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#CITIZENDIALOGUES  
#CITIZENCONSULTATIONS  
#PARTICIPATIVE  
DEMOCRACY

# REPRESENTATION AND PARTICIPATION

## REINVENTING EUROPEAN DEMOCRACY

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former Deputy Secretary General for the Citizens' Consultations on Europe and head of the "Regional Citizens' Conferences" Department at the *Grand Débat* Mission, Deputy Head of the "Citizens' Dialogues" Unit at the European Commission, gives us an analysis of the practice of participatory democracy.

The information and opinions contained in the publication are those of the author and do not necessarily reflect the official opinion of the European Commission.

### Résumé ■

It is a remarkable semantic evolution: the "participation" of citizens in the European project has found its way into the official documents of European institutions, in particular in the preparation of the "Conference on the Future of Europe", in order to give "a new impetus to European democracy". The use of the term "participation" at this level honours and obliges Europeans. It honours us because **the European Union could become the first transnational political space that reinvents democratic practice by combining representation and participation** in an innovative and engaging way. But it also obliges us to keep steering through treacherous waters and to take the dangerous currents endangering our democracies seriously.

This policy paper is therefore first of all a warning call: the "democratic emergency" we are facing today is just as acute as the climate emergency. Developing **participatory democracy is the best way to credibly respond to citizen demand to be more regularly involved in public decision-making**. It is both more inclusive and deliberative than the filter bubbles of social networks. It also doesn't fall into the traps of direct democracy, which neo-populists present as the only "right" way how citizens can express their opposition to the elites of representative democracy—a model that is running out of steam in many countries.

Through the humble eyes of a practitioner, this policy paper proposes avenues for reflection and action for the development of a participatory and deliberative European democracy that are as operational as possible. While it doesn't provide "turnkey" solutions, the paper seeks to **learn from past** experiences and identify the essential questions that must be asked if citizen participation were to have a significant impact on policies, without substituting for representative democracy. To the contrary, representative democracy can be enriched by participation. But what is the objective of this approach, who participates in it and by what means? Among the many issues that are raised, including the need to find a better link between the essential role of organised civil society and the new format of citizen assemblies, this policy paper particularly highlights a promising new scheme: **panels of randomly selected citizens** that are set up on an increasingly regular basis at both transnational and national levels, and are based on a deliberative method that relies on the collective intelligence of citizens.

*"The future belonged to a new youth whose dreams we no longer knew.  
All we could do was hand on to them the solid legacy of a democratic Europe."*

*Jean Monnet on the May 1968 movement,  
Memoirs, 1978.*

*"Let us not forget that citizens lack neither intelligence  
nor common sense and that they are only asking to understand  
the issues that are at stake for their collective and individual destiny.  
Why wouldn't they decide to participate and become more involved?"*

*Jacques Delors, Mémoires, 2004.*

*"There is a need for new instruments in politics. Between the popular  
referendum on the one hand and parliamentary representation on the other,  
there is a wide space that must be developed."*

*Enrico Letta with Sébastien Maillard,  
Faire l'Europe dans un monde de brutes, 2017.*

*"Every citizen shall have the right to participate  
in the democratic life of the Union"*

*Article 10 of the Treaty on European Union*

## INTRODUCTION ■

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Bringing “new impetus to European democracy” and “giving Europeans a greater say in setting our priorities” is one of the commitments of the new President of the European Commission for the next five years, in particular in the framework of a “Conference on the Future of Europe”.<sup>1</sup>

The first guidelines that European institutions gave to the conference mark a semantic shift as they mention the “participation” of citizens in the shaping of European policies. In fact, the European Commission’s document on the conference is very clear.<sup>2</sup> It aims to “promote new forms of citizen participation”, which “complement representative democracy”.<sup>3</sup>

This is certainly not the first time that official documents mention the involvement of citizens in the European project. But the European Union, which is both a representative democracy under construction and a delicate balancing act of diplomacy, has often preferred the more cautious terms of “dialogue”, “consultation” or “association”. Moreover, it didn’t always clarify the blurred border that separates these areas from the communication of the European project, which must constantly justify both its actions and its own existence.

The Union has certainly made progress in the area of citizen participation. In addition to making reference to a right of participation in the Lisbon Treaty, the increase in the number of citizens’ consultations and dialogues in recent years is a notable, commendable and instructive development. However, in practice, the European institutions have rarely crossed the Rubicon of calling for citizen participation. Indeed, this term refers to the often-misunderstood theory of “participatory democracy”, which is itself often linked with the idea of “deliberative democracy”.

These relatively recent concepts, born in the 1960s and 1980s respectively, are, as political scientist Loïc Blondiaux points out, based on the same “primary intention”: to complete the institutional arsenal of representative democracy with spaces where broad democratic deliberation is possible and where the participation of the greatest number to collective choices is encouraged. As Blondiaux put it, the aim is to institutionalize the participation of “ordinary” citizens in political decision-making in formats beyond the simple appointment of elected officials.<sup>4</sup>

The use of the term “participation” at this level honours and obliges Europeans. It honours us because **the European Union could become the first transnational political space that reinvents democratic practice by combining representation and participation in an innovative and engaging way**. But it also obliges us to keep steering through treacherous waters and to take the dangerous currents endangering our democracies seriously.

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1. The idea for a “Conference on the Future of Europe” that closely involves European citizens was raised by French President Emmanuel Macron in an [op-ed published in March 2019](#) and was taken up by Commission President-elect Ursula von der Leyen. See also [the mission letter](#) to the Vice-President in charge of the Conference on the Future of Europe, Dubravka Šuica.

2. VON DER LEYEN U. 2020. *The Commission’s contribution to shaping the Conference on the Future of Europe*, Communication, 22 January 2020, Brussels.

3. The [European Parliament resolution](#) calls for the involvement of several citizens’ agoras in the Conference, also making very explicit references to participatory and deliberative formats.

4. BLONDIAUX L. 2007. « *La démocratie participative, sous conditions et malgré tout. Un plaidoyer paradoxal en faveur de l’innovation démocratique* ». *Mouvements*, 2007/2, Issue 50, pp. 118-129.

It also means investing public money in participatory processes that make sense for citizens who are now informed in both a continuous and compartmentalized manner, sceptical about more traditional forms of representation and demanding about their outcomes.

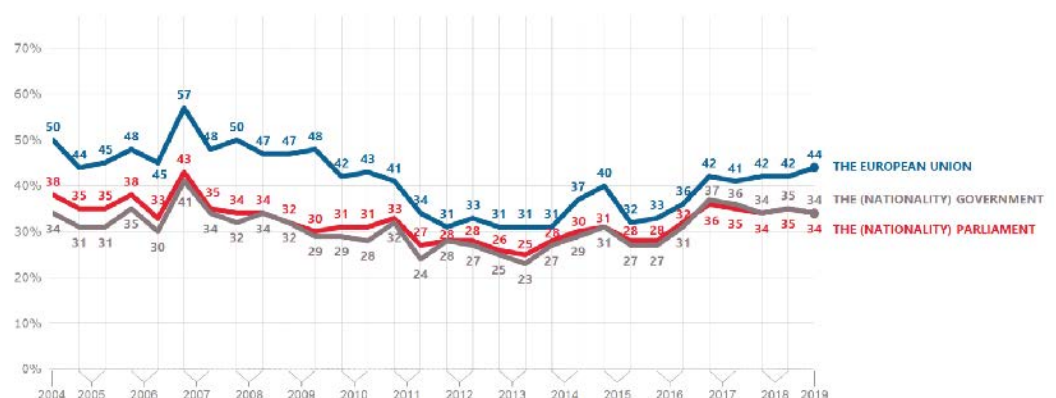
This policy paper will return to the observation that our representative democracies are running out of steam. It aims, through the humble eyes of a practitioner, to propose avenues for reflection and action for the development of a participatory and deliberative European democracy that are as viable as possible. It is also a warning call: **the “democratic emergency” we are facing today is just as acute as the climate emergency.** The time for ivory tower debates or micro-experimentation has passed: the issues are known, experience has taught us important lessons and tools exist. It is now a matter of moving forward and operating on a more ambitious scale, by (1) understanding what is at stake, (2) drawing lessons from past experience and (3) raising relevant questions in order to think about the future.

## 1 ■ UNDERSTANDING WHAT IS AT STAKE

### 1.1. The fatigue of representative democracy and the rise of neo-populism

It is possible to debate the “crisis of representation” ad infinitum: Is it real? Is it stronger than before? How long has it been going on? But it is clear that the phenomena under study are not new. The under-representation of the working class in representative assemblies, the remoteness of some voters who are abstaining from elections, especially in more precarious, rural, “peripheral” areas that are far from public services, as well as the identification of a hard core of abstentionists have long been analysed by political scientists. As early as 2006, Pierre Rosanvallon wrote in *Counter Democracy* that “the erosion of citizens’ confidence in political leaders and institutions is among the phenomena that political scientist have studied most intently in the last twenty years”.<sup>5</sup> And this trend has since become established, as the figure below from the biannual Eurobarometer surveys reminds us.<sup>6</sup>

FIGURE 1 ■ Confidence rates in the EU between 2004 and 2019



Source: Eurobarometer

5. ROSANVALLON P. 2008. *Counter-Democracy: Politics in an Age of Distrust*. New York: Cambridge University Press.

6. For recent data on citizen confidence in representative institutions, see also ALGAN Y., BEASLEY E., COHEN D. *et al.* 2019. *Les Origines du populisme. Enquête sur un schisme politique et social*. Paris: Le Seuil.

