowing for “*participation without populism*”.⁵⁶ In contrast with the evidence that polarisation and elitism reinforce each other, there is empirical indication that individuals participating in CAs reduce their polarisation on the issue they are deliberating on whether we consider issues related to climate, migration, agriculture, or security.⁵⁷ In such assemblies, citizens tend to own up more readily to their ambivalence and thus listen to the other side, including across cultural and linguistic barriers where positions can be more easily framed as oppositional.⁵⁸

55 Aviv Ovadya, A. (2021), ‘Towards Platform Democracy: Policymaking Beyond Corporate CEOs and Partisan Pressure’, Belfer Center, <https://www.belfercenter.org/publication/towards-platform-democracy-policy-making-beyond-corporate-ceos-and-partisan-pressure>.

56 Gardels, N and Berggruen, N. (2019), *Renovating Democracy: Governing in the Age of Globalization and Digital Capitalism*, University of California Press.

57 Dryzek, J et al. (2019), ‘The crisis of democracy and the science of deliberation’, *Science*, 363:1144-1146; Grönlund, K., Herne, K and Setälä, M. (2015), ‘Does Enclave Deliberation Polarize Opinions?’, *Polit Behav* 37: 995–1020.

58 Nicolaidis, K. (2020), ‘In praise of ambivalence- another Brexit story’, *Journal of European Integration*, 42(4): 465-488.

...But how does the ECA connect to a wider European public sphere?

Many have objected that CAs and, in particular, the argument of epistemic diversity feed into the fantasy that deliberative assemblies can legitimately serve as a proxy for the broader political constituency by abandoning mass democracy⁵⁹ feeding a kind of deliberative elitism⁶⁰ and generally overlooking the need for broader citizens engagement.⁶¹ In sum, 'lottocracy' constitutes a 'shortcut' which in the end fails to address the quality of participation and deliberation in the broader public sphere that connects civil society with decision making and state apparatus.⁶² This is held to be especially true if assemblies cut across domestic political cultures and nationalised public sphere.⁶³ In this view, there may be scientific value to an ECA as a sealed experiment but that would not count as a *democratic* exercise. When the idea of 'self-representation' feeds into the idea that intermediary actors are obstacles to realising the values of neutrality and consensus, we lose the eminently progressive idea that politics enables the fair redistribution of various goods in highly unequal societies. Ultimately, such a disintermediation narrative could look like deliberative populism, denying the importance of politics and the relevance of struggles that have spearheaded social progress in the long run.

This is perhaps the hardest and most important issue in this story. How can the ECA be more than a form of co-optation and 'citizen-washing' and contribute to transforming Europe's civic culture and citizens' sense of civic ownership of their institutions?

For one, an assembly that cuts across national controversies will need even greater agonistic confrontations than the national kind if it is to attract attention. It could do so by choosing topics with high political salience, lending

59 Chambers, S. (2009), 'Rhetoric and the Public Sphere: Has Deliberative Democracy Abandoned Mass Democracy?', *Political Theory*, 37(3): 323-35.

60 Moore, A. (2018), 'Deliberative elitism? Distributed deliberation and the organization of epistemic inequality', in Elstub, S., Ercan, S and Fabrino Mendonça, R. (eds.), *Deliberative Systems in Theory and Practice*, Routledge.

61 Lafont, C. (2015), 'Deliberation, Participation & Democratic Legitimacy', *J Polit Philos*, 23: 40-63.

62 Lafont, 2023.

63 Olsen, E and Trenz, H. (2015), 'The micro-macro link in deliberative polling: science or politics?', *Critical Review of International Social and Political Philosophy*, 19(6): 662-679.

themselves to express disagreement over issues that require making difficult choices between alternatives and thinking through trade-offs between various costs or benefits that cut across borders, as well as overcoming ascriptive profiles (northern vs southern societies, western vs eastern politics). If this is the case, there is a lot to be said for mixed member deliberative fora or ‘democratic coupling’ with politicians included as members sitting side by side with randomly selected citizens, as witnessed in Ireland, Finland, the UK, or Belgium.⁶⁴ Procedural safeguards can be taken against the risk of elite domination which could limit the Assembly’s contestatory role, a lesson drawn from the end-game ‘plenaries’ during CoFE. As these configurations have been shown to increase trust in politics, it might be quite attractive for a subsection of the EP to rotate as ‘EP members’ of the Assembly.

Ultimately, as mentioned above, probably the most straightforward way of connecting an ECA to a wider public is to link it to some elements of direct democracy as the Irish case demonstrated where assembly proceedings were followed broadly around the country precisely because they were to lead to referenda on abortion and gay marriage. The point is not that the assembly dramatically changed public opinion, which had already undergone profound social change before, but rather that the difficult debate preceding the vote was filtered by a deliberative ethos.

The ECA needs to go further and engage not only with democratic *audiences* who listen but with publics who speak on an on-going basis and not only through sporadic highly controversial debates.

Indeed, if the claim that an ECA ought to connect directly with the people is not embedded in a broader narrative, it feeds a logic of disintermediation. Such a logic is not only unrealistic but also potentially undesirable, suggesting that an atomised group of individuals ought to bypass formal and informal civil society, *les forces vives de la société* whose mission, commitment and expertise is precisely to interfere with the decisions of elected officials between elections. Organised civil society actors will find an ECA irrelevant at best and threatening at worst if it fails to engage with their own campaigns, movements, and civic dialogue. If the ECA is to claim more than the kind of stakeholder consultations conducted by the Commission, it will need to cooperate in its agenda-setting with these actors rather than compete with them. In this sense, the relevant complementarity in terms of legitimacy is not between the EP and

64 Harris, C., Farrell, D and Suiter, J. (2023), ‘Mixed-member deliberative forums: Citizens’ assemblies bringing together elected officials and citizens, in M. Reuchamps., J. Vrydagh and Y. Welp (eds.), *De Gruyter Handbook of Citizens’ Assemblies*, De Gruyter.

the ECA but between the EP and the eco-system of connected spaces of direct democracy, which the ECA could help support and interconnect.

Debates in the ECA need to be translated to the general public, but translation requires connection and transmission belts. At a minimum, the assembly can 'take the pulse' of the broader citizenry through polls. It can do so before, during, and after a debate. But there are also more direct ways to crowdsource input into the assembly, as experimented with by the Icelandic assembly of 2011 or the Irish assemblies, which used public submissions with various actors sending their ideas for consideration.⁶⁵ The Estonian People's Assembly (2013) gathered inputs from wider society through an online platform.⁶⁶

In the same vein, a media partnership supporting, following, and indeed debating controversial debates can help. Special attention must be paid here to so-called 'solution journalism', i.e., reports on how people solve problems. Such journalists, or also influencers and other kinds of informal activists could be embedded in the assembly. Connection through peers and social media that can generate content on the spot matters most for young people. We also need to explore more creative and interactive ways of connecting, from collaborations with the gaming industry to various experimental methods of communication appealing to a broader public inspired by sport, music and festival gatherings, the Eurovision or political talk shows.

More actively, the ECA could create interface channels between the assembly and the broader public through platforms and actors like NGOs or civil society organisations that have particular target audiences.

The travelling nature of the proposed ECA meeting in a polycentric way around Europe would help to reach beyond the 'usual suspects' connecting cities through a kind of deliberative relay. Such a genuinely translocal dynamic could thus shine a light onto local places that would be shared in the social media space while adding a European dimension to local deliberative processes. And as a mostly young assembly, it can create or encourage European Wood-

65 Blokker, P and Gül, V. (2023). 'Citizen deliberation and constitutional change' in Reuchamps, M and Welp, Y (eds.), *Deliberative Constitution-making: Opportunities and Challenges*, Routledge; Gylfason, T. (2019), 'Democracy on ice: a post-mortem of the Icelandic constitution', Open Democracy, <https://www.opendemocracy.net/en/can-europe-make-it/democracy-on-ice-post-mortem-of-icelandic-constitution/>; Popescu, D and Loveland, M. (2022), 'Judging Deliberation: An Assessment of the Crowdsourced Icelandic Constitutional Project', *Journal of Deliberative Democracy* 18(1).

66 Jonsson, M. (2015), 'Democratic Innovations in Deliberative Systems – The Case of the Estonian Citizens' Assembly Process', *Journal of Public Deliberation*, 11(1): 1-29.

stocks of Politics.⁶⁷ In this process, local and translocal civil society organisations in Europe would also experiment with new ways of connecting with the general public while leveraging networks of cities like Eurocities⁶⁸ and connecting with projects like the European capital of democracy that could host the assembly.⁶⁹

Regarding the proceedings of the ECA itself, randomly selected citizens could be encouraged to engage with their local communities in preparation for and during their services, turning the table on who is to be considered as the source of expert knowledge. They would present their findings in the assembly's plenary from both their shared life experience and onboarding meetings in their local communities, while the experts would respond and ask further questions. This dynamic could encourage other citizen to take part directly or in their own spheres in the relevant deliberations.

Ultimately, the bet here is that by a kind of contagious exemplarity and porous boundaries, the ECA will enable deliberative opening beyond both national closure and the 'Brussels bubble' between individuals with layered identities – local, regional, national, and transnational ones – where it could achieve impact in a broad array of settings beyond sortition. Arguably, since an ECA is meant to augment participation beyond the self-selection of electoral candidates, it could spearhead such non-elitist participation elsewhere. As itself a school of democracy, it could galvanise a civic culture in schools, firms and neighbourhoods across the continent, contributing to a growing participatory ecosystem. If a European civic culture were to emerge, quipped *The Economist* “it might conclude that it would rather the union adapts its institutions to its people, and not its people to its institutions” (1 May 2024).

67 Nicolaidis, K. (2007), ‘Our Democratic Atonement: Why we Need an Agora Europe’ in *The People’s Project? New European Treaty and the Prospects for Future Negotiations*, European Policy Centre; See also the European Movement International or the European Youth Event, EYE.

68 ‘Eurocities’, Eurocities, <https://eurocities.eu/>.

69 ‘About European Capital of Democracy Initiative’, European Capital of Democracy, <https://capitalofdemocracy.eu/about-ecod/>.

Conclusion: Contrasting imaginaries and academic debate as co-creation

I have suggested ways in which a permanent European Peoples' Assembly in the EU could redefine the contours of European citizenship and offered a holistic model of democracy in which such an ECA would work in synergy with the EP.

I would like to end with one further thought, related to the Democratic Odyssey's theory of change that purports to combine top-down with bottom-up dynamics. Reflecting on the questions raised above and my own very partial attempt to address them, I find that these dynamics correspond to two ideal types, or what Sintomer and Abbas refer to as the deliberative, antipolitical and radical democracy imaginaries, which are almost impossible to reconcile.⁷⁰

On the top-down side we find what I have coined as 'technocratic democratisation', an anti-political imaginary which celebrates the disintermediation between individuals and the state and therefore a direct link between political institutions and the citizenry. As new creative ways allow for an assembly inclusive of otherwise unrepresented or under-represented people, we can create an inclusive alliance between civil servants and 'the people'. But do we not risk a kind of bureaucratic or corporate populism that hollows out existing political institutions and bodies in the name of an illusionary marriage of deliberation, neutrality and rationality?⁷¹ Does it really make any difference to popular support for democratic institutions if 150 citizens are coopted every six months?

On the bottom-up side, we find in contrast variations on more radically political approaches, where the assembly is connected with local public life and transnational movements, embedded within vibrant agonistic struggles. These approaches value political conflict over consensus, while seeking to create civil exchanges between highly contested positions. It is not a sealed-off protected sphere, but one political space among others. And it serves to counter authoritarian capture 'under the radar' by empowering local democracy through transnational means.

70 Abbas, N and Sintomer, Y. (2022), 'Three Contemporary Imaginaries of Sortition', *Common Knowledge*, 28(2): 242-260.

71 Nyberg, D and Murray, J. (2023), 'Corporate populism: How corporations construct and represent 'the people' in political contestations', *Journal of Business Research* 162.

I remain confused on how to bring together these two perspectives through a holistic democratic imaginary so that the various democratic spheres and sites of power enable each other in the quest to reconcile the transformative potential of deliberation with the agonistic nature of politics.

My solace here is that we are not building alone. I cherish the thought that this is a unique opportunity for the co-creation of European democratic theory and practice, among scholars as well as with civil society actors and social movements.⁷² And the thought that, by creating a standing ECA, the EU could serve as a laboratory for a radical transformation of democratic citizenship beyond the state that is relevant globally.⁷³ What is at stake is democratic stability and resilience in a world where growing numbers of citizens are inclined to support authoritarian forms of government.

The idea of self-government whereby each citizen can imagine herself as being ruled and ruling in turn throughout her life is both the oldest argument in favour of sortition-based political bodies and the hardest to translate in the context of contemporary states and the growing complexity of governing. Yet, imagine the look and feel of our EU polity if citizens throughout the continent were more than just intermittent voters who are only asked to give their opinion once every five years, in 2019, 2024, and next 2029. Imagine that our voices, opinions, and collective intelligence were heard on a permanent basis rather than on politicians' whims. In spite of its imperfections, drawbacks and blind spots, let's give this vision a chance.

72 Fleuß, D. (2021), *Radical Proceduralism*, Emerald Publishing Limited.

73 Nicolaidis, 2024a.

Why Citizens' Assemblies Should Not Have Decision-making Power

Cristina Lafont⁷⁴ and Nadia Urbinati⁷⁵

Against the many democratic deficits of European institutions, Kalypso Nicolaidis offers a radical institutional cure: introducing a permanent European Assembly (ECA) of randomly selected citizens into Europe's political landscape.⁷⁶ This is an intriguing proposal. In contrast to the many Citizens' Assemblies that have been recently organised in several countries, the ECA would be the first to be both permanent and transnational. As Nicolaidis thinks of it, this assembly will not be in Brussels. Instead, it will be an itinerant body travelling around Europe, meeting with different local actors, with a frequent rotation of members. The idea is that having a permanent assembly of randomly selected citizens would bolster bottom-up participation of ordinary citizens in political deliberation and encourage transnational debates on policy preferences among the European citizenry. This, in turn, would “radically bolster the sense of ‘democratic ownership of the EU’s institutions by its citizens”.

In Nicolaidis' opinion, *complementing* existing electoral institutions with a permanent assembly of randomly selected citizens is the best option to

74 Northwestern University

75 Columbia University

76 Nicolaidis, K. (2024), ‘Representing European citizens: Why a Citizens’ Assembly should complement the European Parliament’, GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/> (hereinafter ‘Nicolaidis, 2024’).

overcome current democratic deficits. Whereas more radical proposals that aim to *replace* electoral institutions (elected assemblies, political parties, etc.) with sorted assemblies would “run the risks associated with denying the import of politics, parties, and organised civil society”, proposals to use citizens’ assemblies in a *subordinate* role vis-à-vis electoral institutions are too timid to contribute to democratisation. Thus, in Nicolaidis’ opinion, the complementary model offers us the best of both worlds. We avoid the risks of giving sovereign powers to randomly selected assemblies without losing the democratic benefits, as we would if they had only the subordinate role of issuing recommendations that elected officials can simply ignore.

The pitfalls of complementing elections with sortition

Unfortunately, we do not share Nicolaidis’ optimism. In our opinion, the complementary model runs the risk of giving us the worst of both worlds, elections and sortition. This may not be apparent in Nicolaidis’ proposal. But this is mainly because she does not specify the exact division of powers between the European Parliament (EP) and the European Citizens’ Assembly (ECA). What type of legislative decisions can each of these institutions make? Do they have the same agenda-setting authority? Would the ECA have veto power over legislative decisions of the EP or is it the other way around? In cases of conflict, which of them has final authority? These are very important questions for assessing the *stability* of complementary proposals in general. If, in cases of conflict, electoral institutions prevail, then it seems that the complementary model collapses into the subordinate model that Nicolaidis rejects. The ECA would have merely advisory powers vis-à-vis the EP that would have the final say on political decisions. On the other hand, if, in cases of conflict, sorted institutions prevail, then it seems that the complementary model collapses into the lottocratic model that Nicolaidis rightly rejects. Indeed, if, in cases of conflict, the political decisions of a few randomly selected members of the ECA prevail against the political preferences of the majority of citizens, as expressed by their elected representatives, the democratic legitimacy of the ECA would be seriously questioned. Why would it be democratic to empower a few randomly selected people to make political decisions as they see fit while the overwhelming majority of the citizenry is (both directly and indirectly) excluded from the exercise of that political power?

Accountability vs blind deference

Nicolaidis mentions that the ECA would receive input from the citizenry. But this in no way assuages the problem of exclusion from decision-making, since members of the ECA are supposed to make decisions as they see fit and thus are free to ignore the input they receive. But even if they decide to listen to citizen input, by what criteria do they do so if not by their own personal opinion? This would be an arbitrary decision, not subject to any accountability. This is so by design. Whereas the relationship between citizens and their elected representatives is based on *accountability*, the relationship between citizens and the randomly selected representatives is based on *deference*. Elected officials ignore citizens' political preferences at their own peril since they can be held accountable by the citizenry in the next election and lose their power. By contrast, randomly selected individuals cannot be held accountable by non-participating citizens. Randomly selected individuals are neither up for election to serve again in the ECA, nor do they have a mandate from the citizenry to make some policy decisions rather than others. To the contrary, they are supposed to make decisions as they see fit, simply based on the quality of the information they receive and the deliberative process that they engage in. But since the rest of the citizenry has not participated in the deliberative process, a misalignment between the political views of the ECA members and the rest of the citizenry is predictable. In cases of conflict, whose political preferences should prevail? Those of the citizenry or those of the very few randomly selected individuals? It is hard to see why it would be democratic for citizens to blindly defer to the political preferences of the few randomly selected members.⁷⁷ It is even harder to see why doing so would bolster the sense of 'democratic ownership' of the EU's institutions by its citizens.

⁷⁷ Lafont, C. (2019), *Democracy without Shortcuts: A Participatory Conception of Deliberative Democracy*, Oxford Academic (hereinafter 'Lafont, 2019').

Why the ECA will be ignored by the wider public

This connects with another major problem we find in Nicolaidis' proposal. She claims that currently existing experiments with sortition, such as European Citizens' Panels, have failed to generate any democratic revival because "they have been largely ignored by the wider public." This is correct. It is indeed a major concern when thinking about the democratic prospects of such experiments. Having a few randomly selected individuals giving recommendations to policymakers while bypassing the citizenry leads to a technocratic model of 'governance without politics' that in no way contributes to revitalising and improving political debates in the public sphere or citizen participation in democratic self-government. Nicolaidis suggests that the ECA would not suffer from this problem because it would reach out to the public to get input for their deliberations. But we fear that she misdiagnoses the nature of the problem. In our view, the reason why the public has largely ignored the work of Citizens' Panels and many other citizens' assemblies is not because their members have failed to reach out to the public. It is simply because the public had *no role to play in the functioning of these institutions*. It makes sense to expect people to be actively involved in a process if there is something important for them to do. If there is nothing that they have to do for the process to succeed, if all the decisive functions are fulfilled by someone else, why would the citizenry pay attention? In elections or referenda, the citizenry is asked to play a very important role in the decision-making process. They are sharing political power. This is why they get involved. There are some important political decisions they must make. By contrast, the ECA proposal seems to share the same weakness with the European Citizens' Panels. It expects citizens to pay attention to the ECA *while failing to assign them any significant role in the decision-making process* and in the absence of any power sharing. Of course, citizens would be allowed, even encouraged, to provide *input* to the institution. But if only the ECA members have *agenda-setting and decision-making power*, the wider public is very likely to ignore the process and let the ECA do *its* work.

Empowering citizens through a mediating role for Citizens' Assemblies

We agree that citizens' assemblies are promising institutional innovations that may be used to revitalise democracy. But they can only have a democratising effect if they are used to empower the many, not the few. As we argue in our book, *The Lottocratic Mentality. Defending Democracy against Lottocracy* (Oxford University Press), a change of perspective is needed when thinking about how to design these institutions. The important question is not *how much power* citizens' assemblies ought to have, whether only consultative powers (subordinate model) or the sovereign powers of parliaments (lottocratic model). This is a false alternative. Both options are highly problematic, although for different reasons. The question we need to ask is *who ought to be empowered* through these institutions, whether we should empower a few randomly selected individuals or the citizenry as a whole. It is hard to see how the first option can have anything to do with revitalising democracy. Only the latter option could have the democratic effects that defenders of citizens' assemblies promise (e.g. improving citizen participation in agenda setting, improving the responsiveness of the political system to citizens' interests, needs and policy objectives, etc.). To do so, citizens' assemblies should be designed to play a *mediating* role between the political system and the wider public rather than being directly coupled with formal political institutions while *bypassing the citizenry*.

Imagine if, instead of having the randomly selected members of the ECA setting the political agenda as they see fit, multiple citizens' assemblies were regularly organised all over Europe to review and improve citizens' initiatives to be submitted by civil society groups after gathering some low threshold of signatures. The assemblies would review and improve the initiatives they receive based on all the relevant information and inclusive deliberation. They could rank them by importance and/or urgency and either submit them to the relevant public authorities (e.g. the EP, national parliaments, local authorities) for (mandatory) discussion and decision-making or, in the appropriate cases, to general referenda (in the relevant jurisdictions). Institutionalising citizens' assemblies in this mediating role would *give the citizenry a clear role to play in the agenda setting process of the political system*. Instead of ignoring the work of citizens' assemblies, this design would *energise the citizenry to actively participate in the process of proposing and publicly discussing initiatives*, as they would know that there is an effective institutional mechanism to get them reviewed

and that, in many cases, it would be ultimately up to the citizenry whether to approve them. By strengthening citizen participation in this way, citizens' assemblies would provide a very much-needed democratic boost precisely at a time of increasing citizen dissatisfaction with democracy.

This bottom-up model for using citizens' assemblies to empower the citizenry is very different from the centralised model of a permanent ECA. Nicolaidis writes that the permanent sorted assembly can "represent" the citizens of 27 countries "at least to the extent that the selection process is communicated and explained to the broader public in a way that is radically transparent... Over time, the pedagogy of sortition can teach the wider public that the core ethos of randomness is equal chance, if explained well, in fun and accessible ways...." Plato wrote in *The Republic* that the rulers must be able to devise "beautiful lies" to convince citizens that they are the best possible. What would European citizens gain from another decision-making body that makes use of good rhetoric to make them believe that they must obey its decisions simply because they have an equal chance to be selected? Why would citizens believe that it is *democratic* to let a few individuals *exercise unilateral power over them* so long as everyone has an equal chance to do so?

Empowering European Citizens but Avoiding Illusionary Promises!

Sandra Seubert⁷⁸

Can European Citizens' Assemblies (ECAs) bring European democracy forward? No doubt, they can offer a constructive response to challenges of representative democracy, in particular on a European scale. But electoral forms of democracy are not as worn out as suggested. The “democratic *angst*: do citizens care at all?” has not been confirmed in the last European elections.⁷⁹ The increase in voter turnout since 2014 has not been reversed but stabilised at a (relatively) high(er) level.⁸⁰ However, the rise of far-right parties is alarming and indicates persistent need for reform. ECAs, if carefully embedded in the EU's institutional infrastructure, can play a role here. Yes, they should be institutionalised as routinised events, but not as a permanent body, as Kalypso Nicolaidis' proposal seems to suggest.⁸¹ There is a serious risk that a permanent assembly promises more than it can deliver and gets in destructive rivalry to caricature-like representations of electoral democracy.

78 Goethe University Frankfurt

79 Nicolaidis, 2024.

80 'Voter turnout in the European Parliament Elections in the European Union (EU) from 1979 to 2024', Statista, <https://www.statista.com/statistics/300427/eu-parlament-turnout-for-the-european-elections/>

81 Nicolaidis, 2024.

A distorted image of electoral politics

Although Nicolaidis frequently stresses that a permanent ECA would strengthen progressive forces in the European Parliament, her text nevertheless shows a tendency of devaluating parliamentary processes and presenting assemblies chosen by lot as symbols of real (!) democracy. They are contrasted with a well-known image of electoral politics: out-of-touch elites that hardly represent the people. Representation is unavoidably aristocratic, elections produce social selectivity rather than political equality.⁸² Thus, parliaments and governments cannot pretend to represent the “whole society”. A permanent ECA is better at realising “descriptive representation” in the sense of *representativeness*, i.e. mirroring society as a whole.⁸³ It is supposed to make “non-elitist participation” possible.

No doubt, citizens’ assemblies can function as a tool to fight the enclosure of power, open up encrusted party structures, overcome selective non-participation and potentially increase inclusivity.⁸⁴ But what does it take to make citizens’ assemblies chosen by lot really more inclusive than electoral procedures? How can they give equal consideration to all interests? These questions are not easy to answer. True representativeness would demand mandatory participation, which is difficult to realise in liberal democracies. Nevertheless, representational inclusion can approximately be achieved if the procedure for drawing lots is arranged in a way that all affected social strata take part. In order to avoid that the problem of self-selection, which is observed in elections, repeats itself, special measures can be taken, e.g. over-representing minorities and disadvantaged groups. But there is a problem sneaking in here: according to which ascriptions do we measure representativeness? This is, as Nicolaidis frankly admits, far from evident and itself a political question.

Much depends on the details of institutional design. Nicolaidis underlines the experimental character and suggests an itinerant body of around 300 members, rotating every six months and travelling around Europe, meeting with local actors, thus contributing to a pan-European participatory ecosystem. In her perspective, the strength of citizens chosen by lot is emphasised by the fact that they do not represent any party interest and do not pursue a party career. Due to rotation, “special interests, lobbies and factions do not have

82 Manin, 1997.

83 Pitkin, H. (1972), *The Concept of Representation*, University of California Press.

84 Landemore, 2020.

enough time to capture them”. Disconnecting politics from power is supposed to be a key to fighting corruption. But aren't mediation of interests and gaining power as inherent to politics as reasoning and persuasion? Suggesting these phenomena should be completely excluded in the assemblies promotes a problematic image of “unpolitical democracy”.⁸⁵ How are citizens supposed to get on an equal footing with the powerful players and gain the necessary professional expertise? How are citizens in the assembly supposed to be able to keep powerful interests in check? Professional politicians have an advantage here. “[I]f citizens can literally *see* power diffused, they might start to believe they own a share in it”, says Nicolaidis. But will a permanent ECA, so designed, really be a locus of power? I doubt it.

On a conceptual level, juxtaposing “electoral democracy” and “deliberative democracy” is misleading. In Habermas' account (to which Nicolaidis refers), the concept of deliberative politics is overarching any specific institutional embodiments. Habermas explicitly includes parliamentary bodies – in fact, as “strong publics”, they bear the main burden of mediating different interests. Nicolaidis' justification suggests an unfortunate dichotomy and tends to promote a distorted image of electoral politics that is questionable and can finally lead to a self-fulfilling prophecy (a logic that, e.g. Sebastian Haffner observed in the declining Weimar Republic: Once the contempt for elected politicians has become pervasive, one will hardly find anyone entering this contested business but precisely those despicable figures).⁸⁶

Concealing the power of experts

Equalising representation by introducing a sortition-based citizens' assembly does not by itself lead to equalising voice and consideration. Providing equal access to information and moderating deliberation so that different perspectives can be articulated is a difficult challenge. That is why, in all experiments with citizens' assemblies, the role of experts becomes a crucial issue.

It is generally agreed that in order to give a constructive response to the malaise of electoral democracy, citizens' assemblies must meet certain criteria: apart from representational inclusion, this is, above all, high-quality deliber-

85 Urbinati, N. (2014), *Democracy Disfigured: Opinion, Truth, and the People*, Harvard University Press (hereinafter 'Urbinati, 2014').

86 Haffner, S. (2003), *Defying Hitler: A Memoir*, Picador.

ation and systemic efficacy.⁸⁷ The particular legitimacy of citizens' assemblies is linked to their presumed epistemic advantage compared to traditional representation: a form of deliberation that is distanced from party competition and political marketing. In order to achieve high-quality deliberation, the internal communication process must be organised and facilitated in a way that all participants can interact as equals. Organisational committees, advisory boards, professional partners from the private sector – a whole range of actors come in here. These professionals are responsible for organising the procedures, preparing information, providing support in the selection of experts, etc. It is striking that their role is hardly discussed in the proposal. If traditional representative democracy is accused of providing incentives for the manipulation and control of information by the “elites”, it would be fair to concede that this is an issue in citizens' assemblies as well. A whole consulting business has emerged to support the organisation of participatory democracy.⁸⁸ Professional advisors are not only responsible for the institutional set-up of citizens' assemblies but also for producing effective results because this is what they are paid for.

Many experiments have proven that in order to achieve effective results, citizens' assemblies must not only follow a precise design but should also feature a binding, transparent set of targets. In order to avoid frustration, an ECA's mission must be precisely defined. In Nicolaidis' proposal, the ECA's tasks seem very wide and, at the same time, rather restricted. They reach from “contributing to agenda-setting for the EU”, via “translation of debates taking part in the European Parliament” to “scrutiny-related tasks to monitor the implementation of decisions”. The assembly has, above all, a “monitoring role”; it is supposed to complement the European Parliament, but there is no clear interinstitutional connection.

The talk about the monopolisation of power by “elites” obscures power asymmetries between and within European institutions. There is a huge discrepancy between legislative and executive competencies when it comes to political decisions on a European scale. The real malaise of European democracy

87 Merkel, W., Milačić, F and Schäfer, A. (2021), *Citizens' assemblies: New ways to democratize democracy*, FES Regional Office for international Cooperation (hereinafter ‘Merkel, Milačić and Schäfer, 2021’); IECA, 2022.

88 Krick, E. (2022), ‘Participatory Governance Practices at the Democracy-Knowledge-Nexus’, *Minerva*, 60: 467–487; Krick, E. (2023), ‘Beteiligungsprofis in der Demokratie: Zur Professionalisierung und Kommerzialisierung einer Wachstumsbranche’, Helmut Schmidt Stiftung, <https://www.nomos-elibrary.de/10.5771/0340-0425-2023-3-454/beteiligungsprofis-in-der-demokratie-zur-professionalisierung-und-kommerzialisierung-einer-wachstumsbranche-jahrgang-51-2023-heft-3?page=1>.

lies in the dominance of national executives. When it comes to veto power and majority decisions in the Council, the alleged *national* interest, unfortunately, often consists merely of powerful domestic interests (e.g. national key industries). This tends to be concealed by the generalising diagnoses about “elite” politics.

The problem of legitimisation rivalry

If citizens' assemblies are associated with a myth of directness and as apparently unmediated deliberative institutions are contrasted with the supposedly alienating logic of electoral democracy, they are likely to enter into a legitimising rivalry with the parliamentary process. Such a rivalry can further de-legitimise parliamentary procedures and encourage the executive branch to employ ECAs as top-down, technocratic modes of governance.⁸⁹ Quasi-publics selected by lot bring a new logic into the representative system. This creates tensions which might well be *productive*.⁹⁰ Nevertheless, there are two dangers lurking here: if citizens' assemblies are too smoothly embedded in the institutional system, they can easily be instrumentalised and merely serve as a legitimacy-producing tool. On the other hand, if they keep a clear distance from power, the prize to be paid is the lack of influence on politics. In order to keep their promise, European citizens' assemblies must navigate between these two poles. They should be embedded in the institutional architecture as an autonomous and influential factor and connect very clearly to the EU policy-making process.

In Nicolaidis' proposal, ECAs are promoted as a “radical democratic innovation” and tool for “systemic change”. But they can only capitalise on this opportunity if they are embedded in other institutional reforms. “Transnational societal empathy” needs strong institutional safeguards. In this respect, giving European elections a truly European character would be a real game changer!⁹¹ European-wide election lists would be a breakthrough for European

89 Bua, A and Bussu, S. (2021), ‘Between governance-driven democratisation and democracy-driven governance: Explaining changes in participatory governance in the case of Barcelona’, *European Journal of Political Research*, 60: 716-737.

90 Merkel, Milačić and Schäfer, 2021.

91 Alemanno, A. (2024), ‘Hitting the Pause Button on the EU Project? A Self-Inflicted Outcome Due to the Lack of Political Integration’, *Verfassungsblog*, <https://verfassungsblog.de/hitting-the-pause-button-on-the-eu-project/>; Müller, M and Plottka, J. (2020), *Enhancing the EU's Democratic Legitimacy: Short and Long-Term Avenues to Reinforce Parliamentary and Participative Democracy at the EU Level*, Friedrich-Ebert-Stiftung.

democracy. Transnational lists have been put on paper in several reform proposals (e.g. by Guy Verhofstadt, Daniel Cohn-Bendit, Philippe van Parijs), they have been debated for years, they were on Ursula von der Leyen's agenda for her presidency for the European Commission in 2019, at the core of the latest EP proposal for revisions of the Direct Elections Act (2022) and a key claim of citizens in the Conference on Future of Europe's Final Report.⁹² But we are still waiting for this important step forward. Isn't it weird? We can set up a European Company (SE) if we want to do business across borders. We are asked to build up a European consortium of researchers when applying for European research funding. We can even donate money to parties in other EU member states (in *national* elections in which we do not have a right to vote!).⁹³ But when it comes to the voting procedure in European elections we are forced back into a national container: we are voting on national lists with 27 different legal requirements. Recent attempts to further europeanise European elections have failed, a European association law for organising European civil society⁹⁴ that could support transnationalisation is still missing.⁹⁵ A permanent European citizens' assembly with an unclear mission would do little to change this.

Conclusion: Routinisation without permanence!

But how would *non-permanent* ECAs change this? Their strength lies in the potential for civic education and the opening up of public space. Especially in a transnational context this is an important effect and already a good reason to introduce them. To make their effects sustainable, citizens' assemblies should be organised on a regular basis so that interaction between traditional and new forms of representation can become routine. They should be connect-

92 'Conference on the Future of Europe - REPORT ON THE FINAL OUTCOME', Community of Practice of the Competence Centre on Participatory and Deliberative Democracy, <https://cop-demos.jrc.ec.europa.eu/resources/conference-future-europe-report-final-outcome>.

93 Kersting, S. (2021), 'Steven Schuurman erklärt seine Millionen-Spende an die Grünen: „Wir brauchen einen Systemwandel“', Handelsblatt, <https://www.handelsblatt.com/politik/deutschland/interview-steven-schuurman-erklaert-seine-millionen-spende-an-die-gruenen-wir-brauchen-einen-systemwandel/27588402.html>.

94 'The Project', EUNITE, <https://eunite4citizens.eu/>.

