



Democracy, Condorcetism and Popular Participation

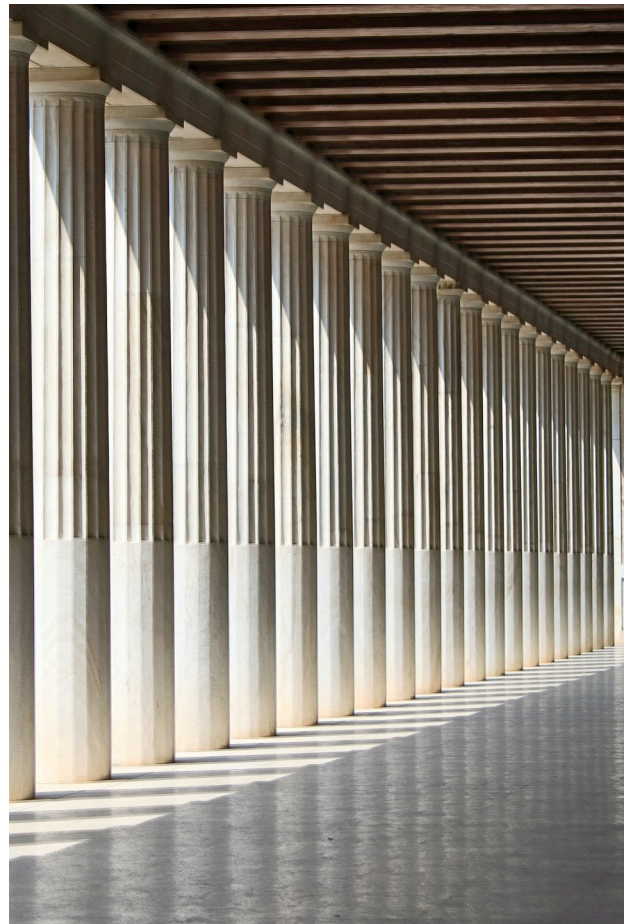
an innovative institutional structure

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Preamble

The rightful preamble is that since I am Italian and a simple observer of the surrounding reality, this short essay on democracy takes up and integrates a text conceived and written in 2016 for Italy, to which it also refers. However, I believe that democracy is a universal concept: although the context is Italian, the proposal transcends its boundaries. And the one outlined here is an operational proposal. In this sense, with due correlation, it may contain universally valid ideas. It can certainly be the blueprint for the institutional set-up of a new society. For me, therefore, it is the institutional set-up to go with the new philoponic society.¹

A great political legacy runs through the history of humankind: democracy. From the ancestral nucleus of the Indo-Europeans and through Pericles' Athens, which became its hallmark, democracy appears as a founding concept of society. But what is democracy? Or rather, what democracy?



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¹ ↪ <https://jussemper.org/Resources/Economic%20Data/Resources/ASurbone-LightSideofMoney.pdf>

The two great contenders today are the concepts of representative democracy and direct democracy.² And it is important to discuss highly technical aspects such as the form of democracy because the shift to the Anthropocene has a new form of society as its only way out. And while the discussion about the new society involves mainly social, environmental and economic aspects, the political aspect is also important.

Parting from the fact that the Anthropocene has pushed us beyond the limits of Mother Earth's resilience, it is urgent to impose strict rules in order to curb the overflowing anthropic impact that is leading us towards an unknown that appears, alas, sadly known to us.

It is in this context—the imposition of insuperable limits—that politics becomes fundamental. At first glance, the most appropriate political form to impose strict rules is certainly not a democracy; any form that allows for a more centralised power - from the direct election of the 'leader' to dictatorship, and the various other attributes of '-cracy' - is easier than true democracy proper.

My conviction, however, is that the new society must be established by deliberation, not by imposition. In this sense, it is democracy that these pages will deal with; trying also to overcome the dispute between representative and direct democracy. I advocate for the proportional system,³ considering it the maximum representation of elective democracy.

Another brief premise is therefore necessary for citizens who are used to the majority electoral system. I will give an example that is stretched to the limit and therefore almost impossible in reality. Let's think of a country that has several electoral circumscriptions and is divided into two large parties - the Yellow Party and the Blue Party - of almost equal weight (but the example also applies to more than two parties). When the ballots are counted, however, the Blue Party wins by a narrow margin with 50.1%, and this happens in every circumscription. Consequently, the elected Parliament would be composed solely of representatives of the Blue Party and 49.99% of the voters would be "excluded" from Parliament. This is an extreme situation which is nonetheless possible and certainly does not guarantee real representation.

