

How to Rejuvenate European Decision-making?

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Abstract: This paper discusses the possibility of rejuvenating EU decision-making through introducing a new parliamentary form of children's and young citizens' participation. It does so by first (1) considering possible approaches to children's active membership in the political community, and (2) reviewing some institutional models of their participation in political decision-making. The second half of the paper (3) looks at existing forms of young citizens' participation in political decisions at the European level, and (4) argues for a European youth parliament, also responding to two possible objections.

Key words: children, citizenship, European Union, youth parliaments

Introduction: Democracy and Sustainability

Arguments for strengthening the political representation and participation of children and young citizens often revolve around two concepts: those of democracy and sustainability. The importance of these can be justified on various accounts, based on different conceptions of sustainability and democratic citizenship. First, looking at the sustainability of environmental, economic, or other policies, one may emphasise that children can be expected to have a longer-term perspective than the average citizen. Thus, the argument boils down to the expectation that giving younger people a voice will lead to better, i.e. more sustainable decisions. The second account focuses on democratic equality, and maintains that children *qua* citizens have the right to participate in political decision-making, in a form appropriate to their capabilities. Here, better decisions would mean more democratic ones. These two exemplify what are usually termed 'consequentialist' and 'deontic' approaches¹ to democratic sustainability, respectively. The third approach, by adopting the perspective of sustainable democracy, differs from both in some respect. It is consequentialist in the sense that it stresses the fact that today's children will be tomorrow's decision-makers. Yet rather than concentrating on the outcomes of public decisions, it highlights the importance of children's democratic participation as a factor in their moral and social development. This paper follows that latter approach.

In the context of the European Union (EU), all of the above considerations seem to speak for increasing efforts to include children and young citizens in decision-making procedures to an even greater extent than at the national level. With its ageing societies and decades-long history of trying to tackle its 'democratic deficit', both a sustainability- and a democracy-centred approach is in order when thinking about the future of the Union. Nevertheless, the sustainability of the EU as a democratic political community² deserves special attention, since it precedes both the question of how its decision-making procedures can be made more democratic, and how these procedures can yield more sustainable decisions. In terms of the democratic deficit as well as the problem of short-termism, it seems clear that participation is only partly a matter of putting

1 On that distinction, in the context of parental proxy voting, see Franz REIMER, *Nachhaltigkeit durch Wahlrecht? Verfassungsrechtliche Möglichkeiten und Grenzen eines "Wahlrechts von Geburt an"*, *Zeitschrift für Parlamentsfragen* 35(2) (2004), pp. 322–339.

2 See Yves MÉNY, *De La Démocratie en Europe: Old Concepts and New Challenges*, *Journal of Common Market Studies* 41(1) (2003), pp. 1–13, speaking of the EU 'as a nascent polity'.

decisions to vote. The perceived disinterest in European affairs is particularly apparent among younger voters, at least in terms of ‘traditional’ ways of democratic participation. Identifying and discussing new ways may help to address that issue.

This paper falls into two parts. The first half is devoted (1) to possible approaches to children’s active membership in the political community, and (2) to institutional models of their participation in political decision-making. Here, I am going to argue for a developmental approach, and based on that, consultative forms of political participation (without claiming, however, that other approaches or institutional models would be out of place). In the second half of the paper, I turn to the participation of children in political decisions at the European level. I shall do so by first (1) looking at existing forms of channeling the voices of young citizens into EU decision-making, and then by (2) discussing the possibility of parliamentarising children’s political participation in the EU. I hope to show the feasibility of the proposal and also to answer two possible objections to such an institution.

1 Approaches to Children’s Citizenship

When thinking about active membership in the political community, one may distinguish at least three ways of conceptualising it. In this section, I shall discuss these in turn: (1) the either/or approach, (2) the developmental approach, and (3) the scalar approach.

