Venezuela: Institutional problems and inclusive democracy

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I. Introduction: Matters of method

When Plato, in Book VII of *The Republic*, section 540c, asserts that the best ruler is the person who has fully developed their soul following virtue and that, in a given generation, this best soul can belong to a woman, he introduces the topic of inclusion. In its evolution, the process of democratization has absorbed the results of various political struggles that have expanded classical institutions. The new institutions, embraced by the Rule of Law, have operationalized the principle of modern freedom by adopting the Doctrine of Human Rights, as well as the principle of equality before the law, extending to feminist, ecological, and minority movements. Constitutional designs have supplemented predominantly representative institutions with others stemming from the tradition of direct democracy, such as referendums or popular initiatives.

Since the emergence of the contemporary institutional perspective, whose fundamental milestone is the publication of

A Theory of Justice,[1] the contemporary socio-political debate has revolved around the following question: How can a society adopt impartial and consensus-based rules of coexistence? The answer lies in the development of an institutional framework. Institutions are not public entities, the market, or the State; they are, in the words of Douglas North, Nobel Laureate in Economics in 1993, the formal and informal rules of a society that structure the shared public space, emerging within specific socio-cultural contexts. Therefore, it is crucial to examine the history and assumptions of public culture to understand the essentially-political principles, entities, processes, actors, relationships, and execution. These six aspects allow for a heuristic understanding of a political issue, *locus*, or situation.

This assertion poses a methodological problem because it is not merely about contemplating reality but understanding it from the perspective of action and political change. For scholars, this implies finding an integrative perspective that allows to grasp the situation in its present and temporal complexity. The scholar's purpose is to generate relevant knowledge, in other words, to aspire to an episteme, to a relevant theoretical construction. In this regard, Germán Carrera Damas[2] says that the formulation of this kind of integral theory must be based on a historical-scientific perspective of the socio-historical process, which represents a tremendous challenge for historians and social scientists in general.

Why is it a challenge? Because of the consideration of two dimensions: firstly, the problem of justification and the shift

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1   John Rawls, *Teoría de la Justicia*. México: Fondo de Cultura Económica, 1997 (1971 date of original in English).

2   Germán Carrera Damas, *Una nación llamada Venezuela* (Caracas: Monte Ávila Editores, 1984).

from a contemplative mindset to a comprehensive one. The first problem requires questioning the scientific-technical foundation through which the production of relevant knowledge tends to be assumed, categorizing and quantifying the world without genuinely understanding it. The second problem has been weighed by Max Weber,[3] who makes a significant contribution when he distinguishes between the understanding of the scholar and the comprehension of the meaning that social actors give to their experiences.

For Weber, the human or spirit sciences are characterized by being comprehensive, historical, and cultural. Understanding means placing oneself in the perspective of the subjects who live at a given moment in time and in a specific cultural context. In that sense, the study that seeks to understand is different from the one that attempts to comprehend: the first is derived from the research of the natural sciences that requires observation and experimentation; the second is characteristic of the search aimed at unveiling the particular and interested perspective of unique actors in a shared becoming: social becoming occurs in relation to political action, which creates values, but its comprehension ultimately falls within the study of the socio-political.

Given that political action is a creator of values, distinguishing between a scientific-technical perspective and a normative one is a key idea in contemporary institutionalism: the latter assumes its ultimate justification from a public, impartial, and inclusive criterion.[4]

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3   Max Weber, *La ciencia como profesión. La política como profesión* (Madrid: Espasa Calpe S.A., 2001, 2ª edición). (1916 date of original in German).

4   John Rawls, *Liberalismo Político* (Fondo de Cultura Económica. Primera edición, segunda reimpresión, 1996 (1991 date of original in English).

