



How Citizens Can Hack EU Democracy

Stephen Boucher

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Article

Reshaping European Democracy

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Buried in the millions of webpages informing citizens of the European Commission's activities is a single page entitled "Have your say on EU policies."¹ Citizens need clear paths to engagement if they are to have a real say and meaningful influence over the future of the European Union—and yet this particular path, however useful for democratic accountability, is so deeply hidden that it may as well be a proverbial needle in a haystack. Whatever the analytical debates over Europe's democratic deficiencies, citizens certainly feel that EU decisionmaking is remote and often impenetrable. Unless some tangible and high-profile initiatives are forthcoming, the EU will remain more remote and complex for the average citizen than public authorities closer to home. Busy citizens will not engage with broader European politics unless they feel that their voices have a good chance of being heard.

The endless aim to "communicate Europe better" is one facet of this predicament. Despite the EU's focus on glitzy communication gimmicks, dedicated television channels, enticing Facebook pages, and the promise of Citizens' Dialogues in which EU commissioners meet with citizens around the member states, many Europeans frequently feel that they have little to no influence over this particular level of international governance. Nonetheless, the EU does offer democratic tools for citizen influence and democratic accountability. EU citizens today may try to initiate a European Citizens' Initiative (ECI), petition the European Parliament, take part in consultations on draft legislation, attend the aforementioned Citizens' Dialogues, lodge formal complaints, or sign up to the transparency register to lobby EU institutions in a professional capacity. These mechanisms are all meaningful and welcome, but they have not been able to significantly improve EU democracy. Even though the ECI has generated many initiatives, none has led the commission to bring forward new legislation. Petitions to the European Parliament and formal complaints may help redress specific grievances, but these tools are not about proactive democratic participation. Similarly, legislative consultations are used predominantly by specialist lobby groups, and Citizens' Dialogues are dialogues only in name.

This is not to demean these necessary and useful mechanisms in and of themselves. In fact, many EU member states would be well advised to implement similar innovations. However, they tend to attract people who are already engaged in EU matters, and they are unlikely to motivate the wider

public to get excited about EU developments. The ECI in particular was watered down because EU governments and institutions feared citizens' intrusion into the decisionmaking process. Although the ECI is being improved to increase its user-friendliness and potential to have real impact, revisions of its format and process will take time and are unlikely to produce dramatic change.

Meanwhile, most of the focus in democracy-related debates has been on the *Spitzenkandidat* (top candidate) process for nominating the president of the European Commission and the possibility of transnational lists for the European Parliament elections. Since 2014, the pan-European party that wins the most seats in the European Parliament elections has the right to put forward its selected candidate as the commission's president. This process replaced the less-democratic selection method of informal consensus among the European Council, but the selection of the *Spitzenkandidaten* still operates primarily within party circles, without citizen involvement. The push for transnational lists, meanwhile, seeks to broaden citizen participation in the EU by enabling Europeans to cast votes for parliamentary representatives of Europe-wide constituencies instead of purely national ones. Although these options may have a solid foundation in broader democratic thinking, governments and the European Parliament currently approach them on the basis of self-serving political calculations. Moreover, even though they may make some citizens slightly more interested in the European Parliament elections, they will not change citizens' relationship with the EU in between elections.

How to Hack the EU

To connect citizens with the EU's decisionmaking center, European politicians will need to provide ways to effectively hack this complex system. These democratic hacks need to be visible and accessible, easily and immediately implementable, viable without requiring changes to existing European treaties, and capable of having a traceable impact on policy. Many such devices could be imagined around these principles. Here are three ideas to spur debate.

Hack 1: A Citizens' Committee for the Future in the European Parliament

The European Parliament has proposed that twenty-seven of the seventy-three seats left vacant by Brexit should be redistributed among the remaining member states. According to one concept, the other forty-six unassigned seats could be used to recruit a contingent of ordinary citizens from around the EU to examine legislation from the long-term perspective of future generations. Such a "Committee for the Future" could be given the power to draft a response to a yearly report on the future produced by the president of the European Parliament, initiate debates on important political themes of their own choosing, make submissions on future-related issues to other committees, and be consulted by members of the European Parliament (MEPs) on longer-term matters.

MEPs could decide to use these forty-six vacant seats to invite this Committee for the Future to sit, at least on a trial basis, with yearly evaluations. This arrangement would have real benefits for EU politics, acting as an antidote to the union's existential angst and helping the EU think systemically and for the longer term on matters such as artificial intelligence, biodiversity, climate concerns, demography, mobility, and energy.

Hack 2: An EU Participatory Budget

In 1989, the city of Porto Alegre, Brazil, decided to cede control of a share of its annual budget for citizens to decide upon. This practice, known as participatory budgets, has since spread globally. As of 2015, over 1,500 instances of participatory budgets have been implemented across five continents. These processes generally have had a positive impact, with people proving that they

take public spending matters seriously.

To replicate these experiences at the European level, the complex realities of EU budgeting would require specific features. First, participative spending probably would need to be both local and related to wider EU priorities in order to ensure that citizens see its relevance and its wider European implications. Second, significant resources would need to be allocated to help citizens come up with and promote projects. For instance, the city of Paris has ensured that each suggested project that meets the eligibility requirements has a desk officer within its administration to liaise with the idea's promoters. It dedicates significant resources to reach out to citizens, in particular in the poorer neighborhoods of Paris, both online and face-to-face. Similar efforts would need to be deployed across Europe. And third, in order to overcome institutional complexities, the European Parliament would need to work with citizens as part of its role in negotiating the budget with the European Council.

