Demos-cracy for the European Union: why and how[1]

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Democratic institutions on a global scale are still a dream. But they are a bit less of a dream because of the most ambitious and most successful supranational entity that ever came into being voluntarily in the history of mankind. From its birth as a six-member European Coal and Steel Community, what has now become the 28-member European Union has been an unrelenting attempt to design effective common institutions consistent with respect for the diversity of the nation-states that compose it. This unprecedented entity, however, is now in deep trouble. Less deeply in trouble, no doubt, than at the time of President de Gaulle's empty chair strategy and various other life-threatening crises the fledgling European institutions had to face. But far more visibly and tangibly in trouble than on any previous occasion because the European Union has come to matter so much more to its citizens, especially those in the Eurozone, than ever before.

Deep trouble means that serious problems are being recognized and that there is some momentum to address them. One of these problems relates to the way in which the European Union is being governed. We realize that the way the European Union is being run is problematic in many ways, but also that it cannot be governed like a nation — which it is far from being and has no vocation to become — nor indeed like a mere international organisation — which it no longer is and will never become again. How, then, should the Union be governed?

Educational, civilizing, disciplining: democracy's three virtues

To answer this question, it is best to leave aside the shallow and unhelpful notion of democratic deficit and the associated ludicrous idea that good government is maximally democratic government.[2] In order to get started on a more promising track, let us rather ask, before zooming in on the European Union, a very general and fundamental question: what it

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[2] The purely instrumental approach to democracy I am adopting here is defended and illustrated in Van Parijs (2011b), where I qualify it at the margin in two ways: the right to take part in collective decisions can be said to be part of the real freedom which justice requires us to distribute in maximin fashion and universal equal suffrage is a direct implication of justice as equal dignity. These are important qualifications, but of marginal importance for our present discussion: the former because it carries much weight only for local democracy, the latter because it imposes only a very weak constraint on allowable decision-making procedures (it should even be understood as being consistent with the over-representation of small components of divided societies.

is that justifies a presumption in favour of a mode of collective decision-making that is *democratic*, in the thin sense of relying ultimately on free voting, universal suffrage and some form of majority rule? There are three basic justifications for this presumption. The first two focus on the expected quality of the collective decisions, and the third one on the cost of enforcing them.

Why should the democratic nature of a collective decision-making process increase the probability that the decisions it generates will be good decisions? A first reason is rooted in the *educational force of vote fishing*. This cognitive or epistemic virtue of democracy was neatly highlighted by Josiah Ober's (2008) analysis of ancient Greek cities. In a democracy, the need to be elected and re-elected forces political leaders to reach out and listen, to gather valuable but widely scattered knowledge from all those on whose vote they depend: about their situation and their problems, their fears and their hopes. Under a despotic regime, by contrast, rulers are not constrained in the same way. They do need to keep an eye on their subjects, but more to check how many weapons they possess than to find out about their aspirations, and they can stay in power even if they know little else than what their secret police, their courtiers and their bureaucrats bother to tell them. Decisions guided by broader and better information from those affected can be expected to be better decisions.[3]

The second reason for expecting democratic decisions to be better decisions derives from what Jon Elster (1986) aptly called the *civilizing force of hypocrisy*. This reason holds because the democratic process does not reduce to voting, to the aggregation of preferences. If it functions properly, it also involves deliberation, the formulation and discussion of arguments. It must therefore give a key role to the conversation that precedes elections, particularly during the electoral campaign, and to the conversation that follows them, especially in the parliamentary assemblies. In the conversations induced by the democratic process, aspiring political leaders of all persuasions and temperaments tend to develop a discourse that appeals to some notion of general interest, or of fair treatment of the interests of all those present in the electorate or represented in the assembly, or of concern for the fate of the worst off among potential voters.[4] Whether sincere or not, this discourse ends up having some impact on their acts. The need to sound good in the deliberative forum civilizes not only their words, but also their policies.

The third basis for a strong presumption in favour of democracy resides in the *disciplining force of self-infliction*. Any political entity will work more efficiently if the enforcement of its decisions does not require an expensive and intrusive repressive apparatus. Enforcement is easy and cheap if those subject to the decisions and rules regard them as legitimate. This can be because they happen to believe they are good (this is the so-called *output legitimacy*). But for a political entity to function smoothly, voluntary compliance must also be prompted in the overwhelming majority of cases in which many of those expected to comply with the decisions either believe these to be bad or have no idea bout whether they are good or bad. This can happen as a result of people recognizing that the decision makers were entitled to make them (this is the so-called *input legitimacy*). In earlier times, such recognition

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[3] Drèze and Sen's (1991) famous analysis of the difference between China's and India's responsiveness to the outbreak of famines can be interpreted along these lines. There are more versions of the "epistemic" argument in favour of democracy that usefully highlight further dimensions (e.g. Eslund 2008, Landemore 2012, Farrell & Shalizi 2013, Marti 2013), but the core of its most powerful version is well captured in Ober's approach.

