

Conference on the Future of Europe

Vehicle for reform or forum for reflection?

Summary

The Conference on the Future of Europe has finally started, with promises to provide an arena for citizens to discuss and shape the future of the European project. The direct involvement of the Commission, Council and Parliament in the Conference's executive board might result in an undesired politicisation of the debates. Unlike the Brussels Constitutional Convention of 2002-2003, which was presided over by non-EU public officials, the Conference of 2021 will be coordinated by representatives of the EU institutions with a direct political responsibility for EU policymaking. This might raise the stakes, emphasising the contrast between the two possible Conference trajectories and organisational formats (vehicle for reform versus forum for reflection). In the absence of an explicit decision or prioritisation, political dynamics will decide which model, or which combination of the two models, the Conference will adopt. The reputational damage could be significant if both sides of the debate raise unwarranted expectations. It is time to agree on a clear aim.

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Introduction

The European Union after several delays opened the Conference on the Future of Europe on 9 May 2021. The purpose of the long-awaited Conference is, according to a March 2021 Joint Declaration from the presidents of the EU institutions¹, to ‘open a new space for debate with citizens to address Europe’s challenges and priorities. European citizens from all walks of life and corners of the Union will be able to participate, with young Europeans playing a central role in shaping the future of the European project.’

The broader context is that there is a widely-shared, though far from uncontested, view that the European Union is in great need of reform. The euro and refugee crises and the coronavirus pandemic, as well as the challenges associated with Brexit, the rise of populism, and a less rule-governed and predictable global order, have raised concerns about the EU’s ability to deliver solutions to pressing problems. There are also concerns about the EU’s democratic deficit and its weak connection to citizens.

The EU’s resilience in light of these challenges is therefore a major issue. In that context, it should be noted that the EU has thus far exhibited greater-than-expected coherence in the handling of Brexit. In response to the coronavirus pandemic, the EU has launched the Next Generation coronavirus recovery fund (NGEU). What that will amount to in terms of EU’s long-term resilience remains unclear, though.

The Joint Declaration presented the

Conference on the Future of Europe

The Conference on the Future of Europe is a platform designed to discuss Europe’s challenges and priorities involving citizens and civil society organisations. The initiative was launched on 9 May 2021 and will last until April 2022.

The Conference is jointly organised by the European Commission, the Council and the European Parliament.

Conference as a way to solicit citizens’ views on the issues that matter to them, and what they think the EU should do about those issues.² The Conference will devise platforms and forums for active engagement with citizens. The question is what that amounts to in terms of reforms, and the broader impact the Conference will have on the EU’s future nature and direction of development.

The Conference’s outcome is uncertain. One reason for this is that the three EU institutions (Commission, Council, Parliament) in joint charge of the Conference have expressed very different views on what the Conference should be and its goals. From the three institutions’ proposals, two different visions emerge. We can label these two visions vehicle for reform, and forum for reflection. The European Parliament wants the process to be an exercise in participatory democracy that results in tangible reforms, including treaty reforms, to improve EU governing and reinforce the EU’s democratic legitimacy. In contrast to that, the Council has a far less ambitious position on citizens’ participation, underlines the need to

¹ See: https://ec.europa.eu/info/sites/default/files/en_-_joint_declaration_on_the_conference_on_the_future_of_europe.pdf

² Nevertheless, it is also noted that ‘(t)he scope of the Conference should reflect the areas where the European Union has the competence to act or where European Union action would have been to the benefit of European citizens.’

focus on ‘policy first’, and has stated explicitly that the process should not lead to treaty changes.³

The Joint Declaration gives no explicit commitment that the citizens’ deliberations will be followed up with tangible action, beyond the production of a report that is to be submitted to the Conference’s joint presidency. Nevertheless, the Joint Declaration is not without democratic ambitions. It notes that: ‘(w)e, the Presidents of the European Parliament, the Council and the European Commission, aim to give citizens a say on what matters to them.’

Different visions and institutional responsibilities

The ambiguity of asking people to have a say whilst refraining from committing to a course of action to follow up on what they want, can be related to differences in the institutions’ democratic sensitivities and societal responsiveness, certainly with regard to the role of the European level. The three institutions have their roots in different spheres of political life and in different visions of the European Union.

The European Parliament is situated in the world of representative-participatory

democracy and seeks to domesticate EU politics as part of developing the EU into a democratic polity. The Commission has its roots in administration and technocratic governance.

