

Cities as Collaborators on European democracy? Sub-State actors and the Conference on the Future of Europe

Paper prepared for 2022 EUSA 17th Biennial Conference, Panel
“Europeanization under the radar? Trends in Politicization & EU Policymaking
at the Sub-state Level“

Marie Lohrum
Max Planck Institute for Comparative Public Law and International Law Heidelberg
lohrum@mpil.de

Fumie Nakamura
Max Planck Institute for Comparative Public Law and International Law Heidelberg

Abstract

1. Introduction

After the Treaty establishing a Constitution for Europe failed to be ratified in the beginning of this century, many observers, political forces and citizens have remained unsatisfied with the democratic quality of the European Union. The Treaty of Lisbon that evolved as a result of the failed constitutional treaty brought many democratic advances, yet whether the democratic deficit could be fully remedied by them remains contested. The financial, immigration and health crises that followed further underlined the criticism voiced, as executive powers gained strength within them while legislative forces became increasingly powerless. The financial crisis in particular normalized decision-making in the EU that is unrelated to the national and European Parliament(s), as decisions were mostly taken in the informality of the Eurozone. All these factors contributed to rising unease by European citizens with decisions taken in the supranational sphere. Ultimately, after the last European election this has spiked into the promise of a possible reform process based on the wishes and needs of citizens.

While such a deliberative process on the future of the European Union has been a hot topic for many years, it was only after the last European election and the failed Spitzenkandidaten-procedure that the new Commission president Ursula von der Leyen promised to make it a reality. In line with an idea by the French President Macron in his Sorbonne-speech 2017, the European Parliament, the Council and the European Commission led by von der Leyen signed a communication on an interactive citizen forum on the 10th of March 2021, with two years delay due to the global pandemic. This initiated the Conference on the Future of Europe (hereafter CoFE or the Conference), a novel format which some expect (or hope) to remedy democracy in the European Union. Such hopes and claims underline the (perceived) importance of the Conference, often dreamt of inspiring treaty change to a more democratic EU. As with all seemingly groundbreaking or landmark decisions and processes, the Conference has attracted significant attention by non- and sub-state actors, hoping to steer European democracy in a favorable way. Against this backdrop, this article particularly focuses on sub-state actors, as they can be instrumental in the EU's multilevel policy. They are actors "on the ground" in the closest proximity to the citizens of the European Union, which the Conference aims at. In particular, we focus on Eurocities as an example of sub-state actors

which act at the European level. Eurocities has repeatedly expressed its interest in the Conference and stressed the urgency of the involvement of cities in democratic processes.

What inspired this paper was the question of *Can sub-state actors (e.g. Eurocities) enhance the democratic quality of the Conference on the Future of Europe?*. This question guides the theoretical contribution that we aim to provide with this paper. We find it particularly relevant to study as the possibility of the Conference to trigger treaty change was left open in its establishment. The Conference could therefore have ample impact if it came to a new treaty process, inspired by the voice of citizens. As such, the question of the democratic quality of the Conference itself becomes apparent. It is being discussed (and praised) as a highly democratic process, in which individual citizens deliberate together with European Institutions and other actors on the future of the EU. The involvement of local actors in the form of Eurocities could therefore enhance this argument even further if this leads to an even strengthened democratic quality of the conference. Even if the conference does not instigate a treaty change process, its outcomes will be hard to overlook for the European Institutions, as they have started the process particularly to address concerns of lacking democratic footing of the Union. Therefore, regardless of the outcome of the Conference, its significance remains undisputed and its democratic quality is important in any case.

The paper is structured as follows. First, we introduce the Conference and provide a short description of its establishment and the difficulties that arose within it. Second, we introduce the concept of deliberative democracy to studies of the Conference by construing the Conference as a deliberative arena. We substantiate this theoretical connection with manifold reasons. Third, we introduce our case, Eurocities, to examine the involvement of sub-state actors in the Conference. We lay down its connection to the Conference and why it has interest in it. Fourth, we analyse documents by Eurocities to come to a set of preliminary observations about how sub-state actors, in particular cities, can influence the democratic quality of the Conference. Fifth and last, we draw a conclusion and show that much is yet to explore when it comes to the Conference and the involvement of sub-state actors within it.