[4] The boundaries of the civilizing process are set by the perimeter of the relevant electorate, i.e. by the set of people whose vote one has an incentive to try to attract. This excludes all those who do not have voting rights in the relevant constituency (a point of crucial importance for the argument to follow, but also people regarded as inaccessible, for example because of deep ethnic cleavages, to anything one might say, and therefore not included, however poor their condition, among "the most vulnerable among us".

could often be achieved thanks to enough subjects believing that God had endowed their monarch with the appropriate authority. In modern societies, such authority may occasionally be bestowed upon charismatic leaders perceived as incarnating the nation for the better or the worse (Adolf Hitler, Fidel Castro, Nelson Mandela?) or upon wise old men believed to combine unfailing competence and impeccable integrity (a national "government of technicians" formed in a crisis situation, a European Commission whose members are bound by an oath of impartiality, the venerable leaders of the Chinese Communist Party?). However, the most general and safest way of making decisions acceptable to individual citizens and subordinate political entities irrespective of their content is to let them decide freely who can decide on their behalf, i.e. to give citizens the power to choose their rulers and to get rid of them through a fair democratic process. The higher probability of voluntary — and hence cheap — compliance secured in this way provides a third ground for a strong presumption in favour of democracy.[5]

All three justifications, not only the last one, could be said to derive ultimately from one feature of democracy famously emphasized by Karl Popper (2000): "Democracy is all about throwing out the rascals." But for the first two justification to work, it is those *affected by* the decisions who need to have the ability to help sack the "rascals", whereas for the third one to work it is those who need to *comply with* the decisions who need to possess this ability. This difference will prove important when we focus on the European Union — as we now proceed to do.

The European Union: virtuous electoral immunity and cross-border externalities

In so far as the presumption in favour of democracy hinges on the first two justifications, it is clear that it loses much of its force when a large proportion of the people affected by the decisions do not vote. This is the case, even with universal suffrage and high voting turnout, if decisions taken in one country impact significantly what happens in another and/or if decisions taken by one generation impact significantly the fate of later generations. What democracy throws out is the unpopular. But the unpopular need not be rascals. They can also be high-minded advocates of the interests of the aliens or of the unborn.

To start with, when there is a major impact on younger or future generations — for example through the effect of our life style on climate change or through the effect of current public spending and retirement rules on future tax liabilities —, even the best democracy remains a dictatorship of the present generation. For this reason, a "democratic deficit" can be a major advantage as regards the quality of the decisions taken, as soon as a fair treatment of the young and unborn is given due weight in the specification of this quality. Greater intergenerational justice may be achievable only as a result of some sovereignty being transferred to a less democratic level, with key decisions being taken by institutions and individuals more immune to electoral pressures. Unpopular injunctions on carbon emissions or pension reform by a democratically unaccountable (or less accountable) European level could therefore lead to better decisions than if policies in this area were left to national political leaders structurally scared of being thrown out.[6]

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[5] This third justification could be captured in a simple proposition: democracy legitimizes the rulers and their decisions. However, it is important to understand that this legitimacy, from my standpoint, does not matter in itself, for intrinsic reasons, but only for instrumental reasons: the fact that decisions and rulers are perceived as legitimate makes collective life smoother, less conflict-ridden, and hence more effective for the sake of pursuing social justice.

[6] This argument is strengthened by the increasingly sophisticated nature of the knowledge needed to take good decisions, especially when long term effects are involved. This implies both that the educational force of the

Next when there is a major impact on people in the current generation but beyond the borders of the entities at the level of which democracy operates, the problem is not as fundamentally intractable by democratic means as it is when the impact is on unborn generations. It is in part in order to deal with cross-border externalities of this sort that the European institutions were created and developed, but the volume of these externalities was massively swollen as a result of this very development, not least as a result of the adoption of a common currency by a subset of member states. How can these externalities be internalized? How can the democratic process be designed in such a way that both the educational force of vote fishing and the civilizing force of hypocrisy can do their job on the appropriate scale, i.e. in such a way that European political decision makers are induced to gather knowledge from all the people affected by their decisions and to develop a discourse that commits them to pursuing fairness between all of them?