II. Representative democracy (1958-1998) and participatory democracy (since 1999) in Venezuela

The governance agreement known as the 'Punto Fijo Pact' has been described by Luis Castro Leiva[5] as the most constructive political and moral decision in our history because, by embracing the "dignity of politics,"[6] it proposed a set of institutional rules that responded to the demands of the time: the need for democratic practices to guide political actions. Given the prestige of political parties at that time, the Punto Fijo Pact made progress in addressing the age-old question of ""how to become a true republic and how to establish democracy within it?"[7] The reputation political organizations had built during the period between 1948 and1958 period had transformed them into genuine political parties –not just interest groups but organized structures committed to channeling genuine social expectations and demands according to explicit principles. Being a member of a political organization entails moral responsibilities.

The foundation for the political system that lasted for 40 years was based on: *a*) a conception of the political system rooted in polyarchy, accommodating five constitutional pillars (the State, the Church, *Fedecámaras*, CTV, and political parties); *b*) political

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John Rawls, *Teoría de la Justici*a (México: Fondo de Cultura Económica, 1997) (1971 date of original in English).

Amartya Sen, *The idea of justice* (Cambridge, Massachusetts: The Belkap Press of Harvard University, 2009).

5   Luis Castro Leiva, *El 23 de enero de 1958* (Caracas: El Centauro Ediciones, 2002), 39.

6   Leiva,*El 23 de enero de 1958*, 28.

7   Leiva, *El 23 de enero de 195*8, 36.

parties acting as mediators between society and the State;[8] and *c*) the assumption of the 'party man' who transformed the essence of political representation, shifting from being the public voice representing reasonable comprehensive doctrines to representing party interests.[9]

The key institutional element was the mediation of political parties, which Humberto Njaim[10] referred to as a 'relentless enterprise'. Its configuration and development can be summarized as follows: "It was an enterprise that demanded extreme personal discipline, dedication, and honesty, while also requiring some intellectual cultivation from its followers... Political professionalism, the maintenance of the organization and its leaders, often led to ethically incorrect methods to achieve it. The intellectual imperative conflicted with discipline and the overwhelming political-electoral work. The mediatization and infiltration of intermediate bodies became intolerable as society developed and parties ceased to meet their standards."

Diego Bautista Urbaneja[11] sheds some light to understand Venezuela's political history through the concept of the "political program," distinguishing three: the liberal, implemented during the 19th century; the positivist, established during the Gomez

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8   Ramón Escovar Salom, *Evolución política de Venezuela* (Caracas: Monte Ávila Editores).

9   Humberto Njaim, "La empresa denodada. Los comportamientos organizacionales característicos de la concepción y el patrón de partido político dominante a partir del 18 de octubre de 1945", in *La revolución de octubre* (Caracas: Celarg, 1998), 41-70.

10 Njaim, "La empresa denodada...", 64.

11 Diego Bautista Urbaneja, *Petróleo y Pueblo en la Política venezolana del siglo XX* (Caracas: Monte Ávila Editores, 1994).

era' and the social-democratic established since 1958. Latouche[12] outlines the contours of the Chavista political program, called 'revolutionary,' which was founded on the inability of the social-democratic political program to respond to the demands arising from a more complex society in contexts mediated by globalization and the uncertainty of socio-economic dimensions. Why did the alarm bells that went off in three events in February in the years 1983 (devaluation), 1989 (Caracazo), and 1992 (coup attempt) not generate significant changes in the social-democratic program?[13]

The answer lies in the same foundation that gave rise to the agreed-upon democracy. All interest groups wanted to see themselves reflected in the pact. Thus, business owners, labor unions, and other interest groups, along with politicians, created a network of relationships. Everyone wanted to have power. There was no public reason. Instead, there were situations based on precarious loyalties: this is how multiple change projects originated and were maintained within the framework created by interest groups, not in relation to an impartial institutional framework defined by a clear commitment to achieving a more just society. Due to the fragility of institutional frameworks, there has been no healthy balance of power to subordinate the interests of groups (partisan or not) to those of the country: we have been looped in a vicious circle regulated by weak institutional frameworks, and the way out of the crisis is the creation of inclusive and impartial institutions that none of the groups has known how to create.

