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Delegated representation in the 21st Century: the experience of shared mandates.

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Abstract

This article presents shared mandate as a strategy for legislative representatives to be more responsive to constituents. Shared mandate is a form of delegated representation in which citizens determine the representative voting preference and legislative activity. A shared mandate can adopt many forms. This article discusses forms of shared mandates in terms of leadership, size, eligibility, access, permanence, distribution and extent of power, costs, benefits, and decision-making processes. The potential gains and risks of shared mandates are also discussed, illustrated by empirical cases of its adoption in five different countries: Argentina, Australia, Brazil, Sweden and the United States. The conclusion is that shared mandates can bridge the gap between representative and direct democracy in theory and practice, making representation more responsive and accountable.

Keywords: shared mandates, representative democracy; e-democracy.

1 Introduction

Democracy is going through difficult times. The diagnosis of "erosion of democratic vitality" (FUNG & WRIGHT, 2003) is felt in symptoms of low electoral turnout, declining party membership, decreased trust in politicians, political parties and political institutions around the globe (SCHMITTER, 2013).

According to Pitkin (2004), democracy came from ancient Greece as a participatory practice, and bore no relationship to representation. Representation as a political concept and practice dates "*from the late medieval period, when it was imposed as a duty by the monarch*"

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(PITKIN, 2004, p 335). In addition, it was only during the eighteenth-century democratic revolutions, the two concepts were associated. Nowadays, representative government has become a new form of oligarchy, with ordinary people excluded from public life. As argued by Pitkin (2004, p. 339), "*despite repeated efforts to democratize the representative system, the predominant result has been that representation has supplanted democracy instead of serving it*".

When discussing this issue in the 70s for the Trilateral Commision, Crozier, Huntington and Watanuki (1975) argued that Japan, the United States and European nations confronted a "crisis of democracy". Since the 60s, these countries referred to as trilateral democracies, became overloaded by increasing and continuous demands from an ever-expanding array of participants in their political systems, raising fundamental issues of governability. Even more, the trilateral governments were thus trapped between rising demands and declining resources. According to the authors, these nations would have to face delegitimized leadership, expanded demands, overloaded government, political competition and public pressures leading to nationalistic parochialism (CROZIER, HUNTINGTON AND WATANUKI,1975).

Expanding this analysis Pharr, Putnam and Dalton (2000) point out that the public concern had shifted by the early 80s from market failure to government failure. This reflected directly in the decline in trust in democratic institutions. Consequently, "public confidence in the ability, benevolence of government and major political institutions has fallen steadily over this period" (PHARR, PUTNAM and DALTON, 2000, p 10).

Meanwhile, politicians "have become a self-perpetuating elite that rules – or rather, administers – passive or privatized masses of people. The representatives act not as agents of the people but simply instead of them". (PITKIN, 2004, p 339). As for voters, they have over time become better informed about their governments' performance, particularly about leaders' conduct in office (PHARR, PUTNAM and DALTON, 2000).

Therefore, citizens are dissatisfied with the politicians in the legislative branch, who are captured by corporations and all sorts of interest groups, and away from their constituents. The crisis in the representative democratic system is worsened by the lack of correspondence between what the constituent wants and what the legislator does, advocates, or votes for. In fact, democratic systems are currently witnessing outbreaks of popular dissatisfaction towards political representation, as seen in movements in the United States, Spain, Brazil, Italy and others. These protests vary in content, form, and timing, but they are connected to the crisis of political representation (SUBIRATS, 2011; ZUQUETE, 2012).

According to the Democracy Index, 2016 was a year of global democratic recession. In this research, the average global score of Democracy Index fell to 5.52 from 5.55 in 2015 (on a scale of 0 to 10). In addition, this research points to the fact that 05 regions, compared to 03

in 2015, experienced a decline in their regional average score — Eastern Europe, Latin America, the Middle East and North Africa (MENA), Sub-Saharan Africa (SSA) and Western Europe. Moreover, it should be noted that not a single region recorded an improvement in its average score in 2016. In summary, the Democracy Index research notes that some manifestations of the crisis of democracy were symptomatic of the problems of 21st-century representative democracy and, at the same time, of the positive potential for overcoming them by increasing political participation (UNIT, 2016). Therefore, according to the researches of UNIT (2016) for better democracy, or at least something better than what has been in place in recent decades, people's engagement and participation needs to be sustained to make a substantive difference to the quality of democracy.

Finally, it is known that while the traditional trustee model of representation is under criticism, direct democracy has gained ground as a strategy to complement and even substitute representative democracy. The idea that citizens should be empowered to decide on public affairs is strong. Plebiscites, referenda, consensus conferences (DRYZEK, TUCKER, 2008), participatory budgeting (WAMPLER, 2007) and public deliberation (MANIN, STEIN, MANSBRIDGE, 1987; COHEN 1989) have gained momentum in theory and practice as methods for public decision-making.

In view of the presented scenario, the objective of this article is to analyze the shared mandates, which represent an innovative form of delegated representation that promises to soften the representative crisis in trust, performance and civic engagement towards the legislative branch.