Demoi-cracy versus demos-cracy

One avenue could be called *demoi-cratic*.[7] It consists in relying on each of the member-state democracies taking the other member states into account. This is arguably achieved to some extent at the level of the executives through the operation of the Council of the European Union (or Council of Ministers) and the European Council (or Council of heads of government). How much can be achieved in this way depends crucially on two factors. Firstly, as ministers and especially heads of governments meet more often and on more issues, can their discussions go beyond bargaining for maximum national gain and turn into something like a search for honourable compromises, or even for solutions that all those sitting at the table can accept and defend as fair? Secondly, as the cameras, microphones and tape recorders that await them at the exit of the meeting room become less mono-national, will they feel forced to adopt a rhetoric that appeals to the citizens of all member states, and not just their own? There are some signs that these two factors are at work, but background constraints cannot be ignored: the fundamental fact remains that national leaders are electorally accountable to national electorates and that it is therefore within these boundaries that the two mechanisms that enable democracies to make good decisions — educational vote fishing and civilizing hypocrisy — operate, while leaving decision-making at EU level essentially in the grip of bargaining for mutual benefit.

An alternative and more ambitious demoi-cratic strategy has recently become quite popular: a greater involvement of national parliaments in European politics.[8] As the turn out at national elections tends to be significantly higher than at European elections and the members of national parliaments tend to be closer to the citizens and better known by them than members of the European Parliament, it is hoped that this would increase the "input legitimacy" of European policies. If the formula amounts to some cosmetic consultation, little

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electoral pressure is less effective at inducing the collection of all relevant information and that lifting the decision power to a larger entity has the advantage of generating economies of scale in enlisting reliable expertise. See Bourg (2013) for a persuasive argument about the systemic shortcomings of democracy in today's ecological and technological context.

[7] "Demoi" is the plural of "demos". I used this term in the present sense in Van Parijs (1997). Kalypso Nicolaidis (2004, 2013a, 2013b) and Francis Cheneval (2011, 2013) use it in related but distinct senses to refer to their respective views about what the EU is and should be. I shall argue below that the (nationally and linguistically) fragmented nature of the EU's demos implies that Europe's democracy should include demoi-cratic features.

[8] See e.g. Nicolaidis (2013a, 2013b), Chalmers (2013), Menon (2013), Bellamy (2013), Cheneval (2013). My scepticism about this avenue does not entail a rejection of warning mechanisms that do not amount to veto powers, for example the "alarm bell procedure" that forces EU-level institutions to reconsider a measure (not to give it up) if some minimum number of national parliaments has declared that the measure infringes the subsidiarity principle.

good will be done, but also little harm, except for a further slowing down of European decision-making and the absorption of scarce time which national parliaments could have devoted to their own competences. If some real veto power is involved, it is hard to see how this more ambitious parliamentary strategy would fail to make things worse rather than better compared to the current strategy involving the executives, as the two internalizing factors mentioned above can be expected to affect the members of national legislative assemblies far less than the members of national executives. Even under optimistic assumptions about how much interaction could be engineered through this channel across national assemblies and national public opinions, the assembly members' competition for the votes of their respective national electorates will make national interests more salient and honourable compromises harder to strike than when the matter is in the hands of government leaders, in regular personal contact with one another behind closed doors and with an international public image to take care of.[9]

By contrast, the other avenue could be called *demos-cratic*. It consists in relying on the development of democratic life at the European level. Obviously, the creation in 1979 of a directly elected European Parliament was a key step in this direction, and so has been the gradual increase of its powers. However, of the bodies that can be viewed as forming the EU executive, two — the European Council and the Council of the European Union — escape entirely any accountability to the European Parliament, and the other one — the European Commission — is very far from being dependent on parliamentary majorities in the strong way in which national governments are. Hence the straightforward "federalist" proposal: let us just transpose to the EU level the standard national formula. This would mean turning the European Commission into a real government that needs to have the support of a majority of the members of the European Parliament and endowing it with the executive powers currently exercised by the Council. It would also mean turning the Council into a second legislative chamber, at least if maintaining the latter is deemed necessary. This would seem to pitch at the right level the educational and civilizing mechanisms that make for good decisions, and also the disciplining mechanism that would make European citizens and political bodies at national or subnational level voluntarily comply even with EU-level decisions they don't like: EU-wide parliamentary democracy as a quick fix for the EU's democratic deficit.