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12 Miguel Ángel Latouche, "Programa político y democracia en Venezuela. Elementos para la revisión conceptual", *Revista Venezolana de Análisis de Coyuntura* X, Nº 2, (Julio-Diciembre 2004): 11-23.

13 Óscar Battaglini, *La democracia en Venezuela* (Caracas: Ediciones FACES-UCV, 2001).

In that context, the figure of Hugo Chávez emerged with two indisputable issues: the exhaustion of the Punto Fijo spirit and the evident existence of economic and social inequalities. Alongside these issues, there was a strategic proposal: the Constituent Assembly. The ideal of the State was a participatory and protagonistic democracy, replacing the representative one, establishing a foundation that aspired to be communal through the exercise of continuous social movements.

Both phases of our politics generated their own contradictions. The first phase distanced itself from the popular base and the need to remain prepared for their public responsibilities. The inherent contradiction within Chavismo is reflected in the assumption of the proposal: the past had to be destroyed to create a new institutional framework, based on the communal, at the expense of rational-argumentative exercise. The implementation of the 'revolutionary political program' has succeeded in destroying the social democratic program but seems unable to establish a new comprehensive political program for a new institutional framework. The result has been the implementation of 'celebrating forgetfulness'.[14]

Tönnies[15] identified two types of relationships that coexist within every nation/society: community and associative relationships. The former is characterized by affective, familial, and tribal bonds, while the latter involves rational associative relationships. The communal aspect underpins the idea of a nation and social movements, while the associative aspect is foundational for the concept of society, the state, and institutions. According to Tönnies,

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14 Luis Castro Leiva, *El 23 de enero de 1958* (Caracas: El Centauro Ediciones, 2002), 49.

15 Ferdinand Tönnies, *Community & society* (New York: Harper & Row Publishers, 1963). (1887 fdate of original in German).

both constitutive relationships are necessary within a nation and society, creating a dialectical tension that requires reflection and action.

For Venezuela, it is truly important to understand this dichotomy suggested by Tönnies, which has been broken at its roots. Indeed, politics grounded in the communal realm forget everything that requires a conception of the public sphere, as everything adheres to a sort of wanting-to-participate doctrine without explicit relation to the generation of public goods. It is necessary to re-embrace rational acts of conception, structuring the fabric of associative relationships that provide direction to communal energies. Social movements, whose nature is flowing, do not constitute institutions because institutions require a reflexive and participative effort to conceive, maintain, renew, and re-conceive a framework of equitable and inclusive regulatory norms.

Thus, we found a new idea/strength for our country: an inclusive and institutionalized democracy for public action and change. What needs to be explored is what institutions are and how to implement them in our country.

III. Contemporary institutionalism and the constitution of public space

The works of authors such as Amartya Sen (Nobel Prize in Economics 1998), Douglas North (Nobel Prize in Economics 1993), James Buchanan (Nobel Prize in Economics 1986), and John Rawls (the founder of modern liberal political thought) reframe the institutional issue by embracing the postulates of modern ethics that advocate for the creation of norms that regulate public and intersubjective existence.

The regulatory framework can be understood from two ethical perspectives: utilitarian or Kantian. In the first case, stemming from the second-generation utilitarianism of Jeremy Bentham and John Stuart Mill, regulation should allow for the maximization of agents' benefits. In the second perspective, reason compels, through duty, to comply with the rule: adherence to the norm is obligatory so that a productive society can fairly distribute a set of legitimate benefits.[16]

In *Critique of Practical Reason,* Kant asserts that the autonomy of the will is the only principle of all moral laws and the duties that concern them. As a natural being, humans are subject to the determinations of the sensible, but yielding to this plane undermines the autonomy of the will, rendering reason contingent. Autonomous reason acts out of necessary will, that is, in accordance with duty, which is expressed in the universal rule of the Categorical Imperative: it is imperative because reason recognizes that others constitute the social space of coexistence with us, and it is universal because it applies to all individuals and situations. Kant, aware that the rule of the majority is insufficient to generate inclusive consensus, has found the foundation for a completely encompassing political rule. In contemporary language, we refer to it as "the rule of consensus".

