

Optimising Democratic Governance - Digital Democracy

Tim Knight

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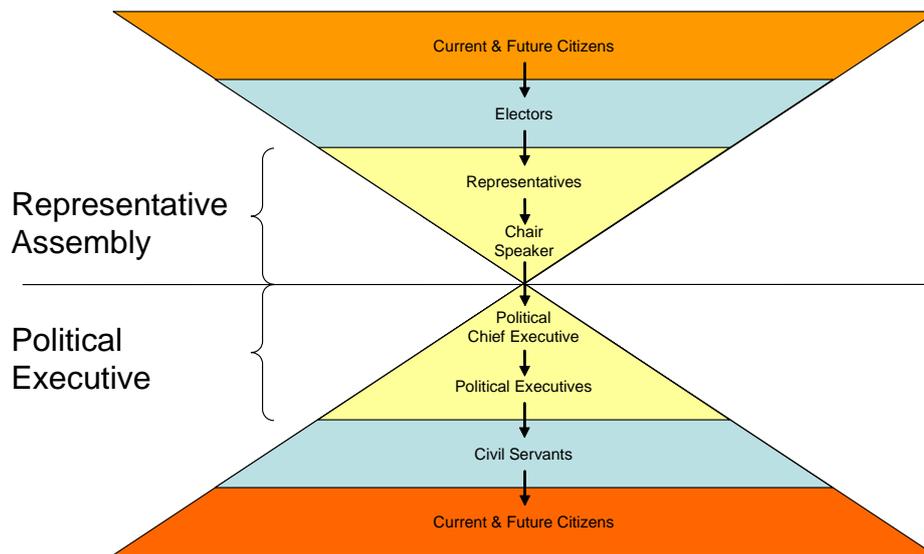
Table of Contents

Abstract	iii
An Analysis of the Nature of Democratic Governance (i.e. ‘the Problem’)	1
The ‘Vision’ (i.e. ‘the Solution’ to ‘the Problem’).....	9
The Electoral Process for a Political Chief Executive	11
Meaningful Democracy - Individual vs. Party Candidates	11
MV-1 vs. TV-1 Electoral Processes for a Political Chief Executive.....	12
The Option to Recall.....	13
Conclusion	13
The Electoral Process for a Representative Assembly	15
Meaningful Democracy - Individual vs. Party Candidates	15
The Need and Scope for Geographic Representation	17
The Need for a TU (Top-Up) Electoral Process	19
The Need for a BU (Bottom-Up) Electoral Process	21
Multi-Representative vs. Single-Representative Sub-Constituencies.....	22
MV-1 vs. TV-1 Processes for Single-Representative Sub-Constituencies.....	23
TU-50/TV-1 Voting.....	24
The Scope for Bottom-Up Democracy	25
The End of Tribalism.....	26
The Option to Recall.....	26
Conclusion	27
Rolling Internet-Based Democracy	29

Abstract

This paper presents an analysis of the processes by which democratic governance is effected. It starts from first principles, and uses process re-engineering techniques in an attempt to define a coherent paradigm for the issues which must be addressed. It leads to the following conclusions:

1. Political power in a democracy should be balanced between a 'senior' **Representative Assembly** and a 'junior' **Political Chief Executive**. The relationship can be characterised within a many-to-one one-to-many 'hourglass' of delegation as follows:



2. The Representative Assembly and the Political Chief Executive should be appointed through **independent** election processes.
3. Power in the Representative Assembly should be appointed to achieve overall representation truly proportional to the preferences of the electorate, and to provide a level playing field for smaller Parties and Independents.
4. The Political Chief Executive should feel free to appoint and manage the Political Executives on the basis of 'best person for the job' (rather than being pressured to 'find executive jobs for the political classes from the Representative Assembly'). Indeed, no individual should hold positions in **both** of the two following categories simultaneously (or even on a 'revolving door' basis):
 - a. The Representative Assembly, or ('**active**' membership of) a political Party represented in the Representative Assembly.
 - b. The Political Chief Executive, the Political Executive, or the Civil Service.
5. This Vision of Optimised Democratic Governance should be implemented within the context of 'Rolling Internet-Based Democracy'. Entitlement to state benefits and tax allowances could be contingent on constructive 'engagement' with civil society; through maintenance of political preferences in a Voting Database.

An Analysis of the Nature of Democratic Governance (i.e. ‘the Problem’)

This paper presents an analysis of the processes by which democratic governance is effected. It starts from first principles, and uses process re-engineering techniques in an attempt to define a coherent paradigm for the issues which must be addressed.

Many presuming to an opinion on this issue focus on electoral processes. However, electoral processes, and reform of electoral processes, can only ever be a means to an end. For example, if we use the democratic governance of the UK as ‘the ‘end’, we must ‘embrace’ and ‘engage with’ the current roles of, the relationships between, and the electoral processes for, the following:

1. The Lords.
2. The Commons (including Select Committees, Royal Commissions, Audit Commissions, etc.).
3. The Political Executive (including Prime Minister, Cabinet Ministers, Junior Ministers, Quangos, etc.).

In doing so, we must balance the requirement for an effective Political Executive with the requirement for democratic moderation of that Political Executive.

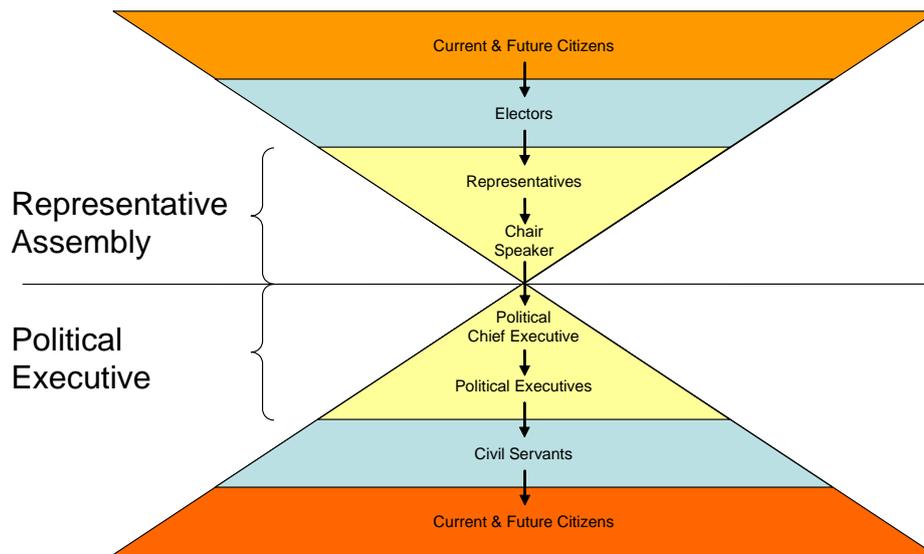
The single most contentious issue amongst those presuming to an opinion on this issue is the concept of proportional representation. However, a regime can have only a **single Political Chief Executive** with the authority to appoint and manage the rest of the Political Executives. Thus, the concept of proportional representation is not relevant for the appointment of a Political Chief Executive and the rest of the Political Executives. However, the concept of democracy requires that the Political Executive should have to secure and maintain the support of a majority of the electorate. Unless the electorate is prepared to subject itself to an overwhelming sequence of campaigns, elections and referenda, the electorate needs a Representative Assembly to moderate the Political Executive on behalf of that electorate.

Advocates of proportional representation argue that democratic moderation of a Political Executive by a Representative Assembly requires that power within that Representative Assembly be based on the concept of proportional representation. However, we should perhaps consider more thoroughly the nature of the relationship between a ‘paired’ Political Executive and Representative Assembly before adopting a ‘knee-jerk’ insistence on proportional representation as a ‘paramount’ characteristic for all of the democratic-governance processes.

In the following few pages, we will review the nature of, and the relationship between, a ‘paired’ Political Executive and Representative Assembly under the following headings:

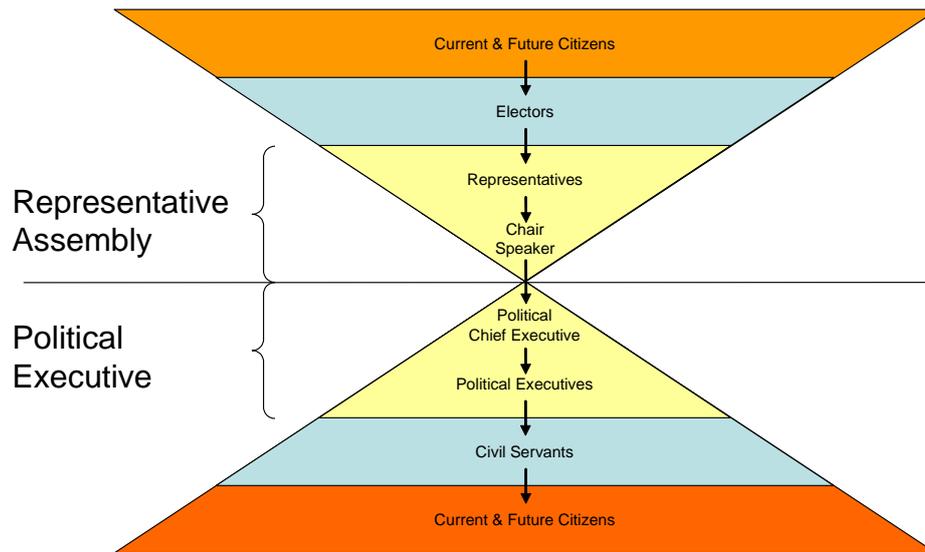
1. The **democratic-status relationship**.
2. The **operational relationship**.
3. The **key functional descriptors**.

