

THE DEMOCRACY MANIFESTO

A DIALOGUE ON WHY ELECTIONS
NEED TO BE REPLACED WITH SORTITION

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WAYNE WAXMAN AND ALISON MCCULLOCH

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A Dialogue on Why Elections
Need to be Replaced with Sortition

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There are more idols in the world than realities.

Friedrich Nietzsche, *Twilight of the Idols*

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Introduction

This is a book about how to revive true democracy. You might assume that means it is about elections—how to improve them and make them fairer and less influenced by money and power. In fact, the opposite is true. It is about reviving democracy by getting rid of elections altogether and replacing them with a new kind of political order that draws its leaders randomly from the population at large.

The politics we describe may remind some of the systems that flourished in ancient Greece, the birthplace of democracy. Greek democracies vested power in ordinary people—artisans, laborers, shopkeepers, farmers, sailors, and others like them. Yes, women were not permitted to participate, nor were noncitizen residents and people held as slaves. But since the same was true of all Greek city-states regardless of their political system (oligarchy, tyranny, etc.), these deficiencies should be chalked up to prevailing cultural and socioeconomic mores, not democracy. Considered purely politically, Greek democracies stand apart as the first and only governing systems to date to take power from elites and place it in the hands of the non-elite majority. It included control over state expenditures, the power to make laws and set policy, the right to appoint and remove officials, judicial authority, emergency powers to act in a crisis, and control over foreign affairs and war. This is not to say that elites did not continue to play an outsized role: being better educated, materially advantaged, and accustomed to taking charge, they tended to be more skilled in the arts of governance and persuasion. Nevertheless, elites could achieve nothing under democratic rule if they couldn't first convince the great mass of people that the measures they advocated advanced the interests of all. For in democracies, the people rule.¹

Greek democracy ended when the whole of Greece fell under the suzerainty, first of Macedon and then of Rome—both states controlled by elites

resolutely opposed to letting anyone else exercise political power. The same has been true ever since, up to and including today's so-called electoral democracies. For it cannot be denied that in states whose leaders are elected and all other high offices filled by their appointees, supreme authority to tax, spend, legislate, set policy, adjudicate, administer, and police falls to people who are anything but ordinary. Our rulers are recruited from the elites of politics, business, finance, civil and military bureaucracies, and professions. Nor could they have achieved their high positions in government without extensive, deep-pocketed support from other elites. Even those who start out as members of the non-elite majority attain political eminence only by first gaining entry into elite educational institutions, obtaining professional credentials, holding high positions in the private sector, or otherwise distinguishing themselves as extraordinary.² They are society's elect, and it is they who win elections and come to exercise power over the rest of us. The question therefore cannot be avoided: how can a system that unfailingly ensures that no truly ordinary person can ever get anywhere near the real levers of power possibly deserve to be called a democracy? Ancient Greeks would surely laugh at our democratic pretensions.

Reviving true democracy in a manner adapted to huge, technologically sophisticated, globally interconnected societies like ours won't be easy. In addition to the practical hurdles, there is for many a real question of whether democracy is even desirable. How comfortable are *you* with the idea of giving the *hoi polloi*—plumbers, hairdressers, convenience store workers, farm laborers, even street people—not just a say in governance but, by virtue of sheer numbers, the final say? There seems to be an almost instinctive preference to leave politics to the professionals, people of proven skill and leadership in good times and bad. But does that mean there are no conditions under which democracy might be worth pursuing? Or that the conditions prevailing today—catastrophic environmental degradation, increasing threat of nuclear war, acute and growing inequality and precarity, eroding civil liberties, and the hollowing out of social support systems—make democracy not just desirable but necessary?

We believe that even the most compelling objections to pure democracy—government 100% controlled by the non-elite majority—can be overcome by a system we call *sortitive representative democracy*, or SRD, in which political representatives are chosen randomly and subjected to strict procedural protocols, not unlike trial juries.³ We begin by making the case that SRD would be better for ordinary people in every way than elections, and, given the parlous state of today's world, far less risky than staying with the undemocratic status quo (part I, introduction, and chapter 1). After showing how SRD can bring us closer to the democratic ideal than any alternative is capable of doing (chapter 2), we proceed to spell out what establishing SRD means in

practice and how under present conditions it could actually be done. Of two possible scenarios, sudden and gradual transition to SRD, we focus mainly on the second, showing how democratic governance can be implemented in three phases—first with experimental (chapter 3), then expanded (chapter 4), and finally exclusive authority (chapter 5)—with a fourth, international dimension constructed simultaneously (chapter 6). We then conclude part I by highlighting the importance of high-quality information to democratic governance, arguing that a democracy subject to SRD information protocols could be relied on to make decisions as well-informed and procedurally impeccable as the best undemocratic systems operating today (chapter 7).

Part II of the book examines a number of ways in which the SRD government can help democratize society at large, starting with reorganizing the economy (and economics) to put the interests of ordinary people first (chapter 8). We then proceed to the topic of mass media, where the highest quality information suitable for mass consumption is not just desirable but indispensable to a well-functioning democracy. We argue that governmental and institutional SRD offer the best ways to ensure that this goal is met (chapter 9). We next consider what politics would be like without professional politicians competing in elections, where activists would instead concentrate their efforts on developing and deploying democratically approved and overseen means to influence SRD bodies to address their concerns (chapter 10). After that, we enter the hornet's nest of constitutional issues, where the rights of individuals and groups collide with the prerogatives of the state. Constitutions are designed to minimize and manage such conflicts in the interests of social harmony and tranquility. We show that democracy, and in particular SRD, offers the best way to achieve enduring constitutional settlements satisfactory, if not wholly satisfying, to all (chapter 11). Finally, we extend the discussion of democratization beyond politics, focusing especially on SRD's potential as a system for running private sector institutions from businesses and banks to educational, scientific, charitable, artistic, and other kinds of organizations (chapter 12).

USE OF DIALOGUE FORM

What sets SRD apart from previously proposed systems of sortitive democracy is its comprehensiveness. Most are limited in scope, supplementing or reforming parts of the existing political order, with many occasioned by specific events like Brexit in the UK or the election of President Trump.⁴ By contrast, the system we propose is intended not as a patch or fix but as a complete replacement of existing systems, applicable across the planet. It would submit every branch, department, and level of government to randomly

chosen governing bodies composed mainly of ordinary people, including those tasked with overseeing, regulating, and correcting SRD itself. As a comprehensive system that is both democratically self-regulating and democratically self-correcting, no other proposal for sortitive government we know of can approach SRD in breadth and depth, or match its promise to submit national, regional, and urban governments alike to 100% democratic control.

SRD's novelty calls for novelty in its presentation. But that is not the only reason we have opted for dialogue format. Proceedings similar to SRD have been tried in a number of places, albeit in a purely advisory capacity and never with the thought of developing and expanding them into systems fit to assume the duties presently performed by elected officials. If people find this hard to imagine, it is no doubt because nothing remotely like government of and by ordinary people currently exists. Consequently, anyone writing about it faces an uphill struggle just to get people to realize what they are talking about, much less appreciate its viability. As this includes not only philosophers, political scientists, and social scientists but students and the general public as well, these challenges need to be addressed and overcome in a manner intelligible to all.