2 What is a shared mandate and how does it work

A shared mandate is a form of legislative representation in which constituents keep control of the mandate through direct participation. In shared mandates, the legislator voluntarily sacrifices their autonomy in order to empower constituents, making the mandate more responsive and accountable. Through shared mandates, politicians and individuals can share rights and responsibilities, costs and benefits during the electoral campaign and throughout the legislative mandate.

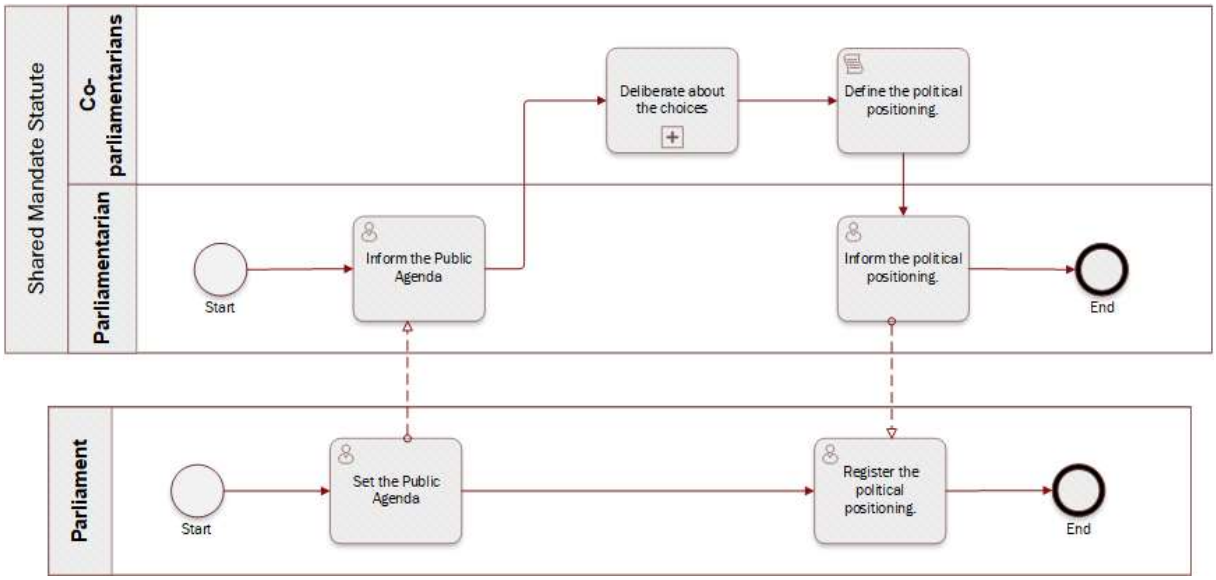
The theoretical inspiration for shared mandates is the delegated form of representation and direct democracy applied to the legislative branch. A shared mandate is a delegated model of representation (PITKIN, 1967), a type of 'promissory' representation (MANSBRIDGE, 2003)[3], and an example of the 'ambassador' and the 'pared-down delegate' type of Rehfeld´s

[3] Mansbridge (2003) proposed new categories to study the representative models, breaking down the trustee-delegate dichotomy into four categories: promissory, anticipatory, gyroscopic, and surrogate. In the promissory type of representation "one would expect explicit promises to reflect points of congruence between constituents preferences and a representative´s future actions" (p. 526).

distinction of representativeness (REHFELD, 2009)[4]. In the trustee model, representatives are not expected to correspond strictly to the constituents' preferences, but they rather have an ethical obligation toward what is considered "the general interest" (BURKE 1774; PITKIN 1967). In a shared mandate, there is a fundamental commitment of accountability, as well as a strict correspondence of what the supporting group wants and what the politician does.

In this form of delegated representation, the citizens determine the voting preferences of their representatives, as well as their legislative activity. Shared mandates work under an agreement between a legislative representative and citizens, in order to cooperatively exercise the legislative power of a mandate. Shared mandate means that the legislative mandate does not belong to the political party or the incumbent representative but, in fact, to a group of citizens sharing the mandate, as can be seen in Figure 1 below.

Figure 1 – Shared Mandate simplified model.



As shown in Figure 1, the structural elements of this form of representation can be presented as follows:

(I) Parliamentarian: the political actor who runs for and legally holds a legislative seat, sacrificing the political autonomy in favor of co-parliamentarians.

[4] In political theory, the traditional division between the trustee and the delegate model of representation suffered recent revision. Rehfeld (2009) proposed three distinctive variables: 1) aims; 2) source of judgement; 3) and responsiveness. Combined, the three variables form eight ideal types of representation. The "ambassador" and the "pared-down delegate" are two types of representation that share pluralistic aims of defending constituents´ interest, and judgment dependent on the constituents´ preferences to consolidate the representative´s preferences.

Therefore, the politician running as candidate in elections offers to their constituents the possibility to commit with the candidacy and the potential mandate. The committed constituents are then considered as co-parliamentarians, contributing during the campaign and, if successful, they are entitled to share the duties of the elected mandate.

Once in office, the parliamentarian keeps their commitment of abdicating the political autonomy in order to comply with the co-parliamentarians preferences.