The **democratic-status relationship** between a ‘paired’ Political Executive and Representative Assembly can be characterised within a many-to-one one-to-many ‘hourglass’ of delegation as follows:



1. The **Representative Assembly** should be considered to be ‘senior’ to the ‘paired’ Political Executive. The democratic-status associated with a Representative Assembly could be characterised as a many-to-one delegation as follows:
 - a. The **Current and Future Citizens** should be considered to be the ‘beneficial owners’ of the state.
 - b. The **Electors** should be considered to be the ultimate sources of democratic authority (on behalf of the Current and Future Citizens).
 - c. The **Representatives** should be considered to be the ultimate (potential) focus of democratic delegation (i.e. they should be considered to be the lowest level of delegation at which proportional representation was possible). This is the reason why the Representative Assembly should be considered ‘senior’ in democratic-status to the Political Chief Executive.
 - d. The (internally-elected) **Chair/Speaker** of the Representative Assembly should not ‘lead’ as such, but should merely attempt to ensure due process, to attempt to build consensus in the Representative Assembly, and to attempt to ‘passively articulate the will of the people’ as **Head of State**.
2. The **Political Executive** should be considered to be ‘junior’ to the ‘paired’ Representative Assembly. The democratic-status associated with a Political Executive could be characterised as a one-to-many delegation as follows:
 - a. The **Political Chief Executive** must have the authority to appoint and manage the Political Executives.
 - b. The **Political Executives** must be subject to the authority of the Political Chief Executive.
 - c. The **Civil Servants** must be subject to the authority of the Political Executive.
 - d. The **Current and Future Citizens** must be subject to the authority of the Civil Servants.

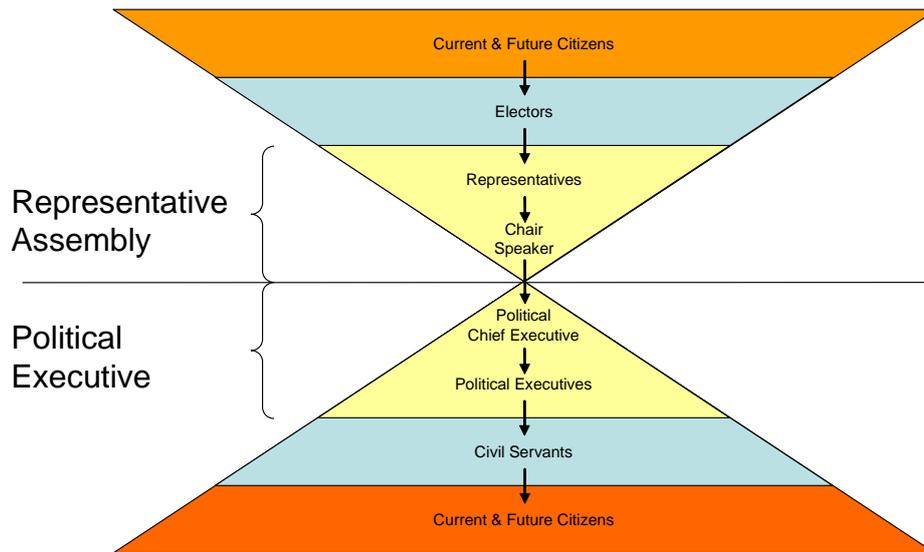
The **operational relationship** between a ‘paired’ Political Executive and Representative Assembly can be characterised as follows:



1. The Political Chief Executive should appoint and manage the Political Executives. The Representative Assembly should moderate that appointment and management process.
2. The Political Chief Executive should develop and maintain an overall ‘vision’ and overall manifesto. The Representative Assembly should moderate that overall ‘vision’ and overall manifesto.
3. The Political Executive should put forward specific propositions in line with that moderated overall ‘vision’ and overall manifesto. The Representative Assembly should moderate those specific propositions.
4. The Political Executive should execute the moderated propositions. The Representative Assembly should audit the execution of those moderated propositions.

This suggested operational relationship is similar to the standard ‘best practice’ model for governance of a commercial corporation (i.e. a chief executive, moderated by a board of directors), of a charity (i.e. a chief executive, moderated by a board of trustees), and of a school (i.e. a head, moderated by a board of governors).

The **key functional descriptors** for a ‘paired’ Political Executive and Representative Assembly can be characterised as follows:



1. Key functional descriptors for a **Political Chief Executive** (and indeed, all of the Political Executives) would include the following: **active leadership**; vision; charisma; drive; focus; can do; why not; action this day; entrepreneurial instinct and experience; management experience and competence; awareness of the need to govern on behalf of the whole electorate rather than niche interests; awareness of the need to bring the whole electorate along with them (i.e. to ‘sell’ their leadership); effectiveness; and efficiency.
2. Key functional descriptors for Representatives in a **Representative Assembly** (including the Chair/Speaker) would include the following: **constructive moderation**; consensus-building; constitutional issues; inquiries, royal commissions; select committees; referendums; why; will it work; what about the alternatives; what about potential collateral damage; what about potential unintended consequences; steady as she goes; due process; due diligence; audit; and accountability.

It is perhaps worth dwelling a little here on the nature of ‘leadership’. The electorate (and democratic representatives of the electorate) are naturally populist and conservative (with a small ‘c’), whereas almost every worthwhile political proposition involves hard decisions and controversial change. Thus, good ‘leadership’ will be ‘ahead of the consensus’ on almost every worthwhile political proposition. That is the essence of ‘leadership’. Thus, in turn, the quality of ‘leadership’ can be judged only in retrospect (ultimately by the electorate at a subsequent election). Thus, in turn between elections, a Political Chief Executive must be ‘given enough rope to hang himself/herself’, and the balance of power between a Political Chief Executive and a ‘paired’ Representative Assembly must be tilted to some degree in favour of the Political Chief Executive.

Between elections, a Political Executive which has to ‘emerge’ from a Representative Assembly will always struggle to maintain at least 50% support against the continuous tides of petty party-politicking in that Representative Assembly. The result tends to gridlock, and ‘omnishambles’.

In contrast, between elections, an independently-elected Political Chief Executive (such as the US President, the French President, the Russian President, the UK London Mayor, and the UK

Bristol Mayor) has his/her own mandate directly from the electorate, and that mandate gives him/her the authority to (try to) '**lead**'. With an independently-elected Political Chief Executive exercising that leadership role, the role of the Representative Assembly should be:

1. To channel the 'nervous' and conservative (with a small 'c') will of the people to the Mayor.
2. To advise and moderate the governance of the Mayor on behalf of the 'nervous' and conservative (with a small 'c') electorate.
3. To hold in trust the ultimate power (subject to at least 67% support in the Council) to censure a Mayor who had clearly 'lost the plot' or who had clearly 'betrayed the manifesto on which he/she was elected'.

The ultimate power to censure an independently-elected Political Chief Executive should/would not be used irresponsibly. The electorate will remember abuse of that ultimate power, and will pass judgement on the behaviour of both the Political Chief Executive and the Parties in the Representative Assembly in any subsequent (re-)election.

From the above, it should be readily-apparent that the roles and natures of a 'paired' Political Chief Executive and Representative Assembly are so radically-distinct that their appointment processes should be considered in isolation (i.e. rather than relying on an effective Political Executive 'emerging' from a Representative Assembly). Indeed, there are very powerful reasons for **enforcing formal constitutional separation** (otherwise, the Political Executives would be moderating themselves, and/or would have undue power over those who were supposed to be moderating them).

As suggested earlier, advocates of proportional representation argue that democratic moderation of a Political Executive by a Representative Assembly requires that power within that Representative Assembly be based on the concept of proportional representation.

Most opponents of proportional representation are not anti-democratic per-se. They just believe that (again, in the context of the democratic governance of the UK as an example) the **effectiveness** of the Political Executive is more important than the last ounce of proportional democracy, and they have concerns about the **presumed** weakness of the 'coalition' Political Executive which they **presume** would have to '**emerge**' from a Representative Assembly without a dominant Party. They presume that such a Political Executive would have to try to negotiate and maintain a **standing** 'mongrel' coalition of **Parties** within the Representative Assembly; based on some form of **standing** 'mongrel' **manifesto**. They presume that each Party and individual aspiring to influence would have to seek membership of that standing 'mongrel' coalition. They presume that each such Party and individual would be able to maintain the right to argue by convictions and manifesto commitments **within** that standing 'mongrel' coalition, but would have to agree 'up front' to then support that standing 'mongrel' coalition line **irrespective** of convictions and manifesto commitments. They presume that the Political Executive would have to seek the support of the standing 'mongrel' coalition for every proposition in the standing 'mongrel' manifesto, and would be constantly diverted by the need to maintain the integrity and support of that standing 'mongrel' manifesto and standing 'mongrel' coalition. They presume that such a Political Executive would be too weak and diverted to lead and govern effectively. Thus, most opponents of proportional representation oppose proportional representation not because they are anti-democratic per-se, but primarily to (try to) ensure that the Political Executive (normally) has (non-proportional, large-Party-biased) majority support in the moderating Representative Assembly.