95 'Es ist die richtige Zeit für ein Europäisches Vereinsrecht', Heinrich-Böll-Stiftung, <https://www.boell.de/de/2022/09/13/es-ist-die-richtige-zeit-fuer-ein-europaeisches-vereinsrecht>.

ed to political agenda-setting and legislative processes. There must be something at stake in the political arena to attract citizen's attention. As Lafont and Urbinati point out in their intervention, ECAs democratising effect depends on their mediating role between political system and the wider public.⁹⁶ It is therefore important to connect them to the policy cycles in the European Parliament, first of all to the political work programme that the candidate for president of the European Commission presents to the European Parliament when applying for office. Connecting ECAs to the European Commission's work programme might look like a very tight co-optation. Other proposals for routinisation connect them, e.g. to the president's annual "State of the Union" address and suggest an annual open call mechanism).⁹⁷ However, I am sceptical and would predict that these assemblies will nevertheless run parallel and unconnected to the conventional legislative process, which should be avoided at all costs. Since Parliament plays an important role in co-determining the president of the Commission as well as the topics of the work programme, ECAs connected to this programme would ensure public attention and increase legitimacy.

Take, for instance Ursula von der Leyen's agenda for her candidacy in 2019 ("A Union that strives for more"): for all six bullet points ("The European Green Deal; An economy that works for people; A Europe fit for the digital age; Protecting our European way of life; A stronger Europe in the world; A new push for European democracy") a citizens' assembly could have been set up to concretise proposals and drive implementation forward.⁹⁸ Is it implausible to assume that the main pillar of her agenda, the European Green Deal, would have gained more legitimacy and resisted the aggressive disinformation campaign with which her own party group, the EPP, gave it a hard blow?

An important pillar of the Green Deal is the Nature Restoration Law. The law survived the vote in Parliament by a razor-thin margin after the EPP had announced to block it completely (and only passed the final hurdle of a quali-

96 Lafont, C and Urbinati, N. (2024), 'Why Citizens' Assemblies should not have Decision-making Power' GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/2/> (hereinafter 'Lafont and Urbinati, 2024').

97 IECA, 2022.

98 Leyen, U. (2019), *A Union that strives for more, My agenda for Europe: political guidelines for the next European Commission 2019-2024*, Directorate-General for Communication (European Commission).

fied majority in the Council on June 17, 2024, after Austria's U-turn).⁹⁹ Interestingly, a survey conducted from 1 to 9 May 2024 by Savanta, an independent research agency which investigated European citizens' opinions on nature and biodiversity in countries whose governments blocked the Nature Restoration Law, brought clear results: a large proportion of the population is in favour of the EU Nature Restoration Law, even though the respective governments oppose it.¹⁰⁰ An ECA could have helped to draw attention to a central pillar of the Green Deal at an earlier stage and bring the issue to the public's attention. When political dynamics are moving in one or the other direction, ECA's recommendations will make a difference.

99 Niranjan, A. (2024), 'EU passes law to restore 20% of bloc's land and sea by end of decade', The Guardian, <https://www.theguardian.com/world/article/2024/jun/17/eu-passes-law-to-restore-20-of-blocs-land-and-sea-by-end-of-decade>.

100 'EU-Renaturierungsgesetz in Kraft', Deutsche Stiftung Meeresschutz, https://www.stiftung-meeresschutz.org/presse/eu-renaturierungsgesetz/?gad_source=1&gclid=EAIaIQobChMIjLT97d-zBhgMVDZCDBx2u7BwfEAAAYASAAEgJefD_BwE.

Can a European Citizens' Assembly Improve Political Equality and Overcome the Demoi-cratic Disconnect?

Richard Bellamy¹⁰¹

Kalypso Nicolaidis' argument for a permanent European Citizens' Assembly (ECA) of randomly selected citizens is a characteristically imaginative and bold intervention in the ongoing democratic deficit debate.¹⁰² It combines theoretical sophistication with a concrete, practical proposal. However, while I agree with the concerns driving her suggestion – the increasing disillusionment with actually existing electoral democracy across the democratic world and the resulting allure of populism or technocracy as alternatives – I doubt that such randomly sorted assemblies provide an adequate or even an appropriate response to this problem – indeed, I fear they may exacerbate it. I start by raising some general issues with such schemes. I then turn to how far they can address a core source of democratic disaffection within the EU – that of the 'demoi-cratic disconnect'.

101 University College London.

102 Nicolaidis, 2024.

How equal and empowering is representation by sortition?

Like other champions of lottery or sortition, Nicolaidis sees citizens' assemblies as offering a way of strengthening political equality and enhancing the sense of democratic empowerment by giving everyone an equal chance to rule. As she notes, from classical antiquity up to the eighteenth century, random selection rivalled election as the main form of democracy. Nicolaidis differs from those contemporary advocates of sortition, such as Alexander Guerrero¹⁰³ and H el ene Landemore,¹⁰⁴ who view lottocracy as an alternative to electoral democracy and regards the two instead as complementary. However, she shares arguments by Gil Delannoi et al.,¹⁰⁵ Peter Stone,¹⁰⁶ and Arash Abizadeh¹⁰⁷ that random selection and regular rotation in office provides a way of giving everyone an equal chance to shape the political agenda and make decisions that are in some ways more effective than the equal opportunity to stand for office or the indirect influence of an equal vote for representatives. Of course, the likelihood of being chosen may be remote in a large society.¹⁰⁸ An individual may be no more likely to serve in a lottocracy than they would be in an electoral democracy. For example, the EU has some 375 million registered voters. Suppose there were 1,000 places within a permanent ECA (more than Nicolaidis suggests). That would give the average citizen a roughly 1 in 375,000 chance of selection every 5 years or so. (I've kept the maths simple here, but Nicolaidis' tweaks do not change the picture much – she wants an assembly of around 300, with a third renewed every 6 months). Given these odds, the equal chance to rule *per se* seems rather a risky deal. As Thomas Christiano points out, one would hardly regard a welfare system that entitled all citizens (as a

103 Guerrero, 2014.

104 Landemore 2020.

105 Delannoi, G., Dowlen, O and Stone, P. (2011), *The Lottery as a Democratic Institution*, Policy Institute, SciencesPo.

106 Stone, P. (2011), *The Luck of the Draw: The Role of Lotteries in Decision Making*, Oxford Academic.

107 Abizadeh, A. (2021), 'Representation, Bicameralism, Political Equality, and Sortition: Reconstituting the Second Chamber as a Randomly Selected Assembly', *Perspectives on Politics*, 19(3): 791–806 (hereinafter 'Abizadeh, 2021').

108 Christiano, T. (2008), *The Constitution of Equality: Democratic Authority and Its Limits*, Oxford Academic (hereinafter 'Christiano, 2008').

supplement to some form of basic income, say) to a single free weekly national lottery ticket that gave them all an equal chance of being a millionaire as an egalitarian form of social redistribution just because everyone had an equal chance of winning the benefits lottery.¹⁰⁹

To be fair, Nicolaidis could be regarded as advocating a slightly different (and better) argument, whereby sortition offers a more equitable way of choosing political representatives by giving rise to an assembly that is more likely to deliberate and make proposals that give equal weight to the views and interests of citizens, as Abizadeh has argued. The claim here is that random selection avoids voter bias and the influence of those with wealth, connections and other forms of power that bedevil selection and election as a candidate in an electoral democracy.¹¹⁰ Consequently, sortition will likely result in representatives from all walks of life and lead to greater diversity. Indeed, when combined with stratified sampling, as she suggests, whereby representatives are selected in proportion to their possessing certain socially, then salient features found in society as a whole, such as gender, age and ethnicity – an assembly chosen in this way is likely to be more representative of society as a whole, at least in its make-up – than an elected assembly.¹¹¹ As such, it can offer what Philip Pettit has called indicative rather than responsive representation.¹¹² That is, a randomly selected legislature will be apt to reason like the citizenry taken as a whole.

Yet that cannot be counted on. Notwithstanding the sampling strategies and the payment of members, the wealthy and better educated may be more able and willing to serve – having the resources and competence to do so – and exert greater influence in deliberations. Non-professional politicians may also be more susceptible to lobbying and the influence of conspiracy theorists and the like due to a lack of general information. Representatives may also just act on their own idiosyncratic views or do the bare minimum to draw a salary. In all these cases, there will be little that can be done about it. Citizens will be bystanders to the deliberation for they lack any instruments to motivate representatives to respond to their preferences.

This brings us to the key problem with sortition: as Lafont and Urbinati

109 Ibid.

110 Abizadeh, 2021.

111 Ibid.

112 Pettit, P. (2010), 'Representation, Responsive and Indicative', *Constellations*, 17: 426-434 (hereinafter 'Pettit, 2010').

have noted in their comment, it downplays the political agency all citizens may exercise in authorising and holding to account their representatives.¹¹³ Choosing who should represent you is itself subject to negotiation and deliberation, forcing party managers to screen candidates for qualities and views likely to play well with voters. The prospect of being held to account and sanctioned for poor performance incentivises representatives to consider how their decisions will be received – both at the next election and in the future. While any system of representation involves inequality between the representatives and the represented, these processes narrow that gap. By contrast, lottocracy both weakens the agency of citizens and reduces the incentives of representatives.

Nicolaidis hopes that regular rotation of representatives may overcome some of the potential problems of the indicative representativeness of even an appropriately sampled membership of an ECA. However, this creates other problems. For, as Jonathan White points out, the unpredictability of sortition and the regular rotation of representatives also works against consistency in law and policy-making and long-term planning.¹¹⁴ Each selection will bring a new set of representatives who may hold quite different views to their predecessors and successors. As a result, whatever agreements they make will be likely to be transient. That may undermine one of the chief virtues of the rule of law – the managing of expectations and the provision of a stable framework within which citizens can plan. It can also hinder the tackling of persistent problems that require planning and investment over time – such as the mitigation of and adaptation to climate change. A feature of parties is that they unite representatives around a programme of policies animated by a certain ideology or set of principles. It encourages politicians to see themselves as acting for others to achieve a certain vision of society through a set of short- and longer-term policies. Meanwhile, citizens have agency in both informing that vision and voting and campaigning for or against it.

An alternative, a supplement or a complement to electoral democracy?

It might be argued that the above criticisms have the most force against those lottocrats who see sortition as an alternative to electoral democracy. They have less force for temporary, single-issue citizen assemblies, such as those recently

113 Lafont and Urbinati, 2024; See also, Christiano, 2008 and Abizadeh, 2021.

114 White, J. (2023), *In the long run: the future as a political idea*, Profile Books.

deployed within the Convention on the Constitution in Ireland to inform referendums on abortion and same-sex marriage, which have a supplementary role to the legislature and a popular referendum.¹¹⁵ However, Nicolaidis believes this supplementary, specific and temporary role is insufficient to produce the broader democratic role she envisages for the ECA. As she notes, the EU already uses Citizen Panels that focus on specific policies, such as food waste and energy efficiency. As she also points out, though, these bodies are largely unknown beyond EU experts and can hardly be regarded as improving the democratic legitimacy of decision-making in these areas. Hence her belief that a permanent assembly that can complement decision making by the EP is needed.

I think there are several reasons why the current Citizen Panels have, at best, a limited effect and why the complementary role advocated by Nicolaidis may well exacerbate rather than mitigate their flaws. First and most importantly, there is the aforementioned lack of citizen agency in the selection and sanctioning of representatives with the ECA. That reinforces rather than overcomes the sense of a democratic disconnect between European citizens and EU decision-making. Second, there is the fact that the more successful of these bodies – such as the Irish and Icelandic experiments – have been created in small and comparatively cohesive societies.¹¹⁶ That heightens the likelihood of a degree of identification of citizens with these bodies and the perception that people like them are involved. The EU is much more diverse. Third, these bodies have tended to deliberate on constitutional issues of principle rather than the highly technical regulatory economic policy issues that fall within the EU's competence. Of course, these latter issues can have important consequences for people's lives, albeit usually indirectly. However, in general, they are harder for people to relate to or to express an informed opinion on. In electoral democracy, the focus tends to be on general approaches to the economy – such as lower taxes vs higher public investment – rather than on specific policies. The much wider remit of the ECA is likely to enhance this difficulty.

115 'Convention on the Constitution', Citizens Information, <https://www.citizensinformation.ie/en/government-in-ireland/irish-constitution-1/constitutional-convention/>.

116 'The Constitutional Council hands over the bill for a new constitution', The Constitutional Council – General Information, <http://stjornlagarad.is/english/>.

Democracy and the democratic disconnect

One of Nicolaidis' innovative ideas that I have adopted and found useful to develop has been her insight into the EU's character as a *demoi-cracy* rather than a *demos-cracy*.¹¹⁷ By this term, she has sought to emphasise the pluralist character of the EU, one that is rooted in its multinational character, among other factors. While I owe a huge debt to her work in this area, my own version of democracy is more intergovernmental and statist than hers. Following Peter Lindseth I see the EU's democratic deficit as reflecting a democratic disconnect between democratic decision-making at the national and subnational level within each of the member states and at the supra-national EU level.¹¹⁸ Such a disconnect is familiar in many federal schemes that have to balance self-government within the constituent units of the federation with shared government at the federal level. It proves especially problematic to negotiate within divided societies, characterised by segmental cleavages between different linguistic, cultural, religious, ethnic or other groups. The solution, in countries such as Belgium, tends to be a form of consociational democracy, that combines considerable devolution of core competences, on the one side, with collaborative decision making at the national level, on the other. Little surprise, therefore, that the much more diverse EU should move in a similar direction.

One of the problems with consociational and other collaborative schemes of government is that it becomes much harder to assign responsibility for bad decisions or to 'throw the scoundrels out' when they are identified. Decisions tend to be shared, with all governments necessarily a coalition of some or all of the main parties, which thereby become eternally governmental. As a result, such systems are likely to suffer from a lack of responsiveness that can drive many sections of the electorate towards populist parties claiming to speak more directly for a given people.

117 Bellamy, R. (2019), *A Republican Europe of States: Cosmopolitanism, Intergovernmentalism and Democracy in the EU*, Cambridge University Press.

118 Lindseth, P. (2010), *Power and Legitimacy: Reconciling Europe and the Nation-State*, Oxford University Press.

Nicolaidis sees the ECA as being, in some respects, a democratic body, albeit of a transnational kind, aimed at deepening mutual recognition and collaboration between the EU's different demoi. To that end, she suggests as one of the sampling criteria that there should be an equal number of delegates (she suggests 12) from each member state. But how will these connect with the populations they are supposed to represent, particularly if they are regularly changed? The worry, as voiced by Sandra Seubert, is that the ECA will be seen as just one more unelected EU body. Giving it decisional power will likely increase rather than decrease the democratic disconnect.¹¹⁹

Conclusion

Although much of this comment has been negative, I want to stress that I share Nicolaidis' concerns regarding the weaknesses of the EU's (and its member states') current democratic arrangements. These flaws are real, worrisome and need urgent attention. However, unlike Nicolaidis, I think the answer lies in enhancing the responsiveness and deliberative character of the electoral system. My main complaint with her bold scheme is that it fails to address, and may even worsen, both these failings.

119 Seubert, S. (2024), 'Empowering European Citizens but Avoiding Illusionary Promises!' GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/3/> (hereinafter 'Seubert, 2024').

Would a European Citizens' Assembly Justify a Sense of Democratic Ownership?

Svenja Ahlhaus¹²⁰ and Eva Schmidt¹²¹

In her thoughtful and innovative contribution, Kalypso Nicolaidis¹²² argues for the institutionalisation of a European Citizens' Assembly (ECA). While we agree with many of her diagnostic and constructive points, we want to investigate her idea of proposing an ECA as a strategy for “radically bolstering the sense of ‘democratic ownership’ of the EU’s institutions by its citizens”. In our view, this idea of a “sense of democratic ownership” merits more critical attention.

Nicolaidis has high hopes for an ECA, connecting it to debates about democratic inclusion, political representation, and legitimacy. An additional – and less often discussed – purpose is to enhance the *sense of democratic ownership* that citizens feel towards the EU institutions. It builds on the idea that “if citizens can literally *see* power diffused, they might start to believe they own a share in it”. What strikes us about Nicolaidis’ proposal is that she seems to understand the idea of a *sense of democratic ownership* as a purely empirical concept that does not include a normative dimension. She aims to bolster citizens’ sense of democratic ownership so that they “might start to believe they

120 University of Münster

121 University of Münster

122 Nicolaidis, 2024.

own a share in it". But shouldn't we insist on distinguishing between a justified and an unjustified sense of ownership?

A sense of democratic ownership: justified or unjustified?

Let us introduce our point by way of an analogy to other debates about political concepts with an empirical and a normative dimension. Take the example of legitimacy. While empirical scholars ask whether an institution is *de facto* seen as legitimate by citizens,¹²³ normative scholars ask whether it should count as democratically legitimate.¹²⁴ The same bifurcation arises when we turn to political representation (who feels represented vs who should feel represented) or belonging (who has a sense of belonging vs whose sense of belonging is normatively justified). In Nicolaidis' proposal, the focus seems to be on whether citizens feel a sense of ownership and how that feeling can be bolstered. While this is an empirical question not without merit, we want to ask the normative question of when a sense of democratic ownership is justified. We will investigate the concept of a sense of democratic ownership from a normative standpoint to determine whether and how Nicolaidis' proposal of an ECA might enhance a *justified* sense of democratic ownership.

Generating a sense of democratic ownership "requires us to think of ourselves as participating in a form of collective agency".¹²⁵ We understand a sense of ownership as an affective-experiential reaction that is based on a particular interpretation of the relation between citizens and institutions. This interpretation can be evaluated as justified or unjustified. Feeling a sense of democratic ownership is not merely the result of outcomes that necessarily align with one's preferences (substantive dimension), as these outcomes may come about arbitrarily without the preference-holder having any share in the collective agency (procedural dimension). Especially deliberative institutions can be seen to facilitate "a form of collective agency which allows citizens to reasonably see

123 Goldberg, S. (2021), 'Just Advisory and Maximally Representative: A Conjoint Experiment on Non-Participants' Legitimacy Perceptions of Deliberative Forums', *Journal of Deliberative Democracy*, 17(1): 56-75.

124 Lafont, C. (2019), *Democracy without Shortcuts: A Participatory Conception of Deliberative Democracy*, Oxford University Press.

125 McBride, C. (2015), Democratic Ownership and Deliberative Participation, in M, Barrett and B, Zani (eds.), *Political and Civic Engagement: Multidisciplinary Perspectives*, Routledge.

themselves as sharing in ownership of the political institutions which shape the contexts of their lives”.¹²⁶

To provide an intuition of what we mean by an *unjustified* sense of democratic ownership, one can turn to the literature on democracy-/citizen-washing¹²⁷ or cooptation,¹²⁸ a question Nicolaidis is concerned with herself: “How can the ECA be more than a form of cooptation and ‘citizen-washing’ and contribute to transforming Europe’s civic culture and citizens’ sense of civic ownership of their institutions?”. The worry here is that participatory institutions such as, for instance, mini-publics, only feign an improvement on the participatory opportunities of citizens, all the while their efforts end up going nowhere.

We see two normative problems: First, citizens might feel they had a chance to be part of a political decision-making process, even though their contributions were not actually taken into account. This could lead to an unjustified sense of ownership as citizens feel connected to an undemocratic institution. Second, they might be disillusioned by the supposedly participatory process. They experience a lack of ownership, which, while justified, can be problematic for an institution that requires citizen support. Bolstering a justified sense of ownership would mean avoiding both of these problems: we need democratic institutions that generate and deserve the citizens’ sense of democratic ownership.

The idea of a sense of democratic ownership plays a role in many democratic theories focusing on the citizens’ perspective. Understood in this way, the idea of a sense of democratic ownership is closely related to ideas mentioned in previous contributions to their forum, such as alignment¹²⁹ (Lafont and Urbinati) and disconnect (Bellamy).¹³⁰ As Lafont puts it: “Once they understand their function and significance, can citizens take ownership over these institutions?”¹³¹

126 Ibid.

127 Reuchamps, M., Vrydagh, J and Welp, Y. (2023), *De Gruyter Handbook of Citizens’ Assemblies*, De Gruyter.

128 Holdo, M. (2019), ‘Power and Citizen Deliberation: The Contingent Impacts of Interests, Ideology, and Status Differences’, *Journal of Public Deliberation*, 15(3).

129 Lafont and Urbinati, 2024.

130 Bellamy, R. (2024), ‘Can a European Citizens’ Assembly Improve Political Equality and Overcome the Demoi-cratic Disconnect?’, GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/4/> (hereinafter ‘Bellamy, 2024’).

131 Lafont, C. (2020), ‘Against Anti-Democratic Shortcuts: A Few Replies to Critics’, *Journal of Deliberative Democracy*, 16(2): 96–109.

A re-focused ECA: Three ideas

Our idea is that the danger of a lack of a (justified) sense of ownership needs to be addressed by taking into account the background diagnoses. Why is there a lack of democratic ownership in the European Union, and how could it be “bolstered” by an ECA? We distinguish three potential reasons for a lack of democratic ownership of EU institutions. These diagnoses are non-exhaustive and well-known in the literature about the EU’s democratic deficit¹³², but we think that they merit attention in the debate about democratic ownership and the ECA.

We propose to start by identifying the core political problems an ECA is supposed to mitigate and to design it specifically with this problem in mind. There are three potential constellations an ECA might be supposed to respond to: A first diagnosis is *opacity*. Citizens might lack a sense of democratic ownership because they do not understand the complex interplay of EU institutions and the process of policymaking at the EU level. A second diagnosis is *capture*. Here, the problem is that citizens do not have a sense of democratic ownership because they are not convinced that they actually have democratic control over decision-making as it is controlled by others. A third diagnosis is *stuckness*. Here, we mean that citizens lack a sense of democratic ownership because they feel that EU institutions are stuck and are not changeable by citizens.

Depending on our background diagnosis of why there is a lack of a sense of democratic ownership, we can propose different remedies. While it might not always be the first and best idea to tackle these problems with a randomly selected assembly, we want to outline how we might refocus an ECA in three directions. The idea is not that these three proposals will lead to legitimate or responsive or participatory EU decision-making but rather that they might help to address three underlying challenges. This goes in a similar direction as Lafont’s and Urbinati’s idea to reconceive the ECA in a “mediating role” – but we focus more directly on the lack of a justified sense of democratic ownership.¹³³

First, if our diagnosis is that EU institutions are opaque to citizens, an ECA could be reconceived as a “counter-opacity” institution whose goal would be to promote transparency with regard to their functions, processes, and policies.

132 See for example, Bellamy, R and Kröger, S. (2016), ‘The politicization of European integration: National parliaments and the democratic disconnect’, *Comp Eur Polit*, (14): 125–130.

133 Lafont and Urbinati, 2024.

Members of an ECA would learn about EU institutions and policies in depth and explain their learnings to other lay citizens. The idea is that there is an epistemic advantage in learning from “people like you”. Participants might be more capable of explaining to other lay citizens what they have learned because they are not entrenched in the processes or were not part of designing the policies and probably do not have the same education as policymakers. Therefore, they can empathise with non-participants better than professional spokespeople and anticipate where misunderstandings might come from. This could motivate citizens to engage more with the EU, as they understand it better, even if they disagree with the contents presented to them. Nicolaidis alludes to the importance of a connection between the ECA and the wider public and calls for more creative “interface channels between the assembly and the broader public”, for instance, “through platforms and actors like NGOs or civil society organisations that have particular target audiences.” Connecting the normative function of counter-opacity with creative channels as she proposes might make it more likely that citizens feel a sense of democratic ownership over EU institutions.

If we hold instead that the sense of democratic ownership is lacking because citizens think that the EU institutions are captured by particular groups and elite interests, enabling a sense of democratic ownership could involve reconceiving the ECA as a counter-hegemonic institution. It is important to keep in mind Seubert’s remark that the complex EU structure does not make it easy to say who should be seen as “the elite” that has captured decision-making.¹³⁴ Of course, the ECA is already envisaged by Nicolaidis as composed of ordinary citizens who do not have vested interests. But if we hold that the key problem preventing a sense of democratic ownership is capture, this would also mean that the institution’s primary role should be contestatory. If citizens are supposed to overcome their sense of capture, they should be able to see that their interests and positions are not easily overlooked or brushed aside. It is important to note that this does not automatically require an empowered ECA. Randomly selected assemblies are not free from the problem of capture themselves. As Bellamy puts it in his contribution: “Non-professional politicians may also be more susceptible to lobbying and the influence of conspiracy theorists and the like due to a lack of general information”.¹³⁵ This means that the interplay between ECA and other EU institutions would need careful calibra-

134 Seubert, 2024.

135 Bellamy, 2024; Landa, D. and Pevnick, R. (2021), ‘Is Random Selection a Cure for the Ills of Electoral Representation?’ *J. Political Philos.*, 29(1): 46-72.

tion. But we might consider potential veto powers or powers to delay decisions or reconceiving the ECA more in the direction of citizen oversight juries.¹³⁶

If we think that the lack of a sense of democratic ownership stems instead from the fact that citizens feel that the EU institutions are “stuck”, the ECA might be an option for re-opening the institutional debates about the European Union. As Nicolaidis points out, institutional innovation could lead to a sense of renewal and openness. Our “democratic imagination” is sparked by rethinking the EU’s institutional interplay from scratch. Here, it would be important to focus on fundamental (or constitutional) issues. Citizens might regain a sense of democratic ownership once they see that it is possible that EU institutions, their competences and interplay can change and even accommodate a new randomly selected institution.¹³⁷ The experimental spirit prevalent in many debates about democratic innovations could lead some citizens to feel more connected to the EU institutions. It would be a justified sense of ownership if citizens actually had effective paths to initiate and influence debates about the future of the European Union.

Conclusion

We have argued that political theorists should look more critically at proposals to bolster citizens’ sense of democratic ownership of EU institutions. From a normative perspective, we can distinguish between a justified and an unjustified sense of democratic ownership. This means that not only the lack of a justified sense of democratic ownership but also the existence of an unjustified sense of democratic ownership might be problematic. We propose a more limited role of an ECA in reaction to three diagnoses of why there is a lack of sense of democratic ownership. Reconceived as an institution whose function could be described as counter-opacity, counter-hegemonic, or counter-stuckness makes it more likely that the ECA might contribute to bolstering a justified sense of democratic ownership among EU citizens.

136 Bagg, S. (2024), ‘Sortition as Anti-Corruption: Popular Oversight against Elite Capture’, *American Journal of Political Science*, 68(1): 93-105.

137 Patberg, M. (2024), ‘Farewell to constituent power? The Conference on the Future of Europe, citizens’ assemblies and the democratic minimum’, *Global Constitutionalism*, 13(2): 411-428.

Democracy 3.0 in the 21st Century: The Case for a Permanent European Citizens' Assembly

Yves Sintomer¹³⁸

In her thoughtful essay, Kalypso Nicolaidis defends the creation of a permanent citizens' assembly (ECA) at the EU level,¹³⁹ further developing a proposal she had made with other authors¹⁴⁰ and which has been previously discussed by scholars such as Hubertus Buchstein.¹⁴¹ Confronting the present legitimacy crisis of European democracy, she claims that the creation of such a randomly selected collective body could be an important contribution to facing the challenges of a democracy under threat. The ECA should not replace electoral democracy nor be subordinated to it. It should complement it, together with other tools and actors, such as a more powerful European Citizens Initiative and a vibrant and organised civil society. The goal would be to empower the citizenry in a radical-democratic perspective.

138 Université de Paris 8 Vincennes – Saint-Denis

139 Nicolaidis, 2024.

140 EUCA, 2023.

141 Buchstein, H. (2009), *Demokratie und Lotterie: Das Los als politisches Entscheidungsinstrument von der Antike bis zur EU*, Campus.

Cristina Lafont and Nadia Urbinati reply that the ECA should not have decision-making power and should remain subordinated to the people as a whole deciding through their elected representatives or, in some cases, directly through referendum.¹⁴² Sandra Seubert is sceptical, too: citizens' assemblies should be routinised but only have an advisory role and should not be permanent in order not to contribute to the devaluation of the legislative power.¹⁴³ For Richard Bellamy, the disillusionment with actually existing electoral democracy could be exacerbated by the creation of a permanent ECA, and the answer lies in enhancing the responsiveness and deliberative character of the electoral system.¹⁴⁴ In Svenja Ahlhaus and Eva Schmidt's view, the ECA would be normatively interesting only when it contributes to reducing the opacity of the political system, limiting its capture by particular interests, and helping to get out of its deadlocks.¹⁴⁵ As I share most of Nicolaidis' argument,¹⁴⁶ I will propose a complementary perspective to justify the creation of the ECA. My claim is that democracy, especially in the EU, cannot duplicate what it was in the decades following World War Two. In order to face the huge challenges of the 21st century, a much different model, democracy 3.0, is needed. The ECA could be one of its key elements, integrated in a new political system where electoral democracy would be relativised.

For a non-ideal and historically-situated theory of democracy

Too often, political theorists claim to offer a view from nowhere.¹⁴⁷ In this perspective, the main conceptual problems of society and politics can be discussed (1) in a nearly just and democratic world,¹⁴⁸ with no pretension to engage with

142 Lafont and Urbinati, 2024.

143 Seubert, 2024.

144 Bellamy, 2024.

145 Ahlhaus, S and Schmidt, E. (2024), 'Would a European Citizens' Assembly Justify a Sense of Democratic Ownership?', GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/6/> (hereinafter 'Ahlhaus and Schmidt, 2024').

146 Sintomer, Y. (2023), *The Government of Chance: Sortition and Democracy from Athens to the Present*, Cambridge University Press.

147 Nagel, T. (1989), *The View from Nowhere*, Oxford University Press.

148 Rawls, J. (1999), *A Theory of Justice*, Harvard University Press.

the challenges of really-existing societies; (2) independently from the analysis of the period in which the conversation takes place; and (3) without reflexively questioning the link between the normative claims defended by political actors and the models elaborated by scholars. In short, ideas have no context.

However, context is crucial. Much too often, the critics of citizens' assemblies analyse the challenges faced by the latter in a realistic perspective but contrast them with an idealised view of electoral democracy. This conceptual shortcut between ideal and non-ideal political theory is present in the contributions of Lafont and Urbinati,¹⁴⁹ Seubert,¹⁵⁰ and Bellamy.¹⁵¹ It makes it difficult to balance the specific advantages and problems of sortition and elections.

The kind of democracy which used to be stable in the Global North during a couple of decades after WW2 is in crisis. This is why democratic innovations involving citizens' assemblies and other mini-publics have flourished in the last decades and why a growing number of theoreticians have proposed institutional models coupling randomly selected bodies and deliberation. The medicine may be wrong, but the disease is real. A strong diagnosis is needed to try to save democracy. In the conversation opened by Nicolaidis, most authors agree that the legitimacy crisis of the Western political system is real. Nevertheless, the causes of the disease are too superficially analysed, especially in the contributions of Lafont and Urbinati,¹⁵² and of Seubert.¹⁵³

Context also plays a decisive role for understanding political models. The history of ideas in context has shown how deeply the most brilliant political philosophers were embedded in the conversation of their time.¹⁵⁴ The same is true for more recent scholars. To a large extent, the abstract theories of democracy proposed by great authors such as Rawls and Habermas were idealisations of Western democracies in the decades following WW2. This does not nullify the interest in their theories, but a careful reflexive analysis is required once the Golden Age of these democracies is over and when the empirical and theoretical developments coming from the Global South provincialise the model at stake.¹⁵⁵

149 Lafont and Urbinati, 2024.

150 Seubert, 2024.

151 Bellamy, 2024.

152 Lafont and Urbinati, 2024.

153 Seubert, 2024.

154 *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialer Sprache in Deutschland* 8 vol., Klett-Cotta, 1972-1997.

155 Chakrabarty, D. (2008), *Provincializing Europe: Postcolonial Thought and Historical Difference*, Princeton University Press.

Provincialising Western democracy

The kind of democracy which provides the basis upon which most of the critiques of the ECA rely is a historical parenthesis rather than a universal model. During its Golden Age, the Western political system had three political pillars: a competitive party system based on free elections and mass political parties; a division of power protecting the rule of law, human rights and a free public sphere; and efficient meritocratic public administrations with strong state capacities.

In the third decade of the 21st century, the first and the third pillars are weakened, and the second is under threat. This is not only due to populists or authoritarians. This model used to rely upon a number of economic, social, geopolitical and ecological conditions. Political parties were able to include the subaltern groups in the political system. The West was the centre of the world, economically and politically, and could take advantage of the human and natural resources of the whole planet. National states could be efficient, at least in the Global North. With the 'social market economy' and the welfare state, important resources were redistributed to citizens. This had quite a high price: a mode of production and consumption that produced the 'great acceleration' and the Anthropocene. This model was not (and still is not) universalisable, and the West was, therefore, an exclusive club.

In the 21st century, all these conditions tend to disappear due to the cumulative outcome of different structural crises. The ecological disaster demonstrates how our socioeconomic development is unsustainable. Neoliberal capitalism threatens democracy. The welfare state is destabilised. The nation states are weakened by globalisation – especially in Europe, with its small or middle-size states. Elections do not take place at the transnational level. The old postcolonial and postimperial world order is subverted by the increasing development of China and other emerging countries. Extra-European migration shakes old identities. The social acceleration of changes (internet, social networks, gender trouble...) contrasts with the inertia of the structures of institutional politics.

The EU is particularly vulnerable. Its strong welfare states are under threat, and inequalities are increasing. The continent is exposed to geopolitical turmoil. The EU has quite a weak centre, with only 33.000 civil servants, compared with 2.1 million for the US federal government and several million for the Chinese central government. It has strong normative power but weak financial and implementation power. The European economy is less innovative

than the US or the Chinese ones. Politics is characterised by increasing polarisation. Multiculturalism works well among Europeans, but migrants from the Global South and Muslim countries are instrumentalised as scapegoats.

As a result, the gap is growing between a vibrant civil society and the subaltern groups on the one hand and institutional politics on the other hand. The crisis of Western democracy is structural. The Golden Age is over. The political system is largely broken in the Global North. The extension of Western democracy to the world after the fall of European communism has largely been a failure, with the partial exception of Central East-European, and some Asian countries.

Global Governance and Citizens' Assemblies

Confronted with this landscape, the normative model of reference implicit in the contributions of Lafont and Urbinati,¹⁵⁶ Seubert,¹⁵⁷ and Bellamy¹⁵⁸ is one-sided when referring to the past and mystifying for the present. It forgets the dark side of the Western political model, and it is far away from actually existing Western democracies. Let us give three significant examples.