2. The Conference on the Future of Europe

2.1 Establishment of the Conference and the difficulty to do so

In 2017, French President Emmanuel Macron proposed a “democratic convention that will be an integral part of Europe’s radical reform”¹ in a speech given at the university of Sorbonne, which at the time caused a lot of discussion on the EU and its system. After some hesitation, the EU institutions took up Macrons call. In the communication (European Commission, 2020), the EU Commission President Ursula von der Leyen pledged to respond to the call for greater citizen participation in EU policy making. Subsequently, in the joint declaration of the European Parliament, the Council and the European Commission titled ‘Engaging with citizens for democracy – Building a more resilient Europe’ (European Commission et al., 2021), the Conference on the Future of Europe was launched. According to this joint declaration, the Conference aims to invite European citizens to play “a more active role in deciding the future of the Union and its politics”(European Commission et al., 2021). It is expected to generate a “new space for debate” for any individual in light of the ongoing challenges Europe faced as well as policy priorities in hopes that it would “underpin the democratic legitimacy and functioning of the European project” and “uphold the EU citizens support for [the EU’s] common goals and values” (ibid.). Reciprocally, the three EU institutions, who also hold the joint presidency of the Conference, pledged to “follow up on” the recommendations that the Conference produces (ibid.).

2.2 The Conference’s design and function

The Conference is a one-year process that pursues a bottom-up approach to encourage citizens to get involved. With this premise, it is composed of multiple pillars, namely the Multilingual Digital Platform, European Citizen’s Panels, and the Conference Plenary. The Executive Board, which includes representatives from the three EU institutions and observers, supervises the overall organization of the Conference and is assisted by the Common Secretariat. A wide range of events are organized during the period of the Conference to enhance the Conference’s publicity and its outreach to citizens. Member states and the EU institutions are not the only organizers of such events; local governments, civil society organizations, as well as individuals can also organize them.

The Conference’s Multilingual Digital Platform², one of the main pillars of the Conference, launched in April 2021. It provides citizens a space to not only share their ideas but also react

¹ Full text of the speech is available at <https://www.elysee.fr/en/emmanuel-macron/2017/09/26/president-macron-gives-speech-on-new-initiative-for-europe>

²<https://futureu.europa.eu/pages/getinvolved>

to ideas others have proposed by commenting on and discussing them in multiple topic areas, ranging from climate change and environment to European democracy. Inputs shared on the platform are compiled and published as regular interim reports. This platform is also where the input from events (the final report of an event) become available. Another pillar, the European Citizens' Panels, consist of four panels of 200 randomly selected citizens, aimed at representing diversity in gender, age, and geographic origin as well as socio-economic background and the level of education in the European Union³. Panels are further divided into four themes: 1) stronger economy, social justice, jobs/education, youth, culture, sport/digital transformation, 2) European democracy/values, rights, rule of law, security, 3) climate change and environment/health, and 4) EU in the world/migration. The panels meet for three deliberative sessions each to draft recommendations based on the inputs shared in the Multilingual Digital Platform. Based on the design and process of the Conference, individuals and entities that are not part of the Citizens' Panels and the Conference Plenary can nevertheless add their input by posting their ideas on the digital platform and by organizing and participating at decentralized events.

The Conference Plenary, which meets in regular sessions to debate the recommendations from the Citizens' Panels and input from the Multilingual Digital Platform, consists of 108 representatives from the European Parliament, 54 from the Council, and 3 from the European Commission, as well as 108 representatives from national Parliaments. In addition, 80 representatives from European Citizens' Panels, the President of the European Youth Forum, and 27 representatives from National Citizens' Panels take part in the plenaries. Furthermore, the plenaries also reflect public, sub-state and private interests: 18 representatives from the Committee of the Regions and 18 from the Economic and Social Committee, 12 elected representatives from regional and local authorities, 12 representatives from the social partners, and 8 from civil society⁴ are taking part. The Plenary bears the task of drafting proposals to the Executive Committee.⁵ To mark the conclusion of the Conference, the Executive Board drafts and submits a final report to the Joint Presidency.⁷

³ More details regarding the technicalities of random selection are available in the Activity Report Mar-June 2021.

⁴ Composition is detailed in Article 16 of Rules of Procedure of the Conference on the Future of Europe.

⁵ Article 17 of Rules of Procedure of the Conference on the Future of Europe

⁶ The Conference held its last plenary session on 29 and 30 April 2022, and agreed on a set of 49 proposals. More details on the proposals is available at https://ec.europa.eu/commission/presscorner/detail/en/IP_22_2763.

⁷ Article 7 and 23 of Rules of Procedures of the Conference on the Future of Europe.