A common point of convergence among North, Sen, and Rawls is the conviction that utilitarianism does not offer a political/ethical conception of society or the individual. Since the principle of utility is the satisfaction of rational desire, Sen asserts: "The conventional propositions of modern welfare economics are based on the combination of selfish behavior on the one hand, and the evaluation of social achievement by some

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16 William Frankena, *Ethics* (New Jersey: Prentice Hall, Inc., 1973, 2ª edition).

criterion based on utility on the other... From the ethical point of view, this is rather direct and restrictive...," "the acceptability of the utility-based welfare criterion... takes ethical evaluations of social states as individual utilities," "this utilitarian approach is limited and inadequate... it has become impoverished in modern welfare economics." "...In the utilitarian approach, different goods are reduced to a homogeneous descriptive magnitude... and then the ethical evaluation simply takes the form of a monotonous transformation of that magnitude..."[17]

In his discussion of the theoretical problem of cooperation, Douglas North says: "Game theoretic models, like neoclassical models, assume wealth-maximizing players. However, as experimental economics literature demonstrates, human behavior is obviously more complicated than can be captured in such a simple behavioral assumption."[18]

Rawls, on the other hand, analyzes that in utilitarianism: "Social justice is the principle of rational prudence applied to a collective conception of group welfare... good is defined independently of justice, and then justice is... what maximizes good... to extend to society the principle of choice by one individual... does not take seriously the distinction between persons."[19]

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17 Amartya Sen, *Sobre ética y economía* (Madrid: Alianza Editorial, S.A., Serie Universidad. 1997 1ª edición, 1ª reimpresión) (1977 date of original in English): 48-49, 57, 75, 78.

18 Douglas North, *Instituciones, cambio institucional y desempeño económico* (México: Fondo de Cultura Económica, 2001) (1990 fdate of original in English), 28.

19 John Rawls, *Teoría de la Justicia*. México: Fondo de Cultura Económica, 1997 (1971 date of original in English), 34-38.

Based on an ethical perspective transcending utilitarianism, what are the specific proposals regarding the notion of institutions in the work of these three thinkers? Amartya Sen addresses the topic of institutions as follows: "Individuals live and operate in a world of institutions. Our opportunities and prospects crucially depend on how institutions exist and function... The roles of institutions can be sensibly evaluated in light of their contribution to our freedom... Although different commentators have chosen to focus on particular institutions... we have to see them together to see what they can or cannot do... It is through this integrated perspective that different institutions can be reasonably assessed and examined... [An institution] is a basic arrangement through which people can interact with each other by engaging in mutually beneficial activities... The achievements [of the institutional arrangement] are deeply contingent on political and social agreements."[20]

North dedicates an entire book to the subject of institutions and institutional change. He defines institutions as "the rules of the game in a society, or, more formally, «the humanly devised constraints that shape human interaction». They structure incentives in human exchange, whether political, social, or economic. Institutional change shapes the way societies evolve over time, making it the key to understanding historical change... In the language of economists, institutions define and limit the set of choices individuals have... Institutions include all sorts of constraints that humans create to shape human interaction... They can be formal constraints, such as rules devised by humans, or informal constraints, such as agreements and codes of conduct. Institutions can be created, like the political constitutions of states, or they can evolve over time, as customary law does... There is a

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20 Amartya Sen, *Development as Freedom* (New York: Alfred Knopf, 1999), 142.

crucial distinction between institutions and organizations... These are created for a deliberate purpose, as a result of opportunities... usually based on the set of constraints that exist... and in the course of their endeavors to achieve their goals, they constitute a major source of institutional change"[21].

