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Introduction

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Our book intends to focus on the specific link between compromise and democracy. If political compromises have played a significant role in our representative democracies, the nature of the relationship between compromise and democracy, generally, has raised tricky theoretical questions and generated ambiguous evaluations. Existing studies have tackled the ambivalent relationship between compromise and democracy from different angles.

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On the one hand, there is a multitude of contributions (from various and sometimes divergent inspirations) pleading against political compromises in democracies (Baume and Papadopoulos 2019). First, compromises might be struck at the expense of essential (even universal) values. For this reason, compromise is sometimes deemed nihilist in essence (Hallowell 1944). Second, compromises might impact the consistency of values that political actors have to align with. A prominent representative of that line of thought, Dworkin, considers checkerboard laws a violation of principled coherence (1986: 184) because they regulate political differences by treating similar situations differently without a justification in principle (Dworkin 1986: 179). Third, compromises would generate, reveal or exacerbate inequalities (Ruser and Machin 2017) because compromisers would have different and unequal negotiation powers. Fourth, a widespread practice of compromise can diminish the quality of political debates because the number of political voices that are heard diminishes. Indeed, compromise solutions tend to rule out original and less consensual perspectives (Ruser and Machin 2017). Fifth, compromise would erase the conflictual dimension of politics, considered, notably by Mouffe, as paramount (1998: 13).

On the other hand and by contrast with the preceding, there is a body of literature dedicated to the defence of compromise. These contributions are part of a movement in favour of the revalorisation of the practice of compromise in our democracies. Such a position is being pioneered by Kelsen, who considers that, in the face of the profound social divisions of class society in a democratic context, compromise constitutes a desirable issue (1927). To him, compromises play a crucial role in the moderation process between the majority and the minority, and although they do not fully meet the preferences of the minority, neither are they completely contrary to their wishes (Kelsen 2007: 288). In a word, compromise would best incarnate the principle of self-determination that is at the core of his democratic theory (Kelsen 2007: 288). In the same vein, Rostbøll affirms that "the reasons for compromise are inherent in the democratic ideal" (2017: 620) because compromise "respects the parties as joint participants in collective self-legislation, or, in short, as co-rulers" (2017: 629). By the same token, Bellamy (2018) asserts that in democratic systems and above all in culturally heterogeneous states, majority decisions

are much more exclusive than compromises that are able to integrate minoritarian groups that would otherwise be eclipsed. A defence of compromise is also presented by Gutmann and Thompson (2014: 204), who state that, "If politics is the art of the possible, then compromise is the artistry of democracy". Those contributions indeed play a crucial role in the revaluation of compromise in the face of a dynamic political polarisation in our democracies, as Gutmann and Thompson (2010: 1125) point out (while they focus on the American context, it is not unreasonable to understand polarisation as a widespread phenomenon in our contemporary age).[1] Another kind of rehabilitation of the concept of compromise comes from defending the possibility of a non-strategic but principled compromise, notably when citizens "have principled reasons to compromise that are […] supererogatory" (Weinstock 2013: 552). Weinstock provides here an example of political communities, inclined to compromise in order to avoid the "winner-take-all" paradigm, which can be deleterious for minorities (Weinstock 2013: 552). Such a claim opposes May's argument according to which political compromises are necessarily strategic (2005).

Moreover, and from a different perspective from the preceding, other contributions attempt to clarify a map on good and bad—or just and unjust—compromises and to draw a line between them. Such evaluations appear notably by Margalit (2010), who raises the question of when a compromise should be morally prohibited, or, to put it differently, which compromises must be called "rotten compromises", either because they support an "inhumane regime" (Margalit: 2010: 6) or because they deal with evil persons, such as Adolf Hitler (Margalit 2010: 22–23). Margalit rests his argument on examples that mostly relate to international relations, such as the Munich Agreement, the Yalta Conference or the Arab-Israeli peace negotiations. In the same vein, van Parijs (2012) contributes to the elaboration of distinctive criteria of a "good compromise", while discussing three "conjectures": a good compromise

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[1] As mentioned by Mudde (2004: 544), "Populism presents a Manichean outlook, in which there are only friends and foes. Opponents are not just people with different priorities and values, they are *evil*!"