2.3 Potential challenges in the process of the Conference

Existing literature recognizes both the innovative aspects and possible shortcomings of the Conference. Fabbrini (2020), who views the Conference as “an out-of-the-box initiative designed to relaunch the project of European integration after a decade of crises” (p.402), points out that the Joint Declaration is rather vague in terms of its constitutional mandate and organizational structure. The former corresponds with the procedural hurdles that treaty change entails. The latter reflects the characteristics of the Conference, where the bottom-up (citizen-based) as well as top-down (elite-based) mechanisms interplay. As such, Fabbrini anticipates that the success of the Conference depends on the leadership of the Executive Committee and the type of the ultimate legal outcome the Conference produces (pp.410-413). Exploring some of the fundamental questions regarding the prospect of the Conference, Alemanno (2020) points out that, while the Conference could mark “a new mode of democratic European integration, one that deepens and strengthens its multi-level architecture and has the potential to provide the European Union with a legitimacy boost” (p.494), each pillar faces structural challenges. For instance, the way in which the Multilingual Digital Platform is designed can disadvantage those who lack the awareness of the occasion and necessary knowledge of the topics or sufficient digital literacy (Alemanno, 2020, pp.495-498). Likewise, the European Citizens’ Panels, while showcasing efforts to increase the representativeness of the participants, may not be sufficiently equipped to address the potential vulnerability of participants to public attention or to the ways issues are framed by other players that hold more experience and expertise (p.502). In terms of the Plenary, it is indeed notable that citizens are invited to deliberation with elected political representatives from the EU and national level. However, their role is limited in comparison to the latter, and it remains unclear whether the deliberation leans towards arguing as opposed to bargaining. These points indicate the importance of institutional representatives to promote discussion and guarantee fairness (p.505). As it tends to be the case with any novel undertaking, the CoFE entails both promises and challenges that could potentially strengthen or undermine its functions.

3. The Conference as a deliberative arena

The contribution of our paper draws on deliberative democracy, particularly Jürgen Habermas’ “discourse-theoretical” democracy. We construe the CoFE as a deliberative arena bringing citizens together with European Institutions and other stakeholders to deliberate the EU’s democratic structures. We do this particularly along the specificities of the process of the Conference, as the following paragraphs will show.

Rather than focusing on the outcome of the CoFE, which is undetermined by its conveners and at the time of writing this paper still uncertain, we construe it as a deliberative arena on the basis of its process. The Conference is characterized by an open process facilitating high citizens' engagement. The participants in the plenary and the panels were selected by a random procedure, in which every citizen had the same chance of being selected. Particular attention was paid to ensure the inclusion of citizens from all parts of the Union, in municipal centers as well as from the countryside. This was undertaken to enable the CoFE to be a process in which a multitude of citizens was included to bolster its function as a possible remedy for the democratic deficit of the Union. Further, everyone has the possibility to contribute to the Conference via the participatory platform. This is not strictly restricted to citizens of the Union, but also persons with an interest in the process from the outside. In this vein, non-state and sub-state actors are also enabled to register on the platform. For these reasons, the CoFE is a process that aims to be open to all citizens and include citizens' input from all areas of the Union and maybe even beyond. Being an open process in which citizens deliberate about the very conditions of their future participation, we see it as a prime example of deliberative democracy in a Habermasian sense (Habermas, 1998). Here, citizens debate on the very rules of democracy that in the future will allow them to partake in decision-making on a case-level. Habermas particularly points out that in the EU citizens have to do so not only as national citizens of the member states, but in a dual function as citizens of a shared union and their national democracies (Habermas, 2014). We see this given in the conference, in which citizens are included in the process as individuals via their contribution to the platform, as national citizens via participants of the panels from their member states and their national parliaments as well as supranational citizens via the European Institutions, particularly the European Parliament.

Overall, we theorize the CoFE to be a nearly ideal-typical deliberative arena from a deliberative democracy point of view. Its openness to citizen contribution, the inclusion of citizens of all countries and demographic stages, as well as its function to deliberate on the very rules of EU democracy let us arrive at this conclusion. We think that this theorization is fruitful and meaningful to answer the question underlying this paper as it allows us to infer about the democratic quality of the Conference. In line with deliberative democracy, we see democratic quality being ensured by the visibility of the Conference, its openness and its representativeness since these factors enhance the possibility of open deliberation. We will only examine the aspects of visibility and representativeness in the analysis, as openness of the CoFE cannot be influenced by sub-state actors but instead lies in the design of the process. The Conference

would make an ideal-typical arena if the process and its length were determined more by the needs of the deliberative processes of the citizens. The way it stands however, it is still a convincing instance of a deliberative arena. This is in line with some theorists of deliberative democracy who argue that there are more deliberative arenas than just political parties, including legislatures, courts and other non-governmental arenas (Benhabib, 1996, p. 75; Gutmann & Thompson, 1996, p. 358).