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The Council is situated in the world of diplomacy and is particularly attuned to the EU as a body of sovereign states (serving as the masters of the treaties). The domestic/international tension also marks the EU’s institutional structure as a complex mix of supranational and intergovernmental institutions (Fabbrini 2018; Fossum 2020). This tension can also be said to be reflected in the two core visions for the Conference: vehicle for reform and forum for reflection. The European Parliament’s view of the Conference is shaped by the manner in which the Parliament addresses persons and civil society organisations: as self-legislating European citizens, with civil society organisations intrinsic components of a fledgling European-level civil society. This view, however, has had to contend with transformations in many national societies in the last fifteen years, with the rise of Eurosceptic populism (especially its right-wing variant) associated with attempts to realign political conflict structures along national-European (or communitarian - cosmopolitan) lines.⁴ In this context, efforts to spur popular participation through referendums or debates risk deflecting attention from substantive issues and instead becoming popular verdicts

³ The Joint Declaration notes that ‘(t)he final outcome of the Conference will be presented in a report to the Joint Presidency. The three institutions will examine swiftly how to follow up effectively to this report, each within their own sphere of competences and in accordance with the Treaties.’ The Council in its submission notes that ‘(t)he Conference does not fall within the scope of Article 48 TEU’, thus ruling out treaty reform. See: https://www.consilium.europa.eu/media/48588/st_5911_2021_init_en.pdf

⁴ See de Wilde et al. 2019.

on the very justification for the EU. It is unclear if the Conference will be different. Conversely, the Council's aim is to solicit citizens' views on what matters to them, but without committing to any tangible action in response to citizens' verdicts. The Council in a February 2021 position paper on the Conference noted that the Conference should build on 'the methods and results of the citizens' dialogues and consultations',⁵ which refers to the EU's previous efforts through Plan D, Debate Europe, the Europe for Citizens programme and the European Citizens' Initiatives.⁶ Such a position departs from the Parliament's emphasis on the Conference as an experiment in transnational deliberative-democratic participation.⁷ The implication is that the Council does not seek to organise a process that will allow people and civil society organisations to understand themselves as acting in their capacity as European citizens capable of shaping the European laws that affect them. From this, we may surmise that the Council-led reflection scenario is based on the notion of people mainly as national citizens whose participation should be directed through national channels. In a similar manner, we may surmise that civil society is understood as a collection of national civil societies, all of which act ultimately within the member states. Moreover, by insisting that the Conference's approach should be 'policy first', the Council underestimates citizen dissatisfaction with the inability of the EU institutions to deal with collective needs adequately. Even if the response to the pandemic took less time

than the EU's response to the euro crisis, the implementation of Next Generation EU will likely take 17-18 months (it was submitted by the Commission in May 2020, agreed by the European Council in July 2020, transformed into a regulation in December 2020, and discussed by national parliaments in 2021), whereas the US Stimulus Bill took only two months from elaboration to implementation. This time-difference testifies to the structural problems that the EU faces in taking substantial decisions, even in the face of an existential crisis.⁸

Thus, the Conference's mandate and anticipated role seem to reflect a difficult inter-institutional compromise that is ultimately rooted in two quite different visions of what the EU is and should be. We sum up these visions for the Conference as reform vehicle versus forum for reflection. We need to establish what impact this lack of a coherent inter-institutional agreement on what the conference is for will mean for the unfolding and broader effects of the conference.

How can tensions and ambiguities be overcome?

The different visions of the Conference reflect not only ingrained institutional differences on what the EU is, but also differences among the EU's member states (which in turn feed into inter-institutional dynamics). The inter-institutional debate complicated the process of agreeing on a joint declaration and a common position on the Conference's leadership

⁵ See: https://www.consilium.europa.eu/media/48588/st_5911_2021_init_en.pdf

⁶ For a critical assessment of these see: https://www.epc.eu/content/PDF/2018/The_european_citizens_consultations.pdf

⁷ See: https://www.europarl.europa.eu/doceo/document/TA-9-2020-0010_EN.pdf

⁸ A telling account of EU Council-led decision making is provided by Jones et al. 2016, who refer to the notion of 'failing forward'.

structure, remit and range of operations.

