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## HOW INTERCULTURAL DIALOGUE CAN IMPROVE EUROPEAN DEMOCRACY - DELIBERATIVE DEMOCRACY APPROACH

### ABSTRACT

*The European Union faces numerous challenges: of the largely debated «democratic deficit», resulting from the great distance between ordinary people and the decision-making institutions, resulting from the progressive transfer of the traditionally national competencies to the supra-national level, of the increasing inflows of immigrants, of the ageing of populations, of the global dangers linked to terrorism, organised crime and other negative phenomena resulting from the existing global inequalities. On the citizens' side, one may observe the decreasing trend in civic activities potentially offered by democratic systems. Some experts call these problems symptoms of morbidity, linked to the erosion of the sense of belonging to the community: local, regional, national and European.*

*This paper argues, that intercultural dialogue, while happening within the deliberative democracy system, may significantly contribute to the improvement of democracy through: the greater legitimacy, through real empowerment of citizens in concordance with subsidiarity principles, through the inclusiveness and the more active participation of citizens in public life and increased sense of belonging to various epistemic communities.*

*In order to experience this contribution, first – the ability to dialogue should be developed, second the venues and grounds for such dialogue need to be available. The last but not least important problem is how to provide ways for people to perceive themselves as actors and to be real actors. Our public life – up to date – shows that real changes happen somewhere up – beyond most peoples' reach nor influence. This reflects the disconnection between citizens and their elected representatives or other elites. To break dawn this negative perception the crucial impact should be given to opportunities of transfer of the outcomes of the public discourses to be heard and implemented by other bodies. Democratic conversation between citizens and government is a central*

*idea of democracy. There needs to be a permanent and mutual interaction of the two-ways communication between those two groups and this is a particular role to be played by various governances to provide channels for such a bottom-up and up to the bottom symmetric interaction. So there is an imperative of connecting it to governments, policy-making, and governance at different levels.*

The last decades have visibly increased the diversity of the Union. With the accession of 10 and recently 2 more new member countries and potential of further enlargements, the EU currently represents an impressive richness of cultural, social and linguistic diversity. Moreover, our societies are undergoing major social changes manifested with an ageing of population and sustained immigration flows. In such a context, the shared values that hold our societies together, such as freedom, fairness, democracy, and solidarity, become more important than ever. The recognition of the constantly increasing cultural pluralism requires the development of an advanced democracy, which embraces not only citizen's participation in the core of administration of institutional structures, but which is also a method for dialogue and consensus between groups with different interests, proveniences and backgrounds.

It has been largely discussed during the last decade that the EU suffers from a democratic «deficit». It suffers from deficiencies in representation, transparency, legitimacy and citizens' involvement in public matters and support. The problem lies not only in the need for the establishment of an additional and new layer of governance, linking the peoples of Europe during the process of the progressive transfer of national competencies to the supra-national, European, level resulting from the ongoing deepening of the European integration. It is also that this process contributes to the transformation and Europeanisation of the member states, so that each member state can no longer claim to be the only source of its own legitimacy. These transformations are driven – as is commonly underlined by several specialists<sup>1</sup> – by political and administrative elites, operating with little popular input and control. The existing system is perceived as strongly suffering from weak popular legitimacy and support<sup>2</sup>. These assertions are generally based on two notions: the first is that the decision-making processes in the EU are closed, elitist and expert-driven, and the second is that there is a

very weakly developed or non-existent public sphere in the EU.

The EU is a dynamic system and is undergoing deep changes, with regard to its range and scope of actions, its size, its institutional construction, its effects on the member states and their citizens, and its commitment to democracy and legitimacy. This system increasingly and directly influences peoples' lives through various channels, including direct effects of the constantly accumulating EU law. But, at the same time, this process is not accompanied with the increasing potential of citizens to have their say on EU matters. Since the breakdown of the «permissive consensus» in the early 1990s, reaffirmed by the evidence of Constitutional referenda failures, the EU has increased its declarative commitment to democracy and legitimacy. The standards of legitimate governance meant in terms of openness, accountability and transparency have been raised and perceived. Some institutional reforms, intensification of human rights promotion and other remedial efforts have been made to close this legitimacy gap. But, they did not lead to the reduction of distance between citizens and the governance neither did contribute to the reinforcement of the citizens' sense of belonging to the democratic community.