would, first, be "honourable"[2]; second, "contribute to the progress of justice"; and third, be "Pareto-improving". Even if Margalit's and van Parijs' explorations do not apply, in original intention, to democracies, we consider them pertinent in such a context. In fact, they are often discussed in studies of democratic decision-making (Bellamy 2012; Overeem 2017; Rostbøll 2017). In such a debate on the "fairness of compromise", Wendt (2019) distances himself from Margalit (2010), notably challenging the perspective according to which achieving a compromise with "evil parties" is necessarily morally wrong.[3]

Political compromise in democracy generates paradoxes or strong ambiguities, according to us, for at least four reasons: first, because, as mentioned previously, compromise "carries opposing evaluating forces" (Margalit 2010: 6). Though compromise is sometimes considered "fundamental in democracy" (Gutmann and Thompson 2010), it is also perceived as a betrayal of principles. Tillyris exposes this paradox eloquently: "The claim that democratic politics is the art of compromise is a platitude but we seem allergic to compromise in politics when it happens" (2017: 476). To put it differently, though compromise is considered an indispensable source of stability in a democratic government[4] and is inevitable in collective action (Carens 1979: 126), the idea of compromise struggles to find a place in political values. Second, such an evaluative or normative ambivalence related to compromise has to be linked to what Luban calls the "paradox of compromise" (1985: 414), showing that every compromise implies a partial realisation of the values or interests of the compromisers.[5] Consequently, compromises can be paradoxically defended or rejected for the same reason: the partial realisation of the principle defended by the compromisers (see Baume and Novak, in this volume).

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[2] "Honourable" in the sense that it is "possible for both parties to save face vis-à-vis the outside world" (van Parijs 2012: 472).

[3] Wendt suggests the following example: "imagine that a corrupt and brutal dictator wants financial support and international recognition, and offers his help in stabilizing the region and protecting some minority. Not achieving a compromise bears great risks: The dictator might feel free to behave in unpredictable ways that in the end might lead to instability and even war" (Wendt 2019: 2871).

[4] "Stable form of government [...] does not function through the rigid implementation of political programs" (Manin 1997: 211).

[5] This evaluative ambivalence is expressed eloquently in Lowell's phrase: "Compromise makes a good umbrella, but a poor roof" (1902).

Third, compromise generates another type of ambiguity, well described by Carens (1979: 123): on the one hand, compromise can be characterised as "a technique for settling conflicts" (1979: 123), and on the other hand, it is loaded with subjective evaluations and, in the common sense, most often deemed derogatory. These conceptions of compromise—technical and evaluative—are often indistinct, which generates an additional type of ambiguity (Carens 1979:123). Fourth, the vagueness surrounding the concept of compromise also relates to the fact that compromise is often not distinguished from other notions it is confused with, such as unanimity, consensus, coerced agreements, deliberation and bargaining.

Before distinguishing compromise from other notions, we rely on the definition of interpersonal compromise given by May: his definition proceeds with the characterisation of the different components of the notion (2011: 583). In May's words, it is "(i) a collective action concept involving (ii) support for an inferior position motivated by (iii) the presence of disagreement between parties".[6] May's argument focuses on the underlying element of mutual concession in compromise, similarly to scholars such as Bellamy,[7] Kelsen,[8] Rintala[9] and Van Parijs.[10]

One of May's distinguishing features of compromise, "support for an inferior position" (2011: 583), allows compromise to be differentiated

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[6] The core elements of compromise, mentioned by Wendt, are in line with May's definition: "When making a compromise, two or more parties agree to an arrangement they regard as suboptimal, but as better than having no agreement at all. They establish a second-best arrangement because they disagree about what the best arrangement would be" (2019: 2856).

[7] "According to the standard definition, compromise involves disagreement between two or more people who need to make a collective decision, in which all parties settle for less than they believe they are entitled to" (Bellamy 2012: 448).

[8] "Compromise means favoring that which binds over that which divides those who are to be brought together. Every exchange and every contract represent a compromise because to compromise means to get along [*vertragen*]" (Kelsen 2013 [1929]: 102). See also Baume (2012).

[9] Rintala describes compromise, in its positive meaning, as an "adjustment to the views of the other with the aim of common action" (1969: 327).