Evidently, majoritarianism also has its proper sense: in fact, it exalts belonging and, thus, cohesion around a founding idea. Majoritarianism could be the best system if people were 'monolithic'. That is if they recognised themselves entirely in a single characterising aspect.⁴ If the Bakers' Party existed, all monolithic bakers would recognise themselves in it and its policies. Yet no one is monolithic and, thus, there are many possible affiliations, as exemplified in footnote 4. But incorporating a single additional characteristic is enough to shatter the validity of the majoritarian system as an expression of belonging.

² ↪ An all-encompassing concept, direct democracy, has taken root in the political lexicon; it encompasses many forms of citizen participation in politics, including participatory democracy (which implies the direct involvement of citizens), which is a pillar of this proposal. Other forms range from true direct democracy (all citizens affected by the decision decide themselves) to deliberative democracy; from the assembly by draw to voluntary assembly; and so on.

³ ↪ The electoral system based on the faithful representation of the consensus of which it is an expression.

⁴ ↪ An Italian woman of socialist political orientation and Catholic religion that recognises herself solely as a woman or as an Italian or as a socialist or as a Catholic is monolithic, but never in more than one of these characteristics.

Democracy and its Variants in Interpretation

Democracy fundamentally means two things: *Equal weight for every vote and everyone's participation*

A small mathematical calculation to visualise the basic assumption of democracy: equal weight for every vote.

I use the data of those entitled to vote in the Italian Chamber of Deputies in 2008: 50,257,534 voters.

Let us assume a 4% threshold and zero abstention, i.e. everyone goes to vote. Let us assume the D party reaches 3.74% (1,879,632 votes) and the G party reaches 2.06% (1,035,305 votes); since they did not pass the 4% threshold, their votes are not accepted and therefore do not elect any candidate to the Chamber. So their votes, a good 2,914,937 votes, are worth zero, i.e. 2,914,937 voters whose votes are worth zero!

On the other hand, the votes for the other parties are worth 1.06: $50,257,534 - 2,914,937 = 47,342,597$ which is the number of votes that have weight, i.e. that elect candidates; $50,257,534 : 47,342,597 = 1.06$ which is the weight, in the sense of value, of every single vote accepted. But 1 is not 1.06, and thus it means the distortion of the presumption of equal weight for each vote.

As we deal with a new societal form, it becomes essential to change the basic political rules in search of an arrangement that guarantees both the governance of the country and democracy. It is also essential to overcome the dispute between the two forms of democracy: representative and direct. It is, therefore, necessary to address both the electoral system and the functioning of Parliament.

Hence, it is necessary to start with electoral law, but not intending to propose the one most useful to one party, but the one most suited to representing the country: the proportional system. This is the highest—indeed, the only expression of the basic assumption of democracy: equal weight for every vote.⁵

However, a cultural battle for the mere defence of the proportional system no longer seems to be relevant, given the many demands on the Italian agenda. We need an effort: the aim is to create a system that helps politics to become a synthesis of different options. In doing so, it is necessary to remember both that no single answer will ever satisfy everyone and that every problem has its corresponding 'better' solution for the community. This better solution must result from a synthesis of unique positions.

To do this, the idea is to respect the postulate of equal weight for every vote, while correcting the 'defects' often cited, foremost the fragility of the government. Electoral law and the related parliamentary set-up must be rooted in social consensus, which is the actual basis for legislative and governmental solidity and stability. It is therefore impossible to overlook the issues on the agenda today regarding these topics.

The basis remains, therefore, maximum respect for the assumption of democracy: equal weight for every vote. Hence pure proportional representation (with the rest awarded beginning with the smallest party).⁶ A proportional system, but

⁵ ↪ In the debate on electoral law, a very undemocratic concept has now crept in: whoever wins takes all (and this would also be the case with the fake proportional system, that of thresholds and majority premiums): yet this is not a sporting competition. In politics, everyone has not only the right but also the duty to express their position and in the appropriate forum, i.e. Parliament. And politics has to find the mediation that is the best choice for the nation (and let us give the right word here too: not compromise, not scheming, but mediation; with meanings linked to the concept of confrontation or bargaining for the first two nouns, while it links mediation to the meeting between people, requests, proposals).

⁶ ↪ The rest is allocated as follows: 630 seats to be allocated minus the sum of the entire Members obtained by the various parties; and allocation of these remaining seats, one for each party that benefits from them (i.e. provided its rest is ≥ 0.5), starting with the smallest party (to maximise political representativeness) and ending with the allocation of all 630 seats.

with thresholds⁷ and/or prizes⁸ and/or other corrective measures, is no longer proportional. Closing the door to tools to “tame” the proportional system means allowing the parties to play their usual games based on polls. This is exactly the opposite of what the series of proposals expressed here aims to change. In stark contrast, electoral law should be above the parties; it should be the instrument through which the people represent themselves in Parliament “with equal dignity”, i.e. through the assumption of equal weight for each vote. To deny this is to place oneself outside of democracy.