The traditional division of power is largely gone. With the rise of global governance, crucial decisions are increasingly taken by non-elected bodies such as courts, transnational organisations such as the IMF or the World Bank, bureaucratic agencies at national and transnational levels, and transnational corporations. (The algorithms that deeply shape the public sphere are mostly a corporate choice.) In this context, the concept of sovereignty is archaic. This is even more so in the EU where, as Nicolaidis convincingly argues, no one body can sovereignly make the decision. This is why the debate on “who shall decide, the people or citizens' assemblies?” is misleading. It reminds me of the one Marxists had decades ago about how to “solve” the dual power between the elected assembly and the Soviets. It is possible to empower the ECA on certain issues without necessarily entering into a zero-sum game with the European Parliament. As Arendt wrote, one can increase power through its separation. This is widely accepted for constitutional courts and legislatures;

156 Lafont and Urbinati, 2024.

157 Seubert, 2024.

158 Bellamy, 2024.

why should it be a problem with the ECA? This is all the more the case in the EU, where, as Nicolaidis argues, the decision-making process is shared among various bodies.¹⁵⁹ Contrary to what Lafont and Urbinati claim, the real relations between the citizenry and the various rulers is less accountability than deference – at best, when it is not indifference, distrust or anger.¹⁶⁰

Political parties are no more efficient channels between the citizenry and the rulers. They have lost membership and legitimacy. They are considered by most European citizens as acting more for their own sake and for privileged groups than for the common good – realist political scientists tend to confirm this view. No democratic mass political party has been created in the last three decades. It is no more only in the Global South that electoral systems increasingly materialise the government of the elite, by the elite and for the elite. To say the least, they are not very efficient in taming transnational capitalism. To pretend that actual electoral democracy enables the expression of the sovereignty of the people is misleading, and to claim it could be so in a near future is naive.

It is also striking that none of the critiques of Nicolaidis' proposal¹⁶¹ (with the partial exception of Seubert)¹⁶² discuss one of her most important claims, namely that citizens' assemblies could help represent non-human entities. They could perform this task together with public agencies with a special mandate but would add a political dimension that is quite reduced in the latter. The ecological crisis is the most crucial challenge humanity has to face in this century. A coherent answer can only be given when combining local, national and transnational scales. The electoral system tends to focus on the short term and has not been implemented at a transnational scale. The elections for the EU parliament are a sum of national votes. The founding fathers of electoral governments could not forecast global warming. Future generations and non-humans neither vote nor authorise, defer to, or control the rulers.

In relation to these examples, the ECA and other citizens' assemblies and mini-publics could play a crucial role. It is easier to conceive of them as adequate representatives of the future generation and non-humans than of elected assemblies and executives. They could be officially given this function and would be more protected from short-termism and vested interests than

159 Nicolaidis, 2024.

160 Lafont and Urbinati, 2024.

161 Nicolaidis, 2024.

162 Seubert, 2024.

a Brussels bubble where lobbies have a major influence in the conception of public policies.

A similar argument can be made about the taming of transnational capitalism, and the defence of the common good and of the interests of the vast majority of the people. Without having personal political career or partisan interests to defend and reflecting the social diversity of experience of the citizenry, the members of the ECA, chosen by lot for a short period of time, could deliberate under much better conditions than MEPs. They could be fair interlocutors for mobilised civil society and subaltern groups, which are marginal in electoral politics.

The ECA could also increase the global legitimacy of politics. Global governance is here to stay, which means that we live in a world beyond sovereignty, where no single entity has the last word in a given territory (with the partial exception of the USA and China). In order to challenge the relations of power and domination that structure our societies, it is necessary to multiply countervailing powers.¹⁶³ The ECA would embody a descriptive representation of the people, much less distorted by fake news, political manoeuvres and private interests than the elected European Parliament. It could be a strong platform for the voice of subaltern groups. Its outcomes could be amplified by multiple mini-publics on specific issues or contribute to the monitoring of EU agencies. Other authorities could gain legitimacy when the permeability of the political system towards citizens' demands increases.

For sure, the ECA and other citizens' assemblies will face many risks: capture by lobbies, technocratic drift, instrumentalisation by the executive, difficulty to connect with the wider public sphere. But these dangers are mostly empirical and should be faced pragmatically in a go-between experimentation and theoretical analysis.

The ECA and randomly selected bodies are not a magic bullet. They should be part of a broader transformation of the political system, including the taming of capitalist corporations, the development of the European Citizen Initiative, the multiplication of participatory tools, and important reforms of EU elections. A mere lottocracy is unrealistic and undesirable. But as Nicolaidis convincingly argues, “[s]ince an ECA is meant to augment participation beyond the self-selection of electoral candidates, it could spearhead such non-elitist participation elsewhere. As itself a school of democracy, it could galvanise a

163 Fung, A. (2003), ‘Countervailing Power in Empowered Participatory Governance’ in Fung, A and Wright, E (eds.), *Deepening Democracy*, Verso.

civic culture in schools, firms and neighbourhoods across the continent, contributing to a growing participatory ecosystem.”¹⁶⁴

Conclusion: Democracy 3.0

In Europe, democracy was invented by hunter-gatherers and reinvented in city-states. Much later, it developed within big nation states – a long and painful process that implied wars, empires, and revolutions, and had huge cost for the rest of the world and for the planet. But history does not end. We should look at the Western model after WW2 in the same way as we consider Athens: a fascinating but non-reproducible experience. In the 21st century, the status quo is not an option. Nor is a nostalgic dream of going back to an idealised Golden Age. A Democracy 3.0 is needed. Elections are only part of it. New venues have to be created, which can counter-balance the limits of electoral politics, the rising power of technocratic bodies, and capitalist transnational corporations. The ECA, as a real utopia, should play an important role in the new system.¹⁶⁵ It would be better not to wait for forthcoming disasters before experimenting with it.

¹⁶⁴ Nicolaidis, 2024.

¹⁶⁵ Gastil, J and Wright, E. (2019), *Legislature by Lot: Transformative Designs for Deliberative Governance*, Verso (hereinafter ‘Legislature by Lot, 2019’).

Grounding ‘Democratic Innovations’ in Wider Decolonial Movements Within and Beyond EU Borders

Alvaro Oleart¹⁶⁶

Progressive ideas and movements have been travelling beyond national borders for a long time. Movements such as #MeToo, Fridays for Future, Black Lives Matter or the ongoing movement for solidarity with Palestine illustrate the increasingly transnational flow of politics. This process contrasts with the national anchoring of formal institutions. In this sense, Kalypso Nicolaidis’ proposal of a European Citizens’ Assembly (ECA) as a complement (rather than as a substitute) to the European Parliament is interesting in its attempt to connect democratic innovation with broader collective actors and movements.¹⁶⁷ It aims to break from the ‘disintermediated’ logic of previous EU citizen participation experiences and combine sortition “with politicians to enhance political buy-in, as well as representatives of civil society organisations to enhance societal and activist buy-in”.

166 Université Libre de Bruxelles

167 Nicolaidis, 2024.

So far, contributions have mostly questioned the democratic legitimacy of such an ECA and the extent to which it would contribute to (or worsen) the quality of existing electoral democracies. Cristina Lafont and Nadia Urbinati argue convincingly that an ECA would structurally empower an exclusive group of citizens selected through sortition and not articulate a relationship of accountability to the wider public.¹⁶⁸ Similarly, Svenja Ahlhaus and Eva Schmidt argue that an ECA should be reconceptualised as a “counter-opacity, counter-hegemonic” arena that would make more visible how the EU works, in a way that contributes to “bolstering a justified sense of democratic ownership among EU citizens”.¹⁶⁹ Sandra Seubert¹⁷⁰ and Richard Bellamy¹⁷¹ raise further objections. They outline the risks that such an ECA would have by potentially creating unrealistic expectations and not improving the main arenas of democracies: elected parliaments. While these critiques are valuable, I also agree with Kalypso Nicolaidis and Yves Sintomer¹⁷² that we should look for new ways forward. This entails avoiding the idealisation of existing electoral and parliamentary democracies due to, for example, their responsibility for fostering neoliberal capitalism and maintaining the structural oppression of the Global Souths by Global North countries. Thus, there is a tension between criticising the legitimacy of ‘democratic innovations’ and championing the existing electoral democracies in the EU.

This is a timely debate, particularly since it coincides with the start of the Democratic Odyssey project in September 2024, but also the transnational movement of solidarity with Palestine. Why does Palestine, and the ongoing transnational activist mobilisation, matter for the debate on an ECA? When thinking of renewing democracy, I argue that we should encompass a global perspective that does not focus uniquely on the EU territory and on EU citizens and that incorporates anticolonial struggles and movements.

168 Lafont and Urbinati, 2024.

169 Ahlhaus and Schmidt, 2024.

170 Seubert, 2024.

171 Bellamy, 2024.

172 Sintomer, Y. (2024), ‘Democracy 3.0 in the 21st Century: The Case for a Permanent European Citizens’ Assembly’, GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/7/> (hereinafter ‘Sintomer, 2024’).

The EU's 'citizen turn' and the private industry of 'deliberative democracy'

The past five years have been marked by the emergence of democratic innovations in the EU oriented towards establishing a 'direct' relation between EU institutions and EU citizens, which I have characterised as the 'citizen turn'.¹⁷³ The European Citizen Consultations, the Conference on the Future of Europe (CoFE) and the post-CoFE citizen panels illustrate this process, in which the EU is increasingly attempting to use sortition as a way to bring together a 'representative' group of 'everyday citizens' from across the EU to put forward their views on the future of Europe. However, the track record in terms of democratic outreach is poor, as only the political bubble working on EU affairs actually learned what was happening and collective actors were broadly sidelined. Moreover, political conflict was heavily neutralised – as I have empirically scrutinised in my book *Democracy Without Politics in EU Citizen Participation*.¹⁷⁴

This is not to say that citizens' assemblies are inherently a depoliticising and undemocratic tool, but rather that the underlying philosophy with which the EU has deployed them poses fundamental problems. There are alternatives to this approach that include democratic innovations in a way that is coherent with an agonistic democracy logic. The Palestine encampments are a relevant example, as activists have innovated in mobilisation to find new ways to channel the energy of this movement. But is it possible to put forward these alternatives in a highly institutionalised body that would complement the European Parliament? What would be the specific relation between a potential ECA and the EP?

Furthermore, rather than actually disintermediating the political debate by articulating a direct relation between EU institutions and EU citizens, what is taking place is a redefinition of what mediation looks like. The EU citizen panels organised during the last five years illustrated this process, as they were operationally organised by a consortium of private consultancies subcontracted by the EU. These actors frame themselves as neutral brokers, yet in fact their

173 Oleart, A. (2023), 'The political construction of the 'citizen turn' in the EU: disintermediation and depoliticisation in the Conference on the Future of Europe', *Journal of Contemporary European Studies*, 1:15.

174 Oleart, A. (2023), *Democracy Without Politics in EU Citizen Participation: From European Demoi to Decolonial Multitude*, Springer.

depoliticised approach has a tendency to omit structural inequalities operating in society, as Maarten de Groot has argued.¹⁷⁵ Thus, the same actors that largely drove the CoFE (Commission, EP, Council and private consultancies) would likely steer any future democratic innovation, such as an ECA, in a similar direction. If the same actors that have driven the EU's 'citizen turn' are also in the driving seat of the new ECA, would the results be different? Can the same actors that are part of the problem become part of the solution? Same, same, but different? There is a risk that deliberative democracy in a newly formed ECA is conceived by EU institutions as a way to claim democratic legitimacy without actually questioning the structural power relations that are at play.

The Palestine Encampments and the “decolonial project for Europe”

If EU institutions and private consultancies are badly suited to improve democracy, who should we turn to? Here is where the ongoing movements on Palestine are exemplary. Against the background of the Eurocentric imaginary of democracy that situates its inception in ancient Athens through sortition and deliberation, we should turn to anticolonial movement struggles as a way to reimagine democracy. Indeed, as Kalypso Nicolaidis and Richard Youngs have argued, the EU should reverse its democratic gaze by unlearning its Eurocentric way of making sense of democracy and opening itself to learn from the Global Souths.¹⁷⁶ For instance, while democracy is most often described in the literature as relating to elections, representation and deliberation, the Palestine encampments – democratic innovations in themselves through their capacity to bridge Global Souths movements with those in the Global North – that have emerged across the world remind us that we can't circumscribe democracy to national (or EU) borders and that if democracy is to be transnational, it is incompatible with colonialism and apartheid.

This might entail revising the starting question when thinking of new institutions. Rather than aiming for the 'descriptive representation' that sorti-

175 de Groot, M. (2023), 'Towards a postcolonial future for democracy', The Participatory and Deliberative Democracy Specialist Group of the Political Studies Association, <https://deliberativehub.wordpress.com/2023/02/07/towards-a-postcolonial-future-for-democracy/>.

176 Nicolaidis, K and Youngs, R. (2023), 'Reversing the Gaze: Can the EU Import Democracy from Others?', *JCMS: Journal of Common Market Studies*, 61(6): 1605–1621 (hereinafter 'Nicolaidis and Youngs, 2023').

tion aims at as a horizon, we should be thinking about the kind of institutions that can channel the existing structural conflicts that exist in society in order to reverse material inequalities. In turn, such material inequalities are inherently related to epistemic injustices. In other words, how can we empower the social and political groups that are structurally absent from most institutional spaces? Perhaps a way forward is to construct spaces designed for under or non-represented groups to have a voice. Indeed, democratic innovations should articulate the ‘prefigurative politics’ of social movements: Putting forward an ECA without the explicit backing of social movements and civil society is likely to merely reproduce mainstream institutional narratives.¹⁷⁷

It follows that my institutional proposal emphasises process and purpose. Before launching a full-fledged institutional design proposal, EU institutions should first rethink their own understanding of democracy and responsibility for fostering a highly unequal world by engaging with civil society and movements in the Global Souths. Second, they ought to orient new EU institutions towards the dismantlement of colonial legacies that unfortunately do not only concern the past but also the EU’s present. From the deadly EU migration and refugee policies to trade, the EU’s impact goes much beyond its member states on multiple dimensions. It seems only logical that civil society and social movements in the Global Souths should play an important role in the democratisation of the EU.

The need to rethink democracy is also based on current challenges, the climate emergency being the ultimate illustration of the difficulties of holding multinational corporations accountable. While some of these companies have a large share of responsibility, it is actors in the Global Souths that suffer most from it. Certainly, an ECA should make sure to connect to the European public spheres, but also beyond EU borders, and contribute to the “decolonial project for Europe” proposed by Bhabra,¹⁷⁸ which begins with acknowledging that the inherited (capitalist) material structures are linked to colonial relations and opening windows to contest them. The democratisation of transnational political institutions will require venues for movements and organisations to mobilise across borders with a democracy beyond the nation-state perspective and a strong decolonial understanding of the underlying material structures. The broader point is that, without reversing the unequal distribution of

177 Flesher Fominaya, C. (2022), ‘Reconceptualizing Democratic Innovation: “Democratic Innovation Repertoires” and their Impact Within and Beyond Social Movements’, *Democratic Theory*, 9(2): 78-100.

178 Bhabra, G. K. (2022), ‘A Decolonial Project for Europe’, *JCMS: Journal of Common Market Studies*, 60: 229–244.

wealth within and between countries, EU democracy will not be democratised. Institutional design changes can contribute to channel the energy emerging from social movements, but there is no design that by itself will significantly democratise democracy.

Thus, democratic innovations will need to be grounded and rooted in social movements and collective actors striving for social justice, decolonisation and transnational democracy. It is difficult to imagine that a factory worker or a refugee fleeing from war as an individual citizen participating in an assembly can have as much political weight as a banker who has the social, cultural, economic, political and symbolic capital to shape EU politics. Rather than aiming to 'represent' European citizens as a whole via sortition, any proposed innovation should contribute to amplifying the voices of movements and collective actors that are (mostly) invisible and lack representation in institutional spaces.

The Advantages and Perils of a Civil-society-Led European Citizens' Assembly

Brett Hennig¹⁷⁹

The Sortition Foundation and Sortition Europe applaud the effort of the Democratic Odyssey to kick off an impressive campaign to bring people into the heart of democratic decision making at the EU level.¹⁸⁰

We are particularly impressed with the demand for a permanent European Citizens' Assembly (ECA), something dear to us as we also launch our 858 campaign to replace the anachronistic, and much loathed, House of Lords in the UK with a permanent citizens' assembly, which we are calling a *House of Citizens*.¹⁸¹

Below I will not discuss whether sortition should complement or replace elections – I've made my point on that score in numerous publications (see the chapter "*Who needs elections? Accountability, Equality, and Legitimacy Under Sortition*" in *Legislature by Lot*;¹⁸² the book "*The End of Politicians: Time*

179 Sortition Foundation.

180 'Sortition Foundation', Sortition Foundation, <https://www.sortitionfoundation.org/>.

181 'Campaign: It's time to replace the House of Lords with a House of Citizens', 858.org, <https://www.858.org.uk/house-of-citizens>.

182 *Legislature by Lot*, 2019.

for a Real Democracy”¹⁸³ and many times online (e.g. Ted.com: “What if we replaced politicians with randomly selected people?”¹⁸⁴ and on National Public Radio in the US).¹⁸⁵

Instead, I focus here on one element of the Democratic Odyssey campaign that Kalypso Nicolaidis mentions in her introduction, and specifically on the construction of a pilot European Citizens’ Assembly, kicking off in Athens in late September 2024, which we have been involved in.¹⁸⁶ Nicolaidis’s essay can clearly be seen as laying out the intellectual foundations for this campaign and the pilot ECA for which she is a pivotal and inspiring leader.¹⁸⁷

Of course, campaigning is a long and arduous process and civil society organisations have many and multiple strategies and theories of change for achieving their aims. One of these – also identified in Alvaro Oleart’s commentary¹⁸⁸ – is *prefigurative politics*,¹⁸⁹ more colloquially known as “building a new world in the shell of the old”¹⁹⁰ or “building tomorrow today”.¹⁹¹ I locate the building of the pilot European Citizens’ Assembly within this strategy, and below, I focus specifically on the pros and cons of doing this via a civil-society-led citizens’ assembly.

183 Hennig, B. (2017), *The End of Politicians: Time for a Real Democracy*, Unbound Digital.

184 ‘What if we replaced politicians with randomly selected people?’, Ted, https://www.ted.com/talks/brett_hennig_what_if_we_replaced_politicians_with_randomly_selected_people?subtitle=en.

185 ‘Brett Hennig: Should We Replace Politicians with Random Citizens?’ Ted Radio Hour, <https://www.npr.org/2018/10/12/656598660/brett-hennig-should-we-replace-politicians-with-random-citizens>.

186 Nicolaidis, 2024.

187 Ibid.

188 Oleart, A. (2024), ‘Grounding ‘democratic innovations’ in wider decolonial movements within and beyond EU borders’, GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/8/> (hereinafter ‘Oleart, 2024’).

189 ‘Prefigurative politics’, Wikipedia, https://en.wikipedia.org/wiki/Prefigurative_politics (hereinafter ‘Prefigurative politics’).

190 ‘A New World in the Shell of the Old: prefigurative politics, direct action, education’, openDemocracy, <https://www.opendemocracy.net/en/opendemocracyuk/new-world-in-shell-of-old-prefigurative-politics-direct-action-education/>.

191 Raekstad, P and Gradin, S. (2019), *Prefigurative Politics: Building Tomorrow Today*, Wiley.

Advantage: Freedom to experiment

One of the main advantages of a civil society-led assembly is the lack of constraints to follow “standard” practice and to adhere to narrow expectations and tight prescriptions of how a deliberative process should be conducted and what it should look like. For the Democratic Odyssey project, we see this primarily in two aspects: (i) the selection of members of the assembly and (ii) the informed deliberative process itself.

Specifically, the members of the first assembly in Athens in September 2024 are veering dramatically away from standard practices of “pure sortition”, i.e. using a two-step democratic lottery process to create a representative sample of the relevant community, in this case Europe. Not that there is actually any such thing as *pure* sortition: even the Commission’s European Citizens’ Panels (ECP) over-represent youth (thankfully, as their voice is often unheard in EU politics) and thus don’t adhere to the pure model.¹⁹²

The Democratic Odyssey’s very conscious decision to include non-EU citizens is, in my mind, also to be applauded, and follows standard practice at local and national level across Europe, where often the only requirement for inclusion in a citizens’ assembly is permanent residency. It should be highlighted, however, that ECPs exclude non-EU citizens from their deliberations. As usual, with most of these topics, an advantage can also be a peril, as you will see below.

The freedom in process appears to be very exciting, especially as the typical deliberative process of plenary, small-group discussion, prioritisation and decisions (then repeat) is highly prescriptive and, as many would claim, lacks imagination. Proposals to use performance, art, and more humanly engaging processes should be welcome and learning how they affect deliberative outcomes will be very interesting to observe.

Advantage: Freedom of topic and agenda

Another potential advantage is that the assembly could have the freedom to set its own agenda. I say “could” because obviously, there is a bootstrapping problem here: how does the first assembly set its own agenda without an agenda-setting meeting? And although there are some obvious solutions to this (the

¹⁹² ECP.

members could have been brought together online first to set the agenda), there are practical and logistic reasons – not to mention (internal) political campaign reasons – why this was not done in this first instance. Instead, the first topic was discussed and decided on by the broad and expanding “constituent network” of civil society groups involved in the Democratic Odyssey campaign and left deliberately broad so the members themselves could narrow it down in the future.

In the future, as is planned at the conclusion of the Athens assembly meeting, the assembly members themselves could usefully set the agenda for the next meeting *at which they might not participate* due to rotation of membership. This would also separate some powers of agenda-setting and decision-making but locate the agenda-setting power firmly in the hands of ECA members.

Of course one could (should?) also consider extending agenda-setting power to broader civil society (perhaps through an ECI-like mechanism?) and even the wider public, using mass participatory “deliberate and vote” tools such as vTaiwan. This is an option that will be important to experiment with in the future.

Peril: Biased composition undermining legitimacy

The next two perils are both flip sides of the above two freedoms. With the freedom to experiment, the Democratic Odyssey has chosen to bring together a complicated, mixed, transnational and translocal group of people that includes – technically overrepresents – local residents (in the first example, those who live in Athens and the wider municipality of Attica) and will also give space on the floor of the assembly (so to speak) to civil society actors. I find this problematic for a variety of reasons.

Firstly, even though the local residents include people who aren't Greek or even from the EU, they are necessarily overwhelmingly urban city dwellers, and the very significant urban-rural divide in Europe today will be dramatically skewed in the makeup of the assembly by such a decision. I understand the reason why this decision has been made, but in the trade-off between the pros and cons of such a model, I find myself more on the con side.

Secondly, civil society actors (even if chosen by lottery) are notoriously not good deliberators: they assume they know the answers, are typically

well educated, articulate, and very likely intimidating for so-called “everyday” assembly participants selected by lottery. In most (normal) citizens’ assemblies, civil society actors are asked to contribute either through expert and witness panels or by making written submissions but are never given decision-making power on the floor of the assembly. In my opinion, they should have the *power to inform* but not the *power to decide*. Which brings us to probably the most important peril.

Peril: Lack of (direct) political impact of the assembly outcomes

This is obviously and commonly brought up by many observers of the Democratic Odyssey assembly: will the outcomes of the assembly have any direct political impact? It seems almost certain that they will not. Although some of the EU institutions praise participatory and deliberative democracy – and have by now organised several ECPs – presumably, they only want to see this done on their own terms. Moreover, the topic will most likely not fit into the current agenda of those in power, and the discussions risk being too vague and rushed to be useful. I estimate the first event will include only around 12 hours of deliberations, mostly due to budgetary and logistical constraints. The EU institutions may even find the attempt to impose outcomes provocative and react defensively.

Of course, from a campaign perspective, if the purpose of the assembly is prefigurative politics, then direct political impacts may not even be *strategically* important to the campaign, but they will be of the utmost importance to the assembly members who will have sacrificed a weekend away from family and perhaps taken days off work to participate. It will be potentially demoralising or even angering – as we have seen repeatedly when assembly recommendations are ignored by those in power, such as after the first French climate assembly – and may lead to a loss of interest and difficulty with future assembly meetings. As one person said in the online Democratic Odyssey forum in early September (2024), neglect will be the worst outcome in our responsibility to ECA members. Fortunately, this is being taken seriously by the Democratic Odyssey with several plans to amplify and connect outcomes to decision-makers.

Peril: Lack of independence leading to low legitimacy

Civil society-led citizens' assemblies are becoming more common, especially since Extinction Rebellion's third demand calling for empowered citizens' assemblies on the climate and ecological crisis.¹⁹³

It seems obvious that no civil society organisation would call for a citizens' assembly if they didn't imagine that the outcome would support their objectives – it is surely a calculated risk, but if they have done some thorough polling, then the risk is probably low. We see in the UK, for example, the People's Plan for Nature – organised by the WWF, RSBP, and the National Trust – being used to push their climate-related agendas.¹⁹⁴

To keep the (perceived?) legitimacy of such a process high, those who organise and conduct the assembly must be independent of the organisation convening (read: paying for) the assembly. In the case of the “radically inclusive” Democratic Odyssey, where these lines are blurred, and the convenors and many of the deliberative democracy practitioners organising the assembly are all part of the campaign, this will be difficult. The hope may be that the other academic and NGOs members of the Democratic Odyssey campaign will hold the organisers to transparent and clear standards of independence in member selection and deliberative process design and conduct.

The concern and risk, of course, is that external political actors will dismiss the assembly as an illegitimate and biased project, whose outcomes and processes are controlled by those looking to support their own (typically progressive) agendas.

The hope of civil society actors convening citizens' assemblies is of course, that if they can point to independent conduct of those organising the assembly, they can point to the results and say “Look, we told you so. This is what a representative sample of people think after going through a process of informed deliberation.” This is (almost) the best-case scenario.

193 'Citizens' Assembly', Extinction Rebellion, <https://extinctionrebellion.uk/decide-together/citizens-assembly/> (hereinafter 'Extinction Rebellion').

194 'Read the People's Plan for Nature', People's Plan for Nature, <https://peoplesplanfornature.org/>.

Peril: Lack of budget leading to low quality

A third key problem is that transnational assemblies cost a small fortune. Our guess for the budget of a European Citizens' Panel of 150 people brought together for 2 weekends in person and 1 weekend online to discuss one topic thoroughly with experts and a variety of "witnesses" is around 2 million euros. I stress that this is merely an educated guess, as the venue and the very significant translation costs for an ECP are done "in house" by the European Commission (I believe). Others in the Democratic Odyssey network know these details better than I do.

One caveat here is that demonstrating that transnational assemblies can be done on low budgets, in a climate-friendly way, alongside a "festival of democracy" will be a significant Democratic Odyssey achievement.

In any case, what must be clear is that to do justice to a transnational deliberative process – to have adequate time, simultaneous translation, and to cover the participants' food, travel, and accommodation – is expensive. Without the resources of a national government or the EU, shortcuts must be made, and the peril is, obviously, that these shortcuts undermine the quality of the deliberative process to such an extent that the outcomes are meaningless, giving further ammunition to those who would wish to see the project fail.

Advantage: Spreading the deliberative word!

The pedagogy of sortition Nicolaidis emphasises is an important advantage, even if I find "pedagogy" condescending and would prefer the more banal "raising awareness of democratic lotteries".¹⁹⁵ As she points out, public awareness of EU-level deliberative events is extremely low; even when the European Commission threw substantial budgets at the problem, it failed to produce any noticeable increase (that I am aware of). Deliberation is not a spectacle, no one bleeds ("if it bleeds, it leads", say the media cynics – or gets clicks, we might say nowadays), and therefore, it will be an uphill battle, to say the least.

Therefore, trying to convey the power and (dare I say) excitement of dem-

195 Nicolaidis, 2024.

ocratic lotteries is an immensely valuable aim. We at the Sortition Foundation, inspired by Adam Cronkright's forthcoming campaign and film in the US (I got a sneak preview),¹⁹⁶ used a simple system of numbered balls in plastic containers¹⁹⁷ where the President of the German Bundestag pulled out the "winning numbers" for the first government-commissioned citizens' assembly in German (on nutrition).¹⁹⁸ The live lottery got significant positive coverage in the Germany press, noticeably from Tagesschau, ZDF,¹⁹⁹ Welt²⁰⁰ and RTL,²⁰¹ and the Democratic Odyssey appears committed to organising something similar in the future.

Furthermore, as seen in Ireland, after many years of high-profile citizens' assemblies, public awareness of these processes is now high, and response rates to join such assemblies appear to be (finally) climbing.

The Democratic Odyssey's civil society network will be very important in spreading this word, which brings me to my final point.

Conclusion & Advantage: Concrete activity building a movement to upgrade democracy at the EU level

The above perils are merely intended as warnings and are surely well appreciated by those organising this Democratic Odyssey campaign. The prefigurative angle for campaigning can be a powerful one: as everyone knows, "show, don't tell" can be inspiring.

The assembly is, of course, only one part of a wider campaign being actively

196 'Of by For*', Join Of by For, <https://joinofbyfor.org/>.

197 'Germany's national conversation about nutrition and food', Sortition Foundation, https://www.sortitionfoundation.org/bundestag_2023_report.

198 'Parlament; Zufallsauswahl', Deutscher Bundestag, <https://www.bundestag.de/parlament/buerger-raete/zufallsauswahl-947196>.

199 'Andere Sicht: Darum geht's beim Bürgerrat', ZDF, <https://www.zdf.de/nachrichten/politik/buergererrat-ernaehrung-faq-100.html>.

200 'Bundestagspräsidentin Bas lost Teilnehmer von erstem Bürgerrat aus', Welt, <https://www.welt.de/politik/deutschland/article246522220/Buergererrat-Bundestagspraesidentin-Bas-lost-Teilnehmer-aus.html>.

201 'Bürgerlotterie im Bundestag', RTL, <https://www.rtl.de/videos/buergerlotterie-im-bundestag-64babe2d27bb408b70d6416.html>.

constructed by the Democratic Odyssey: they're building a network of civil society actors with a vested interest in the success of the project and developing closer relationships through working together on such a project is important and powerful. I agree wholeheartedly with Olear that "Putting forward an ECA without the explicit backing of social movements and civil society is likely to merely reproduce mainstream institutional narratives."²⁰²

Hopefully, alongside the civil society organisations, we will also see "everyday" people taking an interest in democratic reform (which is typically not high up on people's list of concerns). Such a movement will be indispensable if the project is to move from a comforting activity that civil society organises but is ignored to actually challenging political power, which is ultimately what a permanent European Citizens' Assembly will do.

202 Olear, 2024.

How to Make Citizens' Participation Successful: The Case for Citizens' Panels on Key Commission Proposals

Daniel Freund^{203*}

In recent years, the concept of citizens' assemblies has gained traction as a means of enhancing democratic engagement. While the idea of involving citizens in decision-making processes holds significant potential, it is crucial to recognise that such assemblies can only be effective under specific conditions. In her essay, Kalypso Nicolaidis argues for establishing a permanent assembly composed of European citizens and residents selected by lot that should complement the EU institutions.²⁰⁴ Here, I will argue why a permanent and unfocused general European Citizens' Assembly is a recipe for disappointment and why, instead, a successful use of citizens' assemblies needs concrete questions, political backing, institutional support, clear objectives, and transparency. This is based on my observations during one of the biggest citizens' assemblies so far, the Conference on the Future of Europe (CoFE), in which I was involved as a member of the Executive Board on behalf of the Greens/EFA Group. During this time, I accompanied citizens as they made numerous sug-

203 * MEP European Parliament, Greens/EFA.

204 Nicolaidis, 2024.

gestions – which unfortunately have not yet been implemented. Here is what I have learned from this experience.²⁰⁵

Thematic scope: Focus on concrete issues

First and foremost, citizens' assemblies are most effective when addressing current and specific issues, particularly those that can be framed as yes/no questions or the balancing of two principles, such as how to reach climate goals in combination with social justice, the question posed to a French citizens' assembly 2019-20. Tasking a European Citizens' Assembly with a broad range of issues undermines its effectiveness. Complex, overarching issues, such as world peace or broad constitutional reforms, are often too abstract and multifaceted for a citizens' assembly to handle meaningfully and create the risk of generating vague discussions without actionable proposals.

By concentrating on specific issues, citizens' assemblies can yield tangible results that resonate with the public and that are not easily dismissed by politicians. The risk of engaging in broader discussions lies in the potential for participants to feel overwhelmed or disengaged, ultimately undermining the assembly's purpose. Therefore, limiting the scope to clear, actionable questions enhances the potential for meaningful democratic participation. For example, Ireland's successful citizens' assembly on abortion had a clear, focused question that allowed for direct citizen involvement in a concrete decision. At least a number of the proposals made by the similarly focused French citizens' assembly on social climate protection led to changes in French law, such as a ban of short distance flights. At the Conference on the Future of Europe (CoFE), our scope was often too wide, which contributed to the fact that the wider public never really engaged with the CoFE. That is why fewer and concrete issues are better.

205 CoFE.

Support: The necessity of political and institutional backing

Another critical factor for the success of any citizens' assembly is political backing and institutional mechanisms to implement its recommendations. The legitimacy of any assembly hinges on the assurance that its recommendations will lead to real policy implications. Without genuine commitment from political leaders or institutions to act on the outcomes of such assemblies and without a clear pathway for implementation, the entire process can foster disillusionment among participants and the public. Citizens may invest time and energy into discussions only to see their conclusions ignored or sidelined, increasing their distrust in democratic processes and institutions.

For instance, if a European Citizens' Assembly were to propose a policy change but lacked the backing of key political figures or institutions, the results could backfire. Instead of enhancing democratic legitimacy, the assembly might instead reinforce perceptions of inefficacy and detachment within the political sphere. A rather positive case is the French Citizens' Convention on Climate, where President Emmanuel Macron promised to follow up on the citizens' 149 proposals. Around 50 of their proposals have become French law meanwhile, e.g. on better insulation of buildings. Without such follow-ups, the assembly risks becoming an exercise in futility, leading to greater disillusionment rather than meaningful change.