Rawls' perspective on institutions is closely related to the themes of political liberalism and justice understood as impartiality: "Political liberalism aims to uncover the conditions of the possibility of a reasonable basis for public justification concerning fundamental political questions."[22] "A constitutional regime is not viable without adherence to principles of justice [of an impartial character]."[23] "Justice as impartiality, like other contractual ideas, consists of a set of… principles on which it is said there would be agreement."[24] "These principles are those of social justice: they provide a way to assign rights and duties in the basic institutions of society that define the proper distribution of the benefits and burdens of social cooperation."[25] "The primary subject of social justice is the basic structure of society, i.e., how the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation. By

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21 Douglas North, *Instituciones, cambio institucional y desempeño económico* (México: Fondo de Cultura Económica, 2001) (1990 date of original in English), 13-16. [Own translation].

22 John Rawls, *Liberalismo Político* (Fondo de Cultura Económica. Primera edición, segunda reimpresión, 1996 (1991 date of original in English), 14.

23 John Rawls, *Teoría de la Justicia* (México: Fondo de Cultura Económica, 1997 (1971 date of original in English), 168.

24 John Rawls, *Liberalismo Político* (Fondo de Cultura Económica. Primera edición, segunda reimpresión, 1996 (1991 date of original in English), 38.

25 Rawls, *Liberalismo Político*, 18.

major social institutions, I understand the political constitution and the principal economic and social arrangements."[26]

According to Rawls, an institution is a system of impartially agreed-upon rules based on a set of principles grounded in the notion of social justice, i.e., on an inclusive basis devoid of privileges and interests. The foundation of the contract is the argumentative construction among individuals considered free and equal, and the intangible element is the system upon which the argumentation relies.

For North, institutions, in the final analysis, play a significant societal role since their essential function is to "reduce uncertainty by establishing a stable (but not necessarily efficient) structure for human interaction."[27]

According to Sen, the system of rules within the institutional framework results from the exercise of substantive freedom: The condition that allows for choices during the development of human practice. This human agency requires choices, decisions, and political and administrative execution. The just distributive capacity of a society requires not only economic-ethical and political-ethical analysis but also administrative-ethical considerations.

Buchanan[28] believes that governments are necessary to ensure social order, but the discretionary power of politicians can

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26 Rawls, *Liberalismo Político,* 20.

27 Douglas North, *Instituciones, cambio institucional y desempeño económico* (México: Fondo de Cultura Económica, 2001) (1990 date of original in English), 16.

28 James Buchanan and Geoffrey Brennan, *La razón de las normas* (Madrid: Unión Editorial, S.A. 1987) (1985 date of original in English).

expand the scope of their public activities beyond their electoral promises. The solution is to incorporate regulations on the discretionary power of government officials into constitutional texts to ensure that public policies align more closely with the citizenry's expectations.

IV. Inclusive democracy as a project for political change

A fair institutional framework enhances a society's capacity for achievement,[29] provided that it is linked to the development of a public culture that is genuinely guided by it and of an impartial public administration that is dedicated to the sustainable development of society.

The political history of Venezuela has ingrained in the public culture a territorial concept and a relational heuristic. Both assertions need to be analyzed. In our country, when we evaluate how political intent is expressed, we generally find that three strategies guide it:

1ª) Forming of precarious loyalties, which means replacing associative relationships, marked by argumentation and deliberation, with purely self-interested ones ("I work with my buddies"), thereby limiting the institutionalization of public entities and processes.

2ª) Trial and error, which involves embarking on an action without considering its long-term consequences; starting over and over again, as what truly happens is being in motion: genuine action is the result of assessing the

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29 Julia Barragán, "La realizabilidad de los sistemas éticos", *Revista Télos* IV, nº 2, (1995).

situation, weighing the risks, formulating impersonal purposes, and controlling key success factors. Through this strategy of movement, through trial and error, numerous unintended consequences that complexify the overall situation are generated, making it less governable and more difficult to change due to its disarray. The consequence of this strategy is inefficacy, the inability to achieve relevant goals.

