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A minimum participatory condition on democratic right

Jeremy Bendik-Keymer

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There are two problems that plagued the construction of representation in the U.S. constitution leading up to its ratification, and these two problems could conceivably be addressed through a single, practical condition on democratic participation. The first problem is the *problem of poor judgment*. The second problem is the *problem of remote representation*. In this essay, I will propose that both problems be partially but substantially addressed through *a minimum participatory condition on democratic right*.

Let me first set up each problem textually.

The problem of poor judgment.

In the Federalist #57, Publius writes that:

The aim of every political constitution ... ought to be ... to obtain for rulers men who possess [the] most wisdom to discern, and [the] most virtue to pursue, the common good of the society.¹

This aim can be thwarted by rulers who have faked the people who elected them, but ultimately with a democracy, the authority and task to choose good leaders rests with the judgment of the people. And what of that judgment?

Certainly, the people can be mistaken. But are we likely to be mistaken, or do we face significant obstacles to knowing (a) what the common good is, (b) who really

¹ Publius. (1788). "Federalist no. 57." Widely reprinted. Tuesday, Feb. 19th

has the wisdom to see it, and (c) who really has the character to pursue it? One might argue that we do not need to know the common good, but if we do not, how can we check to make sure that the leaders we elect are pursuing the common good? (a) would seem to be needed knowledge, just as much as (b) and (c).

Here is *epistemic condition 1* on a democratic constitution:

A democratic constitution will be satisfactory *only if* the people who choose their leaders are in a position to know what the common good is and to know whether potential leaders will be suited to pursuing it.

A constitution *establishes the public space of a polity*. Hence, it is responsible for constituting the terrain of that space, its possibilities and limitations. Accordingly, it is a *constitutional* question whether a given republic is constituted in such a way as to leave its people in a position to choose the best leader readily. It is a constitutional question whether the people will be positioned to know the common good and the suitability of potential leaders to pursuing it. Call epistemic condition 1 *the constitution of good judgment condition*. Failing it, the people will be vulnerable to, even likely to exercise, poor judgment in choosing those who govern and hence those who shape governance in practice. That is, failing the constitution of good judgment condition, the problem of poor judgment arises: the people are vulnerable to poor judgment, thereby undermining the efficacy of democracy to secure the common good in practice. Obviously, this problem goes back traditionally to Plato.²

The problem of remote representation

In Brutus's essay XVI (10 April 1788), Brutus writes:

² In his *Republic*.

[T]he true policy of a republican government is ... that all persons, who are concerned in the government, are made accountable to some superior for their conduct in office. –This responsibility should ultimately rest with the people.³

Here, Brutus indicates what must be an assumption of a system that is “by the people, for the people” and which uses elected officials. Those who are elected by the people must *show* that they are for the people and do so *to* the people. This is a direct consequence of democratic authority, and to deny it would be to undermine that authority. If those elected to lead the people through a democratic government cease to be accountable to the people, then the people are no longer the ultimate authority of the government. Hence the democratic nature of the so-called “democratic” government is nullified.

The *accountability condition* on a democratic constitution is accordingly this one:

A democratic constitution will be satisfactory *only if* it is so structured that those who are elected to govern the people are accountable to the people.

Notice what this condition demands. It does not demand virtuous leaders. It demands a *structure* that circumvents the need to depend on the arbitrary will of an individual: whether s/he will be accountable or not as a matter of personal character. Rather, the accountability condition on a democratic constitution demands that the republic be structured so that accountability to the people is a given of the system, a part of its mechanism.

Yet Brutus writes in essay IV (November 29th, 1787) that, under the proposed representative structure of the constitution with one representative for every thirty thousand people and only two senators per state,

³ Brutus. (1788) “Essay XVI” in R. Ketcham, ed. (2003) *The Anti-Federalist Papers and the Constitutional Convention Debates*. New York: Signet Classics, pp. 353-358 353

[I]t is impossible [that] the people of the United States should have sufficient knowledge of their representatives ... to achieve any rational satisfaction [on the character and intentions of their representatives].⁴

If Brutus is correct, then the accountability condition cannot be satisfied, because a starting reference point for accountability will not be established. In order for the people to elect the best leaders, the people must be able to know the intentions and characters of their potential leaders. The people must be capable of *knowing* whether what is said of the leaders is truly the case (i.e., is objective). The people must also be capable of knowing whether what the leaders say of their intentions or try to show of their characters is truthful (i.e., whether the leaders *relay* what is objective). Without such knowledge, the potential leaders cannot be who the people choose, for the people will be tracking a phantom whereas *the truth and the truthfulness may lie elsewhere*. So the leaders cannot begin to be accountable *to* the people *as* the ones the people chose. The people will be unable to judge the account of the potential leaders alive in information at large and the *self*-accounting of the potential leaders as they put themselves up for election.