Another all but insuperable obstacle to exponents of SRD is the deeply ingrained belief, inculcated from childhood, that elections are so central to democracy that it cannot exist without them. The contrary notion, that they are not just dispensable but incompatible with democracy, is apt to strike anyone so indoctrinated as strange, even absurd, to the point of finding it hard to believe its defenders sincerely mean it. Once convinced they are serious, the tendency is then either to dismiss the SRD notion of democracy as over-literal—grounded more in etymology than actual usage—or to oppose it as tantamount to proposing to replace meritocracy with a reign of the ignorant and incompetent. That makes for a more skeptical, wary reception than an open, welcoming one.

With these considerations in mind, we have decided to introduce readers to SRD in dialogue format instead of an ordinary monograph. Dialogue strikes us as the best means to replicate the intellectual struggle needed to comprehend, and ultimately embrace, SRD governance. It also offers an effective way to express the give and take of different viewpoints on each facet of SRD. How might a conservative, liberal, libertarian, or communist respond to this or that claim advanced for SRD and against existing political systems? How would they assess its various economic and social implications? How might they react to the proposition that no political movement is better suited than SRD to unite ordinary people across their many divides against entrenched elites?

Yet another advantage of dialogue form is that, like real human beings, each character can be many things at once—a libertarian, for example, may

also be a member of an ethnic minority, a biological female, a law student, and someone ambitious to one day win elective office. It also allows characters to be added at any point along the way when a new voice needs to be heard to provide a different angle on any of SRD's prescriptions or implications. Dialogue thus offers an ideal vehicle for providing readers with a multitude of needed perspectives on what SRD might mean for workers, students, health professionals, the poor, bureaucrats, ethnic minorities, business people, soldiers, buskers, and everyone else whose lives and livelihoods it would touch.

Dialogue has one further advantage specific to SRD: it can exemplify, and so help illustrate, SRD itself. Not that our dialogue is structured as an SRD proceeding. That would not be the right format for a general introduction, where the main order of business is to lay out SRD's wider potential as a complete, coherent system of governance with broad socioeconomic implications. But to the extent our task permits, we have structured the dialogue to replicate the ground rules and even the technology of SRD. Thus do some of our characters gain firsthand experience of what it would be like to operate under actual SRD conditions by interacting both with one another and the public through computer-generated avatars and synthesized voices speaking in standardized accents to disguise their identity. In this way, something of the feel of SRD can be conveyed, which then is augmented by having our characters jointly explore what serving on various kinds of SRD decision-making bodies would actually be like.

The dialogue is set in a (fictional) university amphitheater where a (fictional) author, moderator, four panelists, and an audience are gathered to question the author about her latest book, *Are Elections Democracy's Enemy No.1?* Midge, as she is called, is a one-time philosophy professor who took on so many nonacademic gigs that she eventually became a full-time public intellectual, active in a number of organizations and causes. Politically, she is a socialist who left leftist politics to become a full-time advocate for non-partisan democracy.

Our moderator, never named, gives voice to more centrist, establishment views, as befits someone of importance in a university and the community beyond. The four pseudonymous, technologically anonymized panelists—chosen by lot, of course!—represent various strands of political opinion common in the university community. They call themselves Cato (conservative), Uhuru (liberal), Rangi (communist), and Atlas (libertarian). Lastly, but by no means least, audience questioners, both in the hall and participating remotely, give voice to strands of opinion common in society at large.

It is of course impossible for any one character to reflect all shades of opinion even among, say, conservatives in one country, much less conservatives around the globe. Everyone is different, and self-identifying conservatives,

liberals, socialists, and others are almost as likely to disagree with one another on a given issue as they are with exponents of opposing stances. Accordingly, the characters in our dialogue embody partisan ideologies only in a broad, generic sense: Cato is conservative in favoring the government that puts tradition first, Uhuru liberal for wanting the government to take a leading role in replacing traditional ways and values with more modern ones, Atlas libertarian in preferring to see the government minimized to the greatest extent possible, and Rangi leftist in favoring the government that makes working people and the poor its priority in all things. Our dialogue is built on the thesis that none of its characters' partisan commitments or ideological principles prevent them from being at least open to the idea of SRD, if not always receptive to particular features of its implementation, so that, in the end, all four are capable of being won over to it.

SRD qualifies as nonpartisan in the current political context because neither liberalism, conservatism, libertarianism, nor socialism commit their upholders to the one political stance that *is* opposed to SRD in principle: support for elite-controlled government of one form or another, be it autocracy, aristocracy, plutocracy, theocracy, single-party oligarchy, or multiparty oligarchy.⁵ Since proponents of an elite government typically prefer to use terms like “meritocracy” to describe it, we shall too. Why did we opt not to have any of our main characters defend meritocracy and oppose democracy? Given the natural preference for government decisions to be implemented by the people most qualified to do so, it seemed unnecessary, as everyone, ourselves included, attaches high value to such governance even while professing democratic values, and sees no contradiction in doing so. Thus, over the course of the dialogue, Midge takes great pains to expose conflicts between certain meritocratic assumptions of her interlocutors and true democracy, while at the same time building the case that a democracy that adheres to SRD procedures and protocols will also be able to incorporate the best features of the meritocratic ideal.

It is worth noting that if SRD is indeed as nonpartisan as we claim, there is nothing standing in the way of some day writing a different dialogue, advocating the very same comprehensive system of sortitive democracy Midge does, but with a conservative, liberal, libertarian, or leftist of a different stripe at its center. We would no doubt not be the ones best suited to write it. But if there is indeed nothing in conservative, liberal, and so forth, partisan commitments or ideological principles that oblige their exponents to favor elite forms of government over democracy, then the door is wide open for anyone so minded to do so.

In light of the foregoing, we hope readers will understand our decision to focus on contentious issues of the day only to the extent they furnish the occasion to compare and contrast SRD with the current political order. This, after

all, is a book exclusively concerned with democracy, not bank bailouts, war, taxation, global warming, or anything else. So, even at the risk of making our highly opinionated characters sometimes seem uncharacteristically deferential, we have opted to err on the side of keeping the discussion on track and not risk blurring its focus.

ENDNOTES

We have relegated everything that could prevent the dialogue from being as free flowing as possible to chapter endnotes. These are of four types: remarks intended to explain or expand on points made in the text; references to back up claims made there; responses to criticisms of sortitive democracy in the literature; and references to works we think may be helpful to readers interested in learning more about particular topics.

We welcome feedback on the book and SRD more generally, which you can offer at our website: <https://thedemocracymanifesto.com/>. And please let your friends and followers know what you think about the promise and prospects of SRD.