3ª) Application of *a priori* positions, which correlates with those who approach political issues, or any other, based on a conviction. They adopt a worldview representative of a trait of heterogeneous Venezuelan culture: reluctance to change. An unquestionable stance towards a changing world, resistant to critical analysis and deliberation, becomes a dogma, an act of faith: thus, those convinced of an a priori position resist any form of argumentative approach that questions their assumptions and biases.

These three strategies are related to a territorial conception of governance ("It is I who controls everything") that is distant from the *public service* paradigm; that which begins with an explicit formulation regarding what impersonal public purposes need to be addressed, sets forth a deliberate and consensus-driven 'navigation chart' or plan; proceeds with the establishment of impartial, structured, and policy-driven public organizations: an organization is considered public when it focuses on 'the common' through the principle of *impartiality*, with the establishment of non-personalized coordination mechanisms and management control devoid of personalized command satisfaction.

Through these three strategies we confuse undergoing change with its management or governance. To govern is to

take responsibility for a total situation (actors, intervening forces, trends, and scenarios). In this way, the effort to raise the civic and committed awareness of the members of a political or administrative 'locus' for responsible, *ethical public practice*, without which genuine political change is curtailed, could converge. This effort would require adopting, instead of territoriality and relational heuristics, a political exercise oriented towards inclusion through the exercise of deliberative democracy.[30]

Why is it necessary to talk about deliberative democracy? The most basic answer requires both an affirmation and a negation, as it involves putting into public action the genuine practice of being democratic and argumentative while denying the ongoing use of empty terms in social practices. Deliberative democracy places emphasis on an exercise of responsible public morality aimed at inclusion.[31]

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30 Karl-Otto Apel, U*na ética del discurso o dialógica* (Barcelona: Anthropos, 1999). Jürgen Habermas, *Teoría de la acción comunicativa* (México: Taurus-Aguilar, 2006). (1981 fecha del original en alemán).

31 Hans Jonas (1979) has developed the Imperative of Responsibility as the foundation for socio-political action. For responsibility to exist, there must be a conscious subject capable of questioning their perspectives and biases, especially in the face of the Technological Imperative, whose adoption eliminates freedom and establishes a determinism that diminishes consciousness, reducing the reflective capacities of the individual. Scientific specialization distorts the concept of humanity because the natural manifestation of truths contained in science generates the power of technique. It is necessary to return to reflective thinking that includes others, animals, plants, and the planet as a whole. Therefore, Hans Jonas expresses the The Imperative of Responsibility as follows: "Act so that the consequences of your actions are compatible with the continued existence of authentically human life on Earth."

Transcending the idea of democracy as the adoption of successive formal processes has grounded its instrumental and substantive justification. Democracy is a form of governance that, instrumentally, enables addressing and deciding on common issues, while substantively, allows for legitimizing the political decision-making process. Both justifications bring the representation-participation-deliberation triad to the forefront.[32]

Deliberation implies assuming a discursive ethics based on rules. Habermas and Apel, among others, have emphasized the need for a participatory discourse that legitimizes agreements under fair conditions. These discursive rules can be expressed as follows: anyone can problematize any statement, anyone can introduce any statement into the discourse, anyone can express their positions and, finally, there can be no internal or external coercion of the discourse. Note that the first three conditions are inherent to the deliberative process and the fourth is context-related.