These developments are even better visible when they are perceived in the light of the widely recognised opinion that there is no European *demos*, nor a genuine European-wide public sphere. If the public sphere does not exist how then explain the citizen sense of belonging and commitment to democracy and rights, that has not only been sustained, but has even become strengthened over time? This is not to deny executive officials a role in fostering a democratically legitimate EU. But their projects and proposals are presented to, argued for, deliberated over, and decided upon in the various bodies that make up the EU and – at the same time – they are rarely subject to public scrutiny although they regulate several spheres of peoples' lives.

In order to answer this question pertaining to commitment to democracy and rights, we tend to justify the thesis that the European public sphere is weakly developed, and that the case of intercultural dialogue can serve as the particular area for deeper understanding and conceptualisation. To address this question, we adopt a deliberative democracy approach – an analytical perspective – that is particularly instructive to the study of the role and salience of the public sphere, and therefore permits us to analyse the assertion of a

very weakly developed European public sphere.

The current status of the intercultural dialogue is rather an isolated issue than a mainstreamed one in the existing debates on future construction of European integration. The author's assumption to be verified through the research project is that the intensification of intercultural dialogue and the reinforcement of its role in terms of «deliberative democracy» might contribute to the development of a new European polity of greater and deeper inclusiveness and sense of belonging.

#### DIALOGUE AND POLITICS IN DELIBERATIVE DEMOCRACY CONCEPTS

The deliberative perspective portrays politics as governing by public discussion. It constructs the thesis that opinions need to be shaped and tested in public debate and only further that people are able to change their opinions when faced with better arguments. Democratic politics entails giving reasons for government decisions to the ones who are bound by them. Only norms and statutes that are justified to those affected with and that are accepted by all in a free debate can claim to be truly legitimate. This is a basic principle of deliberative democracy concept. A truly sovereign person is one who is able to decide on the norms she is bound by. When seen from a deliberative perspective, political institutions – like for instance the parliaments – transform the influence of the public sphere into communicative power and this – in turn – serves to legitimise political decisions<sup>3</sup>.

The notion of «public sphere» signifies that equal citizens assemble into a public and set their own agenda through open communication. «Historically speaking, this public sphere – which was prescribed by the authorities – the public immediately lay claim to and used in confrontations with public authorities over the general rules of coexistence in the fundamentally privatised, but publicly relevant sphere for exchange of goods and societal work»<sup>4</sup>. The medium for this political confrontation is remarkable and without historical precedent: the public reasoning. The public sphere is established through individual rights that provide citizens with protections from state incursions<sup>5</sup>. The modern public sphere is founded on *rational* debate and situates in a clear opposition to conflict-settlement by reliance on dogmas. This idea of public

sphere is closely linked to the principle of *universalistic argumentation*. The public sphere is *reflective* – through it «society» thematises itself. The modern concept of public sphere in some thematic areas, like for instance the environmental issues, stretched across all of civilised Europe<sup>6</sup>.

The development of a public sphere has profound implications for the conception of democratic legitimacy. With this development, the power holders' basis of legitimacy is changed, as citizens are equipped with rights against the state. Decision-makers are therefore forced to debate at the open public arena in order to justify their decisions and to gain support. «They cannot allow themselves to merely *pose* for the masses, as the Roman emperor did. We see a transition from the speech of power to the *power of speech*»<sup>7</sup>. Neither given institutions nor concrete persons guarantee the legitimacy of the law. Only the public debate in itself has norm giving power.

Taking deliberation and the role of the public sphere seriously has implications for how we conceive the process of societal integration. We thus «have to supplement the two mainstream conceptions of integration, i.e. integration through *functional adaptation*, and integration through *interest-accommodation* (or strategic group activity), with a third, namely integration through *deliberation* (i.e., through the process of arguing)»<sup>8</sup>.