Hence we have *epistemic condition 2* on a democratic constitution, which has two parts.

A democratic constitution will be satisfactory *only if* the people who choose their leaders are in a position to know whether (a) the account and (b) the self-accounting of the potential leaders are, respectively, (a) true and (b) truthful.

Once again, it is worth noting that the language of “being in a position to X” implies a *structural* issue, that is, whether the republic is constituted so that the condition will obtain barring extreme circumstances, that is, whether it will obtain as a

⁴ Brutus. (1787) “Essay IV” in Ketcham (2003), pp. 345-353, p. 349

rule. Accordingly, call epistemic condition 2 *the constitution of judging electability condition*. Failing it, people will not be in a position to *initiate* accountability from those who are required to make an account of themselves and their actions or policies. Being unable to initiate accountability, there will be no true accountability. Accountability will evaporate because it will never properly begin. We the people will elect phantoms, not being confident that we vote in whom we think we do. Later in this paper, we will consider whether the media can close up this problem.

The problem Brutus has articulated is a problem of accountability that is the result of the representative structure of the proposed U.S. constitution making the representation *remote* from the people from the very beginning, before the process of representing the people in government has even begun. To Brutus, remoteness is a result of the size of the representational district: the thousands and thousands of people a given representative must represent. However, it is worth exploring and explaining exactly what this remoteness is and why it is. Brutus further explores the problem of remote representation by explaining what he sees happening to the possibility of accountability *after* the election of representatives:

The representatives of the people cannot, as they do now, after they have passed laws, mix with the people, and explain to them the motives which induced the adoption of any measure....⁵

I take it here that “motives” means not the *psychological* factors leading to the adoption of a measure, but rather the *reasons for* choosing the measure, that is, the rationale of the measure. The idea is that representatives must be in a position to make what and why they supported what they did in government clear to the people so that the people are in a position to evaluate whether the representatives have been truly

⁵ *Ibid.*

representable. Obviously, the need for some such clarity would be implied by accountability, for how can the representatives be accountable if the people are clueless about their purposes? Our purposes produce what we do, and, as a representative of the people, leaders must do what the people would have done. For a democracy to exist in a condition where the people cannot understand what the representatives do and for what further reasons (i.e., toward what further actions) is not to exist in a democracy.

Accordingly, we have *epistemic condition 3* on a democratic constitution.

A democratic constitution will be satisfactory *only if* the representatives of the people are positioned to regularly explain the rationale for what they do to the people in a way that the people can clearly grasp.

What epistemic condition 3 points to is yet another condition on constitutional design, which I call *the constitution of clear representation condition*. For the accountability condition to be satisfied, the constitution must be structured so that the representatives of the people make it clear that what they do is actually a representation of what the people would have them do. Practical accountability is primarily a matter of accounting for *actions*, and in order for actions to be given an accounting we must know the reasons for action, that is, the purposes of the actions. In a republic where it is readily possible for the people to fail to grasp the reasons for their representatives actions, accountability is undermined. Following Brutus, so is democracy.

We have, then, two ways in which the problem of remote representation is constructed –according to Brutus- by the representational structure of the proposed U.S. constitution. Since that structure was not substantially changed on ratification of the U.S. constitution, the problem of remote representation would appear to obtain until this day and going forward. Because our representatives are largely unknown to

us in their intentions and characters –in their course of life from day to day- and because once elected they remain largely unknown to us in their actual purposes when making or enacting policy, we hold them accountable as one would hold clouds. We and they may think that we have an accounting –that they are speaking for us, and that we are voting them in or out- but the reality appears foggy. They may not be who we think they are, and what they do may not be what we would have them do, not only in their immediate purposes but in their long-term, more submerged or hidden ones.

Moreover, although Brutus does not consider his problem of remote representation from the side of a conscientious representative, it holds equally well from that side of things, too. The problem is not simply that representatives can dupe the people. The problem is also that, for a representative who does not “mix with the people,” who the *people* are and what *they* want may equally well be or become a phantom, a cloud of conjectures in an atmosphere of guesswork. Remoteness is a problem both ways.