[10] "To be able to say what constitutes a good compromise, we must first know what a compromise consists of. I shall here adopt a broad and value-neutral definition which is in line with the common usage of the French noun *compromis* and the English noun 'compromise': *a compromise is an agreement that involves mutual concessions*" (Van Parijs 2012: 467, emphasis in the original).

from unanimity. "When parties reach consensus,[11] they agree that a particular option is the best choice to make. When parties compromise with each other, they continue to regard other options as superior" (May 2011: 583). As a correlation, compromise necessarily involves a renunciation of the best option. In addition, compromise can be distinguished from coerced agreement because it is voluntary. When making compromises, "it is assumed that they [politicians] always have alternatives or could choose not to act at all" (Bellamy 2012: 449), and therefore, ceding to the demands of the other party is not their only option, unlike in cases of capitulation.

Compromise must also be differentiated from deliberation, especially if the latter includes, as indicated in Habermas' view, standards of rationality that have a certain objectivity (Habermas 1996: 147, 151, quoted by Cooke 2000: 952). The idea that deliberation maximises "the chances of getting to the correct or right decision, or at least getting as close to it as possible" (Estlund and Landemore 2016: 113) contrasts the characteristics of compromises. If defined essentially as mutual concessions, compromises do not guarantee any epistemic value.[12] This differentiation between compromise and deliberation has been qualified by Richardson's distinction between bare and deep compromises: the former, assimilated to modus vivendi, are closer to a bargaining logic, whereas the latter are closer to a deliberative process. If deep compromises open the possibility to reasonably revise ends (Richardson 2002: 147), bare compromises "do not involve any reconsideration of what is worth seeking for its own sake" (Richardson 2002: 147). Deliberativists, such as Deveaux, who argued in favour of compromises in multicultural contexts on the grounds of recognition and inclusion (Deveaux 2018: 164) refer most probably to deep compromises.

Last, compromise should be distinguished from bargaining because the latter does not entail that each party will agree to lose something. When actors bargain, they can attempt to maximise their self-interest

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[11] That is unanimity.

[12] As mentioned by Cook: "On Habermas's view […] public deliberation does not *aim* at compromises, it merely accepts them in situations in which agreement is not forthcoming; its aim is to produce results that are objectively rational" (2000: 952).

and contend without yielding (Pruitt 2002); in the end, one side might concede nothing, while the other concedes on all points (Luban 1985: 414). Bargaining can lead to a compromise but it can also lead to the defeat of one of the parties or to a deadlock while compromise, as a decisional process, relies on a tacit or explicit agreement to lose something and make mutual concessions.

Compared to the existing literature, the specific contribution of our volume lies in its attempt to tackle and challenge, first, paradoxes; second, widespread beliefs; and third, neglected aspects or blind spots related to the role of compromises in the specific context of democracies or democratisation. Such a multifaceted examination is realised by convening perspectives from various fields—political theory, political science, sociology and history of ideas.

At the beginning of this volume, Chap. 2 by **Fumurescu** tackles a paradox that has already raised the attention of different scholars (Carens 1979; Richardson 2002; Tillyris 2017; Baume and Papadopoulos 2019) but solves it here in an unprecedented and convincing manner. Assuming that compromise has occupied an important place in the political sphere, why is compromise nowadays so often considered a sellout? Fumurescu advances the thesis that "the attitude toward compromise is heavily influenced by the understanding of political representation, which in turn is related to self-representation". Fumurescu's perspective leads to a historical exploration of these attitudes towards compromises. To this end, Fumurescu traces back to the medieval dual understanding of self, combining the *forum internum* (the inner self, the place of autonomy and authenticity) and the *forum externum* (the outer self, the membership). As "for the medieval individual, compromise could only involve the external, public self (*forum externum*)" and "never the inner, private self (*forum internum*)", compromise raises "no fear of *being* compromised" and remains neutral or less loaded with subjective evaluations.

The question that emerges immediately is the following: why has the "medieval" way of apprehending compromise—neither praised, nor rejected—lost its neutrality, to become more controversial? Since early modernity, Fumurescu shows that three distinct models have emerged, taking distance from the medieval apprehension of compromise: the British model that is dominated by "a centrifugal individualism, in which

forum externum became the only reliable one". In such a model, the people is understood "as a collection of equal individuals, united via a mutual compact or compromise". In the French model, the private self prevails and "compromise loses its neutral meaning, being perceived as a threat to one's identity". Finally, the American case diverges from both French and British models by being shaped by a dual apprehension of the people and consequently an ambivalent attitude towards compromise.

