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DIRECT DEMOCRACY AND SOCIAL NETWORKS – PERSPECTIVES FOR ELECTIONS FOR EUROPEAN PARLIAMENT

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ABSTRACT

In this article, authors tried to connect concepts of direct democracy with modern technologies and social networks in order to propose improvement of nature of elections for European Parliament. Article aims to analyze historical development of idea of direct democracy with modern concept implemented in Switzerland and possible connection with elections for European Parliament which are the most important elections in the EU. Authors tried also to connect modern technologies emanated in social networks with specific focus on Facebook and X with democratical procedures in the EU. Conclusion is that the future of the EU and elections for European parliament lies in more involvement of citizens via social networks which will legitimize process of democratic decision in the EU and also includes more participation of citizens in the institutional work of European Parliament.

KEYWORDS

direct democracy, social networks, European Parliament, elections

INTRODUCTION

Direct democracy is a regime which the adult citizens as a whole debate and vote on the most important political decisions and where their vote determines the action to be taken (Budge, 1996). Most countries that are representative democracies allow for three forms of political action that provide limited direct democracy: referendum (plebiscite), initiative, and recall. The first two forms: referendums and initiatives are examples of direct legislation (Smith, 2009).

Compulsory referendum subjects the legislation drafted by political elites to a binding popular vote. This is the most common form of direct legislation. Popular referendum (also known as abrogative or facultative) empowers citizens to make a petition that calls existing legislation to a citizen's vote. Institutions specify the time frame for a valid petition, the number of signatures required, and may

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require signatures from diverse communities to protect minority interests (Smith, 2009). This form of direct democracy effectively grants the voting public a veto on laws adopted by the elected legislature.

Power of Initiative allows members of the general public to propose specific statutory measures or constitutional reforms to the government, and as with referendums, the vote may be binding or simply advisory. Initiatives may be direct or indirect: With the direct initiative, a successful proposition is placed directly on the ballot to be subject to vote (as exemplified by California's system) (Smith, 2009). With an indirect initiative, a successful proposition is first presented to the legislature for their consideration; however, if no acceptable action is taken after a designated period of time, the proposition moves to direct popular vote. Such a form of indirect initiative is utilized by Switzerland for constitutional amendments.

Some writers with anarchist sympathies have said direct democracy is opposed to a strong central authority, as decision making power can reside at only one level – the people themselves (through direct democracy) or the central authority which is often Assembly.

HISTORICAL DEVELOPMENT OF IDEA OF DIRECT DEMOCRACY

The earliest known direct democracy is said to be the Athenian democracy in the 5th century BC, although it was not an inclusive democracy: women, foreigners and slaves were excluded from it. The classical *polis* was marked by unity, solidarity, participation and a highly restricted citizenship (Held, 1987). But it is necessary to mention that women and slaves didn't have right to vote or to participate in political life of polis. The achievement of classical democracy were directly linked to the politically unrecognized work and domestic service of women (and children) (Held, 1987).

The main bodies in the Athenian democracy were the assembly, composed of male citizens; the *boulê*, composed of 500 citizens; and the law courts, composed of a massive number of jurors chosen by lot, with no judges. The citizenry as a whole formed the key sovereign body of Athens: the Assembly. The Assembly met over 40 times a year and had a quorum of 6.000 citizens. All major issues such as the legal framework for the maintenance of public order, finance and direct taxation, ostracism, foreign affairs came before assembled citizens for debate and decision (Held, 1987). There were only about 30.000 male citizens, but several thousand of them were politically active in each year, and many of them quite regularly for years on end.

The Athenian democracy was *direct* not only in the sense that decisions were made by the assembled people, but also in the sense that the people through the assembly, *boulê* and law courts controlled the entire political process and a large proportion of citizens were involved constantly in the public business (Raaflaub et al., 2007). The Greeks probably invented the use of formal voting procedures to legitimate decisions in the face of conflicting positions. But the ideal remained consensus, and it is not clear that even a majority of issues was put to the vote (Mansbridge, 1983). This type of democracy enabled economic, cultural and political development of Athens. But cultural achievements rested until nowadays to testify about one time, where ordinary people could have an influence on state affairs. If those cultural masterpieces such as Parthenon, Erechtheon and Propileus are cultural heritage of whole world, why political regime of direct democracy can't be political heritage to the whole world? We think that this model of democracy can be implemented very soon in Europe, especially because it has roots from deep past of first developed European civilization.