NOTES

1. The best sources we have on ancient Greek democracy are the *Athenian Constitution*, attributed to Aristotle, and Aristotle's *Politics*. Other important ancient texts include the works of Herodotus, Thucydides, Plato, Plutarch, and Aristophanes. Excellent modern accounts of Greek democracy include Paul Cartledge, *Democracy: A Life* (Oxford: Oxford University Press, 2016), Eric W. Robinson, *Democracy beyond Athens: Popular Government in the Greek Classical Age* (Cambridge: Cambridge University Press, 2011), and Josiah Ober, *Mass and Elite in Democratic Athens: Rhetoric, Ideology, and the Power of the People* (Princeton: Princeton University Press, 1991). For a wider perspective on ancient Greece and its political systems, see John V. A. Fine's classic history, *The Ancient Greeks: A Critical History* (Cambridge: Harvard University Press, 1983).

2. For our purposes, "elites" may be defined as a small group or class of people who exercise exceptional power and influence in a society because of their wealth, connections, high status, prestigious education, professional credentials, celebrity, charisma, or any other social advantage that sets them apart and above the non-elite majority. Note that our definition disregards differences of ethnicity, gender, religion, region, language, membership in organizations, along with many other factors. This is because many social groups have their own elites, which, among other things, may confer a significantly greater chance of gaining nomination and election for political office than ordinary members of the group. Their advantage is typically due to

possessing greater wealth, connections, status, education, celebrity, and so forth. See also note 1 of the introduction to part I and chapter 8, 115–6.

3. We contrast *pure democracy*, or *demarchy*, with *mixed democracy*, where non-elites control some but not all of the government (our definition of “demarchy” is given in note 1 of chapter 5). For our purposes, a system of representation may be defined as *democratic* if a majority of those delegated to wield power in the name of the population as a whole are drawn from the non-elite many rather than the elite few (thus excluding all currently existing representative systems). Where democratic representatives are chosen randomly, by lot, the system is *sortitive*; and the sortition qualifies as *democratic* if and only if representatives are drawn from the population at large (not any subgroup) and sampling errors are corrected in all democratically agreed demographic categories—which, depending on the society, might include women, rural inhabitants, people from a certain region, members of a particular minority (ethnic, religious, etc.), seniors, and so forth.

4. Recent proposals for sortitive alternatives to elections include John Gastil and Erik Olin, *Legislature by Lot: Transformative Designs for Deliberative Governance* (New York: Verso Books, 2019), David van Reybrouck, *Against Elections: The Case for Democracy* (New York: Seven Stories Press, 2018), Brett Hennig, *The End of Politicians: Time for a Real Democracy* (London: Unbound Digital, 2017), and John Burnheim, *Is Democracy Possible?: The Alternative to Electoral Politics*, 3rd edition (Sydney: Jump Up Publishing, 2014). See also Terrill G. Bouricius, “Democracy through Multi-Body Sortition: Athenian Lessons for the Modern Day,” *Journal of Public Deliberation* 9 (2013), 1–19; Alexander A. Guerrero, “Against Elections: The Lottocratic Alternative,” *Philosophy and Public Affairs* 42, no. 2 (2014), 135–78; and Tom Malleson, “Should Democracy Work through Elections or Sortition?” *Politics and Society* 46, no. 3 (2018): 401–17.

5. For our purposes, “oligarchy” (literally, rule by the few) may be defined as a political order in which elites (see definition in note 2) govern, legislate, regulate, enforce, and adjudicate, with power held either in their own name (plutocracy, aristocracy, theocracy, etc.) or in the people’s name via some procedure for delegating its exercise to elites (acclamation, plebiscite, election, etc.). Broad, historically informed treatments of the topic can be found in Matthew Simonton, *Classical Greek Oligarchy: A Political History* (Princeton: Princeton University Press, 2017) and Jeffrey A. Winters, *Oligarchy* (Cambridge: Cambridge University Press, 2011). Books on American oligarchy are abundant, with recent examples including Ron Formisano, *American Oligarchy. The Permanent Political Class* (Champaign: University of Illinois Press, 2017) and Thom Hartmann, *The Hidden History of American Oligarchy. Reclaiming Our Democracy from the Ruling Class* (Oakland: Berrett-Koehler Publishers, 2021).

Part I

DEMOCRATIZING GOVERNMENT

SCENE: A university amphitheater filled to capacity. At the front of the stage, atop an elevated platform, is a table at which two people, the moderator and the author, are seated. Before them, lower down so as not to obstruct the audience's view, are four chairs, backs to the audience, each seating a panelist. Projected on the screen above the table is the image of a book cover bearing the title "Are Elections Democracy's Enemy No. 1?"

Moderator: Welcome all. Everyone here knows you Midge, so I'll plunge straight in and ask you to explain your book's thesis that elections are incompatible with democracy.

Midge: Who wins elections? We all know it's not ordinary, run-of-the-mill people—people like most everyone in this theater or watching at home. Instead, election victory and the power that flows from it always goes to society's elect, the ones who already possess power of one sort or another. Since most of you will never join their ranks, and so have no real chance of ever winning an election, I put it to you: can a system that unflinchingly ensures that the non-elect who make up the vast majority of society never get to hold political authority and exercise political power legitimately call itself a democracy? Shouldn't we instead call it by its true name: *oligarchy*, the rule of the powerful few over the powerless many?

Moderator: Who exactly do you mean by society's "elect"?

Midge: It differs from society to society, but in general they are the people who can be categorized as elites, be it because of wealth, power, prestige, social rank, position, influence, personal charisma, celebrity, educational attainments, professional status, or any other social advantage that sets them apart, above the rest.¹ Wherever there are competitive elections, those with the wherewithal to mount effective campaigns are always elites of one stripe or

another, and the winners tend to be those backed by the most powerful elites. That's the dirty little secret of undemocratic systems like ours, although it's news to no one. Even as children, our experience of elections, whether for class president, captain of a sports team, or head of a social club, drives home the cruel lesson that the only kids with any chance of winning are the elites—in popularity, looks, friendliness, coolness, exceptional abilities, industriousness, and so on. It's a lesson reinforced after we grow up, as we witness candidacies for public office, both locally and nationally, dominated time and again by elites, backed in turn by other elites, with money and power always being the deciding factor. The chances of an ordinary working person being able to mount a viable campaign for all but the lowliest elective offices are risible, and even when they somehow manage it, if they're up against a candidate with strong elite backing, their chances of winning are virtually nil. Clearly, it is in the nature of electoral systems to exclude ordinary people from power and place it entirely in the hands of elites. And I simply don't see how a system that does that can meaningfully be termed "democratic."²

Moderator: Your claim is that democracy, a word that literally means "people power," can't exist unless the elite few are everywhere subjected to rule by the non-elite many, and because this is something elections not only do not do but are designed not to do, they are incompatible with democracy. O.K., let's say that's true. Why does that make elections the number one enemy of democracy? Surely despotism, military dictatorship, one-party rule, or any other form of unelected government are far greater threats.