Furthermore, if the proportional system has the function of emphasising the identity of the parties—thus promoting competition between them in favour of discussion and being propositional and positive, inserting thresholds and forcing those who are already weak to join forces (they know they cannot reach the minimum threshold), translates into penalising them from the outset, since to join forces it is necessary to give up slices of identity (while the majority - of the ‘tamed’ proportional system - promotes alternation: it is important to pay close attention to these differences).

Competition or alternation

In reality, as in the political debate, some issues are an opportunity for one part of the population and a problem for the other; it is inconceivable, therefore, to think of addressing these issues through alternation alone.

We need to go back to the founding origins of the administration of the state by checks and balances, in this case, the tripartition of legislative, executive and judicial power, and break down the problem.

In legislative terms, the alternation is not the solution; it exacerbates the problem (in this legislature I win and my interests prevail). Legislation needs as many positions as possible so that the resulting mediation can be the best choice for the country. Legislation needs competition between parties; competition not only in the sense of competition but also in the sense of convergence, encounter; in other words, mediation in order to find the best for the country, not just for one part of it.

In executive terms, in contrast, alternation is the norm: whoever wins governs; as long as his governmental function does not extend and overlap with the legislative one (as often happens); this is the insuperable limit that must be vigorously reaffirmed.

The proportional system, therefore, by virtue of its clarity and simplicity, stands above the attempts of the parties to tame the electoral law in their favour, distorting its democratic nature. Proportionality is the first and most powerful constraint that can be imposed on the system to make it work for the benefit of the community rather than for the benefit of the parties.

Last, a final general remark.

It concerns multiplicity as opposed to duality; or inclusion, as opposed to exclusion. In a meeting of two people, or at most three, one is naturally inclined to oppose each other: *I am right and you are wrong*. If, on the other hand, there are many voices, nuances emerge and we move on (not always, but this tends to be the case) to deliberation: *I am right, but you are close*. When you live in a group, you learn to be and operate in a group.

⁷ ↪ Percentages under which the party does not elect representatives in Parliament.

⁸ ↪ The party with the relative majority is allocated a number of elected members in addition to those resulting from the percentage of votes obtained.

Finally, regarding the specific proposals, the search for solutions to the above issues is based on the democratic premises: government stability in the first place, followed by the expression of territoriality, the desire for direct democracy, the perception of excessively high political costs, the efficiency of Parliament and its quality.

Government Stability

This is the major criticism levelled at the proportional system. Italy is a parliamentary democracy (being a parliamentary democracy means that the government, or its head, is not directly elected but derives from Parliament, and therefore follows its conflicts) and it is within this system that ways must be found to guarantee greater governmental stability compared to the past of the First Republic.⁹ As a result, many are calling for corrective measures to be taken to the proportional system to ensure greater governmental stability. But what if instead of calling for corrective measures, complementary measures were envisaged? My proposal is deliberative Condorcetism, whereby Condorcetism means the application of the Condorcet method¹⁰ and by deliberation means not only the outcome expressed by a vote à la Condorcet but above all the path leading to it. In other words, it entails a process of discussion between the various parliamentary forces and refinement of the legislative text under consideration, whose aim is the common good. Condorcetism, to assess multiple choices—whether parliamentary appointments or choosing between different pieces of legislation on the same subject—asks voters to order them according to their preferences, and says that the one who wins all the pairwise confrontations wins. The Condorcet method has the merit, therefore, of producing correct decisions because the choice will fall on the law—or person, with parliamentary appointments—most preferred by all, even if this is not the first choice of some.

The Condorcet Method

How does Condorcet's Method work?

With Condorcetism the winner is the one who wins all pairwise comparisons.

In this simulation we assume that there are 300 votes, distributed as follows:

- (1) 100 A>C>B>D
- (2) 80 B>C>D>A
- (3) 70 C>A>B>D
- (4) 50 D>B>C>A

Six comparisons must be made, but some are superfluous.

Let us start with A versus B. A has 170 votes (the 1s and 3s) and B 130 (the others). B cannot be the winner, so it is pointless to compare it (for now) with C and D.

So let's continue by comparing A with C. A has 100 votes (the 1s) while C has 200 (the others). A is also eliminated.

Let's compare C with D: C has 250 votes (only the 4 are missing). So C has beaten A and D; however, it could be beaten by B. But it is not: C has 170 votes (the 1s and 3s) and B 130 (the 2s and 4s).

Of the 6 comparisons, we have examined only four, and C is the winner despite being the first choice of only 70 out of 300 voters, or 23.33% of the voters; but also the second choice of 180 voters and the third choice of 50 voters.



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⁹ ↩ Turning to the cultural battle: Italian parliamentary history refutes the assumption of a First Republic (1948 - 1994) incapable of legislating and governing.