As with all processes of deliberation, it is not important that citizens come to a pareto-optimal outcome that profits all, but it is the deliberation itself that is important. The goal is therefore that consensus-seeking is encouraged by sincere democratic deliberation (Cunningham, 2002, p. 165). This we see fulfilled by the CoFE, in which citizens have the incentive to deliberate freely in a format that is designed to enable them to agree on a joint position in a timely manner. The Citizens' Panels particularly fulfill this function of deliberation that is oriented towards consensus-seeking, as they are actively preparing the plenary sessions, in which decisions are taken. The short time frame of the CoFE, after all it is just a one-year-process, further contributes to the consensus-seeking nature of it. While deliberation is therefore enabled and actively encouraged by the CoFE, it is also driven by a certain sense of outcome-fixation. The process builds heavily on deliberation between a multitude of actors, but mainly citizens.

We argue that with the CoFE the EU gets one step closer to what Habermas calls a "democratic constitutional state". He defines this as a political order which is created by the citizens themselves and legitimated by their constant involvement in deliberative processes (Lord, 2015, p. 248). In this view, we see the CoFE as a deliberative arena because the process theoretically has the potential to inspire treaty change or a constitutional process, which would both include citizens' participation in setting out the structures of democracy and its potential. The constitution (or treaty change) is important here, as its function is to institutionalize the conditions for deliberative democracy (Cunningham, 2002). In particular, both treaty change and a European constitution would re-write the conditions of participation that citizens face on the supranational level. It could potentially strengthen their abilities and thereby ultimately strengthen democracy in the European Union. The involvement of citizens in this process is of utmost importance for deliberative democracy. Since the CoFE was explicitly established for citizens to deliberate on democracy in the EU and the Conference outcome will most likely not go unnoticed, it is fulfilling the function of enabling citizens to have a say in the democratic principles established, which Habermas implied with the concept of 'political order' (Lord,

2015). In short, we see the Conference to be a deliberative arena for citizens which has the ultimate goal of including them in setting the foundations for the future of European democracy.

4. Eurocities: the case

In our examination of the democratic quality of the CoFE, we focus on sub-state actors. We do so, as they are actors “on the ground”, in the closest proximity to the citizens of the European Union which the Conference aims at. They can be seen as instrumental actors in the EU’s multilevel policy. In particular, we focus on Eurocities as an example of sub-state actors that act at the European level for the following reasons. First, it is composed of one or more cities from almost all of the EU member states⁸. Second, Eurocities has vested interests not only in the Conference on the Future of Europe, but also in the functioning of the EU in general as an intermediary between the EU institutions and member cities. Third, the Brussels office is equipped with resources and expertise to navigate the EU affairs and bureaucracies. Because of these resources and expertise of Eurocities, member cities rely on it as their delegate.

Eurocities is a transnational municipal network (TMN) operating in the European realm. TMNs can be understood as “formalized organisations with cities as their main members and characterised by reciprocal and established patterns of communication, policy-making or exchanges” (Davidson et al., 2019, p.3543). Generally composed of an 1) international secretariat, 2) presidency, board, and general assembly, as well as 3) member cities (Kern & Bulkeley, 2009, p.314), TMNs are intended for long-term operation and cooperation. Member cities benefit from multiple opportunities to participate in projects, events, and meetings, as well as from being signatories of joint statements on relevant topics. Regarded as one of the pioneers of international city cooperation in Europe (Acuto, 2013, p.486), Eurocities has evolved into a network that entails 200 cities in more than 38 countries across Europe since its inception in the 1980s. Having started as a meeting of the mayors of Barcelona, Birmingham, Frankfurt, Lyon, Milan, and Rotterdam (Niederhafner, 2013), mayors of member cities continue to determine the direction of Eurocities (Nielsen & Papin, 2020, p.10) as the members of Executive Committee and chairs of thematic forums. Lastly, its headquarters in Brussels assists and advises the members in multiple areas, including but are not limited to policy and advocacy.

⁸ According to the list of member cities available on the official website of Eurocities (<https://eurocities.eu/cities/>), one or more cities from all member states except for Malta currently participate.

Eurocities has repeatedly demonstrated its interest in influencing EU-level decisions. The motivation behind this seems to be two-fold. On the one hand, Eurocities, referring to local governments as “essential partners for turning EU policies and ambitions into reality”⁹, helps its member cities translate and implement EU policies. On the other hand, it bears the task of not only advocating the direct inclusion of cities in European decision making¹⁰, but also disseminating local needs and experiences at the supranational level. To put it differently, European cities can become both “policy-takers” and “policy-makers” (Schultze, 2003), and Eurocities is an instrumental intermediary between member cities and the EU as well as its policies. Being organized in the TMN allows the member cities to profit from the expertise and resources of the Eurocities headquarters, cooperate with other cities on European policies and amplifies their voice on the European level. Ultimately, this boosts their ambitions of EU advocacy. At the same time, Eurocities itself is profiting from the member cities’ individual experiences and expertise as well as their contributions to the network.

