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Complementary Virtues and Competing Legitimacies: Inter-Chamber Relationships in a Bicameral Elected and Sortitioned Legislature

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Complementary Virtues & Competing Legitimacies

Inter-Chamber Relationships in a Bicameral
Elected and Sortitioned Legislature

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- A Mixed Assembly?





Experiences from Belgium

- Political Propositions
- Elite and Citizen Opinions



Political Propositions

- **Origins**
 - Citizen panels and deliberative Mini-publics
 - Window of opportunity: sixth state reform => weakening of the Senate
 - **Concrete propositions:**
 - Vanvelthoven (sp.a):
 - 10,000 → 150
 - One-year term, 2-3 meetings/week
 - Two projects/senator + two projects from the Chamber
- Picked up by Vandeburre (Ecolo), Onkelinx (PS), Antoine (cdH)
- * Proposition of mixed parliamentary commissions: Ecolo



Elite and Citizen Opinions

- **Elite Opinions:** *(Survey sent to all Belgian MPs – n = 76/473)*
 - Sortitioned chamber: 87.5% are against
 - Mixed chamber: 65.98% are against
 - Greater confidence in election: 76,85%
 - * Women and greens appear to be less critical (but still are)
- **Citizen Opinions** *(Survey sent to a representative sample of Belgian citizen (n = 966))*
 - Sortitioned chamber: 38.2% are against (neutral: 32.6%)
 - Mixed chamber: 24.9% are against (neutral: 29.7%)
 - Greater confidence in election: 34.4% (neutral: 32.3%)
 - * 45.4% support for mixed chamber

Qualitative Research Results
of Jacquet (2017)...



Complementary Virtues

- Arguments by Gastil & Wright (2017)
- Additional Considerations



Arguments by Gastil & Wright (2017)

- Gastil & Wright: “an optimal bicameral legislative system would work best with a combination of electoral and sortition mechanisms”.
 - 1) in the absence of elections, “political parties would atrophy even more than they have”
 - 2) bargaining is essential to democracy and requires “highly articulated expressions of interests with authorized representatives who can forge compromises”
 - 3) “elections create the possibility for political careers and the development of skilful politicians as political leaders”



Additional Considerations

- Why elections matter – Three more reasons:
- Participation: equal probability different from equal possibility
- Consent: “to be represented, and to be represented by such or such candidate”
- Accountability: “sortition cannot offer it by itself” + limited accountability role of abstention with sortition



Conflicting Legitimacies

- Electoral Legitimacy
- Sortitioned Legitimacy



Electoral and sortitioned legitimacies

- Electoral: equal possibility + legitimacy vs. justice
 - 1) Elections = chance to choose better representatives vs. Sortition = hope
 - 2) Elections = opportunity to choose representatives but limited accountability (lack of information and absence of recall)
- Sortitioned: not the “active” choice but:
 - 1) Independence (and thus more representative) of sortitioned representatives
 - 2) Similarity
 - 3) Humility



Inter-Chamber Relations

- → Distribution of power: weak vs. strong bicameralism
- Equal Power
- Consultative Elected Chamber
- Consultative Sortitioned Chamber
- A Mixed Assembly?



Four “models”

- Equal power
 - But status quo and autonomous epistemic communities
- Consultative elected chamber (presidential system?)
 - But political recruitment, loss of electoral legitimacy, stronger executive
- Consultative sortitioned chamber
 - But demotivating effects and public frustration
- Mixed assembly
 - But political recruitment and intellectual domination



Conclusion

- Different → competing → conflicting legitimacies?
- Distribution of power: different models
- Trade-off(s)