The public sphere is a common space in society, but it is a space that today is divided into different types and categories. It consists of different assemblies, fora, arenas, scenes, and meeting-places where citizens can gather. «Today the public sphere is a highly complex network of various *parts of public spheres*, which stretch across different levels, spaces, and scales. There are strictly situated public spheres, where the participants meet face to face, there are written public spheres, and there are anonymous, faceless public spheres made possible by the new electronic media and developments»<sup>9</sup>. The criteria we will use in our assessment of the role and salience of strong publics in the EU refer to:

- a) decision-making capacity;
- b) deliberation, i.e. that decision-making is preceded by deliberation and that decisions are justified through reason giving; and
- c) representativeness, i.e. in principle that all those potentially affected by decisions have their say.

The latter refers to openness and transparency. These criteria

permit us to rank-order bodies, so that we can designate some as more or less developed strong publics.

In the EU there is a multitude of discussion fora: local, regional, national, international and transnational ones. These may be separate, overlapping, or convergent. Further, there are both strong and general publics in the EU ranging from popular and academic debate in media via epistemic communities to representative assemblies<sup>10</sup>. From the point of view of democracy, however, to be legitimate both the principles of representation and the outcome of institutionalised deliberations must endure scrutiny in open rational debate where all citizens are free to participate. True representativeness does call for an equal opportunity to express oneself by all those potentially affected by a norm or a decision. Given the linguistic diversity of Europe, true equality would seem to presuppose a multilingual framework, where every representative can express him or herself in a language they are wholly familiar with.

This paper argues that it is important to think not of one homogeneous public sphere but in terms of a multitude of publics. The strong publics discussed here are part of the emergence of numerous overlapping spheres in Europe. What are emerging are networks of social and political actors, epistemic and academic communities, and social movements, many of which emerge around particular issues and topics, such as corruption, BSE, migration and others. These are deliberative issue communities, which transgress the bounds of language and nation. New technologies and audiovisual spaces are also emerging. Such communicative spaces are not restricted to the discussion of economic issues, nor are they confined to the establishment of formal public sphere institutions. They also entail networks of opinion formation at the local, regional and international level.

Within the deliberative democracy concept the deliberation is perceived as inclusiveness generating process under some specific conditions<sup>11</sup>:

1. Deliberation is defined as careful consideration of reasons «for» and «against» the subject of concern of a group of citizens (groups or individuals). Deliberation is a common, if not inherent, component of all decision-making and democratic societies.

2. Inclusion is the action of involving others and an inclusive decision-making process is based on the active involvement of

multiple social actors and usually emphasizes the participation of previously excluded citizens.

3. Social interaction occurs. This normally incorporates face-to-face meetings between those involved.

4. A deliberative process assumes that there are – at least initially – different positions held by the participants and that these views should be respected.

5. Deliberative process is designed to enable participants to evaluate and reevaluate their positions in the light of different perspectives.

6. Participants share a commitment to the resolution of problems through public reasoning and dialogue aimed at mutual understanding, even if consensus has not been found.

7. As a consequence of these interactions a certain common memory arises, which is composed of modified opinions and convictions of those who took part in the discourse. This builds the sense of belonging to the newly established community of interests (epistemic community), taking into consideration of the all involved argumentations. Instead of the departure point situation: «we» versus «them», we deal with a new situation of «us» (although not uniform under all aspects, but – at least integrated around a certain idea or a certain concrete project – community).

#### HOW PRINCIPLES OF DELIBERATIVE THEORY ARE TO BE IMPLEMENTED?

What kind of public talk is most likely to expand civic engagement and make it meaningful to all sorts of people?

Most people do not enter community life or politics through «entrances» marked with a sign «civic life». They find themselves involved after they start working on an issue about which they deeply care. Once they try to make progress on the issue or to break the existing barriers, they realise that they unavoidably need to engage other people to find and implement solutions. Good communication of those needs is a key to make and strengthen connections and working relationships. Civic engagement is thus both a barometer of our public life and a focal point for action when we want to improve it. The process of dialoguing can bring many benefits to civic life, as for instance: dispelling of stereotypes, honesty in relaying ideas, intention to listen and to understand other

human beings, etc. This dialogue – within deliberative democracy concepts – has an important impact on the quality of democracy. But this process can run smoothly under some specific conditions and with the support offered from various levels of the existing democratic structures. Sometimes they call for new forms and institutional shape for the facilitation and reinforcement of the interconnections between individuals, their local democratic institutions, national bodies and international organisations.