Before voting a bill, the parliamentarian opens a binding consultation to co-parliamentarians, in order to find out their position on the issue (i.e.: in favor, against).

The parliamentarian is entitled to express their own arguments and reasons, but the preferences of the group is peremptory.

Then, the parliamentarian votes in parliament, according to the final position obtained from the people involved in the shared mandate.

If the representative fails to keep this commitment of casting the vote accordingly, co-parliamentarians and constituents will likely punish the representative by publicly denouncing their betrayal, and disapproving aspirations for reelection.

(II) Co-parliamentarians[5]: group of citizens who participate in a shared mandate to collectively influence, and even determine the parliamentarian´s position on plenary voting and/or while exercising other legislative activities.

(III) Shared Mandate Statute: a shared mandate works as an agreement. In view of this, it is considered appropriate to draw up a letter of intent capable of delimiting those who can participate, the minimum and maximum number of members, the procedures adopted by the group, the obligations and duties of each one, etc. Thus, this document, called “Shared Mandate Statute”, must clearly demonstrate the understanding of the 10 structuring variables that will be explored in the next chapter.

3 The basic 10 variables to analyze the empirical experimentations of shared mandates.

As explained above, shared mandates are halfway between representative democracy and direct democracy for the ongoing exercise of legislative mandates. Hence, shared mandates can take on many forms in terms of initiative, size, eligibility, access, permanence, distribution and extent of power, costs, benefits, and decision-making processes. Wherefore, it is necessary to delimit the general aspects of each of the 10 variables present in a shared mandate.

[5] This term can be adapted to the level of the legislative branch: co-councilor (local), co-deputy (state or national), or co-senator (state or national).

3.1 Initiative.

A shared mandate can originate with the initiative of an individual who aspires to a legislative position and decides to share this venture with other citizens. In other cases, a group of citizens can embrace a shared mandate as a strategy for campaigning and exercising a prospective legislative mandate.

The definition of the Shared Mandate Statute and the selection of the candidate may also be an individual or collective matter. As a “contract”, the norms are agreed upon between the politician and the group of citizens.

However, the politician can propose the norms and leave citizens the choice of whether to participate or not. This happens especially when the politician takes the initiative of creating the shared mandate. When the shared mandate is a collective venture (i.e.: a group, a political party) it likely follows a collective design of the norms.

3.2 Size.

Theoretically a shared mandate can range from two to millions (even billions) of people. The larger the group, the more pluralistic the mandate is likely to be.

Some shared mandates can impose barriers of entry for the sake of control. For example, a group of 10 citizens can form a shared mandate deciding that each will hold 10% of the voting power. Even if this setting is more pluralistic than the traditional trustee model of representation, it can be criticized as centered on an “interest group” or considered an “aristocratic representation” if compared to another shared mandate with 10.000 participants, each one entitled to 0.01% of the shared mandate power.

3.3 Eligibility.

A shared mandate can create basic requisites for citizens to participate. These requisites can be related to age (preventing the participation of children and teenagers not legally entitled to vote); territory (blocking the participation of foreigners or citizens living in another district); membership to a certain political party; and, in a more closed fashion, the shared mandate can be limited to those with whom the politician is previously acquainted. Establishing these barriers of entry generates more control and predictability.

However, it harms pluralism, which tends to increase when there are less eligibility requisites. Thus, a shared mandate can choose to invite individuals to register based on eligibility criteria or, in a more open fashion, extending the invitation to all citizens, by registering in person or via the internet.

3.4 Access (registration of participants).

As shared mandate is a collective endeavor, the sooner it is open for registration of citizens the bigger the group is likely to be.

Shared mandates aiming for pluralism, diversity and extent should be open for registration for new members before the registration of the candidacy, or at least during the campaign. Electoral campaigns are costly and burdensome. Thus, a bigger group of committed citizens has more resources to gain votes. Opening the registration after Election Day is risky, because it can attract individuals seeking to highjack achieved mandate. It can also create an over cautious behavior of potential participants, i.e. citizens may not engage in the campaign and avoid the harshness of this process, waiting to engage in case there is an electoral success.

The registration of participant citizens can close before the registration of the candidacy, during the electoral campaign, after the elections, or even stay open throughout the mandate. The consequence of this decision is significant to the structure and feasibility of the shared mandate. The sooner it is closed, less participants are involved and they have more control upon the mandate. If the registration closes before campaigning, the candidate may lose the opportunity to engage citizens in campaigning efforts and risk failing in the electoral process.

Alternatively, the registration can be set to close at a certain point during the campaign (for example, one week before Election Day), avoiding last minute opportunists, at the same time stretching the opportunity for campaigning engagement. If the registration of citizens closes after the election or never closes, the mandate is certainly more likely to become more pluralistic. However, it may also risk being hijacked by an organized lobby group, spoiling the original purpose of the shared mandate.

3.5 Permanence (expelling undesired co-parliamentarians).

There might be situations in which one or more participant refuses to follow the shared mandate statute. For continuation of membership, the group can establish an expelling mechanism based on assiduity (expelling those who do not participate frequently at virtual or face-to-face meetings); on effort (expelling those who did not collaborate during the electoral campaign); on performance (expelling those who failed to gather votes in their neighborhoods or districts); on ethics (expelling bigots) and other forms of criteria for membership discontinuation.