¹⁰ ↩ Nicolas de Condorcet (Ribemont, 17 settembre 1743 – Bourg-la-Reine, 29 marzo 1794) è stato un matematico, economista, filosofo e politico rivoluzionario francese. Si è battuto contro la pena di morte, contro lo schiavismo e per l'uguaglianza di genere.

Let us take a step back and return to the assumption of *equal weight for every vote* and the consequent adoption of pure proportional representation. This, however, implies that the elected representatives make every effort to establish government alliances to reach an absolute majority that can guarantee governmental stability. A commitment and an effort that sometimes results in majority compositions that are weak or huddled together and not cohesive around a precise programme.

How, then?

A clarification is necessary at this point. We may well enact the best electoral law and parliamentary regulations, but if our representatives are not up to the task, there will still be a malfunction and a loss of democracy. And by “up to the task” I mean parliamentarians who, while all of them defend their respective political programmes, they have the

Under the Condorcet Method, the proposal most liked wins, which may not be the first choice of some but simply the second choice of many.

common good at heart rather than sectarianism; and dedicate themselves to this common good with great professionalism. To achieve this, we need parties that are once again open to civil society, welcoming it as a valuable source of stimulus instead of rejecting it; and citizens who are ready and willing to play this role of advisors and controllers of the work of

parliamentarians. It is no longer the time for simple delegation through voting; it is time for politics to open up to the civil commitment of all our citizens.

Here we go again to the question: how to do it?

In the Italian political debate, the solution lies only in an intervention on the electoral law. With proportional law, this can be done by reducing representation (the access thresholds, more or less high) or by increasing the weight of the winner (the majority prize). Both solutions are reductive of democracy and, above all, do not resolve the fundamental issue: building a real absolute majority capable of sustaining the government for the entire legislature.

My proposal, in contrast, is the possibility of achieving good governmental stability without having to resort to an absolute majority: the Condorcet Method.

Under the Condorcet Method, the proposal most liked wins, which may not be the first choice of some but simply the second choice of many. For a proposal to win, it must win over all others in direct two-way comparisons, and for this to happen a significant minority is sufficient. For example, in the simulation in the box on Condorcetism, a significant minority of 23.33% is sufficient. This means that the creation of alliances with an absolute majority, and thus the correction of the proportional system, becomes superfluous. This frees up a great deal of energy, both personal and temporal, which is currently used only to keep together a pre-established absolute majority that will have to hold sway over every issue on the agenda for the entire legislature or, as far as minority parties are concerned, to succeed in imposing vetoes and blackmail; and, on the part of each party, to justify all this to the nation and the related social consensus. However, these forces will be much more productive for the country if they are used in lawmaking, allowing a significant minority to form the government and then to form different convergences depending on the subject under discussion, or, simply, *to legislate and govern effectively*; so effectively as to become, in parliamentary votes, the choice that prevails even though it is not the first choice of many; the first choice remaining that of identity, of one's party.

I reiterate the point I made earlier: what is needed is an ‘ideal’ parliament whose primary goal is the common good. The Condorcet Method exalts the responsibility of the individual—the absence of a mandate constraint, enshrined in Article

67 of the Constitution¹¹—and blends it well with party coherence. Today we have become accustomed to seeing the absence of a mandate constraint interpreted as complete freedom to flutter between one party and another, driven by even the slightest breeze. Whereas the possibility of ordering several choices according to one's preferences allows the union between the absence of a mandate constraint and party coherence. The Condorcet Method is therefore much more effective and efficient than the current binary choice of *approval/rejection*; efficient because a significant minority—as long as it is significant—can suffice;¹² effective because it allows the most welcome proposal to emerge.

When a proposal is ventured, the constraint to be respected is the operability of the proposal itself. How would this Parliament à la Condorcet work?

Let us start with parliamentary appointments.

Today, we are witnessing façade bickering that has been instigated to lower the quorum threshold (I am referring to the appointment of the President of the Republic) to elect their candidate with non-plebiscitary forces. With the Condorcet Method, by contrast, a single vote and a sizeable minority are sufficient. Oligarchy? No, on the contrary: a careful choice of candidate, so that he or she represents one's demands but has the stature to be recognised as worthy by the opponents. And the parliamentary debate that precedes the Condorcet-style vote would 'naturally' be deliberative, since not only the weight of one's party is important but also the appreciation of the other parties.

Deliberative is the method of discussion aimed at seeking the common good while affirming one's own ideological identity: basic concepts for a renewed democracy.

As far as legislation is concerned, we propose that when the various texts return to the Chamber after the work in the Commissions, they should be voted on *Condorcetically*. With deliberative committees, however, this Condorcet-style voting will take place there.