1.1 The Either/Or Approach

In what is perhaps the most common perspective, active membership in the political community is regarded as something one can either have or not: accordingly, political participation is connected to the image of the ‘full citizen’. In terms of age, that means that children under a certain age (18 years in most European countries) are excluded from actively participating in political decision-making.³ That approach is clearly based on the republican ideal of the competent citizen who is both willing and capable of intellectually contributing to public debates and deliberation, in full awareness of her interests and duties, personal as well as public. Children fall short, to a greater or lesser degree, of that ideal. They will be admitted to full membership of the political community once they can be assumed, on the basis of their age, to have reached political maturity.

The either/or approach is linear in the sense that with becoming of age one receives full participatory rights (which does not, in principle, exclude that one does not lose these rights later, at a certain age⁴). At the same time, it is binary: one either has the full range of these rights or none at all. That, to be sure, is a relative constraint. After reaching voting age, there may still be some years’ delay in receiving the capability to be elected to certain offices. Or, more importantly for us, while children are not allowed to vote at elections and referenda, they may be granted the right to participate in specific decisions, *e.g.* through students’ representative organs. Yet, these

3 See Jonas Hultin ROSENBERG, *The All-Affected Principle and its Critics: A Study on Democratic Inclusion* (Uppsala: Acta Universitatis Upsaliensis, 2016), on the justification of exclusion due to inability.

4 Proposals to that effect are sometimes formulated in connection with a perceived ‘gerontocracy’ of Western democracies, *cf.* Philippe VAN PARIJS, The Disfranchisement of the Elderly, and Other Attempts to Secure Intergenerational Justice, *Philosophy and Public Affairs* 27(4) (1998), pp. 293–333.

latter venues of decision-making are not usually recognised as ‘political’, but as part of the education system. In particular, children do not have the right to negotiate, let alone the power to decide about, the extent of their participation.

Policy recommendations and reform proposals reflecting that approach, as we shall see presently, usually focus on the point of entry, arguing for instance for a lower voting age limit. Interestingly, distinction is sometimes made between local at national elections, suggesting that there is a difference between children’s competence in national and local interests.

1.2 The Developmental Approach

The developmental approach differs from the former in that it focuses on the process of ‘citizenship development’, through which under-age citizens gradually reach political maturity, with full participatory rights being associated to it. Thus, rather than looking at children as ‘not-yet-citizens’, that approach suggests that they should be considered as ‘citizens-in-the-making’.

The consequences are twofold. Firstly, development can take place through education, understood as a process by which children are raised to become fully competent members of the political community. That, in itself, does not necessarily depart from the either/or approach. Indeed, it has been emphasised that whether or not an earlier voting age is considered, efforts have to be made in order that those acquiring suffrage through the reform actually make use of their right and that they do so in a competent manner.⁵ Secondly, however, citizenship development can be interpreted as the self-development of young citizens through active participation, ‘learning by doing’. While the latter cannot happen without the former, it has also been argued that, *vice versa*, the ‘education’ part needs to be complemented by ‘self-development’ activities, by giving children the opportunity to take part in decision-making.⁶

Today, the perspective of political education seems to be two-faced. On the one hand, as mentioned above, children are given the possibility to contribute to a range of decisions, particularly in school, whereas these are not considered political decisions. At the same time, citizenship curricula tend to reflect the education-centred approach, and seek to teach children what and how they will be allowed to decide about once they reach full maturity.⁷

While a certain degree of separation of different decisions seems to be supported by the

5 See Marc PARTETZKE / Andreas KLEE, Partizipieren können, wollen und dürfen! Politikwissenschaftliche Aspekte der politischen Partizipation von Kindern und Jugendlichen am Beispiel Wahlrecht, in: Aydin GÜRLEVIK / Klaus HURRELMANN / Christian PALENTIEN (eds.), *Jugend und Politik: Politische Bildung und Beteiligung von Jugendlichen* (Wiesbaden: Springer VS, 2016), pp. 37–40.