Thus, **opponents of proportional representation are not being unreasonable**. Proponents of proportional representation must acknowledge the reservations of their opponents, and must ‘engage with’ those reservations.

However, even the opponents of proportional representation must admit that **disproportional** representation results at best in a (moderately-effective but un-democratic) ‘pendulum elected dictatorship’ most of the time, with occasional periods of ‘coalition chaos’.

However also, even the opponents of proportional representation must admit that **disproportional** representation frustrates a general desire for well-differentiated ‘natural’ Parties and ‘independent’ Representatives. The current Labour Party is effectively an incoherent ‘covert’ coalition of an ‘Old Labour’ Party and a ‘New Labour’ Party. The current Conservative Party is effectively an incoherent ‘covert’ coalition of a ‘Europhile Conservative’ Party and a ‘Europhobe Conservative’ Party. The only reason why the existing Labour and Conservative coalition Parties hold together (so tenuously and destructively) is that, with the current electoral process for the Commons (and therefore for the Political Executive which must ‘emerge’ from it), if either split, although the resulting minor Parties would certainly get **more votes** in total (as each such minor Party would pick up extra votes currently antagonised by the opposing influence), they would equally-certainly get **less seats** (and power and funding) in total. Thus, **disproportional** representation (as above) effectively leads to a situation in which there can be only two ‘worthwhile’ Parties (otherwise, smaller Parties would be motivated to merge into bigger ‘covert’ coalition Parties for Party-political advantage), both of which are incoherent ‘covert’ coalitions, and both of which focus primarily on the concerns of the marginal voters in the marginal constituencies.

Thus, in practice, with **disproportional** representation, democratic regimes **always** get a ‘coalition’ Executive, **no-one** knows what they are voting for when they have the opportunity to vote, and **no-one** has any assurance that they will get what they thought they voted for. Specifically:

1. If one of the two major ‘covert coalition’ Parties wins a (non-proportional, large-Party-biased) absolute majority (i.e. most of the time), the result is **a ‘covert’ coalition** put together for Party-political advantage **before** the election. Even those who voted for the winning ‘covert’ coalition have no assurance that they would get what they ‘wanted’, simply because they did not know which parts of the ‘covert’ coalition was destined to dominate policy.
2. If neither of the two major ‘covert coalition’ Parties wins a (non-proportional, large-Party-biased) absolute majority (i.e. only occasionally), the result is **an ‘overt’ coalition of ‘covert’ coalitions** put together for Party-political advantage **before and after** the election). Even those who voted for one of the ‘covert’ coalitions in the ‘overt’ coalition have no assurance that they would get what they ‘wanted’, simply because they did not know which parts of the ‘overt’ coalition of ‘covert’ coalitions was destined to dominate policy.

Even worse, in almost all such cases, as part of the coalition-formation processes, the Political Chief Executive who ‘emerges’ has to find jobs in the Political Executive for the political classes in the coalition Parties. The inevitable result is a Political Executive comprised of the ‘big beasts’ of the coalition, moderated by a Representative Assembly dominated by those same ‘big beasts’. Many would see in this uneasy conflation of conflicting objectives and interests the root cause of the democratic deficit and ‘omnishambles’ which blights so many instances of so-called democratic governance.

But it doesn't have to be that way! Proponents **and** opponents of proportional representation **must** acknowledge the priorities and reservations of their opponents, **must** recognise that there is no possibility of an equitable 'solution' if the Political Executive must 'emerge' from a Representative Assembly, and **must** 'engage with' alternative paradigms.

If the Political Chief Executive (i.e. the UK Prime Minister in the UK) was independently-elected (i.e. as for the US President, the French President, the Russian President, the UK London Mayor, and the UK Bristol Mayor), that Political Chief Executive would have an independent democratic mandate. An independently-elected Political Chief Executive should be free to appoint and manage the Political Executives on the basis of 'best person for the job' (rather than being pressured to find executive jobs for the political classes from 'covert' and/or 'overt' coalition Parties), and would be able to seek support from a **different** set of Parties (and rebel individuals) in the Representative Assembly for each of the Executive's propositions. Each Party (and rebel individual) would be able to support or oppose each proposition according to convictions and manifesto commitments. Indeed, the electorate would be entitled to expect them to do so. There would be no need for a standing 'mongrel' coalition, a standing 'mongrel' manifesto, or a splitting into a 'governing in-crowd' and an 'opposition out-rabble'. The Representative Assembly would 'moderate' the Governance of the Executive (rather than knee-jerk support or oppose that Governance based on Party-political advantage). Of course, there would always be **some** mutual back-scratching, but not to the extent required to support a standing 'mongrel' coalition with a standing 'mongrel' manifesto.

Indeed, with proportional representation in the UK Commons (moderating an independently-elected UK Prime Minister), we would perhaps expect to see the current Labour coalition Party (for that is what it is!) break into an 'Old Labour' Party and a 'New Labour' Party, and to see the current Conservative coalition Party (for that is what it is!) break into a 'Europhile Conservative' Party and a 'Europhobe Conservative' Party. The resulting minor Parties would not only get **more votes** in total (as each such minor Party would pick up extra votes currently antagonised by the opposing influence), they would equally-certainly get **more seats** (and power and funding) in total. Parties would emerge, split, merge and dissolve to 'catch' and represent evolving popular appeal. Voters would switch freely between those Parties according to their own evolving fundamental values and evolving policy convictions. Indeed, politicians themselves would switch between Parties and/or set up new ones according to evolving personal ambitions and/or evolving policy convictions. We would expect to see the UK Commons populated by perhaps 10 or so well-differentiated, substantial, but **non-dominant** Parties.

In such a context, the debate about **the future of the UK Lords** can be seen to be irrelevant! The UK needs the UK Lords at the moment simply because the current (non-proportional, large-Party-biased) UK Commons is unable to moderate the UK Political Executive, and the UK Lords serves as the only (relatively-)independent moderator of the powers of the UK Political Executive. Truly-proportional representation in the UK Commons would resolve that problem 'at source', and we would not then need the UK Lords at all. The sole legitimate purpose of a secondary Representative Assembly (e.g. the UK Lords, and the US Senate) is to moderate a **radical constitutional transition** (e.g. the UK transition from governance by the aristocracy to governance by the people, and the US transition from independent States to the United States). However, such secondary Representative Assemblies should be created with a limited life-span, with a gradual moderated transfer of power to the single 'visionary' Representative Assembly, and should then be dissolved following that moderated transition.

Thus, the UK should seek to establish **an independently-elected Political Chief Executive** (i.e. the UK Prime Minister; as for the US President, the French President, the Russian President, the UK London Mayor, and the UK Bristol Mayor), moderated by **a truly-proportional single-level Representative Assembly** (i.e. a reformed Commons).

Whilst such an arrangement could perhaps be seen as too radical for a short-term goal, it does highlight the need to keep open the opportunity for incremental and cumulative reform; potentially towards that long-term ‘vision’. It suggests that the UK should err on the side of proportional representation for the Commons, even at the potential risk of weak ‘coalition’ Political Executive (no change there then – the current Labour and Conservative Parties are anyway weak coalitions in all but name), and of a confused role for the UK Lords in the short term. If the ‘top’ institution (i.e. the Commons) was proportional, there would always be the potential for common purpose to reform itself and/or the ‘lower’ institutions (i.e. including the Political Executive and the Lords). If the ‘top’ institution remained in the pocket of a ‘pendulum elected dictatorship’, the current ‘dictator’ would always have a vested interest in, and the power to resist, such reform. Thus, the electoral process for the de-facto ‘top’ institution (i.e. the Commons in the UK) **must** be based on truly-proportional representation. That must be the **paramount** principle for the first phase of reform.

However, in order to moderate legitimate reservations about potentially-weak ‘coalition’ Political Executives, and in order to secure consensus for the first phase of reform, that first phase of reform **may well** need to **also** establish a process for appointment of the Political Chief Executive (i.e. the Prime Minister in the UK) **independent** from the appointment process for the de-facto ‘top’ institution (i.e. a reformed Commons in the UK).

The ultimate destiny of the Lords must surely be abolition, and reform in isolation should be seen as an unnecessary diversion from more-radical synchronised reform of the Political Chief Executive (i.e. the Prime Minister) and the Representative Assembly (i.e. the Commons).