The Condorcet method, of course, may not be an obligation: there are cases of laws on which agreement is reached at an early stage. When the proposed law regulates moral issues—to give examples: divorce and abortion, or stem cell research—there is likely to be a profound antithesis between those who want it and those who don't; in such a case, there will first be a yes/no vote and, if the yes vote wins, then the Condorcet Method will be adopted to assess different texts. Condorcetism will be compulsory when at least one other text on the same subject is presented—either by the work in the Commission or by a Member of Parliament or by a popular initiative—for legislation.

A final note on Condorcetism concerns Condorcet's paradox of the 'multiple ties', i.e. when the vote does not produce a winner but a tie. Out of 630 voters, which is the number of deputies, this is very unlikely to happen. A second vote, in which all it would take is for one deputy to change his or her order of preference, could resolve the tie.

Finally, by relying on a preferential vote instead of a yes/no vote, Condorcetism favours two important aspects of politics as I understand it: the search for the common good and deliberation.

We achieve the search for the common good through the active participation of parties, whether majority or minority. Preferential voting means having more alternatives to consider, i.e. more bills on the same subject from different parties,

¹¹ ↩ Each member of parliament represents the nation and exercises his functions without a mandate.

¹² ↩ In a parliament divided almost equally between ten or so parties, all of which are extremely identitarian, the largest of which does not reach 15% and the smallest more than 7%, I am afraid that the only possibility is to return to the vote...

and from society through citizens' initiative laws. In this sense, Condorcetism acts similarly to constructive mistrust—in force in Germany, among other countries—, in which the opposition is active and cannot simply say no but must commit itself to produce an alternative (be it a bill or a candidate for an appointment). In this way, it empties the simple opposition to the government to put it in the difficulty of its hostile meaning and the oppositions assume a positive and proactive role. It means prodding the parties to make policy through constant lawmaking. In many legal systems, there is a shadow government, and Condorcetism brings the requests of the shadow government to Parliament. But not only that, Condorcetism gives dignity to these requests; the shadow government is no longer an 'intellectual game' almost an end in itself, but it becomes a real alternative form of government, having the possibility to present its bills for deliberation and parliamentary vote.

It links this to deliberation as a method of reaching a consensus. Having emptied the idea of the opposition as an end in itself and having elevated the proposals, deliberation becomes the natural method of debate in the Chamber. In the same way, this parliamentary deliberation, reverberated on society by communication, would become the generator of a more informed social consensus or dissent, less subjugated to the slogans—favoured by the more simplistic yes/no choice—that today govern the political contest, bringing the open and critical debate to civil society.

Territoriality

Formulas are sought to benefit one party or another by also using the idea of territory and therefore proposing a majority and/or working on constituencies.¹³ But today, the deterritorialised access to information and people that comes from the web has cancelled the distances. Using a category that is perhaps outdated in today's political lexicon, the link with the territory, while remaining basic in the sense of the necessary face-to-face relationship with one's voters, is much more—I would venture to say almost only—a matter of class membership, which we could define as deterritorialised territory. A small artisan from Turin has more affinity with another small artisan from Bari than with the prince of the forum in Turin. If this is true, it is equally true, however, that territoriality is real and geographical and not just immaterial and linked to affinities. Thus, it is necessary that each district has its special characteristics, and that all of them are linked to each other. Hence, each district elects at least one representative because it is fundamental that no part of the country is excluded; and that there is, therefore, complete representation for both territories and other types of belonging.

The proposal, therefore, is to prohibit a candidacy in more than one district and to allow only one preference. The candidates, within the various parties, will be selected according to the percentage of preferences, calculated on their district but considered on a national level (counting votes on a national level decreases the percentage weight of local packages of controlled votes, thus counteracting the trading of them). For parties with at least 15% of the votes, only the districts in which the party has attained at least 30% of its national result are taken into account; for all the others, the threshold is 70%.¹⁴ The purpose of such a system is to elect to Parliament only candidates with a very strong link to their territory, represented by the district itself, and to prevent a possible "downward fraud" (*I run for a party that in my district has very few chances, I don't commit myself but I let myself be voted by a small circle of "clients", thus getting a very high percentage but without being a true expression of the territory; and, perhaps, without being an expression of the party itself...*).

¹³ ↪ The electoral constituency or electoral district (also known as constituency, riding, ward, division, electoral area or electorate) means each of the parts into which the territory of a state or other territorial entity is divided for the election of a collegiate body, typically a representative assembly, such as a chamber of parliament.

¹⁴ ↪ It is useful to visualise with another numerical example; let's take the case of a party that has obtained 22%; for the election of candidates, only the constituencies in which that party has obtained, in the same constituency, at least 6.6% are taken into account; whereas a party that has obtained 7% will only take into account the constituencies in which it has obtained, in the same constituency, at least 4.9%.

