

“You know, this conference has no legitimacy”: Eurosceptic contestation of the Conference on the Future of Europe

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NOTE:

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Abstract

Amid the escalating contestation of European integration, the European Union (EU) endeavours to discover innovative approaches for bridging the gap between EU institutions and citizens while addressing the challenges posed by Eurosceptic actors. This article posits that Eurosceptic contestation may foster *empowering dissensus*. It expands its application beyond policy contestation to polity contestation. The article examines the Eurosceptic discourse surrounding the Conference on the Future of Europe (CoFoE), a pioneering deliberative attempt to bring citizens closer to EU institutions. Employing thematic analysis of various documents produced by the political groups of European Conservatives and Reformists (ECR), Identity and Democracy (ID), the Left, and Non-attached (NI), the article reveals two predominant themes through which these groups challenged the legitimacy of the CoFoE: *manipulative governance* and *lack of representativity*. The Eurosceptic critique closely echoes academic assessments of the CoFoE, casting doubt on claims that Eurosceptic narratives are without merit.

Introduction

The European Union (EU) finds itself amid a transnational polycrisis, reflected by multiple challenges ranging from economic, migration, health, and energy to security. The polycrisis strengthened the dynamics of post-functional integration (Hooghe and Marks, 2009), putting Euroscepticism at the forefront of political contestation. Eurosceptic contestation and its variants could be assets from different angles. On the one hand, it is approached as a threat to

the EU, leading to its “destruction” and the exit of Member States (Henkel, 2021). This angle implies, especially for its’ “hard” variants, negating the EU completely (Taggart and Szczerbiak, 2004), grouped around nationalism (Halikiopoulou, Nanou and Vasilopoulou, 2012). On the other hand, Euroscepticism, especially its “soft” variants, is viewed as “an asset for the EU legitimacy” by “increasing the EP’s representativeness as well as to the politicization of European issues” (Brack, 2018, pp. 183–189). Politicization is defined as “making collectively binding decisions a matter or an object of public discussion” (Zürn, Binder and Ecker-Ehrhardt, 2012, p. 74), contributing to the creation of the European public sphere. Without downplaying the possible negative effects of Euroscepticism on the EU, this article focuses on the latter approach. In particular, the research will explore how the Eurosceptic contestation in the European Parliament (EP) aimed to contribute to the politicization of the EU in the case of the Conference on the Future of Europe (CoFoE).

The CoFoE represents a novel approach to EU governance by combining deliberative democracy and enhancing civic participation within the EU's structure alongside representative democracy. It, thus, transforms the EU polity by inviting citizens into its agenda-setting, depicted as a “citizen turn” (Oleart, 2023a). Although the CoFoE was perceived as a response to the gap between EU institutions and European citizens, it followed the preexisting depoliticized EU political dynamics of “democracy without politics,” leaving behind the political conflict present in EU politics (Oleart 2023a; 2023b). As Robert (2021) argued, depoliticization only fuels the growing dynamics of EU criticism. Indeed, the quote in the title of this article, attributed to Michiel Hoogeveen (2022) from the European Conservatives and Reformists (ECR), suggests that the CoFoE was delegitimized and contested from Eurosceptic positions. However, the EP contributed to the depoliticization of the CoFoE by excluding Eurosceptic voices from institutional position preparation (Kotýnek Krotký, Forthcoming). Thus, the article employs thematic analysis of the Eurosceptic discourse to uncover the underlying reasons for this delegitimization, exploring how and why various Eurosceptic political groups contested the CoFoE. Such research could help assess the politicization and feasibility of engaging in constructive dialogue with these groups and drawing recommendations to improve the quality and inclusiveness of future deliberative processes at the EU level.

The article begins by delving into EU politicization, asserting that not only policy contestation but also polity contestation is necessary for achieving *empowering dissensus* (Bouza and Oleart, 2018; cf. Oleart, 2021). Subsequently, the focus shifts to the EP’s position within the CoFoE, establishing the research question. The following section introduces the data

and analytical process, leading to the empirical parts, which interpret two observed delegitimization themes: *manipulative governance*, enacted by all Eurosceptic entities, and *lack of representativity*, predominantly expressed by right-wing Eurosceptic groups. Among other points, this section argues that such delegitimization aims to increase the politicization of CoFoE and, consequently, enhance its legitimacy. In the subsequent section, the article demonstrates that the observed delegitimization themes have also been scrutinized in academic literature. These findings challenge the perspective that Eurosceptic discourse is solely a threat to EU governance. The article concludes with a summary of findings, proposing further research to examine the perceptions and engagements of parliamentarians within the participatory innovations.

