

Rescuing Representative Democracy

Restraining and replacing the party system

Democracy, it is said, is in crisis. As if some other form of governance had the stuff of legitimacy. What surely is in crisis is the party system of representative democracy.

But it is not obvious how to even begin to design an alternative. One might wish for better parties, smaller ones or larger. One might seek to enhance the degree of representation, with more proportionality or greater accountability. One might refine the selection process, with primaries and therefore more involvement of the general electorate prior to election day. Or one might abandon representative democracy, piecemeal, in favour of the tyranny of referenda.

How else, other than through political parties, might the multifarious opinions not of many thousands, but of countless millions, be filtered into a forum where practical decisions can be taken cogently and properly reflecting a degree of consensus. The problem is the aggregation of opinions. Just how, other than through the straitjacket of political parties, do you organise debate? How otherwise does one identify a manageable number of policy alternatives which can be seen to enjoy serious democratic backing and have these debated such that legislators can arrive at consensual or majority decisions?

While the solution I offer below is radical, it is rooted none the less in another core democratic tradition. It would produce a step change in the political culture by making politics more mundane and less entertaining, and by reducing the power of individual personalities. It would enable substantial participation in the political process, far superior to that currently conveyed by party membership, to the many who believe politics is too important to be left to the politicians.

It is presented alongside a second proposal, itself feasible with or without parties. The two proposals together would greatly reduce the influence of political parties, possibly making them redundant altogether. For the sake of the argument, indeed, a situation may be posited where membership of political parties is disallowed for those seeking election.

PROPOSAL ONE

Presection

Anyone wishing to obtain a place in a legislature – any legislature – would, **in an initial stage**, need to recruit a substantial number of signatories, say a thousand or two, who would be barred from signing up to a second candidate. This is not too dissimilar to what we already have. There is no need for any political party to be involved. Interested backers could peruse policy statements, biographies and character testimonies on-line, and to follow up attend public meetings, possibly in the form of video conferencing.

This stock of unique supporters would constitute the main precondition for arriving on the ballot paper. The geographic and demographic magnitude of the constituency (or electoral district) would be determined by the nature and size of the representative body for which the election is being held, but the concept is designed for large scale and could hence accommodate regions counting many millions of voters.

The resulting ballot paper would be rather long. It might contain a couple of hundred candidates, rather than a dozen or a score, as at present. The voter could correspondingly have a number of ballots – say five, rather than just one or two.

The election (held at polling stations) would constitute **stage two** of the process. All those who obtained a minimum number of votes (this minimum to be substantial, but otherwise defined in due course) would enter a pool of potential deputies.

For reasons that will emerge, stage two would be followed by a **stage three** involving the transfer of votes from successful candidates to candidates who have failed to secure the minimum directly. That is, successful candidates would enjoy – momentarily – a power of patronage.

Those candidates who have amassed the minimum number of votes, now comprising both direct and transferred votes, may be considered to enjoy serious popular backing. That is, all of these candidates will have demonstrated that, in

the opinion of many in the electorate, they are serious contenders in terms of character, intellectual ability and political outlook.

But there will not be room in the legislature for them all, "room" meaning here the time that is available in practice to individual representatives to express and criticise legislative proposals. That is, there is a natural limit to the size of a legislature, if it is to remain an effective debating chamber. The low hundreds is acceptable, a thousand would be too many.

Selection by lot

The crux of the proposal is that the final selection from this pool of qualifying candidates should be by lot.

In many countries already a selection is made by lot, namely under the jury system. Arguably indeed it is this bedrock principle of the criminal justice system that lies at the origin of representative democracy.

Although it is true that some candidates will, in terms of what they can ultimately contribute to the common good, always be better than others, there is no known process for identifying them in advance. There are indeed many situations throughout life in which a choice among contenders, distinct and varied as they are likely to be, cannot be made objectively and rationally, or where the wisdom of a choice can only be confirmed or disproven, a little uselessly, with hindsight.

Some candidates may, granted, be better at canvassing votes than others, some may be more experienced, or ambitious, or hard-working, or glamorous, or celebrated in the media. But one of the main defects of the present system is precisely that it tends to attract and reward not the ultimately best candidates, but those most astute at playing the game. Another defect is that it encourages the career-minded, rather than those able and content or keen to render a modest but real contribution to the decision process. It is likely indeed that the latter are positively discouraged from public service by the distortions we have in place.