Midge: An undemocratic system that can successfully pass itself off as democracy, so much so as to all but totally obscure its difference from true democracy, is a much bigger menace than those that can't. Today, the one best able to pull it off is the electoral system that presides in our country and in various permutations around the world. The credo instilled in us from childhood on, through education, media, and every other mainstream information outlet, is that countries that don't hold elections and have no elected representatives to appoint people to high offices are ipso facto undemocratic. Few appreciate what a sophism this is, the confidence trick being that elected oligarchies are no more democratic than unelected ones. Instead, we take ourselves to be blessed to live in a democracy simply because we hold regular elections. People are of course well aware that their electoral systems are flawed and sorely in need of reform. Nevertheless, most swallow whole the idea that elective government, at its core and under optimal conditions, is representative democracy in its best and purest form. This blinds them to the evident fact that what's most undemocratic about our current system is election itself, the very nature of which no reform can correct. It's elections that hand all governance over to elites and prevent non-elites from getting anywhere near the real levers of power. Yet, because election dogma is so

deeply ingrained, its incompatibility with democracy goes unrecognized and most of us never even think to consider how a true democracy could be made to work in today's complex, globally interconnected world. *That's* what makes elections democracy's enemy number one.

Moderator: You also say in your book that the relation of elections to democracy is the central question of our time. Why?

Midge: The deeply held belief that elections are essential to democracy is the foundation on which political systems like ours base their claim to democratic legitimacy. Neoliberal capitalism, for example, secures its democratic bona fides as the people's chosen economic system because their democratically elected representatives freely choose to sustain and promote it, election after election, regardless of who wins. The same is true of subversion and imperial conquest: when decisions to wage military, economic, and information warfare are made by elected officials, they are promoted as blows for democracy, and the electoral regimes they seek to foist on conquered states are touted as spreading democracy's blessings to the deprived. Similar claims are made for a host of other measures elected elites impose on the rest of us, from egregious levels of military spending to using public funds to bail out bankers to ubiquitous surveillance states. By contrast, where democracy is declared to be lacking because leaders are unelected, or elections are alleged to be so rigged as to be meaningless, the same or similar government actions are portrayed as despotic and their peoples as victims in need of rescue. We only have to remove the underlying plank, the pretense that elections give us democracy, for the whole edifice to come crashing down and the unvarnished truth to be laid bare.

Moderator: Which is what, according to you?

Midge: In our case and that of our closest allies, it is a story of oligarchies dominated by plutocrats exploiting the term "democracy" to flatter the virtue of their own populations—for giving them the right to vote in or out of office largely interchangeable political figureheads—and as a weapon to incite the populations of targeted states to reject their government's legitimacy—for no other reason than that those states attach little or no importance to elections (quite rightly in my view). Because the entire house of cards stands or falls on the validity of the notion that elected government is democratic—that makes the equation of elections with democracy the lynchpin of today's politics. And given the importance of politics to war and peace, the economy, a habitable earth, and so much else, that seems reason enough to regard the true nature of their relation as the central question of our time.

Moderator: Still, it all depends on what we take democracy to be, doesn't it? To many, including me, your attempt to define it incompatibly with

elections is the real sophism. It also explains why so few even see a question there, much less a central one.

Midge: Elite rule by any other name is still elite rule. Don't forget: electoral regimes aren't the only systems of elite rule that are fond of calling themselves democracies. States ruled by Communist Party apparatchiks commonly do, so do many traditional societies, and even some absolutist regimes with representative trappings. Why do they all wish to co-opt the term? What is its special value? Democracy is rightly venerated as the defining condition of self-rule, which, when it comes down to it, is all political freedom really amounts to. Calling themselves democracies lets ruling elites tap into that ethos even as they negate it by denying people that very freedom. My hope, and the immediate purpose of my book, is to wake people up to the fact that any system that unfailingly excludes regular, everyday people from all government decision-making is no democracy. Indeed, I'd like nothing better than for my readers to gag the next time they hear an oxymoron like "electoral democracy" applied to oligarchic systems of governance like ours.

Moderator: But even if we are ruled by an elite few, as you say, you still can't reasonably argue that we aren't a genuine democracy, given that the non-elite many still get to regularly and meaningfully participate in the direction of society in all kinds of ways, officially as well as unofficially, and not just at the voting booth. Maybe in your literalist sense, countries like ours *are* oligarchies. But that misses the point of what democracy means in the lives of everyday people, and in their hearts and minds.³

Midge: People are certainly taught that is what it means. But can democracy truly be said to exist where ordinary people's "regular and meaningful participation" still leaves them without the slightest authority to decide what government does and, equally importantly, the power to ensure that their decisions are carried out? Participation without authority and power does nothing more than confer observer status on non-elites: it allows them to call out from the sidelines, cheer or jeer as they see fit, but it's quite incapable of giving them the least measure of real self-rule. That's why I think there's no escaping the need to distinguish even the most meaningful forms of popular participation and consultation from democracy properly so called if those forms still leave actual rule entirely in the hands of the few rather than the many.

But let's say, for the sake of argument, that a polity run by the few still counts as democratic if the many have a chance to be heard and the few are prepared to listen. Doesn't the same reasoning apply to a political order headed by an autocrat if he or she likewise lets the people be heard and is prepared to listen? And do you still want to say it's construing "democracy"

too narrowly to insist that a political order can no more be simultaneously oligarchic and democratic than it can be autocratic and democratic?

Moderator: You got me there.

Midge: Nor do elections change that if their only result is to replace one set of elite rulers with another—any more than obliging an autocrat to stand for popular acclamation every four years would make autocracy democratic if acclamation of someone else meant their replacement in that position. The ability of the many to speak out and be heard may be a necessary condition for democracy, but it can never be deemed sufficient. Actual rule by the many is no less necessary.

Moderator: That's certainly in keeping with something you write in the book. Let me see . . . Here: "the one thing ruling regimes of every stripe can agree on, along with elites and intelligentsias everywhere, is that the masses are better off under their 'meritocratic' rule, and should never, in their own best interests, be permitted genuine self-rule."⁴ I must confess, I find such sentiments disconcerting. As you say, I've been raised to believe that elections are essential to democracy—if not identical to it, then at least its lifeblood. History certainly shows that elections help save societies from more violent ways of contesting for power—the kind of civil strife that often opens the door to despotism. Elections have proven time and again to be democracy's best protector, and perhaps only salvation, against such threats.

Midge: Your argument may show that elections help preserve public order, but that's not the same as proving them to be essential to democracy, or even compatible with it. Let me put it this way: we can only take away democracy by abolishing elections if elections are capable of giving us democracy in the first place. And the evidence that elections give us oligarchy, not democracy, is there for all to see—you merely have to open your eyes.

Moderator: We'll debate your claim that electoral systems, however free and fair, are inherently undemocratic shortly. For now I'd like you to explain how you reconcile it with the fact that elections not only give people a direct say in who governs them and how, but also make officeholders accountable to them by obliging them to stand for regular reelection. Elections may not be the last word on democracy, but winning reelection as the condition for continuing in power certainly seems indispensable to maintaining it.

