

## EU AND DEMOCRACY: A NEVER ENDING TASK

### Herman Van Rompuy, President Emeritus of the European Council Speech at BOZAR Centre for Fine Arts, Brussels, on 27 September 2017

1. Democracy is an idea, but it is also an ideal. It reminds me of the words of Pericles in his famous funeral oration now almost 2,500 years ago, quoted by Thucydides.

"Our constitution does not copy the laws of neighbouring states; we are rather a pattern to others than imitators ourselves. Its administration favours the many instead of the few; this is why it is called a democracy. If we look to the laws, they afford equal justice to all in their private differences; advancement in public life falls to reputation for capacity, class considerations not being allowed to interfere with merit; nor again does poverty bar the way, if a man is able to serve the state, he is not hindered by the obscurity of his condition." (Par. 3)

We know that public life is often a balance or an imbalance between ethical idealism and political realism. In the cynical times in which we live, realism often prevails.

2. What is the state of political democracies all over the world?

On the one hand, the number of 'real democracies' was never as high as it is at this moment in time. On the American continent only two countries suffer from authoritarianism. In Africa, the situation improved dramatically compared to 20 years ago, although it has been deteriorating again in the past few years. In Asia, Indonesia, with its 250 million inhabitants, joined the club of democratic nations, together with India and Japan. The fall of communism in Europe gave birth to many new democracies. On the other hand, two important permanent members of the UNSC remain non-democratic states.

It is a real paradox that the rise of democracies worldwide did not make this political system more popular in the western world.

'Demos' in Greek means people. The Latin word for people is *populus*.

But the populists we know today are not democratic; although they are a minority, they pretend to speak on behalf of 'the people'. 'Wir sind das Volk' was true before the fall of the Berlin Wall, but this expression is now used by extremists and populists. For them democracy is a way to get power. Once in power, they will impose the will of *their* people, not of *the* people.

Populists lost some battles in Western Europe, but they did not lose the war yet. Populism is fuelled by frustration about unemployment, insecure jobs, huge inequalities, massive illegal migration, climate change, terrorism, the negative aspects of internationalisation (social, commercial and tax dumping). For many people, democracy is not a value à la Pericles, but an added value, its opposite. Democracy is judged on its results in the field of prosperity, security and fairness. If national and European democratic leaders cannot deliver, then democracy itself is put into question. Surveys show this growing trend, in the EU and in the US. Actually, the US already has a populist president, the only one among the (six to) seven Western leaders! But even in other advanced economies, populism is too strong. If large parts of our population do not feel protected enough, they start longing for protectionism and nationalism. I quote President F. Mitterrand again:

"Nationalism means war!"

We are, of course, not at that stage. History teaches us to be cautious. History has to remain the teacher of life!

We have to tackle the root causes of the frustration, anger and despair of large groups of our citizens in the upcoming years. We now have a 'window of opportunity', after the battles we've won. But, if there is complacency, populism will become even stronger in four or five year's time!

Some are even looking at authoritarianism with some kind of admiration. The impression was even created that democracy can no longer deliver prosperity and security. They tend to forget the success stories of the EU and of Japan, the strong economic performances of the Indian and Indonesian economies, and until recently also of Brazil. You do not have to give up your freedom in exchange for more prosperity for all. History is our evidence!

In my view, in a long-term perspective, democracy is a logical consequence of economies and societies with high levels of education and skills. Even the Arab Spring is not over. The Spring of Prague of 1968 was followed two decades later by a successful revolution! History is longer than a tweet.

But, I repeat that this implies that we have to act now and to perform.

3. I am focused on the 'output' of our democracies. Some are more concerned by the input.

Personally, I am not impressed by the use of referenda. A lot depends on the formulation of the questions. The surrounding political circumstances are as important as the topic of the referendum itself. Often, it is about the popularity of the leaders who posed the question instead of the popularity of the theme! In referenda, you often get answers on questions that were never asked in the first place.

Another point: why a referendum about this particular topic and not on so many others?

Other problems

- What about the participation rate?
- What about the necessary majority: can a small majority decide on matters where you need a strong one? Actually, a close vote at a certain time should not determine the future of generations to come. For constitutional changes or for decisions changing the nature of a state, you need a qualified (two-third) majority in Parliament.

In the EU, a specific problem has arisen. A national referendum cannot have the last word in a monetary union and in a Union of 27 countries. The Greek referendum on the MOU in 2015 could simply not be implemented because 18 other democracies did not agree with the outcome of the referendum. It was a clash among democracies.

Once I was asked, after the Brexit referendum, why the EU-27 did not show more 'empathy' for Britain in the current negotiations. The reason is quite obvious: the democracies of the 27 have to defend the interests of their citizens and their common interest. Again, the 27 are as democratic as the UK.

This brings me to the nature of the democracy in the Union.