The problems of scaling up from a small town life

I’ve found it helpful to suppose that much of what bothers Brutus concerning representation arises due to the scaling up of the government of the United States from small town life and its largely communal governance. In a small town, we know each other personally, or know people we personally trust who know other people personally in our community. The community is woven together by threads of interpersonal affiliation that bear out the reliability of daily experience, where people’s characters, temperaments, woes, strengths, ideas and so on are tested and displayed by a life lived together. In such proximity and relative intimacy, the trustworthiness of

our judgments of each other goes up. Trusted word gets around. And it is possible to find out for yourself who someone really is. You can just go up and talk to him when he stops in at the diner.

It seems to me that Brutus is reacting to a proposed republic where such personal confidence in others is impossible due to the scaled up size of the polity. In effect, he is reacting to a *society* that will lose its *community*. It is hard to say his worries are misplaced.

Moreover, the problem of poor judgment –to some extent- also increases with the up-scaling of community to society. One of the benefits of small town life is that it becomes readily more possible for people to understand what the common good is. Moreover, since people know each other from experience along a life, with generations overlapping and explaining motives and long-term purposes to each other, it is also more likely for people who live with each other day to day to know who among them are best suited for leadership. One is tempted to say such knowledge emerges “organically” –so effortlessly does it emerge, often, as a result of *common* sense. When a society loses its community, it loses its common sense, in the precise meaning of that term. No wonder, then, that determining its common good becomes more difficult. The problem of scaling up governance is not trivial for a democracy –a problem that Rousseau articulated most clearly among the early moderns.⁶

Today, can the public educational system handle the problem of poor judgment?

The problem of poor judgment demands that three things be done:

(a) the people must know what the common good is

⁶ In his *Social Contract*.

(b) the people must know which potential leaders really have the wisdom to see the common good

(c) the people must know which potential leaders really have the character to pursue the common good.

The question is: why couldn't these necessities be satisfied by the public educational system understood in some broad sense to extend beyond K-12 education? And if the public educational system could satisfy these necessities, wouldn't that resolve the problem of poor judgment and meet the constitution of good judgment condition?

Certainly, a public educational system could lead the people to educate themselves about (a) what the common good is. It would also seem to be able to satisfy a version of (b) and of (c). That is, we could be led to learn for ourselves *what kind* of leader would really have the wisdom and the character to see and to pursue the common good. However, two problems arise here.

Firstly, the constitution of good judgment condition is a *structural* condition. The *constitution* must structure good judgment, not leaving good judgment up to the optional policies of law makers and executives torquing public education in a way that suits them. For the public educational system to provide a *constitutional* answer to the problem of poor judgment, it would have to be built into the constitution on these specific points. Namely, it would have to build in a constitutional provision for the education of the people in their ability to discern the common good and to discern what kind of people have the wisdom and character to work effectively toward the common good. And this provision does *not* hold in the U.S. constitution. So the

problem of poor judgment is still alive *as a constitutional issue*. Here, the U.S. constitution appears poorly designed.

Secondly, even if the people can be educated as to *what kinds* of leaders would have the wisdom and the character to effectively pursue the common good, there still remains the epistemic problem of knowing *which specific potential leaders* are those kinds of leaders. In other words, the problem of remote representation appears as a fog again, obscuring our way. Even if we knew what the common good is as a people, knew further what kind of person can see it and has the character to work tirelessly for it without corruption, we would still need to be able to discern which potential leaders really are who they say they are, which are more than phantoms. We would have to have solved the problem of remote representation. So, for both this reason, and the more central one that the constitution has not built in public education around these democratic needs, the objection that public education will solve one of our major problems fails.

Today, can the media handle the problem of remote representation?

We might still be able to deal with some of Brutus's problems with the proposed –and eventual- U.S. constitution if we could at least handle the problem of remote representation. As we've seen, that problem poses a major problem for accountability. Solving it would go a long way to making government more genuinely accountable which is to say actually closer to democracy. Moreover, solving it would also put in place one of the needed measures for addressing the problem of poor judgment. It would put us the people in a position, at least, to know which specific potential leaders *are* the kind of people to effectively pursue the common good.