6 See e.g. Judith BESSANT / Rys FARTHING / Rob WATTS, Co-designing a Civics Curriculum: Young People, Democratic Deficit and Political Renewal in the EU, *Journal of Curriculum Studies* 48(2) (2016), pp. 271–289.

7 For instance, the Hungarian National Framework Curriculum for History, Social and Civic Competences emphasises that ‘[b]eing at the finish of their secondary studies, it is important that *the school prepares these students directly* for taking actual economic and political roles: a responsible realisation of civic rights and duties, the roles of employees and entrepreneurs, as well as participating at national and local elections’ (available at http://kerettanterv.ofi.hu/05_melleklet_5-12/5.2.05_tort_tars_5-12_u.docx, emphasis added).

developmental approach – children are not fully competent citizens, after all –, it seems essential that a link be made between the teaching-centred and the participation-centred parts of political education. Yet before going into how specific institutions can contribute to civic development at the level of European public law, a third approach to membership needs to be considered.

1.3 The Scalar Approach

The scalar approach to citizenship has been offered as an alternative to the former two models, and was recently advocated in an effort to include ‘non-human members of the political community’ in the concept.⁸ Unlike the other two, it is argued, that approach does not suffer from adult-centrism. It does justice to all those who have duties and burdens, and are thus members of the political community, but cannot actively represent their own interests in political decision-making, even though they may be able to express their preferences in some way. The scalar approach is based on the acknowledgement of a variety of membership types, ranging to wild animals to adult human beings.

Without examining here the merits of that approach in detail, it seems clear that there may be no other way to include, if one so wishes, non-human beings in the political community. As for children, however, the situation may be somewhat different, since they are hoped, and expected, to reach full political maturity at a certain point in their life. They will then become capable of participating in public decisions in a competent manner, whereas animals will never do so. (This is not to say that animals do not develop in their capacities, or that human beings would never have any duty to facilitate that development.) From the perspective of the present argument, it seems that focusing on human development is more promising than broadening our definition of membership beyond human beings.

With these considerations in mind, I shall now review some of the possible solutions for enhancing children’s and young citizens’ political participation. The question, then, is whether and how these institutions can contribute to the development of political competence (including the willingness to participate) in the youngest members of the political community. It has to be noted in advance that these possibilities are not exhaustive or mutually exclusive. They do nevertheless illustrate how various approaches to membership can be put into practice.

2 Institutional Models of Participation

Generally speaking, one can distinguish three forms of political participation relevant for children,⁹ all of which do appear in existing institutions or reform proposals. The first one of these is direct participation. That is usually connected to ‘full membership’, today based on the age-related presumption of competence in making decisions about public affairs. The second one is advocacy. In that case, what one finds is some sort of representation, which is however initiated by children. It differs from parliamentary representation, as children do not elect these advocates, yet they do have the possibility to approach them, and if that happens, the latter are obliged in

⁸ See, most recently, Sue DONALDSON / Will KYMLICKA, *Inclusive Citizenship Beyond the Capacity Contract*, in: Ayelet SHACHAR, *et al.* (eds.), *The Oxford Handbook of Citizenship* (Oxford: Oxford University Press, 2017), pp. 838–859.

⁹ For the three forms, *cf.* PARTETZKE / KLEE, *op. cit.*, pp. 30–31.

some way actually to represent the interests concerned. Thirdly, consultative forms of participation need to be mentioned. Here it is children themselves who represent their respective groups, often being elected by them. That form is most often linked to specific types of issues, characteristic for a certain (kind of) status or environment. In what follows, I shall briefly review a few proposals and existing institutions directed at the political participation of children, belonging to one of these categories.

2.1 Direct Participation

For direct participation, the most obvious example is early voting proposals, i.e. those aiming at lowering the age limit of active suffrage. The underlying idea is that those just below the age limit may not differ very much from those just above it, in terms of political competence. While that might easily lead to some kind of a *sorites* argument, making one accept, step by step, that no age limit can be justified at all, these proposals do not usually go that far.¹⁰ They only support a lowering of the age limit, to 16 or 14 years. That is also a constant item among the recommendations formulated in European youth politics.