EU polity contestation

Euroscepticism has become a persistent phenomenon (Usherwood and Startin, 2013), representing approximately one-quarter of EP's seats (Treib 2021). Moreover, it seems that right-wing Eurosceptics are set to surge in the upcoming EU elections at the expense of centrist parties (Politico, 2023). Despite the increasing representation of Eurosceptic Members of the European Parliament (MEPs), the integrationist groups chose not to collaborate with Eurosceptics or grant them any authority. Instead, they established a *cordon sanitaire*. For example, after the 2019 EP elections, integrationist groups excluded Eurosceptics from getting key positions in the new parliament (Ripoll Servent 2019). The three biggest integrationist groups, European People's Party (EPP), Socialists and Democrats (S&D), and Liberals from Renew Europe, forged an informal agreement that prevented Eurosceptic candidates put forth by the Identity and Democracy (ID) group (Italian Lega MEP Mara Bizzotto) and the ECR (Polish MEP Zdzisław Krasnodębski) from securing election as vice-presidents. The MEPs perceived as hard Eurosceptics were also excluded from the decision-making process (Ripoll Servent and Panning 2019). As Treib (2021) argues, forming a *cordon sanitaire* is ineffective in addressing the increasing presence of Eurosceptic actors. The exclusion strategy might have inadvertently increased support for Eurosceptic parties by fitting seamlessly into their populist narratives. These narratives often depict mainstream groups as an "elite cartel" working collaboratively to maintain their grip on power.

Moreover, as Wilde and Treiz (2012, p. 542) argue

Euroscepticism is referring to a kind of contestation that is only possible in absence of polity consensus. The unfinished nature of the EU makes Euroscepticism possible, and likely. [...] This implies that Euroscepticism is not

simply unfounded or unreasonable and, as such, could be defeated by arguments or overcome by more ‘rational’ forms of communication.

Put another way, depoliticization is not likely to cure the EU communication gap between EU and citizens (Krotký, 2023), and to the “constraining dissensus”. Euroscepticism will, therefore, not be eradicated soon, nor is it desirable. The unfinished EU project will require constant (constructive) criticism and politicization. Contrary to Oleart (2021), not only policy but also polity contestation is desirable to reach an *empowering dissensus* and establish the true European public sphere. Given its novelty and continual evolution, participatory innovations are precisely the part of the EU polity that warrants contestation.

EU polity contestation refers to challenging the current pro-integrationist vision or the status quo of the EU's political structure. This contestation might occur as “anti-European performances” that do not acknowledge the EU as a legitimate actor (de Wilde and Trenz, 2012). Such a position, very often depicted by the radical right parties, rather matches the polaristic vision of politicization, which seems to enhance “constraining dissensus”. However, the other *Eurocritical* and *Alter-European* performances are proposing alternative ways for the EU to function while acknowledging the legitimacy of the EU as an influential entity (de Wilde and Trenz, 2012). Both performances are positive towards the principle of integration and critical towards current EU polity. Concerning the vision of integration, *Alter-Europeanism*, symptomatic of some radical left parties, including the political group of the Left, supports it. In contrast, *Eurocritical* perspectives, typical for parties within the ECR political group, criticize any additional plans for integration (Ibid.). To achieve the ideal of *empowering dissensus*, these performances should not be excluded from discussions on proposals for policy and institutional reforms, offering counter visions to integrationists or those advocating the status quo. The CoFoE aimed to facilitate a debate about policy and institutional reforms (polity), thus providing a fertile ground for deliberating different EU policy and polity visions.

European Parliament’s position on the CoFoE

The CoFoE, spanning from April 2021 to May 2022, was intended to be a groundbreaking citizen-driven initiative to increase EU legitimacy by fostering the European public sphere. It served as a pivotal pan-European democratic exercise, fostering discussions about the ideas and future of the EU. It followed a “citizen turn” by bringing citizens closer to the EU (Oleart, 2023a, 2023b). The citizen turn was utilized via three pillars at the CoFoE. The first pillar was an innovative Multilingual Digital Platform where any EU citizen could share thoughts and facilitate the national panels and European Citizens’ Panels. The other pillar of CoFoE was the

Conference plenary composed of MEPs, Council representatives, the European Commission, representatives from national parliaments and ambassadors from the European and national citizens' panels, and members of civil society, social partners and regional authorities. The plenary functioned as the primary decision-making body within CoFoE, serving as the forum where the collective input gathered from the three aforementioned pillars was thoroughly discussed and deliberated upon.