While the European Parliament gave strong backing to the CoFE citizens' panels, the Council was never ready to guarantee a proper follow-up. The Commission has claimed that they followed up but proposed a reform of the Common Agricultural Policy (CAP) that took the opposite direction of what the citizens wanted. The lack of any commitments by the re-elected Commission president Ursula von der Leyen and the new majority in the European Parliament for those parties that mostly rejected the CoFE citizens' panels in principle gives rise to little hope that a European Citizens' Assembly would have any formal powers in the EU. The Commission or Council will only be ready to follow up on the citizens' assemblies' recommendations once the Commission commits to including their input into a legal proposal. To further democratise the instrument, citizens' panels could be triggered not only by the Commission top-down but also by European Citizens' Initiatives bottom-up.

Transparency: Representing and Including the wider public

Transparency is another essential element for the credibility and effectiveness of any citizens' assembly. The deliberations and outcomes of these gatherings must be accessible to the public to foster a sense of ownership and accountability. If citizens feel excluded from the process or unaware of its developments, the legitimacy of the assembly's findings may be called into question. The selection of randomly chosen candidates balanced for gender, different regions, and those with higher and lower formal education for the CoFE citizens panels meant a lot of calls to randomly composed telephone numbers. By ensuring that debates are open and outcomes are communicated clearly, the assembly can build trust among the wider population. Transparency also allows for constructive criticism and public discourse, which can enrich the democratic process and lead to more robust outcomes. In contrast, a lack of transparency can contribute to further alienation and scepticism towards political institutions.

Backup: Optional decision by referendum

Citizens' assemblies lead to proposals directed towards elected decision makers. Usually it is up to parliamentarians and governments to decide whether proposals are adopted or rejected. Yet, in Ireland, the citizens' assemblies recommendations on the right to an abortion and for gay marriage were eventually voted on in referenda, both confirming the citizens' recommendations. If a referendum becomes an option, this creates a strong incentive for parliaments and governments to find answers that truly convince a majority of citizens since, otherwise, they would face a referendum forcing their hands. The practice of the majority of German Länder that offer referenda after stages of collecting signatures for a proposal demonstrates that even if referenda remain rare, their "threat" motivates governments to find more far-reaching compromises to accommodate bottom-up citizens' proposals.

Conclusion

In conclusion, while Citizens' Assemblies can involve citizens more directly, reconnect politicians to public sentiment and unblock political questions stuck in deadlock between political actors, they function only under a number of conditions. They work best when they focus on concrete current issues, leading to implementable policy objectives and have the political backing assuring a serious political follow-up.

A general European Citizens' Assembly with no restrictions on its topics, with no clear process for a follow-up is more likely to disappoint participants and those who follow the public process. For European Citizens' Assemblies to succeed, they need at least the commitment of the EU Commission to include their recommendations in legislative proposals or of the European Parliament to vote on them. Ideally, the EU treaties would be changed to allow for a European referendum to decide whether citizens' recommendations should become law in case the EU institutions do not follow citizens' recommendations. In the Parliament's Constitutional Affairs Committee, the introduction of EU referenda found a majority as part of the proposals for treaty change. It was in a slightly chaotic vote in the Plenary that Christian-Democrats and right-wing MEPs deleted this proposal. The occasional use of European Citizens Panels for key policy questions as part of the Commission's process to work out legislative proposals could be a good next step to prepare the ground for a next step towards introducing EU referenda.

Can a Complementary ECA Democratiser European Democracy?

Jelena Džankić²⁰⁶

Kalypso Nicolaidis advocates for a permanent European Citizens' Assembly (ECA) to complement the European Parliament.²⁰⁷ She puts forward the argument that this proposal would restore 'democratic ownership' across the transnational European space, challenged by mounting populism and the return of the far right. Yet, can a rotating and itinerant ECA without a clear mandate save European democracy?

Like Richard Bellamy, I applaud the boldness and sophistication of the proposal and very much agree with the basic premises behind the idea.²⁰⁸ Representative democracy has failed to deliver its promise of independent, equal and just governance.²⁰⁹ With limited deliberative input in the policy process, representative democracy has disconnected citizens from decision-making, turning them into mere recipients of elite policy decisions. This disconnect is visible at all levels of democratic governance across the European Union (EU) and even more so at the supranational level. To address it, democratic innovation and thinking outside the box is essential. This is what I like about Nico-

²⁰⁶ European University Institute.

²⁰⁷ Nicolaidis, 2024.

²⁰⁸ Bellamy, 2024.

²⁰⁹ Landwehr, C and Schäfer, A. (2023), *The Promise of Representative Democracy: Deliberative Responsiveness*, Res Publica.

laidis's proposal.²¹⁰ At the same time, as a scholar focusing on comparing political institutions, I am trying to imagine how this would work in practice. The proposal is rather unclear about three fundamental questions essential for understanding its practical value – the who, the how, and the what questions.

Who? Those vicious technicalities of eligibility and sortition

In her proposal, Nicolaidis puts forward the idea that the ECA would be constituted by 300 persons, a third of whom would be substituted every six months.²¹¹ These 300 people would be assembled by sortition, on the basis of a “purely random technique [...] chosen to create the base pool from which *willing* participants will be extracted by applying criteria that will create a sufficiently diverse assembly”. Other contributors to this forum (Sandra Seubert,²¹² Richard Bellamy²¹³) have already discussed the normative implications of lottery-style sortition. Bellamy has highlighted that a person's chances of participating in the ECA are indeed roughly similar to winning a lottery. But beyond that, there are very practical issues related to both the base pool and the selection method.

First, the proposal is unclear on eligibility for the base pool. Nicolaidis refers to the European population, but this term is rather elusive, as it does not specify whether only EU citizens and holders of long-term residence permits would be included, or perhaps also various other categories of residents.²¹⁴ Eurostat has reported that 27.1 million third-country nationals lived in the EU on 1 January 2023.²¹⁵ Only 10 million of them have the legal status of long-term residents, while the rest reside in the EU on a different type of permit. Some of those 17.1 million third-country nationals, like myself, have lived in the EU for decades

210 Nicolaidis, 2024.

211 Ibid.

212 Seubert, 2024.

213 Bellamy, 2024.

214 Nicolaidis, 2024.

215 ‘Migrant population: 27.3 million non-EU citizens living in the EU on 1 January 2023’, Eurostat, [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migration_and_migrant_population_statistics#:~:text=%3A%20Eurostat%20\(migr_imm2ctz\)-,Migrant%20population%3A%2027.3%20million%20non%20DEU%20citizens%20living%20in%20the,compared%20to%20the%20previous%20year..](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migration_and_migrant_population_statistics#:~:text=%3A%20Eurostat%20(migr_imm2ctz)-,Migrant%20population%3A%2027.3%20million%20non%20DEU%20citizens%20living%20in%20the,compared%20to%20the%20previous%20year..)

but – for different reasons - cannot access long-term resident status. A country of 17.1 million inhabitants would be the size of the Netherlands. Hence, the question of whether those actually living in the EU would be recognised as having stakes in such a democratic exercise is an important one.²¹⁶ It is perhaps more normatively desirable than including on certain issues, as Nicolaidis recommends, external EU citizens who possess EU passports but do not live in the Union.²¹⁷ In view of our previous forum on the ‘weaponisation of citizenship’, this option would be particularly problematic for those countries that instrumentalise ethnic kinship for supporting nationalist projects (Croatia, Romania), cementing the rule of authoritarian leaders (Hungary), or destabilising neighbouring countries (Bulgaria).²¹⁸

Eligibility for the base pool also raises questions of age thresholds, particularly in view of Nicolaidis’ suggestion of overrepresenting the youths.²¹⁹ As already noted by Seubert, the 27 Member States of the EU operate different electoral regimes with different rules for the exercise of active and passive voting rights. The threshold for casting a vote is commonly 18 years (16 in Austria, Belgium, Germany and Malta, 17 in Greece for EP elections).²²⁰ In a similar vein, to stand as a candidate in EP elections, some countries require candidates to have reached 21 (Bulgaria, Cyprus, Czechia, Estonia, Ireland, Lithuania, Latvia, Poland and Slovakia), 23 (Romania) or 25 (Italy and Greece) years of age. While perhaps reaching the candidacy age may not be necessary for taking part in a consultative citizens’ assembly, the question of *how old* one should be in order to be a part of innovative democratic processes should not be overlooked. Equally, the potential inclusion of prisoners, individuals with cognitive impairments, and vulnerable groups all warrant substantive reflection in the proposal.

Second, the sortition method remains unclear, especially as regards who the ‘*willing* participants’ from the base pool would be. Would the entire pool receive sufficient information to be able to decide if they are willing to take part in the deliberation? How would that information be distributed, and who

216 Bauböck, R. (2007), ‘Stakeholder Citizenship and Transnational Political Participation: A Normative Evaluation of External Voting’, *Fordham L. Rev.* (75): 2393-2447.

217 Nicolaidis, 2024.

218 ‘Weaponized Citizenship: Should international law restrict oppressive nationality attribution?’, GLOBALCIT, <https://globalcit.eu/weaponized-citizenship-should-international-law-restrict-oppressive-nationality-attribution/>.

219 Nicolaidis, 2024.

220 Seubert, 2024.

would distribute it? How would they confirm their consent to take part in the ECA, and whether and at what point could they withdraw it? Again, these rather technical questions reflect the basic contestations over democracy, about the 'will' to be consulted in collective decision-making, about rights that an individual has as the creator and recipient of democratic processes, and the responsibility of institutions vis-à-vis citizens.

A different set of questions emerges when it comes to choosing criteria for the 'random' selection that 'will create a sufficiently diverse assembly'. An assembly of 300 people drawn from a population a million times as large will likely be representative of the macro-elements of diversity (e.g., Member State, gender, age, race). It is, however, unlikely to guarantee substantive diversity along different axes (e.g., socio-economic status, disability, sexual orientation, religion) and their intersections. In her contribution, Nicolaidis carefully avoids unpacking the tacky issue of diversity, calling for democratic deliberation on the matter.²²¹ The peril is that, in a community constituted of 27 *demoi*, the only consensus on the matter might replicate the format of the existing European institutions.

How? Itineration and rotation – a costly exercise?

An itinerant assembly is an interesting idea and, just as Alvaro Oleart,²²² I very much appreciate the conversations and the achievements of the Democratic Odyssey project. However, I cannot help but wonder what is the value-added for the local community of hosting 300 pre-selected persons for six months (besides the economic gains from hosting). How would the ECA engage with the place and the people that host it at different points, and what would be the essence of this exchange? In other words, does the place matter, and how and by whom will the decision on this be made? The host city will need to have the necessary infrastructure for this exercise. This is likely to exclude the often-overlooked remote rural areas or poorer regions, again running the risk of perpetuating existing inequalities, including urban-rural and East-West divides. The choice of the place will also have financial implications for an already potentially expensive exercise.

221 Nicolaidis, 2024.

222 Oleart, 2024.

I also wonder how the exchanges among participants will take place. Presumably, people will be drawn from different corners of the EU, but the whole idea rests on the premise that they will be able to understand one another. A 2019 study of the EP noted that in 2016, “over one-third (35.4%) of adults in the EU-28 did not know any foreign languages. A similar proportion (35.2%) declared that they knew one foreign language, while just over one-fifth (21%) said they knew two foreign languages”.²²³ Cutting out over a third of the European population from the exercise because they are monolingual would be directly in conflict with the spirit of the ECA: bringing in the overlooked voices in discussions about Europe-wide political issues. To be truly inclusive, the ECA would, therefore, require a massive budget for interpretation. As a matter of comparison, in 2024, the EP spent 53.48 million euros on the simultaneous translation of its meetings into 24 official EU languages.²²⁴ Given the structure of the ECA and its inclusion of minority peoples and their languages, enabling meaningful communication will be a daunting endeavour (and expense).

What? Input is precious, but output and support matter too

The input of citizens as key stakeholders in a polity is invaluable. The fact that this input has been limited in representative democracies is possibly one of the reasons for the ‘democratic disconnect’ and, more generally, citizens’ disenchantment with this form of governance.²²⁵ Nicolaidis’ proposal does seek to address this issue, but it is unclear what the outputs of the ECA would be and how they could inform European decision-making.²²⁶ In this regard, I very much support Daniel Freund’s four points – thematic focus, institutional/po-

223 ‘Multilingualism: The language of the European Union’, European Parliament, [https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/642207/EPRS_BRI\(2019\)642207_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/642207/EPRS_BRI(2019)642207_EN.pdf).

224 ‘The Union’s annual budget for the 2024 financial year’, European Commission, <https://eur-lex.europa.eu/budget/data/DB/2024/en/SEC01.pdf>.

225 Stefan Foa, R. and Mounk, Y. (2016), ‘The Danger of Deconsolidation: The Democratic Disconnect’, *Journal of Democracy*, 27(3): 5-17.

226 Nicolaidis, 2024.

litical backing, transparency, and backup.²²⁷ While the latter two are engrained in the baseline concept of the ECA, I believe that the first two warrant some attention. I imagine issues discussed in the ECA would focus around the EP agenda, but I would again agree with Freund²²⁸ and Brett Hennig²²⁹ that a broad thematic focus will likely lead to rushed and vague deliberations. Hence, what would be the topics of deliberation and who would decide on which concrete issues should be debated?

This decision then also calls for a reflection of the possible outputs of the deliberation and their linkage to the existing political processes. Nicolaidis presents a case against making any of the outputs of ECA deliberations binding.²³⁰ Cristina Lafont and Nadia Urbinati convincingly unpack why they shouldn't be.²³¹ However, it is not quite clear how the decisions or initiatives that result from deliberations would be taken up by European institutions. Will the MEPs and their teams refer to such decisions and initiatives? How would they get salience amidst the growing focus on thematic expert knowledge utilised by various institutions? If the ECA is to have a meaningful impact, some of these issues would need to be addressed.

So what?

Nicolaidis's idea is bold, and reflects her passion for democratic innovations, for the idea and ideal of a democratic society.²³² And while I have been critical of some of its practical aspects, I believe we need to debate different visions of democracy for the future. Deliberative exercises are certainly a part of this vision but suffer from problems of scale and limited impact.²³³ Deliberative ex-

227 Freund, D. (2024), 'How to Make Citizens' Participation Successful: The Case for Citizens' Panels on Key Commission Proposals', GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/9/> (hereinafter 'Freund, 2024').

228 Ibid.

229 Hennig, B. (2024), 'The advantages and perils of a civil-society-led European Citizens' Assembly', GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/8> (hereinafter 'Hennig, 2024').

230 Nicolaidis, 2024.

231 Lafont and Urbinati, 2024.

232 Nicolaidis, 2024.

233 Bua, A. (2017), 'Scale and Policy Impact in Participatory-Deliberative Democracy: Lessons from a Multi-Level Process', *Public Admin*, 95(1): 160-177 (hereinafter 'Bua, 2017').

periments have so far had the strongest effect when localised and focused on a specific issue. Their impact on upper levels of governance, strategic decisions and high politics has so far been limited. For this reason, on top of the concerns expressed above, I am a bit hesitant about the ECA. Democracy as a governance system definitely needs an upgrade in which citizens' voices will resonate in political decisions, an upgrade in which citizens will 'claim' and 'own' democratic processes, but it is not clear that an ECA will achieve a breakthrough in this regard.

In a transnational European political space, perhaps we should think about using new digital technologies more creatively. At the most basic level, utilising a digital platform might lower the financial costs and ecological footprint of deliberative experiments compared to itinerant and rotating assemblies. It would allow for broader participation, particularly if acquiring skills to use such a platform were to become a part of the existing digital education²³⁴ endeavours aimed at enhancing digital literacy of EU citizens.²³⁵ It would also allow multiple policy debates to take place at the same time, and artificial intelligence tools could be used for transcription and translation. At a next stage, such platforms could be used to develop flexible modes of participation and representation in the spirit of the 'liquid democracy'²³⁶ experiments, where participants could decide – in view of the topic – whether to participate, delegate to experts, or seek input from the community before making that decision. We can think of many other options, such as apps, especially if the idea is to involve youths. In other words, digital technologies have already 'democratised' access to information, education, and communication, to say the least. Could they also help to democratise democracy?

234 'Digital Education Action Plan (2021-2027)', European Commission, <https://education.ec.europa.eu/focus-topics/digital-education/action-plan>.

235 'Digital literacy in the EU: An overview', European Union, <https://data.europa.eu/en/publications/datastories/digital-literacy-eu-overview>.

236 Blum, C and Zuber, C.I. (2016), 'Liquid Democracy', *J Polit Philos*, 24(2): 162-182 (hereinafter 'Blum and Zuber, 2016').

The Two European Demoi: Authorizing EU Legislation and Deliberating on Affected Interests

Rainer Bauböck²³⁷

How should a European Citizens' Assembly (ECA) relate to the European Parliament (EP) and the other institutions of the EU? In her lead essay, Kalypso Nicolaidis proposes a complementary role for the ECA.²³⁸ Richard Bellamy is sceptical that an assembly of randomly selected citizens will improve trust in European democracy.²³⁹ Cristina Lafont & Nadia Urbinati,²⁴⁰ Sandra Seubert,²⁴¹ Daniel Freund²⁴² and Jelena Džankić²⁴³ see useful consultative tasks for such an assembly vis-à-vis the EP and the Commission, which would

237 European University Institute.

238 Nicolaidis, 2024.

239 Bellamy, 2024.

240 Lafont and Urbinati, 2024.

241 Seubert, 2024.

242 Freund, 2024.

243 Džankić, J. (2024), 'Can a Complementary ECA Democratise European Democracy?', GLOBAL-CIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/10> (hereinafter 'Džankić, 2024').

amount to a subordinate role for an ECA. By contrast, Yves Sintomer,²⁴⁴ Alvaro Oleart²⁴⁵ and Brett Hennig²⁴⁶ advocate for a more competitive relation and transformative role, in which the ECA would ‘prefigure’ a new model of democracy 3.0 that gives stronger weight to the agenda of protest movements, the interests of the Global South and of future generations. Finally, Svenja Ahlhaus & Eva Schmidt keep the question of the ECA’s relation to existing political institutions open by arguing that the design of an ECA should depend on whether its task is to enhance transparency, to counter the hegemony of dominant interests, or to overcome reform deadlocks.²⁴⁷

In my intervention, I will agree with Nicolaidis that an ECA should complement the EP rather than being subordinate to it or aiming to replace it. My argument for complementarity builds on the idea that the mode of selection of assembly members (sortition vs. elections) corresponds with different powers (deliberative vs. legislative authority) and the representation of differently composed demoi (affected interests vs. the citizenry). European democracy needs more institutionalised and publicly visible deliberation about the common European good, and it needs a stronger representation of the interests of those who are not presently citizens of the Union but are deeply affected by its policies. This is what an ECA could potentially deliver if it is institutionally sufficiently strong and autonomous. But it cannot by itself generate democratic legitimacy of supranational legislation. Legislative authority in Europe is held jointly by member state governments in the Council and by MEPs in the EP. The mandate²⁴⁸ of the Council and the EP for making collectively binding decisions comes from the collective of all citizens voting in national and European elections. Random selection cannot provide such a mandate.

Strengthening deliberative democracy in Europe

As Nicolaidis points out, randomly selected citizens’ assemblies are not instruments of direct democracy, which involve all enfranchised citizens

244 Sintomer, 2024.

245 Oleart, 2024.

246 Hennig, 2024.

247 Ahlhaus and Schmidt, 2024.

directly in decision-making.²⁴⁸ She identifies them instead as institutions of deliberative democracy. One could object that parliaments are, of course, also supposed to deliberate before taking decisions, and this is what the EP certainly does in its committees and plenary debates. Why do we then need a separate deliberative institution?

Proponents of lottocracy answer that parliamentary democracy has been captured by the partisan interests of political parties competing with each other for power and powerful lobbies for special interests whose influence corrupts elected officials with long periods in office. These dynamics greatly reduce the space for deliberation about the common good in elected assemblies. There is some truth in this, but, as Sandra Seubert²⁴⁹ points out (citing Urbinati), idealising non-partisanship risks chasing a problematic ideal of “unpolitical democracy” without competition for power.²⁵⁰ The real problem to which citizens’ assemblies respond is a growing political polarisation and alienation among citizens in European societies, which lead to declining support for democracy and rising vote shares for authoritarian parties. The core task of an ECA is to create a ‘mini-public’ that does not mirror the actual European publics, splintered as it is along national and ideological lines of fracture, but where participants respect each other as equals and are willing to listen to each other, to compromise and to prioritise the common good.

Descriptive representation is important for the ‘input legitimacy’ of CAs. An assembly of experts may claim epistemic authority for its recommendations but lacks democratic legitimacy. By contrast, an assembly whose composition mirrors that of European society has some initial democratic credibility. Yet its main purpose is not descriptive but ‘indicative representation’, as suggested by Philippe Pettit²⁵¹ and mentioned by Bellamy.²⁵² Precisely not indicative of the general public’s views as they currently are, which can be captured through opinion polls, but as they might be if well-informed citizens deliberated in a public arena. The CAs’ task is to create mini-publics in which political choices and legislative proposals are debated, as they should ideally be in the macro-publics of European societies. They are much better suited for this task than elected assemblies.

248 Nicolaidis, 2024.

249 Seubert, 2024.

250 Urbinati, 2014.

251 Pettit, 2010.

252 Bellamy, 2024.

As a merely epistemic tool for gleaning policy preferences of citizens under ideal conditions for deliberation, citizens' assemblies may be an interesting tool for social scientists but will not do much to transform democratic politics. They could achieve real impact if they had independent legislative power, but this would be extremely problematic. In democracy, such power can be either exercised directly by citizens in referenda or by delegates who receive their mandate from all citizens through elections. If this power were exercised by randomly selected citizens, this would breach a principle of popular sovereignty.

Alternatively, citizens' assemblies can gain power vis-à-vis law-making institutions if the latter have to vote on their legislative proposals. There is no fundamental democratic objection against extending legislative initiative rights to a randomly selected assembly if it is endowed by legislators with an appropriate mandate. I agree with Nicolaidis that in order to exercise such a right responsibly, and also to monitor how legislators deal with its initiatives, a citizens' assembly would have to be a permanent institution rather than a one-off and issue-specific experiment.²⁵³ The most interesting suggestion is, however, to give a citizens' assembly the power to reinforce its recommendations through direct democratic instruments, such as popular initiatives or referendums. Instead of bypassing popular sovereignty, citizens' assemblies would then call on all citizens to endorse or reject their proposals. As Daniel Freund points out, the mere threat of using direct democratic instruments might cajole legislative assemblies into taking seriously proposals generated by citizens' assemblies.²⁵⁴

The powers of legislative initiative and of triggering direct democratic votes would do much to make sure that citizens' assemblies do not remain in a subordinate and consultative role in relation to legislative ones. And if handled and publicised well, these powers could also capture the attention of wider audiences.

By contrast, I would place less confidence in the "pedagogy of sortition" than Nicolaidis.²⁵⁵ Random selection creates conditions of equality among participants that may change the ways they think about fellow EU citizens from other member states or social backgrounds. It will not by itself transform attitudes among the wider citizenry from which participants are selected. Dif-

253 Nicolaidis, 2024.

254 Freund, 2024.

255 Nicolaidis, 2024.

ferent from the equal right to vote, equality of probability will hardly strengthen a sense of equal and common ownership of political institutions among citizens if chances to be called to serve are infinitesimally small for each individual, as Bellamy²⁵⁶ and Džankić²⁵⁷ emphasise. We should abandon the idea that sortition-based assemblies in a polity as large as the EU could reinvigorate an Aristotelian conception of citizenship as ruling and being ruled in turn. Citizens' assemblies invite too few citizens to participate and do not give those who accept to participate any real power to rule.

Why the deliberative demos must be wider than the legislative demos

It seems natural to assume that participants of an ECA should be selected from the same demos that is entitled to vote in European elections, i.e. the citizens of the Union at voting age. Nicolaidis proposes, however, to expand this demos by including the non-citizen long-term residents of Europe, as a way of overcoming the exclusion of a large part of the EU population of immigrant origin who cannot vote because they are not nationals of a member states. Džankić goes a step further by urging the inclusion also of those without permanent residence status.²⁵⁸

I want to endorse this proposal but on somewhat different grounds. Instead of regarding an extension of the demos for an ECA as transformative and prefigurative for EP elections, I will once again defend complementarity, and this time between two distinct demoi: a legislative and a deliberative one.

Citizenship of the European Union is derivative of member state nationality and strictly linked to the latter. It builds on a federal principle according to which the citizens of the federation are the citizens of its constituent polities. The EU is a union of states that have pooled their sovereignty under the condition that they retain their international recognition as independent states. As Brexit has demonstrated, they have even retained a right to unilateral secession that does not exist within federal states. Citizenship in the sense of nationality is an essential feature of international statehood. If EU citizenship were derived

256 Bellamy, 2024.

257 Džankić, 2024.

258 Džankić, 2024.

from residence rather than member state nationality, this would jeopardise the union character of the EU.

I agree with Nicolaidis and many other scholars that the exclusion of immigrant origin populations from EU citizenship is a real and pressing concern. We differ, however, in identifying the main cause, which I find in restrictive citizenship laws of member states that unjustly disenfranchise these populations in national as well as European elections. Disconnecting voting rights for the European Parliament from citizenship status would do little to correct this exclusion and would devalue European citizenship.

I have argued elsewhere that voting rights and citizenship should generally remain connected.²⁵⁹ As discussed in an earlier GLOBALCIT forum,²⁶⁰ this does not rule out a domicile principle that automatically turns long-term residents into citizens and voters. *Ius domicilii* is indeed appropriate for local citizenship and has been adopted by twelve member states that grant local voting rights not only to EU citizens but also to third country nationals.²⁶¹

Applied at national and supranational level, however, *ius domicilii* would have the perverse consequence of making citizenship a status that is no longer held securely for a full life but is automatically lost with emigration. If we want to make EU citizenship more inclusive for all long-term residents, we must put pressure on the member states to adopt a *ius soli* principle for children born in their territory, to liberalise the conditions for naturalisation, and to accept multiple citizenship for those with genuine links to several countries.

The democratic principle behind this proposal is the following: the demos that authorises legislation through elections should consist of all those and only those who have a stake in the common good of the polity. For the member states and their Union, these are individuals that qualify for life-long citizenship (under the liberal rules mentioned above).

The inclusion of democratic stakeholders as enfranchised citizens is, however, not the only important principle of democratic inclusion. Democracies restrict individual autonomy by imposing coercively binding laws on everybody present in their territories. They must, therefore, extend equal pro-

259 Bauböck, R. (2017), *Democratic inclusion: Rainer Bauböck in dialogue*, Manchester University Press.

260 'Cities vs states : should urban citizenship be emancipated from nationality?', GLOBALCIT, <https://globalcit.eu/cities-vs-states-should-urban-citizenship-be-emancipated-from-nationality/>.

261 Bauböck, R. (2019), 'A Multilevel Theory of Democratic Secession', *Ethnopolitics*, 18(3): 227–246.

tection of the law to all those who are subjected to them – generally in virtue of residing in the territory – and they must give them equal opportunities to contest these laws by exercising their rights of free speech and association and by appealing against them. Interestingly, the 1992 Maastricht Treaty heeded this principle when giving all natural and legal persons in the EU – rather than only EU citizens – the right to petition the EP.²⁶²

A third and last principle of democratic inclusion is that democratic decisions are only legitimate if they emerge from deliberations in which all interests that will be severely affected by a proposed legislation have been duly considered. It is this principle that is most systematically violated and ignored when a powerful polity like the EU adopts laws after deliberation into which only legislators elected by separate national demos and some powerful corporate interest lobbies can provide relevant inputs. Among the main deficiencies of European democracy is that its legislation pursues national and European interests at the expense of global ones and those of other countries' citizens who are negatively affected by its policies (such as most notoriously EU agricultural policy). The composition of the European demos and dynamics of electoral politics also means that the interests of future generations get systematically neglected in favour of the interests of presently living older cohorts.

If citizens' assemblies' main task is to indicatively represent how citizens would deliberate on policy proposals under ideal conditions, they must represent a deliberative demos that is considerably wider than the demos that authorises a legislative assembly through elections.²⁶³ At the minimum, this deliberative demos must include all residents in the European Union. I welcome, therefore, Nicolaidis' proposal to balance the composition of an ECA not only by nationality, gender, income, and education but also by including a proportionate number of non-EU citizens.²⁶⁴ This will, however, not be enough. When an ECA deliberates, for example, on a policy responding to climate change, the demos whom it ought to represent is a global one that includes all humans and, arguably, also non-human animals. For practical reasons, it will not be possible to randomly select participants from such a wide demos.

262 'The right to petition', Fact Sheets on the European Union, <https://www.europarl.europa.eu/factsheets/en/sheet/148/the-right-to-petition#:~:text=The%20right%20to%20petition%20aims%20to.>

263 Owen, D. (2017), 'Response', in Bauböck, R. (eds.), *Democratic inclusion: Rainer Bauböck in dialogue*, Manchester University Press.

264 Nicolaidis, 2024.

However, it is crucial that the ECA includes representatives of interests that are most severely affected by the policy that is being considered. It can do so by inviting virtual representatives of these interests who can credibly speak for populations in countries in the Global South worst hit by the climate crises, non-human animal species decimated by it or future generations that will bear the brunt of current failures to act decisively in cutting carbon emissions.

I acknowledge that this proposal leaves many questions open: How many virtual representatives should be added to an ECA? Should their selection depend on the specific issue that is debated? Should they merely have an advisory role, or should their votes be counted? Purists of sortition-based democracy may object that giving such representatives a stronger role than that of experts and including them in significant numbers would distort the descriptive representation of European societies. However, this objection begs the question: Why should only European residents form the demos that is represented in an assembly deliberating about European policies that severely affect the interests of so many non-Europeans? Sortition-based descriptive representation of all these interests is practically impossible. So the second-best solution seems to me a mixed ECA that combines random selection of European residents with purposefully designed representation of other interests.

The test of effective transformation of citizens' preferences

An ECA that meets its task of deliberating on EU policies by considering all interests that would be severely affected by them may still fail to change public opinion and the views of those citizens for whose votes national and European legislators compete. If it then initiates referendums or puts its proposals forward for a vote in the EP, these may simply get voted down. The ultimate test for an ECA is, therefore, whether and how its deliberations and proposals will feed back into the public spheres of European societies. This is the constraint that democrats have to accept: Citizens' assemblies may fail to endorse policies that are urgently necessary, and even if they do endorse them, they may fail to reach out and convince those citizen voters who form their opinions under far less ideal conditions. Nicolaidis' proposal contains interesting ideas on how to reduce this risk, but it is in the nature of democracy that it can never be fully overcome.²⁶⁵

265 Ibid.

Perceptions and Practicalities of a Standing European Citizens' Assembly

Anthony Zacharzewski²⁶⁶

In this response to Kalypso Nicolaidis' article,²⁶⁷ I want to focus on two issues that have not yet been extensively considered in this series – the political and the practical aspects. I also acknowledge the depth and value of other authors' contributions; as a late contributor I have benefited much from reading them.

By way of background, I have worked for Democratic Society on participation and governance since 2010 and have run and designed numerous deliberative democracy events.²⁶⁸ Before that, I spent fourteen years in national and local government, and I have been active in a political party for over twenty-five years. I therefore bring several different angles to the politics of participation, and specifically to a standing European Citizen Assembly (ECA).

There is much to like in Nicolaidis' proposals. I am a supporter of deliberative democracy as a complement to representation, not a replacement, and while (like Christina Lafont and Nadia Urbinati)²⁶⁹ I think the division of re-

²⁶⁶ Democratic Society.

²⁶⁷ Nicolaidis, 2024.

²⁶⁸ 'Making Democracy Work for Everyone', Democratic Society, <https://www.demsoc.org/>.

²⁶⁹ Lafont and Urbinati, 2024.

sponsibilities needs to be clear, I believe that it is not difficult to devise terms of reference for a deliberative process that runs alongside and feeds into traditional legislative activity (as is imagined for the ECA).

I also support Nicolaidis' call for continuity, in this case, by building a standing ECA. At every level of participatory practice, it is widely understood that we need to use our work to build long-term democratic instruments rather than single events, as the issues we face in Europe and the world surpass any political cycle. A standing assembly (at any level) helps to meet that need. However, I think that the politics of an isolated ECA may be more difficult than Nicolaidis expects.

Media reporting: between invisibility and inaccuracy

Whatever the systemic arguments for change, political understanding must always start from the individual citizen. Does an initiative enhance or at least not decrease any given citizen's sense of power or agency? Does it give them greater confidence in the systems that govern them?

Nicolaidis argues that an ECA would enhance a citizen's sense of ownership of the European political space, but I would argue that this depends on trust in the new ECA and the process that cannot be assumed. Even if they had heard of it at all, there would be a risk of it being a negative rather than a positive impact for citizens' sense of democratic agency.

The heart of the issue is representation. Given the number of citizens in Europe, and the ECA selecting each year six hundred citizens, the average European would have to live ten thousand lifetimes to be selected once, and perhaps a hundred lifetimes even to receive an invitation.

Nicolaidis' argument is that this risk can be mitigated, in part by the "roaming" nature of the ECA, giving it a more media-friendly story and a higher profile, in part by the process itself being an education in sortition.

I find it hard to imagine that public media that barely covered the Conference on the Future of Europe will do more for an ECA, even in instances where a meeting is taking place in a particular place. Editors seek stories that have a clear link to readers' interests, and since their readers can have no concrete impact on the ECA and the issues under deliberation are likely to be abstract,

I suspect that coverage would be minimal. This may be a blessing in disguise, as I think it more likely that coverage would be skewed against the ECA than towards it. This is not just because editors prefer bad news to good and scandal to democratic innovation, as Brett Hennig suggests.²⁷⁰ Two aspects of the ECA risk providing a hook for negative stories.

Nicolaidis says that the ECA would be drawn from willing participants, with attitudinal questions being used to prevent a repeat of the attitudinal skew seen in the Conference on the Future of Europe. Even with that, the participants are by definition those who want to make a significant commitment of time to discussing European issues, and so are at least to some degree unrepresentative. It is not hard to imagine the caricature that they are “hand-picked Europhiles”. This framing would, of course, be deeply unfair both to the intention and the reality of the ECA, but we must take public media as they are, we cannot assume fair framing and serious enquiry. More generally, the media would likely emphasise edge views and differences rather than fairly reporting the selection logic and process or telling balanced stories about individual participants.

The legitimacy challenge: Who selects the questions?

Second, the more binding power the ECA has, the more it will face the accusation that it is an undemocratic or anti-democratic – a small group taking power away from ordinary citizens (an argument with which some contributors to this series would agree). The lightning-strike odds of selection will be highlighted, and a comparison will be drawn with the regularity of participation in electoral cycles. Unfamiliarity and pervasive distrust make this darker reading likely, at least in a significant part of the population and, as suggested in the previous section, a fair public understanding of sortition is unlikely to be brought about by the public media.