Fumurescu's erudite historical scrutiny on attitudes towards political compromises greatly contributes to our understanding of the ambivalent perception of this decisional mode, oscillating between adhesion and rejection. Moreover, by stressing that the attitudes towards compromises are non-permanent, non-"fixed" and possibly "manipulated", Fumurescu leads the way to a reconsideration of the relationship between compromise and other democratic values, such as publicity and accountability.

Widespread beliefs are the point of departure of the contributions of Baume and Novak, Boot, Gerber, Overeem and Westphal. In their chapters, they assess widely shared ideas and often qualify them. The starting point of **Overeem**'s argument is that compromise and majority rule are usually considered core elements of democracy, but that at the same time, they "appear squarely at odds with one another" for several reasons, among them because compromise would be more inclusive whereas majority rule would be more exclusive ("the winner takes all"). Moreover, if compromise is considered time consuming and overall costly, majority rule would be simple and quick. Majority rule and compromise as two different decisional modes in democracy, have also led to two different democratic political systems: consensus democracies and majoritarian democracies (Lijphart 1984, 1999). The great merit of Overeem's contribution is to question the intuition that both decisional modes would follow different paths. On the contrary, he shows how both decisional modes are closely related and how decisive their interwovenness is in the working of our democracies. Indeed, majority rule and compromise have the ability to impact each other: "Compromise is often chosen to prevent majority decisions", whereas "a politics of compromise can be threatened by referendums" (Bellamy 2018, quoted by Overeem in this volume). Such an interplay between compromises and referenda was already convincingly elaborated and documented by Leydet (2004). To Overeem,

the combination of compromise with majority rule creates "a dynamic that poses severe risks to the quality of constitutional democracy, in terms of democratic legitimacy, government effectiveness, and citizen trust". If compromises are struck to prevent majority decisions, this can be perceived as a "democratic betrayal" and feed suspicion of elitism (Cheneval and el-Wakil 2018). However, according to Overeem and in line with Bellamy's statement, in "regard to the protection of minorities" compromise generally does better than majority rule (Bellamy 2018: 315) because majority rule tends to create notably "persistent minorities of one or more segmented groups of citizens" (Bellamy 2018: 315). In Chap. 3 by Overeem, several institutional devices conceived to reduce the risk of the tyranny of the majority are assessed, regarding their desirability and their feasibility, such as self-government, integrative compromises[13] and supermajorities.

Chapter 4 by **Baume and Novak** assesses another widely shared idea: compromises and disclosure are usually deemed incompatible or difficult to reconcile because decision makers would be reluctant to make concessions in public. Interestingly, such a pretended incompatibility is invoked by both scholars and practitioners. This common sense goes with a paradox that is at the core of their argument: even when compromise is considered a legitimate political principle, for example in consensus democracies (Lijphart 1984), compromises conceived as decisional processes are still perceived as irreconcilable with publicity. Such a paradox leads the authors to explore the reasons exposed by the literature, according to which seclusion would favour political compromises. These reasons are here assessed and often qualified by the authors. For instance, the literature anticipates—without questioning it—that the public would necessarily disregard political actors who strike political compromises. However, one should not overlook the fact that representatives behave in accordance with what they perceive as the expectations of their constituents (Pruitt et al. 1986; Novak 2011; Novak and Hillebrandt 2020). This

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[13] According to Weinstock, integrative compromises occur "when parties integrate aspects of the others' position into the final settlement. They accede in other words to aspects of the other's position that had not been part of their initial position" (Weinstock 2013: 540). In opposition to integrative compromise, substitutive compromise occurs "when parties agree to something in order to arrive at a compromise that was not part of either's initial position" (Weinstock 2013: 540).

means that if representatives believe that their constituents are inclined to compromise, they will not avoid making concessions in public. This psychological mechanism explains why the compatibility between compromise and publicity might also depend on the type of democracy and the political culture it entails. Moreover, as shown by political sociologists, the secluded search for compromise might be triggered by representatives' career concerns and their willingness to find arrangements with their peers rather than by the necessity to take into account the plurality and diversity of their constituents' preferences. Re-discussing and qualifying the pretended incompatibility between publicity and compromise has serious consequences regarding the democratic legitimacy of the compromises struck because publicity is a prerequisite to the accountability of political actors.