After one year of deliberative exercises, the Executive Board of the CoFoE concluded its work, putting forward the final report consisting of 49 proposals with over 300 measures, some of which required the Treaty change (Kotanidis, 2022). Based on the CoFoE, the EP called on EU Member States to set a Convention to revise the Treaties. However, as recently thoroughly examined by Oleart (2023a, 2023b), the CoFoE missed its agonistic potential, as it reproduced the already hegemonic and power structures conceived as “democracy without politics”. This was done through the disintermediation of traditional mediators such as civil society organisations, political parties, and trade unions, emphasising neutrality and the departure of political conflict (depoliticization). Despite that, the European Commission announced that the “Citizens’ Panels that were central to the Conference will now become a regular feature of our democratic life” (von der Leyen, 2022), continuing what a research team at the European University Institute called “technocratic democratisation”, characterized by a top-down perspective (Gjaldbæk-Sverdrup, Nicolaïdis and Palomo Hernández, 2023).

Yet, the CoFoE and its purpose were internally contested between the EU institutions (Alemanno, 2020). It was the EP that aimed to lead the CoFoE to change the EU Treaties. Ultimately, as a result of compromise, the CoFoE was steered by a joint presidency and Executive Board led by “political entrepreneurs” from all three EU institutions (European Commission, Council and the EP), setting aside the option of Treaty change. It was mainly the three biggest integrationist groups (S&D, EPP, Renew Europe) that partially succeeded in making the CoFoE more supranational and outlined clear objectives before the CoFoE was even launched, such as enhancing the role of the Parliament and the Commission at the Council’s expense (Johansson and Raunio, 2022). As recent research shows (Kotýnek Krotký, Forthcoming), the CoFoE was contested between and among political groups. The right-wing Eurosceptic groups (ECR and ID) embraced the forum to discuss alternatives to the “traditional federalist orthodoxy”, championing the national parliaments as leaders of the CoFoE. However,

their vision was silenced as they were “self-excluded”¹ from the EP’s position preparation, and later, the ECR even withdrew from the CoFoE. Moreover, the relative incoherence within the Left has been observed. Critical voices from the Left criticised the CoFoE as continuing the current neoliberal policies (Ibid.).

A comprehensive analysis of the political discourse regarding the CoFoE is still necessary to understand CoFoE’s political contestation fully. Thus, this article poses the following research question: How and why did various Eurosceptic political groups contest the CoFoE? Such research is valuable not only for assessing the feasibility of engaging in constructive dialogue with these groups to achieve *empowering dissensus* but also for understanding the positions of Eurosceptic groups towards participatory innovations and for formulating recommendations to enhance the quality and inclusivity of future deliberative and participatory processes at the EU level.

Data, thematic analysis and coding scheme

In order to respond to the research question, various data related to the CoFoE between 2020 and 2022 were collected, particularly focusing on expressions from Eurosceptic political groups (ECR, ID, the Left, Non-attached) and their members. The data includes EP plenary debates from January 2020, June 2020, and May 2022; explanation of votes from January 2020; motions for resolutions directed at CoFoE prepared by ECR (N=3) and ID (N=2); along with public statements published by ECR (N=4) and the Left (N=5) on their official websites. Additionally, in the analysis, the document “Analysis of the speakers of the Inaugural Plenary of the Conference on the Future of Europe: Problems and Possible Solutions,” authored by Gunnar Beck (n.d.), a German MEP affiliated with AfD within the ID, was utilized. The official ID website does not contain any further information related to CoFoE. Notably, the Left did not independently draft its motion for resolution but joined the resolution jointly prepared by S&D, EPP, EFA/Greens, and Renew Europe.