Although it should be noted that confidence in the European Union is on average higher than in national institutions, the problem is even more critical at the European level as citizens are further removed from power and the EU's institutions are less well known.<sup>7</sup> The elitist bias of citizen participation is therefore more pronounced there. Moreover, some researchers identify “an end of the permissive consensus”, based on opinion polls that were taken at the time of the ratification of the Maastricht Treaty.<sup>8</sup> While citizen support for the European Union's peace objective was vague and poorly informed, it existed. This has been replaced by a more demanding form of Euroscepticism or, at the very least, disenchanted indifference as the European project spread to harder areas of sovereignty or those that directly affect people's lives.<sup>9</sup>

It does not matter if one believes, as the author of these lines does, that the inclusive nature of our democracies is the basis of their strength, or whether or not one has an egalitarian vision of society. It is an indisputable fact that **today the questioning of elites and an instrumentalised discourse that opposes people to their representatives are the common features and the breeding ground in which the so-called “neo-populist” parties are developing.** Neither populism nor extremist parties are new phenomena in the European Union, but their resurgence in new forms, their rise to power and the spread of their often hateful discourse should alert those who built this Union as an institutionalisation of peaceful democracies.<sup>10</sup>

There are sighs of relief whenever an election “contains” the rise of these parties. The rise in turnout for the 2019 European elections, coupled with the subdued results for several extremist parties have caused such relief. This is understandable but at least partly misguided. A look back over the last twenty years is much less merciful. Numerous studies bear witness to this. One example is a study by *The Guardian* that was carried out by thirty political scientists in thirty-one countries which shows that the **vote for neo-populist parties has tripled in twenty years:** while they represented seven percent of voters in 1998, today this number has increased to one in four.<sup>11</sup>

<sup>7</sup>. Even though its results are gradually improving, all Eurobarometer surveys show how little citizens know about the functioning of the Union. The spring 2019 survey has tried to measure objective knowledge through three factual questions and only twenty-two percent of respondents manage to answer all three correctly. While these figures are higher for subjective knowledge, a feeling of not understanding the inner workings of the EU remains dominant among those in precarious situations (fifty-one percent among people who have difficulties paying their bills) and with low levels of education (fifty-five percent among people who finished their studies before the age of fifteen).

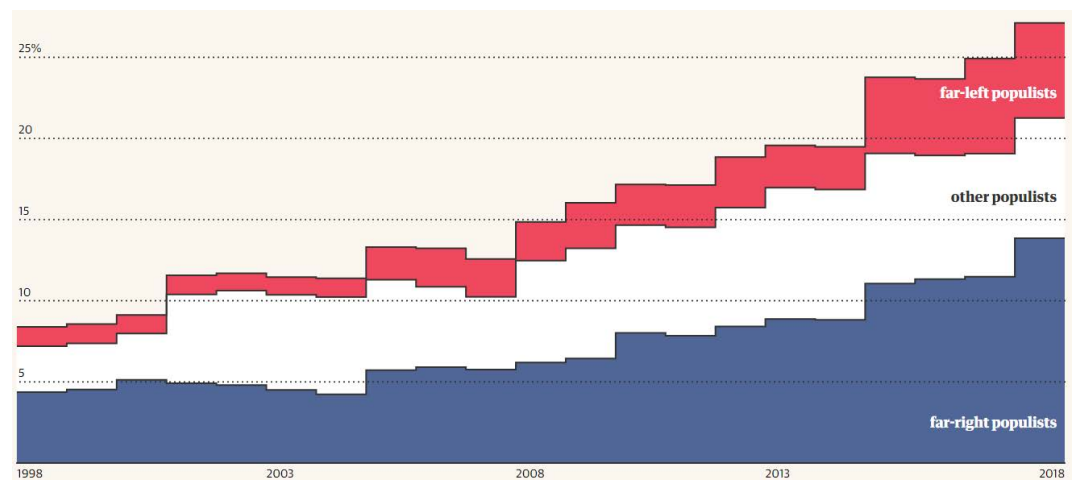
<sup>8</sup>. The relationship between citizens and the European Union has been the subject of much academic work, based in particular on the analysis of Eurobarometer surveys. For an overview of this work, see for example BERTONCINI Y. & CHOPIN T. 2010. *La Politique européenne. États, pouvoirs et citoyens de l'Union européenne*. Paris: Presses de Sciences Po et Dalloz, where the authors recall that the term “permissive consensus” was coined by Ronald Inglehart (1970) and applied to the EU by Leon Lindberg and Stuart Scheingold (1970). See also BELOT C., MAGNETTE P. & SAURUGGER S. 2008. *Science politique de l'Union européenne. Etudes Politiques*. Paris Economica. Or BELOT C. & CAUTRES B. 2006. *La Vie démocratique de l'Union européenne*. Paris: Documentation française.

<sup>9</sup>. The analysis of European public opinion was further developed at the time of the French and Dutch “no” votes on the European Constitutional Treaty in 2005 (see in particular RICARD-NIHOUL, G. 2005. “*The French ‘No’ Vote of 29 May 2005: Understand, Act*”, *Report Nr. 44*, Paris: Jacques Delors Institute.)

<sup>10</sup>. On neo-populism, see in particular REYNIE, D. 2013. *Les Nouveaux Populismes*. Paris: Pluriel. On the rise of anti-system parties of the radical left and populist right, see also ALGAN, Y. et al. 2019. *The Origins of Populism (op. cit.)*. The book also highlights the decline in interpersonal trust among supporters of these parties.

<sup>11</sup>. LEWIS P., CLARKE S., BARR C. et al. 2018. “*Revealed: one in four Europeans vote populist*”. *The Guardian*. 20 November 2018.

**FIGURE 2 ■ Overall share of populist votes in Europe, 1998 to 2018.**  
Share of combined votes per year for thirty-one countries



Source: The Guardian, 2018

Whenever the progress of these parties is halted, is it clear at what price? The “porosity of red lines” is another urgent dimension that requires democratic vigilance. Under the guise of fighting against the extremes, many so-called “mainstream” parties have, in reality, adopted a large part of their discourse. As important dams have been breached, the porosity can be measured by the indifference with which shared references seem to have penetrated the public arena.

This isn’t about being apprehensive of the Europhobia that nationalist-populist parties commonly invoke. Europhiles can deplore it, be moved by its anachronism in a globalised world, be saddened by the fact that nationalist discourse can still inflame part of the youth, despite the horrors it caused in the 20th century, and by the risk of an erosion of the collective memory.<sup>12</sup> However, challenging the project of European integration does not run counter to the democratic values of the Union. In fact, it is part and parcel of democratic freedom of expression.

But what are the limits of free speech? Today we talk about “illiberal democracies” as if democratic systems can be dissociated from liberal principles, such as rule of law, checks and balances, independent institutions, minority and fundamental rights as well as individual freedoms.<sup>13</sup> Perhaps, as suggested by Yascha Mounk, we should also be vigilant about the widespread—although, in my opinion, largely unfounded—perception that there is an ‘anti-democratic liberalism’ which is embedded in the European Union.<sup>14</sup>

The purpose of this paper is not to contribute to this philosophical debate, but to stick to the texts that unite the member states of the Union: the European Treaties and the Charter of Fundamental Rights. They embody a European vision of democracy that respects individual freedoms and opposes all forms of discrimination; a democracy that is open, inclusive and based on solidarity, the rule of law

<sup>12</sup>. To be distinguished, of course, from other forms of patriotism. A sense of national identity is clearly not incompatible with the project of European integration. See in particular RICARD-NIHOUL G. 2012. *Pour une Fédération européenne d’États-nations. La vision de Jacques Delors revisitée*. Éditions Larcier.

<sup>13</sup>. On the links between democracy and political liberalism, see in particular the article—on which this policy paper builds—CHOPIN T. 2019. *“Illiberal democracy” or “majority authoritarianism”? Contribution to the analysis of populisms in Europe*. Policy Paper No. 235, Paris: IJD.

<sup>14</sup>. MOUNK Y. 2018. *The People vs. Democracy*. Cambridge: Harvard University Press.

as well as checks and balances.<sup>15</sup> As Thierry Chopin points out, “deprived of the principles of limited and moderated power, illiberal democracy is in reality a smokescreen that masks the evolution towards “majority authoritarianism”.<sup>16</sup>

Exclusionary, anti-Semitic, Islamophobic identity discourse, the mystification of a “pure” people that would be damaged by “invasions” of migrants and multiculturalism, and regression on the rights of minorities or on the place of women in our societies, endanger the rule of law and democracy. These are the pillars of the European Union and are written in black and white in the Treaties. What is at stake, therefore, is a cultural battle and a **relentless defence of a vision of democracy which is not just the electoral rule of the majority but a set of values, including the fundamental values of the rule of law and respect for the European Charter of Fundamental Rights.**

## 1.2. Bringing European liberal democracy to life through citizen participation

It is imperative to stress, time and again, what European liberal democracy is and to what extent it forms an integral part of the European project. But it is a matter of urgency to also “bring it to life”. For this to happen, of course, the fight against social inequalities remains the foundation of our societies. It is the bedrock of our democracies, and the European Union must no longer shirk the task to rebalance its policies towards social and environmental progress, as the Green Deal aims to do.

But the subject of this paper refers to another priority: “the pressing need”, in Pierre Rosanvallon’s words, “to extend the democracy of authorization by a democracy of exercise, the purpose of which is to determine the qualities expected of those in power and the rules organizing their relations with the governed”.<sup>17</sup> There are many areas of work: the challenges relating to the transparency of public action and the quality of information are immense. Citizen participation is another issue that is equally important, for at least three fundamental reasons.

The first is the need to articulate a response to the crisis of representation, which is commensurate with the threat posed by populist discourse on this subject. Neo-populists claim that representative democracy is disconnected from the people, paralyzed, bureaucratic and expensive. In its stead, they promise a direct democracy with referenda that is alive, vibrant and rooted in people’s hearts and minds—a thrifty democracy of “popular common sense”. Obviously, we must relentlessly oppose the idea that representative democracy is condescending and soulless; after all, its representatives are elected by the people. They are men and women, fathers, mothers and citizens, and their commitment is most often genuine and underappreciated. Enabling elected representatives to implement the programmes for which they were elected is a necessary condition for the return of a more virtuous circle of trust. But this condition is no longer sufficient. We must not reject the representative system because we are aware of its limits. Instead, we have to **develop an alternative discourse that goes beyond the dichotomy between representative democracy and the direct expression of the people**—in short, election vs. referendum. The space between these two poles is participatory and deliberative democracy. Today this form of democracy has a history, codes, methodologies, and experiments, from the local and national to the transnational level. It is time to advertise this and show how they could usefully complement and enrich the mechanisms of representation, giving citizens levers to influence political decision-making outside the voting process.