Deliberating is presenting arguments, that is, plausible reasons, not mere discretionary testimony. The structure of a line of argument (premises-reasoning-conclusions) uses data inferred from facts and reasoning free of any kind of fallacy. Thus, deliberative democracy constitutes the shared living space through an exercise of argumentative problematization with a public scope (questioning meanings, biases, scope of what is said, written or thought) regarding the conditions of possibility for sustainable and responsible action in the future. This requires a public debate about the three dimensions of political decision-making: objectives (achievements), strategies (direction of actions),

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32 Ernesto Garzón Valdés, (comp.) *Derecho y Filosofía* (México: Distribuciones Fontamara, S.A., 1999, 3ª edición).

and policies (impersonal orientation). The impartial framing of the debate would be defined by the twelve issues related to the Transformation of the State for Development in Ibero-America (2013) according to agreements signed by Venezuela and Ibero-American nations between 2001-2011, as well as the Millennium Development Goals, etc.

Note that the emphasis in this reflection is on political actors, both representatives and citizens. Both need to raise levels of civic awareness in order to take responsibility for shaping the future course of our country, through a systematic exercise of political inclusion framed by the conditions inherent in deliberative democracy.

What is the contribution of institutionalism in adopting deliberative democracy to achieve inclusion?

To argue this point, we shall start with a reflection by Fermín Toro: in his *Reflexiones sobre la Ley de 10 de abril de 1834* (Reflections on the Law of 10 April 1834): "Freedom is the first attribute of the moral being. Rationality is not enough to constitute a free being, it also needs duty or morality as a norm of free will... Social law, the law of the harmony of the freedom of all with the freedom of one does not permit violence, injustice or oppression in society, whatever principle is invoked... because the law is not a dogmatism that consecrates dogmas or principles without regard to their consequences, but a precept that contains rules of practical reason, which aim to reconcile the necessity of the ends with the legitimacy of the means."[33]

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33 Fermín Toro, *Reflexiones sobre la Ley de 10 de abril de 1834 y otras obras* (Caracas: Ediciones del Ministerio de Educación Nacional. Dirección de Cultura, 1941) (1845 date of original).

On reading this quote carefully, several ideas become relevant. First, it is clear that the bias typical of our society, namely that the universe of norms emanates from Law, is left aside by Toro: those corresponding to Ethics, as well as those corresponding to 'customs' are of equal relevance. Likewise, the "consequences"require thinking about the world in becoming, that is to say, subjecting reasoning to considerations of change and temporality. The greatness in exercising politics is developing the capacity and will to change.

What needs to be considered? At least two aspects:
a) overcoming the idea of a governance pact,
b) transcending short-termism.

The first emphasizes democratic legitimacy through deliberation as a mediating procedure to meet citizens' demands, that is, to be able to consider all the interests of public actors. The second, short-termism, undermines the genuine possibilities for change and, in this respect, history has been clear: when we do not learn to change, we suffer the changes that lie ahead.

What would be the starting point? To agree on a regulatory framework that takes into account public and social culture, ethics and a democratic exercise under considerations of inclusive public sustainability. This would make us focus on a contractual pact to conceive such a political-ethical framework, explicit and impartial, to order our society. Explicit, so as to allow for debate regarding assumptions and biases[34] that characterize different interests and political positions, i.e. to accommodate inclusive and impartial plurality, by adopting a deliberative political procedure that interrogates not only assumptions and biases, but also the content

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34   Daniel Kahneman, *Pensar rápido, pensar lento* (Editorial de Bolsillo, 2021). (2011 fecha del original en inglés)

of the framework of norms to be institutionalized. Legitimacy would thus have a consensual basis.

What would be the content of this impartial regulatory framework? Not only the 'basic structure of society' (as John Rawls states) but also the political and administrative processes and relations to be established, the roles of the relevant actors and the weighed dimension of political implementation. All this under conditions of rationality (means-ends relationship) and reasonableness (being governed by some idea of what's Good). In this way, we would place on the horizon the right way to reach consensus: focusing on a common problem, leaving behind self-interested positions. Once the legitimate political-ethical framework has been agreed upon, the moment of Law is imposed: the conception of the Constitution and the legal framework for the nation.