A thematic analysis was employed to analyse data. It is a structured technique that systematically labels and categorizes segments of text to uncover and outline themes for interpretation. A segment of text is defined as a text covering a whole argument, ranging from half a sentence to the entire paragraph. A theme is a crucial representation of significant aspects within the data related to the research question. Its objective is to pinpoint, scrutinize, and

¹ While the ECR and ID claim that integrationist political groups established a *cordon sanitaire* against them, MEPs from the integrationist groups argue that these groups self-excluded themselves from the debate (Kotýnek Krotký, Forthcoming).

explain the underlying “patterns of meaning” within textual data by thoroughly examining and re-examining it (Braun and Clarke 2006). In particular, the analysis followed Braun and Clarke’s (2006) six-phase approach: 1. familiarizing with data; 2. generating initial codes; 3. searching for themes; 4. reviewing themes; 5. defining and naming themes; 6. producing the report. As an outcome of the coding process done via Atlas.ti, the two delegitimization themes were observed: *manipulative governance* and *lack of representativity*. Both themes are constructed using several codes; see Table 1. Themes and their codes are often inextricably intertwined; thus, one segment could be coded by multiple codes. Moreover, each coded text segment was assigned to the Eurosceptic political group, namely ECR, ID, Left and NI, which produced delegitimization.

Table 1: Themes constructions

Theme	Codes	Meanings
Manipulative governance	Manipulation	Statements labelling the CoFoE as manipulated or distorted.
	Top-down process	Statements challenging the top-down nature of the CoFoE, led by politicians.
	Predetermined outcomes	Statements signalling that outcomes mirror the initial agenda of the organizers.
	Non-transparency	Statements questioning the transparency of the CoFoE.
	Lack of public attention	Statements criticizing the lack of public and media involvement and awareness about the CoFoE.
	Tyranny of the majority	Statements lamenting the exclusion of critical voices in the CoFoE process.
Lack of representativity	Integrationist bias	Statements arguing that the CoFoE was led, participated in, and pushed by actors and citizens promoting deeper EU integration.

	Selection bias	Statements challenging the selection of citizens and involved actors.
	Institutional bias	Statements arguing that some institutions have been over/under-represented.
	Age bias	Statements challenging the over-representation of the youth.

In the next analytical section, the theme of *manipulative governance* is reconstructed and interpreted, followed by the reconstruction and interpretation of the *lack of representativity* theme, utilizing a coding scheme.

Manipulative governance

In April 2022, just a few days before its conclusion, the ECR announced their withdrawal from the CoFoE. Later, Zdzisław Krasnodębski, the ECR’s representative² on the Executive Board of the CoFoE, explained the withdrawal as follows:

[T]he Conference was a stage on which some political families were able to create a false impression of consensus on the future of Europe, whereby any valid alternative to more centralization and further limitation of the role of the Member States vanished. (ECR, 2022b)

According to Zdzisław Krasnodębski, the CoFoe created a “false impression”. Such delegitimization falls under the theme of *manipulative governance*. Similarly, the “farce”, “clown show”, “piece of theatre”, “Commedia dell’arte”, or “theatrical performance” were among the metaphors employed by Eurosceptic MEPs to delegitimize the CoFoE because of its manipulative nature. The theme of *manipulative governance comprises several codes, including manipulation, top-down processes, predetermined outcomes, non-transparency, lack of public attention, and tyranny of the majority*. This theme was embraced by political entities across the entire Eurosceptic spectrum, as illustrated in Table 2. The following part interprets this theme, presenting statements that exemplify the codes constituting this theme.

Table 2: Distribution of *manipulative governance* theme codes by political groups

Theme	Codes	Left	NI	ECR	ID
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² Zdzisław Krasnodębski (ECR) acted as an observer on the CoFoE Executive Board. Only the three biggest integrationist groups (EPP, S&D, Renew Europe) could delegate their representatives to the Board as full members.

Manipulative governance	Manipulation (N=34)	1	3	21	9
	Top-down process (N=16)	3	1	9	3
	Predetermined outcomes (N=13)	3	1	4	5
	Non-transparency (N=13)	1	0	4	7
	Lack of public attention (N=9)	0	1	6	2
	Tyranny of majority (N=8)	1	1	5	1

Eurosceptic MEPs criticized the event as a *top-down process*, emphasizing the absence of a public perspective within the CoFoE. They advocated for greater public involvement, praising the potential for citizens to shape debates themselves. This sentiment is exemplified, for instance, in the ECR's (2022c) motion for resolution:

[R]egrets that many organisers of this conference appear not to have seen the process as a way to listen to public opinion and start a bottom-up process of rebuilding trust in the European Union, but rather as a top-down method to legitimise their own ambitions for a centralised federal Europe.