Chapter 5 by **Westphal** deals with another common idea: agonism would not easily coexist with compromise. Indeed, "agonistic democracy is often understood as being especially sceptical of compromise". Against this apparent truism, she shows that there is a specific place for compromise in "agonistic democracy", among political allies on the one hand, and among political opponents on the other hand. In both cases, compromises are strategic and emancipatory: first, compromises of both types enable people to pursue political goals that a noncompromising solution would have possibly prevented. Second, compromises among allies or opponents share a common "emancipatory nature". Indeed, if political allies did not make concessions regarding their internal disagreements, they would often be "incapable of creating a counter-hegemonic political project". Moreover, compromises among political opponents—between political actors pleading for the status quo and political actors asking for change—imply "concessions to the demands of the previously marginalised groups". This also pushes in the direction of new emancipatory projects, even if they are only partially realised.

Westphal's rehabilitation of compromises in agonistic theories is of great importance in our perception of compromises. Interestingly enough, Westphal's claim is above all challenging for agonistics themselves, who tend to undermine compromises in a democratic context because of a wrong assessment of their agonistic potential. Following Westphal's line, we consider that agonists—among them,

Mouffe—underestimate the possibilities that compromises offer to redesign the conflictual landscape.

Chapter 6 by **Boot** also builds on a widespread idea according to which compromise has to be conceived as a trade-off between competing values. To him, such an approach relates to and reveals "misunderstandings about the nature of incommensurable competing values". If most values—usually at stake in the pursuit of a compromise—are actually incommensurable, consequently, these values in conflict lack an equivalence relation and a trade-off point. Such a perspective makes obsolete, in our debates, all the common and widespread phrases, such as "making a trade-off, striking a balance, splitting the difference" that could give the illusion that it is conceivable to reach a "middle ground" when confronting (incommensurable) values and, finally, when compromising. Boot's claim on incommensurable values and their lack of a trade-off point goes hand in hand with the assumption according to which there is no rational way to rank the conflicting values. This means that the use of public reason, when facing diverging values, does not lead to the same rankings and accordingly not to the same compromises. In that perspective, rational deliberation is not better equipped.

Taking seriously the incommensurability of values and the impossibility of ranking them rationally, what are the consequences in terms of democratic compromises? To Boot, "with respect to recognition and preservation of plural (rankings of) human values, local compromises may be preferred to global compromises".

Gerber's understanding of cultural compromises also takes distance from a definition of compromise that would equate it with "splitting the difference". It is a rich, political and demanding understanding of compromise that is mobilised by Gerber: parties involved in cultural compromises have to first internally "adjust their symbolic, moral, and epistemic frameworks to create a common interpretative framework" before compromising. This is one of the merits of Gerber's contribution to draw our attention to that political phase that relates to internal compromises, whose democratic character also has to be assessed. Such a perspective goes with a nonessentialist perspective, considering cultural features as not "cast in stone, but contingent on intra-cultural power relations" and in that sense, "inherently political". Symbols, rites and bans underlying

cultural identities are actually subject to permanent renegotiations and lead to internal compromises, as well.

In Chap. 7, Gerber agrees with Boot's argument on the incommensurability of values and on the impossibility that derives from assessing compromises on a rational basis. However, Gerber points out the fact that the "value incommensurability" is not the only thorn in our side. Indeed, in our democracies, we face not only collisions of values but also conflicts of meanings of "symbolic forms for shared higher-order principles such as individual autonomy of self-ownership". The burning question that the chapter raises is then the communicability between "different frameworks of symbolic understanding", which the author defends as not only desirable but also feasible. Cultures are not "windowless monads" (Bernstein 2010: 378, quoted by Gerber) and are able to communicate with each other. Moreover, Gerber assumes that "compromise lends itself as an attractive decision-making mechanism in cases where cultures—politically conceived—disagree on matters relating to the value and public status of cultural symbols".