From a developmental perspective, nothing speaks against that way of broadening the circle of those entitled to participate in political decision-making. Yet, as noted above, it does not in itself foster civic development, nor does it solve the problems identified above in the introduction. Entitlement is only a necessary but not a sufficient condition of participation. It becomes useful only if those concerned have both the information they need and the motivation to exert their right to vote. Decision-making can be practiced in various settings, but what is key here is that the link with political decisions is established. What needs to be practiced, then, is that one does not only decide about issues that are of immediate concern for herself, but needs to be capable of taking an informed interest in problems of more general relevance.

2.2 Advocacy

In the case of children, advocacy options may be the most widely accessible way of participating in decision-making today. Within the system of public law, ombudsmen are the most common type of these institutions. In addition, there are several NGOs specialising in the representation of children, which may also play some role in legislative or administrative procedures. While not a form of direct participation, and thus not a way of practicing decision-making, the use of advocacy options is an important civic competence in all forms of democracies, and needs to be part of any civic education curriculum.

A related example, although one that overlaps with consultative forms, is the involvement of young citizens in party politics. While political parties generally aim at securing public offices through elections, and hence their attention to children is determined by voting regimes, many European parties have now opened membership to persons under the voting age.¹¹ Moreover, they

10 For an exception, see Benjamin KIESEWETTER, *Dürfen wir Kindern das Wahlrecht vorenthalten?*, *Archiv für Rechts- und Sozialphilosophie* 95(2) (2009), pp. 252–273, arguing for the abolition of voting age limits.

11 Generally for those above 16 years. The best known example of a lower age limit in Europe may be the German Social Democratic Party (SPD), with 14 years (see

constantly seek to recruit members for their affiliate youth organisations. In case some of the party members cannot vote at the general elections themselves, but are able to participate in the internal decision-making procedures of their parties, they make use of what is quite close to an advocacy channel.

There are two reasons political party membership deserves mentioning here. On the one hand, party politics is the basis of the current functioning of the European Parliament, and the chief way of democratic participation within the EU. Thus, a feasible development of democratic participation at the European level needs to be based, partly at least, on the development of the European party system.¹² On the other hand, however, young citizens' involvement in party politics has recently come under criticism from the perspective of politicians' moral development. By participating in party politics, one author argued, young people develop character traits that are less than beneficial for the political community as a whole. While democratic politics would need, for its efficiency, politicians who can think rationally and critically, parties' internal selection systems seem to prefer conformity and camaraderie, both working in the opposite direction.¹³

These objections certainly need to be considered, especially since the proposal of this paper focuses on a parliamentary form of youth participation, and may not be able to offer a way for eliminating the influence of political parties. It seems that the developmental features ascribed to party politics actually apply to all forms of organised political participation. A mandatory break in one's political career, a possible remedy suggested by the same author,¹⁴ may be less than efficient in preventing the emergence of power networks in and around political parties. Today's party politics in European countries offers a good deal of examples of how political and economic power can be converted into one another. Yet, and it is important to stress this, while the danger of 'youth politics' is both present and unavoidable, it may be less serious than it seems. Disinterest in party politics, observed by many political analysts,¹⁵ is certainly not a blessing for democracy, but it diminishes the overall impact of party socialisation on politicians-to-be. At the same time, the phenomenon highlights the necessity of looking for different paths for children and young people to find their way into democratic politics.

2.3 Consultative Forms

Examples of the third form of participation include youth councils and student parliaments. These

<https://www.spd.de/unterstuetzen/mitglied-werden/>).

12 That applies to European democracy in general, not only age-related aspects. To the factors mentioned by Jakab under the heading 'non-legal political and social infrastructure', a common European party system needs to be added. Cf. András JAKAB, *European Constitutional Language* (Cambridge: Cambridge University Press, 2016), pp. 188–194.