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In theoretical sense idea of direct democracy was dead during whole Middle Age, but it revived with theory of social contract, which was very innovative in political theory, and made an inspiration for French revolution in 1789. In the history of political theory, theory of social contract rested specifically related with Jean Jacques Rousseau. Some authors like David Held thinks that model of direct democracy was implemented in Italian city-republics. Held claims that model of direct democracy „was fully re-examined, re-articulated and re-advocated, although it directly re-entered European political thought with the Italian Renaissance and the flourishing of the Italian city-republics (Held, 1987).”

We can agree in some sense that this statement is true, but Italian city-republics was not so highly relevant in examination of this model of democracy, because they weren't self-sufficient models like Ancient Athens, and they had strong will to create big, unified Italy. Also Machiavelli as the most prominent thinker of that time didn't revive ancient model of direct democracy in his political theory in whole manner. He had some fragmentary reviews on that issue. So, it rests that Rousseau revived this model and after him, Karl Marx and Friedrich Engels made deeper examination of this model and put it in their theory of creation of new economic, political and cultural order called socialism. So it is obvious that the classical model of democracy and its critique have both had an enduring impact on modern Western political thought.

Rousseau claimed that for development of each human being, it is necessary that each human being can have power to make influence on political questions which are relevant for him. In his classic *The Social Contract*, he assumed that although humans were happy in an original state of nature, they were driven from it by a variety of obstacles to their preservation (individual weaknesses, common miseries, natural disasters) (Rousseau, 1968).

Rousseau tried to make approach to the idea of direct democracy with claim that all citizens should meet together to decide what is best for the community and enact the appropriate laws. This claim was disavowed with another claim which said that it is impossible to meet all people on one place in the same time. But in the 21st century with development of social networks this problem is solved, And that is key reason why we are trying to prove that direct democracy need to become political regime in this time.

Rousseau was pleading for society in which the affairs of the state are integrated into the affairs of ordinary citizens (Rousseau, 1968). The role of the citizen is the highest to which an individual can aspire. But it is very important to have aware citizen, who will have wright view on political events in his community. When we look in European Union today, we are completely sure, that aware citizen is citizen of European Union. So much money invested in education will turn back, when it comes to making political decisions by those educated citizens.

Rousseau recognized that opinions may differ about the „common good” and he accepted a provision for majority rule: „the votes of the greatest numbers always bind the rest” (Rousseau, 1968). It is clear that principle of majority should be kept, for one natural reason, and that is that people think in a different way. Also he made distinction of „general will” and „will of all”. It is the difference according to him, between the sum of judgements about the common good and the mere aggregate of personal fancies and individual desires (Rousseau, 1968).

What is also important in Rousseau's work is that he realized that political rights are strongly connected to economic status in society. Later, this idea, Marx will exploit for his theoretical explanation of logic of capitalism. Rousseau desired a state of affairs in which “no citizen shall be rich enough to buy another and none so poor as to be forced to sell himself”(Rousseau, 1968).

Rousseau argued in favour of a political system in which the legislature and executive functions are clearly demarcated (Held, 1987). Rousseau claimed that it is necessary to have Assembly and Government, but Assembly will have power to elect and to control Government. Government is



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necessary for communication and for implementing laws. These theoretical approach made influence on Convent constitution in 1793.

Rousseau's overriding concern was with what might be thought of as the future of democracy in a non-industrial community, that is, a community like his native republic of Geneva, which he greatly admired. His vision of democracy was evocative and challenging; but it was not connected to an account of politics in a world faced by rapid political change and by change of an altogether different kind: the industrial revolution, which was gathering pace at the end of the eighteenth century and beginning to undermine traditional community life (Rousseau, 1968).

After Rousseau, development of idea of direct democracy is linked to Marx and Engels. In their very famous work named *The Communist Manifesto* it was written: „In place of the old bourgeois society, with its classes and class antagonisms, we shall have an association, in which the free development of each is the condition for the free development of all” (Marx, Engels, 1969). Something similar like Rousseau thought.