While the “bottom” refers to the general public, the “top” is primarily associated with the event organizers and politicians. Advocating for a bottom-up approach clarifies that delegitimization is directed specifically at this event and not at participatory processes in general. The Left (2021) echoed this critique alongside right-wing political groups, advocating for the inclusion of marginalized groups—a stance aligned with its inherent ideological background:

A top-down show dominated by politicians will be utterly counter-productive. After the year we have all been through, we need to amplify the voices of front-line workers, youth, migrants, women, and the marginalised throughout the continent. We already know what the usual suspects will say, let’s hear new voices, new ideas.

Despite the common understanding about the necessity of the bottom-up perspective between right-wing and left-wing Eurosceptics, the ECR and ID have talked about themselves as scapegoats who were excluded from the EP’s position forming and agenda setting (see also Kotýnek Krotký, Forthcoming). Ryszard Antoni Legutko (2020) from ECR labelled the process as “*tyranny of the majority*”, distinguishing themselves from the Left. For example, Alexandr Vondra (2020) from ECR wrote in the post-voting procedure: “[I] just stare that today my faction of Conservatives is being excluded from this debate because our views do not suit you, while the communists here [...] are welcome in this debate”. Thus, according to ECR, the *tyranny of the majority* was also composed of the MEPs coming from the Left. However,

Manon Aubry, co-president of the Left, lamented that only the three biggest, integrationists political groups (EPP, S&D and Renew Europe) could vote on the Executive Board of the CoFoE, and other political groups, including the Left, were put aside:

We strongly regret that only some political groups can vote in the executive board of the Conference. How can you pretend to make Europe more democratic if the consultation process itself is biased from the very beginning? (The Left, 2021)

Hence, Vondra's assertion regarding the "welcome" extended to communist voices collapses, as MEPs from the Left also express a sense of being overlooked in the debate. Furthermore, by characterizing the process as biased and undemocratic, Manon Aubry delegitimized the CoFoE in a manner similar to her right-wing *Eurocritical* counterparts.

At this juncture, the CoFoE faced additional criticism, being characterized as an event with *predetermined outcomes, manipulation, and a lack of transparency*. H el ene Laporte (2022) from ID asserted in the EP debate, "I warned at the outset of this event that the results were known in advance, i.e., more federalism, more European integration, and an end to the unanimity rule in the Council". Such assertion suggests that the CoFoE's outcomes were predetermined to facilitate further centralization of the EU. However, some argued that the outcomes also underwent manipulation during the process. Gunnar Beck (2022) contended that critical inputs from the digital platform were removed because "many EU critics" participated in this platform.

Furthermore, criticism extended to the lack of transparency in the CoFoE process and its financing (ECR, 2022b). The significance of this criticism lies in the perception that ECR and ID missed *Eurocritical* and national perspectives in the CoFoE. "[D]ebates were not set up to hear contrasting and conflicting points of view" (ECR, 2022c). Jo o Ferreira (2020) from the Left also used a theatrical metaphor in the EP debate, characterizing the CoFoE as a "farce," hinting at *manipulation and predetermined outcomes* :

We are here to discuss the future of Europe, yes, and so we refuse this farce. We are here to discuss the future of Europe, but without any staging to hide the conclusions drawn at the outset. We are here, above all, to fight for another Europe, not the neoliberal Europe of the multinationals and economic groups, but the Europe of the workers and peoples.

Unlike ECR and ID, Ferreira's delegitimization was driven by an economic perspective, criticizing the hegemonic structure of the neoliberal agenda inherent to the EU.

Despite ideological underpinnings, the call to include "contrasting and conflicting points of views" could address the apparent depoliticization and "democracy without politics" (Oleart, 2023a, 2023b), potentially increasing public and media attention. The next issue criticised in

this discourse was the lack of media and public attention. For instance, ECR (2022c) stated in the motion for resolution that:

Deeply regrets that [...] any attempt to stimulate a meaningful debate within the Member States has been noticeable by its absence; notes that the matter has hardly featured in any national media or been covered in any parliament of the EU's Member States; concludes that outside the Brussels bubble, it is as if the Conference had never taken place.