A pan-EU constituency with demoi-cratic features

This straightforward transposition of country-level democracy is too simplistic, however, because it underestimates the challenges posed by the national and linguistic segmentation of the European demos. To start with, one should not expect the European Parliament to be much better than the European Council at activating the educational and civilizing forces on EU scale as long as its members are electorally accountable, directly or via their party, only to national electorates. Not only will their campaigning tend to be circumscribed to their respective member states, but even when seemingly addressing their colleagues in the hemicycle they will be thinking primarily of the sound bites likely to reach their home audiences. The civilizing force of hypocrisy may work a bit better for the benefit of the common European interest in this public forum than behind the closed doors of the Council, but here again the perimeter of the civilizing impact is ultimately determined by the

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[9] As a reinforcing factor (and perhaps to some extent as a consequence), on can mention the fact that parties represented in national governments are on average more pro-European than parties represented in national parliaments (and these in turn on average more pro-European than those represented in the European Parliament). See Manow and Döring (2007: 8-9) for an insightful analysis of why we should expect this to be the case.

perimeter of the electorate. Hence the relevance of the proposal, now made again and again, of a pan-European electoral constituency for a fraction (say, 5 or 10%) of the seats of the European Parliament.[10]

Belgium's experience as a federal country without federal parties has convinced me that this is definitely the direction in which we need to go.[11] The proposal does not assume the prior existence of cohesive pan-European political parties. On the contrary, it is centrally motivated by their absence. But the fine print of the proposal is of great importance for its effects. Firstly, it is important that more should be at stake in this constituency than the party composition of 5 or 10% of the Parliament. Along the path trodden by the Lisbon Treaty, the leader of the list that wins most votes in this EU-wide constituency — or alternatively, the person who is nominated by a majority of the MEPs elected in this constituency — would automatically become president of the European Commission. This should strengthen the incentive for each party to have its list led by a prominent personality with a transnational appeal. By boosting the likely turnout and by creating a more direct link between the electorate and the leader of the executive, this could strengthen the feeling, among European citizens, that the EU's leadership was chosen by them, could be thrown out by them on the next occasion and hence can legitimately expect to be obeyed for the time being. More importantly, higher stakes would strengthen the incentive to form transnational lists for this EU-wide constituency and thereby enhance the extent to which the educational force of vote fishing and the civilizing force of hypocrisy would operate on EU scale.

Secondly, no less important is the possibility for candidates to stand at the same time in this EU-wide constituency and in a (sub)national constituency. With the possibility of this double candidacy, political parties will place on the EU-wide constituency most of their most appealing candidates even if they have no chance of being elected in this constituency. As a result, far more than the 5 or 10% of the MEPs actually elected in the latter will end up having done some campaigning at EU level. The lose European federations of national political parties that now form some of the parliamentary groups will thereby be induced to negotiate a common programme on which all their national components will have to campaign, not just in the EU-wide constituency, but also in the (sub)national constituencies. For all of these federations, and in particular those vying for top European positions, both the educational and the civilizing force will therefore systematically operate at the level of the whole of the EU far more than is currently the case for members of the European Parliament, let alone for the members of the European Council or indeed of the national parliaments.

Thirdly, in this attempt to strengthen the demos-cratic aspect of the functioning of the European Union, one should not loose sight of the fact that the European demos is highly fragmented. The institutional set up must be sensitive to this aspect, both for each of the fragments to feel that the rulers are their choice and for the educational and civilizing mechanisms to work best. It must therefore incorporate what could be viewed as "consociational" or indeed "demoi-cratic" features.[12] Thus, the EU-wide constituency must be

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[10] See e.g. Dewatripont & al. (1996: 17, 165-7), Van Parijs (1997: 74), Onesta (2007: 191), Cohn-Bendit (2010), Nothomb (2009: 169), Desmet (2011). It was included in the proposals of the European liberals for the Convention (ELDR 2003). A report that included the proposal of an EU-wide constituency with 25 MEPs was presented in May 2010 by Andrew Duff (LibDem MEP) to the European Parliament's Committee on Constitutional Affairs. The latter endorsed it, but not the plenary assembly.

[11] See Deschouwer and Van Parijs (2009) and the documents collected on the website of the Pavia Group (www.paviagroup.be).