When it comes to the best political regime, Marx said that the machinery of the liberal state would be replaced by the Commune structure. All aspects of the government would then, according to Marx, be fully accountable: „the general will“ of the people would prevail. The smallest communities would administer their own affairs, elect delegates to larger administrative units (districts, towns) and these would, in turn, elect candidates to still larger areas of administration (the national delegation). This arrangement is known as the „pyramid“ structure of direct democracy: all delegates are revocable, bound by the instructions of their constituency and organized into a „pyramid“ of directly elected committees (Held, 1987).

Similar to Rousseau's thought that English people are free only when elections are organized, but they are slaves in the period between elections, Marx concluded that parliaments create unacceptable barriers between the ruled and their representatives; a vote once in a while is a wholly insufficient basis to ensure adequate representation of the people's views. A system of direct delegation overcomes this difficulty, as it does the fundamental lack of accountability introduced into state power by the principle of the separation of powers (Held, 1987). All state agencies must be brought within the sphere of a single set of directly accountable institutions (Polan, 1984). While Marx's model of direct democracy departs in many aspects from the model of ancient Athens, and from Rousseau's related conception of the self-governing republic. it is hard not to see in it, at least in part, an attempt to recover directly the radical herotage of these positions against the tide of the liberal tradition (Marx, 1975).

Modern-era citizen lawmaking began in the towns of Switzerland in the 13th century. In 1847, the Swiss added the „statute referendum” to their national constitution. They soon discovered that merely having the power to veto Parliament's laws was not enough. In 1891, they added the „constitutional amendment initiative.” Swiss politics since 1891 have given the world a valuable experience base with the national-level constitutional amendment initiative. In the past 120 years, more than 240 initiatives have been put to referendums. The populace has been conservative, approving only about 10% of these initiatives; in addition, they have often opted for a version of the initiative rewritten by government.

Switzerland is a rare example of a country with instruments of direct democracy (at the level of the municipalities, cantons and federal state). Citizens have more power than in a representative democracy. At the federal level, citizens can propose changes to the constitution (federal popular initiative) or ask for a referendum to be held on any law voted by the parliament. Swiss citizens vote regularly on any kind of issue on every political level, such as financial approvals of a school house or the building of a new street, or the change of the policy regarding sexual work, or on constitutional changes, or on the foreign policy of Switzerland, four times a year (Slater, 2013). In Switzerland, simple majorities are



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sufficient at the municipal and canton level, but at the federal level double majorities are required on constitutional issues

A double majority requires approval by a majority of individuals voting, and also by a majority of cantons. Thus in Switzerland a citizen-proposed amendment to the federal constitution (i.e. initiative) cannot be passed at the federal level if a majority of the people approve but a majority of the cantons disapprove. For referendums or propositions in general terms (like the principle of a general revision of the Constitution), a majority of those voting is sufficient (Swiss Constitution, 2005). In 1890, when the provisions for Swiss national citizen lawmaking were being debated by civil society and government, the Swiss adopted the idea of double majorities from the United States Congress, in which House votes were to represent the people and Senate votes were to represent the states. According to its supporters, this "legitimacy-rich" approach to national citizen lawmaking has been very successful.

Kris Kobach claims that Switzerland has had tandem successes, both socially and economically, which are matched by only a few other nations. Kobach states at the end of his book, that observers too often deem Switzerland an oddity among political systems. It is more appropriate to regard it as a pioneer (Kobach, 1993).

We think that Swiss political system, as an example, will become very relevant for prevailing democratic deficit in the EU. As long as citizens of the EU don't feel that they can have an influence on making political decisions in the EU, democratic deficit will exist. The tendency towards greater citizen involvement and transparency within the EU is reflected in its accession to the Aarhus Convention. The aim of the Aarhus Convention is to strengthen the role of citizens and civil society organizations in environmental matters, based on the principles of participatory democracy (Vlajnić, Spasojević, 2023).

When it starts to create electoral system which will enable voting on municipality level and further control of work of elected members, discussions with them, and lifting the veil of secret negotiations between members, then problem of democratic deficit will simply disappear.