It is a common justification –or at least promotion- of the media to say that they fill the need for an answer to the problem of remote representation. In effect, so the argument goes, in a society that has lost its community, the media fill in the gap, creating common sense in the absence of community formed by people living side by side, interpersonally. So the argument goes, the media –free and charged out of self-interest with finding the dirt on our leaders- are not only in a position, but are *driven*, to show us who is *not* suitable for election and which of our representatives are *not* pursuing what we would have them pursue. In other words, the media are set up to go a long way toward satisfying the second and third of our epistemic conditions on democracy. They will help us know who our potential leaders are *really*, and they will help us understand what *really* our leaders are up to in their government work. In other words, the media make our leaders accountable to us.

Not only that, but if we took the other side of the problem Brutus saw and looked at the difficulty a conscientious representative might have in understanding what the people really want, the media –so the story goes- also come to the rescue here. For the media can poll the people, interview us, study us, and in general fill out in *more* detail than any leader could ever comprehend in one mind who we are and what we want out of government. From the other side, then, the media seem to answer the problem of remote representation.

Unfortunately, however, we have already seen why there is no good answer to the problem of remote representation even given the freedom structurally granted to the media. Just because the media are *free* –and protected- to pursue the truth does not mean that they are *tasked* to, constitutionally. Moreover, even if the media do pursue the truth, even if they are free to find out who our potential leaders really are,

what our leaders really do, and what we the people really want, the media are not *tasked* to find out these things, constitutionally. Hence, there is no *constitutional* provision that makes the media a satisfactory answer to the constitution of judging electability and the constitution of clear representation conditions. Unless the media are constitutionally tasked to address these conditions, they cannot provide a satisfactory answer. This is Brutus's point, even without explicitly addressing the media: the *constitution* is ill-designed, and being so permits accountability to evaporate, like a simmering pot that has holes in its lid.

Moreover, the media's drive to discover the dirt on those in –or running for– public office does not close the gap between society and community. It does not produce genuinely common sense. If the media, however, fail to produce a genuinely common sense, it seems unlikely that the problem of remote representation can be solved. The reason why is that we the people need to share a common sense of the common good to get the accountability of our representatives working. Without a common sense, we are in no position to exercise the good judgment that is needed to check to see whether our leaders are doing what they should be doing, whether they are suited for the job, or who potentially would be better suited.

Certainly, the media do produce aspects of common sense. Through a free media, information travels that people use to form the backdrop of a common world. Yet it seems a stretch to say that *just* the media can produce the kind of common sense that makes a community and that correspondingly allows people to share a sense of the common good. The media can help in doing this, but they are not sufficient to make up for the judgment that forms across common, daily life when people work and live together.

From “the” people to “your fellow” people

The problems Brutus raises are serious, more serious than he imagined as our currently dismal state of “democracy” (in name alone) bears out. We the people of the United States of America live in a system where our representatives are phantoms created by their own manipulation of the media, where who we are and what we really want are regularly reduced to factoids and superficial poll numbers that do not go into any depth with our values, reasons, and –most importantly- reasoning.

“Accountability” is a word that makes sense to and for us largely in a legal context when vice has already appeared, and otherwise is for the most part superficial, poorly rendered, and a shell-game. Brutus was prescient. We do not live in a democracy.

Yet even Brutus betrays the problem he locates. When he lets slip that representatives in a true democracy must “mix with the people,” he does not go far enough. He has already built in remoteness, despite himself. Representatives *are some* of the people. By being representatives, those of us who represent the rest of us in policy matters, in governance, do not thereby cease to part of the people. There is a problem in any democracy when part of the answer to the problem of accountability is for the representatives to “mix with the people.” This implies that the representatives are *not* some of the people.

Accordingly, we might state the problem of remote representation in a deeper way. The problem arises whenever the structure of representation is such that those who represent their fellow people are categorically separated from the people as a distinct class, when representatives lose their status *and identity* of being some of the people. Logically speaking, populism –understood conceptually and precisely- is the

only coherent framework for representative democracy. Our representatives must be *structured* as plain and simple people just as we are. There is an entire *ethos* of government (the institution) and governance (the practice) implied hereby that even our nation's capital and our *form* of politics (not *rhetoric*) eschew.⁷ Perhaps we have not even begun to understand how a democracy is truly structured. What would it be for our leaders not to be a class apart *in their way of life* –in their living conditions, daily activities, social circulation, and in their economic reality? They certainly couldn't be corporate insiders subject to lobbies and feted and showered with business once they leave office by the very same corporations who have made them into a *de facto* class apart. What would it be for our *form of governance* to be populist, never a class apart? It certainly wouldn't be for bureaucratic institutions to loom impersonally and remotely above common people, with serial numbers and arcane codes separating governance from interpersonal life. Populism *as a form* –the only coherent form for democracy- hasn't yet been developed.