[12] This "consociational" or "demoi-cratic" modulation of the EU's demos-cracy obviously operates against the background of an allocation of competences that could itself be characterized as strongly consociational or demoi-cratic: the EU's national and linguistic diversity justifies a particularly stringent interpretation of the subsidiarity principle: when citizens in different territorial components speak different languages and possess

designed so as to guarantee the (more or less proportional) representation of the various national components of the Union, for example by imposing national quotas among the elected (conceivably with smaller countries grouped together). Some guaranteed representation of this sort is important for three reasons. Firstly, for the disciplining effect to work best in all segments of the European demos, one needs to secure an adequate presence of the smaller member states and therefore to prevent an overrepresentation of the candidates from the bigger countries, for whom it is easier to gain notoriety beyond their borders. Secondly, in the absence of quotas of this sort, there is a risk that voters will be more reluctant to vote for foreigners for fear of their own country being underrepresented. Once they anticipate this reluctance, candidates would be less bothered to court votes all over the Union and the working of both the educational and the civilizing mechanism would thereby be impaired. Finally, if national quotas are imposed among the elected, it is natural to impose them also on the composition of the lists. It follows that only those party federations with candidates from all over the European Union will be able to present full lists, and also that there will be no loss in terms of number of candidates that can be presented to the voters if all national components of a federation present a single list rather than one list per country. As a result, the incentive to present a common transnational list will be overwhelming. And it is only if most of the candidates stand on such lists that the mechanisms can produce the intended effects.

A Swiss recipe?

One may grant that the set up specified above will do better, as regards all three justifications of democracy, than the present one: a European government formed by a personality who has to win an election facing the whole of the EU electorate and having to justify its policies to a Parliament consisting of parties and personalities electorally accountable far more than now to the EU population as a whole. Some believe, however, that this model would remain fundamentally defective, that it would do precious little to reduce the "democratic deficit". They may grant that the current lack of lustre of the European Parliament's personalities, the lack of visibility of its debates and the low turn out at European elections may have something to do with contingent features that the institutional reform sketched above would help remove. But they will insist that there are also intrinsic reasons why electoral accountability and hence democratic legitimacy are weaker at the European than at the national level. The voters' rational tendency to ignore and abstain weighs unavoidably more when each vote is one out of 400 million rather than one out of 5, 10 or even 50. Even if the Commission were turned into a government dependent on a parliamentary majority, the citizens' feeling that they could "throw out the rascals" would unavoidably remain more far-fetched than at the national level. And the distance from European politics is further increased for most citizens by the fact that the bulk of it is conducted in languages different from their own.

This limit intrinsic to a demos-cratic approach at the European level lends credibility to the "demoi-cratic" impulse to create legitimacy through giving a greater role to national parliaments. However, as mentioned before, an involvement of national parliaments can be expected to do even worse than the current involvement of national executives in terms of the two mechanisms — educational and civilizing — that could help European decision makers to be steered by a European general interest. There is, however, a different "demoi-cratic" or at least national-segmentation-sensitive inflection that would not have this negative effect

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sharply distinct collective identities, there is a strong case for keeping many competences strongly entrenched at the level of a multiplicity of strong national demoi which can function in the native language of most citizens.

while preventing a straightforward majoritarian demos-cratic approach from running the risk of being counterproductive in terms of democratic legitimacy. For the legitimacy in the voters' eyes of the decisions taken by a government may be less affected by the actual possibility of throwing it out than by the degree to which they can identify with it.

Inspiration may here be garnered from Switzerland's quasi-unique government formula.[13] Not only has there been an old and strong custom, officialised under the latest revision of the constitution, to the effect that the country's Germanic and Latin components should be fairly represented in the seven-person executive (the Federal Council).[14] In addition, the election by the Parliament (the 200 members of the National Council and the 46 members of the Council of States) of the members of the Federal Council has consistently perpetuated the so-called "magic formula", i.e. essentially a proportional representation in the Federal Council of the parties represented in the National Council. This "magic formula" is by no means the automatic outcome of the voting procedure: as the seven members of the Federal Council are elected sequentially under a simple majority system, a party coalition that includes more than 50% of the members of parliament could elect an executive drawn entirely from its ranks in a constitutionally impeccable way. It is apparently the fear of hostile popular initiatives that would keep stalling the political process that dissuades parliamentary majorities from evicting other parties.