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<sup>15</sup>. See, *inter alia*, Articles 2 and 6 of the Treaty on European Union.

<sup>16</sup>. See footnote 12.

<sup>17</sup>. ROSANVALLON P. 2015. *Le Bon Gouvernement*. Paris: Le Seuil, p. 21.



The second reason for citizen participation relates to the capacity of our democracies to adapt to our time. It is quite difficult to accept that the practice of an episodic vote for selecting representatives can be acceptable for citizens who are subject to a never-ending flow of information and trapped in social media bubbles, often deprived of the tools to distinguish true from false—a lever for manipulation. The same is true for those who are geographically distant from the political centre because of a precarious situation or a disenchantment with “politics”. It is clear that new technologies can bring out the best and the worst in people. It is thus becoming urgent to **transform the informal field of “perpetual connection” into a more formal space of ‘committed and active citizenship’**. And for those who feel remote from everything, including politics and technology, in order to bring them closer to public life, we need to admit that the representative system alone has—for decades—not been able to provide an adequate response and that we must dare to bring democratic innovation. These areas of innovation and active citizenship must, in particular, make it possible to do one essential thing: bring deliberation back to the inner working of our democracies. Deliberative democracy is the inseparable counterpart of new forms of citizen participation. What James Fishkin and Robert Luskin have defined as “the serious consideration of arguments and counter-arguments for and against policy alternatives” is the very essence of democratic practice. This deliberation has become even more indispensable in light of the impoverished debates in virtual bubbles, the spread of misinformation and the alienation of citizens that were mentioned above. <sup>18</sup>

The third reason for developing participatory democracy is linked to the need to strengthen transnational democratic spaces, which must become the counterbalance to political and economic power in a globalized world. In this respect the European Union is an extraordinary laboratory, and European democracy a potential pioneer for future forms of transnational democracy. What is fascinating about its development is that **the EU must simultaneously strengthen the traditional mechanisms of representative democracy at the European level**—which it has done quite impressively since its founding, notably by strengthening the powers of the European Parliament—**and respond to their limits through instruments of participatory democracy**, by synthesizing national and transnational elements. This is therefore potentially a field of extraordinary innovation. It could be possible to simultaneously respond to two pressing needs for our democracies to evolve: a synthesis of the national and transnational level, on the one hand, and representation and participation, on the other.

Participatory democracy—and its inseparable counterpart, deliberative democracy—is no longer just an attractive add-on for representative democracy, it has become the condition for its survival. And just as representative democracy must continue to be strengthened at the European level, its participatory counterparts must also be deployed, including the transnational citizen dialogue, which is an innovative and crucial dimension for the future of our democracies. Today, there is one overarching imperative: having an impact on the formation of public policies and moving from *listening* to *policy shaping*. In short, we need to think of a mechanism between representation and participation that is mutually beneficial.

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<sup>18</sup>. See also “La démocratie ce n’est pas seulement une question d’élections, d’organisation des pouvoirs publics, c’est aussi de plus en plus une question de délibération” in the article ROSANVALLON P. 2005. “*Les sociétés doivent avoir un pouvoir de délibération*”. *Alternatives internationales*, Issue 24, May 2005.



## 2 ■ DRAWING LESSONS FROM PAST EXPERIENCES

Although it was already enshrined in the Treaties, the word “participation”, as we have seen, seems to have made its way into the usual European jargon. Indeed, participatory democracy currently has the wind in its sails. A growing number of local, national and European leaders perceive it as an essential complement to a representative democracy that is in crisis and subject to many pressures, including the rise of anti-elite populist parties and popular movements such as the Yellow Vests in France. The more frequent use of participatory methods, as illustrated in France by the consecutive organisation of the “Citizens’ Consultations on Europe”, the “Grand Débat National” and the “Citizens’ Convention on Climate”, is good news. As it is used more often and on a larger scale, participatory democracy is taking on a more meaningful and inclusive role.

However, sometimes out of cynicism but (more often) lack of theoretical and practical knowledge of these participatory tools, political or institutional actors and associations sometimes mishandle them, weaken their rigour and scope and, in the end, fail to resolve or, even worse, reinforce the feeling of mistrust of the citizens that they seek to diminish. At the European level, the diversity of national and local cultures in this field and the need to integrate a transnational and intercultural dimension into participatory experiences that is faithful to the European motto, “united in diversity”, add to this problem.

Rather than reinventing the wheel, looking at existing models and learning from them for the future seem to be indispensable preliminary steps. Institutions often lack memory when it comes to involving citizens in decision-making. Yet many interesting initiatives have emerged that offer imperfect, but rich lessons.

### 2.1. The European Treaties: civil dialogue and the citizens’ initiative

The pragmatic approach to participation at the European level starts, as for its philosophical dimension, with the “marriage contract” of the member states, that is, the Treaties on which the European Union was founded. In this regard, **Articles 10 and 11 of the EU Treaty provide for nothing less than a right to participation**: “Every citizen shall have the right to participate in the democratic life of the Union” and “decisions shall be taken as openly and as closely as possible to the citizen”.

In order to understand what this means beyond the rather obvious election of representatives to the European Parliament, we must refer to Article 11, which, in a schematic view, lists three links between the European institutions and the citizens.

The first link involves organised civil society: “The institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society”, while the Commission is required to carry out “broad consultations with parties concerned”. This consultative dimension revolves above all around the mobilisation of “stakeholders” in European policies, particularly those who have joined

forces in Brussels.<sup>19</sup> As Alberto Alemanno reminds us, similar to instruments like the right to petition the European Parliament or the right to complain to the Ombudsman, the Commission's consultations remain relatively unknown and seldom used by the general public.<sup>20</sup> The consultative nature also implies that the citizen's contribution is not binding on the institution, which remains free to follow the advice or not.

Another link is the European Citizens' Initiative (ECI), an innovative instrument at the international level, which has been the subject to much commentary and will therefore only be briefly mentioned here as it is not the main subject of this article.<sup>21</sup> Let us simply note that if there were a scale of participation at the European level, the ECI would be at the other end of the spectrum from public consultations.<sup>22</sup> As such, it is one of the few EU instruments that provides for a binding mechanism that requires a response from the institutions. As long as the citizens' request relates to one of the Union's areas of competence, the European Commission must take it into account and provide a response that justifies its action or inaction. The system is currently being reformed to increase its efficiency, but some citizens' initiatives have already been finalised and one of them has had a legislative impact on water policy.<sup>23</sup>

In this policy paper, we will talk about the implementation of a less "codified" part of Article 11, namely the passage which provides that "the institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action". This clause translates into initiatives and instruments that can be classified into three categories, according to their degree of innovativeness and the impact they have had on European decision-making, ranging from citizens' dialogues and panels drawn by lot, to the experience of citizens' consultations.

## 2.2. Citizens' Dialogues

Launched in 2013 by Viviane Reding, the European commissioner in charge of communication and citizenship, the "Citizens' Dialogues" were intended to be a forum for debate and direct exchange between a European commissioner and the general public. The idea was to organise meetings in the form of open-ended question-and-answer sessions with the participants. They would be hosted in

<sup>19</sup>. Since 2015, through its Better Regulation Programme, the European Commission has been trying to streamline the public input at the different stages of European policy-making through the "Have your say" platform. See the analysis of the first results of the Commission's consultation efforts of the "Better regulation" programme. A lot of academic work also concerns this consultative component. See for example QUITTKAT C. & FINKE B. 2008. "The EU Commission consultation regime". In KOHLER-KOCH B., BIÈVRE D. & MALONEY W. (eds.) *Opening EU-governance to civil society: gains and challenges*. Mannheim: Universität Mannheim, Mannheimer Zentrum für Europäische Sozialforschung (MZES), pp. 183-222.

Or ROSE G., VAN KEULEN I. & AICHHOLZER G. "Formal agenda-setting (European level)". In HENNEN L., VAN KEULEN I., KORTHAGEN I. *et al.* 2020 *European E-democracy in practice*. New York: Springer.

<sup>20</sup>. ALEMANNO A. 2020. "Europe's Democracy Challenge: Citizen Participation in and Beyond Elections". *German Law Journal*. Volume 21, Issue 1. Cambridge: University Press.

<sup>21</sup>. See, for example, the article HIERLEMANN D. & HUESMANN C. 2018. "More Initiative for Europe's Citizens". *Policy Brief*, Gütersloh: Bertelsmann Foundation.

<sup>22</sup>. Participatory experiments at the European level are still too experimental for graduation as proposed by Sherry Arnstein in 1969. However, it is interesting to refer to this work because it is now a benchmark. Arnstein proposes eight levels of participation: manipulation, therapy, information, consultation, involvement, partnership, delegation of power, direct control; participation becomes "effective" when the level of partnership is achieved.

<sup>23</sup>. European Citizens' Initiative. 2012. "Water and sanitation are a human right! Water is a public good, not a commodity!"

local public venues (town halls, festival halls, etc.) each time a commissioner visited a member state and covered by local media.

Organised by the European Commission representations in the member states, together with a dedicated team at headquarters, they have been able to devise various methodologies for these dialogues, in particular in an attempt to reach out beyond the “insiders”. In France, several methodologies have been tested in order to reach as diverse an audience as possible. For example, partnerships with organisations that address people who are usually far removed from European issues (*Secours catholique*, *Secours populaire*, neighbourhood committees, etc.) were established. Another example was the setting up of information booths in heavily frequented areas to raise awareness and interest in dialogue on Europe (i.e. “bringing Europe to the citizens” rather than waiting for the opposite to happen, which is rather difficult to achieve).