It is therefore likely that the Conference will have the ambiguities we have outlined built into it. It follows that those who want to see the Conference lead to tangible reforms must take active steps to turn it into a reform vehicle. They need to build up enough momentum during the Conference's work to ensure that there will be sufficient pressure on leaders to take action subsequently. For that to happen, it is clear that the Conference must be able to do something beyond the citizen engagement activities the EU has been involved in for the last four to five years.

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A major challenge is to grapple with the still relatively weak European public sphere⁹. In a fully developed European public sphere, people would discuss the same issues at the same time across the entire EU. And while the EU's public sphere has grown¹⁰, it remains fragmented in a highly diverse and institutionally differentiated European Union when compared to national public spheres. Even if the Conference is able to build up momentum from its own work, there remains the issue of connecting with national publics to trigger a pan-European dynamic. That

would require the promoters of reform to agree on a reform agenda to submit to citizen panels and plenaries. The formation of a reform coalition, across EU countries and institutions, requires participants and discourse. Unofficial policy coordination would be needed before the formal institutional involvement, for thus establishing a coalition able to introduce a transnational narrative on the reform of the EU. This development might be useful also for catalysing the forces and the narratives of those opposing reforms, given that their aim is to keep the Conference within the confines of a forum for reflection.

In order to say something about these features, it is useful to revisit past debates on the future of Europe. What does research on national and European-level debates on the future of Europe say about the status of debate? Is the main pattern a relatively coherent debate on the same or similar issues, though in different languages? If so, the Conference could serve as a platform for connecting these and generating further momentum. Or are national debates diverse in terms of the themes and issues they address? Do they exhibit significant differences in their orientations towards the EU as a political system, and vary in their visions of how the EU should develop? In many member states (as revealed in analyses of parliamentary debates), there is little discussion of EU institutional reform (EU as a governing system), but rather a focus on policies that require immediate and necessary reforms, primarily filtered by national perspectives, problems and interests. The main shared contexts that in recent years have structured debates on the future of Europe were multiple crises: financial, migration, Brexit and now the COVID-19 pandemic. Overall, the main pattern is neither

⁹ There is a large body of research on the topic of European public sphere by now. For efforts to conceptually grapple with its distinct features, see Fossum and Schlesinger 2007.

¹⁰ See: <https://www.bruegel.org/2021/03/interest-in-european-matters-a-glass-three-quarters-full/>

a fully coherent debate on the future of Europe, nor a debate that is fully segmented or separated into diverse and incompatible national realms¹¹. Thus even if the issues and problems that are debated may be similar, local responses and policy solutions, as well as proposals for how to reform the EU system of governing vary significantly. It still leaves open to what extent the Conference can serve as a pan-European undertaking, and if it will be possible to turn the Conference from a forum for reflection to a reform vehicle.

In any case, the symbolic representation of the EU matters. The Council with its roots in the member states is implicitly propounding a bottom-up Conference in a union of states. This approach conveys an overly constrained notion of the EU as the outcome of the aggregation of national citizenries, national civil society organisations, national publics, national media, national parties, national parliaments, and national governments. This idea does not acknowledge the EU as a distinct organisation, separate from the member states, with a claim to its own legitimacy and *raison d'être*. Instead, the EU is implicitly portrayed as an extension of the nation-state experience, where citizens can relate to authorities without this having any bearing on their identities, and in denial of the fact that many citizens have already incorporated a European identity alongside their national and regional identities¹². The exercise would then likely end up bringing out the differentiated

idiosyncratic national perceptions of the EU, confirming the fragility of its legitimacy. A basic reform agenda for the Conference that takes into consideration the EU perspective would have helped to rein in the sprawl of local and national debates, thus preventing these debates from having centrifugal effects.

Managing expectations

The fact that the Conference sends an ambiguous message to citizens has bearings on an important leadership issue, which is to manage citizens' expectations. The Commission, Parliament and Council are directly in charge of the Conference through its Joint Presidency, Executive Board, Secretariat and a central presence in the Conference Plenaries, and the implication is that the Conference results and how it is perceived and portrayed will reflect back directly on the three core EU institutions. The EU institutions' management of public expectations is therefore an important input into the conduct and effects of the Conference. There is already clear evidence that the decision to launch the Conference has raised hopes and expectations among citizens and groups.¹³ The fact that there are different visions associated with the Conference suggests that managing expectations will be difficult.