Similarly, ID (2022), in the motion for resolution, “[n]otes that the Conference received very little attention from national media outlets, resulting in the vast majority of citizens remaining completely unaware of its existence.” The CoFoE and its proposal for Treaty change are deemed to lack a solid foundation, as they did not undergo consultation in the Member States, according to ECR and ID. In parallel with the CoFoE, the ECR organized their events between 2020-2022, a tour around the ten EU capitals called “Europe’s Future: A New Hope.”³ Although these events primarily introduced the conservatives’ vision of the EU, they simultaneously contributed to building a European public sphere. In the following section, the article explores how the *manipulative governance* theme is connected with the second salient theme, the *lack of representativity*, challenging the depoliticized nature of the CoFoE.

Lack of representativity

“Where is your representativeness?” Angel Dzhambazki (2022) from the ECR posed this question in the EP debate. He further elaborated:

A bunch of NGOs [...] [t]hat was your representation. You should have invited Mickey Mouse, Donald Duck, Yakky Doodle. They would have been more representative and they would have shown exactly what you have done with this ridiculous *clown show*.

As indicated in the quote, the theme of a *lack of representativity* is intricately linked with the theme of *manipulative governance*. This connection is made through the metaphor of a “clown show,” as labelled by Angel Dzhambazki in reference to the CoFoE. He questioned the representativity of the CoFoE by suggesting that cartoon characters would represent (or not at all) EU society in the same way as the invited citizens or societal groups. As shown in Table 3, the theme of *lack of representativity* was exclusively expressed by MEPs from the ECR and ID. In the following part, the theme of *lack of representativity* is thoroughly interpreted through the codes of *integrationist bias*, *selection bias*, *institutional bias*, and *Age bias*, shedding light on why the Left did not participate in this delegitimization.

³ See more about the events here: <https://ecrthefuture.eu/>

Table 3: Distribution of *lack of representativity* theme codes by political groups

Theme	Codes	Left	NI	ECR	ID
Lack of representativity	Integrationist bias (N=21)	0	0	8	13
	Selection bias (N=15)	0	0	8	7
	Institutional bias (N=12)	0	0	4	8
	Age bias (N=3)	0	0	3	0

Eurosceptic MEPs from the right-wing groups have expressed concerns about the *selection bias* within the CoFoE. They presented arguments that scrutinize the transparency of the citizens' selection process, highlighting perceived flaws in the procedure. In the plenary debate, Gunnar Beck (2022) articulated that “the citizens were selected by Kantar, a long-time EU service provider. The selection is random but favors self-selection, as the conference always started on Thursdays when most people work.” This, according to the ID's (2022) motion for resolution, “did not fully guarantee a diversity of visions on the European Union.” The term *self-selection bias* implies that only individuals interested in the topic are involved, introducing a potential bias. Employing such statistical terminology enhances the potential for delegitimization, as it is not solely based on ideological and *Eurocritical* purposes but also incorporates expert views. Likewise, Michael Hoogeveen (2022), cited in the title of this article, urged MEPs to “[a]sk Professor David van Reybrouck, a renowned expert on citizen participation. He called the conference ‘amateuristic and not representative.’”

This academic and technocratic discourse aims to challenge the depoliticization of the CoFoE by contesting the apparent *integrationist bias* of the CoFoE. For instance, a document (ECR, 2022a) explaining the ECR's withdrawal states:

Research shows that citizens who are in favour of a more centralised Union were much more likely to accept an invitation to participate in the citizens' panels of the Conference than those more sceptical. Euro-enthusiasts have therefore been a dominant category among the participants of the citizens' panels.

By incorporating Eurosceptic voices, MEPs from the ECR and ID sought to challenge the status quo of EU governance (Oleart, 2023a) and promote the diversity of ideas. The notion of *integrationist bias* emerged as this theme's most prominent and central aspect. Eurosceptic groups and MEPs expressed dissatisfaction, arguing that the CoFoE presented only one vision of the EU (see also Kotýnek Krotký, Forthcoming), as “[v]oices critical of further centralization of the European Union had been systematically disadvantaged from the beginning” (ECR,

2022b). Gunnar Beck's (n.d.) "analysis" of the inaugural CoFoE plenary served primarily to delegitimize the representativeness of the CoFoE.

Notably, the ECR and ID did not solely lament the representativeness of citizens but also highlighted bias concerning integrationist civil society organizations, political parties, and Member States. This aspect is particularly addressed under the *institutional bias* code. For instance, the ECR's (2022c) motion for resolution stated that:

Regrets that the selection of some national parliamentary delegations favoured governing parties and other established political parties while excluding newer parties that express dissenting views and challenge the traditional status quo, not least over European integration.