13 Cf. Andreas MASVIE, The Ethical Dilemma of Youth Politics, *Journal of Practical Ethics* 5(2) (2017), pp. 114–121.

14 *Ibid.*, p. 120.

15 See, e.g., Matt HENN / Mark WEINSTEIN / Sarah FORREST, Uninterested Youth? Young People's Attitudes towards Party Politics in Britain, *Political Studies* 53(3) (2005), pp. 556–578, and the studies in Joerg Forbrig (ed.), *Revisiting youth political participation: Challenges for research and democratic practice in Europe* (Strasbourg: Council of Europe, 2005).

operate at different levels, either local or national, and may have various weights in actual decision-making. What is common to these, however, is that they are usually organised on a representative (and often electoral) basis, and their activity is confined to issues directly concerning the respective group of children or young people. That latter limitation, as indicated above, may also limit the possibility of developing decision-making skills, even though there may be ample scope for student/youth representatives to deal with interests that are not necessarily those of their own. On the other hand, that issue also raises the problem of legitimacy, i.e. the question of why young people should be privileged in the sense that they have a way to political decisions that is based entirely on their age or student status.

3 Young Citizens' Participation in EU Decision-Making

In this section, I shall first look at youth participation and representation at the European level¹⁶ through two examples that seem to be characteristic: a procedural form (the 'Structured Dialogue') and an organisation (the European Youth Forum).

3.1 Structured Dialogue

Since the early 2010s, work on the political participation of young citizens in the European Union has taken the form of a Structured Dialogue (SD), a consultation procedure intended to mediate between stakeholders and decision-makers.¹⁷ SD takes place in 18-month cycles, each falling into three phases, which correspond to different Presidencies. Political participation was in the focus of the second cycle, in 2011 and 2012, under the title 'Youth Participation in Democratic Life in Europe', under the respective Presidencies of Poland, Denmark and Cyprus. Following that, the fourth cycle, in 2014 and 2015, was entitled 'Empowerment of Young People for Political Participation', under the Italian, Latvian, and Luxemburg Presidencies.

As the European Youth Portal explains to its readers,

The themes and topics for discussion are decided at European level by EU Youth Ministers; then a committee of the current trio of EU Presidency countries, the European Commission and the European Youth Forum is responsible for coordinating the process and deciding upon sets of questions to be asked to young people across Europe twice a year.

These questions are then used as the basis for national consultations in each EU country, which are organised by National Working Groups, and in most cases they are led by youth councils and include other youth organisations and stakeholders.¹⁸

The resulting documents then form the basis of discussion at EU Youth Conferences, hosted by

16 The most recent documents of the EU on the topic are European Commission, *Engaging, Connecting and Empowering young people: a new EU Youth Strategy*, COM(2018) 269 final [https://ec.europa.eu/youth/sites/youth/files/youth_com_269_1_en_act_part1_v9.pdf], and European Commission, *Results of the open method of coordination in the youth field 2010-2018*, SWD(2018) 168 final [<http://data.consilium.europa.eu/doc/document/ST-9264-2018-ADD-1/en/pdf>].

17 The importance of consulting young people in relevant fields of EU policies was highlighted already in the 2001 White Paper *A New Impetus for European Youth*. In particular, a structured dialogue with young people and their organisations was called for in a 2005 Council Resolution.

18 *European Youth Portal*, http://europa.eu/youth/eu/article/115/13991_en.

the countries holding the Presidency, where Joint Recommendations to the European Council are formulated. A 2016 report on the evaluation of the SD procedure pointed out, however, that ‘there are challenges in turning joint recommendations and conclusions made at EU level into concrete initiatives at both the EU and national levels. Several Stakeholders, for instance, mentioned that the value of the SD lay more in the skills it allowed participants to develop, than in its influence on policymaking at national or EU level’.¹⁹ That problem, however, does not reappear among either the ‘key points’ or the ‘potential topics for further discussion’ listed in the same document: it is only effectiveness in general that is mentioned.²⁰