Intrinsically linked to the definition of territoriality, there is also a redefinition of the districts to be made based on homogeneity¹⁵ (and in a number lower than the number of seats to be allocated). In fact, urban planning, with the creation of large areas and metropolitan cities based on the infrastructural connections that hold them together, has already posed the problem of a new arrangement of the territory. The time has come for politics too to redefine the districts based on a renewed homogeneity. These are districts that, in any case, would be certain to elect at least one representative; this can be achieved by giving precedence to the districts in the allocation of seats until each district has obtained an elected representative.

Allocation of seats

How are the seats distributed?

Starting with the party with the fewest votes, the candidate with the highest percentage of preferences is elected and the district in which that candidate is elected is excluded; then the candidate with the highest percentage of preferences of the next-to-last party in terms of votes is elected and the district in which that candidate is elected is excluded, and so on until each district has elected a representative (regardless of the party to which the candidate belongs); parties that have reached the number of deputies corresponding to the percentage of votes obtained nationally are also gradually excluded. In this way, gaps may be created, both in the allocation by constituency and in the allocation by preference.

Regarding the number of districts, some may not be paired to a member of parliament: the cross-checking of districts and elected members—the list, party by party, of candidates with the highest percentage of votes—may leave some districts uncovered; these, matched to candidates from the party with the lowest number of votes, will produce members of parliament who do not appear on the list of elected members of that party, i.e. those with the highest percentage of votes.

Regarding the elected members, it may happen that those nominated in constituencies that have already been “assigned” are overtaken by others within their party. With several districts equal to about half the number of deputies to be elected, the “outnumbered” are appointed, once the “per district” allocation has been completed, using the number of deputies still to be appointed.

A simulation carried out on the numbers of the 2014 European elections fully endorsed this count: the number of constituencies left uncovered in the first phase is only 8; the parties with “repêchage” elected members—and, therefore, with elected members excluded because they were over-elected—all belong to the band of votes nationally within 4%; in the parties above 4%, exactly all the appointed members are elected.

Having done all this, the link between the electors and the parliamentarian would be very strong and would encourage the latter to be re-elected, to relate to his electors, thus favouring their control over his work in Parliament. Above all, thanks to this closeness between candidates and electors, it would encourage the involvement of citizens and thus bring back to the people a reinvigorated spirit of participation.

¹⁵ ↪ Cultural homogeneity, such as the Valdesi valleys; urban homogeneity, such as making every city with more than 50,000 inhabitants - in Italy there are 146 - a single college, whatever the number of those registered on the electoral roll; geographical homogeneity, such as Alto Adige; production homogeneity, such as the Langhe; linguistic homogeneity, such as Val d'Aosta; and so on.

Participatory Democracy

The proposal is unicameral, through the abolition of the Senate, corrected by participatory democracy. The real meaning

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of the abolition of the Senate is the affirmation of a form of democracy, participatory democracy (see footnote 2), in support of the representative democracy constituted by the Chamber of Deputies. In the vision of the Constituent Fathers, the Senate also had the function of a “second opinion” on laws; a second opinion that had to come from a “high” chamber, as the

Senate is in the constituent vision.

Today, the demands have changed and citizens have instruments of knowledge and insight that enable them to express informed opinions. Beholden also to these tools, there is a need for active participation: for participatory democracy.

In my vision, this need is satisfied by creating, for each law (in Italy, on average, about 90 laws are passed per year) a Temporary Chamber by Draw (TCD). It represents a unique form of bicameralism, the second pillar of which is participatory democracy. The result is a single-chamber system for the institutional aspects, such as the election of the President of the Republic and the legislative process—from the selection to the discussion of bills, up to the law approved by Parliament and sent to the President of the Republic—but a two-chamber system for the approval of laws through the “second opinion” entrusted, in a gesture of great political innovation at an international level, to the participatory democracy of the TCD; a second opinion situated after the assessment of constitutional conformity given by the President of the Republic but before his final signature.

Statistical science has at its disposal sophisticated tools capable of forming a TCD of 50 members that accurately reflect the national social composition (age, education, occupation, etc.). There would thus be a perfect dual representation: political representation in the Chamber of Deputies thanks to pure proportional representation and social representation in the TCD thanks to the statistical draw.

This TCD will only have the task of the second opinion.¹⁶ In a first phase, being a completely new instrument, providing a consultative opinion only; while in a second, final phase (and following the trend of the previous TCD), with binding power. In this mechanism, the legislative process is maintained by preserving the professionalism of Parliament in writing the law and of the President of the Republic in assessing its constitutionality, with the second opinion of the TCD coming between these two steps and the final signature by the President.