Midge: Giving people a say in their government one day every two, three, or however many years doesn't give them a democracy if every other day power is firmly in the hands of elites. Competitive elections never permit ordinary people to decide anything at all about what government actually does. They merely permit them to decide who among the elites on offer is to do the deciding for them—like children caught up in a divorce getting to choose which parent takes primary control over their lives. It's true that

every now and then we're treated to so-called insurgent candidates who come out of nowhere and raise massive amounts of money from ordinary people, but flame out through being savaged or, worse, ignored by the media, or are else coopted by the usual elite players. Things are little better with referendums.⁵ Every jurisdiction is different, but where I'm from, it's rare a measure opposed by elites makes it onto the ballot, even rarer that it passes, and any that do still have to run the gauntlet of recalcitrant officials, antagonistic judges, and lax enforcement on the way to implementation.⁶ Death by a thousand cuts.

Moderator: Aren't you forgetting that people prefer to get on with their lives and leave the governing to professionals? Today's societies are far too complex and multifarious for people to be consulted on every detail of their running. The best compromise, the only practical one that I can see, is to reserve to the people the power to decide who governs them and how, and then leave the governing to the ones they judge best equipped to do so. That's what elections are for. They may not be a perfect mechanism for democratic rule, but surely they're the best so far devised.

Midge: Elections exist and have always existed mainly to keep elites from murdering one another in their greed and lust for power, not to prevent them from having their way with the rest of us between elections. Indeed, another reason to regard electoral systems as democracy's enemy number one is that they are such an effective means for elites to contain their rivalries and remain sufficiently united to maintain their grip on power. The popular assent elections *symbolize* is of course another thing. Elites covet it as the perfect way to cloak oligarchic rule with a veneer they can get away with calling "democratic legitimacy."

Moderator: I'm still not convinced. Like them or not, cases like Chavez in Venezuela and Morales in Bolivia show that non-elites can take power from elites through the ballot box. Their successes may be tentative and short-lived, but isn't the fact they occur at all enough to refute your thesis that elections are incompatible with non-elite rule?

Midge: Non-elite rule happens either by accident or by design. Military coups sometimes bring non-elites to power, but that doesn't make military dictatorship democratic. A common person can ascend a throne in a rebellion or rise to the top by some other path, such as a peasant boy being anointed Dalai Lama, but that doesn't make autocracy, monarchy, or theocracy democratic. The fact that circumstances can also conspire to raise non-elites to power through the ballot box seems to me no different: flukish exceptions to the oligarchic rule of the same order as the elevation of an ordinary member of the Praetorian guard to Roman emperor by acclamation of the proles. As much as I admire leaders of non-elites who win elections in the face of unified elite opposition, the reason neither electoral, fascist,

communist, theocratic, nor military governance qualifies as democratic is that all lack the constitutional dispensations essential to assuring that preponderant power is permanently vested with the non-elites who make up the vast majority of the people. No system that fails in this regard deserves to be called a democracy—not without so debasing the term as to denude it of meaning.

Moderator: Speaking of the meaning of the term, my partner just texted me to pass along, in regard to something you said earlier, that a noted Russian scholar asserts that there can be such a thing as “democratic autocracy,” citing Putin’s one-man rule at the head of a Western-style liberal political and economic order.⁷

Midge: Such uses of “democratic” are indicative of the extent to which the term has been divorced from its original meaning. It was coined by the ancient Greeks as the best descriptor for a particular kind of political system that emerged in the wake of a long history of monarchies, oligarchies, and tyrannies, in which the general population of a polity, overwhelmingly composed of non-elites, came to hold and exercise state power. That meaning is of course far too specific to permit reduction to a mere synonym for practices that promote popular participation in social and political affairs, or their institutionalization as protected civil liberties—rights to publish, petition, organize, assemble, hold elections, and the like. When used in this later sense, as nowadays is common practice even in academic circles, “democracy” and “democratic” relate merely to *how* our rulers rule over us, without regard to that *rule itself*. That’s why oligarchies and even autocracies, polities in which the non-elite majority have no authority or ability to exercise state power at all—where they are quite literally politically powerless and have no measure of self-rule whatsoever—can still count as “democratic” if they are sufficiently non-authoritarian. While it’s true that today’s political systems would otherwise provide no occasion for applying the term at all, the price of using it in this denuded, banalized sense nevertheless seems to me too high, as it obliges us to sacrifice what may well be the most estimable of all concepts in the political lexicon. That’s why I never let the chance pass to urge audiences and readers to refrain from all uses of “democracy” and “democratic” that do not retain at least some connection to their original meaning.

Moderator: O.K., let’s move on from your thesis that elections are the number one enemy of democracy to what ought to replace them. And I should confess here that I would have been inclined to dismiss your quest for true democracy as hopelessly quixotic if your book didn’t make such a compelling case for an authentically democratic alternative suited to contemporary society. Could you tell us about sortitive representative democracy, or SRD?

Midge: I think the best way for governments to go democratic is to build on nonpolitical institutions that already are democratic, and I can think of no better example in our society than trial by a jury of one's peers. Juries are picked randomly from the population at large and so are genuinely representative of the people. Once our 12 honest jurymen and women are seated, judges and other officers of the court monitor the cases presented to them by the contesting parties for relevance and admissibility, control access to them in order to ward off outside interference, and hold them to their duty to exclude everything from their deliberations they may have heard outside the courtroom. The result is a verdict arrived at democratically, based on the highest quality information available. That's what gives jury decisions their unique authority with the public. Add in the fact that jurors are remunerated for their service, allowing even the poorest members of society to do their civic duty without undue hardship, and it's clear that jury trials are not just a superb example of democracy in action but an excellent model for a genuinely democratic system of governance as well.⁸

Moderator: We'll get into the details in due course. For now, could you give us some examples of the kinds of improvements you think we'd see under SRD?

Midge: Most of the corruption rife in electoral systems can be eradicated in a system run by randomly selected juries composed mostly of ordinary people. Just think what it means to hand control over to democratic representatives with no career stake in politics or anything to gain by currying the favor of the rich and powerful—people like those you see every day on the street, at work, picking up the garbage, and serving you coffee. Since the political power in the matter assigned to them is a one-off, temporary affair that ceases the moment they deliver their decision, they can have no incentive or temptation to favor special interests at the expense of the interests of people like themselves. Just the opposite of course is true of career politicians, who depend heavily on special interests to expand their power bases and rise to higher offices.

Then there is the fact that elected officials and their appointees conduct much of their real business in secret, through back channels and behind closed doors. The business they conduct in the public eye is mostly confined to scripted speeches, set-piece hearings, canned TV appearances, ceremonial functions, and image-boosting PR. The proceedings of SRD juries, by contrast, would all be made public in real time via the internet, with jurors' identities disguised, both from one another and the public, by avatars speaking in computer-generated voices, effectively shielding them from bribes, threats, and personal attacks. Secrecy would be admitted into their deliberations only in matters of personal privacy or when lives and

livelihoods might otherwise be put at risk, and then only for as long as the danger existed, not a moment more.