What we see here, then, is an opportunity for young Europeans to participate in a consultative form of political activity, yet with a limited impact on actual decision-making.²¹ Thus, the skills of the participants developed through the process seem to be closer to those related to advocacy. That impression is confirmed by looking at the possible ways of getting involved. Young people are either approached with a set of questions to be answered, or participating in a national consultation, or they can contribute to formulating these questions, mainly through the European Youth Forum, along the lines determined by youth ministers of the EU Member States. These forms of participation should by no means be underestimated. They can both raise the ‘EU awareness’ of young citizens through the questions, and offer ways of gathering experience and building networks, at the national as well as the international level, for those interested in European politics. What remains to be added to that scope is political empowerment, and responsibility, for both youth representatives and the represented.

It seems that the easiest way to achieve such empowerment is through the parliamentarisation of some representative youth organisation. As a possible comparison, or at least a contrast, the European Youth Forum is examined in the next subsection.

3.2 European Youth Forum

As we have seen, one of the key actors in the SD is the European Youth Forum (EYF). Founded in 1996 through the merger of three European youth organisations (the Council of European National Youth Committees, the European Coordination Bureau of International Youth Organisations, and the Youth Forum of the European Union), EYF now works as an international non-profit organisation under Belgian law.

According to its Statutes,²² the EYF regards itself as an advocacy and coordinating ‘organisation

19 *Future of the EU Youth Strategy: “Youth participation: reform of the Structured Dialogue and beyond”* [https://ec.europa.eu/youth/sites/youth/files/eyw-structured-dialogue_en.pdf], p. 1.

20 *Ibid.*, p. 4.

21 See also a German case study: Eva FELDMANN-WOJTACHNIA / Barbara THAM, *The Structured Dialogue in Germany – Resonance and impact: Evaluation report on the first phase of the implementation within the framework of the EU Youth Strategy in Germany (2010–2013)* (Munich: C•A•P Research Group Youth and Europe, LMU Munich, 2014), stating that ‘[i]f the Structured Dialogue is to do justice to its claim of being an instrument to enable more youth participation and dialogue between youth and politics, the use of different formats and multiple channels of communication as well as varied ways of implementation is necessary. [...] For most actors, a concentration or reduction of the Structured Dialogue to a mere consultation procedure appears to be too limiting’ (*ibid.*, p. 21).

22 Cf. European Youth Forum, *European Youth Forum Statutes* (2014)

of organisations'. With its 104 institutional members, 41 of which are national youth councils (NYCs), it reaches beyond the borders of the EU, including NYCs from, *e.g.*, Russia, Georgia, and Belarus. It also reflects ethnic-regional diversity, having among its members NYCs of Francophone, Flemish, and German Belgians, and the NYC of Catalonia alongside Spain,²³ albeit with only one vote per state divided among them.²⁴

In terms of governance and decision-making, the highest forum of the EYF is the General Assembly (GA), with a Council of Members (CM) meeting between the bi-annual sessions of the GA. These bodies determine EYF's working plan and guidelines (GA) and develop its policies (CM), to be implemented by the Board responsible for the running of the organisation. Members of the Board are elected by the GA, with nominations coming from organisations with full EYF membership.

From the perspective of EU decision-making, the chief virtue of the EYF is its wide outreach into the field of youth organisations. Focusing on the individual citizens, however, it is easy to notice that its functioning is based on people who are already active in some form of youth politics. That is true not only for those international organisations that are linked to some of the EP groups (such as the Democrat Youth Community of Europe or the Young European Socialists, to name just two), but also for other members. Thus, it seems that while its work contributes a good deal to achieving substantive representation in youth politics, it does not add to the ways of formal representation, nor does it broaden the scope of individual participation. That said, part of EYF activities are directed at fostering youth participation in politics, by disseminating information on the functioning of European decision-making as well as by advocating proposals to that effect. The question, then, is whether it is possible (and desirable) to work towards a stronger (formal) democratic representation of young Europeans. The following sections tackle that question from a positive and a negative perspective: first, by outlining a parliamentary form of youth representation, then by looking at the possible objections as to its legitimacy and its compliance with the principle of subsidiarity.