The complexity of today’s society requires qualified people in every task, and even more so in legislation. I do not agree with certain tendencies towards a democracy only by more draw lots. It is necessary to elect qualified people and to entrust them to stay in this position, with drafting laws. The role of the TCD remains only that of the second opinion, expressed as: *rejection, conditional rejection and approval*. However, in the case of conditional rejection the law goes back to Parliament to be amended according to the indications coming from the TCD, but it will not be the TCD directly to rewrite those amendments.

¹⁶ ↪ In detail, the functioning of the CTS is still at a draft stage. However, on 30 April 2017 we carried out an experiment under the supervision of Prof. Balduzzi. (<http://www-3.unipv.it/webdps/docenti/balduzzi/cv/ita.pdf>) who supervised the meeting. For the full details see [the minute in the Annex](#). For those who are interested in more in-depth information, he makes himself fully available.

Concurrently, real popular control—the binding opinion of the TCD—is established, which can go as far as participating in the drafting of the parliamentary agenda, showing priorities among the topics to be dealt with. If writing a text of law requires specific and technical knowledge that is not within everyone's reach, assessing the meaning of a law, i.e. the path proposed to the nation to take action on that issue, is a task within everyone's reach. Society has indeed become increasingly complex, but the human being is still the same as described by Herodotus.

If Condorcetism pushes the elected deputies to active and propositional participation, the TCD pushes the people to take part and get informed; to become a barrier to populism based on misinformation and naivety. Let us see how this objective can be achieved.

The TCD will be by universal draw, i.e. among all those entitled to vote and with the possibility of being called to take part only once in a lifetime. Sometimes, in direct democracy experiments, participants come from lists of volunteers. But what does a list of volunteers represent? It represents an oligarchy: only people who are already interested in participating actively in politics would sign up for the list.

Participation in the TCD is compulsory, i.e. you can only refuse if you demonstrably cannot take part.

Being appointed Senator, therefore, is a position of which to be publicly proud; it means serving the country; it means making your contribution; it means being involved in important decisions; it means feeling part of the process and not, as is currently the case, a counterpart.

Given that anyone can be given the honour and the burden of being appointed Senator, a universal draw and compulsory participation have the effect of involving the entire population in politics, encouraging them to take an interest, to be informed, to be active; to take possession of those characteristics that proposals such as the *epistocracy*¹⁷ would deny having today.

This is how three elements—proportionality, Condorcetism and TCD—can support widespread political debate and active involvement in both parliament and society; and, consequently, raise voting participation to true levels of full democracy. In this scenario, abstentionism almost disappears, because voting, including a protest vote in its various forms, is recognised and practised as both a right and a duty.

The financial cost of this innovative political structure

This is one of the most misleading arguments for general consideration, both in its exposition and in the answers given. This proposal only deals with the comparison between the current situation and the one outlined here, leaving out other aspects that have become the workhorse of a variety of populisms. The abolition of the Senate and the selection by draw of the various TCDs needed each year will also have a considerable impact on the cost of politics: the Senate weighs over 500 million, while the 90 TCDs envisaged would burden the state budget by around 30 million per year.¹⁸

¹⁷ ↪ From the ancient Greek word ἐπιστήμη, which is 'scientific knowledge', the word epistocracy designates the government of those who know, of those who have the intellectual means to understand and choose and decide their own destiny and that of all others. In terms of electoral law, a mechanism whereby the vote of the educated is heavier and more decisive than that of the ignorant, if not the only vote allowed.

¹⁸ ↪ This figure is obtained by estimating the costs necessary to carry out the work.

Efficiency

As with the costs of politics, which are often cloaked in false problems and solutions that are more populist than valid, parliamentary efficiency is one issue on the agenda and should be addressed as such. Parliament has the responsibility of legislating, and it is on this aspect that one should focus. The actual product is, therefore, the text of the law and its quality, and only secondarily the other characteristics related to efficiency.

We can improve efficiency with the instruments described above: proportional representation; Condorcetism; the close relationship between elected representatives and voters; single-chamber government; the second opinion given by the Committee on Constitutional Affairs, which encourages parliamentarians to draft better-written and thus more comprehensible laws.

There is a caveat concerning efficiency, however: it is highly probable that with a single chamber the number of bills submitted to the parliamentary committees of the Chamber of Deputies will increase considerably, including those that used to be assessed by the Senate; it will be essential to find a solution within the Chamber of Deputies and its Rules of Procedure to avoid a logjam.¹⁹

Quality

The quality of politics in general and Parliament, in particular, is one cause of electoral disaffection. How many times have we heard—or even said—they are all the same, one or the other changes nothing? The purpose of all the proposals contained is precisely to improve the quality of politics and Parliaments so that the identity of the parties can be understood and assessed by the citizens, prompting them to return to the polls: proportional representation, deliberative Condorcetism and TCD are the revolutions—bloodless but resolute—that are proposed to a new society.