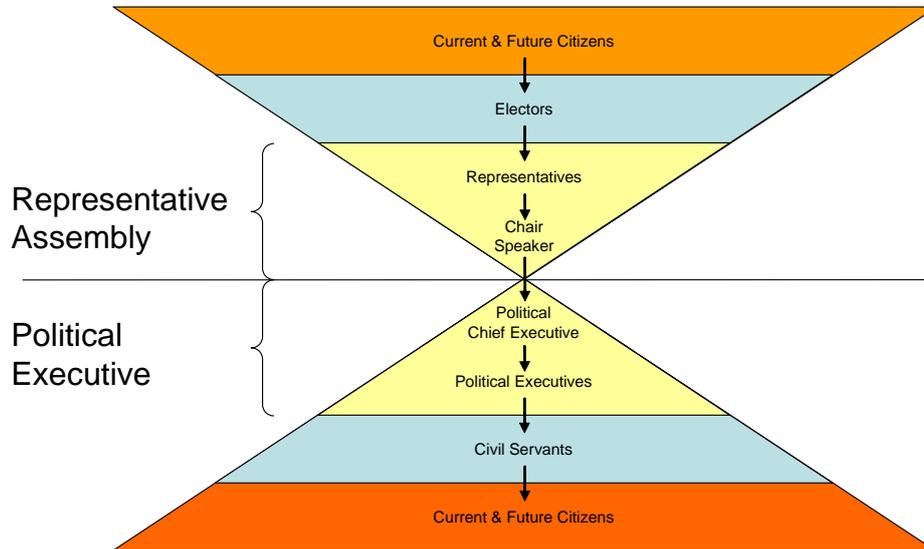
The Monarchy, Aristocracy, Church of England, and Honours system could all be disestablished and then retained, reformed or abolished in low-profile non-constitutional programs according to populist sentiment.

It would be a tragedy if the democratic ‘proportional-representation concept’ were to be discredited by association with ‘unfit-for-purpose’ propositions such as **‘AV for the Commons-and-Executive combined’**, and/or **‘Reform of the Lords in isolation’**.

The 'Vision' (i.e. 'the Solution' to 'the Problem')

The 'Vision' (i.e. the 'solution') for Democratic Governance should be engineered to be directly-aligned to the 'problem' as defined in the previous section, and should comprise the following:

1. Political power in a democracy should be balanced between a 'senior' **Representative Assembly** and a 'junior' **Political Chief Executive**. The relationship can be characterised within a many-to-one one-to-many 'hourglass' of delegation as follows:



2. The Political Chief Executive and the Representative Assembly should be appointed through **independent** election processes.
3. Power in the Representative Assembly should be appointed to achieve overall representation truly proportional to the preferences of the electorate, and to provide a level playing field for smaller Parties and Independents.
4. The Political Chief Executive should feel free to appoint and manage the Political Executives on the basis of 'best person for the job' (rather than being pressured to 'find executive jobs for the political classes from the Representative Assembly'). Indeed, no individual should hold positions in **both** of the two following categories simultaneously (or even on a 'revolving door' basis):
 - a. The Representative Assembly, or ('**active**' membership of) a political Party represented in the Representative Assembly.
 - b. The Political Chief Executive, the Political Executive, or the Civil Service.

The implication being that, in order to take up a significant position in any of the second category, an individual would have to forgo all significant positions in all of the first category (e.g. Barack Obama had to resign as Senator for Illinois when he was inaugurated as President of the US in 2009, and Hilary Clinton had to resign as Senator for New York when she took up the position of Secretary of State in the Executive of the US government in 2009). This suggested operational relationship is similar to the standard model for 'best-practice' governance of a commercial corporation (i.e. a chief executive moderated by a board of directors), of a charity

(i.e. a chief executive moderated by a board of trustees), and of a school (i.e. a head moderated by a board of governors).

5. A simultaneous election for Political Chief Executive and Representative Assembly should be ‘triggered’ by any of the following:
 - a. A fixed time limit since the previous simultaneous election.
 - b. The Political Chief Executive.
 - c. A significant majority (perhaps 67%) of the Representative Assembly in a ‘vote of no confidence’ in the Political Chief Executive.
 - d. A significant majority (perhaps 67%) of the Electorate (as expressed through a ‘vote of no confidence’ in the Political Chief Executive and/or in the Representative Assembly - as registered in a Citizenship Database on a rolling basis) - see later).

This overall ‘Vision’ (i.e. the ‘solution’) would be similar to the overall process used to elect the London Mayor and the London Assembly.

The process proposed to elect the Representative Assembly (i.e. proportional representation) would be similar to that used to elect the London Assembly, the Northern Irish Assembly, the Welsh Assembly, the Scottish Parliament, and the European Parliament. It is also similar to the process recommended by the 1998 Jenkins report on potential reform of the House of Commons.

The Electoral Process for a Political Chief Executive

As discussed in the introduction, in order to moderate legitimate reservations about potentially-weak Political Executives ‘emerging’ from a truly-proportional Representative Assembly, the process for appointment of the Political Chief Executive (i.e. the Prime Minister in the UK) **must** be **independent** from the appointment process for the de-facto ‘top’ institution (i.e. the Commons in the UK). A Political Chief Executive is by definition a single individual. Thus, the concepts of proportionality, top-up representatives and multi-member constituencies are irrelevant, and the issues and options are as follows:

1. Meaningful Democracy - Individual vs. Party Candidates.
2. MV-1 vs. TV-1 Electoral Processes.
3. The Option to Recall.

Meaningful Democracy - Individual vs. Party Candidates

A Political Chief Executive is by definition a single individual, and meaningful democracy **can** and should be based on a choice between the clearly understood rolling track-records, manifestos and personalities of **individuals**:

1. In each election for the **Political Chief Executive**, each Candidate should be an **individual; formally**-independent from affiliation to any political Party. However:
 - a. Each Candidate should be allowed to seek and accept endorsement (but not funding) from none, one or more Parties (and/or any other organisations and/or individuals).
 - b. Each political Party (and each other organisation and individual) should be allowed to endorse (but not fund) none, one or more Candidates.
2. The Political Chief Executive should be appointed by a TV-1 process (i.e. a process in which the single Political Chief Executive would be appointed by a TV-1 vote transferable through all Candidates). More specifically:
 - a. Candidates for Political Chief Executive should stand as individuals for the whole electorate (as opposed to Party representatives, with potential conflicts of interests).
 - b. The Political Chief Executive should serve as an individual (as opposed to a Party representative, with potential conflicts of interests).
3. The Political Chief Executive should feel free to appoint and manage his Political Executives on the basis of ‘best person for the job’ (rather than being pressured to ‘find executive jobs for the political classes from the Representative Assembly’). Indeed, no individual should hold positions in **both** of the two following categories simultaneously (or even on a ‘revolving door’ basis):
 - a. The Political Chief Executive, the Political Executive, or the Civil Service.
 - b. The Representative Assembly, or (‘**active**’ membership of) a political Party represented in the Representative Assembly.

The implication being that, in order to take up a significant position in any of the second category, an individual would have to forgo all significant positions in all of the first category (e.g. Barack Obama had to resign as Senator for Illinois when he was inaugurated as President of the US in 2009, and Hilary Clinton had to resign as

Senator for New York when she took up the position of Secretary of State in the Executive of the US government in 2009). This suggested operational relationship is similar to the standard model for ‘best-practice’ governance of a commercial corporation (i.e. a chief executive moderated by a board of directors), of a charity (i.e. a chief executive moderated by a board of trustees), and of a school (i.e. a head moderated by a board of governors).

MV-1 vs. TV-1 Electoral Processes for a Political Chief Executive

A Political Chief Executive is by definition a single individual. Thus, the concepts of proportionality, top-up and multi-member constituencies are irrelevant, and the choice is between TV-1 and MV-1 electoral processes:

1. MV-1 processes (including FPTP-1 and SV-1) are inherently and manifestly incapable of reflecting the nuanced wishes of the electorate:
 - a. To use an extreme example, if there were two left-wing Candidates (who each got approximately 10.4% of the votes), and eight right-wing Candidates (who each got approximately 9.9% of the votes), then the most popular of the two left-wing Candidates would be elected when 79.2% of the electorate would have preferred **any** of the popular right wing Candidates.
 - b. In particular, MV-1 processes frustrate a general desire for independent Candidates; particularly for a single Political Chief Executive (for which many independent Candidates may well be **non-political** business, academic, media or other ‘personalities’). Typically, with MV-1 processes, each political Party ‘pre-consolidates’ Party support into support for a ‘leading’ Party Candidate through ‘internal primaries’ prior to the formal constitutional election process. However, independent Candidates typically do not have the organisation to do so. Thus, MV-1 processes can allow Party Candidates with ‘pre-consolidated’ support to win, when a majority of the electorate would have preferred **any** of the popular independent Candidates.
2. TV-1 processes (including STV-1 and AV-1) with n Candidates resolve all 1-1 preferences between all n of the Candidates against all n-1 opponents. Indeed, with TV-1, there would be no need for divisive and distracting ‘primaries’ to pre-select a ‘leading’ Candidate for each political Party. All Candidates from all and no political Party could put themselves forward as individual Candidates without prejudicing the chances of other Candidates with similar appeal:
 - a. In the above extreme example, with a TV-1 process, the strongest right-wing Candidate would win.
 - b. TV-1 processes would allow popular independent Candidates to compete more fairly, based on votes transferred from less popular independent Candidates.