A post-ECA referendum (suggested by Nicolaidis) addresses but does not solve this problem. Referendums are popular democratic instruments (more than they deserve to be), but from a democratic perspective, the problem remains: The referendum questions have been selected from all other possible policy issues that could have been put to a vote. The choice of the question is itself a decision which would be taken by an unaccountable group.

²⁷⁰ Hennig, 2024.

This is to leave aside the huge questions of how a Europe-wide referendum would be organised, what the threshold and criteria for victory would be, and how effectively binding it would be. It is notable that the oft-cited Irish example had a parliamentary stage between the citizen assembly and referendum, and in Ireland the rules for constitutional referendums are widely accepted and understood.

On political grounds, therefore, I would argue that an ECA should be consultative, and that its organisers need to devise better approaches for publicising it than relying on media coverage. The scale of the challenge this opens up – building understanding of deliberative processes using a remote under-reported process dealing with European policy – leads naturally to my second point: practicality.

Not running before we can crawl: ECA as the goal, not the starting point

On practical grounds I would argue that the ECA should be seen as a goal, not the starting point in the creation of a European infrastructure for democracy which Nicolaidis and I agree is needed.

Nicolaidis' own description of the horizontality of European politics and her democratic theory acknowledges the need for a governance system that reflects the lives of multiple, overlapping 'citizenships' that each of us inhabits. Such a democratic approach needs to rest on a broader public understanding of deliberation, informed by practices at local scale, and needs to be actively supported by a network of organisations that extends across the continent.

However, in starting with an ECA, we are jumping to the end of a long process. No clear-eyed observer would say that participatory and deliberative processes were widely understood or widely embedded in governance at local and national level, even in the most advanced regions.

The problem of fragmentation and underfunding in the sector is well known. Trained facilitators are hard to come by, particularly those with experience of large-scale processes and working in multi-lingual environments.

Various network-building and capacity-building initiatives are currently

underway, for example, the Networks for Democracy project,²⁷¹ in which both my own organisation and the Democratic Odyssey are members. There are also numerous organisations supporting democratic innovation and participation at the local level. For all their good work, years or decades of work lie ahead to build the civic trust and structures on which deliberative democracy and sortition at the European scale will depend.

An ECA under current conditions risks skimming across the surface of Europe's democracy without having an impact and potentially creating more political disillusionment than it overcomes. In five or ten years, we can hope that it will be able to be supported by multiple structures of multi-level democracy and collective policy making, and a democratic culture at citizen level that has built citizen trust in deliberative processes from regular local experience.

Focusing on building that infrastructure and practice will also create some of the practical elements that a successful ECA will need – multi-lingual networks of facilitators and independent guarantors, groups of independent experts and experts-by-experience to share their stories, and a set of connected digital environments to ensure that the ECA can be actively transparent as it is happening, using the networks established for trusted and local national processes as its underpinning infrastructure.

Finally, longer and deeper experience will build the robustness of processes in the sector, which needs to be improved before big issues are handled through continental-scale deliberation. The absence of a standardised process for the working groups of the Conference on the Future of Europe plenary is just one example of where deliberative initiatives fall short of the predictability, transparency and accountability that any effective parliament would take for granted.

I do not believe we should rule out a standing ECA on principle, but we should create it with a cautious approach, aiming to build the right conditions first (including through piloting and other initiatives). I believe, like Nicolaidis, that a standing citizen body deliberating alongside MEPs and the other European institutions could provide a valuable source of ideas and a sounding board for proposals, as long as the powers and responsibilities of such a body are well defined, and the role of deliberative democracy has broad support and understanding among the public.

271 'Nets4Dem - innovating European democracy together', Democratic Society, <https://www.dem-soc.org/projects/nets4dem>.

Rotation, Task Definition and an Increased Membership: An Alternative Imaginary for a Permanent ECA

Graham Smith²⁷² and David Owen²⁷³

We are sympathetic to the idea of a European Citizens' Assembly (ECA) as a means of invigorating the democratic culture and practices of the European demos. And we appreciate the thought leadership offered by Kalypso Nicolaidis and the Democratic Odyssey project more generally.²⁷⁴ The issue for us is, first, how any ECA is conceived and realised, and second, how it is embedded within the wider institutional ecology of the EU. Many of the contributions have addressed this second issue, with some reflecting on the ECA while holding the rest of the current institutional context stable and others seeing the ECA as part of, and a spur to, wider institutional transformation. We suggest that focusing on the first issue is a prerequisite for thinking through the second issue.

²⁷² University of Westminster.

²⁷³ University of Southampton.

²⁷⁴ Nicolaidis, 2024.

The dominant imaginary for most proponents of permanent citizens' assemblies is that of a single sortition assembly that functions somewhat like a parliamentary chamber: it works across a number of issues at the same time. Although Nicolaidis' proposal is a little opaque in this regard, it appears to follow this logic.

Our concern is that such an assembly imaginary is a long way from the “deliberative wave” of citizens' assemblies and other processes from which Nicolaidis and others draw inspiration. The majority of assemblies have been ad-hoc and focused on a single issue. Where permanent citizens' assemblies have been established – for example, the Ostbelgian Citizens' Dialogue,²⁷⁵ the Brussels Capital Region Climate Assembly²⁷⁶ and the Paris Citizens' Council²⁷⁷ – remits have been similarly limited to single topics. Or, where there has been more than one topic, assembly members have been broken into different groups or dealt with them sequentially.

We offer an alternative imaginary to those who advocate for a permanent European Climate Assembly, or national sortition legislatures for that matter, who tend (implicitly or explicitly) to think in terms of a single body where members work together across multiple issues. Our alternative rests on a couple of design principles: (1) sortition combined with rotation and clear task definitions; (2) larger membership from which individual sub-assemblies – or juries – are drawn to undertake specific tasks.²⁷⁸

Rotation, specific task assignment, and two-stage sortition

Rotation and clear task definition is critical because our concern is that a single body wrestling with a range of different issues will quickly develop the dysfunctions we associate with existing legislative bodies: from horsetrading between proponents of different proposals through to corruption as those with in-

275 'Permanent Citizen Dialogue in Ostbelgien', Buergerdialog, https://www.buergerdialog.be/fileadmin/user_upload/Presseinfo-allg_V20200107_EN.pdf.

276 'Permanent climate assembly in Brussels', Buergererrat, <https://www.buergererrat.de/en/news/permanent-climate-assembly-in-brussels/>.

277 'Paris creates a permanent Citizens' Council', Sortition Foundation, https://www.sortitionfoundation.org/paris_creates_permanent_citizens_council.

278 Owen and Smith, 2018.

terests (and resources) outside the body target individual members as political amateurs who, as Richard Bellamy²⁷⁹ notes (and Svenja Ahlhaus and Eva Schmidt concur),²⁸⁰ may ‘be more susceptible to lobbying and the influence of conspiracy theorists and the like’. It is hard to believe that such a multi-issue body could be deliberative in the way that Nicolaidis and other proponents hope.

Second, we agree with some of the other contributors that the membership of the ECA, as currently proposed, would be rather limited: a relatively small number of European residents would be able to exercise their judgement and power at any one time. Our proposal, following the ancient Greek jury selection model, is that the ECA should be really big! At least several thousand European residents selected by democratic lottery perhaps once every couple of years, potentially growing much more as the diversity of functions that these mini-publics can play become embedded into, and act on, the institutional ecology of the EU.

Those several thousand citizens may only ever meet together online once or twice as part of an orientation programme. Instead, for each issue that emerges, a smaller sub-assembly – a jury – is drawn from the wider pool. Each such citizen’s jury is limited in time and remit.

At the same time, the membership of the assembly is radically expanded meaning that familiarity of the institution amongst wider European publics is increased – particularly at those moments when the full body is selected – and the random selection of each jury from within the wider pool protects against targeted corruption by nefarious interests.

Agenda-setting in a responsive ECA

Where more work needs to be done is on a third design principle. How are the agendas for individual juries set? That’s still up for debate, but a number of options exist – and could exist side-by-side. European institutions always have problems figuring out how to deal with successful European Citizens’ Initiatives (ECIs). By their very nature, we are only hearing one side of the argument from them. ECA juries could be empowered to consider successful

279 Bellamy, 2024.

280 Ahlhaus and Schmidt, 2024.

ECIs, as Nicolaidis²⁸¹ and Daniel Freund²⁸² suggest, thereby giving European institutions a sense of the broader support (or otherwise) for propositions. The ECA could be empowered to consider major pieces of proposed legislation from European institutions, potentially with the right to send the proposal back for further consideration if it does not achieve (super) majority support. Or, more radically, chambers of previous jury members could set agendas for subsequent juries having taken evidence from a range of stakeholders – as is done in Ostbelgien and the Brussels Permanent Climate Assembly. ECA juries could also play a range of roles in terms of scrutiny whether of agenda-formation in the Parliament or Commission, or in terms of the implementation of policy in EU institutions (e.g., Frontex) or member states.

The ECA jury is a multi-functional tool that can play a multiplicity of roles within the architecture of the EU. It serves as a way of allowing citizens both to give visibility to voices and perspectives that the professional political elites may fail to engage and of holding the EU to public account. In this respect, we concur with Ahlhaus & Schmidt's²⁸³ argument that the ECA can address problems of opacity, capture, and stuckness that are all present within the current EU system. On our construal, although the functions of ECA juries may variously be generative (expanding agendas and proposing policy directions), critical (reviewing and potentially revising legislative/policy proposals), or regulatory (exercising oversight on policy implementation and institutional conformity to constitutional norms), its powers are essentially negative powers of requiring bodies that exercise decision-making (and decision-execution) powers to be more responsive to the perspectives, reasons and interests of those who are subject to their rule: citizens and non-citizens, on the grounds that Rainer Bauböck adduces.²⁸⁴ The rationale for this restriction of the powers of the ECA is that while ECA juries are well-designed to act as fora for holding other bodies to account, they have an accountability problem: they cannot be held to account for their decisions in the same way as electoral institutions. If ECA juries are to become the final arbiters of decisions, more work is needed to ensure the democratic legitimacy of such arrangements. For us, at this time, this is sufficient grounds to limit ECAs to the

281 Nicolaidis, 2024.

282 Freund, 2024.

283 Ahlhaus and Schmidt, 2024.

284 Bauböck, 2024.

exercise of negative powers. Hence, like Lafont and Urbinati, we see them as “mediating” institutions albeit ones that can play a wide multiplicity of critical democratic roles.²⁸⁵

Our intervention is a plea for those advocating for permanent citizens’ assemblies to broaden their imagination as to what an ECA looks like and how it functions. We must not be constricted into thinking that a permanent citizens’ assembly should roughly mimic existing legislative bodies. It’s not enough to simply replace elected with randomly selected members and assume that everything else will be fine. Sortition-based assemblies can and should be designed and function differently. And that can be in ways that make them more participatory so that more European residents are able to see themselves as participants in EU democracy rather than spectators of it.

285 Lafont and Urbinati, 2024.

Connecting to Publics: Challenges and Possibilities for the European Citizens' Assembly

Melisa Ross²⁸⁶ and Andrea Felicetti²⁸⁷

The debate on the introduction, precise design, and function of a European Citizens' Assembly (ECA) is not merely an academic exercise. In a few years, theoretical reflections on multinational and multilingual deliberation have become concrete proposals embodied in campaigns like Citizens Take over Europe and the Democratic Odyssey.²⁸⁸ Direct citizen engagement in European governance has been proven feasible by the European Citizens' Panels²⁸⁹ and the Conference on the Future of Europe.²⁹⁰ Most importantly, the European Union and European practitioners may be in an unparalleled and privileged position to effectively advance such a democratic experiment.

286 Universität Bremen.

287 Università degli Studi di Padova.

288 'Mission and vision', Citizens Takeover Europe, <https://citizenstakeover.eu/about/>.

289 ECP.

290 CoFE.

Nicolaidis' proposal for such an ECA is ambitious, multifaceted, and meticulously articulated. We, too, see the introduction of deliberative and democratic bodies as an important means to reinforce democracy, including in the EU.²⁹¹ This debate is thus both timely and necessary. Contributions so far have focused on the composition, selection mechanisms, and legitimacy of the citizen body (Seubert,²⁹² Bellamy,²⁹³ Sintomer²⁹⁴) and on the connection – or what we have called 'docking' in previous research²⁹⁵ – between an ECA and existing European institutions, such as the European Parliament and the European Commission (Džankić,²⁹⁶ Lafont and Urbinati²⁹⁷).

Our intervention instead foregrounds a less explored aspect, namely the relationship between the ECA and the diverse publics that make up the European space, thinking in particular about existing organised sectors, such as civil society and social movements.

Transnational publics, plural

Nicolaidis points to the centrality of the ECA's relationship with the public sphere throughout her initial contribution to this debate, referring to the current fragmentation of the European public sphere.²⁹⁸ Following Nancy Fraser, we would go further and instead think of transnational public spheres in the plural. In the European space, these public spheres are articulated at the national level, and/or along linguistic lines, and then further fragmented within these spaces.²⁹⁹ This presents specific challenges. For example, Nicolaidis states that in the ECA, 'a German worker or a Latvian teacher can feel closer to re-

291 Nicolaidis, 2024.

292 Seubert, 2024.

293 Bellamy, 2024.

294 Sintomer, 2024.

295 Curato, N et.al. (2023), *Global Assembly on the Climate and Ecological Crisis: Evaluation Report*, https://researchsystem.canberra.edu.au/ws/portalfiles/portal/82182314/Global_Assembly_Evaluation_Report.pdf (hereinafter 'Global Assembly, 2023').

296 Džankić, 2024.

297 Lafont and Urbinati, 2024.

298 Nicolaidis, 2024.

299 Fraser, N. (2007), 'Transnationalizing the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World', *Theory, Culture & Society*, 24(4): 7-30.

spectively a Spanish worker or an Irish teacher than to their co-nationals'. This is a great quality of citizens' assemblies. However, outside of that assembly, a German worker will be part of public spheres overwhelmingly made of fellow Germans. Though European publics are finding new ways to connect across countries, national borders and languages remain a real barrier to the construction of transnational public spheres.

The implication is that, while the ECA recreates a truly European (mini-) public, the effective publics where transnational issues are debated remain national, and even (hyper)local. The assembly member will have an exceptional opportunity to participate in a miniature transnational public sphere for a time, but their fellow countrypeople will not. This brings back the issue raised by Jelena Džankić,³⁰⁰ namely, 'How would the ECA engage with the place and the people that host it at different points, and what would be the essence of this exchange?'. From our perspective, the broader question at hand is *how* the ECA can foster connections between and across different European publics and their *demoi* (Bauböck,³⁰¹ Oleart³⁰²) beyond the still very few selected assembly members.

From issue salience to issue ownership

We agree with Nicolaidis that fostering the relationship with public spheres is key to avoiding that the ECA becomes a form of co-optation and 'citizen-washing'. We think, however, some of the offered solutions deserve greater scrutiny. The idea that 'choosing topics with high political salience' could lead to more agonistic engagement, foster constructive disagreement, and, in so doing, create more public attention to the issues at hand is a case in point. It seems unwarranted to expect that issue salience alone will earn the support of already mobilised civil society and social movements already active in the respective policy space.

Public sphere actors are generally strategic actors, not unlike other political agents. Some might have an interest in transforming existing institutions in more deliberative directions. Others might not. High stakes might exacerbate other logics in actors' behaviour than deliberation, including among civil

300 Džankić, 2024.

301 Bauböck, 2024.

302 Oleart, 2024.

society actors.³⁰³ In turn, less pressing issues might be irrelevant enough for publics and their actors to disregard the process altogether. So, choosing topics is an uphill struggle, regardless of salience.

Moreover, public sphere actors are a very mixed set of actors, and so the ECA is bound to leave some publics unhappy. Take social movements. They are capable of deliberating and favouring societal deliberation.³⁰⁴ Yet, they are informal networks with a distinct collective identity and involved in conflictual relations.³⁰⁵ This is quite at odds with the procedural buy-in required by mini-publics. We agree with Nicolaidis that if the ECA were just a consultative body, its democratic effectiveness would be limited. Something ‘actionable’ would be desirable, as Daniel Freund³⁰⁶ explains, and connecting the ECA in some ways to referendums or initiatives seems promising, according to many, including Rainer Bauböck.³⁰⁷ However, if it were to make decisions, more challenges may rise, as Urbinati and Lafont argue.³⁰⁸ This may be the case with organised sectors that have ‘ownership’ of a policy issue, such as climate policy, and all the more so if the ECA’s recommendations are not in line with their advocated outcomes.

In such context, Nicolaidis is rightly wary of the risk that an ECA might be perceived as an agent of disintermediation. She proposes, therefore, that this body should be part of an ‘ecosystem of connected spaces of direct democracy which the ECA could help support and interconnect’. This is crucial because it implies that the ECA should ultimately be grounded in public spheres, not just attached to institutions. However, it is not for the ECA to decide how it will be received by others. It is to be hoped that an ECA does not fail ‘to engage with [organised civil society’s] own campaigns, movements, and civic dialogue’. How this is to be attained is thus central to the proposal. The following section outlines some considerations in this regard.

303 Fung, A. (2005), ‘Deliberation before the Revolution: Toward an Ethics of Deliberative Democracy in an Unjust World’, *Political Theory*, 33(3): 397-419

304 Mendonça, R. F and Ercan, S. A. (2015), ‘Deliberation and protest: strange bedfellows? Revealing the deliberative potential of 2013 protests in Turkey and Brazil’, *Policy Studies*, 36(3): 267–282.

305 Della Porta, D and Diani, M. (2006), *Social movements: an introduction*, Blackwell.

306 Freund, 2024.

307 Bauböck, 2024.

308 Lafont and Urbinati, 2024.

Bridging across publics

Democratic theory, as formulated by Nicolaidis and others, maintains that the European Union's mandate rests on 'a polity of multiple distinct but interdependent peoples committed to the 'mutual opening' of their respective democracies'.³⁰⁹ Considering the challenges listed above, how can that 'mutual opening' take place, exactly?

Concretely, we see potential for an ECA to contribute to existing European governance by informing institutional and public debate with the granularity of experiences as directly expressed by individuals and felt by their communities, harnessing the assembly for 'deliberation-making' rather than decision making, as proposed by Simon Niemeyer.³¹⁰ This can take place in two directions: by bringing the plurality of lived experience across European communities to European institutions and by creating bridges across those communities. Let's take a look at each possibility.

The first implies harnessing the richness of deliberation in an ECA 'vertically' to inform debates in European institutions. For example, thinking about 'how to systematise discussions from thousands of citizens across languages and cultures', Iñaki Goñi proposes that citizen contributions can indeed complement debates on highly complex, science-based policy debates.³¹¹ He advocates for spotlighting *little data* along with the big data that informs decision-making arenas. Such an approach foregrounds contributions from 'everyday people' that can shed light on how global issues concretely affect communities. In the realm of climate policy, the Global Assembly has shown how stories that emerge in deliberative forums can powerfully illustrate the stakes in transnational governance, such as the cost of inaction for peripheral communities that will bear the brunt of too-slow climate policy or the epistemic transformation in communities once they're granted access to climate

309 Nicolaidis and Liebert, 2023.

310 Niemeyer, S. (2014), 'Scaling up Deliberation to Mass Publics: Harnessing Minipublics in a Deliberative System', in K. Gronlund, A. Bachtiger, and M. Setala (eds.), *Deliberative Mini-Publics: Involving Citizens in the Democratic Process*, Rowman & Littlefield Publishers (hereinafter 'Niemeyer, 2014').

311 Goñi, I. (2024), 'Make it make sense: the challenge of data analysis in global deliberation', *Deliberative Democracy Digest*, <https://www.publicdeliberation.net/make-it-make-sense-the-challenge-of-data-analysis-in-global-deliberation/>.

education.³¹²

This is the added value of iterative, localised deliberation: it makes policy debates tangible. Yet, informing debates at transnational institutions with local stories may move listeners but may not suffice to counter power-holders. Even when building vertical strategies, the ECA will continue to grapple with the limit of who gets a seat at the table, namely those select few who are drawn from the civic lottery to join the assembly, as rightly pointed out by Cristina Lafont.³¹³

The second possibility is that an ECA can advance the horizontal connection among European *demoi* and across multi-level publics. As highlighted by Álvaro Oleart in this debate, transnational social movements have long created strategies to both ground structural problems in and inform transnational strategy with the experience of local communities.³¹⁴ An ECA can draw inspiration from them. In the realm of climate governance, Nicole Curato suggests that global climate assemblies can connect ‘deliberations of everyday citizens from around the world on climate action’.³¹⁵ The infrastructure of citizens’ assemblies can help create bridges among the lived experience of the policy problem at hand, but also of resilience and affect despite differences in context. Similarly, recent research led by Lucas Veloso suggests that existing citizens’ assemblies often represent a ‘missed opportunity’ in terms of connecting deliberations with existing, ongoing mechanisms for participation, community leaders and movements, and mobilised civil society already active in the policy field at hand.³¹⁶

Where assemblies are ad-hoc, their potential connection to those existing mechanisms for advocacy and community mobilisation may create the otherwise missing bridge with the so-called ‘maxi public’. This form of intermediation may be undesirable from the perspective of those already mobilised public

312 ‘Farhat Parveen – Pakistan’, Global Assembly – Youtube, https://www.youtube.com/watch?v=-52TIw59YQyE&ab_channel=GlobalAssembly.

313 Lafont, 2019.

314 Oleart, 2024.

315 ‘Stockholm Series #2 with Nicole Curato – video and manuscript’, Idea International, <https://www.idea.int/news/stockholm-series-2-nicole-curato-video-and-manuscript>.

316 Veloso, L and Luís, A. (2023), ‘Embedding global citizens’ assemblies: A bottom-up perspective from Mozambican rural communities’, *Global Citizens’ Assembly Network Technical Paper No. 3*, Available at: <http://glocan.org/wp-content/uploads/2024/01/TechnicalPaper-3-2023-Veloso-and-Luis.pdf> (hereinafter ‘Veloso and Luís, 2023’).

actors, especially those who claim issue ownership, as argued above. But an ECA could present itself as an opportunity for networking those actors across publics, potentially opening up spaces for alliances rather than confrontation.

The cost of experimentation

Procedural questions regarding how an ECA should be run, with how many participants, from what kinds of pools, and in what precise function with regard to existing institutions are all questions that can be tackled from existing experience with citizens' assemblies across Europe³¹⁷ or from expansive imagination, as suggested by Graham Smith and David Owen.³¹⁸ But consequentiality and impact remain one of the thorniest questions in democratic innovations in general,³¹⁹ and increasingly with deliberative forums in particular. Proposers of an ECA must then clearly articulate the advantages of an ECA in Europe-wide policies and politics.

While there is broad support for citizens' assemblies within certain communities of inquiry and practice, this does not necessarily translate to the wider society, as highlighted by Anthony Zacharzewski in this debate.³²⁰ Citizens' assemblies are often targeted by critics because they are high-cost, low-stakes processes. They demand significant financial and organisational resources to mobilise relatively few citizens for a short period of time. Intense epistemic, emotional, and political labour is demanded of assembly members to produce recommendations that, more often than not, fail to find their way into political decision-making. Nicolaidis does not shy away from also listing technocratic deliberation at the EU level as a pitfall; similar problems are found at national and local levels too. Moreover, given the contemporary political climate worldwide, one must consider that the relationship with public spheres would have to be nurtured in contexts that might be less than amenable to deliberative democracy's premises and core values.

317 OECD. (2021), 'Eight ways to institutionalise deliberative democracy', OECD Public Governance Policy Papers, No. 12, *OECD Publishing*.

318 Smith and Owen, 2024.

319 Jacquet, V., Ryan, M and van der Does, R (eds.). (2023), *The Impacts of Democratic Innovations*, ECPR.

320 Zacharzewski, A. (2024), 'Perceptions and Practicalities of a Standing European Citizens' Assembly', GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/12> (hereinafter 'Zacharzewski, 2024').

Inspiring cases are often paid attention to in the media, as was the case with the Irish Assembly³²¹ or Extinction Rebellion's endorsement of Citizens' Assemblies.³²² Yet, these experiments coexist with a much larger set of cases with very limited impact that, taken together and over time, can wear out activists and supporters, and easily move out of the news cycle. We agree these are useful learning experiences, but they might come at a price. We are not so free to experiment if this is more than an academic exercise, as it is. See, for instance, Extinction Rebellion's withdrawal from Scotland's Climate Assembly,³²³ given the assembly's narrow scope. The more 'failures', the more disillusionment towards democratic innovations.

We see potential in Europe-wide, permanent deliberation infrastructure – *if* it can advance the connection with and among publics and meaningfully engage locally anchored actors and demands. This makes careful reflection along any strategic institutional experimentation all the more relevant.

321 'Government responds to the Citizens' Assembly on Biodiversity Loss', The Citizens' Assembly, <https://citizensassembly.ie/>.

322 Extinction Rebellion.

323 'Extinction Rebellion hits out at Scotland's climate change citizen assembly', BBC, <https://www.bbc.com/news/uk-scotland-54830823>.

Enlarged Complementarity: How an ECA Should Relate to Other Institutions and Actors

Lucile Schmid³²⁴

In her introductory essay to this debate, Kalypso Nicolaidis proposes creating a permanent, transnational, and itinerant assembly of 300 randomly selected citizens, whose mandate would be renewed by thirds every six months.³²⁵ Unlike other citizens' assemblies that have ruled on specific topics in Ireland (abortion, same-sex marriage), in France (climate), or in Iceland (rewriting the Constitution), this assembly would have general jurisdiction and work in interaction with the European Parliament. Free from political parties and interest groups, it would implement deliberative democracy, complementary to representative democracy and direct democracy. The European Citizens' Assembly (ECA) would benefit from a favourable ecosystem, supported by NGOs, transnational activism, and solution-based journalism. It would act as a bridge between society and other institutions and would allow for new alliances, for example, between European civil servants and citizens. It could also propose resorting to direct democracy by calling for a referendum, as was the case in Ireland. The

³²⁴ La Fabrique écologique, Paris.

³²⁵ Nicolaidis, 2024.

objective of this reform would be to strengthen European citizens' sense of institutional belonging.

I participate in this forum as a co-founder and Vice President of the think tank “La fabrique écologique,” which closely followed the work of the French Citizens' Convention on Climate.³²⁶ This national convention was a very important step to acknowledge the legitimacy of citizens' assemblies in France. But it was also a disappointment as the following reforms did not match expectations. This is why in my contribution I will focus on a central element, the interaction of a citizens' assembly with existing institutions. This observation on an experience at the national level needs, of course, to be transposed to the European level. It might be even more relevant at that stage as European institutions are always on the quest of enhancing their legitimacy. I am also a member of the journal *Esprit*, which has long been committed to European engagement.³²⁷

I have been impressed by the quality of the arguments exchanged in this discussion, in which I am intervening somewhat late. Though no contributor put into question of the proposal of creating an ECA, there was a strong dividing line between them on its status and thus the place to give it in the institutional scheme. Cristina Lafont and Nadia Urbinati,³²⁸ and Richard Bellamy³²⁹ are clearly rather sceptical about its role. The discussion has addressed a wide range of issues concerning 1) the initiative itself – the legitimacy of random selection versus election), the role of the Citizens' Assembly, concerns about an “apolitical democracy,” general versus specialised competence, visibility versus invisibility; 2) the institutional context – the imbalance caused by the dominance of national executives, the interaction between the Citizens' Assembly and the European Parliament (cooperation, conflicts), links between deliberative/representative/direct democracy; and 3) political challenges – the rise of populism, democracy 3.0, new transnational and decolonial activist movements.

326 ‘Qui sommes nous?’, La Fabrique ecologique, <https://www.lafabriqueecologique.fr/>.

327 ‘Revue Esprit’, *Esprit*, <https://esprit.presse.fr/>.

328 Lafont and Urbinati, 2024.

329 Bellamy, 2024.

Why complementarity is key

In my response to Nicolaidis' essay, I will focus on the complementary relationship she envisions between the future Citizens' Assembly and the European Parliament. Several contributors contest or are sceptical about this complementarity, preferring to see the ECA as a mediating body between institutions and society. Moreover, how can we imagine that those in power within the institutions would agree to share it? This is a difficulty not to be underestimated, given that the Parliament, the Commission, and the Council of Member States are often in a competitive rather than complementary mindset.

Nevertheless, complementarity is a key element. It is the foundation for the ECA not being just a simple citizens' panel, but a full-fledged institution. This justifies its permanence and general competence. This concern for an institutional foundation is directly related to Nicolaidis' reference to Hannah Arendt's idea that "power is not a zero-sum game." By creating an ECA that complements the European Parliament, the bet is that this new institution will alter the institutional landscape and generate new dynamics. Complementarity between the European Parliament and the ECA could trigger broader institutional complementarity within the European institutions. The bet also assumes that the citizens who are members of the Assembly will be on equal footing with the members of other European institutions. This is a fundamental point, especially since the division between elites and the people is being highlighted everywhere by populists and resonates particularly when it comes to how Europe functions. It is also a point of caution because, in most cases, when citizens are given a voice, there is an asymmetry in rights: citizens participate, but elected officials decide. This traditional division of roles must at least be challenged.

But how do we define this complementarity? If the competence of the ECA is general, this does not preclude choosing an agenda that prioritises current issues, on which feedback from citizens would be useful to the institutions.

Putting the Green Deal on the ECA Agenda

In concluding her contribution, Sandra Seubert observes that issues related to the Green Deal could offer interesting material for a future European Citizens' Assembly.³³⁰ Yves Sintomer,³³¹ Alvaro Oleart³³² and Daniel Freund³³³ also address this question. Environmental issues are a topic on which the European Union has long been engaged and possesses substantial internal and external expertise. However, the current situation is paradoxical. Adapting Europe to climate disruptions is urgent. Yet, climate-sceptic discourse is advancing everywhere. As we have recently seen with the European Nature Restoration Law and the agricultural mobilisations, there is a risk that, out of fear of social protests, the European Union may suspend some of its commitments to the Green Deal.

These challenges are directly linked to the incapacity of the current institutions to tie social and environmental issues together. Regarding the social consequences of the Green Deal and the definition of public mechanisms to address them, it is particularly necessary to create a space for deliberation with representatives of European society. The ECA would enable this. Pragmatically, it is worth recalling that, on environmental issues, there are a large number of associations and NGOs that could mobilise and support the creation of an initiative like an ECA in connection with supporters within the European Parliament. Finally, it should be noted that the work of the European Commission's services in support of the Green Deal has been of high quality and offers all the necessary knowledge and expertise on these issues.

Moreover, if we refer to the example of the French Citizens' Climate Convention of 2019/2020, it is striking to note that it was the failure to account for the complementarity between this citizens' convention and other institutions – the parliament, the government – that caused misunderstandings that were

330 Seubert, 2024.

331 Sintomer, 2024.

332 Oleart, 2024.

333 Freund, 2024.

never resolved.³³⁴ The French President had promised a “filter-free” implementation of the Convention’s proposals, which was impossible within the institutional framework unless a referendum was organised (direct democracy). However, given the Convention’s broad mandate, it was not possible to submit all these proposals in a single referendum. In any case, failing to organise collaboration between Parliament and the citizens’ convention from the outset, and not recognising their complementarity, fuelled conflicts and mutual resentment.

The possibility to include MP associates as early as possible in the process would then be mutually beneficial for citizens and representatives. It should be properly defined so that citizens keep their freedom of discussion and recommendation. But there could be particular moments in the convention for organising acculturation on both sides. This is currently even more important as there is a growing distrust between citizens and their representatives. Developing a common view and language between both sides could be an objective for the ECA.

An expanded vision of complementarity

It is, therefore, clear that thinking about complementarity from the outset is essential. Furthermore, this complementarity must be envisioned in an expanded way. In addition to the initial complementarity with the European Parliament, a broader vision of complementarity should include the services of the Commission, the Commissioners, the European Economic and Social Committee, NGOs, associations, and trade unions. This would be a sort of complementarity-mediation. A permanently functioning ECA could not operate in isolation from the world; as Nicolaidis suggested it should interact with local actors, give voice to people not having a right to vote like migrants, it would need to engage with other actors and work with society in the broad sense. Nicolaidis’ approach of openness could be a way to respond to arguments contrasting minipublics with the people as a whole. If there is interaction and openness, the deliberative process would gain legitimacy. This would be different from the rules applied to certain thematic citizens’ conventions, where external contacts were strictly regulated -in Ireland for example the citizens could not have contacts with the press. Permanence and general competence must be coupled with openness.

334 ‘The Citizens’ Convention on Climate, what is it?’, Convention Citoyenne pour le Climat, <https://www.conventioncitoyennepourleclimat.fr/en/>.

But it means that modalities of openness should be defined in the functioning of the ECA. Otherwise it could result in weakening the responsibility attached to membership.

Recognising that “complementarity” would benefit institutional dynamics and would ground the legitimacy of the ECA does not exhaust the subject. How, indeed, should we define what we mean by complementarity in this specific case?

Complementarity is first considered here in terms of the composition of the two assemblies (randomly selected citizens on one side, elected deputies on the other). It is also considered in terms of functioning—deliberative democracy versus representative democracy. But this remains a point of discussion, as ensuring more deliberation within elected assemblies is still an objective.

I see the main complementarity between the European Parliament and a Citizens’ Assembly as revolving around how political responsibility is concretely experienced. In her contribution, Seubert is concerned that a Citizens’ Assembly might encourage a form of “apolitical democracy”.³³⁵ The experience of the French Citizens’ Climate Convention shows rather the opposite, with citizens who, once the Convention ended, created a follow-up association and, in some cases, became active politically or in unions, often at the local level. They took their role seriously and with responsibility.³³⁶ This can, of course, also be seen in the case of elected officials. But in that case, the sense of responsibility is sometimes diluted by party membership, the desire to be re-elected, and difficulties of listening to the other side. In a permanent ECA with rotating membership, these drawbacks would be less likely to happen. But what is central to preventing these distortions is the deliberative process. Developing arguing skills is key in keeping democracies alive and giving citizens the desire to be active. This is why the concern for deliberation should be promoted everywhere inside the institutions as well as in the ECA.