Conclusion

If these proposals are implemented, we will (probably) have parties that are not different, neither in their names nor (perhaps) in their people, but with profoundly different attitudes towards politics, towards making politics and towards the service that politics owes to citizens and the state.

And citizens who are once again involved and committed to informing themselves and understanding will carefully monitor the parties, candidates and programmes that will once again become political. And all this daily, not only during elections when even today a minimum of political fervour is registered. It will mean that there will be a greater awareness in politics at all levels (hopefully in full), to the benefit of democracy. And at the service of the new society.



¹⁹ ↪ For example, the increase in the number of elected Deputies; albeit against the September 2020 referendum that approved their reduction from 630 to 400.

Annex:

Minutes of the participatory democracy round table

Participants: Maria Luisa Bianco, full professor of Sociology, University of Eastern Piedmont, Alessandra Capitolo, editor, Anduelas Dulaj, restaurateur, Cristina Giovannetti, Home Restaurant operator, Guido Ortona, retired full professor of Economic Policy of Eastern Piedmont, Edoardo Recupero, student at the European High School, Cesare Santanera, engineer entrepreneur, Matteo Valenza, lawyer for the Consumers' Movement.

Present were: Giacomo Balduzzi, expert in deliberative processes, Daniele D'Antonio as photographer, Andrea Surbone as promoter of the experiment.

There is no specific role of facilitator, nor expert on the subject matter of the law.

At the opening of the meeting M. Luisa Bianco assumed, with the agreement of the group, the task of coordinating the discussion and taking the minutes.

The group met on 30 April 2017 at 10:30 a.m. in Via Corte d'Appello 22 and discussed the text of the law approved in the Chamber of Deputies on the Home Restaurant activity (the possibility of operating a restaurant in one's own home, on the B&B model). The participants had previously received the text of the law, materials from the parliamentary debates, some reports of discussions in the media and the Senate reading sheet.

The arguments brought to the discussion were always informed and pointed out features of the legislative text that make it inappropriate to achieve the objectives set by the law. However, many interventions stressed the desirability of regulating a new sector, which is potentially expanding and can be important in fostering employment at a time of crisis in the traditional labour market.

After a break of about an hour for lunch, participants reconvened and were presented with a voting card with three voting modes: Reject, Approve, Approve with reservation. Three participants voted Reject, and five chose a mode not initially envisaged, Reject with reservation. Subsequently, the participants made their votes and their reasons clear.

The following emerges from this concluding discussion:

- there is unanimous agreement that the text of the law approved by the Chamber is totally inadequate and to be rejected;
- there is unanimous agreement that some regulation of the sector is necessary;
- if the "I reject with reservation" option had been on the ballot paper, probably more voters would have selected it.
- at the moment only one voter states with certainty that he would have kept the "I reject" vote.

All participants consider that:

- more attention should be paid to the issue of compliance with hygiene and health standards;
- the tax regime for home restaurants should be clarified in the legislation;
- the objective of promoting quality food, stated in the text of the law, is not then actually consistent with the provisions, which set the ceiling at €5,000 of turnover and 500 visitors per year, risking stimulating the opposite.

In conclusion, the group points out a number of methodological caveats:

- need for a minutes taker who is not a member of the discussion group;
- need for a discussion coordinator;
- the desirability of the presence of one or more experts in the topic under discussion;
- the need to include the option "rejected with reservation" on the voting sheet.



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❖ **About Jus Semper:** The Jus Semper Global Alliance aims to contribute to achieving a sustainable ethos of social justice in the world, where all communities live in truly democratic environments that provide full enjoyment of human rights and sustainable living standards in accordance with human dignity. To accomplish this, it contributes to the liberalisation of the democratic institutions of society that have been captured by the owners of the market. With that purpose, it is devoted to research and analysis to provoke the awareness and critical thinking to generate ideas for a transformative vision to materialise the truly democratic and sustainable paradigm of People and Planet and NOT of the market.

❖ **About the author:** Andrea Surbone, writer, publisher, ex-winegrower and visionary; author of *Philopony - get 'em out of money* in the book *Il lavoro e il valore al tempo dei robot - Intelligenza artificiale e non-occupazione*, by D. Astrologo, A. Surbone, P. Terna, Meltemi, Milano 2019 – www.meltemieditore.it/. He has written fiction with *Dusts* and since November 2007 writes *have a nice week*, a small column of glances at the world, sent every Monday by email. Publisher of the magazine *Nuvole* (for paper issues from 16 to 23) and still a member of the Editorial Board (www.nuvole.it). Spokesperson of a proposal for political economy (www.propostaneokeynesiana.it). Promoter of a political proposal (www.surbone.it/per). Andrea is a graduate from the SAA School of Management in Turin.



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