The Shared Mandate Statute can create looser norms for expelling, or not establish expelling norms at all, permitting all registered citizens to continue as long as they wish.

Naturally, there are motivational risks and effects on group cohesion if the shared mandate establishes a wide-open perpetual membership.

3.6 Distribution of power (the weight of the parliamentarian in relation to co-parliamentarians.)

As shared mandate requires at least two people, the maximal share of power granted to the incumbent legislative representative is 50%. An egalitarian shared mandate distributes equal shares of power among all participants (i.e.: 1% for all 100 members of the shared mandate).

A Shared Mandate Statute can also dictate no voting power to the incumbent politician, giving the voting power only to participants. In this scenario, the parliamentarian acts as a voice for the group.

The statute, however, can be designed to distribute power unevenly among participants, as for example giving more voting shares according to certain criteria, such as performance, political status, or other hierarchical or symbolic categories (i.e.: junior, senior, honorary, etc.), policy area categories (i.e.: health experts with power to vote on health policies), and other kinds of categorization. An egalitarian shared mandate has only two categories: the politician and the participants, with equal distribution of power among them.

3.7 Extent of power:

A shared mandate requires voting power for participants, in order to inform the incumbent parliamentarian on how to cast the vote when the bill reaches the plenary/floor. For practical reasons, the shared mandate statute can restrict the number or the content of proposed legislation to be scrutinized by citizens, trusting some of the voting power to the legislator. The statue can, despite the practical difficulties, send every single piece of legislation proposed in the parliament to be analyzed and decided on by the co-parliamentarians.

The Shared Mandate Statute can also extend the power to citizens to intervene in legislative activities in special committees, or by permitting the submission of legislative proposals, or by collectively writing entire legislative proposals.

Information and communication technology (ITC) applied to democracy allows collective text building, and it can be applied to political actors geographically dispersed, taking advantage of the creativity, technical skills and educational expertise of the participants.

3.8 Sharing costs and benefit.

Every democratic system has specific rules on donation and sources of resources to electoral campaigns.

In countries that allow individual or corporate donations, the Shared Mandate Statute may adopt a strategy of splitting the costs among the participants. The cost sharing system could be partial or total. Alternatively, the group can decide that funding should come from the political party or the government, prohibiting the share of campaign costs among participants.

The Shared Mandate Statute may dictate the obligation for the incumbent politician to share their salary or stipends among participants. This possibility is also dependent on the norms of each political system.

The motivational effect of sharing costs and benefits in a shared mandate is hard to predict. One can hypothesize that participants would work harder to win the election as an instrumental reaction to expecting a share of the salary in the future. However, the creation of this instrumental rationality could also deter those who would join the shared mandate for substantive reasons (i.e.: to support an ideology of a voluntary and horizontal way of political engagement). Other than salary and stipend resulting from the mandate, non-material benefits may also be shared, like access to parliament, office space, media exposure, etc.

3.9 Decision-making process.

A shared mandate uses a collective decision-making process. Political theory offers two contending forms of decision-making:

a) the aggregation of preferences, where individuals evaluate and decide according to their preferences, and the decision is reached by counting votes using majority rule; and,

b) deliberation, where individuals express their points of view, exchanging reasons and arguments through consensus building.

Both processes have pros and cons; aggregation of preferences respects individual preferences and is more likely to come to a decision with minimal coordination costs; deliberation has the advantage of mutual education through a communicative process to reach a deeper understanding of the issue at hand. The distribution of power in terms of percentage of vote for each citizen is a minor issue in a deliberative setting, because the focus is on consensus building. However, consensus building can prove particularly difficult in the case of virtual meetings and on politically intense issues. A contingency model or mixed model using both deliberation (if consensus can be reached) and aggregation of preferences (if consensus is impossible) may be established in the shared mandate statute.

3.10 Interaction mechanism.

The interaction between the politician and the co-parliamentarians in the shared mandate can be face-to-face, virtual or mixed. At the local level, city councilors can boost the frequency and intensity of interactions by creating weekly meetings with citizens to deliberate