Another contrast is that electorates have no choice but to live with the personal failings of those they elect, whereas the defects of individual jurors are apt to be canceled out by other jurors, so that the only shortcomings remaining are those endemic to the society. This is especially likely if juries number upward of a hundred and sortition (random selection) is conducted in a manner that insures against sampling errors, as my book recommends.

I could go on, but the bottom line is that, under SRD, political decisions would always be made by those with the most to gain and least to lose by putting the public interest ahead of even the most powerful special interests—by contrast with professional politicians who generally stand to gain the least and lose the most by doing so.

Moderator: You seem to be equating elected government with bad government.

Midge: Not at all. Electoral regimes often provide fairly good government, ours among them. Just as absolute monarchies and aristocracies have sometimes done, many Communist regimes as well, and even some despots. The point is not that such regimes always do a bad job, it's that governing in the people's name can never be a substitute for government by, for, and of the people themselves. Though I also maintain that SRD is far more likely to provide good government for the non-elite majority than any other system, present or past, because its procedures and protocols not only enable ordinary people to govern but to do so wisely and well.

Moderator: You may think this question unfair, but I still have to ask it. Many have fought and died in the name of democracy. Are you saying that in winning the right for their people to cast a ballot, they laid down their lives not as democracy's most dedicated defenders but its enemies?

Midge: People have repeatedly sacrificed their lives for free and fair elections in the belief it would bring leaders to power who would improve their lives. But that certainly doesn't mean they died believing their countries would ever be ruled by people as ordinary as themselves. So, it wasn't really democracy they were fighting for, was it? No doubt many may have sincerely believed they were, and would have said so if asked, but dying in the name of "the true religion" doesn't make that religion true.

And the right to cast a ballot they died for? Ballots are menus of choices that non-elites have nothing to do with drawing up. If it were a restaurant and you didn't like the menu, you could take a pass and try another or dine at home. But you can't reject what's on the ballot and go where what you want to vote for is on offer. It's like a city's having only one dining hall with a single menu that everyone has to use if they don't want to go hungry. With SRD by contrast, instead of being handed a menu preselected by elites, your choices are open-ended and entirely up to you.

Moderator: Hold on. It sounds to me like SRD gives people less participation, not more. If you take the vote away, no one will have any say at all on the issues they care about most—remembering that it is a well-nigh statistical certainty they will not be among those randomly selected to decide any of them.⁹

Midge: The point of my dining analogy is that SRD leaves it entirely up to bodies controlled by ordinary people to decide what appears on the menu of government activity on any given day—all legislative, executive, and judicial proceedings. Granted, as individuals only a tiny few would be in a position to contribute to making a decision on any given matter, with the important exception of those issues SRD bodies opted, or were constitutionally obliged, to put to a referendum. Is that undemocratic? I don't think so—not if you consider that, from a purely practical standpoint, the vast majority of people are, as you've said, far too busy with their own affairs to grapple with the myriad matters that governments are obliged to deal with on a daily basis. That's the reality, and it's also no doubt why the vast majority of people today seem perfectly content to delegate most government business to their elected representatives. My contention, the case I make in the book, is quite straightforward: if the point of having representative democracy instead of direct democracy is to enable the government to act democratically in all matters that *can* be dealt with democratically, then we really have no choice but to replace electoral systems of representation dominated by elites with a system that ensures that the majority of representatives are drawn from the non-elite majority—a system like SRD.¹⁰

Moderator: Still, aren't you being a bit unfair to the current system? We all have a say in who and what appears on ballots through involvement in political parties, organizing for causes and candidates independently of parties, gathering signatures on petitions, canvassing, door-knocking, giving speeches, working the media, and so on. Though there is certainly room for improving elections, why risk all the disruption that would ensue by abolishing a well-honed, familiar, user-friendly system in favor of something radically new and untried?

Midge: Let's set aside the question of political engagement for now; it's a big issue that's sure to come up later. Instead, let me address the point that it's better, and certainly easier, to stick with the devil we know. You're absolutely right that SRD represents radical change. That's why the approach I favor is gradualist—radical reform pursued conservatively. We should experiment with SRD, learn what works and what doesn't, and based on that, cautiously extend it. A good place to start might be with legislation. Let a democratic jury decide whether a piece of legislation passed by Parliament, Congress or some other legislative body is in the general interest. If it's found instead to serve special interests at the

expense of the interests of ordinary people, the jury would have the power to veto it, which would send it back to the legislature to be revised or set aside. If that model proved successful, the purview of democratic juries could gradually be extended to all legislative matters, as well as to other branches of government. Once SRD proved successful in enough cases and over a wide enough spectrum to earn the public's confidence as a comprehensive system of governance, it could then assume complete control from elected officials.

Moderator: Wouldn't the proliferation of political juries make them prohibitively expensive? Jury trials are already a major burden on the public purse, which has led many polities to settle legal disputes without them—by plea-bargaining, binding arbitration, and so forth.

Midge: Whatever the cost of democratic juries, it seems to me that replacing oligarchy with true democracy is well worth it. How can you put a price on the freedom of ordinary people to make political choices for themselves, rather than having them made for them by elites? We're talking about a system that would give everyone the potential to wield the same power only heads of government, cabinet ministers, legislators, and high court judges do today.

Nor should we forget that running an electoral system is anything but cheap, not just in direct expenses, which are massive, but all the hidden costs that accrue from what is, all too often, legalized corruption—not to mention the illegal sort that well-connected perpetrators get away with because officials captive to special interests look the other way. Just imagine all the low-hanging fruit ripe for the plucking! Hidden and not so hidden subsidies, special exemptions, tax breaks, slush funds, no-bid contracts, and other sweetheart deals career politicians arrange for their elite backers. Since democratic juries would have no interest in preserving such practices, SRD could defray its start-up costs and running expenses many times over by eliminating them and preventing new special-interest giveaways from taking their place. And doing so would have the added benefit of freeing up scarce resources for socially productive purposes like better health care and nutrition, clean water, improved education, and new infrastructure.

Moderator: Wouldn't your version of democracy tempt the have-nots to take from the haves, jeopardizing property rights and discouraging strivers, innovators, and risk-takers? And without security in property, wouldn't the productive engine of capitalism soon grind to a halt, resulting in the kind of "socialist equality" that impoverishes us all?

Midge: Although I personally would like nothing better than to see democratic juries embrace socialism, SRD comes without policy commitments of any kind, economic included. It leaves jurors free to make whatever decisions they deem best under prevailing circumstances. Unfortunately from

my point of view, given the current education system and all the positive press lavished on capitalism and market economies, I would expect the first SRD juries to protect and promote them as assiduously as career politicians do today. Nevertheless, in the long run, economic life would almost certainly be transformed in the direction of outcomes socialists favor, and, in that case, it doesn't matter whether you call it "socialism" or not.

Moderator: What if you're mistaken? Would you still support SRD?