This sounds like a recipe for boring politics and laborious reforms and, worse still, it would seem to make it practically impossible to "throw out the rascals". At the same time, however, this most unusual feature may be a key factor in securing the democratic legitimacy of the Swiss federal state. For not only is there a guarantee that voices (and ears) from Switzerland's two main linguistic communities will be present at each government meeting. In addition, the parties in power in each of the cantons (whose governments are elected directly buy the people) are most likely to be represented in the federal government. For the perception of democratic legitimacy and hence for the willing compliance of both citizens and cantons, it may well be less important to enable the people to dismiss an unsatisfactory government than to prevent this government from consisting only of "foreigners" or of a political colour deprived of any intersection with many cantonal governments, which could therefore yield more easily to the temptation of questioning a federal authority run by "foreigners".[15]

What does this suggest the European Union? Firstly, that a balanced representation of the various national components of the Union in the executive should be preserved. It does not follow that one should stick to the increasingly cumbersome formula of one commissioner per country. Just as Switzerland's Federal Council does not have one member from each of its 26 cantons, however tiny, the European Union's executive does not need to have one member

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[13] Unique in national democracies and in systems that have been functioning for a long time. However, the formula adopted in Northern Ireland in 1998 as a result of the Good Friday Agreement imposes a proportional representation in the executive of the parties present in the Assembly. For a presentation and defence of this formula, see, for example, O'Leary (2009). For an insightful discussion of the relevance of some other aspects of the Swiss political system for the European Union, see Lacey (2012)

[14] Article 175 of the 1999 Constitution states that "the various regions and linguistic communities must be fairly represented in the Federal Council". Alter decennia of discussion, this formulation replaced one contained in article 1 of the 1848 Constitution, which required that no canton should have more than one representative in the Federal Council.

[15] This suggests an important interaction between the election-based "Greek strategy" and the identity-based "German strategy" (both distinguished from the output-based "Roman strategy") for securing the loyalty of the relevant public, to use Luuk van Middelaar's (2009) suggestive terminology. For the elected to command our allegiance most effectively, they need to be perceived as being some of "us" and elected by "us", not as "foreigners" elected by "foreigners".

from each of its 28 member states, large and small. To be more effective, the Commission needs to shrink. But strong rules, formal or informal, should prevent having more than one member from the same country, and they should secure a balanced presence of, say, the East and the West, the North and the South. But the Swiss case suggests more than this. It also suggests, secondly, that one should reject a simple party-political majoritarian formula in favour of some sort of proportional representation. Especially if only a subset of the member states is represented in the Commission, the segmented nature of the European demos could easily lead to the legitimacy of EU-level decisions being jeopardized by the perception that they are being made by "foreigners". And the temptation on the part of national governments to present what emanates from the EU executive as illegitimate foreign rule would be particularly strong when a left of centre national government faces a right of centre European government or the other way round. Hence the suggestion that the main political forces should be represented, more systematically and more explicitly than now, in the EU executive.

This Helvetic segmentation-sensitive inflection of what remains essentially a democratic model seems to me a more promising formula than attempts to enhance democratic legitimacy either by adopting an unadulterated majoritarian model copied straight from national parliamentary democracies or by giving a larger role to national parliaments in European decision-making. Undeniably, the constraint thereby imposed on the composition of the executive and hence on the orientation of its policies reduces what is at stake in the European parliamentary election, including in its pan-European constituency, and consequently weakens the incentive for political parties and their leaders to gather information and address concerns on a European scale (our first two mechanisms). Moreover, the feeling that the people can really decide who rules the country is likely to suffer (our third mechanism). However, like in Switzerland, the inability to throw out the rascals may be mitigated by the ability to throw out what they decided through a referendum at the citizens' request. Given the size of the population involved, the procedure would need to be significantly different from the Swiss one. The European Citizens' Initiatives provide a very modest experiment in the direction of what might do the trick.

President Gauck's *praktikables Englisch*

With or without such segmentation-sensitive features, it is clear that anything like an EU-wide demos-cracy can hope to work satisfactorily only if its linguistic preconditions are far better satisfied than they currently are. In particular, providing an electoral incentive to collect information from all over the Union and to develop an inclusive rhetoric will not be very effective as long as communication is exceedingly laborious across the boundaries of member states, as long as candidates and electors do not understand each other because they have no language in common. As emphasized above, the functioning of a democracy is not just a matter of electoral institutions, but also of pre- and post-electoral conversation. Given Europe's linguistic diversity, an EU-level demos-cracy is a pipe dream in the absence of widespread multilingualism or at least, more specifically and more realistically, of a widespread convergence towards a common lingua franca. As German President Joachim Gauck recently put it,