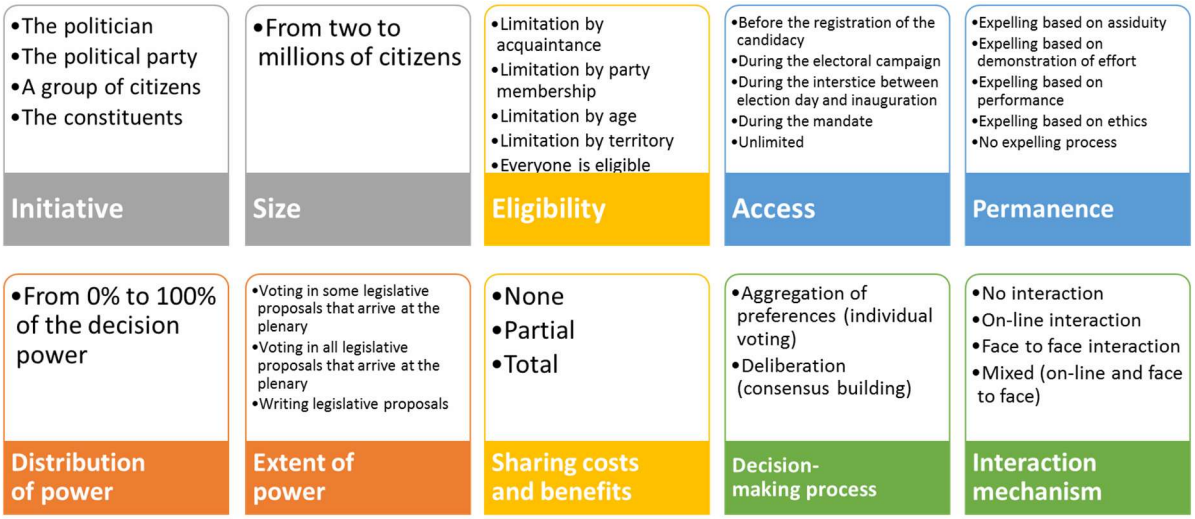
about the issues on the city council´s agenda for the coming week. Either local, state or national representatives may create, or adapt, an on-line platform or application software to post and discuss issues before the politician casts their vote in a plenary session.

Technically, it is easy to use such virtual platforms to upload documents to inform decision-making, creating a virtual forum of discussion, and voting for or against a proposed legislation. If virtual interaction may be less 'human' than face-to-face debates, it may be the only way to operationalize the participation of a large number of citizens geographically dispersed.

The shared mandate statute can also adopt mixed forms of interaction, including virtual interaction for less politically divisive issues, and face-to-face interaction for politically hot issues. In addition, the shared mandate can work without interaction among citizens, when consulting through a poll to gather the opinions of the constituency.

Figure 2 below presents aspects of the 10 variables discussed.

Figure 2 – Variations of shared mandates



4 Experience of shared mandates in different countries.

Several democracies already experienced practices of shared mandate. Initiatives using shared mandates for campaigning and exercising legislative power are already under way in different political systems in countries such as Sweden, Australia, Argentina, Brazil, United States, United Kingdom, Spain and Italy.

4.1 Sweden.

In Sweden, Demoex (Democracy Experiment) won a legislative seat in 2002 in the municipality of Vallentuna, suburbs of Stockholm, using a web-based shared mandate system.

All citizens from that municipality were eligible to register on-line, debate and vote on proposed legislation in order to inform, one day earlier to the plenary vote, the position of the representative Parisa Molagholi (NORBÄCK, 2012).

Their participation was restricted only to hot politically intense issues chosen by the registered citizens. Citizens from other parts of the country or the world could register too, but they did not have power to vote. Once registered to participate and vote on-line, the participants could be expelled in the case of diverting or disturbing the debate with improper or unethical comments.

The party was successful in the 2006 and 2010 local elections, and Per Norbäck, the party leader, held the legislative seat in Vallentuna. In order to boost participation, Demoex shared a portion of the parliamentarian monthly salary with the most contributive participant. In 2014, Demoex merged with Aktiv Demokrati forming a national party named Direktdemokraterna (Direct democrats), but eventually lost the regional seat in the 2014 election.

4.2 Australia.

In Australia, the political party Online Direct Democracy (ODD) used the shared mandate strategy in the 2007, 2013, and the 2016 general elections, but was not successful.

Formerly called “Senator Online”, Online Direct Democracy uses aggregation of preferences through on-line polling of the registered members. Every registered Australian voter, not affiliated to other Australian parties, is allowed to join the ODD as a party member or as a poll member, with equal voting power.

The ODD e-democracy tool allows party members and polling members to simulate voting on proposed legislation on the Pollyweb platform. According to the ODD Statute, if elected, the representative would follow preferences of the registered citizens, or abstain voting if consensus does not reach 100.000 on-line votes, or the majority does not reach at least 70%.

4.3 Argentina.

In Argentina, Partido de la Red ran for the 2013 local elections in Buenos Aires. The requisite for registration in the system was territorial, restricted to any citizen living in the District of Buenos Aires. Participants could also submit policy proposals via the web and rank and comment on the submitted proposals in order to establish a list of priorities.

In the 2013 elections Partido de la Red had 2.511 co-parlamentarians registered on the DemocracyOS and received 22.000 votes, which was not enough to get elected. Even though not successful in its first electoral attempt, the political party is organizing for the 2017 elections

again proposing an on-line shared mandate using DemocracyOS, an independently developed e-democracy tool.

4.4 Brazil.

In Brazil, Leonardo Secchi ran in the 2014 elections for State Deputy along with 472 Co-Deputies. The shared mandate was open for registration to any citizen living in Santa Catarina, a state in Southern Brazil.

The registration remained open until the week before Election Day. The permanence of co-deputies was based on assiduity in a weekly on-line meeting on Facebook. Every co-deputy had the same proportion of the voting power using majority rule through a web based voting system (Sistema de Mandato Compartilhado – SMC). Secchi received 8.010 votes, not sufficient to win the legislative seat.