Another challenge was the need to create real conditions for dialogue by offering potential participants the opportunity to take part in pre-sessions where they could gather information, prepare questions, and ask them by video or in person. All these experiences of dialogue have been reinforced by a presence on social networks which allows a wider audience to participate. “Facebook Live” sessions have also been tested. More recently, the European Commission, with the help of Europe Direct Information Centres, has embarked on multi-country dialogues in cross-border regions to add a transnational dimension and diversity to the dialogues.

All these experiences have made it possible to better incarnate the European Commission and bring it closer to the citizens, many of them from beyond the capitals. **The willingness of the Juncker Commission to multiply their number has been properly implemented, as they increased from around fifty dialogues in 2015 to 1800 today.**<sup>24</sup> The von der Leyen Commission wants to continue along this path. It requires all members of the Commission to visit each member state at least once during the first half of their term of office. The European Committee of the Regions has also organized dialogues and contributed to the efforts to bring the institutions closer to the citizens.

While reports of these dialogues have been produced regularly and certainly enabled commissioners to listen, without filters, to the concerns of citizens, the Commission’s “Citizens’ Dialogues” do not have a real reporting system that is capable of accurately collecting citizen expectations. This is not necessarily a problem as long as it is clearly stated up front and properly understood. Alessandro Giordano, for example, presented transnational dialogues as a form of civic education rather than participatory democracy in a publication of the European Committee of the Regions.<sup>25</sup>

At the European level, as will be elaborated below, the sense of belonging to a common identity is weak. Wanting to strengthen this bond may be an objective in itself. The same applies to learning about active European citizenship. There may also be a legitimate desire to use this type of debate as a basis for communicating European action or providing information on the rights of European citizens. However, “Citizens’ Dialogues” have sometimes been presented as instruments that enable the Commission to hear and draw directly on citizens’ concerns. This could give the impression that they are an instrument of participatory democracy, which they are not—or not yet. The Commission is currently considering whether it can consolidate the “Citizens’ Dialogues” so that they are more closely linked with the legislative agenda and have a greater direct impact on European policies.

<sup>24</sup>. See a document by the European Commission for the Sibiu European Council in May 2019, which listed 1600 dialogues: “Citizens’ dialogues and citizens” consultations. Key conclusions’.

<sup>25</sup>. European Committee of the Regions. 2019. *From local to European: putting citizens at the centre of the EU agenda*, p. 65.

## 2.3. Citizens' Consultations

The "Citizens' Consultations on Europe" that took place from April to October 2018 in twenty-six member states (Italy was supposed to organise them but did not in the end; other member states such as Hungary participated but were quite sceptical about the approach), proposed by French President Emmanuel Macron, went a little further than the "Citizens' Dialogues", in at least three ways.

First of all, their value-added is that they have been conceived as an interinstitutional exercise at the European level. Indeed, generally speaking, each institution (Commission, Parliament, European Committee of the Regions, European Economic and Social Committee) tends to launch its own experiments to consult citizens, often in an uncoordinated manner. While this may make sense for the institutions, it unfortunately does not for citizens. On the one hand, there are those who are somewhat familiar with the intricacies of the European Union but rather keen to express their views on the European project as a global issue. On the other, there is a vast majority that has little understanding of how the European institutions work and cannot clearly distinguish between them.

The "Citizens' Consultations" were initiated by the Council (General Affairs and European Council). This is in itself an interesting development, as it is a fundamentally diplomatic institution that is arguably the furthest removed from a participatory culture. Yet it also involved all other European institutions in one way or another: the European Commission carried out the online consultation and mobilised its "Citizens' Dialogue" instrument in most of the member states; the European Committee of the Regions added information gathered from its own consultation mechanism to the final report, the European Parliament designated two of its events "consultations" and the European Economic and Social Committee hosted the European "Citizens' Panel" (see below). These first steps towards interinstitutional cooperation are worth pursuing.

The second achievement of the consultations was that member states agreed on a common framework for organization. Although it was negotiated with difficulty at times, this methodological framework was also the first step towards better coordination. In particular, it explicitly recognized that steps had to be taken to reach the most heterogeneous audiences possible. This prompted many member states to reflect on innovative formats to achieve this objective (for example, consultations in prisons in France, in retirement homes in Portugal, in adult education centres in Germany, in medium-sized towns in the Czech Republic, with the help of a civil society network in Spain or an innovative online platform in Latvia).<sup>26</sup>

The third and perhaps most interesting aspect is that, in addition to the common methodology and schedule, **the reference framework contained a common objective to submit a report of consultations to the mid-December 2018 European Council**. This had two consequences: first, it obliged each member state to set up a system for reporting on the consultations in a format that could be analysed and collated in a national report; second, it mandated the drafting of a European report on the basis of the national reports.

The drafting of the European report, even though it seems straightforward, was not easy due to Hungary's opposition. As a result, the published report was the work of Austrian Presidency and the future Romanian Presidency. The format was therefore not a Council report as such, although the difference for citizens is minimal. But in terms of substance the report does exist. For the first time, the institution of the Council at its highest level, Heads of State and Government, has considered the

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<sup>26</sup>. Cf. "Citizens' Consultations" national reports.

outcomes from citizens' consultations. A very clear link has been made between this report and the definition of the strategic agenda for the coming years.<sup>27</sup>

Yet it is regrettable that they did not commit to a timeframe to explain how these citizen consultations were taken into account in designing the new strategic agenda—Brexit and the yellow vests in France had upset these plans. Of course, consultations were also not the only source of inspiration for the Heads of State and Government. Nevertheless, it is clear that the momentum for a genuine ecological transition obvious in the report was one of the reasons why that subject moved up on the agenda and led to the “Green Deal” for Europe.<sup>28</sup> It would be appropriate now to take some time and offer an assessment of what happened before the “Conference on the Future of Europe” gets under way. In France, an event aiming at this has been organised at the national level in December 2019, a year after the end of the ECC. But more needs to be done, as in some countries, like France, it would be now difficult to remobilise civil society groups without telling them what has been done with the results of the “Citizens’ Consultations”, as they contributed a great deal.

The “Citizens’ Consultations” would have other areas for improvement if they were replicated.<sup>29</sup> The principle of subsidiarity, i.e. leaving it to each member state to organise consultations in their own way, accounted for the specific features of the political culture and the geographical and administrative organisation of each state. It would probably have been difficult to apply a single method across the board. Without going that far, however, it would have been possible and useful to think of a somewhat more binding framework in which, in addition to the principles and the common objective, stronger methodological prescriptions would allow for greater comparability of results. Similarly, the inter-institutional process was taken further than usual but could have been pushed even more if it had been better anticipated.

## 2.4. Citizens’ Panels

While not a fully-fledged initiative like the dialogues and consultations, “Citizens’ Panels” have been a format that has been tried and tested in a variety of settings. One of the first experiences dates back to the post-referendum period of 2005 (i.e. following the French and Dutch no votes to the Constitutional Treaty) and “Plan D” (for democracy, debate, and dialogue) which was launched by European commissioner Margot Wallström at the time. These include, for example, the first pan-European deliberative poll, conducted by the Jacques Delors Institute,<sup>30</sup> or the “Citizens’ Consultations” that were organised by a group of foundations.<sup>31</sup> A more recent and enriching experience was the organisation of a **“European Citizens’ Panel” to prepare the online consultation of the “Citizens’ Consultations on Europe”**. Finally, several dialogues or consultations have taken place in a panel format. For example, for the former, the plurinational panels organised by the Bertelsmann Foundation and the European

<sup>27</sup> The [conclusions of the December 2018 European Council](#) include a paragraph with a title that makes a direct link between the two exercises (*Citizens’ Dialogues and Citizens’ Consultations and Preparations for the Strategic Agenda*) and a meaningful acknowledgement of the approach by the Heads of State and Government.

<sup>28</sup> This assessment is based on the empirical analysis of an internal institutional point of view. It could hardly be supported by a more academic study, as there is no formal document linking feedback from the consultations to the strategic agenda (like the German report which includes a section that explicitly describes what is taken into account by the government). During the drafting of the report of the Austrian and Romanian presidencies, however, this issue was vigorously discussed because the priority of this subject in citizen feedback had at times surprised some diplomats.

<sup>29</sup> See for example the study carried out by STRATULAT C. & BUTCHER P. 2019. *“Citizens expect: Lessons from the European Citizens’ Consultations’ Consultations”*. Discussion paper, Brussels: European Policy Center.

<sup>30</sup> NOTRE EUROPE. 2007. *“Tomorrow’s Europe – The first ever Pan-EU Deliberative Poll®”*. Paris: IJD

<sup>31</sup> Wikipedia, free encyclopedia. *“European Citizens’ Consultations”*.

Commission <sup>32</sup> or, for the latter, the two panels (at the national level <sup>33</sup> and in the Burgundy region) that were organised in France during the consultations.

**What these experiments have in common is the method of selecting participants by drawing lots.** <sup>34</sup>

We speak of citizen “panels” because, following the random draw, a certain number of demographic criteria are applied to the selection (we “panelise”) in order to constitute a “mini-public” that is representative of the sociological diversity of the geographical location where the panel will be held (e.g. European, plurinational, national, regional, or local). This method contributes significantly to the representative form of our democracies as it is one of the few methods that mobilises people who feel distant from public affairs. At the European level, the value-added is amplified as the participation of a less advantaged and educated population that is not international and mobile is neither common nor easy to foster.

Not all of these panels had the same impact on public policy. They have adapted to the framework in which they evolved. While the panels in the “Citizens’ Dialogues” have not been noticed enough, those that were part of the consultations in France have been included extensively in the national report. The panel with the greatest impact on public policies is undoubtedly the European panel organised at the beginning of the “Citizens’ Consultations” in May 2018. <sup>35</sup> Indeed, the objective of this panel, which lasted two and a half days, was to draw up the questions that would be asked online to all Europeans. It is quite remarkable that the European Commission chose to use the result of the panel without modifying a line of the questionnaire that had been developed.