A minimum participatory condition on democratic right

I want now to propose one constitutional innovation which, if adopted, would partially but substantially address both the problem of poor judgment and the problem of remote representation.⁸ This is a minimum participatory condition on democratic

⁷ I would argue that our rhetoric is so populist because the form of our governance is not, whereas a democracy must be formally populist. We “doth protest too much.”

⁸ As is probably obvious from the argument thus far, I am also sympathetic to the ideas for constitutional amendments which (1) would task public education with civic education in the common good and in civic wisdom and character and (2) would task the media with objective scrutiny of the electability of representatives and with clarifying both what we the people want our representatives to do and what our representatives do. The former (1) seems within reach and something that has been

right. I believe that in order for people of sound mind and body to have the right to vote in democracy, they must minimally participate prior to the vote. By my reasoning, if some people of sound mind and body fail to participate in ways I will shortly specify, they are not eligible for the vote in a given election period. My proposal is a voting condition designed to address in part, but substantially, the two problems this essay has explained: poor popular judgment and remote governmental representation.

First, the qualification on my minimum participatory condition (MPC): being of sound mind and body. The MPC is not meant to undermine minorities; furthermore, all humans at some point in our lives suffer from disability. As a constitutional obligation, and right, the MPC demands that people who are minorities from the effects of power be given the needed access to be able to discharge the MPC. If, for instance, it is hard to reach a forum where one can discharge the MPC due to poor public transportation in a poor area of our cities, then a forum must be made reasonably available to a population. Its location must be changed or exceptional public transportation must be arranged. Similar comments should be made about language barriers for new citizens, and the like.

tried at times, although it is severely watered down and confused today in current social studies curricula. The latter (2) seems much harder to envision, since the media cannot become an *extension* of the government if they are to objectively scrutinize the government; and since the media as a *private* sector operator cannot be made by the government to be its extension. Probably, a general licensing condition would be called for—that if a media outlet is to have its press license, it must allot some time and space to scrutinizing (potential) leaders and relaying what we the people want. This would be general enough to not allow government to mislead the media, but also obligatory enough to task the media with its watchdog and research work for the sake of democratic accountability. Still, in the absence of an impartial oversight evaluator, it would be hard to make sure the media are doing their job and are not themselves subject to special interests.

If a citizen is incapacitated physically or mentally (which, to be precise, is a specific form of physical incapacity), then the citizen is excused from the MPC. A trustee should be made available and that trustee must satisfy the MPC on her or his behalf. What this qualification around disability underlines is that the MPC is not structured in any way to undermine the democratic rights of those who cannot physically participate in a forum to discharge the MPC. This may include any one of voting age with a disability that inhibits participation.

For all the rest of voting age adults of sound (enough) mind and body, the MPC I propose is this:

A citizen will have a right to vote only if s/he participates in regular and periodic –but not onerous– ward meetings designed to discuss the issues of the republic in a non-partisan way through nested levels of representation.

Let me first explain the basic structure of these meetings, and then I will explain their rationale in light of the problems this essay has addressed. First, the meetings will be *regular* and *periodic*, but *not onerous*. This implies that meetings will occur at times each year, but not too often. Moreover, they should be available to fit different work schedules, and employers should be required by law to work with employees to arrange schedules in the case of employees encountering reasonable difficulties in discharging the MPC. Accordingly, here is one sketch of the design:

1. For any given citizen, there should be one meeting per year to attend, rotating through the village or city, county, state, and federal levels of government every four years. Call this *the nested circles design*.
2. One meeting must be attended each year. Call this *the democratic yearly return*.
3. Only one member of any given household *need* attend each meeting. Call this *the household leeway feature*.
4. Each meeting should be for no more than one hundred citizens. Call this *the within earshot condition*.