Applying this dynamic into the context of the Conference, Eurocities aims to promote the Conference among its large membership base. Reciprocally, Eurocities likes to present the relevance of local authorities in “bringing Europe closer to people”¹¹ among the EU institutions. Since the structures and foundations of European democracy are at the very core of why the Conference was put into place, Eurocities’ interest in it is justified by another rationale. We expect Eurocities to be involved in the CoFE as it seeks to contribute to the future of European democracy. Member cities will be directly affected by this, as much EU legislation is being implemented on the local level. Further, the principle of subsidiarity is important to sub-state actors. As the rules for the outcomes of the Conference are open, cities have a stake in the process to ensure that their involvement in European democracy remains untouched. Since direct involvement in the CoFE is costly to cities, we expect them to take Eurocities as an intermediary, aggregating their interests and representing them with one coherent voice. To briefly summarise, its composition of cities, intermediary role between member cities and the EU institutions, and intertwined motivation in the Conference present Eurocities as a suitable case for this paper. The next section analyses the role and function that Eurocities brings to the democratic quality of the CoFE as a deliberative arena.

⁹ <https://eurocities.eu/about-us/>

¹⁰ <https://eurocities.eu/about-us/>

¹¹ “Bringing Europe closer to people” is the theme of the 2020-2025 priorities of the European Committee of the Regions, whom Eurocities works closely with: <https://cor.europa.eu/de/news/Pages/Bringing-Europe-closer-to-people-European-Committee-of-the-Region-set-three-priorities-for-2020-2025.aspx>

5. Cities and their impact on the Conference

Setting out to answer the guiding question — *Can sub-state actors (e.g. Eurocities) enhance the democratic quality of the Conference on the Future of Europe?*— this section looks into materials published by Eurocities to examine the potential impact of sub-state actors on the democratic quality of the CoFE. It explores what activities and statements by Eurocities tell us about the possible contribution of sub-state actors to the Conference. The CoFE is still in full swing at the time of writing, which makes an empirical examination of the participation of sub-state actors and its impact on the democratic quality of the Conference seem premature. Rather, we aim to add to the emerging literature with a theoretical contribution. We have inductively generated a set of preliminary observations based on material that Eurocities has published on the CoFE and related topics. With these observations, we hope to contribute to theory-building efforts around the Conference. Empirical investigation is outside the scope of the paper. This remains a task for the future when the Conference has come to an end and empirical materials become more readily available.

Before we delve into the observations, we would like to note that the analysis was done exclusively on material that Eurocities published. Therefore, the guiding question will be answered with the help of documents that represent the aspirations of the case we have selected. They do not necessarily reflect Eurocities' actions towards the Conference. Nevertheless, these materials are a fruitful and rich source, since they provide insight into how Eurocities' (and potentially other sub-state actors) would like their involvement in EU democracy to look like. Corresponding to the core democratic quality of the CoFE as a deliberative arena, the paper introduces three statements centred on visibility, representativeness, and the principle of subsidiarity.

5.1. Visibility of the Conference

While scholarly discussion regarding the Conference tends to focus on the Conference's outreach and relation to individual citizens directly, civil society organizations and the initiatives that they launch can enhance the Conference's outreach to wider audiences and stimulate their interests (Alemanno, 2020, p.508). Although Eurocities may not fall under the category of civil society organizations strictly, Alemannos' remark leaves ample implications for it. Eurocities has been disseminating information regarding the Conference by integrating the Conference into its thematic focuses and by (co-)organizing events in the context of the Conference. Eurocities has further incorporated the Conference into the network's ongoing efforts to enhance citizen engagement at the local level (Eurocities, 2020): "The idea—a grand

debate with citizens across the EU, to shine a light on people's voices, share new ideas, and find a possible new common ground for Europe—has many parallels with existing examples of citizen engagement from the local level”¹². In this vein, cities are depicted as where people are “understood, seen, heard, felt”¹³. Increasing the visibility of the Conference, Eurocities has been part of events organized within the context of the Conference. For example, the event “Cities and citizens as key players for Europe's recovery”¹⁴, which Eurocities co-organized with Friends of Europe, a Brussels-based non-profit think tank took place in May 2021.