While the question of the impact of participatory mechanisms is a broader one, it is even more obvious in the case of processes based on the drawing of lots, which is a more costly technique than voluntary participation. However, the quality of these mechanisms far surpasses all other participatory methods. **The panels bring together a greater diversity of the public** in comparison with other techniques. <sup>36</sup>

Moreover, the working method that participants use is based on a very thorough and, in general, particularly careful deliberative mechanism. This is in order to balance the commitment that is required from citizens who were removed from their usual daily life for an exercise that is (rightly) presented to them as unprecedented. Many formats are possible, depending on the objective that is pursued. But the citizen deliberations that are carried out and assemble collective citizen intelligence almost systematically lead to a result of remarkable quality. Indeed, all observers of this mechanism agree on this.

In addition to the examples of “European Citizens’ Panels”, we should also add the **experience of citizens’ assemblies that are drawn by lot at the national level**. As there have recently been some remarkable developments, it is possible to draw lessons from these large-scale participatory experiences. They are particularly relevant for thinking about participation at the European level.

<sup>32</sup>. RENKAMP A. & HIERLEMANN D. 2019. *New ways to increase citizens’ participation in Europe*. Gütersloh: Bertelsmann Stiftung.

<sup>33</sup>. HIERLEMANN D. & DIEBOLD C. 2019. *Citizens’ Consultations on Europe: French Citizens’ Panel*. Gütersloh: Bertelsmann Stiftung.

<sup>34</sup>. On the drawing of lots, see for example, SINTOMER Y. 2011. *A short history of democratic experimentation. Drawing of lots and politics from Athens to the present day*. Paris: La Découverte.

COURANT D. & SINTOMER Y. (ed.) 2019. “Le tirage au sort au XXI<sup>e</sup> siècle” special dossier, *Participations*. Volume 23, Issue 1.

VERGNE A. 2011. *Kleros & Demos: The theory of the draw in politics at the test bed of the practice of the Planungszelle and the citizen jury*. Thesis in Political Science. Berlin: Freie Universität.

<sup>35</sup>. HUESMANN C. & HIERLEMANN D. 2018. *Evaluation Report: European Citizens’ Panel on the future of Europe*. Gütersloh: Bertelsmann Stiftung.

<sup>36</sup>. See the article RICARD-NIHOUL G. 2019. “Diversity and deliberation: why is random selection a promising path for citizens’ participation in the European Union?”. In European Committee of the Regions. 2019. *From local to European: putting citizens at the center of the EU agenda*, p. 52.

First of all, it is clear that the more successful European participation becomes, the more it will reach a wider audience and garner feedback from citizens. This, in turn will mean that there is a challenge to conduct rigorous analysis. The “Grand Débat” in France was, in this respect, an instructive experience. It had to rely on analytical methods that involved both human and artificial intelligence. This made it possible to synthesise millions of contributions in a short amount of time. **The “Grand Débat” was also an opportunity to experiment with drawing lots on an unprecedented scale:** twenty-one regional citizens’ conferences were organized, or, more precisely, thirteen regional conferences, one national conference for youth and seven conferences in the French Overseas Territories. This led to the randomized recruitment of 1400 people.

Another lesson can be learned from random selection. Numerous discussions were held with experts and the “Collège des garants du Grand Débat” (the five “sages” that were appointed by the main French public institutions). The final decision favoured a lottery method with randomly generated telephone numbers, which had the advantage of reaching people who were not on the electoral roll.<sup>37</sup>

The length for the citizens’ assemblies in the “Grand Débat” was relatively short (one and a half days). Essentially, the objective was to gather the gut feeling of participants on what they considered to be priority issues. The methodology was based on the gradual building of a collective citizen intelligence.<sup>38</sup> Factual information was supplied by “fact checkers” that were available on request from the participants.

Other formats of national citizens’ assemblies have also created a space for experimentation on how to integrate technical expertise, diversity of opinions, and their representatives, into citizen reflection. There are numerous experiments such as the Icelandic “Constituent Assembly”<sup>39</sup> or the “G1000” in Belgium.<sup>40</sup> The Irish citizens’ assemblies, which led up to a constitutional reform process, are another frequently cited example. They enabled a peaceful, educated and collective citizen dialogue before moving on to the binary nature of a referendum on such complex subjects.<sup>41</sup> Finally, the French “Citizens’ Convention on Climate Change”, a result of the “Grand Débat”, is another important example of how a lay assembly can be entrusted with a subject that is *a priori* complex enough to potentially lead to legislative measures.<sup>42</sup> The citizens’ assembly that is currently taking place in Scotland, asking which type of country should be built after Brexit, is also promising.<sup>43</sup>

<sup>37</sup>. For a practical guide to citizens’ panels, see in particular MARCIN G. 2018 *Citizens’ panels. A Guide to a Working Democracy*. Krakow: Otwarty plan.

VERGNE A. 2018. *Citizens’ Participation Using Sortition*. Gütersloh: Bertelsmann Stiftung.

<sup>38</sup>. Sur l’intelligence citoyennes collective, voir notamment LANDEMORE H. 2013. *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many*. Princeton: University Press.

<sup>39</sup>. See in particular LANDEMORE H. 2015. “Inclusive Constitution-Making. The Icelandic Experiment”. *The Journal of Political Philosophy*. Volume 23, Issue 2, p. 166-191.

<sup>40</sup>. The G1000 is also at the origin of a democratic innovation now being tested by the German-speaking Community in Belgium of a [permanent council of citizens](#) to accompany the work of the parliament.

<sup>41</sup>. On the Irish experience, see for example FARRELL D. M. & SUITER J. 2019. *Reimagining Democracy: Lessons in Deliberative Democracy from the Irish Front Line*. Ithaca, New York: Cornell University Press.

DURING D. 2019. *Citizens Assemblies in Ireland*. [laviedesidees.fr](#).

<sup>42</sup>. For more information on the experience of the [Citizen’s Climate Convention](#), see the eponymous page.

<sup>43</sup>. Website of the [Scottish Citizens’ Assembly](#).



## 3 ■ ASKING THE RIGHT QUESTIONS

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In debates among experts on participatory and deliberative democracy, it is not uncommon that one model is defended or even considered superior to others. We have already mentioned the quality of deliberations that can be observed during randomly selected panels, and we will come back to this point later. Yet citizen participation remains a social science in the making, particularly since it is being deployed on a larger scale, which raises new challenges. This is why, rather than being prescriptive, this policy paper tries to list the essential questions that need to be asked about the participatory approach, specifically for the European level. The list is certainly not exhaustive but is drawn from the practical experience of setting up this type of initiative.

### 3.1. What is the objective?

#### 3.1.1. From communication to a “participation-information” diptych

For a long time, the European Union has been rather timid about communication. The predominant role of diplomacy in the construction of Europe, the emphasis on economic expertise and the desire of member states to retain control of the national public and media space have for decades prevented the European Commission from developing meaningful communication strategies and instruments. With limited budgets and less experience in the dedicated team for communication, the European institutions have rarely played “in the big league”. The few steps forward have often been made in a subdued or even hidden manner, as if the institutions were struggling to put on the traditional clothes of the nation-state by using communication as a tool at the service of its politics and policies.

Fortunately, the situation has changed and communication strategies are more outspoken today. The corporate strategies led by the Commission’s Directorate-General for Communication are more professional as well as punchier and bring together the budgets of different departments. The European Parliament’s communication campaign for the last European elections dared to use more effective tools, which probably played a role in the increase in turnout. However, there are still remnants of these reservations visible today in the confusion between communication and citizens’ dialogue. There has often been a tendency to show off what the EU does well and apply the label “dialogue” to the process, assuming that if citizens were “better” informed, they would be more pro-European.

In a public debate, it is legitimate for European commissioners to justify their actions, but it would certainly be **useful for the European institutions to make a clearer distinction between *political communication* and *citizen information***, which is essential for exercising active citizenship. The aim is of course not to weaken the former, quite the contrary. The Commission must be able to fulfil its role as a political communicator without taboos. It is a political body and it is clear that the success of a government depends as much on the action it takes as it does on the way it talks about it. At the same time, it would be useful to better separate communication and participatory democracy. Indeed, for the best possible use of the latest, all sides of an issue should be presented with the greatest possible neutrality. Expertise that is provided should be free from political or ideological considerations or alternatively objectively balanced during the confrontation of ideas.

**There is, however, an obligation to provide information, which is a corollary of participation.** Indeed, it is difficult to imagine participatory methods at the European level if citizens were not in a position to participate with appropriate resources. Baseline knowledge is indispensable to empower citizens to have a sense that they can contribute. Distinguishing between civic information—even education,

another subject that is just as important—and what emerges from the communication of a political programme is an exercise that needs to be carried out. This could bring the European Commission into a more transparent and responsible era. Improving the identification of departments that organise citizen participation in the Commission as well as civic information and better distinguishing them from those dealing with political communication would also give a clear signal of this change.

### 3.1.2. From a sense of belonging to policy impact

The challenge of properly using the instruments of participatory democracy obviously arises at all levels of a democracy, from the local up to the international. And the question which real-world impact participatory approaches have on public decision-making is a major issue at all levels: **mobilized citizens must understand why they have been mobilized and what their work will be used for**. It is a question of accountability that has become fundamental given the high stakes and expectations of citizens. However, this question is not quite the same at the European level.

Much has been written about whether there is a European *demos*, if it is possible to achieve or even desirable.<sup>44</sup> And the question of the so-called “democratic deficit” of the European Union has come up against a thinking on this subject that is too firmly anchored in national reflexes. This limits our imagination about the functioning of democracy to a monocultural public space, which is characterized by a close proximity with the representatives. The purpose of this article is not to revisit this debate, but it is based on two ideas that should be recalled here.