Chapter 8 by **Bogaards** begins with an unexplored paradox and oxymoron built on the notion of "militant consociational democracy". How can this notion, apparently contradictory in its terms, make any sense if we assume, along Bogaards' line, that first, "consociational democracies seek to pacify societal divisions through political inclusion and compromise" and, second, "militant democracies seek to neutralize threats to democracy and liberal values by excluding anti-system parties from power"? One possible answer to this question is obtained through scrutiny of the Belgian case, which incarnates "this perplexing combination of features" between inclusion and exclusion or, in other words, between consociational politics and politics of "cordon sanitaire". The cordon sanitaire is made possible by an agreement among the main parties "to refuse cooperation with the extreme-right", in the Belgian case, the Dutch-speaking Vlaams Belang and the francophone extreme right (*Front National Belge*). This also means that the mainstream parties refuse to compromise with parties that are not "deemed liberally democratic". The Belgian case raises a second type of question, which goes well beyond this specific case and relates to justifications of "the deliberate exclusion of extremists in consociational democracies". Such interrogations are echoed

with controversies, on the one hand, on the effectiveness of such measures and the possible risk of increasing violence that they could generate (Minkenberg 2006; Capoccia 2005), and on the other hand, on the normative justifications of regulating pluralism in our democracies, knowing that such measures could hurt foundational values, such as tolerance and rights to free speech (Niesen 2002; Mudde 2004; Abts 2015). The questionability of extremists' exclusion from consociational democracies leads the author to mobilise the literature on deliberative democracy and recent studies that have stressed the importance of encouraging dialogue between in- and outgroups (Caluwaerts and Reuchamps 2014, quoted by Bogaards in this volume). "Hearing the other side'" (Mutz 2006, quoted by Bogaards in this volume) might favour a tolerant mindset. Bogaards' wish to crack the "wall of silence" between in- and outgroups relates to Gerber's assumption on the necessary communicability between different and opposite cultures (in this volume).

Finally, Chap. 9 by **Brewer** explores a blind spot or neglected aspect in the literature on compromise: the sociological approach towards social compromises following conflict(s). Although the literature has amply addressed political compromise in conflict resolution (for instance in South Africa or Northern Ireland), there is not much about social compromises after conflict "once an acceptable political agreement has been settled". Brewer's main focus concerns "how people inter-personally learn to live together after conflict". Social compromise is here considered a social practice. While political compromise "describes reciprocal agreements between parties to the peace negotiations in order to make political concessions sufficient to end conflict", social compromise "involves people developing ways of living together, in which concessions form part of shared social life". This distinction, once established, does not mean that both follow their own path in an independent manner—far from it. Brewer shows how both interplay in post-conflictual contexts: social compromise "consolidates the democratisation process", because the "capacity of people to practise social compromise impacts positively on their experience of the democratisation process". Furthermore, Brewer's sociological perspective contributes to our understanding of the place of compromise in democracy by exploring the links between compromise and tolerance.

By combining perspectives from the fields of political theory, political science, sociology and history of ideas, this volume contributes to the dialogue between different types of literature that do not often interact and to a renewed understanding of the place of compromise in democracy in three ways: first, contributions of the volume tackle unpacked, unexplored or less explored questions, such as the compatibility between consociational democracy and militant democracy (Bogaards) or the specific place of social compromises in democratisation processes (Brewer). Second, several chapters reassess ideas shared by most scholars and/or practitioners, according to which, for example, compromising would mean "splitting the difference" (Boot, Gerber); compromise would be structurally incompatible with publicity (Baume and Novak); majority rule would sit at odds with political compromises (Overeem); or compromise would not be compatible with an agonistic paradigm (Westphal). Third, chapters have engaged with paradoxes, solved or enlightened them here in a ground-breaking manner. For instance, why is compromise often presented as a sellout, while it has played such a significant role in our representative democracies? (Fumurescu). Bogaards' chapter also tackles a paradox in exploring how antinomic elements, such as consociationalism and militant democracy, coexist in the Belgian case.

Through the re-examination of unexplored aspects, puzzling cases and widespread beliefs, this volume provides a better understanding and a more fine-grained picture of the crucial aspects and functions of compromises in our democracies.

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