Below the author tries to summarise some referred in the literature guidelines<sup>12</sup> for the real implementation of deliberative democracy principles into practice.

There is a need for encouragement system stimulating multiple forms of dialogue and communication to ensure that all kinds of people have their real say. As soon as a group of people comes together and engages in a deliberative dialogue, the process should make it possible for everyone to participate on an equal basis. Political scientists like Iris Marion Young believes that «deliberative processes are useful to the extent that they promote the use of critical reason (better arguments) instead of raw political power»<sup>13</sup>. Young argues also that the «norms of deliberation are culturally specific and often operate as forms of power that silence or devalue the speech of some people»<sup>14</sup>. Thus there is a great importance of incentives for the equal parity of participation in deliberation of all those potentially affected by the challenge and of the specific code of communication leaving a floor to express to everyone participating on the fully free basis. To ensure that all kinds of actors have a real voice, study circles use a variety of devices, such as ground rules, encouraging reflection on personal experiences, storytelling, brainstorming, and emphasizing the importance of readiness to listening<sup>15</sup>. Listening in the deliberation appears to be as important as speaking. The strong emphasis on listening increases the likelihood that more people will participate fully in the discussion. Processes and forms promoting the value of listening reduce pressure on people who may be reluctant to expose their feeling or ideas – the most frequently because until then they felt excluded or not allowed to voice.

One more important issue, which facilitates deliberation, is creating connections between personal experience and public issues. The most effective way to overcome the existing reluctance – if not alienation from public matters – is to encourage people to



share their personal experiences (bad or positive cases) and to talk about how the issue affects the daily life and their own personal history. If we want to engage people and to make them feel subjects of concern – contrary to the objects of concern – we need to begin with creating opportunities for individuals or communities to express freely their concerns in their own language, in their own way and on their own terms. According to the research made by Kettering Foundation<sup>16</sup> in 1996, most people are not looking for quick answers or decisions on a course of action when they initiate conversations about public issues with family members, friends, co-workers, and neighbours. The most frequently «they are striving to better understand what is happening around them and to be understood by others»<sup>17</sup>. By engaging in conversation, people try to make sense of issues that can be complex, dangerous or confusing. Grounding the discussion in personal experience makes it more interesting and understandable for people and reaffirms the sense of being a part of a bigger group of people with similar problems or aspirations.

One should not forget the importance of trust and a solid and shared foundation on accepted rules for the discussion. At the moment people consider whether they are willing to discuss together – to devote time, resources and intellectual openness – they obviously ask themselves whether they can trust each others to act in a good faith. This is especially penetrating questions in social environment previously affected with difficult – if not negative – experiences. The deep level of trust in such situations does not come easily. Sometimes it needs not only particular effort of participating individuals but sometimes it calls for the participation of a kind of an objective mediator, trusted by all involved.

Honest and deep analysis, information and reasoned arguments' role is crucial in the discursive approach. The need for reasoned argument raises the issue of how much information people need in order to deliberate effectively. Some civic engagement processes stress the importance of exposing participants to large amounts of technical information and all relevant facts. While many theorists agree that civic dialogue should be based on the information they also agree that for the fruitful debate it is important not to overwhelm participants with the too abundant and irrelevant details<sup>18</sup>. The optimal situation would be the one of «making necessary information available to the extent it allows for provision

of a sense of coherence about how different pieces of information fit together»<sup>19</sup>.

Decision-makers' task within the deliberative approach is helping people to develop public judgments and create common ground for action. When diverse groups of people use deliberative dialogue to consider different points of view on public issues, they develop the public judgment and find the common ground that is integral to achieving workable public policy and sustainable common action. Common ground should not be however confused with absolute consensus, but it creates a solid ground for positive action in a particular area.