First of all, the globalisation of issues and decision-making spheres makes it necessary both to think about the pathways towards transnational democracy and to Europeanise local and national democracy. Secondly, the European Union is nowadays certainly a democracy that remains under construction, but it is a democracy: two legislative chambers, the Council and the Parliament, co-decide. The first is made up of members of national executives designated through elections who are elected and the second is directly elected by citizens. It will become more successful once the Council institutes majority voting. Finally, there is a European citizenship and the rights that are attached to it.

We will not go into any further details of this debate here. But we have to acknowledge that the European Union has been faced with the same problems of democratic disenchantment and the “fatigue” of representation, while it was simultaneously training and creating European citizens. And while the exercise of this citizenship does not require a single *demos*, it does, as in any political grouping, whatever its scale, need a sense of belonging, a commitment to a base of institutions and common values and therefore also a minimum level of knowledge about them.

This is why, where the participatory approaches of the nation state can be based on the preconceived idea that citizens feel “part of it” (even if it is generally more a matter of collective unconsciousness than of real shared knowledge), **the European Union must create a sense of belonging while also seeking**

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<sup>44</sup>. See, for example, the work by NICOLAÏDIS K. 2012. “The Idea of European Democracy”. In DICKSON J. & ELEFTHERIADIS P. (eds) 2013. *Philosophical Foundations of European Union Law*. New York: Oxford University Press.  
Or RICARD-NIHOUL G. 2012. *For a European Federation of Nation States (op. cit.)*.

**more active participation from its citizens.**<sup>45</sup> This is why, up to now, unsuccessful approaches at European level have not necessarily been attacked as much as they would have been at the national level. Everyone agrees that the practice of European citizenship has an intrinsic value.

At the European level one can imagine forms of citizen mobilisation whose objective would be to create a feeling of belonging or to train for active European citizenship. They would not have to go any further as this is a value in itself. However, in this case, it is most important not to oversell the impact of this approach on decision-making. Instead we need to assume that the spaces for exchange and learning are simply multiplied (through debates, mobility or cultural dialogue, of course, but also—why not?—training programmes). It is necessary to say what one is doing and what it is for. Otherwise, the risk is that there would be a lot of disappointment among the participants.

**Removing this ambiguity would make it possible to limit the scope of citizen participation to the co-construction of European public policies** and to clearly identify and value them as such. From the outset, there should be a clear outline how citizen contributions are taken into account by European decision-makers, as we will elaborate below. With a limited budget, however, it should be noted that genuine participatory approaches have the virtue of achieving both objectives. Firstly, they strengthen the sense of belonging by training European citizens from all walks of life. Secondly, they reinforce the participatory pillar of European democracy by contributing to the development of European public policies. This should encourage European legislators to give them a prominent place.

### 3.1.3. A better articulation between participation and representation

This is currently probably the most important point and the most common blind spot for participatory approaches. The public authorities that employ these measures are not concerned with the response that will follow or at best consider it as a challenge they can address later in the process. It is obviously not a question to know *what* will be answered in advance. Citizens are asked for their opinion and one must be open-minded enough to be surprised by the result. Very often, moreover, public authorities are pleasantly surprised by the quality of citizen work and are usually convinced of the relevance of the exercise after it takes place. The question is to **define how to respond and give feedback to citizens and who will formulate that response.**

The first question citizens ask when they participate in a panel is: “What is the purpose of this?” To answer that “it is an order from a political authority to inspire its decisions” is seen as insufficient. The next question is, “How will this affect political decisions?” Being able to clearly state the mechanism through which the response of public authorities will be formulated significantly benefits the credibility of the approach.

The impact of the “Grand Débat” on government action is a controversial topic and undoubtedly requires a more detached analysis. But it has, in our view, enabled progress in this domain in France. The President of the Republic committed to respond and he did so solemnly, explaining what he had learned from the “Grand Débat”. Henceforth, all ministries have continued to analyse the results and

<sup>45</sup>. We are obviously touching on a vast and multifaceted debate on the question of the feeling of belonging on a European scale here. The construction of a political identity (the question of the content of European citizenship) or the debate on the politicization of European issues are the two most common views.

See, for example, the work of the Jacques Delors Institute on the politicization of the EU, based on contributions by Stefano Bartolini and Simon Hix: RICARD-NIHOUL G. 2006 “*Is Politisation Good or Bad for the Union?*”. *Autres Documents*, Paris: Jacques Delors Institute.

Or on the construction of a cultural identity, with all the challenges of combining attachment to national or even local feeling and the question of European identity, see RICARD-NIHOUL G. 2012. *For a European Federation of Nation-States*. [op. cit.]

draw inspiration from them.<sup>46</sup> Moreover, two subjects emerged prominently: the ecological transition and a call for a more frequent involvement of citizens in decision-making. One response has therefore been a new citizens' convention on the fight against climate change.

At the European level, the "Citizens' Consultations" proved more effective than the "Citizens' Dialogues", as the European Council indicated that it would take up the report of the former. However, the implications of the term "taking up the report" were not clarified by the Heads of State and Government. It is even more unfortunate that the 'Citizens' Consultations' report and the European strategic agenda that was adopted by the Council have the same main priorities. It would be naive; of course; to think that the first document directly influenced the second and this direct link has never been put forward. Nevertheless, the report has clearly been one of the influences on the strategic guidelines.<sup>47</sup>

Defining the response involves two components. At the European level, the question "who will respond" is even more important since the institutional chain of decision-making is rather unclear for citizens. It is therefore crucial to specify who will be responsible: Commission, Parliament, or Council? Ideally, **some form of involvement of all three poles of the institutional triangle would be the best solution because we know that all three are required to move European policies forward.** In this respect, it is welcome that the "Conference on the Future of Europe" closely involves all three institutions. The second component is the format: will Parliament take up citizen proposals and transform them, if necessary, into legislative measures, as it was the case with the French "Citizens' Climate Convention"? Are there plans to prepare a referendum of a constitutional nature, as it happened with the Irish "Citizens' Assembly"?

**It is essential that citizens have an opportunity to measure whether commitments have been met.**

This is why an announcement like the "implementation of at least five of the twenty citizen recommendations" is interesting, as it does not create excessive expectations but indicates that there will be a measure for evaluation. Of course, such an approach means that one has to accept that elected representatives retain a margin of manoeuvre when they evaluate the outcome of the participatory process.

Today, some believe that results should be fully binding. We have tried to express a demanding vision on these pages: a response must be formulated, which must respect the initial commitment and be understandable for citizens. Yet representative democracy remains the foundation of European liberal democracies. Its legitimacy must be strengthened by participatory methods and not damaged by them. This is why binding requirements have to be combined with the free will of political representatives. They must accept that some of the work of the citizens is imposed on them, but within these constraints, they should also have the choice to pick the measures that they consider as useful complements that enrich and possibly even reverse the options that were hitherto on the table. The elements legislators take into account, however, should not be modified. They need to keep the spirit of citizen's deliberations in mind, otherwise they risk giving the impression of manipulating the results.

During the implementation phase, legislators must find a way to stay in touch with the citizens who have contributed and to inform them of the decisions that were taken on the basis of their work. This capacity for feedback or "duty to act" has very pragmatic consequences. During the "Citizens' Consultations on Europe" or the "Grand Débat", for example, *ad hoc* interministerial services were set up, which were dissolved well before feedback to citizens could have been made. Although this does not necessarily diminish the responsibility for the government to follow-up (as can be seen by the follow-up activity to the "Grand Débat" in several ministries), it diffuses accountability and lowers visibi-

<sup>46</sup>. See, for example, with regard to the organization of the state and public services, the results of the [4th French interministerial committee on public transformation](#).

<sup>47</sup>. Again, this is an empirical assessment based on personal experience, which would have to be backed up by further research.

lity. Maintaining administrative capacity to organise the rendition phase is a requirement and guarantee to gain citizens' trust in the process. <sup>48</sup>

## 3.2. Who participates?

### 3.2.1. Partnerships, drawing of lots, complementary modalities

One can imagine the most sophisticated and effective participatory approaches for impact on policies. All of them, however, make no sense if they are reserved for an elite or if they are aimed at groups of people who are too homogeneous, or worse, representing special interests. At the European level, there are clearly two biases in this respect.

The first lies in the confusion that is often at work between stakeholder consultations and participatory democracy. Stakeholders must, of course, be involved in the preparation and implementation of policies; good management practices depend on this. Leaving a space for organised civil society in participatory democracy has moreover become an issue in itself, and we will come back to this later. But it is not uncommon for the European institutions to stop at this approach and not try to go beyond it. The steps that need to be taken to interest "ordinary" citizens in this type of consultation are not of the same nature.