5. The selection pool for each meeting ranges across neighborhoods so that in any given year neighbors will attend each of the four kinds of meetings, making the *neighborhood* satisfy the condition for all four levels of government each year. Call this *the neighborhood dialogue design*.
6. At each meeting, there must be a representative from each party on the ballot, and each representative must be prepared to report on and speak to all issues proper to the level of government in question at the meeting. Call this the *non-partisan condition*.
7. The meetings should be *citizen-driven*, which is to say that citizens are tasked to set the agenda. Call this the *citizen-information condition*.
8. Each ward group shall have to appoint two ward moderators for a tenure of four years each, staggered, who ensure that citizen questions are kept to reasonable time and are given reasonable range. Call this *the ward moderator feature*.
9. Meetings shall last at least ninety-minutes and no more than three hours. Call this *the reasonable deliberative time condition*.
10. The meetings must be in person, not virtual via computers or other information technology. Call this *the interpersonal trust condition*.
11. Etc.

Clearly, many details would need to be worked out and fine-tuned to make such forums work and so as not to unduly burden segments of a democracy. And there would need to be a corresponding change in staff roles and sometimes numbers of representatives to make the forums possible across the population. However, over time, a number of efficiencies would surely be found. To counteract the inconvenience designing and implementing such meetings would cause, what needs to be emphasized are the reasons for such ward meetings to discharge a MPC.

Firstly, these ward meetings would, over time, substantially educate the voting public about its government, representatives, their purposes, policies, and difficulties. In turn, the meetings would substantially educate the representatives (of the representatives) about what the people really want. The problem of remote representation would thereby be lessened, although not fully solved.

Secondly, although the intimate knowledge of the representatives, or potential representatives would still be remote –yet another reason for a constitutional

amendment around the media (cf. footnote 8)- we the people would acquire over time a much better sense of the *representative chain* and how it is functioning. The representative chain is the chain of representatives of representatives who would staff the meetings. We the people would be in a position to judge *their* worthiness to be elected and *their* success in pursuing the common good. A shift to a collective agent away from a single person may not have satisfied Brutus, but it is still coherent with accountability. When we elect a representative, we are also electing her or his staff, a corporate or collective agent. What shifting accountability to representative chains would do is to simply bring out and accept this feature of elections and of representation. The person we elect would not be the feature so much as the collective agent we elect around a said person as its leader. And that agent would appear to each ward meeting as part of the representative chain.

Thirdly, the ward meetings would, over time, substantially ameliorate the problem of poor judgment. By having every household in a neighborhood attending at some time of the year to one of the four levels of government, the entire level of discourse of the citizenry would rise and with it the discussion of what is for the common good. Not only the regularity and universality of the meetings would do this, but also their non-partisan structure and the way that they are driven by citizens in their format.

Fourthly, the incentive structure of the meetings should make it that people who want some say in power get it, whereas people who want to be powerless choose it. If the MPC is not met, people lose the vote at the next election for the level of government missed in the missed meeting. This seems to discourage apathy and to

encourage participation with real consequences, while avoiding the criminal justice system.

Finally, the ward meetings go some way to merging the gap between community and society, to developing a common sense. Not only would representative chains and the people come to know each other better, but the people would come to know each other better and to understand what is genuinely common and genuinely commonly good for the people. In effect, the ward meetings would help with the articulation of the common good and –in reasoning toward it- the formation of a genuinely common sense. Moreover, since the meetings aim to bring the level of society down to the level of a community, since the discourse is on precisely that connection where the representative chains work, the common sense developed would be common sense *about how to connect community to society*, common sense about the lack of common sense at the level of the society and across the distance of representative chains.

These five reasons are some of the rationale for the ward meetings as a way to discharge the MPC. The MPC, more generally –leaving to the side the particularities of the ward meetings- surely makes sense for the first four of the five reasons just mentioned. If ever able citizen –or household- must participate in a non-partisan, deliberative discussion yearly related to governance, cycling through all the levels of government every four years, and if every neighborhood has citizens –or households- attending to all four levels of government at any given time, the overall judgment of the citizenry must improve. Moreover, our representation must cleave closer to us. Our ability to discern who is suited for election and who is doing a fine job, or not, should only improve. After all, a MPC amounts to a reasonable and non-onerous *politicization*

of the entire citizenry. It is a *civic republican* condition which begins to *constitutionally* develop the institutional form of populism beyond mere (and obfuscating) rhetoric.

A minimum participatory condition on democratic right implies a new condition on democratic constitutions, which I add to Brutus's and Publius's.

A democratic constitution will be satisfactory *only if* the republic's citizens must participate in the deliberative life of the nation in ways that bring representation down to the citizens and bring the citizens closer to a knowledge of the common good.

Call this *the constitution of deliberative representation condition*.