Finally, I believe that, as European texts and regulations are increasingly openly attacked and largely misunderstood by citizens, there is a strong need to explain and make understandable both the process and the usefulness of European law-making and the rule of law. I feel that the ECA could be the proper institution to contribute to this aim and could, in that way, serve the development of a common language among Europeans. Due to its composition

335 Seubert, 2024.

336 ‘Les 150’, Les150, <https://les150ccc.fr/>.

and the fact it does not participate directly in elaborating the texts themselves, it would have an advantage compared to other institutions. Another way to prove its complementarity to them.

In conclusion, it is time to reverse the usual way of thinking and promote a complementary institutional approach in opposition to a competitive institutional approach. When the people feel more and more distant from their elected representatives, the latter should understand their interest in creating a European Citizens' Assembly and back it. It might be the most promising way to relegitimate their own institutions.

Why a European Citizens' Assembly Should Replace Sortition with Liquid Democracy

Chiara Valsangiacomo³³⁷ and Christina Isabel Zuber³³⁸

Several previous contributions to this debate identify a dilemma in Kalypso Nicolaidis' thought-provoking proposal for a European Citizens' Assembly (ECA) (Cristina Lafont and Nadia Urbinati,³³⁹ Richard Bellamy,³⁴⁰ Svenja Ahlhaus and Eva Schmidt³⁴¹). Nicolaidis aims to promote a “pan-European participatory ecosystem” characterised by a transnational “demoicratic ethos.” She argues that the ECA could foster these goals, enhancing input, throughput and output legitimacy of collective decision-making within the EU. As critics point out, for the ECA to have such an impact on the quality of transnational democracy, it would have to be equipped with some degree of decision-making authority. However, if it did have such authority, it should not rely on selection by lottery. These critical contributions solve the dilemma by downgrading the ECA to a merely consultative body, arguing that we should strengthen traditional forms of electoral democracy instead. We support *both* Nicolaidis'

337 University College Dublin.

338 European University Institute and University of Konstanz

339 Lafont and Urbinati, 2024.

340 Bellamy, 2024.

341 Ahlhaus and Schmidt, 2024.

ambition to radically reimagine EU institutions beyond elections *and* the arguments against lottocracy. Our contribution, therefore, suggests a different way forward, one that Jelena Džankić briefly hints at: replacing selection by lottery with liquid democracy.³⁴²

The problem with sortition

Faced with citizens who neither care about nor feel represented by the institutions of the EU, Nicolaidis suggests that we shift gears and consider “radical institutional innovation”. Her specific proposal is to complement the European Parliament (EP) with a deliberative ECA, whose members would be drawn by lot from all 27 states and rotate on a regular basis. Džankić emphasises the underspecified nature of this proposal.³⁴³ What does seem clear, however, is that Nicolaidis envisions the ECA as an institution that is permanently embedded in the EU’s institutional regime. With an independent position and budget, it would contribute to legislative agenda-setting, deliberate on policy issues and prepare European Citizens’ Initiatives (ECIs), work closely with the EP, monitor policy implementation, scrutinise other EU institutions, and cooperate with civil society actors. According to Nicolaidis, such an assembly would enjoy input, throughput, and output legitimacy because it would give citizens an equal chance to be selected, help combat problems of corruption and elite capture that bedevil electoral institutions and foster epistemically valuable forms of collective intelligence.

Nicolaidis discusses several ways in which the ECA could connect to the EU’s wider public sphere and help citizens come to feel that they own collective decisions made at the European level: mixing ECA members with professional, elected members of the EP, coupling the ECA with direct democracy, embedding it in civil society, crowdsourcing, fostering media partnerships, and giving the ECA an itinerant, traveling nature.

Nicolaidis is cautious to not grant the ECA binding decision-making power on its own, but foresees it playing a co-decision role in the EU’s power-sharing system. As Cristina Lafont and Nadia Urbinati point out, in case of conflict over the substance of decisions between the ECA and other European

342 Džankić, 2024.

343 Ibid.

institutions, there would need to be a rule on who prevails.³⁴⁴ For the ECA to genuinely play the role of increasing input, throughput and output legitimacy that Nicolaidis hopes for, it would need some kind of binding decision-making authority. However, if it did have such authority, it should not be selected by lottery. As Bellamy, among several other contributors, points out, sortition stands in the way of overcoming the present “demoi-cratic disconnect”.³⁴⁵ In particular, we share Lafont’s and Urbinati’s diagnosis that a lottocratic ECA must, by design, rely on the “blind deference” of the vast majority of citizens to the decisions of a small group of randomly selected – and thus democratically unaccountable – individuals.³⁴⁶ Since the wider public has “no role to play in the functioning of these institutions,” low participation and disinterest are bound to remain the norm. As long as citizens are denied genuine agency,³⁴⁷ the lottocratic ECA is bound to remain just another “shortcut”³⁴⁸ that cannot justify a sense of “democratic ownership”.³⁴⁹

The solutions offered by Nicolaidis’ critics, by and large, aim at preserving the benefits of lotteries for selecting the ECA’s members. They, therefore, opt to downgrade the role of the ECA from collective decision-making to mediation or consultation. Lafont and Urbinati propose an intermediary ECA that is not “directly coupled with formal political institutions”.³⁵⁰ This idea is welcomed by Sandra Seubert³⁵¹ as well as Ahlhaus and Schmidt.³⁵² Others prefer to stick to temporary and issue-specific assemblies, similar to earlier citizens’ panels (Daniel Freund,³⁵³ Graham Smith and David Owen³⁵⁴). What all of these proposals have in common is that they ultimately abandon Nicolaidis’ ambition to give ordinary citizens the power to participate more directly

344 Lafont and Urbinati, 2024.

345 Bellamy, 2024.

346 Lafont and Urbinati, 2024.

347 Bellamy, 2024.

348 Lafont and Urbinati, 2024.

349 Ahlhaus and Schmidt, 2024.

350 Lafont and Urbinati, 2024.

351 Seubert, 2024.

352 Ahlhaus and Schmidt, 2024.

353 Freund, 2024.

354 Smith and Owen, 2024.

in the EU's legislative process. By continuing to limit the exercise of democratic sovereignty to elected representatives, they can offer no solution to the challenges of elite capture and wide-spread citizen disengagement. Because we support both Nicolaidis' ambition to radically reimagine EU democracy beyond elections *and* the arguments againstlottocracy, we want to suggest a non-lottocratic, non-electoral alternative: a so-called liquid ECA. This innovation would perform the same institutional functions as Nicolaidis' lottocratic ECA, but the selection of its participants would be based on a completely different logic, namely liquid democracy.

A liquid european citizens' assembly

Liquid democracy is a technology-enabled mechanism for distributing voting power that has recently gained attention in several disciplines, including computer science and political theory.³⁵⁵ It came to prominence in the 2010s thanks to the experience of the German Pirate Party, and it can be technically implemented with software such as LiquidFeedback or Adhocracy+.³⁵⁶ The liquid ECA we envision would have to incorporate all the defining features of liquid democracy: “direct democracy, flexible delegation, meta-delegation, and instant recall”.³⁵⁷ For each decision, members of the political community can either vote directly or delegate their vote to another citizen. They are free to recall these delegations at any time. The delegates are called “proxies”, and they cast as many votes as they received, plus their own. Proxies can also meta-delegate votes to other proxies, creating a transitive chain of delegations. Because liquid democracy does not limit the total number of active participants, the group of decision-makers can potentially encompass all members of the political community. Moreover, even proxies with few delegations are allowed to act

355 See; Halpern, D et al. (2023), ‘In Defense of Liquid Democracy’, *EC '23: Proceedings of the 24th ACM Conference on Economics and Computation*; Ford, B. A. (2002), *Delegative Democracy*, EPFL; Landmore, 2020; Valsangiacomo, C. (2021), ‘Political Representation in Liquid Democracy’, *Front. Polit. Sci.*, 3(1): 1-14.

356 Behrens, J et al. (2014), *The Principles of LiquidFeedback*, Interaktive Demokratie e. V.; Deseriis, M. (2022), ‘Is Liquid Democracy Compatible with Representative Democracy? Insights from the Experience of the Pirate Party Germany’, *Partecipazione e Conflitto*, 15(2): 466-481; Paulin, A. (2020), ‘An Overview of Ten Years of Liquid Democracy Research’, In *Proceedings of the 21st Annual International Conference on Digital Government Research (dg.o '20)*, Association for Computing Machinery; Valsangiacomo, C. (2022), ‘Clarifying and defining the concept of liquid democracy’, *Swiss Political Science Review*, 28(1): 61–80.

357 Blum and Zuber, 2016.

as representatives, creating a perfectly proportional system. For these reasons, liquid democracy is a particularly inclusive system with low barriers to political participation. It is also a remarkably flexible decision-making system in which patterns of participation and delegation can change quickly, depending on the issue at hand. Thanks to policy-area-specific delegation, our liquid ECA would resemble Alexander Guerrero’s single-issue legislatures: it would consist of a predetermined number of independent and autonomous sub-assemblies (for example, mirroring the standing committees of the EP) so that an EU citizen or resident could be actively involved in legislation on fishery while being represented by different proxies in the area of trade policy, or on matters concerning the single market.³⁵⁸

According to Blum and Zuber, liquid democracy is superior to electoral democracy in realising popular sovereignty or input legitimacy.³⁵⁹ If the lottocratic ECA were transformed into a liquid ECA, it could be given genuine legislative authority without undermining the principle of democratic sovereignty: each member of the political community would either participate in decision-making directly or authorise representatives, thereby avoiding blind deference. A liquid ECA would thus allow all citizens to actually share in political power, overcoming the “vertical inequality” between a group of active decision-makers and a passive group of ordinary members that otherwise persists in both electoral and lottocratic systems.³⁶⁰ This would foster a “justified sense” of democratic ownership.³⁶¹ At the same time, a liquid ECA would also offer strong procedural and epistemic advantages (respectively, throughput and output legitimacy) over the EP or Nicolaidis’ model for an ECA, thanks to the possibility of delegating to policy experts, rather than electing generalist representatives or deferring to randomly selected individuals, neither of whom may have the relevant expertise. First, the task of monitoring representatives’ behaviour is reduced to specific policy fields, lowering the burden of ensuring meaningful accountability and limiting the possibilities of capture (a problem discussed by Seubert³⁶²). Second, area-specific delegation and low barriers to participation help identify and activate individuals with the relevant policy-specific ex-

358 Guerrero, Alexander (2024): *Lottocracy: Democracy Without Elections*. Oxford: Oxford University Press.

359 Blum and Zuber, 2016.

360 Abizadeh, 2021.

361 Ahlhaus and Schmidt, 2024.

362 Seubert, 2024.

expertise to participate in legislative decision-making, mobilising the wisdom of the crowd.³⁶³

Choosing a liquid over a lottocratic ECA almost inevitably requires the extensive use of digital technologies to work, moving the assembly closer to a situation where politics is done largely online. This new virtual dimension could provide additional advantages. First, policy-specific deliberations in the liquid ECA could draw on the power of AI-assisted translation, allowing EU citizens and residents to participate regardless of their language skills and physical location (thereby addressing concerns raised by Džankić,³⁶⁴ Bauböck,³⁶⁵ and Smith and Owen³⁶⁶). Second, the policy-area-specific nature of deliberation in the liquid sub-assemblies could foster the development of non-territorial transnational communities around policy issues, for example, when Spanish and Polish migration lawyers discuss the future of the European asylum system. Such communities of expertise would complement the territorial and ideological logics of representation that currently dominate the EP

A thought experiment

We are aware that while deliberative mini-publics have become more popular in recent years and have already been tried from the local to the European level, experiments with liquid democracy have so far been limited to decision-making processes within political parties.³⁶⁷ However, deliberative mini-publics were also once mainly discussed by democratic theorists rather than applied in practice.

363 Blum and Zuber, 2016. For experimental empirical support see; Revel, Manon, Daniel Halpern, Adam Berinsky, and Ali Jadbabaie (2022): *Liquid Democracy in Practice: An Empirical Analysis of Its Epistemic Performance*, 2022. Conference on Equity and Access in Algorithms, Mechanisms, and Optimization, George Mason University, USA.

364 Džankić, 2024.

365 Bauböck, 2024.

366 Smith and Owen, 2024.

367 Adler, A. (2018), *Liquid Democracy in Deutschland: Zur Zukunft digitaler politischer Entscheidungsfindung nach dem Niedergang der Piratenpartei*, Transcript; Kling, C et al. (2021), 'Voting Behaviour and Power in Online Democracy: A Study of LiquidFeedback in Germany's Pirate Party', *Proceedings of the International AAAI Conference on Web and Social Media*, 9(1):208-217.

Let us, therefore, conclude with a thought experiment to make our proposal more plausible and tangible.³⁶⁸ Imagine we were to equip each and every EU citizen or resident with an account on a pan-European version of a liquid feedback software. Once logged in, citizens could see a visual representation of the structure of the liquid ECA, with its independent, thematic sub-assemblies, and decide in which policy areas they wish to participate directly and in which to delegate. Next, whenever action is required by one of these sub-assemblies, all the proxies and citizens who have registered as active participants for that specific policy area would be notified and invited to participate in online deliberations and, eventually, vote on the issue at stake based on liquid democratic principles. Anyone who wanted to have a direct say on the matter would have had the chance to bring their perspective and interests into the discussion, anyone who preferred to be represented by someone they trust on that policy area would not participate and be represented by proxy instead. Would this not open up many more “ways of channelling the life wisdom, knowledge spheres and expertise of a broader range of individuals”³⁶⁹ than deliberations among a small group of randomly selected individuals ever could?

368 For a similar approach, see; Landmore, H. (2021), ‘2. Open Democracy and Digital Technologies’, In Bernholz, L., Landmore, H and Reich, R (eds.), *Digital Technology and Democratic Theory*, University of Chicago Press.

369 Nicolaidis, 2024.

Rome Was Not Built in One Day, Neither Will a European Citizens' Assembly

Camille Dobler³⁷⁰ and Antoine Vergne³⁷¹

It has been fascinating to read the different contributions of academics, politicians and practitioners, and to get a glimpse of the potential of marrying the two fields of European Studies and Democratic Innovations. It has been four years already since the Conference on the Future of Europe and we remain puzzled to see how few scientific contributions from either field of research have yet been published.³⁷² It was, therefore, about time to launch this discussion.

We have the luxury and difficult position to be among the last ones commenting on Kalypso Nicolaidis' essay opening this forum.³⁷³ As others, we find ourselves in a tricky position as we are both judge and party in this debate, working on the deployment of the European Citizens' Panels (ECPs) from the Conference on the Future of Europe onwards and participating in the Demo-

370 Missions Publiques.

371 Missions Publiques.

372 CoFE.

373 Nicolaidis, 2024.

cratic Odyssey.³⁷⁴ And while we seek to remain reflexive in our work, we agree with many comments already put forward in this discussion, while remaining fully convinced that the proposal is timely, solid and exciting.

Nicolaidis' epistemic democracy argument, to mention only one point, is not misplaced. For anyone who has ever witness such processes, there is no denying that European deliberative mini-publics enable Europe's diversity as a democratic resource beyond both national closure and the "Brussels bubble". By involving individuals with layered identities – local, regional, national, and transnational – they deliver far better on the democratic promise than European elections.

Yet, we also know all too well the design hassles and normative challenges that Nicolaidis' proposal has to face. Like Jelena Džankić, we wonder about the risk of exclusion of remote rural areas from an itinerant European Citizens' Assembly (ECA);³⁷⁵ like Anthony Zacharzewski, we often have doubts ourselves, wondering if there is a strong-enough public demand for such a radical proposal.³⁷⁶

In our contribution, we do not want to repeat the arguments that have already been made but would like to focus on "dezooming" the discussion along three distinctive features of the ECA as proposed by Nicolaidis – translocalism, radical inclusion, and porosity – before concluding with a provocation of our own.³⁷⁷

Complementing transnationalism with translocalism

The idea of a translocal assembly, as suggested by Nicolaidis, operationalises democratic theory by grounding European-level deliberation directly in local contexts, effectively decentralising participation. A translocal assembly would not be a permanent institution with a fixed location; instead, it would travel across the Union, meeting in various European cities and communities. This rotating model would deepen its ties to the localities it engages with and has po-

374 ECP.

375 Džankić, 2024.

376 Zacharzewski, 2024.

377 Nicolaidis, 2024.

tential to enable a Europe-wide exchange of perspectives while deeply engaging with the specific contexts and values of each locality. This approach respects and integrates local identities within the larger framework of European decision-making. We think such an ECA is a powerful model for a more inclusive, grounded, and agile form of deliberation at the supranational level.

We understand the ECA as only one element within what Azucena Moran and Melisa Ross call wider “ecosystems of engagement”.³⁷⁸ A forest is composed of thousands of trees, hosting billions of living organisms each. The same should be the case for deliberation. Some critics in this debate stress that deliberative mini-publics can't reach the larger European maxi publics. This is only true if we consider those exercises as isolated. If we imagine instead a web of deliberation of which the ECA is a part, then we can think in fractal terms. Impact and relevance add up as the Assembly is travelling in Europe. It kickstarts processes in every locality it visits. Partnerships are made, capacity building occurs, local communities build resilience. The ECA even becomes like a circus: people and institutions prepare it, apply for it, celebrate it: “The Assembly is coming!” Like Melisa Ross and Andrea Felicetti, we believe that each visited locality could spin up its own process encouraging more decentralisation and exponential scaling.³⁷⁹

Intersubjective representation and radical inclusion

Much has been written in previous comments on the representativity of the sampling for the assembly. We would like to take a more radical approach to this: No sampling ever, no election ever, no market ever is representative of whatever. All selection mechanisms are intersubjective processes. Whether it is 720 (Members of European Parliament) or 800 (randomly selected participants of the ECPs of the Conference on the Future of Europe), it is presumptuous for them to claim being representative of 448 million European inhabitants. In both cases, those numbers are the result of political, normative and

378 Moran, A and Ross, M. (2022), ‘From government-led systems to ecosystems of collective governance’, ECPR, <https://ecpr.eu/Events/Event/PaperDetails/63612>.

379 Ross, M and Felicetti, A. (2024), ‘Connecting to publics: challenges and possibilities for the European Citizens’ Assembly’ GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/14> (hereinafter ‘Ross and Felicetti, 2024’).

logistical decisions.

This being said, we applaud the radical inclusion ethos of an ECA, and we would also argue that inclusion, if radical, should not stop with citizens. Precisely because we share Nicolaidis' objective of a radically inclusive and holistic European democracy, we would challenge her to break away from "toolbox mentality", a trap we ourselves too often fall into. In recent years, the trend of citizens' assemblies and their plethora of design do's and don'ts have overshadowed other equally stimulating deliberative mechanisms. As Graham Smith and David Owen point out, the composition of an ECA, just like all its design features, should neither mimic existing legislative bodies nor, in our views, any other local or national citizens' assembly.³⁸⁰

As we observe a (modest) rise in mixed elected officials-citizens institutions, such as mixed deliberative committees, it would be beneficial to see these mixed expert/civil society-citizen-decision-maker initiatives expand and become more sustainable.³⁸¹ Why not at the European level, too? Can we imagine an ECA in which different categories of actors sit at the same table rather than adding yet another table to the EU institutional setting? In that respect, we welcome the legacy of the Plenary of the Conference on the Future of Europe for the radical inclusion ethos of the ECA, as Nicolaidis does stress the importance of including civil society in this discussion. Yet, we would encourage her to exploit this legacy more fully and be even more radical in her proposal. This is the next frontier: inclusion is also about overcoming Eurocentricity and Anthropocentricity, as Alvaro Oleart³⁸² and Rainer Bauböck argue.³⁸³

Complementing institutionalization with "porous" experimentation

A third aspect of Nicolaidis' proposal that we find particularly intriguing is that an ECA should be both top-down and bottom-up. Contrary to ECPs, which are initiated based on the needs of Commission Policy Directorates

380 Smith and Owen, 2024.

381 'Deliberative Committees (Commissions délibératives)', OPSI, <https://oecd-opsi.org/innovations/deliberative-committees-brussels/>.

382 Oleart, 2024.

383 Bauböck, 2024.

and as part of their legislative proposal prerogative and public consultation toolbox, the ECA mandates would not be decided by EU institutions only but also “evolve organically from bottom-up initiatives”, in strong porosity with both the policy and civil society worlds.³⁸⁴

We understand the ECA as an agenda-setting body. This is an interesting and stimulating prospect, as the ECA would find its natural role in complementing other instruments for citizen participation available at EU level. However, such an ECA is likely to bring into sharp focus the challenges of gaining influence at the institutional level, especially in shaping European negotiations and policies, as demonstrated by the rather sobering experiences with the European Citizens Initiative,³⁸⁵ and the long legitimacy struggles of the European Economic and Social Committee³⁸⁶ and the Committee of the Regions.³⁸⁷ Hence the higher the porosity, the stronger the need of “docking” the ECA, which, as conceptualised by GLOCAN, describes “the process of interfacing in a compatible way with existing institutional structures”.³⁸⁸

While it is easier to imagine how a translocal ECA would dock to ongoing civil society initiatives and local institutions – Nicolaidis lists for example the European Capital of Democracy Initiative, and local citizens’ assemblies – it is harder to see how such an ECA would fit within already complex inter-institutional relations at EU level. Harder, perhaps, but solutions are not out of sight. Nicolaidis’ proposal might be bold in normative terms but does not seem to us to be practically unrealistic.

Many contributors to this discussion are supportive of the idea of an ECA yet remain cautious regarding its docking within existing institutional structures, arguing that we first need a stronger European public sphere and level of public support for, and understanding of the deliberative ethos and citizens’ assembly process. This is the chicken and egg problem: what should come first? The ECA and then support and understanding among the maxi-public, or support and understanding first, and only then the ECA? We find ourselves leaning towards the former option. Our own learnings from advocating for

384 EUCA, 2023.

385 ECI-EU.

386 ‘The European Economic and Social Committee’, European Union, <https://www.eesc.europa.eu/en>.

387 ‘European Committee of Regions’, European Union, <https://cor.europa.eu/en>.

388 Global Assembly, 2023.

more citizen deliberation at transnational level,³⁸⁹ first with the World Wide Views on Climate and Energy³⁹⁰ and later We the Internet,³⁹¹ is that proving by showing is most effective, an approach that was also favoured by the 2021 Global Assembly.³⁹² We do not consider docking an ECA to have either an end or a beginning; it is a process that needs first piloting, improving and institutionalising, aiming precisely at rooting new habits in our political cultures.

Falling forward, from citizens' juries to an ECA?

We would like to conclude with a provocation of our own: there is no better moment nor better place, at least for now, to experiment with a permanent translocal assembly than in the EU.

Let's zoom out: the institutionalisation of the European Citizens' Panels is a case in point. Would we be at such a stage if there had not been the Conference on the Future of Europe and before it the French Climate Convention, the Irish Citizens' Assemblies, Deliberative Polls, and long before, back in the 1970s, the Citizens' Juries and Planning Cells? We do not believe so. The pace is already de facto accelerating in a "falling forward" fashion; only five years ago, nobody could have imagined how European Citizens' Panels would work in practice.

Now, let's discuss numbers. The budget of the European Parliament is roughly €4 billion per year without the costs of elections to bring it together. A typical general election in France amounts to €300 million. A single Eurofighter jet without maintenance costs is evaluated at €124 million. It is estimated that €900 billion goes into road building and maintenance each year globally. €135 billion are spent yearly by governments of the EU to maintain their police forces. There are around 9 billion trips made by train every year in Europe. European citizens spend an average of 1.5 hours a day on social media. That amounts to roughly 70 thousand years of attention every day.

389 'How can global citizens' assemblies make an impact on global governance?', GloCAN – Youtube, https://www.youtube.com/watch?v=eJ45Wfif2Uk&ab_channel=GloCAN.

390 'World Wide Views', World Wide Views, <https://wwviews.org/>.

391 'We, the Internet', We the Internet, <https://wetheinternet.org/>.

392 'About us', Global Assembly, <https://globalassembly.org/about-2>.

The list could go on forever, but our point is clear: an ECA is *not* expensive, it is *not* technically impossible, and it does *not* take too much time. The challenges lie elsewhere: in conformism, our choices and the limits we set. This hinders not only our collective imagination, but also our capacity to act and build the infrastructure European democracy needs. Instead of imagining a future where an ECA would have failed to have an impact, we should imagine a future in which participating in an ECA is as natural as jumping in a train. The Eiffel Tower was not built to last and was notoriously hated at first. Now, it is being visited by over 2.5 million tourists per year.

Zooming back in: European integration has always suffered, in the absence of a European demos and a European public sphere, from a democratic deficit, and will inevitably continue to do so. It is, therefore, all too easy to call an ECA a luxury unlikely to have any impact. It does not seem fair to expect ECPs alone to reconnect European citizens with EU politics. This was never their primary objective. Similarly, it would not be fair to expect an ECA alone to foster the emergence of a European public sphere. Together, however, within an ecosystem of engagement, the odds already look more promising. As European political integration deepens, we are eventually faced with a normative necessity to try. But more than that, it is a privilege for the EU to be able to seriously envision the prospect of an ECA, at a time where many global thinkers and promoters of change across the globe lack the financial and political support to do this work. Hence, we find ourselves in alignment with Nicolaidis' call for a more holistic and braver European democracy. We are all the more optimistic as the power of performative politics and academic activism has long shaped the political integration of this continent. There is little to lose and lots to win from piloting, failing, starting again, improving, and institutionalising a European Citizens' Assembly.

Democratisation Through Europeanisation: The Case for a Permanent EU Citizens' Assembly

Alberto Alemanno*

If European democratic theory has traditionally been a theoretical rather than a practical endeavour among scholars working in isolation, this forum breaks with these traditions. It brings together academics and practitioners around not just an idea but a tangible transnational democratic experiment: the introduction of a permanent and itinerant citizens' assembly composed of randomly selected EU citizens and residents.

As such, this proposal cannot be judged solely against standard scholarly considerations, as most contributions do. Instead, as suggested by Sintomer's call for 'careful reflexive analysis', it must be assessed according to the realities of citizens' democratic life in the EU and against growing democratic expectations vis-à-vis the Union at a time of accelerating transformations.³⁹³

This is precisely what this contribution intends to do. Rather than discussing issues related to institutional design – I have had the opportunity to present two models, one for the European Parliament³⁹⁴ and the other for the Bertels-

393 * HEC – École des Hautes Etudes Commerciales de Paris. Sintomer, 2024.

394 Alemanno, A. (2022), 'Towards a Permanent Citizens' Participatory Mechanism in the EU', *European Parliament Committee on Constitutional Affairs (AFCO)*, Forthcoming.

mann Foundation,³⁹⁵ both connecting the proposed assembly with existing participatory channels – it situates such a proposal within the wider EU democratic realities.³⁹⁶ It then provides a key complementary argument that has been missing in its support so far: the unique ability of a permanent citizens' assembly to 'Europeanise' the politics of the EU in the current political and constitutional juncture.

The realities of EU democratic life

After seventy years of unprecedented socioeconomic integration, the EU continues to evolve through processes that largely neglect people's participation.³⁹⁷ It is still virtually impossible for an EU citizen or resident – let alone those living in candidate countries or other regions under EU influence – to express a desire to change the direction of the Union and hold its institutions to account.³⁹⁸ In these circumstances, citizens are deprived not only of influence at the EU level but also of any knowledge and understanding of EU politics that would allow for popular scrutiny and effective democratic control. This deficit is by no means new.

The EU has always struggled with standard (representative) democracy due to a combination of history³⁹⁹ and institutional design.⁴⁰⁰ What has changed, however, is the growing reluctance to accept fatalism about the EU's democratic deficit,⁴⁰¹ a catch-all term that has not only captured the attention of academics but also the imagination of the broader public and recently that of the ubiquitous Elon Musk,⁴⁰² and which has also driven the debate into a dead end. If the European public has initially accepted integration, despite being

395 IECA, 2022.

396 Alemanno and Nicolaidis, 2022.

397 Patberg, M. (2020), *Constituent Power in the European Union*, Oxford University Press.

398 Abizadeh, A. (2008), 'Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders', *Political Theory*, 36(1): 37-6.

399 Müller, J. (2013), *Contesting Democracy: Political Ideas in Twentieth-Century Europe*, Yale University Press.

400 Berman, S. (2019), *Democracy and Dictatorship in Europe: From the Ancien Régime to the Present Day*, Oxford University Press.

401 Nicolaidis and Liebert, 2023.

402 Musk, E, 'Tweet', <https://x.com/elonmusk/status/1855390756560896184>.

ill-informed and uninterested in such developments,⁴⁰³ that was a temporary and potentially self-correcting status. The neo-functionalist logic underpinning EU integration predicted that “economic problem-solving was to be merely the first step towards *broader and more intensive forms* of union”.⁴⁰⁴ As EU issues would have penetrated the national political debate, the politicisation of the EU and the resulting controversiality of its decision-making were supposed to increase European citizens’ attention toward enhanced information and concern for the EU project. This logic was projected to lead to both “further integration”⁴⁰⁵ of the Union and its ‘democratisation’ over time.⁴⁰⁶

Fast forward to today. The politicisation of the Union has undoubtedly occurred,⁴⁰⁷ as did its further integration. However, contrary to initial predictions, these processes themselves have not triggered — or translated into — a parallel one of democratisation, which has in turn meant that its legitimating potential for EU action has not been realised.⁴⁰⁸ Why did democratisation not develop further, and what could a citizens’ assembly do about it?

Europeanisation: The missing link between politicisation and democratisation

I argue that politicisation did not produce the expected results because this process was exclusively allowed to play out *within*—and not across—the EU Member States’ national boundaries. EU issues got trapped within the nation

403 Hutter, S and Grande, E. (2014), ‘Politicizing Europe in the national electoral arena’, *J Common Mark Stud*, 52(5): 1002-1018

404 Lindberg, L and Scheingold, S. (1970), *Europe’s Would-be Polity: Patterns of Change in the European Community*, Prentice-Hall.

405 Haas, E. (1958), *Uniting of Europe: Political, Social, and Economic Forces, 1950-1957*, University of Notre Dame Press.

406 Schmitter, P. C. (1969), ‘Three Neo-Functional Hypotheses about International Integration’, *International Organization*, 23(1): 161–166; Bartolini, S and Hix, S. (2006), *Politics: The Right or the Wrong Sort of Medicine for the EU?*, Notre Europe.

407 Kriesi, H. (2016), ‘The Politicization of European Integration’, *JCMS: Journal of Common Market Studies*, 54(1): 32–47.

408 Alemanno, A. (2024), ‘The Hijacking of Europe: How National Leaders Have Stolen the EU Project and How to Reclaim It’, *Cultural Politics Seminar: Interdisciplinary Perspectives* (In Person), Harvard Weatherhead (hereinafter ‘Alemanno, 2024’).

state. If politicisation pushed Europe into national politics (top-down) and national politics into EU decision-making (bottom-up), those two phenomena never synchronised. This artificial distinction between the national political arena and the EU political arena has been preventing EU integration from accommodating and experimenting with new dynamics of change capable of generating new forms of political organisation and procedures and potentially transforming its underlying political order. That is what I referred to as *Europeanisation*, a political development that could have made Europe a more distinct, intelligible and autonomous political space.⁴⁰⁹ Such a space would allow disputes over EU decision-making processes to divide and unite people across borders rather than being fought artificially along existing jurisdictional boundaries. This new political locus, characterised by continuous transnational interactions between actors, could help promote practices of “mutual attention, communication, perception of needs, and response in decision-making”.⁴¹⁰

When one approaches the establishment of an EU-wide citizens' assembly from this perspective, this proposal acquires a new meaning. It may address, possibly overcome, most of the criticisms that have been moved against such an idea. Being potentially able to Europeanise, albeit at a small scale, the EU political conversation, a citizens' assembly could nurture the emergence of a genuine and distinct EU political space, and that regardless of the scale reached⁴¹¹ the exact division of power between the EU Parliament and the EU Citizens' Assembly⁴¹² and without necessarily devaluing parliamentary processes.⁴¹³ As such, the establishment of a citizens' assembly could partly make up for today's structural shortcoming of EU democracy, including the absence of a pan-EU electoral competition inhabited by truly European Political Parties (as opposed to today's loose federations of ideologically heterogeneous national political parties) as well as a pan-EU public sphere.

409 Ibid.

410 Bremberg, N and Norman, L. (2023), 'Conclusion / The Dilemmatic Perspective on European Democracy' In N. Bremberg & L. Norman (eds.), *Dilemmas of European Democracy: New Perspectives on Democratic Politics in the European Union*, Edinburgh University Press.

411 Džankić, 2024, citing Bua, 2017.

412 Lafont and Urbinati, 2024.

413 Seubert, 2024.

A Citizens' Assembly to Europeanise EU politics

While several reform ideas aimed at democratising EU integration and its decision-making have been put forward over time – from the legal recognition of the democratic principle in the EU political order to enshrinement of citizens' right to participate in the Union's democratic life, not all of them carry a *Europeanisation* potential. This quality should be measured against their ability to resume the cumulative dynamic of integration at the political level, where it has historically never had a chance to play out.⁴¹⁴

This potential can, in turn, be inferred from the ability of reform ideas to: (i) generate cross-border political interactions about EU issues between both citizens and their representatives; (ii) bring knowledge and insights among citizens and their representatives that would otherwise not arise in national settings; (iii) connect the two electoral channels available to citizens, that of national elections selecting who represents a Member State in the Council (domestic route), and European Parliament elections (EU route), and unveil how these two arenas are inhabited by the same political actors wearing different hats; and, eventually, (iv) generate some transnational democratic legitimation, ranging from agenda-setting to a feedback loop on ongoing legislative proposals.

That's exactly the sort of dynamic that a permanent transnational deliberative mechanism, such as the proposed citizens' assembly, could prompt. Rather than promoting yet another ready-made *model* of EU democracy – be it parliamentary, presidential or other –, an EU-wide citizens' assembly could re-launch a *process* capable of generating such a model. It aims to ultimately create the conditions for EU institutions to go beyond symbolic references to democratic principles and allow both citizens and their representatives to experience – for the first time – an EU-wide political space. This democratic emancipation of the Union from the nation-state could provide a unique opportunity to acknowledge the limitations of a system and structures created *without* and *regardless* of people – not to mention future generations⁴¹⁵ and

⁴¹⁴ Alemanno, 2024.