Similarly, in his "analysis," Beck (n.d.) argued for giving a voice to "independent" and "Eurosceptic" civil society organizations to counterbalance the presence of federalists, such as the Union of European Federalists, a supranational non-governmental organization. Once again, this underscores the central role of the *integrationist bias* in this discourse.

According to the ECR (2022c), the CoFoE faced criticism for the substantial over-representation of youth, which "has contributed significantly to the delegitimization of all the work of the citizens' panels". The assertion that giving more voice to the young generation was "done cynically for reasons of political advantage in support of a specific agenda" is also raised in the same motion. Additionally, the digital platform, where citizens could share their ideas at the beginning of the CoFoE, was criticized for favouring those with necessary digital skills and potentially making participation difficult for some, especially the elderly (ECR, 2022c). ECR (2022c) even "[c]ondemns the casual ageism [...] became a characteristic of the conference process". Thus, on the one hand, the digital platform was praised as a means to include diverse voices; on the other hand, it was also challenged to prioritize the integrationist young generation. As indicated, ECR's lament primarily stems from the fact that the views of the youth are generally more positive towards the EU than those of the older generations.

As demonstrated, the theme of the *lack of representativity* is centred around the notion of *integrationist bias*. Right-wing Eurosceptic MEPs criticized the deeper integration of the EU, advocating for more powers to national authorities – a typical *Eurocritical* performance. In contrast, the Left adheres to *Alter-Europeanism*, supporting further integration and "offering a pro-European 'solution' to perceived problems" (de Wilde and Trenz, 2012, p. 584). For this reason, the representation within the CoFoE was not contested by the Left. In the following section, the article draws on the academic literature concerning the CoFoE to show the extent to which this delegitimization was unjustified.

Scrutinizing delegitimization based on the academic literature

Deliberation within citizens' panels draws legitimacy from procedural and substantive dimensions, including their statistical representativeness, the transparency in their establishment, the quality of their deliberations, and the capacity of their conclusions to garner support from a broad and diverse audience, who lack a strategic stake in the matters being discussed (Setälä and Smith, 2018; Landemore, 2020). Eurosceptic political groups and their members delegitimized all these aspects through two themes: *manipulative governance* and *lack of representativity*. In the conceptual part of the article, it is argued that the polity contestation is valuable, as it offers a critical lens through which to assess the current functioning of the EU. From this conceptual and normative standpoint, the paper asks whether the delegitimization promoted by Eurosceptic entities was unfounded. In answer to this question, this section reviews the academic literature that has evaluated the CoFoE.

The CoFoE Rules of Procedure promised that the “Conference is a citizens-focused, bottom-up exercise for Europeans to have their say on what they expect from the European Union. European citizens from all walks of life and corners of the Union will be able to participate” (CoFoE, n.d.). The scholars have examined the extent to which this principle has met with reality. While Federico Fabbrini (2020, p. 402) argues that “the initiative seeks to combine features of bottom-up participatory democracy with elements of top-down elite decision-making”, Paul Blokker (emphasis added 2022, p. 10) is persuaded about its top-down character:

[CoFoE] is not the result of a direct response to a specific crisis, nor is it the result of spontaneous, bottom-up calls for change. The process has been started from the *top-down*, has been initiated by the EU institutions and is largely controlled by these. [...] Among other things, the CoFoE suffered however from a *lack of transparency* and citizen input in the organization, as well as a lack of clear objectives and follow-up, also with regard to the process of ratification of possible reforms recommended.

Maaïke Geuens (2023) is less critical, arguing that citizens had several opportunities to propose their own agenda, and top-down can also be a successful approach to the deliberative process.

While there is no unanimous agreement on the bottom-up versus top-down perspective, numerous scholars concur that the CoFoE garnered minimal media and public attention (Alemanno, 2020; Crum, 2023; Gjaldbæk-Sverdrup, Nicolaïdis and Palomo Hernández, 2023; Oleart, 2023b; García-Gutián and Bouza Garcia, 2024). For instance, Ben Crum (emphasis added 2023, p. 15) asserts:

Unfortunately, if there has been one respect in which the CoFoE Citizens' panels have fallen short, it has been in their *ability to elicit media attention*, let alone to trigger a genuine transnational debate in the European Union. We do not know yet why exactly the CoFoE Citizens' panels attracted *so little public interest*, but one relevant reason would seem to be that they remained far removed from actual decisions.