The second bias, as already mentioned, is to make this type of exercise rely solely on volunteering. Wonderful citizens' dialogues are sometimes organised but rely only on traditional means of communication or word of mouth to fill the room. The result is usually that these audiences are made of two types of citizens: those who are convinced of the European cause, or Europhobes who come to find a place to speak. Experience has shown that the "lost and curious" citizen represents at most ten percent of the audience. **The European debate therefore did not have to wait for the advent of social networks to occur in bubbles. But how can we get out of it?** With time and experience, **three avenues seem particularly interesting to explore.**

The first, a draw, far surpasses the others in achieving the goals of inclusion and diversity. As mentioned above, once the random selection is made, a number of geographic or sociological criteria are applied to create the panel that is most representative of the diversity of the audience that is being sought. Observers of a citizens' panel are generally convinced by what they have seen: the type of people they meet there is different from the type of people who usually come to European debates. The richness of diversity, the learning of how to conduct a peaceful dialogue between citizens from very different backgrounds, and the quality of results from collective work are without comparison. <sup>49</sup> There is growing interest in the drawing of lots and its wider use raises many questions. The inclusive nature of the method is one, as mentioned above in connection with the "Grand Débat" citizens' conferences. The rigour of the work by polling institutes, which may be attracted by new market opportunities rather than motivated by democratic virtue, should also be closely monitored. And of course, this random selection increases the cost of the event, which calls for even more methodological rigor to conduct the panel. <sup>50</sup> But as long as these risks are kept in mind, it is obvious that the drawing of lots is a much

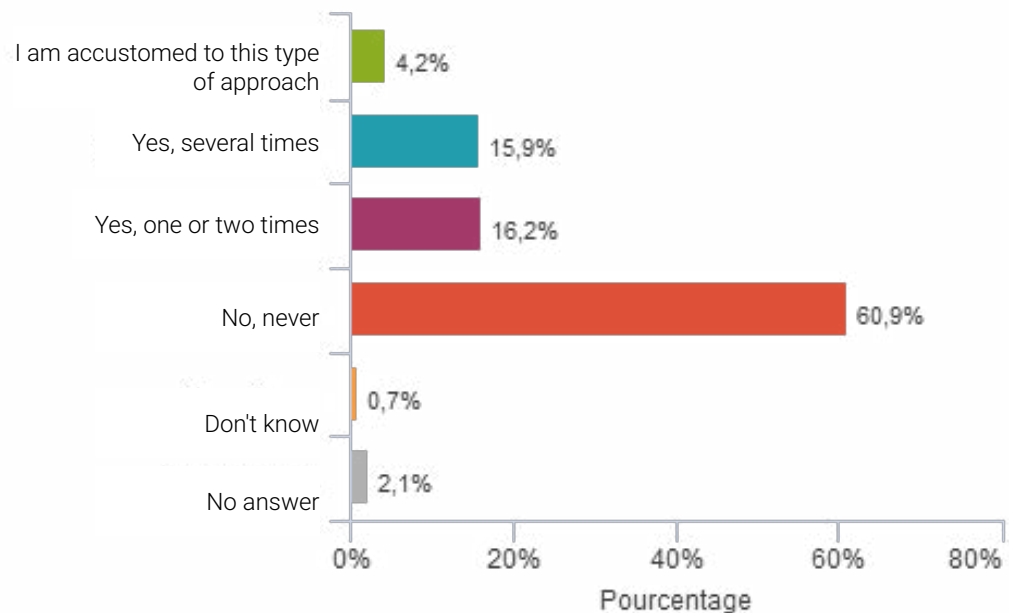
<sup>48</sup>. Since the "Grand Débat" took place, the mission to support the participatory approaches of the French DITP (Interministerial Directorate for Public Transformation) has been strengthened and [a platform is being developed to record all of these approaches and identify follow-up.](#)

<sup>49</sup>. See, for example, the [synthesis of the Regional Citizens' Conferences](#) of the French "Grand Débat", March 2019.

<sup>50</sup>. The cost per person is quite high, depending on the time available for the selection process. This cost is also related to the positive response rate of potential participants, which averages around nine percent (see for example [the OECD study on deliberative experiences](#), June 2020).

sounder method than volunteering to mobilise audiences that are distant from European policy issues. This is illustrated in the figure below on the audience of the “Grand Débat” citizens’ conferences.

**FIGURE 3** ■ Distribution according to the level of participation in public meetings prior to the conference (1378 espondents, including from French Overseas departments and regions.)



Source: *granddébat.fr*

Another approach is to turn to partners who work with the audiences that are more distant from politics and, *a fortiori*, European affairs. Some of the dialogues in France have been conducted with charities such as *Secours catholique* or *Secours populaire*, NGOs involved in the particular theme of the debate (e.g. migration), or with municipal neighbourhood committees. While this leads to a greater diversity of participants, this method can also be employed when it is known that even through the drawing of lots (which nevertheless leaves a choice whether or not to participate), a very precarious part of the population is in danger of being systematically excluded and that a more proactive approach is needed to include them.

Starting from the assumption that a process that involves citizens in decision-making is not free of potential bias, a third approach is to combine different modalities of participation. This was the method chosen for the “Grand Débat”. Six different modalities (online, letters and booklets in town halls, local stands, local initiative meetings, thematic conferences and regional citizens’ conferences) complemented each other and led to syntheses of their own.<sup>51</sup> By presenting these summaries concurrently, the main emphasis became very clear. The weakness of the “Grand Débat” was its haste and it would not be advisable to replicate it in all its elements. Nevertheless, the spirit that guided the pooling of different clusters of contributions, in particular the mix between online participation and physical events, remains relevant.

<sup>51</sup>. These summaries are accessible on the “Grand Débat” website.

### 3.2.2. Integrating transnational and national dynamics

When we think about participatory democracy at the European level there is another dimension that is essential for thinking about the future of democracy in a globalised world. How can a transnational and multicultural dimension be introduced into citizen exchanges, without requiring citizens to speak several languages to participate? There is a risk to fall back into the trap of elitism. It takes us back to the way we think about strengthening democratic practice at European level. As we outlined above, we think the best way is to both invent new forms of transnational citizen participation and to Europeanise national and local democracy.

Although each of these efforts may be worthwhile in isolation, it is the combination of the two that we believe will really address the problematic distance between citizens and European politics. Indeed, it is futile to imagine the development of a European democracy without trying to **offer a European experience to as many citizens as possible**. There is nothing like direct exchange between citizens, and there is a huge scope for developing more opportunities in this domain, as there is so much to imagine, develop and propose.

However, even if it is necessary to think about increasing the opportunities to participate in other types of European experiences (especially in a field of mobility that is accessible to the greatest number of people, such as town twinning), it is known that it is practically impossible to offer this to a very large number of people. Moreover, European experiences also present the risk of recreating a “bubble” and leave aside more distant citizens. This is why we must also think about **introducing a European and multicultural dimension into local democracy**, either through the choice of the themes that are addressed, the speakers, or more accessible cross-border participation. The development of Civic Tech instruments also makes it possible to envisage transnational citizen dialogues without physical travel.<sup>52</sup>

In concrete terms, in the case of the “Conference on the Future of Europe”, for example, this means that plans to convene citizens to participate that are drawn at the European level—which would be a very positive development—should also be accompanied by some form of mobilisation at the national and local level. Both forms of participation should also be linked together. Indeed, there would be nothing more frustrating than if events that are organised in the member states within the framework of the conference were disconnected and therefore had no impact or dialogue with the transnational conference. In this spirit, if the mobilization of member states consists of rethinking a “Citizens’ Consultation 2.0”, it would be necessary to tighten the common methodological framework in order to allow for the comparability of results and overall coherence of the conference.

### 3.2.3. Better thinking about the role of organised civil society

Participatory democracy is all about imagining new forms of citizen involvement in public decision-making. But citizens have obviously not been waiting to be solicited. They have organised themselves in associations, trade unions and local movements. The diversity and resourcefulness of this “organised

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<sup>52</sup> See, for example, an inventory of [Civic Tech instruments](#). The list includes two tools that have been developed under the European Research Framework Programmes, Decidim and Assembl. See the website of the European Commission’s [DG Connect](#), which blends the co-construction of policies and prospective studies.



civil society” are a strength of Europe’s liberal democracies. It would be a big mistake to give the impression that the development of participatory democracy competes with these forms of active civic life.

However, there are two features that need to be taken into account. The first is that the crisis of representation referred to above also affects the actors of organised civil society. Foundations and charities are probably more sheltered than trade unions nowadays. But populist theories that advocate direct democracy also tend to question the legitimacy of these intermediary bodies. The other feature is that it is not uncommon that association or trade union representatives are suspect of citizen participation. They see themselves as the legitimate representatives of citizens and put the brakes on the use of participatory methods. It is striking, for example, that the European Economic and Social Committee, having hosted the “European Citizens’ Panel”, faced internal resistance to reproduce the scheme.

The thesis defended in this article is therefore that it is **imperative to think about a type of citizen participation that is in constructive dialogue with organised forms of representation within civil society**. The evolution of the French Economic, Social and Environmental Council (CESE) is interesting in this respect. The reform of the institution aims to give it a role in the public debate and enable citizen participation. For example, CESE has organised the “Citizens’ Climate Convention” with the help of a governance committee of experts. Citizens’ Assemblies also generally rely on the input of experts often drawn from the pool of organised civil society. Although citizens sometimes do not see the representatives of associations and trade unions as legitimate, they are still considered useful and more “neutral” or, in any case, more independent than politicians.

The “Grand Débat” tried to find a role for organised civil society, and the thematic national conferences, which involved associations, trade unions and local authorities in an innovative way, certainly added value. Moreover, the forty or so themes and proposals that resulted from their work were brought to the attention of the citizens that participated in the regional citizens’ conferences. But there was not enough time to produce substantive tools that were adapted to this sector. Above all, it was not possible to create the conditions for a smooth and constructive dialogue between civil society actors and the citizens that were participating in the exercise more directly.

It should be noted that, initially, there was an idea floated to involve the representatives of organised civil society directly in the citizens’ conferences drawn by lot. This solution was eventually abandoned for fear of creating unequal assemblies in regard to legitimacy and expertise—a fear that was certainly justified. On the other hand, it is conceivable that such assemblies could meet in parallel and find spaces and places for dialogue to enrich one another. Once again, the experience of the French CESE which, during the “Grand Débat”, had convened a citizens’ panel drawn by lot to help it define its own contribution and which created spaces for dialogue between the participants in this panel and the members of CESE, is an avenue that could be explored in the future.

### 3.3. With what methodology?

#### 3.3.1. The virtues of the deliberative method

It is no coincidence that the term “deliberative democracy”<sup>53</sup> is very often used in connection with “participatory democracy”. Most of the time, successful citizen participation exercises are accompanied by **an engineering of concertation allowing citizens to engage in dialogue that leads to a collective**

<sup>53</sup>. Voir par exemple, FISHKIN S.J. 2009. *When the people speak : Deliberative democracy and Public Consultation*. New York: Oxford University Press.

BLONDIAUX L. & SINTOMER Y. 2002. « L’impératif délibératif ». *Politix*. Vol. 57, n°15, p. 17.