Thus, a Political Chief Executive should be appointed through a TV-1 process (i.e. a process in which the single Political Chief Executive would be appointed by a TV-1 vote transferable through all Candidates).

The Option to Recall

A simultaneous election for Political Chief Executive and Representative Assembly should be ‘triggered’ by any of the following:

1. A fixed time limit since the previous simultaneous election.
2. The Political Chief Executive.
3. A significant majority (perhaps 67%) of the Representative Assembly in a ‘vote of no confidence’ in the Political Chief Executive.
4. A significant majority (perhaps 67%) of the Electorate (as expressed through a ‘vote of no confidence’ in the Political Chief Executive and/or the Representative Assembly through Rolling Internet-Based Democracy – see later).

Conclusion

The Electoral Process for a Political Chief Executive should be based on the following principles:

1. In each election for the **Political Chief Executive**, each Candidate should be an **individual; formally**-independent from affiliation to any political Party. However:
 - a. Each Candidate should be allowed to seek and accept endorsement (but not funding) from none, one or more Parties (and/or any other organisations and/or individuals).
 - b. Each political Party (and each other organisation and individual) should be allowed to endorse (but not fund) none, one or more Candidates.
2. The Political Chief Executive should be appointed by a TV-1 process (i.e. a process in which the single Political Chief Executive would be appointed by a TV-1 vote transferable through all Candidates). More specifically:
 - a. Candidates for Political Chief Executive should stand as individuals for the whole electorate (as opposed to Party representatives, with potential conflicts of interests).
 - b. The Political Chief Executive should serve as an individual (as opposed to a Party representative, with potential conflicts of interests).
3. The Political Chief Executive should feel free to appoint and manage the Political Executives on the basis of ‘best person for the job’ (rather than being pressured to ‘find executive jobs for the political classes from the Representative Assembly’). Indeed, no individual should hold positions in **both** of the two following categories simultaneously (or even on a ‘revolving door’ basis):
 - a. The Representative Assembly, or (‘**active**’ membership of) a political Party represented in the Representative Assembly.
 - b. The Political Chief Executive, the Political Executive, or the Civil Service.

The implication being that, in order to take up a significant position in any of the second category, an individual would have to forgo all significant positions in all of the first category (e.g. Barack Obama had to resign as Senator for Illinois when he was inaugurated as President of the US in 2009, and Hilary Clinton had to resign as Senator for New York when she took up the position of Secretary of State in the Executive of the US government in 2009). This suggested operational relationship is

similar to the standard model for ‘best-practice’ governance of a commercial corporation (i.e. a chief executive moderated by a board of directors), of a charity (i.e. a chief executive moderated by a board of trustees), and of a school (i.e. a head moderated by a board of governors).

4. A simultaneous election for Political Chief Executive and Representative Assembly should be ‘triggered’ by any of the following:
 - a. A fixed time limit since the previous simultaneous election.
 - b. The Political Chief Executive.
 - c. A significant majority (perhaps 67%) of the Representative Assembly in a ‘vote of no confidence’ in the Political Chief Executive.
 - d. A significant majority (perhaps 67%) of the Electorate (as expressed through a ‘vote of no confidence’ in the Political Chief Executive and/or in the Representative Assembly - as registered in a Citizenship Database on a rolling basis) - see later).

The Electoral Process for a Representative Assembly

This section argues that power in a **Representative Assembly** should be appointed through a TU-50/TV-1 process (i.e. a process in which 50% of Representatives would be appointed by a TV-1 vote transferable through all Candidates in each of a number of single-representative geographic sub-constituencies, and in which the remaining 50% of Representatives would be appointed by TU electoral processes to achieve overall representation truly-proportional to the **Party** preferences of the electorate).

The process proposed to elect the Representative Assembly (i.e. proportional representation) would be similar to that used to elect the London Assembly, the Northern Irish Assembly, the Welsh Assembly, the Scottish Parliament, and the European Parliament. It is also similar to the process recommended by the 1998 Jenkins report on potential reform of the House of Commons.

Meaningful Democracy - Individual vs. Party Candidates

Many oppose TU electoral processes (for a Representative Assembly) because they believe that those TU processes represent a switch in focus from individual Representatives to Parties.

However, meaningful democracy requires a meaningful choice between clearly differentiated and clearly understood options, and that's where the 'cult of the individual Representative' inherent in the arguments of most activists for electoral reform falls short. The **vast** majority of citizens are **not** political activists, and have neither the time nor the inclination (nor the ability) to investigate the credentials and manifestos of a wide range of unknown and unknowable individual Candidates. The electorate can 'engage with' only perhaps 10 or so meaningful 'options'. Therefore, meaningful democracy within a proportional Representative Assembly **must** be based on a choice between the clearly differentiated and clearly understood rolling track-records, manifestos and leading personalities of perhaps 10 or so substantial but non-dominant **Parties**.

We all **know** that, in an election for Representatives in a Representative Assembly, the electorate votes for Parties (rather than individual Candidates). It might not be what **activists** want. It might not be what **activists** want the **electorate** to want. However, democracy is all about the electorate getting what the **electorate** wants, not what **activists** think the electorate needs or ought to want. The vast majority of the citizens who put James Moorhouse into the European Parliament in 1984 did not vote for him personally. They voted for the Tory package. When he felt unable to support that package in October 1998 (and switched to the Libdems), he should have resigned his seat and stood as a Libdem against a replacement Tory Candidate. The fact that he would almost certainly have lost merely reinforces the point.

Thus:

1. At each election, voters **must** be able to make a choice between the clearly understood rolling track-records, manifestos and leading personalities of perhaps 10 substantial, well-differentiated, but non-dominant **Parties**. In particular, at each election, voters **must** be able to exercise a democratic 'audit' of the past behaviour of (the Representatives of) each Party, and of the degree to which the Representatives of each Party delivered on the manifestos and commitments presented as the frame of reference for the choices of voters in previous elections.
2. Between elections, voters **must** be able to delegate to the authority of the leading personalities of each Party, and **must** be able to rely on the ability (and on the 'venal but enlightened self-interest') of those leading personalities to manage the behaviour

of the less prominent Representatives (through some kind of 'whipping' process) in line with the manifestos and commitments presented as the frame of reference for the choices of voters in recent elections.

With elections for Representatives in a Representative Assembly based on truly-proportional representation (so that **every** vote **would** count **equally** in each future election), voters **would** be able to rely on the 'venal but enlightened self-interest' of the leading personalities of each party to maintain standards and integrity. Thus, the leading personalities of each party **must** be able to expel 'bad apples' from their party before they caused too much damage to the Party's standing, and the Representative Assembly **must** be able (or even be obliged) to recall any Representative whose behaviour has fallen short of expected standards (including having been expelled from, or having resigning from, the Party for whom they stood in the most recent election). The same facility would serve to recall all Representatives of a Party deemed to have parted radically from the manifesto on which that Party stood in the most recent election. This recall requirement would be best-served through a 'vote of no confidence' in such a Representative or Party.

Thus, the top-up seats assigned to each Party in the Representative Assembly should be assigned (and re-assigned) to individuals by that Party at that Party's absolute discretion. The top-up votes assigned to each Party in the Representative Assembly should be cast by that Party at that Party's absolute discretion. Each Party should be perfectly free to promote the process by which it assigns (and re-assigns) top-up seats, and casts its top-up votes, as a Party feature along with other Party policies. Some citizens would prefer lots of overt bottom-up democracy. Others would prefer a well managed Party package. With an electoral process based on TU-50/TV-1, that choice could and should be on offer.

There is a contradiction here in the arguments of the advocates of 'personal' representation and 'bottom-up' democracy. If they believe in democracy, why are they afraid to let the voters choose? Indeed, if they believe that the electorate wants (or 'ought to' want, or 'deserves') bottom-up democracy, why are they so keen to force their opponents to adopt what they believe to be a vote-winning policy? Surely, they should be delighted to allow their opponents to persevere with what they believe to be vote-losing 'control freak' policies.