4 Parliamentarising European Youth Politics?

With EYF playing an important role in making young people's preferences visible at the European level, there seems to remain some scope for a different form of political representation. As mentioned above, EYF's bottom-up work seems to be closer to advocacy than participation in deliberative decision-making. That is clearly based on the idea that decision-making in the EU belongs to the Commission on the one hand, and the Council, together with the Parliament, on the other. What remains for NGOs within that framework is to make these bodies hear their voices. From a developmental perspective, that is certainly an important exercise, but not the only one necessary for reaching civic competence.

4.1 A Proposal

[https://www.youthforum.org/sites/default/files/page-pdfs/0010-14_European_Youth_Forum_statutes_ENG_FINAL_APRIL2014.pdf].

23 Cf. <http://tools.youthforum.org/memberorganisations/>.

24 Cf. European Youth Forum, *op. cit.*, Art. 3.3.A.

If one wishes to see young citizens practicing political decision-making at a European level, then a parliamentary form of representation seems worth contemplating. That is not to say that it would make other forms obsolete or replace these. Rather, it would appear as an addition to the existing, mostly advocacy-focused, ways of political participation. Its added value would be in actually producing youth-centred decisions, but also in making European politics accessible to young citizens, both as electors and as representatives.

The above considerations are not meant to speak for a specific type of parliamentary representation. Youth representatives could be integrated into the system of EU decision-making either as a separate body ('Youth Parliament') or as part of the legislation ('Youth Chamber'). What matters for us here is the powers and the principles of elections.

In terms of powers, there are, again, two possibilities. Either the list of subjects on which the youth parliament/chamber can legislate (in a positive or negative way, the latter referring to veto power) is limited, or the ways in which it can contribute to legislation. Given the reasons for parliamentary representation, a combination of the two seems to be the most viable, with various lists of legislative subjects, in which the youth parliament/chamber has full competence, the power to initiate legislation, consultation right, or veto powers, respectively.

The principles of elections also offer a range of possibilities. What needs to be decided first is whether there should be age limits for either active or passive suffrage, and if yes what these should be. These questions are of particular importance for both the perspectives represented by the legislative body, and the developmental effects of participation. Moreover, the choices made here also have an impact on the legitimacy of its powers (see the next subsection).

While there are arguments (*e.g.* that of a stronger democratic legitimacy at the nation-state level) for not imposing an age limit on electors and/or candidates, having a clear age profile seems to be preferable, as it can ensure young citizens' votes do not get outnumbered by those from other age groups.

The next question is, then, where the age limits should be. In most European countries, the age definitions of 'children' and 'youth' overlap, with the former usually having an upper limit of 18 years, and the latter starting with 15 years.²⁵ Now, if the emphasis is on providing access to politics to citizens who do not otherwise have it, then the focus should be on children not yet having suffrage at general elections. If, however, a more informed, and perhaps more future-oriented perspective is what we aim at, then at least a certain overlap seems desirable (*e.g.* 14 to 21 years).

Nominations could be made at least partly independent from political parties, by allowing NGOs (of a certain weight in terms of membership) to put up names on the list of candidates. That right might as well be limited to international NGOs working at the European level, to allow for the unfolding of a supra-national European political scene.

4.2 The Legitimacy Problem

25 Cf. European Commission, *EU Youth Report 2012* (Luxembourg: European Union) [http://ec.europa.eu/assets/eac/youth/library/reports/eu-youth-report-2012_en.pdf], p. 32.