FACEBOOK AND DIRECT DEMOCRACY

Facebook has started with work on 4. February 2004., and today is used by more than billion people on Earth. Idea of some students of Harvard about online community of friends with photos and profiles which they post alone, or idea about creation interactive virtual community parallel with social communities, which exist in real world, today is reality (Mezrih, 2010). It is very important to know that information which Facebook gets from users become property of Facebook, which can trade and get profit (Diligenski, Prlja, 2014). The most legal problems on Facebook are connected to right of privacy (Spasojević, Miladinovic Bogavac, 2018), protection of files and possibility of realization of right on legal protect. This questions are regulated by directives and primarily Directive of protection of files – Directive 95/46/EC, Directive of privacy and electronic communications – Directive 2002/58/EC, Directive which change Directive of privacy and electronic communications, Directive which also change Directive of privacy and electronic communication – Directive 2009/136/EC and Telekom package Directive – Directive 2009/140/EC.

For our hypothesis of using possibilities which Facebook guarantees for making easily process of elections for European Parliament, it is very important to analyze how ordinary citizen creates relation with Facebook, and why Facebook profile is necessary. Well, Facebook profile enables participation in Facebook community and consider respect for some rules, which are prescribed in Facebook rules of work, and abovementioned directives. So, proper question is not should ordinary citizen create Facebook



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profile, inspite that, question is can ordinary citizen leaves Facebook community. Assumption is that he has freedom to access to Facebook or not. This freedom should be kept, even when election process start to organize via Facebook. But if ordinary citizen wants to leave Facebook community, he has two options. First option is deactivation of profile, but profile still stay unerased. All files stay on Facebook servers and user can easily retake profile. But if someone wants to erase completely his/her profile, than it is necessary to send request to center for help and make click to erase profile. After that, Facebook need to give confirmation. For this situation, exists one interesting legal issue. If user in meantime log into his profile, and order for erasing profile is sent, that request stops and automatically activate membership on this social network. For Facebook users it is important Article 8 Charter of European Union about basic rights, which regulate right of protection personal files. Specifically it should note paragraph 2 of this article, which for revision of files is necessary previous approval holder of files (Diligenski, Prlja, 2014).

But before all of this, it will be necessary to educate people in a sense to be informatically literate and parallel with that raising awareness of importance of usage of social networks in the 21st century, in the context of elections for European Parliament, about importance of using Facebook as a mediator in a political process. People can enjoy own rights and freedoms only if they know that its belong to them, if they are capable to recognize when rights are threatened or denied and at least, if they are ready to fight in legal way for protection of their own rights (Jering, 1998).

For appropriate usage of social networks in political processes it is necessary to exist neutrality of internet network. For neutrality of internet network it is highly important to explain 5 aspects:

1. Internet as a global network is made that it is possible freely to spread and accept information. Beside that internet is a moving force of economy in the 21st century, mostly because of business which are arranged by this network. Internet is a bridge which connects communication among people (Diligenski, Prlja, 2014).
2. For using of internet network and that network have to be on optimal level for using, it is necessary constantly to invest in equipment and capacities of internet network. Those costs are covered by internet service providers.
3. State should be regulator of all of this relations and it is that, which should enable fair-game on market. State is also, in European legal systems, protector of human rights, and before all right of privacy and secrecy of electronic communication. Simultaneously, the state must not excessively intervene in private legal relationships where the principle of autonomy of will is dominant (Rašević, Vlajnić, 2022). But it is also very important that states shouldn't violate right on privacy, even though in this time, secret services can open profiles in order to search criminals or to prevent execution of some criminal act (Diligenski, Prlja, 2014).
4. Individuals are next important element of this relation, which state has to enable free expansion and acceptance of information. This right is guaranteed in a way of right on free opinion and expression. It is regulated in article 10 of European Convention of Human Rights and article 11 of Charter of Fundamental Human Rights of EU. It is based also on money which individuals invest through salaries and taxes in infrastructure of network. All this guarantees are related on guarantees from state to individuals. Private sector is not considered and it is left that its relations to individuals regulate by contract law (Prlja, Diligenski, 2011).
5. Facebook in this context is a mediator or better, regulator which enable easily and quicker acceptance and sending information on internet network and communication among individuals. It is important to say that Facebook has some elements of statehood, but it misses complete infrastructure, and that is internet network (Diligenski, Prlja, 2014).