The political procedure described assumes justice as a guiding principle for the conception, implementation and evaluation of the regulatory framework. Mere legal efficiency does not guarantee the presence of commutative (equal rights for all) and distributive (absence of inequality) justice in a society: both constitute the conditions of possibility for an institutionalized inclusive democracy for the exercise of substantive personal and civic freedoms.

V. Conclusions

An inclusive and institutionalized democracy requires a reflective path that allows for evaluating our anchors, i.e. our assumptions and biases (the purpose of Behavioural Economics initiated by Tversky and Kahneman in their celebrated 1974 article), through a lens of acknowledgment and weighting. To do so, we

must understand our public culture and its historical constitution through a route that goes through at least the following stages:

1ª. Interrogating the assumptions and biases of our political positions, in particular, that distinction between 'social democracy' and 'socialism' through which political practice is understood in our country. Studies by cognitivist psychologists have focused on decision-making in contexts of risk and uncertainty, i.e. those similar to public spaces and coexistence. The key idea that has been tested is the following: we make decisions based on intuitive and cognitive biases. Biases are the foundation of our behaviors, and heuristics (the integrative perspective) allow us to synthesize our biased view of the world. The heuristics identified by Tversky and Kahneman, in 1974, are three: 1) Representativeness (six biases), by which we use social stereotypes to make judgments. 2) Availability (four biases), the tendency to use what is 'at hand'. 3) Anchoring and adjustments (two biases), using an adjusted initial value to produce the final response.

What do these studies teach us? That it is necessary to question our intuitive responses, our way of thinking, the theories we adopt and the way we understand others and the world around us. The constitution of the institutional framework for Venezuela begins by recognizing the biased condition of judgments, which go against the ethical criterion of inclusion.

2ª. Adopting a position closer to Weber's in order to see what we have failed to understand about the political positions to which we do not subscribe, both those that coexist with our own and those that have not been considered

for some time; in particular contemporary republicanism and the set of theories on institutional development.

3ª. Considering all positions anchored in the transitive (interests and power relations) as insufficient. Politics is more than 'looking outwards' to identify the errors of others. It is, rather, to be able to look at our own positions in order to adopt the reflective balance that allows us to recognize our own mistakes and carry out the prudent exercise of inclusion.

4ª. A government of change requires a forward-looking approach through four strategies that require serious, coordinated and inclusive reflective adjustments, with four clearly differentiated stages:

   4.1. Institutionalising: devising and agreeing on the rules to be adopted to structure the public space. In contemporary thought, we find a set of expeditious procedures for reaching consensus on agreements:

      4.1.1) Rawls' political constructivism, a procedure of political construction based on reflective argumentation, which allows rational people, under reasonable conditions, to create the conditions to formulate the principles of justice of impartiality and inclusion to govern;

      4.1.2) James Buchanan's reasoning on the consensual calculation of the advantages to be produced over time, through a procedure of economic-social optimisation, by the adoption of alternative constitutional rules that

diminish the discretionary action of the rulers;

4. 1.3) Amartya Sen's proposal aimed at reaching a consensus on the ethical rules that expand the instrumental and substantive freedoms of the members of a society, with the ethical purpose of sustainable development starting from the resolution of the most critical problems to the less critical ones;

4.1.4) Douglas North's method regarding the generation of rules to foster the economic development required to promote social development.

4.2. Maintaining: shared and sustainable efforts to take care of the institutionalised framework that regulates efforts and actions.

4.3. Renewing: a moment of change in the regulatory framework in response to the new demands of the times, contexts and people.

4.4. Re-institutionalising: a moment in time that is extremely difficult to achieve when the rules need to be re-conceived. It is a period that requires the greatest exercise of shared thinking in committed teams to identify the rules to be agreed upon and to be able to persuade the actors involved.

Perhaps a new starting point for politics in our country is possible if we allow for a vigorous reflection that can unveil those

assumptions and biases deeply anchored in our public culture. This would allow us to combine the transitive realm of interests and power relations with a reflective dimension that would allow us to ground the constitution of an inclusive and institutionalized democratic society.