The last but not least important problem is how to provide ways for people to perceive themselves as actors and to be real actors. Our public life – up to date – shows that real changes happen somewhere up – beyond most peoples' reach nor influence. This reflects the disconnection between citizens and their elected representatives or other elites. To break down this negative perception the crucial impact should be given to opportunities of transfer of the outcomes of the public discourses to be heard and implemented by other bodies – if help is needed it should be offered on demand. If the existing practice does not include a way to establish trust and mutuality between citizens and governments, it will fall short of helping them to public officials. Democratic conversation between citizens and government is a central idea of democracy. There needs to be a permanent and mutual interaction of the two-ways communication between those two groups and this is a particular role to be played by various governances to provide channels for such a bottom-up and up to the bottom symmetric interaction. So there is an imperative of connecting it to governments, policy-making, and governance at different levels.

#### CONCLUSION

General and strong publics have different functions, are coexistent and interdependent. Together they can contribute to the democratisation of the EU by vocal criticism of the system in place and by delineating reform proposals. They point to an emerging democratic order in Europe. They also help to underpin the thesis that popular sovereignty can only be realised in a procedural manner

– through allowing for broad participation in opinion forming fora, and combined with well-informed deliberative and decision-making processes in institutionalised representative and accountable bodies.

The Constitutional Treaty regarded the empowerment of ordinary people as a crucial aim (unlike some theorists who see the debate between the advocates of «democratic elitism» and «participatory democracy» as procedural). We assume that greater participation is a substantive value as an aspect of empowerment. European citizens must therefore be given chances of direct, personal experience of what European citizenship and these values mean in practice – be through participation in dialogue with the institutions or through the horizontal intercultural dialogue.

Intercultural dialogue contributes to making European citizens a reality through encouraging their direct involvement in the integration process. It may be helpful in developing the feeling of belonging to the Union and to make citizens able to identify with it. In order to experience this contribution, first – the ability to dialogue should be developed, second – the venues and grounds for such dialogue need to be available. Further papers will bring more deep analysis of those two elements of the intercultural dialogue.

<sup>1</sup> For larger argumentation see for example: D. Beetham and C. Lord, *Legitimacy and the EU*, London, Longman, 1998; C.R. Sunstein, *Constitutions and Democracies: An Epilogue*, in J. Elster and R. Slagstad (eds.) *Constitutionalism and Democracy*, Cambridge, Cambridge University Press, 1988, pp. 327-353; L. Blichner, *The Anonymous Hand of Public Reason: Interparliamentary Discourse and the Quest for Legitimacy*, in E.O. Eriksen and J.E. Fossum (eds.), *Democracy in the European Union - Integration through Deliberation?*, London, Routledge, 2000, pp. 141-163; K.St.C. Bradley, *The European Parliament and Comitology: On the Road to Nowhere?*, in «European Law Journal», vol. 3, n. 3, 1997, pp. 230-254.

<sup>2</sup> See: F. Scharpf, *Governing in Europe - Effective and Democratic?*, Oxford, Rowman & Littlefield, 2000; P.C. Schmitter, *How to Democratize the European Union*, Oxford, Rowman & Littlefield, 2000; J.H., Weiler, *The Constitution of Europe: «Do the New Clothes Have an Emperor?»*, Cambridge: Cambridge University Press, 1999; R. Corbett, F. Jacobs and M. Shackleton, *The European Parliament, Fourth Edition*, London, John Harper, 2000; R. Dworkin, *Law's Empire*, London, Fonata Press, 1986; K. Eder, *Zur Transformation nationalstaatlicher Öffentlichkeit in Europa*, in «Berliner Journal für Soziologie», n. 2, 2000, pp. 167-184; M. Egan and D. Wolf, *Regulatory Oversight in Europe: The Case of Comitology*, in C. Joerges and E. Vos (eds.), *EU Committees: Social Regulation, Law and Politics*, Oxford, Hart Publishing, 1999, pp. 239-258; M. Egeberg, *Transcending Intergovernmentalism? Identity and Role Perceptions of National Officials in EU Decision-Making*, in «Journal of European Public Policy», vol. 6, n. 3, 1999, pp. 456-474.

<sup>3</sup> See J. Habermas, *Between Facts and Norms. Contributions to a Discourse Theory of Law and Democracy*, Cambridge (Mass.), The MIT Press, 1996, p. 371.