Not independently from the composition of the electorate, the problem of legitimacy can be raised here. If democratic powers are to be conferred on a new legislative body, it needs to be seen where and how these come from. From this perspective, a children's parliament for those under 18 or 16 years (depending on the age limit of suffrage) would be the easiest to justify, since it would fill the 'democratic deficit' for them by establishing a certain form of direct representation. Another solution could be not to have any (at least any upper) age limit for either the active or the passive suffrage. In that case, the same electorate would create both representative bodies, the Parliament as well as the youth parliament, leaving no space for questioning their pedigree of formal legitimacy (whereas the rationality of such a reform could be challenged).

But how to explain democratic powers in the case of a legislative body consisting of children together with young people? That can only be done by referring to the special relevance of the legislative subjects for the members of the electorate and the representatives themselves. In the case of children, it also needs to be shown that they are competent in general, and also aware of the character and relevance of the respective subjects in particular. For young citizens above 16/18 years, what needs proof is their need for additional representation alongside the 'regular' one of the European Parliament. In the absence of such proof, one can still suggest that voting at either of the elections (the 'regular' one, or the 'youth elections') should preclude voting at the other. Citizens would then have just one vote, which they could use at either of the elections but only once.

4.3 The Subsidiarity Problem

The problem of subsidiarity is closely related to legitimacy. Here, the basic objection is the same as the one against the European Parliament: if the EU receives its powers from the democratically elected governments of nation-states, then it should not seek direct legitimacy from the citizens of those states. From that perspective, the lack of a European *demos* is not a shortcoming but a virtue. Adding a further direct representative organ to the EU decision-making system would, on that account, go indirectly against the principle of subsidiarity, as it would result in more decisions being made, in the field of youth policy, at the European level. Moreover, by contributing to the formation of a European *demos*, and by broadening the scope for individual participation in European politics, it would go against what the EU was meant to be, i.e. a means in the hands of the national governments.

Since that objection seems to be based on a certain interpretation of sovereignty, the answer to it needs to look at possible interpretations of the concept, too. It needs to be pointed out that under a democratic government, state sovereignty cannot be referred to as an argument against the citizens' exercise of power. By participating at the general European elections, the citizens make it clear that they wish directly to contribute to the development of European politics, in the same way as they contribute to the development of national politics by way of voting at the national elections.

Moreover, a change in the system of decision-making does not in itself violate the principle of subsidiarity, as it does not necessarily result in exerting competences held by member states. What it may do is to exert competences now belonging to the European Parliament, which the

latter has due to the treaties concluded by the member states themselves. Thus, the reform remains at the level of the EU, and does not interfere with the states' power to shape their respective youth policies.

Conclusion

Thinking about ways of making our societies more sustainable often results in a wide array of institutional proposals being compared for their expected efficiency. That is certainly not a mistake, since several possibilities can, and indeed have to, be contemplated at the same time. Yet while being overly dogmatic may be a vice, there seems to be some merit in also comparing the principles and ideas underlying specific institutions.

In the first half of this paper, I attempted such a comparison in terms of the political participation of children, trying to apply the resulting insights to the context of the European Union. I argued that for that case of democratic inclusion, a developmental approach to children's citizenship may be the most adequate. That then provided the criterium for assessing some of the possible institutional forms of children's participation in public decision-making. While I do think that several different forms of participation can be practiced at the same time, with each contributing to the development of young citizens, I also think that consultative forms of participation deserve a special attention. All these seem to be relevant for the EU, especially if one is meditating about the sustainability of democracy, rather than just democratic ways of making sustainable policies.

In the second half, I first discussed consultative forms of young citizens' participation in decision-making at the EU level. It seems that while both the procedural form of the Structured Dialogue and the European Youth Forum as an 'organisation of organisations' play an important role in young people's civic development, there is some scope for creating the possibility for under-age citizens to practice decision-making in a parliamentary form. After a brief outline of that proposal, focusing on electoral principles, I turned to the possible objections, and tried to answer two of them: the legitimacy problem and the subsidiarity problem. I hope to have shown that the proposal is compatible not only with the developmental approach I advocated in the first half of

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