Midge: Even if things didn't develop the way I anticipate, I would still prefer decisions regarding the economy be made by SRD juries. A capitalism run by and for "the little guy" would certainly be an improvement over the capitalism we know today, run by and for elites. For one thing, the faith ordinary people have in markets would inspire them to use their newly won political muscle to roll back the unhealthy concentrations of market power and anticompetitive practices that proliferate among today's financial and corporate behemoths—practices that self-interested politicians and their executive and judicial appointees seem all too happy to let fester and metastasize. But I don't for a minute believe democratically run economics would stop there.

Moderator: We'll certainly want to return to economic matters later. But before I introduce the panelists, is there anything else you'd like to add?

Midge: Democracy is not a luxury but an urgent necessity we can no longer afford to put off. The current system of electoral oligarchy—and that's exactly what it is, rule over the many by the elite few—is a failure by any measure, whether you sit to the right, to the left, or on the fence. It has not only failed to prevent, but actively promotes gross economic inequality and precarity, unsustainable environmental despoliation, grotesque levels of military spending, escalating confrontation between nuclear-armed powers, militarized police, and a vast, corporate-run censorship regime, all to aid and abet concentrated elite power and profiteering. The fact that so many countries hold elections should tell us all we need to know about how "democratic" they really are . . .

Moderator: Are you thinking of the old chestnut—was it said by Emma Goldman? Mark Twain? or someone else?—"if elections actually changed anything they'd be outlawed"?

Midge: Quite: if elections really were democratic, elites would never permit them. That isn't to say SRD can fix things overnight. But by putting decision-making in the hands of those most adversely affected by the policies elites favor, and creating procedures and protocols for them to govern wisely and well, SRD is far more likely to rise to the challenges facing us than the current political order. My book's message is simple: we cannot wait to transform today's faux democracies into the real thing, we need to replace election with sortition now.

Moderator: OK, it's time to open things up to our panelists and audience questioners. I'll start by highlighting a number of topics we agreed should figure in the discussion:

(1) Our author holds that because meritocracy excludes the overwhelming majority of ordinary people from power, it is inherently undemocratic. So, if the best elections can do is produce a meritocratic oligarchy, they fail her democracy test. But upholders of electoral democracy argue that if the people democratically decide that they prefer to vest power not in randomly selected everyday people but in those who merit it most, by dint of ideas, experience, expertise, and proven judgment, then free and fair elections are not just the best but the only democratic way to delegate power to those the people judge best equipped to exercise it. We'll leave it to you to decide whether it is preferable to be ruled by an unelected democracy of the incompetent and inexperienced or to trust the people to choose those fittest to lead by exercising their right to vote in free and fair elections, even if the outcome is, in a narrow technical sense, oligarchic rather than democratic.

(2) Are randomly selected bodies composed of mostly ordinary people even capable of governing wisely? Some of us are quite skeptical whether they can ever be expected to master the complex affairs of modern states, much less be entrusted to take power into their hands and exercise it rationally, in their own best interest. We will debate whether a nation so governed can thrive, or even survive, in competition with undemocratic states, be they electoral oligarchies, class- and caste-based aristocracies, or tyrannies maintained by force.

(3) Does true democracy require that the people rule directly through popular referendums in all matters, or can a representative system drawn from randomly chosen ordinary people be no less genuinely democratic? Our author argues in favor of representative democracy, and since I agree with her on this one, we'll leave it to panelists or members of the audience to put the case for direct democracy.

(4) Would SRD lead to economic disruption? Another way of asking the question is: Does capitalism's survival depend on denying power to ordinary people and keeping it in the hands of elites? For example, if democratically selected representatives chose to adopt measures that curtail or even eliminate massive concentrations of wealth, could market capitalism still function, much less function well?

(5) Does democracy demand that popular rule be extended beyond government into other spheres in which the public has a vital interest? Mass media is a case in point. Given the oft-stated assertion by journalists of their key role in maintaining the current form of "democracy," how would mass media operate in a true democracy? We also need to consider whether mass media in private hands is ipso facto a media undemocratically controlled by

wealthy elites, and whether SRD could remedy matters without going so far as nationalizing it.

(6) If democratization can be proven to work in government and the media, why not in other domains as well—the workplace, education, religion, the military, charitable foundations, organizations of every kind? We will discuss which parts of society can or should be run democratically and what doing so might mean.

There are some procedural issues that we agreed also need to be addressed along the way.

First, constitutional questions. SRD clearly demands that juries and assemblies alone have the power to write, adjudicate, and alter constitutions. They would, for example, be required to decide on constitutional protections that preserve local democracy against democracy at national and intermediate levels of government, perhaps requiring supermajorities for higher levels to overrule lower. More crucially, constitutional juries and assemblies would have to decide whether to establish protections against state power even when that power is wielded democratically. This might take the form of a bill of rights to protect the rights of individuals against the SRD state, or of ceding power to groups in matters of most immediate concern to them, such as women, native peoples, ethnic linguistic and religious minorities, and any other subpopulations that can make a convincing case for official status, be they targets of discrimination historically, victims of neglect, or simply people the rest of society has difficulty comprehending.

Second, the integrity of SRD itself. By that I mean measures to safeguard jurors' anonymity, insulate them from outside pressure, guarantee the randomness of their selection, and ensure they receive all the high-quality information required to arrive at well-informed decisions. Jurors also need to receive sufficient pay for their service to enable them to commit to proceedings that in some cases may last months. And every effort must be made to meet their personal needs: job guarantees, child or elder support, transport to and from jury centers, readers for the blind, and so forth.

Finally, to get SRD up and running, then to ensure its survival, numerous challenges have to be overcome, not least resistance by powerful interests invested in the current system. Our discussion will therefore need to take into account how best to protect democracy against all enemies, foreign and domestic.

Moderator: Now, before I introduce our panel, I want to say something about how they were selected. In keeping with our theme, they have been chosen by lot from the university community. Although Midge's book recommends a hundred for SRD juries and upward of a thousand for governing assemblies, that was obviously impractical here. So, to ensure as democratic a

sampling as possible, we asked students, faculty, and nonteaching staff to divide themselves into four sortition pools according to their politics—conservative, liberal, socialist, and independent—from which we randomly drew one panelist each. Those selected then proceeded to negotiate their terms of participation, until each pronounced him- or herself satisfied with the result. They also agreed to a period of three months to study Midge’s book and related material, and were free to draw on my volunteer staff of political experts for additional information or simply to chat about the topics discussed in it. All tell me they are as prepared as they’ll ever be.

In keeping with the book’s prescriptions, we have also done everything possible to protect our panelists’ anonymity. As you can see, they are seated in high-backed chairs turned toward us and away from you, the in-house audience and the cameras. Each has chosen a pseudonym, so we shall henceforth refer to them by the names Atlas, Cato, Rangi, and Uhuru. To provide the audience with something to watch, our CGI lab has produced a menu of avatars for our panelists to choose from. Their choices will be projected in spectacular animation on the giant screen behind me and on the screens of those viewing at home. In addition, our digital speech research team have provided them with a menu of synthesized voices using locally standardized accents to choose from (apologies to those watching remotely: in contrast to how SRD would work, our university does not have the facilities to make proceedings available to viewers in their preferred avatars and dialect).