> "Europe does not have a single European public space which could be compared to what we regard as a public sphere at national level. First of all we lack a lingua franca. There are 23 official languages in Europe, plus countless other languages and dialects. A German who does not also speak English or French will find it difficult to communicate with someone from Portugal, or from Lithuania or Hungary. It is true to

say that young people are growing up with English as the lingua franca. However, I feel that we should not simply let things take their course when it comes to linguistic integration. For more Europe means multilingualism not only for the elites but also for ever larger sections of the population, for ever more people, for everyone! I am convinced that feeling at home in one's native language and its magic and being able to speak enough English to get by in all situations and at all ages can exist alongside each other in Europe. A common language would make it easier to realize my wish for Europe's future – a European agora, a common forum for discussion to enable us to live together in a democratic order."[16]

The democratization of a lingua franca — "ein praktikables Englisch für alle Lebenslagen und Lebensalter", as President Gauck put it— consistent with the protection of national languages is a fundamental feature of the democratic set up the European Union needs and one which goes beyond a simple transposition of national models, whether interpreted as practising linguistic imposition or linguistic indifference. A demos that does its job properly is not only one in which people talk and argue with each other about what is best or fairest for them to decide. It is also one in which people and associations — and not only the wealthiest and most powerful ones — can coordinate and mobilize. Failing this, the European demos will never manage to do what it urgently needs to do, namely turn the European Union into a caring polity, one that can take over some of the social protection tasks member states can no longer perform properly, while at the same time securing the survival and diversity of existing welfare states.[17] Coordination and mobilization of the main beneficiaries of such action require an effective and cheap medium of communication, which can only — realistically — be English.[18]

As asserted by Joachim Gauck and confirmed by the most recent data, competence in English is spreading fast from generation to generation throughout the European Union.[19] But it could and should be accelerated. One of the main obstacles to a more voluntaristic policy is the feeling that giving a massive official privilege to the native language of most of the citizens of one of the biggest member states would be blatantly unfair. This problem needs to be addressed in all its dimensions.[20] But it should not stand in the way of the EU from frankly reappropriating a European idiom consisting of a mixture of its two main continental languages, not as a substitute for its many national languages but as an effective means of cross-border communication and mobilization. The European Union would thereby equip its demos with an essential precondition for all three forces that make democracy worth having

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[16] Gauck (2013). Here is the original version of the striking final passage: *"Ich bin überzeugt, dass in Europa beides nebeneinander leben kann: die Beheimatung in der eigenen Muttersprache und in ihrer Poesie und ein praktikables Englisch für alle Lebenslagen und Lebensalter. Mit einer gemeinsamen Sprache ließe sich auch mein Wunschbild für das künftige Europa leichter umsetzen: eine europäische Agora, ein gemeinsamer Diskussionsraum für das demokratische Miteinander.* »

[17] See the argument behind the Euro-dividend proposal (Van Parijs 2013).

[18] The argument of this paragraph is developed in chapter 1 of Van Parijs (2011).

[19] See languageknowledge.eu.

[20] See Van Parijs (2011: chapter 2-5). Incidentally, note that this problem of linguistic unfairness is less acute within the current (and likely future) borders of the Eurozone, which is the area in which a new way of organizing ourselves politically is most urgently needed. Nearly 87% of the EU's native Anglophones live in the UK. In the rest of the EU, less than 2% have English as their mother tongue, most of them in Ireland. (Computed from languageknowledge.eu. According to Eurobarometer 2012, 87.4 % of the UK population and 12.9% of the EU27 population have English as their mother tongue.) Hence, a Euroland more assertive about the choice of English as its medium of communication would not give a privilege to a significant part of its citizens, but only to the population of part of an island which had English imposed on it.

to operate most effectively at the right level: the educational force of vote fishing, the civilizing force of hypocrisy and the disciplining force of self-infliction.

References

Bellamy, Richard. 2013. "The democratic deficit, social justice and the eurozone crisis", in *The Eurozone Crisis and the Democratic Deficit* (Richard Bellamy and Uta Staiger eds.), University College London, 2013, 3-4.

Bourg, Dominique. 2013. "Quelles démocraties face aux défis environnementaux?", contribution to the conference *La Démocratie enrayée?*, Brussels, Académie royale, 31 May 2013.

Chalmers, Damian 2013. *Democratic self-government in Europe*, London: Policy Network, May 2013.

Cheneval, Francis. 2011. *The Government of the Peoples. On the idea and principle of multilateral democracy*. London: Macmillan.

Cheneval, Francis and Frank Schimmelfennig. 2013. "The case of demoicracy in the European Union", *Journal of Common Market Studies* 51(2), 334-50.