4. The expression 'democratic deficit' is often used, but what does that mean?

In a Union, legal decisions are taken by the Member States and the European Parliament. Let's focus first on the Member States.

If a decision is taken by a qualified majority in the EU, it is a democratic decision. The national countries (democracies) pushed into a minority should not complain. It is the rule of the game. Ignoring legal decisions is against the European 'rule of law'.

The EU's democratic deficit equals, for many, a national democratic deficit, but the Union has its own rules, enshrined in Treaties, unanimously approved by the Member States.

Once you are a member of an EU institution, you are dependent on democracies of other nations. You lost a part of your national sovereignty. In a globalised world, you lose autonomy in any case, but in the Union, we agreed on a transfer of national sovereignties in order to gain more 'control' of our own fate, collectively. Some countries still have the illusion that the EU is the only source of loss of autonomy and some have difficulty accepting the consequences of the logic of the Treaties they approved themselves in the past.

But one can also ask if the European democracy is working well.

The European Parliament is elected directly, although with a participation rate that is far too low (40 percent on average). In the US, a president is often elected by a minority of the potential voters. But here in the EU, we can do better than we did in the past.

The European Parliament elects the President of the Commission by a secret ballot and the candidate needs an absolute majority of the Parliamentarians. A practice that is not so common in our Member States!

The EU has a bicameral system in which legislative acts need the support of the directly elected European Parliament and of a qualified majority of the Member States, or their unanimous vote. The Council is, of course, representing very lively democracies.

Our Union will always have this double legitimacy, 'double hatting', a combination of institutions aimed at protecting both the European *and* national interests.

I add two paradoxes:

- The European Parliament is elected on the basis of national constituencies and even worse, regional districts. Voters in Europe are not able yet to vote for candidates outside of those national or regional constituencies. The parliamentarians are supposed to defend European interests starting from national electoral constituencies. A paradox.
- The Council, although composed of national ministers, have to agree on a European conclusion by consensus. The national interests have to be overcome in order to achieve this European solution. This European result is thus more than the sum of the national interests of the Member States. The national ministers are obliged to look for the European interest. Again a paradox.

The EU thus has a double democratic legitimacy. It can be improved, but for the upcoming years, it has to be done within the framework of the current Treaties. No fundamental changes are possible until then.

The EU has another more challenging problem. The first is the implementation of the EU's legal decisions. If Member States refuse to implement them within their boundaries, an

almost 'constitutional' difficulty arises. The rule of law is at stake. The second problem is the functioning of some national democracies, i.e. regarding the freedom of media and the independency of the judiciary. When the core values of the Union are violated, the Commission, as the guarantor of the basic charter of our Union, has to take action. It has to respect the procedures foreseen in the Treaties, but, if, at the end, no corrective action is taken by the Member State, art. 7 can be triggered. A 'serious and persistent breach of our values' can even lead to a suspension of the voting rights of a Member State by a unanimous decision of the Council.

We are not yet at that stage, but never before have we been so close to that kind of decision. Even if unanimity is not obtained, a vote with an overwhelming majority against a Member State would be a very strong political signal, but again, we are not there yet.

5. The EU is not a model for the rest of the world. We are not some kind of Athens of the modern times. Because of our history of imperialism inside and outside of Europe, this statement lacks credibility. On top of this, our democracies are young. Germany and Italy had almost no democratic past before the end of World War II. In Belgium, women only got the right to vote for the Parliamentary elections in 1948, nearly 70 years ago. However, I do not accept the superiority of more authoritarian regimes or 'regulated' democracies neither. It is perfectly possible to keep a country united whilst living in a democracy. India is a living example. Islam can go hand in hand with democracy. Indonesia is a strong example. Prosperity and democracy are compatible. Japan gave the evidence.

In my view, democracy is the future, but we have to work hard so that it does not belong to the past in some countries! There are no iron historic laws. There is no guarantee for human progress. The tragic first half of the XXth century proved that there is no linearity in history. Democracy is a verb.

The first condition is to learn democratic habits, but dialogue and conversation necessitates a deep respect for every human being. Without this conception of a person, nothing will be delivered. Democracy is not a technique. It is a philosophy!

Democracy cannot survive without a strong civil society, without intermediate associations where people get used to living and talking with each other. A compromise is prepared in society.

Democracy cannot be maintained in a climate of polarisation or hate. The language, the rhetoric of leaders are as important as their deeds. Words can split a society.

A democracy needs social cohesion and social trust. Without protection against the threats I referred to earlier, democracy is missing a 'soul', a purpose. Implosion can be the final result.

Democracy does not mean chaos, but change and even movability is part of the game. Democracy is not static, but dynamic, sometimes too dynamic. We have to convince people. In the land where leaders think they are always right, flowers will not flourish in the Spring. That land is grey and dull. Winter is the only season.

Democracy is life. We are on its side.