**proposal.** Exercising participation therefore requires great rigour and the intervention of professionals. This is obviously first of all true for participation in “physical” events, but it also applies to the development of the Civic Tech world, which aims to introduce the necessary rigour and spaces for deliberation between citizens on online platforms.<sup>54</sup> Thanks to advances in online translation this includes multi-lingual formats. Even if Civic Tech can mobilize on a large scale, the quality of deliberation often also relies on face-to-face and collective exchange between citizens.

Indeed, James Fishkin and Robert Luskin believe that “serious consideration of arguments and counter-arguments for and against policy alternatives” (their definition of deliberation as cited above) involves at least four conditions: (1) open and sincere participation in a process in which arguments are offered and evaluated on their merits; (2) a sufficient degree of completeness with which the arguments advanced by proponents of one position are counter-argued by those with opposing views; (3) a sufficient level of attention and mutual respect for the arguments and concerns of other participants; (4) a sufficient level of veracity for factual elements.<sup>55</sup>

The reason for placing so much emphasis on the virtues of deliberation is, of course, that everyone nowadays feels (and experts confirm) how deliberation has become an increasingly rare commodity in democracies.<sup>56</sup> Instead, public opinion, communication technology and social networks amplify the individualisation of our societies. In particular the algorithms used by social networks and their tendency to create self-feeding information and communication bubbles are a real cause for concern, not to mention the manipulation of these spaces through the dissemination of false information. **Not only are the spaces for collective deliberation shrinking, but they are also less diverse and the confrontation of ideas is either absent or radicalized.** Indeed, the polarization of public debate seems to be the corollary of the bubbles that individualize thought.

There are many methods and multiple deliberative experiments in citizen participation,<sup>57</sup> but formats that allow for deliberation over a long period of time and that combine group and plenary work,<sup>58</sup> with the help of facilitators, are often those that produce not only the best results but also the highest level of satisfaction among participants (see graph below). The drawing of lots adds confidence that a diversity of views is represented.<sup>59</sup> Indeed, what reassures participants the most is the ability to have a respectful dialogue with people from a wide range of backgrounds. That is why participatory and deliberative democracy has today become an indispensable complement to representation. **The method is inclusive and qualitatively superior as it allows a dialogue that is constructive, peaceful and effective.** Indeed, all studies show that deliberative methods produce excellent results and make it possible to break deadlocks in which representative democracy seems to be blocked.<sup>60</sup>

<sup>54</sup>. See, for example, KIES R. 2010. *Promises and limits of web-deliberations*. New York: Palgrave.

<sup>55</sup>. FISHKIN S.J. & LUSKIN Q.C. 2000. “The Quest for deliberative democracy”. In SAWARD M. (ed.), *Democratic Innovation: Deliberation, Association and Representation*. London: Routledge. The two American academics have also patented a participatory technique—deliberative polling—that is aimed at gathering a more informed judgment from a mini-audience, as opposed to a traditional poll.

<sup>56</sup>. For a description of the virtues and references to research in this area see, for example, ARRIAGA M. 2014. “[Discovering citizen deliberation in the Pacific Northwest](#)”. In *Rebooting Democracy*. London: Thistle Publishing.

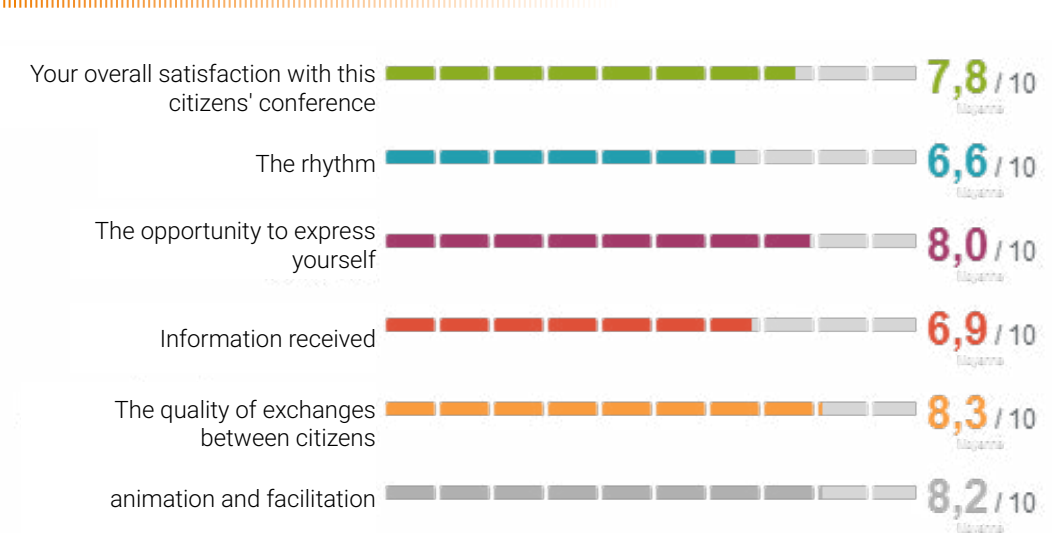
<sup>57</sup>. See in particular the forthcoming [OECD study](#), cited in footnote 49.

<sup>58</sup>. See CHWALISZ C. 2017. *The People’s Verdict. Adding Informed Citizens Voices to Public Decision-Making*. London, NY: Rowman & Littlefield.

<sup>59</sup>. For a review of the strengths and challenges randomly drawn and deliberative ‘mini-publics’, see in particular the work of SINTOMER Y. 2012. *Tirage au sort et démocratie délibérative*. [laviedesidees.fr](#).

<sup>60</sup>. See, for example, the extensive research of the [New Democracy Foundation](#).

**FIGURE 4 ■ Overall level of satisfaction with the French “Grand Débat”**



Source: grandebat.fr

### 3.3.2. Resources can ensure rigour

In times of constrained budgets, the question of resources obviously arises. It is not uncommon for political authorities to become discouraged when they see the cost of a deliberative citizen's assembly with a long-term horizon. However, these amounts are not high compared to the cost of representative democracy or the cost of more traditional communication events. While the twenty-one citizens' conferences of the “Grand Débat” in total cost approximately 2.5 million euros, the cost of an election is several hundred million euros. It is not uncommon to see communication campaigns or events costing several tens of millions of euros. But considering such costs requires taking the time to reflect and to design well-constructed and useful tools.

### 3.3.3. Independent monitoring of the principles

Participatory approaches are peculiar in that they are most often initiated by the political institutions of representative democracy which suffer from the exhaustion and distance from citizens that was described above (section 1.1). At the same time, it is important that representatives take on these participatory exercises as they are the ones who will have to take an interest in them and respond. Therefore, while it should be left to decision-makers to take the initiative and responsibility for the process, it is imperative to **involve independent third parties who can act as guarantors**. This guarantor function is well known in countries with a tradition of public debate.

The National public debate Commission's withdrawal from the Grand Débat in France and thus from its role as an impartial organizer made it necessary to find an alternative to perform this function. This was entrusted to a college of five “sages” (two women and three men) who were appointed by the two legislative assemblies, the government and the Economic, Social and Environmental Council. The role of the College of Guarantors was fundamental in ensuring that the principles set out at the beginning of the “Grand Débat” were respected throughout its duration. The independence of the “sages” was verified throughout the period in numerous meetings between the pilot ministers and the “Grand Débat”

team, in press conferences and in a final “fair play” analysis on the progress and the quality of the results as well as the weaknesses that were identified.

It would be interesting to reflect on how this function could be carried out at the European level. There are now many international networks of experts that could be activated, some of whom are currently considering how to better organise themselves at the European level to carry out a watchdog function.<sup>61</sup> Another possibility is to adopt the approach of the French “Grand Débat”, which instead included professionals from a variety of backgrounds (a judge, a representative from civil society, an academic, a former chairman of the post, a data protection specialist) who have undisputed competence and authority. The fact that the guarantors were present in several meetings of local initiatives of the “Grand Débat” and its citizens’ conferences certainly helped to reassure citizens about the impartiality of these events. Guarantors, like the organising mission, **should remain in office beyond the debate itself, so that they can also be guardians of the evaluation of results** by the representatives and be channel for holding public authorities accountable to the citizens.

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<sup>61</sup>. See the OECD [Democracy R&D](#) website. 2019. “[Innovative Citizen Participation Project](#)”. Communication brochure.

## CONCLUSIONS ■

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At a time when the European Union is discussing potential ways to involve citizens in the “Conference on the Future of Europe” and many actors are trying to push the European institutions to better supervise and systematise the tools of citizen participation, it is useful to remember the stakes and the state of play of participatory and deliberative democracy at the European level.<sup>62</sup> While it has not offered a “turnkey” instruction manual, this paper has tried to identify the questions that should be asked when embarking on the formidable adventure of citizen participation, and to add specific questions that the organisation of participatory mechanisms on a transnational scale entail.

This is based above all on the experience of a practitioner of participatory approaches and founded on one conviction: those who believe liberal democracy is inseparable from the construction of Europe cannot give up in the face of its difficulties and detractors. Advocating for participatory democracy is the only way to seriously respond to the demand from citizens who want to get more regularly involved in public decision-making. Otherwise there is a risk of falling into the trap of direct democracy, which is presented by populists as the only “genuine” form of citizen expression and offered as an alternative to a representative democracy in crisis. There is a space between representation and the narrow, binary paths of democratic expression proposed by populists. Europe’s founding fathers were visionary, forward-looking and creative. Let us not lose the sense of their legacy through a lack of courage and imagination.

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<sup>62</sup>. Within the institutions, see in particular the efforts of the European Economic and Social Committee and the European Committee of the Regions to develop an annual mechanism for consulting citizens. See European Committee of the Regions. 2019. “Bringing the EU closer to its citizens: The call for an EU permanent mechanism for structured consultations and dialogues with citizens.” *From local to European : putting citizens at the centre of the EU agenda*, p. 103.

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