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By all odds, politics and law are apparently politics and law are in great backlog about the rest of the technology, but also the basic principles that have made the modern state no longer able to follow the development of the Internet and the flow of information. It seems that though after all the above circumstances and in the case of Facebook, ultimately happen to people (Diligenski, Prlja, 2014).

This is one additional argument to our hypothesis. It is obvious that political regimes of representative democracies are not able any more to cover their faults against development of social networks, who unveiled all mistakes of that regimes. Also communication between citizens in each country, specifically in European countries, and of course, in EU, has become more faster and it will definitely produce process of political reforms. If old political institutions are not capable to sustain normal political life in the community they should be changed. We will stay only on institution of elections for European Parliament, but this new political regime will shake all institutions of EU and cause great political reshaping, and inevitably change source of political power. Political elite won't be in a position to control life of ordinary citizens. In spite of that, ordinary citizens will control political elite. But precondition of all political reforms is education of people for using social networks and raising awareness of necessary to make an influence on political decisions. It can be seen that this process is going in a proper direction, but not fast enough.

Definitely, changing of election process will be first, but very huge step in sense of reshaping political regime in the EU. Direct democracy will become very soon reality, with all its advantages. Direct democracy is not history, direct democracy is future.

ELECTIONS FOR EUROPEAN PARLIAMENT AND DIRECT DEMOCRACY VIA FACEBOOK AND X NETWORKS

Political system of the European Union is the most developing political system in the world. So, it will be very logical to expect that election process for European Parliament will become very soon digitalized, and probably become quicker with using Facebook as a mediator. But those elections won't be only relation between citizens and politicians. Tweeter and Facebook will enable constant pressure on governing elite and constant interest of citizens for decisions of European institutions. In that sense, this proposal will be step forward in the future, because electoral voting is not new idea, but using of two greatest social networks in political process is definitely something new.

So, it is very important to note that Facebook will be used for electoral process, and Tweeter will be used after elections for discussion between member of European Parliament and his/her voters from electoral unit, where he was elected.

European Union started with this process in 2010 with e-Government Action Plan i2010. It provides electoral voting as a future of EU. ICT have great potential to involve large numbers of citizens in public debate and decision-making. Indeed, 65 percent of respondents to an on-line eGovernment policy poll considered that on-line democracy (e-Democracy) can help reduce democratic deficits. To encourage this potential, the Action Plan proposes support for projects which enhance the use of ICT with the aim of increasing public involvement in the democratic process (Communication from the Commission, 2006).

In the meantime, we are completely sure that process of federalization of European Union will speed up, mostly because of necessary for European states to have better position in economic, military and political temptations in the 21st century. In that reason, political elites will have to redistribute power to citizens, which is only possible with reframing electoral process in a two abovementioned ways. First is implementing electoral voting and second is creating direct democracy as a political regime.



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Possible solution for this problem can be forming type of elections, which will put Member States in the same position. It means if in the EU exists 27 Member States, then they will have to give the same number of members to the European Parliament. This will be step forward to process of federalization of the EU. It can be process of reshaping discrepancies between Member States and it will look like on a U.S. system, where it is not important, which state is rich, or which is poor, or which state has more inhabitants. And also those members, who will be elected, should be elected on a majority principle. Nevertheless, which parties they belong, it will give more power to citizens to elect member, who has moral dignity, knowledge and who will represent them on a right way.

And if that kind of election will be established, than role of social networks will be very important, not only for voting during election process, but also for control of member during its mandate. It will be necessary to create Facebook groups where members will be chosen member of European Parliament, and all voters from his electoral unit. This group will have role to discover what are actions of that member and how him/her see political decisions made in European Parliament. Also it will be necessary for member and all voters from that electoral unit to have profiles on Tweeter, where it will be possible for him/her to discuss with his voters, and not only with them, but to all who will be interested in his actions and his opinions.