There is a repeated claim in Eurocities' documents that “cities are the level of governance closest to citizens” (Eurocities, 2021; Eurocities & Friends of Europe, 2020; European Committee of the Regions et al., 2021) and that city administrations have an ability to “steer and coordinate participation as the main enabler for local participatory governance” (Eurocities, 2021) They are even seen as “a repository of operational, organisational and strategic knowledge on citizen participation.” (Eurocities, 2021). In line with this, the organisation claims that “even with the formalisation of advanced participatory processes at the regional or national level, they are still organised locally. Their effectiveness depends on how they are designed and carried out by the city.” (Eurocities, 2021). While this is not the case for the CoFE, which is organized on a European scale as a Europe-wide online platform, events and plenaries, it still shows the role cities try to attribute to themselves: they try to establish themselves as ‘connectors’ between citizens and higher levels of governance. Eurocities even says that “the challenge for mainstreaming innovative participatory processes lies in the limited influence of cities on the formal governing regulations.” (Eurocities, 2021), which further underlines their self-assessment as an important intermediary between citizens and European democracy.

In line with this, the organisation has pointed out that it sees the CoEF as a well suited venue to build a future European Participation Strategy, which would enable the constant involvement of citizens and civil society in EU politics (Eurocities, 2021, p.7). In order to build such a strategy, it is critical that many citizens participate in the Conference, which is supposed to set it up. We therefore theorize Eurocities to have an interest in increasing the visibility and thereby participation of the Conference. We find this reflected and confirmed by the amount of references Eurocities has within its documents and its thematic focuses more generally speaking. It is actively engaging with the CoFE.

¹² <https://eurocities.eu/latest/five-principles-for-citizen-engagement/>

¹³ <https://eurocities.eu/latest/people-make-cities/>

¹⁴ <https://futureu.europa.eu/processes/Democracy/f/5/meetings/139294>

The documents analysed show that Eurocities puts great hope into the CoEF. Taken the documents together, we can distil a first observation: we see that Eurocities places a strong claim on connecting citizens to the European level and the Conference, underlining the increasing democratic quality this brings to the CoEF. In line with deliberative democracy, we expect the involvement of sub-state actors to draw visibility to the Conference, which in turn increases the deliberative potential, as more citizens are made aware of the possibility to have their voice heard in the CoFE. Essentially, the visibility Eurocities' engagement with the CoFE generates is expected to increase the democratic quality of the Conference by enabling broad and open deliberation. We therefore formulate the first statement as follows:

Sub-state actors increase the deliberative potential of the Conference on the Future of Europe by increasing its visibility towards citizens.

5.2. Representativeness of the Conference

Next to raising awareness and increasing the visibility of the CoFE there is a second strand of arguments apparent in Eurocities' documents: Eurocities sees that its participation in the Conference enhances citizen representation. The TMN stresses that a vast majority of the challenges seen today need collaboration across multiple levels of governance, including the local level (Eurocities & Friends of Europe, 2020, p.4). It attests an increased need of cooperation across governance levels, and in particular with sub-state actors. In order to do so, Eurocities promotes an approach that it calls "New European Localism" (Eurocities & Friends of Europe, 2020). This approach would strengthen cooperation between local authorities and the European institutions and puts the importance of the local level as policy enforcing and close to citizens to the forefront.

New European Localism is based on the premise that "Closer cooperation with cities would provide a mechanism to bring people closer to the EU and to tackle the challenges which are both urban and European" (Eurocities & Friends of Europe, 2020, p.4). Eurocities argues that its involvement in the Conference increases representation of citizens as they are now represented on different levels: on the state level by citizens of the member states as well as national representative of the Council and national parliaments, on the European level by representatives of the European Parliament, on an individual level by participating directly in the platform, as well as on a local level by representatives of cities. It explicitly argues that "Cities are the vehicle through which the EU can engage credibly with those that they serve" (Eurocities & Friends of Europe, 2020, p.5) There is a strong connection claimed between cities and 'the people', which is reiterated multiple times in Eurocities documents, even climaxing

into the claim that “the EU needs its cities to bridge the gap and close the distance to people” (Eurocities & Friends of Europe, 2020, p.7) . The organisation repeatedly stresses that it provides the platform to include the local experience into European decision-making and democracy (Eurocities & Friends of Europe, 2020, p.6). As such, Eurocities views the CoFE as an occasion for the EU to subscribe to an approach of New European Localism, which it sees as “key to bring people into the heart of the EUs decisions” (Eurocities & Friends of Europe, 2020, p.4). Ultimately, Eurocities claims that an “effective CoFE” must see the value that cities bring to policy-making at the supranational level (Eurocities & Friends of Europe, 2020, p.4). Taken together, we see that Eurocities makes manifold claims about enhancing the representativeness of the CoFE.