In the 2016 elections, 61 candidates competed for the position of city councilors proposing shared mandates, in several Brazilian cities. Four candidates were elected in different cities of the State of Santa Catarina: Mafra, Blumenau, Barra Velha, Joaçaba.

Table 1 summarizes the experiences with shared mandates in the different countries.

Table 1: Experiences of shared mandates.

Experiences	Demoex	Online Direct Democracy	Partido de la Red	Leonardo Secchi
Variables | Contry	Sweden	Australia	Argentina	Brazil
Initiative	The party	The party	The party	The politician
Size	273	550	2511	472
Eligibility	Limitation by territory (municipality)	Limitation by territory (country, not registered in other political party)	Limitation by territory (district)	Limitation by territory (state)
Access	Unlimited	Unlimited	Unlimited	During the electoral campaign
Permanence	Expelling based on ethics	No expelling process	No expelling process	Expelling based on assiduity demonstration of effort and ethics
Distribution of	Equal	Equal	Equal	Equal
Extent of power	Voting in some legislation that arrive at the plenary (chosen by the co-parliamentarians)	Voting in some legislation that arrive at the plenary (at least 100.000 votes or 70% or more majority)	Voting, proposing ideas and writing legislative proposals	Voting, proposing ideas and writing legislative proposals
Sharing of costs	Sharing of benefits	None	None	None
Decision-making process	Aggregation of preferences	Aggregation of preferences	Aggregation of preferences	Aggregation of preferences
Interaction	Online	Online	Online	Online

4.5 Other countries.

Other experimentations of direct democracy through electronic voting already exist in Spain (Partido X), in England (Online Direct Democracy), in Italy (Democratici Diretti), and in Iceland (Pirate Party).

In the United States, Bob Ross was an independent Congressional Candidate in 2010 in Ohio's 16th District. He ran using a platform named "Majority Votes Rule", in which he

promised to consult the citizen´s in his district before casting a vote on proposed legislation in Congress. The consultation would be undertaken trough a “trusted neutral company and the results published online and in the major area newspapers” (MajorityVotesRule, 2010). The candidate was unsuccessful in the 2010 elections.

5 Positive and negative aspects of Shared Mandates

According to individual testimonies and website information made available by political parties using shared mandate, there are three main driving factors for the adoption of shared mandates: (1) a more informed, critical, and politically conscious citizenry, (2) availability of e-democracy tools; (3) lack of trust in the capabilities of the traditional model of representation. However, any strategy can have both positive and negative aspects. Below, some reflections on the possible unfolding of the shared mandate are presented.

5.1 Potential benefits

Compared to the traditional trustee model of legislative representation, the shared mandate can bring some potential benefits:

Social accountability: in a shared mandate, the representative´s voting preference is determined by those sharing the mandate, empowering constituents to hold elected legislators accountable and bound to collective interest. Through shared mandate, the principal (constituents) can have immediate control over the agent (representative), instead of waiting for the next electoral cycle to reward or punish the representative at the ballot.

Low campaign costs: the campaign costs are potentially lower because shared mandate creates an expectation of power sharing with co-parliamentarians, motivating them to work voluntarily in gathering votes for themselves and for the group. Crowdfunding and crowdsourcing are also likely to curb campaigning costs.

Increase campaign’s reach: a shared political campaign potentially touches more people than a single candidate campaign. Parliamentarian and co-parliamentarians have different backgrounds and connections in terms of family, organizations, social class, and community. Thus, they have access to different networks, and this may increase the reach and number of votes.

Increase plurality of interest: a functioning shared mandate receives complaints, demands and feedback from a variety of groups, making the mandate closer to a “general interest”, if compared to corporative and geographically localized individual mandates.

Better legislative proposals: a multidisciplinary team of co-parliamentarians can boost the mandate with ideas and build solid legislative proposals using collective intelligence (BROWN and LAUDER, 2000).

Balanced political views: the diversity of principles, points of view and interests of the co-parliamentarians makes the shared mandate more likely to have a balanced political position.

The implementation of shared mandate does not depend on changes in the election rules or overhauls of the political system in most of the contemporary democracies. As a voluntary commitment, the politician or the party can adopt it as a mechanism to prescribe its decision-making in legislative chambers.

In fact, politicians and their parties in a traditional trustee model of representation, already consult their constituents using tools such as polls, focus groups, and petitions, in order to discern what constituents want them to represent. The qualitative difference of shared mandate is the commitment between parliamentarian and co-parliamentarians that the former consult and obey the latter while in office. It is a political commitment to binding consultation of constituents before taking any position in parliament.

5.2 Negative consequences

Shared mandate brings along some risks. As a scarcely tested model of representation, it is difficult to foresee behavior, and unintended consequences may follow. However, some negative consequences are anticipated and discussed below:

Instinctive voting: Individual decisions are not always informed, which leads to bad collective decisions. In the process of aggregation of preferences (instinctive vote) shared mandate can arrive at decisions that validate socially reprehensible values and prejudices. One strategy for this is to create a deliberative environment where there is an exchange of ideas, reasoning and arguments to make a more informed group decision.