This type of elections and political regime will surely prevail huge problem called democratic deficit. Professor Hix expressed that it is necessary to resolve problem of democratic deficit and to allow that answer on this question will be given through ideological fight, respectively confronting ideas (Hix, 2006).

Decisions are adopted by absolute majority presented and voted, while for quorum is necessary to have at least one third of whole members of Parliament. So, decisions of this body can be adopted from very small number of members (Hix, 2006).

It is necessary to mention how political parties will react on this proposal. Definitely this type of electoral process will diminish their power. But, it will push them to choose the best people from each electoral unit for membership in their parties. So, competition in that sense will produce that members of European Parliament will be the best possible people. We think that two main conditions should be placed. First is education, and second is moral dignity. It is not impossible to fulfil those two conditions, especially because people mostly now each other in small communities, but for someone who they don't know biographies of candidates should be published online and available for each one to know as much as possible about who is the best representative of their community. But after elections no matter from which party, member of European Parliament was chosen, he/she will be obliged to represent all citizens of that particular community. And that will be good test for approvation of his/her honesty and loyalty to its community. This provisions will encourage ordinary citizens to involve more in political life in the EU, especially in the work of European Parliament. And when they realize that all of them have they same task, to unit Europe in order to create and preserve economic, political and cultural freedoms, citizens will change their national, particular or separatist views. Despite of that, using of social networks, expanding tourism and educational exchanges between young pupils and students, will be strong barrier to any hate, and will found proposal of making European nation. This should be primary aim for European citizens in the 21st century.

CONCLUSION

The European Parliament's role in the Community's legislative procedure has increased from having, initially, no role what so ever, to having a consultative role, to being a co-legislator with the Council. Parliament has demonstrated its ability to initiate new legislation in areas of concern to the public, to



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force substantial amendments to major legislative proposals and to oblige the Council to review important elements of several of the common positions it has adopted. The European Parliament is now a clearly identifiable part of an institutional triangle. This fact in itself is remarkable in historical terms. The term institutional triangle was virtually unused two decades ago when most commentators referred to a bicephalous Community made up of the Commission and the Council. Now the argument is rather one about preserving and developing the equal status that the Parliament has won with regard to the other two institutions and of making European electorates aware of the contribution that the Parliament is increasingly making to the content of European laws (Corbett et al., 2005, p. 237). Considering that its legislative power does not belong in its entirety to the implementation of financial jurisdictions depends on the nature of expenditure and the implementation of control jurisdiction doesn't have enough possibilities to influence both the Commission and on the Council of Ministers, it can be concluded that the European Parliament isn't the parliament with role that this body has in the national state. This fact should not be interpreted as a lack of this institution. Because it shouldn't been lost sight that this is a body of an international organization.

On the other hand, there is a huge tendency of citizens of the EU to have an institutions which will have democratic legitimacy, an institution which will have political power to solve problems. About importance of this body, professor Kosutic claims that this body becomes, and in the future will be more important than it is now. As a proof of this statement, he gave an example of situation that happened when Jose Manuel Baroso had to be elected for president of the European Commission in 2004. In that time „two national governments were forced to change firstly suggested candidates for members of Commission because Parliament had negative opinion about candidate of Italian government Rocco Buttiglione because of his statements about homosexuality, candidate of Latvia Ingrida Udre because corruption in her party in Latvia and Laslo Kovac as insufficiently qualified for resor of energetics in European Union (Košutić, 2008). If assumption that EU will make to integrate political processes on supranational level, strengthening of control and the introduction of legislative competence of the European Parliament, can be anticipated its transformation into Home nations, bicameral representative body, with the simultaneous inauguration of the Council in the Home state. Then there would be no obstacles for the Commission to assume the position of executive authorities becoming so fully accountable to the European Parliament.

Beside this process of developing of European Parliament, process of development of social networks is much quicker. In context of election process for European Parliament, Facebook will have very important role. It can be mediator, for implementation new political regime called direct democracy and prevailing huge problem of EU called democratic deficit. This type of election process will increase influence of citizens of EU on political elite, reduce power of that elite and make higher legitimacy of the most representative body in European institutions.

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