Cohn-Bendit, Daniel. 2010. "Cohn-Bendit rêve de conduire une vraie liste verte européenne", *Le Soir*, 12/11/10.

Deschouwer, Kris & Philippe Van Parijs. 2009. *Electoral Engineering for a Stalled Federation. A country-wide electoral district for Belgium's federal Parliament*, with comments by L. de Briey, D. Horowitz, B. Maddens and B. O'Leary, Brussels: Re-Bel e-book n°4, www.rethinkingbelgium.eu.

Desmet, Yves. 2011. "Kieskring", *De Morgen*, 20 april 2011.

Dewatripont, Mathias & al. 1996. *Flexible Ingration. Towards a More Effective and Democratic Europe*. London: Centre for Economic Policy Research.

Drèze, Jean and Amartya Sen. 1991. *Hunger and Public Action*. Oxford: Oxford University Press.

Elster, Jon. 1986. "The Market and the Forum: Three Varieties of Political Theory", in *Philosophy and Democracy* (T. Christiano ed), Oxford : OUP, 2004, 138-160.

ELDR. 2003. "Liberals and the future of Europe", Brussels, 24 January 2003.

Eslund, David. 2008. Democratic Authority: A Philosophical Framework. Princeton: Princeton University Press.

Farrell, Henry and Cosma Shalizi. 2013. "Cognitive Democracy", draft, George Washington University.

Gauck, Joachim. 2013. „Europa: Vertrauen erneuern – Verbindlichkeit stärken", Rede von Bundespräsident Joachim Gauck zu Perspektiven der europäischen Idee am 22. Februar 2013 in Schloss Bellevue.

Lacey, Joseph. 2013. "Must Europe Be Swiss? On the Idea of a Voting Space and the Possibility of a Multilingual Demos", *British Journal of Political Science* 1-22.

Landemore, Hélène. 2012. Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many. Princeton: Princeton University Press.

Manow, Philip, and Holger Döring. 2007. "Electoral and Mechanical Causes of Divided Government in the European Union." *Comparative Political Studies* 41 (10), 1349-70.

Marti, José L. 2013. 2013. "Why (deliberative) democracy has epistemic value and why it is not enough to justify it", Barcelona: Universitat Pompeu Fabra.

Menon, Anand. 2013. "The European Union and the nation state", *Policy Network*, 10 October 2013.

Nicolaidis, Kalypso. 2004. "We the Peoples of Europe", *Foreign Affairs* 83(6), 97–110.

Nicolaidis, Kalypso. 2013a. "European Demoicracy and Its Crisis", *Journal of Common Market Studies* 51(2), 351–369.

Nicolaidis, Kalypso. 2013b. "Pragmatism, Idealism And European Demoicracy", *Social Europe Journal*, 15 July 2013.

Nothomb, Charles-Ferdinand. *Un Plan de paix pour la Belgique*, Bruxelles: Racine, 2009.

Ober, Josiah. 2008. *Democracy and Knowledge. Innovation and Learning in Classical Athens*. Princeton: Princeton University Press.

O'Leary, Brendan. "Belgium and its thoughtful electoral engineers", in K. Deschouwer and P. Van Parijs & al., *Electoral Engineering for a Stalled Federation,* Brussels: Re-Bel e-book n°4, www.rethinkingbelgium.eu, 31-39.

Onesta, Gérard. 2007. *Bruxelles en Europe/ L'Europe à Bruxelles*, Bordeaux: Le Castor Astral, 2007.

Popper, Karl. 2000. *Lessons of this century*, London: Routledge.

van Middelaar, Luuk. 2009. *De Passage naar Europa. Geschiedenis van een begin*. Historische Uitgeverij. (English edition: *The Passage to Europe. How a Continent Became a Union*, New Haven: Yale University Press, 2013.)

Van Parijs, Philippe. 1997. "Should the European Union become more democratic?", reprinted as chapter 5 of Van Parijs (2011b).

Van Parijs, Philippe. 2011a. *Linguistic Justice for Europe and for the World*. Oxford: Oxford University Press. (German edition: *Sprachengerechtigkeit für Europa und die Welt*, Frankfurt: Suhrkamp, 2013.)

Van Parijs, Philippe. 2011b. *Just Democracy. The Rawls-Machiavelli Programme*, Colchester: ECPR Press.

Van Parijs, Philippe. 2013. "The Euro-dividend", in *Social Europe Journal*, July 2013; also in *Roadmap to a Social Europe* (J. Habermas & al.), European Trade Union Confederation, 2013, 44-46.