The empirics are underlined by deliberative democracy; it assumes that the participation of sub-state actors in the higher-level processes increases the representation of individual citizens. It does so along Habermas’ argument that citizens in the EU have to be represented not only as citizens of a shared Union, but also as citizens of national democracies (Lord, 2015). We extend this argument to include the sub-state level, as many regions and cities in Europe often act as autonomous actors and are rather influential in doing so. On the basis of the documents analysed and with deliberative democracy in mind we formulate the observation that

Sub-State actors increase the representativeness of the Conference on the Future of Europe.

Furthermore, in line with the goals of the Conference of strengthening European democracy, we extend this second observation by linking representativeness to trust in European democracy. It is said that political trust in subnational governments tends to be more stable than in national governments or the EU (Proszowska, 2022). We postulate that increased representativeness also strengthens trust, something that has historically been lacking behind in the EU. This also follows logically from Habermas’ argumentation that citizens have to be included by multiple levels. Representation on different levels is seen as a prerequisite for deliberation, which is closely connected to democratic quality. Accordingly, we formulate as follows:

Increased representativeness due to the involvement of sub-state actors in the Conference on the Future of Europe strengthens citizens’ trust in European democracy.

5.3. Subsidiarity principle

Another strand of comments stood out to us relating Eurocities’ participation in the CoFE to the EUs’ principle of subsidiarity. Eurocities writes that the role of local governments at the

European level should increase “in line with the subsidiarity principle and local self-government” (European Committee of the Regions et al., 2021). Subsidiarity, ensuring that decisions in the EU are taken at the lowest most appropriate level, is construed as a crucial element for the democratic legitimacy of EU governance; however there is no consensus in its meaning and how to operationalise it remains a challenge (Schneider, 2019, p.19, 20, 23). It appears that Eurocities proposes its own take on the principle, hinting that cities are the most suitable level in the majority of decisions. We find another indirect claim to subsidiarity when Eurocities references the share of EU legislation that is being implemented on the local level (Eurocities & Friends of Europe, 2020, p.7). Even though implementation is not what the principle of subsidiarity is aiming at, this claim underlines that Eurocities tries to emphasize the importance of the multi-level structure of European governance for its functioning and thereby remedy the existence of the principle of subsidiarity. In referring to the aim of the CoFE, Eurocities points out that “it is about bringing citizens and cities to the core of the EU through a new power-sharing model.” (Eurocities & Friends of Europe, 2020, p.1) . This power-sharing model is repeatedly put at the forefront of Eurocities’ arguments. We can expect that the TMN aims to ensure its say in a future EU and therefore stresses efforts of power sharing between different levels of governance, again referring to the principle of subsidiarity. Based on these observations, we formulate a third observation of sub-state actors to the process of the Conference as follows:

Sub-state actors ensure the enforcement of the subsidiarity principle in the Conference on the Future of Europe, which strengthens the democratic quality of the multi-level governance structure of the EU.

6. Conclusion

The Conference on the Future of Europe ties in with past advances of European democracy in that it is a novel exercise carried out on a supranational stage. Whether or not the Conference will have an effect on EU democracy remains to be seen. In the meantime, the process has attracted a multitude of actors trying to influence the outcome and participate in the Conference directly. Among these are sub-state actors, which claim that they are of particular relevance for European democracy as they are in close proximity to European citizens. This paper has provided an initial assessment of the effects of this participation of local actors in the Conference as it has asked the question *Can sub-state actors (e.g. Eurocities) enhance the democratic quality of the Conference on the Future of Europe?*. Examining documents from Eurocities we come to a set of inductively created observations that help answer this question.

In doing so, we make a theoretical contribution to the emerging literature on the Conference. We have construed the Conference as a deliberative arena by arguing that its process mainly follows the logics of deliberative democracy. Future research could scrutinize this claim much further, in particular when the outcome of the Conference and its substantive impact can be taken into account.

Ultimately, we explored in what ways Eurocities can contribute to the democratic quality of the process of the Conference on the Future of Europe from three perspectives: visibility, representativeness, and the principle of subsidiarity. Based on an examination of documents published by the TMN, we argued that Eurocities could increase the visibility and awareness of the Conference among citizens by incorporating the Conference into its own thematic goals and by organizing events in the context of the Conference. Furthermore, we argued that Eurocities could add another (local) layer of representation to the established ones of national, supranational, and individual representation. Related to this point, we have proposed that including sub-state actors into the Conference would enhance public trust in the process. Lastly, statements and strategies made available by Eurocities brought attention to the postulated connection between (transnational) deliberation and subsidiarity. What emerges across these three perspectives is that sub-state actors not only enhance the quality of the Conference but are also motivated to seize the opportunity to advance their own agenda. While sub-state actors have the potential to enhance the democratic quality of the conference, much remains unexplored largely due to the ongoing nature of the Conference itself. Future empirical examination of these observations is encouraged. After all, we remain curious to see what processes will follow the Conference and would like to encourage scholars to view the Conference as a fruitful venue of research, since it is so closely connected to European democracy.