The Need and Scope for Geographic Representation

TU processes introduce the concept of Representatives without a **constitutional** allegiance to a geographic sub-constituency (introducing the concept of multi-status Representatives). Many would consider this to be a substantial change from current practice. However, we should bear the following in mind:

1. Alignment of Representatives to geographic sub-constituencies can be seen as a hangover from early days before the advent of mass communications and effective transportation. Government was 'small', Parties and manifestos were a weak concept, and citizens voted for known local individual Candidates. These days, government is 'big', the issues and options are if anything overexposed in the media, and citizens vote for Parties and manifestos.
2. There has always been a hierarchy of multi-status Representatives. For examples:
 - a. An institution with 600 members has to establish a hierarchy, or sink into anarchy. There is no alternative.
 - b. The current Political Chief Executive, the leaders and other senior members of the political Parties, the members of the Political Executive, the members of the Political Shadow Executive, the members of the select committees, and the members of task forces, all (quite rightly) get preference for 'air time'.
 - c. The current Political Chief Executive, the leaders and other senior members of the political Parties, the members of the Political Executive, the members of the Political Shadow Executive, the members of the select committees, and the members of task forces, cannot (and ought not to) hope to also give full-time attention to the interests of the electorate of a geographic sub-constituency. With non-TU arrangements, **constitutional** geographic allegiance in such cases is (and has to be) delegated to a proxy. The alternative would be anarchy. With TU, 'more senior/experienced' Representatives would typically be held back from the elections for geographic sub-constituencies, and would be appointed from top-up lists. The integrity of the **constitutional** geographic allegiance would be consolidated.
3. The attention of all Representatives should be focused primarily on full-constituency issues. For example, the Representatives in the UK Commons are elected primarily to represent the interests of citizens with regard to UK and higher issues (after all, **what otherwise is the purpose of local government**). Over-allegiance to geographic sub-constituencies leads to a 'me-last' attitude to unattractive propositions (nimbyism), and to a 'me-first' attitude to attractive propositions. A counterbalance of Representatives with allegiance only at the full-constituency level would lead to a more balanced attitude to all interests.
4. There have always been voters who had no constitutional representation, simply because their constitutional Representative was from a Party which had little sympathy with their own point of view. With TU, some of the top-up Representatives from each Party could be assigned to 'cover' the interests of such voters.

Thus, perhaps only 50% of Representatives should be elected as **constitutional** Representatives for geographic sub-constituencies, and 50% of the Representatives should be assigned as top-up Representatives for their Party.

Of the top-up Representatives for their Party, one could perhaps expect the Parties to assign responsibilities as follows (out of 'venal but enlightened self-interest'):

1. Half (i.e. one quarter of the total) could be assigned by their Party primarily to represent their Party in geographic sub-constituencies where the constitutional Representative was not from their Party.
2. Half (i.e. one quarter of the total) could be assigned by their Party primarily to represent their Party at full-constituency level (e.g. chairs and prominent members of select committees and task forces).

Thus, there would be an opportunity for each Party to develop geographic sub-constituency representation as a Party feature; **irrespective** of the de-facto **constitutional** representation at geographic sub-constituency level. With an electoral process based on TU-50/TV-1, that choice could and should be on offer.

Indeed, this argument could lead to a fundamental re-assessment of the requirement for **constitutional** representation at geographic sub-constituency level at all, and serious consideration for an electoral process based on TU-100 (i.e. a List system).

There is a contradiction here in the arguments of the advocates of 'personal' representation and 'bottom-up' democracy. If they believe in democracy, why are they afraid to let the voters choose? Indeed, if they believe that the electorate wants (or 'ought to' want, or 'deserves') bottom-up democracy and **constitutional** representation at geographic sub-constituency level, why are they so keen to force their opponents to adopt what they believe to be a vote-winning policy? Surely, they should be delighted to allow their opponents to persevere with what they believe to be vote-losing 'control freak' policies.

The Need for a TU (Top-Up) Electoral Process

Meaningful democracy requires a meaningful choice between clearly understood options. However, an electorate can ‘engage with’ a maximum of perhaps 10 meaningful ‘options’. Thus proportional representation in a Representative Assembly **must** be based on a choice between the clearly understood rolling track-records, manifestos and personalities of a limited number of **political Parties**.

This suggests that a **TU (Top-Up)** electoral process (e.g. List, AMS, MMP or AV+) is a pre-requisite for full-proportionality. No BU-only process gets anywhere near full-proportionality. For example, many would consider STV to offer the most potential for proportionality of all BU-only processes. However:

1. STV with **more than six winners** in each sub-constituency would render **constitutional** geographically-aligned representation virtually meaningless.
2. STV with **less than six winners** in each sub-constituency, without a top-up, would fall more than 10% short of truly-proportional representation.
3. STV-6 (i.e. STV with **six winners** in each sub-constituency), without a top-up, would render **constitutional** geographically-aligned representation virtually meaningless, whilst still falling more than 10% short of truly-proportional representation.

For illustration of this claim, see the following:

1. Making Votes Count, Patrick Dunleavy, Democratic Audit, 1997.
2. The Jenkins Report, 1998.
3. Guide to Voting Systems (Parliamentary Briefing), Anna Killick, Charter 88, 1998.
4. A Guide to Voting Systems in the UK, Angela Smith-Hughes, Charter 88, 1999.
5. The deliberations leading to the Scottish, Welsh and London arrangements.
6. A Citizen’s Guide to Electoral Reform, Alan Renwick, Biteback, 2011
7. Scottish Local Elections – 2012, Professor John Curtis, ERS, 2012.
8. ERS AGM Presentation - Professor David Denver, 2013.

In the table on the following page, a number of ‘proportional representation’ issues are highlighted, together with an indication as to the degree to which each issue is addressed by various levels of TU.

A number of ‘proportional representation’ issues are highlighted in the following table, together with an indication as to the degree to which each issue is addressed by various levels of TU:

1. A **TU-0** process (i.e. a process with 100% of Representatives **constitutionally** aligned to a geographic sub-constituency). This would include the process used currently to elect the UK Parliament and processes used currently to elect all UK local authorities.
2. A **TU-50** process (i.e. a process with 50% of Representatives **constitutionally** aligned to a geographic sub-constituency, and 50% of Representatives **constitutionally** assigned at full-constituency level). This would include the processes used currently to elect the London Assembly, the Scottish Parliament and the Welsh Assembly. AV+ (the process recommended by the 1998 Jenkins report on reform of the House of Commons) would fit somewhere between TU-0 and TU-50.
3. A **TU-100** process (i.e. a process with 100% of Representatives **constitutionally** assigned at full-constituency level). Conventionally, such a process would be called a List system.

Issue	TU-0	TU-50	TU-100
One or More Constitutional Representative(s) for each Sub-Constituency	Yes	Yes	No
One or More Constitutional Representative(s) for each Sub-Constituency without Compromising Proportional Representation	No	Yes	-
A Single Constitutional Representative for each Sub-Constituency without Compromising Proportional Representation	No	Yes	-
Proportional Representation at Full-Constituency Level Irrespective of Different Sizes of ‘Natural’ Sub-Constituencies	No	Yes	-
Proportional Representation at Full-Constituency Level Irrespective of BU Voting Methodology	No	Yes	-
Proportional Representation at Full-Constituency Level for Minor Parties and Independents	No	Yes	Yes
Opportunity for Each Party to Ensure that its ‘Best Representative’ Candidates are Appointed	No	Yes	Yes
Opportunity for Each Party to Assign a Non-Constitutional Representative for each Sub-Constituency	No	Yes	Yes
Opportunity for each Party to Adjust Minority Representation (e.g. sex, ethnicity, religion, disability, etc.)	No	Yes	Yes
Opportunity for Each Party to Assign Representatives to Major Responsibilities at Full-Constituency Level without Compromising Constitutional Representation at Sub-Constituency Level	No	Yes	Yes

This suggests that a **TU (Top-Up)** electoral process (e.g. List, AMS, MMP or AV+) is a prerequisite for full-proportionality.

The Need for a BU (Bottom-Up) Electoral Process

Meaningful democracy requires a meaningful choice between clearly understood options. However, an electorate can ‘engage with’ a maximum of perhaps 10 meaningful ‘options’. Thus proportional representation in a Representative Assembly **must** be based on a choice between the clearly understood rolling track-records, manifestos and personalities of a limited number of **political Parties**.

For historic, cultural, inclusion and psychological reasons, there is a good case for a **moderate** degree of **constitutional** geographically-aligned representation (i.e. as opposed to top-up Representatives assigned by their Party to ‘cover’ a range of geographically-aligned sub-constituencies for their Party on an ad-hoc basis – see later).

These two requirements suggest that a **TU (Top-Up) plus TU (Top-Up)** electoral process (e.g. AMS, MMP or AV+) is a pre-requisite to resolve coherently the requirement **both** for **constitutional** geographically-aligned representation at sub-constituency level **and** for proportional representation at full-constituency level.

Indeed, one would need to go far further even than the Jenkins proposals, with perhaps TU-50 (i.e. a TU process with 50% of Representatives elected by some form of **BU (Bottom-Up)** process in geographic sub-constituencies, and 50% appointed by some form of TU process at intermediate-constituency level and/or full-constituency level).

Semantically-speaking, one should use the 'label' TU-50+/BU-n (where n is equal to 1 or more) for this combination of processes (rather than AMS, MMP, AV+ or some such); to reflect the **primary** importance of the TU-50+ component and the **relatively minor** importance of the BU-n component.

The processes used to elect the London Assembly, the Scottish Parliament and the Welsh Assembly, and to the process recommended by the 1998 Jenkins report on reform of the House of Commons are all TU-50+/BU-n processes.