Information costs: a representative is an elected official paid to gather information and make decisions on public policy. Gathering information takes time and effort. In a shared mandate there is the risk that co-parliamentarians will not have enough time, information and skill to build a qualified individual or collective decision. One possible solution is to reduce the number or the content of proposed legislation that will be scrutinized by co-parliamentarians, so there will be more time and resources to invest in high stake decisions.

Another way to reduce information costs is for the parliamentarian´s office to make available useful information on the policy issue at hand (analytical reports, previous legislation, press releases, etc.), so the co-parliamentarians can read it before expressing their preferences. But even this service can lead to manipulation of information, with the risk of the representative supplying reports supportive of their own political preference.

Conflicts with constituents: the constituency of a shared mandate is not likely to coincide with the group of co-parliamentarians. The shared mandate can make extra effort in

inviting all constituents to be part of it, but it will not reach everyone. Additionally, if the shared mandate has no screening or filtering process for registration it may well be captured by citizens of other political communities, ideologies, or political parties not related to the original group of co-parliamentarians.

This consequence is similar to the agency problem in the traditional trustee model of representation, in those cases where politicians and the political parties vote against the constituency's preference.

In order to minimize the risk, the electoral campaign has to make explicit the commitment to translate the co-parliamentarians´ will into plenary votes, informing all that neither the political party, nor public opinion, nor a fluid concept of "constituency" control the mandate. The voter has to be aware that they are electing a group of co-parliamentarians.

Conflicts with the political party: Shared mandate can cause resistance by political parties that dominate the votes of their representatives. In parliamentarian systems, for instance, political parties command the individual representatives of the party. In these situations, a political party may likely retaliate and even expel representatives who do not follow their orientation in parliament. Shared mandates are more likely to be implemented by independent candidates or in political parties more horizontally organized and more open to innovation in political representation.

Higher transaction costs: a political party is an institution built, among other things, to diminish transaction costs in public decision-making. Transaction costs are likely to increase both internally, within the group of the shared mandate, and externally, among parties in parliament, because of the number and diversity of people needed to reach an agreement. If many representatives adopt the shared mandate system, the negotiation costs in parliament can increase significantly.

5.3 Evaluating.

It is known that direct democracy has been criticized (REGONINI, 2005; CURINI, 2005) as has been the legislative branch (POWER, 2012). Based on Schumpeter´s political view (1947), direct democracy is feasible when it comes to local level politics, because the population can engage in face-to-face discussion. However, direct democracy is hard to implement at the national level, when discussing nationwide issues (BERAMENDI, 2008; LADNER, 2002; DRUMMOND and RUSSELL, 2001).

Deliberation embodies undemocratic traits such as decision-making captured by actors with more resources (time, information, organization), creating elitist effect and "silent losers". In addition, deliberation gives citizens the opportunity to speak and listen, exchange reasons and arguments in an effort to build consensus. With deliberative practices, the expectation is

that policymakers and policy takers can learn from each other, exchange views, ease conflicts, and build politically feasible public decisions through communication and negotiation.

Today´s reality in western democracies is very different from that in the past and has even changed from 20 or 30 years ago. Today citizens are better educated than in the past. The illiteracy rate has dropped in all countries (UNESCO, 2013), from 1985 to date, as the years of education have increased, citizens have never before had such wide and broad access to information as they do today.

The internet has provided a range of sources of information, enabling citizens to be informed about political matters. Today´s population is more informed about government, institutional issues, and it has diminished the information asymmetry between representatives and constituents.

According to Dalton (2007), new generations of citizens are less likely to engage in elections, but they are increasingly engaging politically in different ways. The younger generations want more choices, they want a direct impact on politics and they want to see their representatives correspond to their preferences.

Subirats (2011) predicts that this new generation of citizens/voters will no longer accept the distinction between policymakers and policy takers, and they are already claiming a place as “everyday makers” of political decisions.

Nowadays there are tools of electronic democracy (e-democracy) to facilitate deliberation and aggregation of preferences. Direct democracy has been historically accused of shortcomings in public decision-making because of its costs and difficult implementation, especially in decision-making on national issues (SCHUMPETER, 1947). Information and Communication Technology (ICT) is already available in virtually all democracies. It has reduced the costs of collective decision-making as citizens can openly discuss, vote and even build consensus via virtual forums.

The adoption of ICT to support democracy has also been boosted recently in several countries (HILBERT, 2009; SIEBES, 2010). Voters in a distant district have the opportunity to verify whether their representatives in the capital are behaving accordingly. The availability of information though websites, newspapers, and reports from watchdog institutes has also strengthened political accountability.

Finally, expectations on the trustee model of representation have been partially frustrated in several countries. Politicians were expected to represent both the local (district, state) and the general interest. However, trust in the legislative power and in politicians around the world is at its lowest in many countries (POWER, 2012). In fact, according to Power (2012), based on the survey from the International Institute for Democracy and Electoral Assistance

(IDEA), “Parliament and democracy in the twenty-first century”, parliaments were less trusted than other institutions of government in various regions of the world.