In terms of managing expectations, there are pitfalls associated with both visions of the Conference. Turning the Conference into, or framing it, as a vehicle for reform will itself help to raise citizens' expectations and increase the pressure to deliver. Insofar as

¹¹ For a preliminary summary of a large-scale investigation of the debate on the future of Europe in national parliaments, see Góra et al. 'Differentiated (segmented) debate on future of Europe. The views from national parliaments', *EU3D Research Brief* (Fourthcoming 2021)

¹² Precisely how these identities relate to each other is an important issue: do they conflict and will one replace the other or are they complementary? For an assessment based on Eurobarometer surveys, see Hadler et al. 2021.

¹³ See: <https://www.europarl.europa.eu/at-your-service/files/be-heard/eurobarometer/2021/future-of-europe-2021/en-report.pdf>

there is a clear association between tangible reform and the exercise of participatory democracy, citizens will assess the Conference on whether it has served as an inclusive process and whether it came up with viable reforms. If the Conference solidifies as a forum for reflection, the hopes of those that wanted more will be dashed.

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Either way, shortcomings will serve as an invitation for populists to cast the Conference as a self-fulfilling prophecy in terms of EU impotence. The argument then will likely be that the EU is about talk, not action, and when it asks people to give their views, it barely listens and certainly does not act. This outcome might have alarming consequences, for two reasons. One is that it may disillusion EU supporters. The other is that it may lay bare a citizen–institutional disconnect, especially if it is so that, while the Conference is taking place, the EU will continue to deal with crucial policy and institutional challenges, including the pandemic and its economic and social consequences. A pertinent question is how or the extent to which the Conference can engage with these challenges.

In this connection, it is noteworthy that the three main EU institutions are in charge of conducting the Conference. The direct EU institutional presence and conduct may raise the likelihood that political conflicts and divisions will cross-over and shape the Conference’s work.

A division has already arisen over the status of Next Generation EU, with a coalition of countries (in tune with the German constitutional court) asserting its ad-hoc nature, and others (from the French president to the Italian commissioner) claiming the imperative of transforming it into a permanent programme. At stake, there is the possibility for the EU to have a fiscal capacity independent of national transfers. A further divide has emerged between the Commission and the European Council over state aid rules, which were temporarily suspended in 2020 because of the pandemic. While some (such as the Danish commissioner) propose to go back to the previous ‘competition regulatory frame’, others (such as the French commissioner) argue that the EU should have its own industrial policy favouring the emergence of European champions able to compete with US and Chinese (and UK) industrial rivals.

The future of the Stability and Growth Pact (SGP) has also become a subject of intense discussion and division within the Commission, national governments, and between members of the European Parliament. It seems unlikely that the SGP will be reapplied in its current form after a pandemic that has triggered unprecedented public expenditure in all member states. At the same time, a common currency without shared budgetary rules brings up the issue of sustainability and in the EU’s case, legitimacy, as the last decade has shown. Thus, what should the rules be post-pandemic? Furthermore, the transformation of the global and regional system is pressuring the EU to assume more responsibilities, in the context of a revamped alliance with President Biden’s US. Aggressive Russian foreign policy or Chinese global competition, not to mention the instability of the near Middle East and

North Africa, call for an EU able and willing to face those challenges and to intervene in those conflicts with its own strategy (autonomous or not). But how can all this be possible with the current EU governance system? In sum, despite the fact that the same set of institutions are involved and in charge, the unwillingness of the Council to link the Conference's debates to treaty reform renders the Conference unconnected to the EU's transformations and challenges. It remains to be seen whether there will emerge national and European actors able and willing to bridge them.

Conclusion

Notwithstanding the difficulties involved in running a transnational Conference during a pandemic, it is nevertheless positive that the Conference has finally started. The direct involvement of the Commission, Council and Parliament in the Conference's executive board might result in an undesired politicisation of the debates that will take place until April 2022. Unlike the Brussels Constitutional Convention of 2002-2003, which was presided over by non-EU public officials, the Conference of 2021 will be coordinated by representatives of the EU institutions with a direct political responsibility for EU policy-making. This might raise the stakes, emphasising the contrast between the two possible Conference trajectories and organisational formats (vehicle for reform or forum for reflection). In the absence of an explicit decision or prioritisation, it will be political dynamics that will decide which model, or which combination of the two models, the Conference will adopt. The reputational damage could be significant if both sides of the debate raise unwarranted expectations. It is time to agree on a clear aim.

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