Multi-Representative vs. Single-Representative Sub-Constituencies

In previous sections, we reached the conclusion that:

1. A TU-50/BU-n process is pre-requisite to resolve the requirement **both** for **constitutional** geographically-aligned representation at sub-constituency level **and** for proportional representation at full-constituency level.
2. **Irrespective** of any **constitutional** geographic Representative for each sub-constituency (through the BU-n component), TU-50/BU-n provides the **opportunity** for **each and every Party** to assign **non-constitutional** geographic Representative(s) for each sub-constituency (through assignment of Top-Up Representatives).

However, BU-n (where n is equal to 2 or more) diffuses the concept of a **single constitutional Representative** for each geographic sub-constituency (i.e. there would be a smaller number of larger sub-constituencies; each with multiple constitutional Representatives). For examples, for the UK, currently with 600 seats:

1. TU-50/BU-1 would result in 300 geographic sub-constituencies; each with 1 constitutional geographic Representative.
2. TU-50/BU-2 would result in 150 geographic sub-constituencies; each with 2 constitutional geographic Representatives.
3. TU-50/BU-3 would result in 100 geographic sub-constituencies; each with 3 constitutional geographic Representatives.
4. TU-50/BU-5 would result in 60 geographic sub-constituencies; each with 5 constitutional geographic Representatives.
5. TU-50/BU-10 would result in 30 geographic sub-constituencies; each with 10 constitutional geographic Representatives.

Given that truly-proportional representation at full-constituency level would be delivered by the TU-50 element regardless of the BU processes, there appears to be no virtue (and many vices) in going beyond a BU-1 process.

Semantically-speaking, one should use the 'label' TU-50/BU-1 for this combination (rather than AMS, MMP, AV+ or some such); to reflect the **primary** importance of the TU-50 component and the **relatively minor** importance of the BU-1 component.

As an incidental insight, the option of multi-representative geographic sub-constituencies is often misrepresented as an option unique to STV processes. Advocates of STV-6 (for e.g.) typically compare STV-6 favourably to FPTP-1 in terms of overall proportionality. More honestly, they should compare STV-1 to FPTP-1 and/or STV-6 to FPTP-6 when discussing the relative merits of TV vs. MV (i.e. not much in it in terms of overall proportionality in either case), and they should compare STV-6 to STV-1 and/or FPTP-6 to FPTP-1 when discussing the relative merits of multi-representative geographic sub-constituencies vs. single-representative geographic sub-constituencies.

MV-1 vs. TV-1 Processes for Single-Representative Sub-Constituencies

Given TU-50 to resolve the requirement for proportional representation at full-constituency level through top-up Representatives, and BU-1 to resolve the requirement for a **moderate** degree of **constitutional** geographically-aligned representation, we then have to consider the relative merits of MV-1 (including FPTP-1 and SV-1) vs. TV-1 (including STV-1 and AV-1):

1. MV-1 processes (including FPTP-1 and SV-1) are inherently and manifestly incapable of reflecting the nuanced wishes of the electorate:
 - a. To use an extreme example, if there were two left-wing Candidates (who each got approximately 10.4% of the votes), and eight right-wing Candidates (who each got approximately 9.9% of the votes), then the most popular of the two left-wing Candidates would be elected when 79.2% of the electorate would have preferred **any** of the popular right wing Candidates.
 - b. In particular, MV-1 processes frustrate a general desire for independent Candidates; particularly in 'local' elections (for which the 'national and higher' focuses of the main policies and manifestos of the main UK-Parties are rarely relevant, and for which many independent Candidates may well be **non-political** business, academic, media or other 'personalities'). Typically, with MV-1 processes, each political Party 'pre-consolidates' Party support into support for a 'leading' Party Candidate through 'internal primaries' prior to the formal constitutional election process. However, independent Candidates typically do not have the organisation to do so. Thus, MV-1 processes can allow Party Candidates with 'pre-consolidated' support to win, when a majority of the electorate would have preferred **any** of the popular independent Candidates.
2. TV-1 processes (including STV-1 and AV-1) with n Candidates resolve all 1-1 preferences between all n of the Candidates against all n-1 opponents. Indeed, with TV-1, there would be no need for divisive and distracting 'primaries' to pre-select a 'leading' Candidate for each political Party. All Candidates from all and no political Party could put themselves forward as individual Candidates without prejudicing the chances of other Candidates with similar appeal:
 - a. In the above extreme example, with a TV-1 process, the strongest right-wing Candidate would win.
 - b. TV-1 processes would allow independent Candidates to compete more fairly, based on votes transferred from less popular independent Candidates.

Thus, TV-1 (i.e. a process in which each citizen would have a single vote transferable through all Candidates) is the process most likely to select the best consensus **constitutional** Representative to maintain the current 1-1 **constitutional** geographically-aligned representation.

Semantically-speaking, one should use the 'label' TU-50/TV-1 for this combination (rather than AMS, MMP, AV+ or some such); to reflect the **primary** importance of the TU-50 component and the **relatively minor** importance of the TV-1 component.

Again, as an incidental insight, the option of multi-representative geographic sub-constituencies is often misrepresented as an option unique to STV processes. Advocates of STV-6 (for e.g.) typically compare STV-6 favourably to FPTP-1 in terms of overall proportionality. More honestly, they should compare STV-1 to FPTP-1 and/or STV-6 to FPTP-6 when discussing the relative merits of TV vs. MV (i.e. not much in it in terms of

overall proportionality in either case), and they should compare STV-6 to STV-1 and/or FPTP-6 to FPTP-1 when discussing the relative merits of multi-representative geographic sub-constituencies vs. single-representative geographic sub-constituencies.

TU-50/TV-1 Voting

The TU-50/TV-1 election process could be based either on two votes per elector, or on one vote per elector:

1. If each elector got two votes:
 - a. A sub-constituency vote (typically for an individual, and based on TV-1) would be used to determine the **constitutional** Representative for each sub-constituency at full-constituency level.
 - b. A full-constituency vote (typically for a Party, and based on TU-50) would be used to determine the total number of Representatives required by that Party for proportional representation at full-constituency level, and therefore the number of additional Representatives required by that Party.

This process is prone to abusive deployment of spurious ‘paired’ Parties (A & B). Such ‘paired’ Parties would encourage supporters (overtly or covertly) to vote for a Candidate of Party A at sub-constituency level, but for Party B at full-constituency level. Party B would of course have no Candidates elected at sub-constituency level, and would therefore get ‘additional’ Representatives in full proportion to the total supporters of that Party. Thus, the ‘paired’ Parties would secure an over-representation at full-constituency level.

2. If each elector got one vote, the Party of the first choice Candidate of each elector would determine the total number of Representatives required by that Party for proportional representation at full-constituency level, and therefore the number of additional Representatives required by that Party. **This process is not prone to abusive deployment of spurious ‘paired’ Parties as above.**

Thus, the TU-50/TV-1 election process should be based on one vote per elector (as in the second option above).

For the purposes of allocation of the Top-Up Representatives, independent Candidates not elected at sub-constituency level, and Parties with no Candidates elected at sub-constituency level, would be considered to be Top-Up Candidates of an ‘Independents’ Party, and would be ‘Toped-Up’ according to first choice votes.

The Scope for Bottom-Up Democracy

Many oppose TU electoral processes, particularly with 'closed lists' for the top-up, because they believe that TU electoral processes present an 'unhealthy' opportunity for 'control freakery' by 'Party machines'.

However, a TU process does not in any way prejudice the freedom of individual Parties to choose the process by which they choose and manage Candidates and Representatives. If an individual Party believed that bottom-up democracy within Party was important, that Party would be perfectly free to promote the process by which it chooses and manages Candidates and Representatives as a Party feature along with other Party policies, and that would be a legitimate part of the democratic process.

Indeed, with TV at geographic sub-constituency level, if an individual Party believed that bottom-up democracy within Party was important, and wished to offer that bottom-up democracy within the constitutional electoral process, it would be perfectly free to 'over-offer' Candidates as a Party feature along with other Party policies (e.g. it could offer three Candidates for a single-seat geographic sub-constituency, or five Candidates for a three-seat geographic sub-constituency). To the extent that citizens shared that belief in bottom-up democracy (rather than expecting the Party machine to replace bad apples in their own self-interest), such Parties would attract (or loose) votes by doing so, and that would be a legitimate part of the democratic process.

Similar arguments apply to the allocation of top-up Representatives to minority representation and to geographic coverage. A Party could pledge before an election that the top-up Representatives for that Party would be allocated from the best losing Candidates from that Party within minority categories, and that some proportion of them would be assigned to (non-constitutional) geographic coverage. Again, such pledges could be presented as a Party feature along with other Party policies, and that would be a legitimate part of the democratic process. Some citizens would prefer lots of overt bottom-up democracy. Others would prefer a well managed Party package. With an electoral process based on TU-50/TV-1, that choice could and should be on offer.