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Hack 3: An EU Collective Intelligence Forum

Many ideas have been put forward to address popular dissatisfaction with representative democracy by developing new forums such as policy labs, consensus conferences, and stakeholder facilitation groups. Yet many citizens still feel disenchanted with representative democracy, including at the EU level, where they also strongly distrust lobby groups. They need to be involved more purposefully in policy discussions.

A yearly Deliberative Poll could be run on a matter of significance, ahead of key EU summits and possibly around the president of the commission's State of the Union address. On the model of the first EU-wide Deliberative Poll, *Tomorrow's Europe*, this event would bring together in Brussels a random sample of citizens from all twenty-seven EU member states, and enable them to discuss various social, economic, and foreign policy issues affecting the EU and its member states. This concept would have a number of advantages in terms of promoting democratic participation in EU affairs. By inviting a truly representative sample of citizens to deliberate on complex EU matters over a weekend, within the premises of the European Parliament, the European Parliament would be the focus of a high-profile event that would draw media attention. This would be especially beneficial if—unlike *Tomorrow's Europe*—the poll was not held at arm's length by EU policymakers, but with high-level national officials attending to witness good-quality deliberation remolding citizens' views.

Such a format would not be heavily prescriptive, yet it would be helpful to policymakers. It would not generate a set of recommendations that politicians feel they have to adopt or reject. Rather, it would provide a snapshot of what people really think is achievable with collaborative effort. This is qualitatively different from a simple survey. By comparing the opinions expressed in a poll taken at the outset of the Deliberative Poll and a second poll at the end of the event, policymakers could gain a sense of how citizens' preferences may change when they have had a chance to come together, compare views, and access the full range of opinions on a given matter.

The commission, the parliament, the Economic and Social Committee, the Committee of the Regions, and member states should pool interpretation, logistical, and some financial resources to organize such a yearly moment of collective intelligence. *Tomorrow's Europe* and subsequent Deliberative Polls show that this format can be done well and put to good use.

Conclusion

These ideas' time has come. The Finnish Parliament has long had a Committee for the Future, and the Scottish Parliament has a Futures Forum to counter politics' short-termism or "NIMTOO-ism"—Not in My Term of Office. French President Emmanuel Macron has talked of setting up an Assembly of the Future, while Sweden briefly had a minister for the future.

The notion of more active citizen involvement in public affairs is also widely encouraged. Countless surveys highlight how greater citizen participation is a popular proposed remedy to insufficiently representative democracies.² Although it undoubtedly would be complex to set up an EU participatory budget, there is no reason why it should not have similarly positive impacts as at the local level. Going beyond mere talk of involving random samples of citizens in policymaking, Ireland's Citizens Assembly and other successful experiments, notably in Canada and Australia, have shown that action along these lines is possible. When conducted well—in particular by respecting key deliberation principles³—such undertakings improve policies, facilitate decisionmaking, and increase public support for democratic institutions.⁴

The proposed hacks raise many important technical and political issues. Imagine, however, that all three, or even just one or two of them, were to be implemented: suddenly, citizens would perceive differently the say that they have in European policy. Citizens could watch others like them defending their thoughts for the future—rather than just watching MEPs debate on television—and entertain the possibility that they might be able to do so themselves next year. People would know that their neighborhood is part of a network seeking funds to refurbish abandoned buildings to house refugees, rather than simply pass by a plaque stating that the EU has funded a local regeneration project without ever having consulted the existing local population. European citizens could be asked what future they want in a given policy area, as opposed to answering a generic Eurobarometer survey. Through moments like these, and many others, people's interest in the EU could then be regenerated, and the long but necessary process of democratic change could begin.

*Stephen Boucher is managing director of Fondation EURACTIV. He published the *Petit manuel de créativité politique* in 2017, which looks at how to foster creativity in policymaking.*

Notes

¹ "Have Your Say on EU Policies," European Union, March 21, 2018, https://europa.eu/european-union/law/have-your-say_en. Another related page from the European Commission, dedicated to guiding citizens through legislative consultations, is "Have Your Say," European Commission, n.d., https://ec.europa.eu/info/law/better-regulation/have-your-say_en.

² See, for instance, the latest World Values Survey from the Institute for Comparative Survey Research (Vienna) and the Institute for Future Studies (Stockholm).

³ Set out, for instance, by James S. Fishkin, *When the People Speak: Deliberative Democracy and Public Consultation* (Oxford University Press, 2009), 160: "Information: The extent to which participants are given access to reasonably accurate information that they believe to be relevant to the issue . . . Substantive balance: The extent to which arguments offered by one side or from one perspective are answered by considerations offered by those who hold other perspectives . . . Diversity: The extent to which the major positions in the public are represented by participants in the discussion . . . Conscientiousness: The extent to which participants sincerely weigh the merits of the arguments . . . Equal consideration: The extent to which arguments offered by all participants are considered on the merits regardless of which participants offer them."

⁴ As shown, for instance, in Claudia Chwalisz, in *The People's Verdict: Adding Informed Citizen Voices to Public Decision-Making* (London: Rowman & Littlefield, 2017), <http://www.policy-network.net/publications/6229/The-Peoples-Verdict>.