⁴¹⁵ Alemanno, A. (2023), 'Protecting the Future People's Future: How to Operationalize Present People's Unfulfilled Promises to Future Generations', *European Journal of Risk Regulation*, Forthcoming.

non-human entities⁴¹⁶–, and ultimately to bring the democratic question to the forefront. A permanent EU-wide citizens' assembly could free the EU from the model of the nation state as the exclusive source of inspiration for the democratisation of the Union, thereby – perhaps for the first time – creating space for the EU's democratic self-expression.

From such a perspective, Europeanisation could be seen as a prerequisite for any genuine attempt at democratising the ever-evolving Union. A permanent EU-wide citizens' assembly could free the EU from the model of the nation state as the exclusive source of inspiration for the democratisation of the Union, thereby – perhaps for the first time – creating space for the EU's democratic self-expression. It responds to the recent call to move away from the traditional nation state-based model, in which the EU either becomes more state-like or will not democratise, to a broader process aimed at “rescaling of power, function and authority”.⁴¹⁷ According to the latter perspective, democratising the EU through a citizens' assembly “involves much more than restoring the classic model of polity in which demos, sovereignty, representation, and functional capacity coexist within the same territorial boundaries, whether of the European Union, its Member States or new secessionist polities”.⁴¹⁸ This perspective responds to the concern of a possible zero-sum game between participation and representation, and more specifically between the citizens' assembly and the EU Parliament.⁴¹⁹

Europeanisation may simultaneously prompt several different types of processes of change that, instead of coming from the nation state, remain to be imagined. The lack of Europeanisation of EU politics is probably one of the most important and hitherto overlooked reasons for the EU's democratic malaise. It not only denies citizens the right to participate in the democratic life of the Union but also deprives it of legitimacy when it needs it most.

For many, transforming a Union of demographically and economically heterogeneous states into an emerging political space may seem unrealistic. Yet, while the lack of genuine democratic capacity has accompanied EU integration from the very beginning, this problem is only set to deepen. Amid the continent's epochal transformations, the EU is expected to gain—not lose—power,

416 Nicolaidis, 2024; Sintomer, 2024.

417 Keating, M. (2022), ‘Between two unions: UK devolution, European integration and Brexit’, *Territory, Politics, Governance*, 10(5): 629-645.

418 Ibid.

419 Lafont and Urbinati, 2024.

thus increasing its influence over citizens without offering them a corresponding expansion of democratic capacity and opportunities. As the relationship between the influence of the EU on Member States and the ability of citizens to hold policymakers accountable is set to grow increasingly asymmetrical, the costs of non-democratisation may undermine its viability and survival.

This begs, however, the question of why national leaders who have thus far resisted calls for any significant institutional reform would eventually give in. Ultimately, the proposed ‘democratisation-through-Europeanisation’ represents a dual threat to the national political class: to lose power both at home and in the EU. As Jan Zielonka presciently predicted a few years ago, “unless there are some powerful external shocks forcing dramatic changes, a spectacle of false pretensions can continue for a long time”.⁴²⁰ It is no exaggeration to argue that those shocks are now in full swing. Amid the continent’s epochal transformations, the EU is expected to gain—not lose—power, thus increasing its influence over its citizens without offering them a corresponding expansion of democratic opportunities. Meanwhile, according to recent polls, over 70% of Europeans expect more regular and meaningful engagement with EU-level governance.⁴²¹ While this does not suggest growing support for the Union, which remains static,⁴²² it does indicate a growing awareness of the extent to which decision-making at supranational – rather than national – level affects people’s life chances.⁴²³ In these newly created circumstances, both the case for the democratisation of the EU and its timing might be unusually ripe. A political window of opportunity is opening, imposed by unfolding events within and outside the Union, from the war in Ukraine and the prospect of a new invasion – this time of EU territory – to the inevitable eastward expansion of the EU.

A permanent deliberative mechanism seems very well suited to re-launch the cumulative dynamics of integration by Europeanising both the EU electoral competition and party system. This could ultimately blur the artificial boundaries between the national and EU political arenas that currently hold the EU back, thus contributing to the emergence of a distinct EU-wide political order at a time when the Union and its citizens need it the most.

420 Zielonka, J. (2014), *Is the EU Doomed?*, Wiley.

421 CoFE.

422 ‘Standard Eurobarometer 100 - Autumn 2023’, Eurobarometer, <https://europa.eu/eurobarometer/surveys/detail/3053>.

423 Alemanno, A. (2021), ‘Unboxing the Conference on the Future of Europe and its Democratic Raison-d’Être’, *European Law Journal*, Forthcoming.

Mind the Gaps: Scaling up Digital Spaces to Increase Translocal Porousness in an ECA

Andrea Gaiba^{424*}

Building on the specific inter-institutional design of a permanent European Citizens' Assembly (ECA) proposed by Kalypso Nicolaidis,⁴²⁵ this symposium has highlighted the need for balancing between (i) a permanent, transnational citizens' assembly, (ii) traditional structures of electoral democracy; and (iii) increasingly polarised public spheres.

Many contributions ask, one way or another, the question: How does Nicolaidis' proposal cope with the original sin faced by all assemblies? That is, how can deliberative assemblies connect with a broad public (also beyond Europe) while being accountable at multiple levels of governance?

I propose a pragmatic approach towards widening engagement that increases the porousness of a citizens' assembly towards local communities, the other EU institutions, and the wider European public spheres.

⁴²⁴ * European University Institute.

⁴²⁵ Nicolaidis, 2024.

As Ross and Felicetti argue,⁴²⁶ part of the problem of how to connect with the broader public sphere lies in the ability to mobilise the European *demos* across borders. One of the techniques suggested focuses on the interactions between the ECA and local communities (see (Dobler and Vergne on “The Assembly is coming!”)⁴²⁷ and the hope that this exchange mobilises narratives about subsidiarity, identities and citizenship that affirm this translocal shift. The Assembly itself ought to be a celebration of translocal democracy, and I endorse Nicolaidis’ ‘pedagogy of sortition’ as one of the ways in which we can consolidate participatory cultures across borders.⁴²⁸

But is this enough? Many in the symposium have discussed how the level of attention to assemblies will not grow unless they are empowered. Grass-roots actors and local communities should also be provided with spaces where they can equally say, “We are coming to the Assembly!”. In other words, spaces where they can reclaim their agency in contributing to the ECA.

This raises a fundamental question about the assembly’s ‘porousness’, i.e., the ability of the ECA to connect with public discourses through a multi-stakeholder approach.⁴²⁹ Thinking about renewing a given participatory culture also requires reimagining how this would look, particularly in the eye of actors that might have pre-established attitudes vis-à-vis political power, such as civil society organisations. They, too, must be empowered within the ECA to make participation meaningful for them.

Are EU institutions interested in adopting such a multi-stakeholder approach? Alvaro Oleart suggests this is not the case.⁴³⁰ If the ECA ought to break with what he calls the ‘disintermediated logic’ of previous deliberative attempts, it must do away with existing institutional understandings of mediation or, rather, the lack thereof.

This is a practical question of radically rethinking the design of an ECA so that it does not reflect pre-existing structures of power uncritically. The avoid-

426 Ross and Felicetti, 2024.

427 Dobler, C and Antoine Vergne, A. (2024), ‘Rome was not built in one day, neither will a European Citizens’ Assembly’, GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/17> (hereinafter ‘Dobler and Vergne, 2024’).

428 Nicolaidis, 2024.

429 Dobler and Vergne, 2024.

430 Oleart, 2024.

ance of intermediate organisations, based on a Rousseauian ideal of deliberative purity, should be overcome in four main areas: (i) agenda-setting, (ii) sortition, (iii) experts' inputs in deliberation, and (iv) follow-up.

Porosity in agenda-setting

Building on Nicolaidis' observations, the Democratic Odyssey project proposes two complementary and yet very different scenarios for the agenda-setting of a permanent ECA.⁴³¹ Agenda-setting could be either enabled by an ECI process representing the broader push from civil society actors who mobilise on particular political issues or by a permanent body of rotating citizens, taking the Ostbelgien model as inspiration.⁴³² Based on these two options, I identify an opportunity for better connecting them in the scenario where an ECI directly initiates an ECA. To be clear, this does not dismiss the second model, where the ECA sets up a parliamentary process towards an ECI. The assumption is that an ECI-led process would generally present an ECA with very specific proposals, also for reasons of campaigning effectiveness. I propose to add a feedback loop from the previous assembly's cohort so as to make sure that all the expertise accumulated through a year of deliberations is not lost and provides specific counsel as to how this topic could be best handled in an assembly space. Formal feedback from this earlier cohort on the breadth and goals of the ECI would set the stage for the ECA-led legislative crowdsourcing on the 'how'. This is a way of avoiding the specificity of a single proposal from an ECI providing an escape route to the EP, i.e., accepting an ECI as an emergency measure and a proxy for systemic change. It is about ECIs becoming entry points to broader questions of structural renewal, with deliberative outputs of the ECA integrating the requests of an ECI with the broader-ranging potential of agenda-setting that an assembly body might have (an "ECI+" ECA). Combining both may be a good way to test and maximise their respective strengths.

431 Nicolaidis, 2024.

432 'The Ostbelgien Model: a long-term Citizens' Council combined with short-term Citizens' Assemblies', OIPD, <https://oidp.net/en/practice.php?id=1237>.

Porousness in sortition

Regarding the porousness of sortition, Rainer Bauböck suggests widening the deliberative demos beyond the legislative demos (citizens) by giving non-citizens and non-residents of Europe access to the ECA.⁴³³ This is something the Democratic Odyssey project has prominently tested through its first moment, the pilot implementation by bringing in non-citizens who are residents in the locality the assembly travels to. Bauböck goes one step further by proposing that we decrease the purity of sortition to give voice to the communities most impacted by the policies discussed in the assembly, even if these reside outside Europe.⁴³⁴ He raises a salient concern, which mirrors a similar point I have raised about agenda-setting above: Who is best suited to set the selection criteria for an ECA, in view of the fact that these should be understood to change depending on the topic discussed? Could current ECA members be consulted on sortition criteria for the next period of the ECA?

Porousness in composition

A second proposal further enriches sortition as weighted random selection by raising a question about the overall composition. The ECA should also be a space where we do not simply imagine descriptive representation of the European *demos* but also of the traditional structures and actors of power, as well as the panoply of stakeholders that create counter-hegemonic discourses. An ECA configured this way could unlock its potential to become a space for agonistic politics and give a deeper meaning to the concept of a ‘mini-public’. If we assume optimal follow-up, an ECA is best placed to consolidate its salience in European politics by providing public spaces where all stakeholders can and should make their suggestions for policy change more transparently.

In particular, I argue against purist approaches that the ECA should only hear neutral experts. I believe it should not only welcome expertise from lawmakers, academia, civil society, and trade unions, among others, but also offer a space for politicians, lobby groups and regulatory bodies to intervene in a longer process. This would involve reimagining the deliberative process itself and throwing it open for multi-stakeholder contributions where traditional

433 Bauböck, 2024.

434 Ibid.

political actors providing inputs to an ECA do not only have to convince lawmakers of the quality of a given policy proposal, but also members of an ECA.

This would require more transparent processes that use the exploratory crowdsourcing of facilitation techniques to recover the agonistic spirit of democracy but simultaneously help narrow it down to its core ideological varieties and evidence-based disagreements. August and Westphal remind us that this is only possible if the heuristics of de-escalation and reconciliation are deployed.⁴³⁵ In other words, a space where the initial “us vs them” (of different localities and *demoi* coming together) can be transformed into a more cooperative space of mutual recognition and co-creation. Nevertheless, as for agenda-setting and sortition criteria, a central question remains. Should members of an ECA also be empowered to make proposals as to who should sit at the table of experts? Should they be empowered to propose names through preferential voting or even be given the ability to nominate a third of the experts that will be called upon in the assembly? This would allow for interesting experiments of gamifying agonistics within the assembly space.

Porosity in follow-up

A third normative proposal for the ECA speaks to rethinking the spectrum of follow-up that assemblies are normally concerned with. Is it sufficient, satisfactory or indeed optimal to only consider institutional and policy recommendations as the exclusive deliberative output of an ECA?

When set up by policy-makers as consultation devices, assemblies do not fulfil their transformative potential in bringing about radical change. How do we design an ECA in a way that gives it adequate breadth for the much wider scope of inquiry that Alvaro Oleart prescribes⁴³⁶ in view of global challenges? The case study of the Conference on the Future of Europe (CoFoE) tells us very clearly that beyond the official claims of completion and appropriate follow-up, we have lost the initial momentum behind specific proposals, such as that for amending the EU Treaties.⁴³⁷ Most recently, the Commissioner-des-

435 August, V and Westphal, M. (2024), ‘Theorizing democratic conflicts beyond agonism’, *Theor Soc*, 53: 1119–1149.

436 Oleart, 2024.

437 Alemanno, A et al. (2023), ‘Implementing the CoFoE: has the time come for Treaty change?’, European University Institute: State of the Union, <https://cadmus.eui.eu/handle/1814/75650>.

ignate Maroš Šefčovič, in his EP confirmation hearing, pointed the finger at the European Council for lack of follow-up to CoFoE while claiming that most recommendations have been translated into policy proposals.⁴³⁸ As Sandra Seubert warns us, it is crucial that the ECA does not become an instrument of legitimisation for even more untransparent and elite mechanisms of policymaking through favouring technocratic and top-down consultation between bureaucratic bodies and randomly selected citizens.⁴³⁹

For instance, the Global Assembly’s “People’s Declaration for the Sustainable Future of Planet Earth” features an explicit call for corporations to become agents of change.⁴⁴⁰ Wilson and Mellier identify such calls as part of a broader theory of democratic change, where the scope of an assembly is to ‘defibrillate democracy’.⁴⁴¹ Through imagining a wide-ranging follow-up, with a spectrum of recommendations that go beyond traditional institutional and policy recommendations, an ECA could open up to public-private partnerships, new diplomacy actions and new social movements emerging from the process (assuming porousness in composition). I argue such a multi-dimensional output is crucial in devising an interface with the European Parliament that restitutes wider agency and mandate to the ECA as an independent branch.

Technological challenges and opportunities of scaling porousness

We move here to the ‘how’ question, particularly in view of the role that new technologies could play in enabling porousness. Nicolaidis proposes that this final step of the deliberative process could happen either through the European Parliament or an EU-wide referendum.⁴⁴² I would endorse direct democracy as the most intuitive progression from the legitimacy of a European mini-public

438 ‘Hearing of Commissioner-designate Maroš Šefčovič’, European Parliament News, <https://www.europarl.europa.eu/news/en/press-room/20241029IPR25029/hearing-of-commissioner-designate-maros-sefcovic>.

439 Seubert, 2024.

440 Global Assembly, 2023.

441 Wilson, R and Mellier, C. (2023), *Getting Real About Citizens’ Assemblies: A New Theory of Change for Citizens’ Assemblies*, European Democracy Hub (hereinafter ‘Wilson and Mellier, 2023’).

442 Nicolaidis, 2024.

to that of transnational demoi, building on Cheneval and el-Wakil's proposal for citizen-initiated, bottom-up and binding referenda.⁴⁴³ A strong multi-level participatory culture, as well as political endorsement at supranational, trans-local and national levels, would be extremely important for reaching a number of voters that legitimises the output of the ECA through a Europe-wide referendum.

As previously mentioned, Bauböck⁴⁴⁴ builds on the reminder by Oleart⁴⁴⁵ that we should decolonise the way we think about the composition of an ECA by including representatives of the Global South, among others. This is part and parcel of the methodology for the composition of the Democratic Odyssey project,⁴⁴⁶ which acknowledges that the best way for a critique of colonial practices to be scaled out is through virtual spaces.

I introduce here, as a fourth proposal, the idea of a digital platform as the enabler of this scaling out function through structures of transcalar polycentricity, which builds on Nicolaidis's conceptual framework for planetary politics.⁴⁴⁷ On this platform, different localities become interconnected horizontally and simultaneously generate convergence of discourses above and beyond the nation-state. My proposal builds on the experience of the CoFoE's platform and yet emerges as a critique, among others, of its top-down approach to AI-powered aggregation of debates and funnelling to the assembly cohort. A tech-enhanced ECA could bolster the accuracy and frequency of public participation and monitoring, fostering political debates beyond the assembly itself and consolidating process legitimacy, also preparing the public discourse for direct democracy practices at the end of the process.

Simultaneously, technology can also assist in this latter stage of the assembly. On the one hand, a neglected theme in this symposium, as suggest-

443 Cheneval, F and el-Wakil, A. (2018), 'The Institutional Design of Referendums: Bottom-Up and Binding', *Swiss Polit Sci Rev*, 24(1): 294-304.

444 Bauböck, 2024.

445 Oleart, 2024.

446 'Who's who?', Democratic Odyssey, <https://democraticodyssey.eui.eu/assembly/who-is-who>.

447 Nicolaidis, 2024.

ed by Chiara Valsangiacomo and Christina Isabel Zuber,⁴⁴⁸ is the potential for liquid democracy to translate transnational participation in practice and across the heterogeneous *demoi* of Europe. On the other hand, Valsangiacomo and Zuber's thought experiment proposes a model where a wider pool of European *demoi* – that can importantly be extended to the whole population of Europe – take part in a liquid ECA, within a process that accepts fragmentation and variable geometries of topics, of interest and engagement, of different intensities in follow-up across different topics. Doing fully away with sortition and the need for *in situ* assemblies calls into question whether this should be called a Citizens' Assembly at all. The fragmentation in sub-assemblies that are not selected through sortition but through interest in a given topic risks undermining the idea that a deliberative process holds agenda-setting powers on what the next ECA *must* deliberate on. Additionally, a liquid ECA as described would broaden the scale of participation, but not necessarily that of mutual recognition across different *demoi*, as it forecloses trans-European meetings on site as a central part of the ECA.

Therefore, my fifth proposal suggests a more modest use of liquid democracy as a more nuanced form of direct democracy post-deliberation. Liquid democracy could be adopted for the final step of an ECA process when a popular vote is called on a set of ECA recommendations. It would rest on the shoulders of a deliberative output that is as legitimate as the principles of civic lottery can ensure but is also as ambitious in mobilising the public as technology allows.

Here, the granularity of liquid democracy lends itself to more nuanced final outputs. Building on the more ambitious spectrum of recommendations I have suggested above, liquid democracy processes powered through digital platforms could (i) further refine and vote on ECA members' requests covering a specific recommendation, (ii) flesh out recommendations to civil society actors, businesses and other stakeholders over time and separately from policy recommendations; (iii) signal other political issues and priorities to be picked up in future ECA moments that are raised by, yet not fully addressed through the ECA process.

Of course, doing so at the translocal level would require the deployment of significant digital resources to enable e-voting, which remains contested in

448 Valsangiacomo, C and Zuber, C.I. (2024), 'Why a European Citizens' Assembly Should Replace Sortition with Liquid Democracy', GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/16> (hereinafter 'Valsangiacomo and Zuber, 2024').

scholarly work.⁴⁴⁹ Pernicious actors are bound to populate the space as soon as e-deliberation and e-voting become integral parts of the decision-making process of an institutionalised and permanent ECA. However, this should not make us shy away from such a momentous and probably inevitable challenge

⁴⁴⁹ Park, S et al. (2021), 'Going from bad to worse: from Internet voting to blockchain voting', *Journal of Cybersecurity*, 7(1).

Rejoinder: A Permanent Citizens' Assembly is not a Magic Wand for Europe. But...

Kalypso Nicolaidis^{450*}

“We have reached a time at which we can finally get rid of the conviction common to Plato and Marx that there must be large theoretical ways of finding out how to end injustice, as opposed to small experimental ways”

Rorty, 1998

I am extremely grateful to the 23 authors who engaged with the topic I offered for the GLOBALCIT Forum, and most importantly, also engaged with each other. I am lucky to have the last word here, an unfair feature, I admit, of the format. But I have no doubt that this is not the last word, since this symposium is meant to continue and extend a long-standing debate over the conditions and modes of renewal of our democracies.

To simplify, the commentaries, many of which my co-editor Rainer Bauböck and I have already engaged with bilaterally, range from ‘deep sceptics’, who put forth cogent arguments outlining the flaws of the proposal to ‘condi-

^{450*} European University Institute.

tional sceptics' who have doubts about the proposal but would consider supporting it, conditional on a number of demanding amendments that are hard to implement, to 'conditional supporters', who offer additional arguments in favour of the proposal but also refinements to it and, in doing so, have already done much of the work necessary for responding to critical commentators. My sense is that if there is one theme in common to all contributions, it is that whatever its merits, an ECA will not be a magic wand, a point illustrated by Camille Dobler and Antoine Vergne's remark that Rome was not built in a day,⁴⁵¹ Anthony Zacharzewski's advice not to run before we can crawl,⁴⁵² or Sandra Seubert's warning about illusionary promises.⁴⁵³

It is worth repeating that the case at hand concerns only a specific subset of the debate, which considerably narrows down the remit of the proposal. For one, citizens' assemblies are just one element in a panoply of democratic innovations in our time of planetary politics, or what I have discussed in a recent publication as "the third democratic transformation".⁴⁵⁴ Second, we are dealing here with assemblies of the *transnational* rather than local or even national kind, i.e., a category with its special features which remains incredibly rare.

And thirdly, within this subset, no *permanent* transnational assembly actually exists anywhere at this moment, although, as I argued, such permanence offers a number of advantages which ground my defence of the proposal: continuity, independence, learning, embeddedness, publicness and social imagination. It is for this reason, I surmise, that a small coalition of actors in the European Commission and European Parliament hope to create a *permanent* youth assembly on biodiversity, for which a pilot assembly is now under way focused on the topic of pollinators.⁴⁵⁵ For the same reason, the Council of Europe's Committee on Political Affairs and Democracy and its rapporteur,

451 Dobler and Vergne, 2024.

452 Zacharzewski, 2024.

453 Seubert, 2024.

454 Nicolaidis, 2024a.

455 For the sake of transparency, I declare here that I was part of the design committee in charge of the pilot project under the purview of the Joint Research Centre on behalf of the European Parliament in 2023-2024.

George Papandreou, have penned a report⁴⁵⁶ and a resolution supporting the same idea.⁴⁵⁷ And it is for this reason that the Democratic Odyssey has sought to ground its campaign for a permanent Peoples’ Assembly for Europe on a travelling pilot assembly, which has now met for the first time in Athens in September 2024 and from which I will continue to draw empirical insights.

It matters to this debate that I don’t defend assemblies in general but a permanent transnational assembly in Europe (and beyond, but that will be another debate). In doing so, I will come back to my original question: under what conditions can a hypothetical European Citizens’ Assembly’s (ECA) relation to the European Parliament (EP) be synergetic rather than one of either subordination or substitution? Here, I will employ a kind of jujitsu method of argumentation, namely that both the negative and positive symposium commentaries on the proposal offer a range of conditions under which a permanent ECA could overcome the “false alternative between consultative powers (subordinate model) or the sovereign powers of parliaments (lottocratic model)”, in Cristina Lafont and Nadia Urbinati’s apt formulation.⁴⁵⁸ The core of my rejoinder, therefore, will be to consider ways of improving the proposal and suggest issues for further discussion and research.

I will engage below with the range of arguments, using the three main criteria proposed in the second section of my kick-off essay to structure my response. As the reader may recall, these are what can be considered as three standard dimensions of democratic legitimacy, namely popular sovereignty, participatory governance, and, more broadly, civic culture, which offered the grounds for debate and contestation on which the comments have built.

Popular sovereignty: Can the Assembly really claim to instantiate the people?!

Many of the authors address the “who” of the Assembly and, as such, the extent to which it can best instantiate the amorphous idea of “popular sovereignty” alongside the European Parliament – in other words, the question of input legitimacy. I find these arguments powerful but suggest that our bench-

456 Papandreou, G. (2024), *Strengthening democracy through participatory and deliberative processes*, Committee on Political Affairs and Democracy.

457 IECA, 2022.

458 Lafont and Urbinati, 2024.

mark ought to be not the opinion of the scholar but the perception of public opinion across member-states. Let's consider a number of arguments in turn.

First, I would adopt without hesitation the brilliant amendment to the proposal by Graham Smith and David Owen that “the ECA should be really big” while meeting mostly in sub-configurations.⁴⁵⁹ Indeed, we have had extensive discussions on the issue of size in the context of the Democratic Odyssey assembly. Why not go higher, to 5,000 or even 10,000 for 6 months with one-third rotation? To be sure, the assembly could then not easily meet in plenary except online, but why not meet in a football stadium or a concert hall? That would certainly differentiate it from the institutional feel of the EP. In this way, a big number would certainly appeal to the social imaginary of democratic togetherness in a very different way than the EP, even if most of the time the ECA would meet in small committees. And, as Dobler and Vergne demonstrate at the end of their contribution, the costs associated with the European Parliament will continue to dwarf that of an assembly of any size.⁴⁶⁰

Second and nevertheless, even reaching such a size might not alleviate the fundamental critique in several comments that citizens in a polity of 500 million would have such a tiny chance of being selected that it makes risible the idea of equal chance (Zacharzewski's one in ten thousand lifetimes).⁴⁶¹ Rainer Bauböck expresses it most forcefully: “Different from the equal right to vote, equality of probability will hardly strengthen a sense of equal and common ownership of political institutions among citizens if chances to be called to serve are infinitesimally small for each individual”.⁴⁶²

But can't we find ways to disentangle the statistical fact of (tiny) “equal chance” from its political import? If we are dealing with the sense of ownership by citizens, part of the answer surely lies in what I have called “the pedagogy of sortition”.

Here, we must start by giving a chance to chance. There is equalising power in chance, even if it is symbolic. To the critique “equal but tiny”, we can reply: “tiny but equal”. Most people, especially young people in Europe today, believe that they have zero chance of being elected or even being a candidate for

459 Smith and Owen, 2024.

460 Dobler and Vergne, 2024.

461 Zacharzewski, 2024.

462 Bauböck, 2024.

election – at the national level, let alone at the European level. Hence, even on purely factual grounds, they may see the lottery as a more transparent equaliser than elections. To be sure, voting, not candidacy, is a power distributed equally and inclusively and conveys a sense of ownership linked to an active form of participation for which there is no equivalent in sortition. Moreover, candidates in elections are self-selected and picked by parties, not by citizens. Thus citizens who do not want to become MPs never ask themselves what their chances are to be picked. But the hypothesis here is that the very existence of an ECA linked to EU institutions would make citizens come to see the quality of delegation to fellow citizens as a different thing all together, both more ephemeral and closer to home than EP elections.

In short, the chance to be “picked” in the EP and the ECA may be comparable and actually compared in the eyes of citizens even if tiny in both institutions. This is why the sense of representation afforded by a permanent assembly needs to be considered in tandem with that of the EP, the existence of each compensating for the limitations of the other. This is in keeping with what Antoine Vergne refers to as the intersubjective character of sortition,⁴⁶³ which I discussed in the context of the *Who is Who of the Democratic Odyssey*.⁴⁶⁴

But we cannot stop at chance. The pedagogy of sortition needs to address the challenge of scale head-on. We are not in ancient Athens. The probability game at 0.001% rests on a more collective idea of representativeness: the statistical representativeness of the assembly as a whole, which brings to the fore Seubert’s question as to which ascriptions are used to measure representativeness. How do we better convey such a statistical and, thus, abstract story?⁴⁶⁵

In this perspective, many authors support the idea that complementarity calls for a different ground for legitimacy between the EP and an ECA. One such difference is that in this story, the perception of “equality” can fruitfully be augmented with the “inclusion opportunity” offered by an ECA or a “more than equal” chance for people hitherto left out of our politics, including that of the EP. Bauböck⁴⁶⁶ frames this concept differently but to the same effect, namely that of an ECA better in tune with the affected interests principle, the very

463 Vergne, A. (2023), ‘Towards an intersubjective concept of Sortition’, https://mirror.xyz/antoinevergne.eth/EyBtmfIWdYsYxG-1U9gWnqk6TwtmMpEI_rcEL-R9RaI.

464 ‘Who’s who?’, *Democratic Odyssey*, <https://democraticodyssey.eu.eu/assembly/who-is-who>.

465 Seubert, 2024.

466 Bauböck, 2024.

intuitive idea “to offer a stronger representation of the interests of those who are not presently citizens of the Union but are deeply affected by its policies”, meaning in particular equal opportunity to be selected for all those in the EU territory regardless of their citizenship (also Alvaro Oleart,⁴⁶⁷ and Andrea Gaiba⁴⁶⁸). In short, “nothing about us without us”, the slogan of the European trade unions.

But this argument leaves us with at least two problems:

First, can MEPs recognise the fact that they would need the experimental nature of an ECA to push forward this inclusiveness frontier? But how far do we want to extend this exigency of greater inclusion of the affected to cover in time also future humans and non-humans, which seems impossible to do in the EP? As Yves Sintomer says: “Future generations and non-humans neither vote, nor authorise, defer to, or control the rulers”.⁴⁶⁹ Do we make up for this vast defect through membership in the Assembly or through its conduct, as I will argue in the second part of this rejoinder?

Second, should the question of who is affected stop at our territory? What about people living in candidate countries or even in countries on which EU standards apply in the social and environmental grounds through trade agreements with the EU.⁴⁷⁰ Should the ECA, therefore, also include delegates from countries outside the EU affected by its policies, as Bauböck proposes?⁴⁷¹ Oleart takes the ambition of overcoming anthropocentricity and Eurocentricity a step further, arguing that the ECA can allow us to think globally and in solidarity, provided it is itself inclusive.⁴⁷² I tend to agree that the move from transnationalism within Europe to a global scale is only a matter of degree, given the porous nature of the EU. At least unless the EU becomes a state structurally and a nation in terms of identity, this will continue to be the case. But would such a mission not risk breaking the Assembly’s back when embarked on in the

467 Oleart, 2024.

468 Gaiba, A. (2024), ‘Mind the Gaps: Scaling up Digital Spaces to Increase Translocal Porousness in an ECA’, GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/19> (hereinafter ‘Gaiba, 2024’).

469 Sintomer, 2024.

470 Nicolaidis, K. (2021), *Differentiation, dominance and democratic congruence: A relational view*, EU Differentiation, Dominance and Democracy.

471 Bauböck, 2024.

472 Oleart, 2024

first moments of its life?

While only a handful of authors (Richard Bellamy,⁴⁷³ Alberto Alemanno,⁴⁷⁴ and Andrea Gaiba⁴⁷⁵) explicitly support a *demoi-cratic* understanding of the EU polity, it is notable that no contributor approaches the question *as* if we had to deal with one European demos. Instead, we must endorse more explicitly the ideal of pluralism, i.e. the presence of a very wide range of ideas, political cultures and languages that need to better co-exist, hence the need for a greater emphasis on attitudinal and other criteria for random selection to include more non-Brussels bubble people, and among these not only euro-sceptics who are already strongly present in the EP. Can we become more creative in this regard?

I sympathise with Oleari's suggestion that one way to ensure the involvement of actors usually left out of mainstream politics is to give a more prominent place to civil society actors and social movements in the Assembly, perhaps even through membership itself rather than presence in its meetings.⁴⁷⁶ This is what we have tried to do in the Democratic Odyssey with a membership quota for members (not representatives) of local and transnational NGOs randomly selected from sign-ups. Critics object that such membership of people with greater skills of argumentation can skew the debates of the Assembly or its representativeness. Moreover, activists might be over-represented among those who say yes. Conversely, activists are a very small proportion of society and might not make it at this first stage without some attempt at over-inclusiveness. Let us not forget that two-stage random selection is grounded on a second-stage selection process (stratification) based on some specific criteria. Why, for example, socio-economic status and not the number of languages spoken? My own belief is that the "life experience" of an activist should eventually be captured through the direct random selection process itself – as one criterion alongside, say, "level of education" (this is a kind of education, after all).

I have no doubt that this point will remain controversial. Brett Hennig also points to the potential counterproductive impact that the involvement of civil society activists might have even when they are in a position of informing the assembly rather than deciding in it.⁴⁷⁷

⁴⁷³ Bellamy, 2024.

⁴⁷⁴ Alemanno, 2024.

⁴⁷⁵ Gaiba, 2024.

⁴⁷⁶ Ibid.

⁴⁷⁷ Hennig, 2024.

But, of course, the draw itself is not the end of the story. Beyond the (tiny) equal opportunity to be selected, Bellamy cogently notes that the inclusiveness challenge is even greater when it comes to the opportunity to accept an invitation to participate.⁴⁷⁸ Those who can afford to take time off from work will come. Others will not. But is this problem insurmountable? Can compensation and support, as well as eventually civic pride, not be sufficient to at least in part overcome this challenge?

With the Democratic Odyssey, we have come up with one approach to this problem by partially composing the assembly so that it reflects its travelling nature. Yes, it will have a core of “transnationals” that will have to use planes or trains to participate. But it will also pick up members in the cities that it visits, nationals as well as expats/migrants for whom participation will therefore be less onerous. This approach (and as a spillover, the “buddy system”) has already worked in Athens (September 2024) and will be sustained in spring 2025 in Florence, Vienna and Warsaw.⁴⁷⁹ Membership is then sustained through hybrid participation and ambassadors.

But no response is a magic wand. In particular, I did not engage in the proposal with the roots and implication of social cleavages in our societies, an issue evermore present in the shadow of the US presidential elections and the entrenchment of Trumpism. Hennig is, therefore, right to point out that while an assembly travelling from city to city sounds attractively cosmopolitan, it risks leading to a skewed overrepresentation of urban over rural areas,⁴⁸⁰ while Jelena Džankić cautions us that if rural areas were to be included in the itinerary, there might not be the infrastructure in place.⁴⁸¹ How can a commitment to inclusiveness better take in all relevant groups at the periphery of Europe?