Again, there is a contradiction here in the arguments of the advocates of 'personal' representation and 'bottom-up' democracy. If they believe in democracy, why are they afraid to let the voters choose? Indeed, if they believe that the electorate wants (or 'ought to' want, or 'deserves') bottom-up democracy, why are they so keen to force their opponents to adopt what they believe to be a vote-winning policy? Surely, they should be delighted to allow their opponents to persevere with what they believe to be vote-losing 'control freak' policies.

The End of Tribalism

A choice between a small number of incoherent ‘mongrel’ ‘accident-of-history’ coalition Parties (such as the current UK Conservative coalition Party and the current UK Labour coalition Party), all of whom are trying to encompass diverse points of view and appeal to the floating voters, does not offer a meaningful basis for progressive democracy. It is a recipe for the worst kind of tribalism, based on allegiance to Party before principle. With an electoral process based on TU-50/TV-1, there would be electoral advantage for the Labour coalition Party to split along old/new lines, and for the Conservative Party to split along pro/anti Europe lines. In each case, the two smaller Parties would pick up extra votes (and power and funding) currently antagonised by the opposing influence. Thus, we would expect to see a larger number of less-powerful Parties (perhaps 10), each with a clearly focused and differentiated package based on fundamental values (some run by bottom-up internal democracy, some run by top-down ‘control freaks’). With TU-50/TV-1, Parties could emerge, split, merge and dissolve according to conviction and popular appeal. Voters would switch freely between those Parties according to their own fundamental values and policy convictions. Indeed, politicians themselves would switch between Parties and/or set up new ones according to personal ambition and/or conviction.

The Option to Recall

A simultaneous election for Political Chief Executive and Representative Assembly should be ‘triggered’ by any of the following:

1. A fixed time limit since the previous simultaneous election.
2. The Political Chief Executive.
3. A significant majority (perhaps 67%) of the Representative Assembly in a ‘vote of no confidence’ in the Political Chief Executive.
4. A significant majority (perhaps 67%) of the Electorate (as expressed through a ‘vote of no confidence’ in the Political Chief Executive and/or the Representative Assembly through Rolling Internet-Based Democracy – see later).

In addition, the Representative Assembly **must** be able (or even be obliged) to recall (through a ‘vote of no confidence’) any Representative whose behaviour had fallen short of expected standards; including:

1. Any Representative who had been convicted of a serious civil or criminal offence.
2. Any Representative who had been convicted of a serious abuse of trust as a Representative (e.g. abusing expense protocols).
3. Any Representative who had been expelled from the Party for whom they stood in the most recent election.
4. Any Representative who had resigned from the Party for whom they stood in the most recent election.
5. All Representatives of a Party which is now deemed to have parted radically from the manifesto on which that Party stood in the most recent election.

Conclusion

The Electoral Process for a Representative Assembly should be based on the following principles:

1. The Political Chief Executive should feel free to appoint and manage the Political Executives on the basis of 'best person for the job' (rather than being pressured to 'find executive jobs for the political classes from the Representative Assembly'). Indeed, no individual should hold positions in **both** of the two following categories simultaneously (or even on a 'revolving door' basis):
 - a. The Representative Assembly, or ('**active**' membership of) a political Party represented in the Representative Assembly.
 - b. The Political Chief Executive, the Political Executive, or the Civil Service.

The implication being that, in order to take up a significant position in any of the second category, an individual would have to forgo all significant positions in all of the first category (e.g. Barack Obama had to resign as Senator for Illinois when he was inaugurated as President of the US in 2009, and Hilary Clinton had to resign as Senator for New York when she took up the position of Secretary of State in the Executive of the US government in 2009). This suggested operational relationship is similar to the standard model for 'best-practice' governance of a commercial corporation (i.e. a chief executive moderated by a board of directors), of a charity (i.e. a chief executive moderated by a board of trustees), and of a school (i.e. a head moderated by a board of governors).

2. Power in the Representative Assembly should be appointed to achieve overall representation truly proportional to the preferences of the electorate, and to provide a level playing field for smaller Parties and Independents.
3. The Representative Assembly should be elected by AMS/TV-1 processes:
 - a. A significant proportion of the Representatives (perhaps 50%) should be elected by TV-1; each as the single Representative for a Geographic Sub-Constituency.
 - b. The remaining Representatives (perhaps 50%) should be elected from Party lists to top-up the Geographic Representatives to achieve overall representation in the Representative Assembly truly-proportional to the Party preferences of the electorate.
4. A simultaneous election for Political Chief Executive and Representative Assembly should be 'triggered' by any of the following:
 - a. A fixed time limit since the previous simultaneous election.
 - b. The Political Chief Executive.
 - c. A significant majority of the Representative Assembly (through a 'vote of no confidence' in the Political Chief Executive).
 - d. A significant majority (perhaps 67%) of the Electorate (as expressed through a 'vote of no confidence' in the Political Chief Executive and/or in the Representative Assembly - as registered in a Citizenship Database on a rolling basis) - see later).

5. The Representative Assembly **must** be able to (or even be obliged to) recall (through a 'vote of no confidence') any Representative whose behaviour had fallen short of expected standards; including:
- a. Any Representative who had been convicted of a serious civil or criminal offence.
 - b. Any Representative who had been convicted of a serious abuse of trust as a Representative (e.g. abusing expense protocols).
 - c. Any Representative who had been expelled from the Party for whom they stood in the most recent election.
 - d. Any Representative who had resigned from the Party for whom they stood in the most recent election.
 - e. All Representatives of a Party for which they stood in the most recent election; and which was now deemed to have parted radically from the manifesto on which that Party stood in that most recent election.

Rolling Internet-Based Democracy

Democratic power and funding should be administered through rolling internet-based maintenance of political preferences in a single state-sponsored **Voting System**:

1. A single state-sponsored **Citizenship System** should be established by the Home Office; with a **Citizenship Record** in a **Citizenship Database** for each citizen 'known to' the state. The primary key to each citizen's Citizenship Record should be that citizen's NINO (National Insurance Number). Each citizen's Citizenship Record should hold the definitive record of that citizen's citizenship status, date of birth, name, family formation, and address.
 - a. The Citizenship Database should be populated initially by synchronised copy and merge of such data from the DWP and HMRC systems.
 - b. From then onwards, each citizen's Citizenship Record should be maintained through internet access to a single web-based **Citizenship System**; directly by the citizen and/or through a single **Citizenship Service**.
 - c. From then onwards also, the DWP and HMRC systems (and all other state systems such as the Home Office, Voting, Passport, NHS, and DVLC systems) should use the Citizenship Database as the single definitive source of citizenship data.
2. A single state-sponsored **Voting System** should be established by the Home Office; with a **Voting Record** in a **Voting Database** for each citizen 'known to' the state. This Voting System should use the Citizenship System as the single definitive source of citizenship data.
3. Each citizen would maintain their political preferences in their **Voting Record** in the **Voting Database** on a rolling basis (i.e. not just at 'election times' and/or 'referendum times'). They would do so via personal computers, the internet and a single web-based Voting System. They would do so directly through their own personal computers, and/or (with support) through personal computers provided for public services in libraries, post offices, hospitals, schools, public offices and advice-charities such as the Citizens Advice Bureau.
4. Political spending by Parties (on a rolling basis, for each referendum, and for each election) should be limited to state funding in proportion to popular support at that level (as registered in this Citizenship Database on a rolling basis).
5. Voting rights at each level (i.e. global, super-state region, state, sub-state region, local, parish, etc.) could be limited to only those citizens who have registered preferences for a substantial recent period (perhaps one year) at that level (as registered in this Voting Database on a rolling basis).
6. Parties would have the option to limit involvement in development of policy and attendance at conferences to only those citizens who have supported that party for a substantial recent period (perhaps one year) at that level (as registered in this Voting Database on a rolling basis).

7. A simultaneous election for Political Chief Executive and Representative Assembly should be 'triggered' by any of the following:
 - a. A fixed time limit since the previous simultaneous election.
 - b. The Political Chief Executive.
 - c. A significant majority (perhaps 67%) of the Representative Assembly (as registered in a 'vote of no confidence' in the Political Chief Executive).
 - d. A significant majority (perhaps 67%) of the Electorate (as expressed through a 'vote of no confidence' in the Political Chief Executive and/or in the Representative Assembly - as registered in this Citizenship Database on a rolling basis).
8. Independent Candidates and Representatives would be characterised as being members of a single 'Constitutional Independents' party.
9. Referendums and elections should be based on 'snapshots' of popular support (as registered in this Citizenship Database as-of a cut-off date).
10. In order to provide focus on the remaining options in the lead-up to a referendum or election, less-popular options could be eliminated progressively (e.g. daily or weekly) until the winner could be declared.
11. Entitlement to state benefits and tax allowances could be contingent on constructive 'engagement' with civil society; through maintenance of political preferences in the Voting Database (with a full range of 'non-of-the-above' options):
 - a. On a rolling basis (e.g. with a gap of at most 15 months?).
 - b. In the lead-up to each relevant referendum and election (e.g. within at most 1 month before each relevant cut-off date?).