<sup>4</sup> *Ibidem*.

<sup>5</sup> See: J. Habermas, *The Structural Transformation of the Public Sphere*, Cambridge (Mass.), The MIT Press, 1989; F.I. Michelman, *How Can the People Ever Make the Laws? A Critique of Deliberative Democracy*, in J. Bohman and W. Rehg (eds.), *Deliberative Democracy*, Cambridge (Mass.), The MIT Press, 1997; K. Middlemas, *Orchestrating Europe. The Informal Politics of European Union 1973-1995*, London, Fontana Press, 1995; K. Neunreither, *The Democratic Deficit of the European Union: Towards Closer Cooperation between the European Parliament and the National Parliaments*, in «Government and Opposition», vol. 29, n. 3, 1994, pp. 299-314.

<sup>6</sup> N. Fraser, *Rethinking the Public Sphere. A Contribution to the Critique of Actually Existing Democracy*, in C. Calhoun (ed.), *Habermas and the Public Sphere*, Cambridge (Mass.), The MIT Press, 1992, pp. 109-142; O. Gerstenberg, *Genesis und Geltung. Verfassung und Demokratie ohne Nationalstaat*, in «Dialektik», n. 3, 1998, pp. 101-112; O. Gerstenberg and Ch.F. Sabel, *Directly-Deliberative Polyarchy. An Institutional Ideal for Europe?*, available at [www.law.columbia.edu/sabel/papers/gerst-sabel1029.doc](http://www.law.columbia.edu/sabel/papers/gerst-sabel1029.doc); A. Gutmann and D.E. Thompson, *Democracy and Disagreement*, Cambridge (Mass.), The Belknap Press 1996.

<sup>7</sup> C. Lefort, *Democracy and Political Theory*, Cambridge, Cambridge University Press, 1998, p. 38.

<sup>8</sup> See: E.O. Eriksen and J.E., Fossum (eds.), *Democracy in the European Union...*, cit.

<sup>9</sup> J. Habermas, *Between Facts and Norms...*, cit., p. 373.

<sup>10</sup> Based on: K. Eder, *Zur Transformation nationalstaatlicher Öffentlichkeit in Europa*, cit., pp. 167-184; P. Schlesinger and D. Kevin, *Can the European Union Become a Sphere of Publics?*, in E.O. Eriksen and J.E. Fossum (eds.), *Democracy in the European Union...*, cit.

<sup>11</sup> Based on: J. Bohman, *Public Deliberation. Pluralism, Complexity, and Democracy*, Cambridge (Mass.), The MIT Press, 1996; J. Cohen and C. Sabel, *Directly-Deliberative Polyarchy*, in «European Law Journal», vol. 3, n. 4, 1997, pp. 313-343; A. Gutmann and D.E. Thompson, *Democracy and Disagreement*, cit.

<sup>12</sup> Based on: M.L. McCoy and P.L. Scully, *Deliberative Dialogue to Expand Civic Engagement: What Kind of Talk Does Democracy Need?*, in «National Civic Review», vol. 91, n. 2, Summer 2002.

<sup>13</sup> I.M. Young, *Communication and the Other: Beyond Deliberative Democracy*, in S. Behabib (ed.), *Democracy and Difference*, Princeton, Princeton University Press, 1996, p. 123.

<sup>14</sup> *Ibidem*, p. 124.

<sup>15</sup> See: «National Civic Review», i.e. *Making Choices Together: The Power of Public Deliberation*, Dayton, Kettering Foundation, 2000.

<sup>16</sup> R. Harwood, P. Scully and K. Dennis, *Meaningful Chaos: How People Form Relationship with Public Concerns*, Dayton, Kettering Foundation and the Harwood Group, 1996, pp. 6 and 9.

<sup>17</sup> *Ibidem*, p. 11.

<sup>18</sup> See especially: M.T. Archie H.D., *Protecting Communities, Serving the Public: Police and Residents Building Relationships to Work Together*, Pomfret (CO), Topsfield Foundation, 2000.

<sup>19</sup> *Ibidem*, p. 57.

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