If the final selection of candidates is by lot, the career-minded will be at a loss. Horse-trading ("I'll support your pet project if you support mine") will be curtailed. Each deputy will be aware that they owe their position as much to chance as to their own efforts and strengths, and this will instil a sense of modesty that is now often lacking, in fact if not in rhetoric.

PROPOSAL TWO

Special subject parliaments

It is unlikely that many elected individuals will ever demonstrate seriously high levels of wisdom and expertise across areas as diverse as fiscal policy, foreign affairs, health, education, transport, criminal justice and civil rights while also having thought long and hard on sensitive "moral" issues such as those centering on the beginning and

end of life. It is equally unlikely that any thinking voter will find a political party whose package of policies (manifesto) comes close to matching his or her own convictions in these diverse areas.

That is, we have neither individuals who are equal to the tasks to be performed in a universal parliament, nor is it routinely possible for a critical voter to identify a political party to represent his or her views. It might be hoped that the former problem is remedied by having parliamentary committees, but these are at yet a further remove from the democratic process since their members do not receive any direct mandate for this specialism from their electorate.

It is furthermore widely acknowledged that a great deal of seriously needed legislative work goes undone, or is done poorly, because of the time constraints on our appointed representatives.

The obvious solution is to instigate special subject parliaments. It need not be done all at once, nor would it be necessary to devolve absolute power to them. A transport parliament consisting of fifty to a hundred members could be elected directly and proceed to address in detail not only grand issues such as the distribution of resources between different transport modes (road, rail etc.) but also points of detail relating to the highway code or the planning of new infrastructure. It would assume some of the work currently undertaken by non-elected civil servants. The central parliament could still be granted a last word on any legislation undertaken by the transport parliament, whose

decisions could be overturned, though perhaps only by a qualified majority.

Similarly there could be directly elected parliaments for other subjects, maybe up to a dozen. Matters affecting more than one jurisdiction would come under the remit of more than one special parliament and the powers of any one parliament would be abridged in such a case, or else the central generalist parliament would have the role of adjudicating between the specialist parliaments.

Conflicts would arise about fields of competency. But these are conflicts that already occur, or should be occurring, except that they now happen behind closed ministerial doors. Better by far that they should be out in the open. Politics is precisely about seeking resolutions to conflicting claims, democratic politics about doing so publicly.

The raising of taxes and levels of government expenditure would need to be governed separately. This might be done by the universal, generalist parliament, though arguably it would be more desirable to have a separate specialist parliament dedicated solely to deciding on how tax revenue is raised. This body could address a reform of income tax law, in particular, but also over time control the proportions of tax raised by different taxes.

So many parliaments would be overly expensive, it might be objected. Expensive to a degree yes, but not remotely as expensive as the misgovernment that has arisen by not having proper democratic responsibility in place.

GETTING THERE

Proposal One and Proposal Two are separate, but ideally, in the course of time, they could be combined. It would be entirely possible to test them using pilot schemes. I have left out much detail, because this would be easy to provide once the principles were adopted. For instance, there is a question of the geographical reach of "constituencies". There is also the issue of using computer technology and the internet. To what extent would specialist parliaments be full time? Possibly not. How would deputies be remunerated? What abuses would arise, and how might these be averted from the outset? Might not representatives whose re-election was seriously a matter a chance not therefore be less accountable? Or might they simply be more independently minded?

Such reforms would trigger a cultural shift, and it is never possible to forecast how a cultural shift will work out over time. Any system, incidentally, is subject to wear and tear, and must be reinforced, or adjusted, every generation or two. Opportunistic characters will always find a way of playing the system, and it is the task of others to stand up to them. Although the use of a lottery may open the door to speculative individuals and hence involve the risk of opportunistic characters getting a foothold, such persons would be poorly placed to expand from there precisely by virtue of the lottery.

Normally radical and novel ideas take generations to filter through to political reality. To begin with, they are held to be unrealistic, or irrelevant, until, it seems, they have been disparaged so very much that, in a crisis, the tide turns and what was yesterday unthinkable almost becomes today's conventional wisdom. Compare, if you will, the ideas presented here with the ideology behind the failing systems we have in place, or with the resort to referenda now being advocated in desperation. There are well-known arguments against routine referenda, and I have nothing to add to those arguments. The position advocated here is firmly the re-affirmation of representative democracy.