The most radical critique on the composition of the assembly and the sortition process comes from contributors who propose replacing random selection with liquid democracy and creating what Chiara Valsangiacomo and Christina Isabel Zuber call a “liquid ECA”.⁴⁸² “[A]long the lines of Alexander Guerrero’s single-issue legislatures, it would consist of a predetermined number of independent and autonomous sub-assemblies each made up of different dele-

478 Bellamy, 2024.

479 Valsangiacomo and Zuber, 2024.

480 Hennig, 2024.

481 Džankić, 2024.

482 Valsangiacomo and Zuber, 2024; See also, Džankić, 2024.

gates, allowing citizens to delegate their vote differently on different issues”. I wonder, however, why they present this approach as an alternative to our ECA proposal. Liquid democracy is a proposal to “replace” traditional electoral democracy. But the more specific ‘liquid ECA’ presented here is under-specified and the authors do not explain how electronic voting on issues can connect with deliberation and decrease polarisation. As Gaiba argues, a liquid ECA “would broaden the scale of participation, but not necessarily that of mutual recognition across different demoi, as it forecloses trans-European meetings on-site as a central part of the ECA”.⁴⁸³ We do know, in particular, from discussing with the Decidim meta-community that participation is greatly enhanced by actual agonistic deliberation and that people engage much more thoroughly when in-person and online participation interact. This goal can only be achieved at a large scale through a plethora of decentred in-person interactions. These, in turn, can be inspired by the fact that they meet around a hub that would be our rotating ECA. Why not imagine an enlarged ECA that integrates liquid democracy? Liquids need containers, after all. The onsite meetings of the ECA would be the hook for the decentred networked social imaginaries on which more direct forms of electronic participation could be built. The rotating members of the ECA could energise a liquid participatory network by shaping the issues under consideration that would then be channelled to the network. This debating and compromise function is all the more important in that the issues in question are transnational and, therefore, subject to vastly different yardsticks. Clearly, such a combination requires further conversation.

In the end, we are still left with the question asked by Lafont and Urbinati: “Why would citizens believe that it is democratic to let a few individuals exercise unilateral power over them so long as everyone has an equal chance to do so?”⁴⁸⁴ There is no easy answer, but at least we can say that it does not lie only with “who” are these few people but rather what they do and how.

⁴⁸³ Gaiba, 2024.

⁴⁸⁴ Lafont and Urbinati, 2024.

Democratic Governance: How should the ECA work?

This brings us to the second category of conditions, those related to throughput legitimacy and the argument from integrity. Under which conditions will people have trust in the integrity and authority of the assembly? How will they complement each other?⁴⁸⁵ If the ECA held co-decision-making power, how would we proceed in moments of disagreement?⁴⁸⁶ Is it the case, as many commentators argue that close collaboration will be easier with a clear division of labour between the EP and the ECA? Some of these hard questions can only be addressed organically and experimentally. In the next iteration of this debate, we will need to engage with the productive tensions between the commentators. Here are some of the questions (among others) that I see arising.

Decisiveness vs decisions: Powers is where we need to start. Against a prevailing sense that citizens' assemblies will only be taken seriously once they have decision-making powers, on the whole, the commentaries here make a strong case against giving such powers to an ECA. At least not if chosen by lottery (whereas Valsangiacomo and Zuber's liquid democracy could support such authority arising from delegation to other citizens).⁴⁸⁷ On my part, I did assume in the proposal that the ECA should not have *sole* decision-making power in an EU landscape where no single institution holds sole decision-making power, as also stated by Sintomer.⁴⁸⁸ But my argument was truncated to the extent that at least two of these institutions (the EP and Council) hold joint decision-making power, and the Commission makes decisions all the time – and even alone – on the EU's legislative and regulatory agenda. To be sure, a decision on a legislative agenda is, of course, not the same as deciding on legislation. The former is, to some extent, binding on legislators, the latter on citizens subjected to laws. Therefore, the question of who should have authority in decision-making is relevant to both but more democratically pregnant in the latter context.

485 Ibid.

486 Valsangiacomo and Zuber, 2024.

487 Ibid.

488 Sintomer, 2024.

If each of the other institutions *shares* in the decision-making power, at least as a veto actor, why not also the ECA? Following Lafont and Urbinati, some commentators seem to assume a trade-off between such powers and the EP/ECA complementarity.⁴⁸⁹ If democracy needs more institutionalised and publicly visible deliberations about the common European good – deliberations which showcase more inclusive participation as discussed above – there may be a trade-off between the quality of this deliberative forum and its partaking in decision-making. And there is certainly a trade-off between the EP’s embrace of an ECA and its ringfencing of its own painstakingly acquired powers. Bauböck explicitly grounds this complementarity in a distinction between two *demos*: a legislative and a deliberative one.⁴⁹⁰ But does the EP not also draw a great deal of its legitimacy from its role as an advocacy and debating forum in the EU? And would it not enhance its own powers if it could play a “hands-tied” strategy vis-a-vis an ECA that would provide compulsory agenda points and monitoring edicts, and to some extent, policy recommendations (even if not translated into law)? Would it not make sense for the two bodies, EP and ECA, to hold a joint power to induce the Council to act? As a visible part of the EU landscape, holding to account – the very essence of peoples’ sovereignty – could be framed as the assembly’s primary function. Its reports would be prominently advertised with an obligation of response on the part of the Council and the Commission that could become more authoritative than that of the Ombudsman alone. And such an obligation could be literally embodied by adopting Dobler and Vergne’s proposal of mixed deliberative committees through the convening power of an ECA.⁴⁹¹

Multi-functionality of the formal kind: Do we need to choose? I agree with Smith and Owen that the assembly should be multi-functional and that such multi-functionality can be structurally translated into a plethora of sub-committees.⁴⁹² Multi-functionality is based on the changing demands for any governance structure, however ‘soft,’ and the idea that functions are synergetic. Upon reading the contributions, three formal functions (as opposed to normative or political functions to which I will return) continue to make sense. Under the right conditions, some committees can engage in concrete policy recom-

489 Lafont and Urbinati, 2024.

490 Bauböck, 2024.

491 Dobler and Vergne, 2024.

492 Smith and Owen, 2024.

mentations, institutionalising the role currently devolved to the Commission's European Citizens' Panels (ECPs), as called for by Daniel Freund.⁴⁹³ With such root existence in an ECA that is permanent yet routinely renewed, these panels will become more prominent, democratic and easier to organise. I remain convinced that probably the most important function of the ECA might very well be the power to set the agenda – the crucial power to insert agenda items not only in the EP agenda but also in the Council, as Joao Labareda argues.⁴⁹⁴ This is also where an EP-ECA alliance could be crucial, as it would strengthen the pressure on member states to act on issues raised by the joint body or alternatively oblige them to justify their lack of action, including due to blocking actions but specific states. Such an agenda-setting function chimes with Bellamy's focus on "constitutional issues of principle rather than the highly technical regulatory economic policy issues".⁴⁹⁵ However, it is a third "monitoring" function that has received the least attention and yet has the clearest potential to renew democracy in Europe.

"Counter-capture" institution: how do we honour the radicality of sunlight? Interestingly, the justification of citizens' assemblies based on their "impartiality" is widespread – when combining lottery and rotation – and yet we still need to articulate what this may mean in terms of functions. Svenja Ahlhaus and Eva Schmidt speak of counter-capture, a core theme of Samuel Bagg's powerful advocacy of sortition as anti-corruption, which has just been published as a book.⁴⁹⁶ But doesn't the challenge of "capture" provide a powerful case for an experiential translation of normative claims in an era when citizens still widely remember Qatargate and similar EP corruption scandals? And, more broadly, when they distrust institutions of electoral delegation precisely because of perceived capture (or whatever equivalent term is used in the public discourse)? If it were to help alleviate these perceptions, wouldn't an EP/ECA alliance benefit both institutions, especially if it involves publicly visible confrontations with conflicts of interest? Would the EP buy it? An ECA is apt to pursue the common good because, simply put, citizens join the Assembly on a rotational basis, meaning they do not have a political career nor party interests to defend, especially in a transnational context that is even further

493 Freund, 2024.

494 Labareda, J. (2024), *Beyond nationalism: Acting and thinking for the common good in the European Union*, Manchester University Press (hereinafter 'Labareda, 2024').

495 Bellamy, 2024.

496 Ahlhaus & Schmidt, 2024.

from their lives. They do not have enough time to be captured by special interests, lobbies, and factions and are more immune to corrupting influences than career officials or politicians. They can balance the power of lobbies and interest groups, a hope now instantiated with the creation of a youth assembly for pollinators by the EP, an assembly that we hope may counter-balance those that are hollowing out measures to protect the natural world. I would add that if the ECA could help the uncaptured viewpoints of large sways of the population to make it onto the EU agenda, this rationale will come into its own in its monitoring functions, as articulated in the recent report on the radicality of sunlight. With the ECA's claim to be a "transparency guardian" alongside the Ombudsman office, citizens could learn to push the ECA – or some of its sub-assemblies as proposed by Smith and Owen⁴⁹⁷ – more in the direction of citizen oversight juries. In this spirit, we could imagine the ECA acting as a kind of democratic backup to the independent Ombudsman office, strengthening both its credentials and the public visibility of its crucial functions.

A broad remit: Can the complementarity of the ECA to the EP also come in the shape of topics, for instance, with an ECA agenda focused on the EP agenda for thematic focus as well as institutional backing?⁴⁹⁸ Daniel Freund's point is well taken that learning from previous deliberative processes, agenda setting will need clear objectives, such as questions of principle in Ireland's assembly on abortion or in France's on social climate protection, rather than broad complex ones as in the Conference of the future of Europe (CoFoE).⁴⁹⁹ Yet if the Assembly meets over time in a decentralised manner, its agenda can indeed be as broad as Europe's political agenda. I would add that we can sustain the idea of a multi-issue body while at the same time "offer an alternative imaginary to those who advocate for a permanent European Climate Assembly, or national sortition legislatures for that matter, who tend (implicitly or explicitly) to think in terms of a single body where members work together across multiple issues"⁵⁰⁰, as the assembly meets not only in different committees but also in different spaces and places, hooking to topics chosen locally.

497 Smith and Owen, 2024.

498 Džankić, 2024.

499 Freund, 2024.

500 Smith and Owen, 2024.

In this landscape, the critical functions Smith and Owen underline⁵⁰¹ are, well, critical, in line with the goal of anti-stuckness promoted by Ahlhaus and Schmidt.⁵⁰² I agree with Ahlhaus, Schmidt and other commentators that environmental issues are a key topical candidate, but I also believe that most issues would benefit from democratising foresight.⁵⁰³ As Labareda argues, a permanent assembly not only allows to incorporate the multiple perspectives of so-called ordinary citizens and identify paths to reconcile some of their disagreements, but it could also “challenge policy dogmas that are hard to contest and abandon, even when their shortcomings are apparent”.⁵⁰⁴ He points to areas of high transnational interdependencies like energy supply, migration or international security, but an assembly is precisely also the place where more hidden interdependencies and potentials for turning zero-sum games across borders into positive-sum games can best be developed.

Consensus vs Mappings: If the assembly is to go beyond a technocratic approach to policy recommendation, there must be a greater emphasis on political dilemmas, tensions, and contradiction.⁵⁰⁵ As Bauböck argues, this may be the best strategy against disinformation and polarisation.⁵⁰⁶ If we want to avoid “unpolitical democracy” in an ECA, as argued by Seubert⁵⁰⁷ or Oleart, the space it provides needs to offer discussions on the winners and losers of a proposed policy being debated within and across countries.⁵⁰⁸ Perhaps paradoxically, mapping citizens’ opinions on how to address the cleavages which the assembly can embody through its stratified composition can help protect politics from the tribal or affective polarisation we witness these days. If citizens are to “respect each other as equals and are willing to listen to each other, to compromise and to prioritise the common good” in a multistakeholder “cooperative space of mutual recognition and co-creation,” they cannot do so without truly getting to know each other’s grievances, thus honouring the agonistic di-

501 Ibid.

502 Ahlhaus & Schmidt, 2024.

503 Ibid.

504 Labareda, 2024.

505 ‘Deep Democracy’, *Perspectivity*, <https://perspectivity.org/work/deep-democracy/>; ‘Homepage’, *House of Deep Democracy*, <https://houseofdeepdemocracy.nl/>.

506 Bauböck, 2024.

507 Seubert, 2024.

508 Oleart, 2024.

mension of politics. But assuaging Olear’s warning against depoliticisation calls for a different kind of agonistics.⁵⁰⁹ In part by debating over the operationalisation of this amorphous thing, “the common good,” and outlining the political dilemmas that are at stake in pursuing it. Can the assembly help pursue depolarisation without depoliticisation? Can it articulate disagreements in ways that overcome affective polarisation? Olear is right to argue for the ECA to serve as a place where structural inequalities are recognised rather than papered over.⁵¹⁰ This is all the more important that EU politics do not benefit from an institutionalised, let alone “loyal” opposition. Whether the transnational character of the ECA offers the opportunity to stress a “strong decolonial understanding of the underlying material structures”⁵¹¹ or simply reflect other frames for oppositional politics, it would fill an important hole in EU politics.

The question of accountability. Like Owen and Smith, many commentators question the legitimacy of a handful of citizens taking decisions “as they see fit”.⁵¹² If the selected members are seen to help keep the political elite accountable by monitoring EU institutions, they ask, who will keep the members themselves accountable? One kind of valid answer is provided by Sintomer’s warning against idealising electoral democracy and its pseudo-accountability (“the real relations between the citizenry and the various rulers is less accountability than deference – at best when it is not indifference, distrust or anger”).⁵¹³ Moreover, if none of the present EU institutions can make unilateral decisions and work without the scrutiny of the other institutions, why would the ECA not also be part of that larger system of feedback and control?⁵¹⁴ Can we not draw some solace from the astonishing alignment between citizens’ views and assembly outcomes as a kind of ex-post accountability (see, e.g. the Irish referenda in the wake of the 2016-17 citizens’ assembly)? Ultimately, is the answer not grounded in the permanent nature of the assembly and its continued endorsement by public opinion?

509 Ibid.

510 Ibid.

511 Ibid.

512 Lafont and Urbinati, 2024; Bellamy, 2024; Freund, 2024.

513 Sintomer, 2024.

514 Ibid.

Civic Culture: Can the ECA really reach the demos?

This brings us to what is probably the biggest challenge for an ECA, which has to do with the shape of our democracies in general, **and arguments from epistemic democracy or output legitimacy**. Can an alliance between the EP and ECA make a significant difference to the broader public's democratic engagement with European affairs? To be sure, there is much scepticism on this count, which Lafont and Urbinati articulate beyond this forum in their recent book.⁵¹⁵ We converge in our wariness about citizen-washing that ultimately can be seen as an institutionalised form of brain-washing: both sides collude in pretending that citizens can make a difference. This is what Gaiba refers to as assemblies' "original sin."⁵¹⁶

Sure, no magic wand it will be. But many commentators seem to take seriously the *potential* democratic impact of an ECA, the conditions under which an ECA would constitute more than a well-oiled mega focus-group. For all the progress they may represent – and we must never overlook their pioneering character – the ECPs organised by the Commission did not empower the many, but only the few. There is no doubt that we need to learn from and improve on their achievements and shortcomings regarding visibility and engagement.⁵¹⁷ In fact, I think the sceptics overlook the transformative potential of their own critique. As a critical theorist committed to immanent critique, I suggest below some signposts for this alternative route:

Democratic Ownership: normative or empirical? The question of power raised above in terms of the functioning of the assembly becomes all the more complex as we address the question raised by Ahlhaus and Schmidt: How can the ECA “deserve” the citizens’ sense of democratic ownership?⁵¹⁸ The question reminds me of our general debates on legitimacy, a central point in our *Federal Vision* book (Howse and Nicolaidis, 2002), where we did fall back, after much normative agonising, on empirical benchmarks. Ahlhaus and Schmidt argue

515 Lafont, C and Urbinati, N. (2024), *The Lottocratic Mentality: Defending Democracy against Lottocracy*, Oxford Academic.

516 Gaiba, 2024.

517 Bellamy, 2024.

518 Ahlhaus & Schmidt, 2024.

that “justified” ownership calls for pursuing certain goals that can be in tension with each other: countering opacity, capture, and stuckness.⁵¹⁹ I refer to these as political functions that are closely aligned with the classic rationale for CAs (e.g. inclusive representation, democratic equality, impartiality and epistemic diversity, as summarised here).⁵²⁰ It is not clear to me, however, why these normative considerations would not ultimately translate into a collective experiential diagnosis: This is the beauty of the idea of a visible permanent assembly and the iterative nature of citizens’ engagement it would generate; it is also the beauty of virtual, “liquid” democracy in the era of the web. Nor is it clear to me that these are contradictory functions. Above all, we need to consider arguments in support of citizens’ assemblies but in the special context of transnationality, which tends to make them even more potent, as we argued in the Democratic Odyssey blueprint. As per Sintomer, the deployment of qualities like impartiality or epistemic diversity are arguably even more precious in the EU context.⁵²¹

Institutional decoupling and mediating role: In fact, even Lafont and Urbinati, sceptical as they are, articulate a vision for an ECA that, I would be close to what many CSOs supporting Democratic Odyssey’s campaign for a permanent ECA envision: *a mediating role between EU institutions and the publics*, an intermediary ECA that is not “directly coupled with formal political institutions”.⁵²² An idea welcomed by Seubert⁵²³ as well as Ahlhaus and Schmidt,⁵²⁴ whereby the lack of decision-making powers, in fact, enables the capacity of such an assembly to play such a role. Indeed, this is also our assumption in the design of the Democratic Odyssey process, where we have only sought soft endorsement on the part of politicians, betting on a broader public appeal to give weight to the final recommendations. This is also the trade-off we have assumed when designing the EP’s youth assembly on pollinators: the normative power and potential to affect Europe’s civic culture and to lower

519 Ibid.

520 We would need to investigate further the relationship between formal functions related to the policy cycle (agenda-setting, policy, monitoring) and political functions related to the impact on the polity (counter opacity, capture, stuckness) or as per Smith and Owen, regulatory, generative, critical functions.

521 Sintomer, 2024.

522 Lafont and Urbinati, 2024.

523 Seubert, 2024.

524 Ahlhaus & Schmidt, 2024.

barriers to political participation simply by communicating with the public in a language that they understand.

To operationalise this vision, Hennig suggests using mass participatory “deliberate and vote” tools such as vTaiwan.⁵²⁵ In the same spirit, Lafont and Urbinati,⁵²⁶ as well as Smith and Owen, envisage “simultaneous assemblies” that would review and improve the initiatives submitted by civil society groups after gathering some low threshold of signatures” through informed and inclusive deliberation...submit them to the relevant public authorities (e.g. the EP, national parliaments, local authorities) for (mandatory) discussion and decision-making or, in the appropriate cases, to general referenda (in the relevant jurisdictions).⁵²⁷ I believe that indeed such a process ought to be central, but disagree that there is no value-added to a single core assembly acting as a hub or a focal point for review, aggregation, visibility etc. Here are points that I think merit further discussion:

Horizontality and the democratic disconnect: I argued in the proposal that one of the core reasons to bring together polycentric assembly processes is simply as a first step to overcome “democratic disconnect” in Bellamy’s felicitous phrase, or to address the “transnational disconnect” as the *raison d’être* of this ECA, as argued persuasively by Melisa Ross and Andrea Felicetti’s.⁵²⁸ Alemanno writes that the ECA can help “Europeanise domestic politics, opening up EU issues trapped within the nation state,” using “the unique ability of a permanent citizens’ assembly to ‘Europeanise’ the politics of the EU in the current political and constitutional juncture.”⁵²⁹ The horizontal challenge of connecting our demoi or what Zacharzewski refers to as our overlapping ‘citizenships’ amounts to horizontal, not just vertical, accountability.⁵³⁰ Here, horizontal mediation between peoples becomes the animating force for vertical mediation between institutions and peoples – with peoples not taken in their isolated national or local silos but as peoples who have already undergone some exercise in crafting a Rawlsian overlapping consensus nationally. The Assembly would be there to manage visibly, performatively, a related kind of accountability,

525 Hennig, 2024.

526 Lafont and Urbinati, 2024.

527 Smith and Owen, 2024.

528 Ross and Felicetti, 2024.

529 Alemanno, 2024.

530 Zacharzewski, 2024.

which would shape and frame the mediation between the peoples of Europe. One objection is that the ECA members will be in a transnational setting, but the broader public will not. It will take connections “outside the selected few” for the ECA to help connect “peoples” across borders, not just their representatives. In my view, this could happen through the multiple channels created and enabled by the ECA if transnational conflict were made more explicit and addressed as such.

Embeddedness and multiple docking: Perhaps in slight tension with its EU-publics mediating role, many authors view the ECA’s embeddedness in the EU governance system as a condition for the possibility for this virtuous dynamic. Considering Ahlhaus and Schmidt’s diagnosis of the opacity of the EU system, it is unlikely that citizens would acquire a sense of ownership in bits and pieces.⁵³¹ If the overall system is so complex and opaque as to not be grasped, no Assembly alone would make up for it. The assembly needs to fit in like a piece of an institutional puzzle. Taking in Seubert’s conditions for CAs systemic efficacy, there is a need for other reforms to happen as well – she cites the transnational ethos of EU-wide election lists for the EP.⁵³² As a result, commentators should not see a permanent ECA as any other. It will be docking in several different physical places and, thus, political spaces. Sure, the EP itself juggles between Brussels and Strasbourg at a significant cost. So, the ECA’s *docking challenge* is perhaps an amplified and positive version of the EP’s experience.⁵³³ Dobler and Vergne argue that the need for “docking” of the ECA⁵³⁴ can draw from the characterisation adopted by the Global Assembly on the Climate and Ecological Crisis (GLOCAN) as “the process of interfacing in a compatible way with existing institutional structures.”⁵³⁵ These may be EU structures or other structures and levels of governance, here again calling for horizontal accountability between countries or regions, as well as vertical accountability all the way down to the citizen.

531 Ahlhaus & Schmidt, 2024.

532 Seubert, 2024.

533 Ross and Felicetti, 2024.

534 Dobler and Vergne, 2024.

535 Global Assembly, 2023.

Local porousness and translocalism: Building on Ross and Felicetti,⁵³⁶ we ought to, in fact, i) connect the vertical plurality of lived experience across European communities to European institutions to ii) create bridges across those communities and across other ongoing mechanisms of participation.⁵³⁷ In effect, we need to develop what I see as a grounded theory of transnationalism, that is, a theory of translocalism applied to democratic innovation. Alemanno's argument suggests that the flipside of Europeanisation of domestic politics has to democratise domestic politics through Europeanisation: Bringing Europe to town, as we say in the *Democratic Odyssey*.⁵³⁸ This is what we mean by "planting democratic seeds" all over the EU, as echoed by Dobler and Vergne, who see a translocal ECA like a travelling circus, an imagined "web of deliberation of which the ECA is a part" as "each visited locality could spin up its own process encouraging more decentralisation and exponential scaling".⁵³⁹ They highlight the importance of energising local democracy with each travelling assembly, working with local politicians on the next steps using assembly members and alumni as co-entrepreneurs and pioneers in this regard. The hope is that the democratic respect⁵⁴⁰ demonstrated by the Assembly's existence and performance would prove contagious and contribute to fostering a sense of civic ownership and a more democratic civic culture *locally* across the EU through "a Europe-wide, permanent deliberation infrastructure... if it can advance the connection with and among publics and meaningfully engage locally anchored actors and demands".⁵⁴¹ Who needs a unified European public sphere when we can have a more resilient polycentric one.

Mediation through distrust: I am wary, however, not to see this exercise as simply about "building trust" between peoples and politicians. If the "radicality of sunlight" is to protect the complementary approach from falling into the subordination scenario, as Lafont and Urbinati warn can happen in the absence of final authority, it cannot rest only on trust-building.⁵⁴² Democ-

536 Ross and Felicetti, 2024.

537 Veloso and Luís, 2023.

538 Alemanno, 2024.

539 Dobler and Vergne, 2024.

540 Bongardt, A and Torres, F (eds.). (2023), *The Political Economy of Europe's Future and Identity Integration in crisis mode*, European University Institute.

541 Ross and Felicetti, 2024.

542 Lafont and Urbinati, 2024.

racy, as Machiavelli would say, is about authorising and channelling distrust and dissent. Here, the mediating role would not be as a bridge but as a perceived *guardrail* against the polity falling into nepotism and corruption, in short, capture. This is also an implication from Lucile Schmid's point that the Assembly process should not be coopted into a legal process, because EU institutions have a competitive mindset.⁵⁴³ The ECA needs to invent ways to connect to the disenchanting citizenry, protesters or other disaffected groups, who would be able, over time, to trust this institution to act on their healthy distrust of mainstream institutions. If efficient meritocratic public administrations have been weakened, they may enter into a Gramscian alliance to enact such a strategy.⁵⁴⁴

Decoupling vs bringing politics back in: A connected issue has to do with whether and how such a partial decoupling of the Assembly from the central institutional logic of the EU can create a greater space for "bringing politics back in." Many authors argue that bottom-up change must accompany the top-down sort if EU official institutions are to partly give up control of this democratic process. Olear's highlight of the EU's unique 'citizens turn' tries to use sortition to combine representativeness and citizen engagement to weigh the balance between risk and opportunity.⁵⁴⁵ Technocratic approaches bring a greater focus on consensus than on compromise alongside the risk of undermining an agonistic democratic logic. Yet, according to Lucile Schmid, observer of the French Assembly on Climate, many members became attracted by political responsibilities afterwards in part for the lack of politics in the Assembly itself.⁵⁴⁶ As Wilson and Mellier argue, we are living through a crisis of self- and collective efficacy: people feel trapped, and there is nothing they can do in the face of transborder challenges.⁵⁴⁷ If citizens' assemblies can radically increase peoples' efficacy, they need to perceive themselves as active

543 Schmid, L. (2024), 'Enlarged Complementarity: How an ECA Should Relate to Other Institutions and Actors', GLOBALCIT, <https://globalcit.eu/representing-european-citizens-why-a-european-citizens-assembly-should-complement-the-european-parliament/15> (hereinafter Schmid, 2024').

544 Sintomer, 2024.

545 Olear, 2024.

546 Schmid, 2024

547 Wilson and Mellier, 2023.

agents of change and given the “scaffolding” required to act as such.⁵⁴⁸ This means framing assembly members as political actors, including by training them to speak and supporting them to be advocates for the assembly, not just in the political areas, but also towards the broader public and private actors. Accordingly, new sources of power and cooperation could come from an ECA if it “could open up to public-private partnerships, new diplomacy actions and new social movements emerging from the process”.⁵⁴⁹

Digital civic engagement: Clearly, alongside other analysts, we need to spend more time questioning the relationship between on-site ECA meetings and digital civic engagement. Džankić⁵⁵⁰ and others rightly advocate the use of new digital technologies to lower the financial costs and ecological footprint as well as broader participation in the spirit of ‘liquid democracy’ – a particularly inclusive system with low barriers to political participation. But as discussed above, it is not clear how too much reliance on liquid democracy would serve engagement horizontally across borders.⁵⁵¹ Gaiba defends the “idea of a digital platform as the enabler of this scaling out function through structures of transcalar polycentricity, which builds on Nicolaidis’ conceptual framework for planetary politics” while “the granularity of liquid democracy ... lends itself to more nuanced final outputs.”⁵⁵² Accordingly, this would entail adopting a liquid democracy approach for the final step of an ECA process when a popular vote is called on a set of ECA recommendations. We need to build on such cross-pollination between liquid democracy and an ECA.

Global Porousness: Beyond the EU scene, it is also worth thinking about the ECA from a global perspective, and here I stress that this includes not only discussions about solidarity beyond the nation-state (Oleart,⁵⁵³ Ross and Felicetti⁵⁵⁴) but also about conflict across borders. If “the unique ability of a permanent citizens’ assembly to ‘Europeanise’ the politics of the EU in the current

548 ‘Understanding psychological drivers of civic engagement’, Busara Center, <https://busara-micro-site.s3.us-east-2.amazonaws.com/case-studies/A6.+Understanding+psychological+drivers+of+civic+engagement.pdf>.

549 Gaiba, 2024.

550 Džankić, 2024.

551 Blum and Zuber, 2016.

552 Gaiba, 2024.

553 Oleart, 2024.

554 Ross and Felicetti, 2024.

political and constitutional juncture” can be used to generate cross-border interactions and transnational legitimacy⁵⁵⁵ this transnational character is porous – practising transnationality within opens up for the experience and capacity to do so with Europe’s neighbours and beyond. It would be good to explore further such porousness through what I call “reversing the democratic gaze.”⁵⁵⁶

Participatory complementarities: Finally, a lot of these questions and debates take us back to what I call “participatory complementarities”, i.e. the need for the deliberative assembly to be connected with all forms of citizens’ participation in public life. This starts with the relationship between the ECA and direct democracy. Gaiba suggests that agenda setting could be enabled by “combining the assembly with an ECI process”,⁵⁵⁷ which “may be a good way to test and maximise their respective strengths”, according to Ross and Felicetti.⁵⁵⁸ These authors argue that the connection to direct democracy is “crucial because it implies that the ECA should ultimately be grounded in public spheres, not just attached to institutions”. Drawing on Simon Niemeyer’s “Scaling up Deliberation to Mass Publics”,⁵⁵⁹ they promote this other kind of horizontality, by creating bridges across these communities and across other ongoing mechanisms of participation.⁵⁶⁰ Can the EP champion European Citizens’ Initiatives (ECIs)? Can it monitor the afterlife of ECIs? Should it offer its own ECIs to European residents? And ultimately how do these different types of complementarities – participatory, representative and territorial, interact?

555 Alemanno, 2024.

556 Nicolaidis and Youngs, 2023.

557 Gaiba, 2024.

558 Ross and Felicetti, 2024.

559 Niemeyer, 2014.

560 Veloso and Luís, 2023.

Conclusion: How to get there?

I have not expanded here much on the case in favour of creating a permanent ECA. Several of the commentators, including Sintomer,⁵⁶¹ Alemanno,⁵⁶² Gaiba⁵⁶³, Ross and Felicetti⁵⁶⁴ or Dobler and Vergne,⁵⁶⁵ have done so better than I could. Instead, I hope that this rejoinder has clarified the initial proposal by taking in and further debating as many of the points articulated in this forum as I could take on board. Clearly, this is a small part of the overall puzzle. We still need to offer a theory of change that is not only normatively appealing but politically plausible.

In spite of the cogent arguments of the sceptics in this forum, I still believe that this is an idea whose time has come. And that the EU is its perfect testing ground, as Sintomer⁵⁶⁶ and Alemanno⁵⁶⁷ articulate.

As Dobler and Vergne⁵⁶⁸ explain pithily, such an ECA “is not expensive, not technically impossible, and it does not take too much time.” But bang for the buck does not mean big bang. Any campaign for an ECA needs to start with the fact that an ECA on its own is not able to address all or even most, problems with the current state of democracy. Democratic eco-systems need to be built and spread, and other reforms need to happen for the assembly to work, reforms that might encourage a cross-border democratic ethos, such as the aforementioned EU-wide election lists emphasised by Seubert.⁵⁶⁹ Continued institutional initiatives such as the Commission’s panels and youth councils, as well as the EP’s Agora, will also prepare the ground, above all by convincing European civil servants and politicians that this is a worthy game.

561 Sintomer, 2024.

562 Alemanno, 2024.

563 Gaiba, 2024.

564 Ross and Felicetti, 2024.

565 Dobler and Vergne, 2024.

566 Sintomer, 2024.

567 Alemanno, 2024.

568 Dobler and Vergne, 2024.

569 Seubert, 2024.

Indeed, we need to be wary also about counter-productive moves. Freund points to the risk of backlash.⁵⁷⁰ Without political backing and institutional support to allow for mechanisms for implementation, he warns, this proposal might backfire and lead to further detachment rather than engagement. To stave off this prospect, alliances will need to be built among actors who believe in the sharing of power, civil servants and civil society groups, politicians and parties, as well as EU institutions like the Ombudsman office, the European Economic and Social Committee and the Committee of the Regions. First and foremost, a campaign advocating for complementarity between an ECA and the EP needs MEPs!

Timing is paramount. Zacharzewski cautions that it might be too early to speak of an ECA campaign when there is still much to be discussed about participatory and deliberative processes. Let's first build the necessary frameworks and infrastructure for the ECA to become successful, he argues.⁵⁷¹ We need multi-lingual networks of facilitators and independent guarantors, groups of independent experts and experts by experience to share their stories, and a set of connected digital environments to ensure that the ECA can be actively transparent as it is happening. Realistically, he surmises that the media is more likely to report on failures and accusations of undemocratic practices than success. Hence the need to be cautious and incremental: "On political grounds, therefore, I would argue that an ECA should be consultative, and that its organisers need to devise better approaches for publicising it than relying on media coverage."

But cautiousness should not stifle our imagination. Hennig's discussion of the pros and cons of a pilot assembly as implemented by the Democratic Odyssey offers precious advice.⁵⁷² He persuasively crystallises the challenge as prefigurative politics – i.e., modes of politics and social relationships that strive to reflect the future society being sought by building a new society within the shell of the old. But here again, caution seems to gain the upper hand. If the campaign character of the assembly (in this case, that of a pilot like Democratic Odyssey or the EP's youth assembly) might not allow it to have a political impact, this could lead to the demoralisation of members who put in their time.

570 Freund, 2024.

571 Zacharzewski, 2024.

572 Hennig, 2024.

Where does this all leave us? As Richard Rorty has suggested, our journey may need to follow an incremental logic. Yet, at the same time, it calls for a radical shift in mindset for the state to shed the reassuring cloth of ‘consultation’ for the glorious garments of ‘democracy’. These are different worlds, different logics. We are thus left with the ECA dilemma: we may burn our wings with too much hubris, but without pioneering ambition, nothing will happen.

In closing, I suggest that we cannot divorce this democratic conversation from geopolitics. A permanent ECA needs to speak to our times. Our next frontier has to do with the role of transnational and national citizens assemblies in much more demanding contexts than those we find in our consolidated democracies, so as to practice “democracy-under-the-radar” in authoritarian settings, or democratic transition after ethnic conflicts. It may be that, as Ross and Felicetti stress, “the European Union and European practitioners may be in an unparalleled and privileged position to effectively advance such a democratic experiment,” but the story does not stop here.⁵⁷³ We will need to reverse our gaze and pay heed to the plethora of lessons emanating from elsewhere.⁵⁷⁴ Ultimately, a permanent ECA can take many shapes or forms, and its design can be much improved by the kind of debate we are having in this GLOBALCIT forum. But only its actual existence will allow us to test our scholarly deliberations through trial and error and imperfect approximation, in keeping with the very essence of democratic experiments throughout the ages.

573 Ross and Felicetti, 2024.

574 Refer to fn 173 - eg op cit fn 173 Nicolaidis, K. and Youngs, R. (2023), *Reversing the Gaze: Can the EU Import Democracy from Others?*, JCMS: Journal of Common Market Studies, 61(6): 1605–1621 (hereinafter ‘Nicolaidis and Youngs, 2023’).



ISBN:978-92-9466-662-8
doi:10.2870/9250462
QM-01-25-046-EN-N



Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Education and Culture Executive Agency (EACEA). Neither the European Union nor EACEA can be held responsible for them.