It is important to take into consideration that society has changed at an increasing speed, affecting the constituency’s preferences and making it harder for politicians to efficiently assess people’s mood. The trustee model lasted so far because reelection every two or four years was enough for citizens to punish representatives who were inattentive to the changes of constituency´s preferences. However, this has changed.

6 Conclusions

Representative democracy and direct democracy can be combined to overcome mutual limitations, and shared mandate is one of the strategies to do that by consulting constituencies and allowing them to determine representative´s position in legislative matters.

This article has shown the forms of shared mandate in terms of initiative, size, eligibility, access, permanence, distribution and extent of power, costs, benefits, and decision-making processes. The implication of these variables were analyzed as trade-offs between two normative values: pluralism and control.

The potential advantages of adopting shared mandates are related to social accountability regarding the parliamentarian activity, lower campaigning costs, increased reach and chances of success in a candidacy, increased plurality of interest, better legislative proposals, and balanced political views. In addition, as a voluntary mechanism, shared mandates are legally feasible under the current electoral and political regulations in most democratic systems.

Shared mandates also entail potential risks, which include: the costs for gathering and analyzing information and decision-making is spread among the participants of the shared mandate; the potential for conflicts between representatives with their constituents and with political parties, and there are higher transactions costs for both internal decisions and for the political negotiations in the legislative branch.

Nevertheless, three factors are identified which further the advance of shared mandates: (1) the increasing ability of the population in terms of education, information and perspective, makes individuals more qualified to intervene in public decisions; (2) the proliferation of information and communication technology (ICT) reduces the costs and enables a more frequent and substantive relationship between citizens and representatives; and (3) the crisis of representation motivate citizens to hold elected officials accountable through renewed models of political delegation.

The current lack of trust in elected representation and the limitations of direct democracy are creating a political environment, which is more receptive to the proliferation of shared mandate experiences, in its many forms and in several countries.

The recent experiences under way in Europe, North America, Latin America and Australia are to be followed. Even if they have not become mainstream political practice, there is room for optimism in diffusion of shared mandate for its potential to bring a competitive edge to politicians and political parties as a campaign strategy, and to enable a more accountable and responsive legislature.

Representative democracy was created to synthesize the interests of the masses. Direct democracy was also created to give citizens a say in the elaboration and evaluation of public policies. Both are traditional and complementary forms of democracy, with potentials and limitations. And so is the shared mandate system. Responsible empirical experimentation and creative theoretical development are necessary to build and spread shared mandates as tools to deepen democracy.

In these times of co-creation, co-working, co-housing, car-sharing, crowdsourcing, crowdfunding and crowdsensing, the natural political innovation is ‘crowdvoting’ through shared mandates. In this conceptual framework, shared mandates powered by crowdvoting allows the participation aimed at getting feedback from users on a particular topic or issue, for which the participants contribute with their opinion or evaluation (GARRIGOS-SIMON; GIL-PECHUÁN; ESTELLES-MIGUEL, 2015).

For a shared mandate to work properly it ought to have a statute, designed either before the registration of the candidacy, during the electoral campaign, or after the electoral campaign. If the registration of additional citizens happens during the campaign or after the elections, it is important to have at least a draft of the statute before the registration of the candidacy, so the group can decide on details of operative norms and incremental changes to the whole document during the campaign or after the election. Those norms will regulate the mandate’s basic features in terms of leadership, size, eligibility, access, permanence, distribution and extent of power, costs, benefits, and decision-making processes. The combination of all these variables represents the infrastructure of a shared mandate. There is an underlying trade-off between pluralism and control in deciding on each of these variables.

A radically pluralistic shared mandate is designed with openness and no restrains in all variables. Perhaps too optimistic, a radically pluralistic shared mandate is initiated by constituents, its statute is collectively designed and the candidate collectively chosen by the co-parliamentarians. There is no barrier of entry of any kind for new constituents to join the shared mandate at any time, with no requisites, categorization or expelling process of its members. This gives each member the same amount of power for voting and engaging in all

legislative activities along with the parliamentarian in deliberative processes using both virtual and face-to-face meetings.

To the other extreme, a radically controlled shared mandate is designed to grant strict control in all the aforementioned variables. This sort of shared mandate is usually initiated by the individual who designed the shared mandate statutes and opened participation to a few previous acquainted co-parliamentarians, who gain less share of power compared to the candidate/parliamentarian. The co-parliamentarians are allowed to participate only in voting on some legislative proposals that come to the plenary. If co-parliamentarians are not able to reach a minimal standard of effort or performance they are subject to expulsion. This radically controlled design may be considered a strategy created by an individual or interest group eager to capture a legislative seat in order to pursue private interests.

Naturally, intermediate designs of shared mandate combine the expectations of pluralism and control, one offsetting the other. A number of shared mandate designs derive from the combination of the categories discussed. A share mandate is designed according to the needs of the context and normative beliefs of those adopting it.

Finally, as demonstrated in this article, when the contextual peculiarities are respected, shared mandates provide the structural elements that can combine (in a harmonic way), the expectations of citizens and the legitimacy of the parliamentarians, when it comes to processes of solving public problems. This is especially true in societies with declining trust rates in the classical model of parliamentary representation and increasing levels of education, expansion of technological development and political engagement.

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