Regarding *predetermined outcomes*, Olivier Costa already claimed in 2020 that the EP, respectively its biggest integrationist groups, will use the CoFoE as an opportunity

to consider the issue of transnational lists and lead-candidate, and to propose an ambitious and coherent reform in this respect. In sum: as they expect their new proposals to be once again challenged in the Council, they count on the Conference to support them and create some political momentum.” (Costa, 2020, p. 461).

Proposals such as transnational lists comprising political candidates from several EU Member States and the lead-candidate system for electing the President of the European Commission aim to enhance the transnationalization of European elections and increase the role of the EP. Due to these proposals, advocated by integrationist political groups, the ECR and ID labelled the CoFoE as a *manipulative governance with predetermined outcomes*. Moreover, citizens were not confronted with the existing conflict between the proposals and priorities of different EU political groups. The organisers have made considerable efforts to neutralise the political conflict and depoliticise the process (Oleart, 2023a).

The literature further explored the representativity and sorting process of the citizens' panels and the digital platform. Citizens were selected based on national, urban/rural divide, socio-economic background, age, and gender. However, no consideration was given to political orientation or attitudes towards the EU, and the deliberative process lacked diverse representation (Alemanno, 2020; Geuens, 2023). Regarding the digital platform, Alberto Alemanno (2020) argued that engagement within this platform has become a privilege for those who are not only epistemically but also financially well-placed. Alvaro Oleart (2023b, 6) noted that the digital platform was “ultimately dominated by the usual suspects of the ‘Brussels bubble,’” as most platform participants have tertiary education. All these points align with the criticism and delegitimization expressed by Eurosceptic actors, which seems well-founded.

Conclusion

This article has explored what lies beneath the assumptions of certain Eurosceptic entities that question the legitimacy of the CoFoE, as reflected in its title. It observed two interconnected delegitimization themes: *manipulative governance* and *lack of representativity*, both of which

undermine the core features of deliberative exercises. The analysis revealed that delegitimization stems from ideological positions. While the Left's *Alter-European* performances challenged the neoliberal hegemonic structure of the EU within the CoFoE, right-wing *Eurocritical* performances primarily contested the efforts towards deeper EU integration. This ideological divide explains why the Left did not align with right-wing Eurosceptic discourse in criticizing the *lack of representativity* of the CoFoE, as the Left itself seeks a common transnational solution and thus welcomes overrepresentation of the integrationist views. Despite these ideological underpinnings, the criticism from Eurosceptic actors aims to address the depoliticized nature of the CoFoE, potentially attracting public and media attention that CoFoE missed. Furthermore, the article demonstrates that such delegitimization is not unfounded, as academic literature highlights similar deficits, including the top-down nature, transparency issues, insufficient citizen inclusivity in participatory dynamics, and the previously mentioned lack of media attention.

Based on the empirical results, the article argues that Eurosceptic contestation could enhance politicization and provide perspectives for improving new polity tools, such as participatory innovations, within the functioning of the EU. Generally, policy contestation and polity contestation could foster *empowering dissensus* (cf. Oleart, 2021), assuming the EU is recognized as a legitimate playing field within such contestation. Notably, the Left, the ECR, and even the ID have not questioned the participatory innovation itself; instead, they have delegitimized its depoliticized nature. Although reluctantly, the EU has been perceived as a legitimate actor within which participatory innovations represent a novel approach to its polity functioning. Nevertheless, scholars and mainstream politicians should remain vigilant, recognizing that ID's seemingly moderate stance may be obscured by short-term equivocal rhetoric and tactical maneuvers (Havlík and Hloušek, 2024).

Therefore, further research should deeply dive into the perceptions and engagement of MEPs with participatory innovations, particularly those who are critical of the EU. As discussed, involving a diverse array of voices, including Eurosceptic MEPs, could further politicize the EU by suggesting alternative modes of operation. This line of inquiry is vital, given that, as Jäske and Setälä (2020, p. 480) contend, participatory innovations offer “only partial solutions”. They may even yield negative outcomes if not politicized or meaningfully integrated with the efforts of elected officials and the broader decision-making process. Indeed, one notable flaw in deliberative systems is the disconnect between citizens and the elite discourse and decision-making, leading to a detachment of participatory innovations from politics (Hendriks, 2016). To successfully combine participatory innovations with

representative democracy in the EU without depoliticization, engaging all key stakeholders—including parliamentarians, citizens, and civil society across the ideological spectrum—is crucial.

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