References

- Acuto, M. (2013). City Leadership in Global Governance. *Global Governance*, 19(3), 481–498. <https://www.jstor.org/stable/24526208>
- Alemanno, A. (2020). Unboxing the Conference on the Future of Europe and its democratic raison d'être. *European Law Journal*, 26(5–6), 484–508. <https://doi.org/10.1111/eulj.12413>
- Benhabib, S. (1996). Toward a deliberative model of democratic legitimacy. In S. Benhabib (Ed.), *Democracy and Difference: Contesting the Boundaries of the Political*. Princeton University Press.
- Cunningham, F. (2002). *Theories of Democracy*. Routledge. <https://doi.org/10.4324/9780203466247>
- Davidson, K., Coenen, L., Acuto, M., & Gleeson, B. (2019). Reconfiguring urban governance in an age

- of rising city networks: A research agenda. *Urban Studies*, 56(16), 3540–3555. <https://doi.org/10.1177/0042098018816010>
- Eurocities. (2020). *EUROCITIES principles on citizen engagement: Citizen engagement at local level* (Issue July). <https://eurocities.eu/latest/five-principles-for-citizen-engagement/>
- Eurocities. (2021). *Eurocities Brief : City administrations paving the way to participatory democracy*. <https://eurocities.eu/latest/people-make-cities/>
- Eurocities, & Friends of Europe. (2020). *Localising Europe*. <https://eurocities.eu/latest/localising-europe/>
- European Commission. (2020). Communication from the Commission to the European Parliament and the Council: Shaping the Conference on the Future of Europe. In *COM (2020) 27 final*.
- European Commission, European Parliament, & European Council. (2021). Joint Declaration on the Conference on the Future of Europe. In *2021/C91 I/01*.
- European Committee of the Regions, Eurocities, & Council of European Municipalities and Regions. (2021). *Cities fostering democracy in the European Union: Urban perspectives for the Conference on the Future of Europe* (Issue October). https://cor.europa.eu/de/events/Pages/Cities_fostering_democracy_in_EU.aspx
- Fabbrini, F. (2020). The Conference on the Future of Europe: Process and prospects. *European Law Journal*, 26(5–6), 401–414. <https://doi.org/10.1111/eulj.12401>
- Gutmann, A., & Thompson, D. (1996). *Democracy and Disagreement. Why Moral Conflict Cannot be Avoided in Politics, and What Should Be Done about It*. Harvard University Press.
- Habermas, J. (1998). *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*. MA: The MIT Press.
- Habermas, J. (2014). *Democracy in Europe. Why the Development of the European Union into a Transnational Democracy is Necessary and How it is Possible* (13/2014; ARENA Working Paper, Issue December).
- Kern, K., & Bulkeley, H. (2009). Cities, Europeanization and multi-level governance: Governing climate change through transnational municipal networks. *Journal of Common Market Studies*, 47(2), 309–332. <https://doi.org/10.1111/j.1468-5965.2009.00806.x>
- Lord, C. (2015). *A Different Kind of Democracy? Debates About Democracy and the European Union* (C. Lord (ed.)). Open Society Foundations.
- Niederhafner, S. (2013). Comparing functions of transnational city networks in Europe and Asia. *Asia Europe Journal*, 11(4), 377–396. <https://doi.org/10.1007/s10308-013-0365-3>
- Nielsen, A. B., & Papin, M. (2020). The hybrid governance of environmental transnational municipal networks: Lessons from 100 Resilient Cities. *Environment and Planning C: Politics and Space*, 1–19. <https://doi.org/10.1177/2399654420945332>
- Proszowska, D. (2022). Trust Lost, Trust Regained? Citizens' Trust in EU, National and Subnational Governments During and After Economic Crisis 2008–2019. In C. Lord, P. Bursens, D. De Bièvre, J. Trondal, & R. A. Wessel (Eds.), *Politics of Legitimation in the European Union: Legitimacy Recovered?* Routledge. <https://doi.org/https://doi.org/10.4324/9781003217756>
- Schneider, M. (2019). Europe must deliver at the level closest to the citizens Subsidiarity: Past, present and future. *European View*, 18(1), 16–25. <https://doi.org/10.1177/1781685819844466>

Schultze, C. J. (2003). Cities and EU governance: Policy-takers or policy-makers? *Regional and Federal Studies*, 13(1), 121–147. <https://doi.org/10.1080/714004785>