Our in-house audience has likewise been selected randomly, but this time from the general public. Questioners should line up at the podia at each end of the theater and I will call on them periodically. I will also regularly present questions submitted by viewers watching online. So, which of our panelists would like to go first? . . . No volunteers? . . . O.K., Cato, why don’t you start us off?

NOTES

1. Our definition of “elites” is given in note 2 of the introduction. It is far wider in scope than standard definitions in the literature (which trace back to C. Wright Mills and earlier theoreticians), since it is not limited to those who occupy positions at the socioeconomic and political commanding heights, but includes everyone markedly above the mean in wealth, position, education, professional credentials, prestige, celebrity, or otherwise socially advantaged in ways that translate into sufficient electoral prospects to open the otherwise closed door to a career in electoral politics. Standard definitions are well suited to describing the power structures underlying single- and multiparty oligarchies (“meritocracies”), whereas ours is geared to singling

out the non-elites who controlled the government in ancient Greek democracies and would control it again under SRD. See also chapter 8, 115–6.

2. Recent contributions to the study of elites and their domination of our political systems include Thomas R. Dye, *Who's Running America?: The Obama Reign*, 8th edition (New York: Routledge, 2015), Giulia Sandri and Antonella Seddone, *New Paths for Selecting Political Elites: Investigating the Impact of Inclusive Candidate and Party Leader Selection Methods* (New York: Routledge, 2021), Richard L. Zweigenhaft and G. William Domhoff, *Diversity in the Power Elite: Ironies and Unfulfilled Promises*, 3rd edition (Lanham: Rowman & Littlefield, 2018), Heinrich Best and John Higley, editors, *The Palgrave Handbook of Political Elites* (London: Palgrave Macmillan, 2018), and Lars Vogel, Ronald Gebauer, and Axel Salheiser, editors, *The Contested Status of Political Elites: At the Crossroads* (New York: Routledge, 2018).

3. This looser conception of what democracy is, which today is very much the standard view, is ably developed and defended in David Stasavage's recent book, *The Decline and Rise of Democracy: A Global History from Antiquity to Today* (Princeton: Princeton University Press, 2020). Our definition of "oligarchy" can be found in note 5 of the introduction.

4. Thomas Frank caricatured the meritocratic ideal upheld by many elites quite effectively in a *Harper's* piece from July 2021: "Political virtue, we now know, is something that flows from the top down. The prosperous, the well-graduated, the woke CEOs, the tasteful people celebrated by *Vogue* and NPR—these are the natural allies of the Good. They make mistakes here and there, but in general, we now believe that such figures make up the armies of progress. In our modern understanding, power doesn't corrupt; it ennobles." Much has been written for and against the meritocratic ideal, for example Adrian Woolridge, *The Aristocracy of Talent: How Meritocracy Made the Modern World* (New York: Skyhorse, 2021), Stephen J. McNamee, *The Meritocracy Myth* (Lanham: Rowman & Littlefield, 2018), and Michael J. Sandel, *The Tyranny of Merit. Can we Find the Common Good?* (New York: Farrar, Straus and Giroux, 2020). See also chapter 6, 85–7 and note 13.

5. See John Henley, Rory Carroll, and Mark Rice-Oxley, "Referendums: Who Holds Them, Why, and Are They Always a Dog's Brexit?," *The Guardian* (Guardian News and Media, March 11, 2019), <https://www.theguardian.com/news/2019/mar/11/referendums-who-holds-them-why-and-are-they-always-a-dogs-brexite>. See also Daniel C. Lewis, *Direct Democracy and Minority Rights: A Critical Assessment of the Tyranny of the Majority in the American States* (New York: Routledge, 2013). For a good discussion of some of the distinctions among various types of referendums, see Matt Qvortrup, *Direct Democracy: A Comparative Study of the Theory and Practice of Government by the People* (Manchester: Manchester University Press, 2017), 16–24. For a variety of perspectives on the European experience, see Julie Smith, editor, *The Palgrave Handbook of European Referendums* (London: Palgrave Macmillan, 2021).

6. Arthur Lupia and John G. Matsusaka, "Direct Democracy: New Approaches to Old Questions," *Annual Review of Political Science* 7, no. 1 (2004): pp. 463–82, <https://doi.org/10.1146/annurev.polisci.7.012003.104730>. As Lupia and Matsusaka state, some studies have suggested that big spending against a measure can help defeat

it whereas big spending to support a measure has less impact. In this paper, they also consider some of the obstacles at the implementation stage of successful initiatives.

7. See Paul Robinson's blog *Irrussianality*, July 23, 2021. Electoral regimes that likewise concentrate power in the chief executive, such as Charles de Gaulle's Fifth Republic in France, could be classified the same way as the one Putin inherited from Yeltsin.

8. Other societies might prefer to base their version of SRD on different, non-judicial democratic models that place equal emphasis on the unbiased search for truth. Proponents of the jury system and its political potential include James Gobert, *Justice, Democracy and the Jury* (New York: Routledge, 2019), John Gastil et al., *The Jury and Democracy: How Jury Deliberation Promotes Civic Engagement and Political Participation* (Oxford: Oxford University Press, 2010), and Jeffrey B. Abramson, *We, The Jury: The Jury System And The Ideal Of Democracy* (Cambridge: Harvard University Press, 2000).

9. This echoes a common criticism of anti-sortitionists, for example Roslyn Fuller: "sortition significantly *cuts down* on most people's freedom to participate in politics, as it requires everyone to passively await selection to participate—for several lifetimes if necessary." (*In Defence of Democracy*, 137, Cambridge: Polity Press, 2019)

10. Our definition of representative democracy is given in note 3 of the introduction. Critics of sortitive democracy tend to be skeptical that society as a whole can ever be properly represented by bodies of a hundred or even a thousand. We are not so pessimistic. Our belief is that experience and science tell us all we need to know to ensure that sortitive bodies constitute true microcosms of society as a whole. In particular, technical experts in such fields as demographics, population sampling, the use of censuses and other data-gathering techniques, and the mathematics of lotteries could effectively ensure that no group was ever over- or underrepresented that a society democratically decided should be guaranteed proportional representation on every SRD body, be they members of certain minorities (religious, ethnic, sexual, etc.), the poor and unemployed, the aged and infirm, or anyone else.

Chapter 1

Going Democratic

Cato: Halfway into prepping for this thing, I was really regretting it. I tried to bail at least twice, but each time got talked out of it. I mean, Midge strikes me as a decent person and all that, but I gotta say, all this seemed pretty pie in the sky to me. And I told her that, too. On several occasions. But . . .

Moderator: Cato, do you have . . .

Cato: Right, sorry, I'm getting to the point. Just that it only seemed fair that the audience gets where I'm coming from. Transparency and all that. So I did make some notes, have some questions. (*Sound of rustling papers.*) And I really wish you hadn't picked me first. (*More rustling.*) Right, here it is. (*Audible sighs from other panelists as Cato begins reading.*) Say we do eliminate elections and set up a "true democracy," how do we get it right? I agree, our system isn't working; politicians never listen or do much of anything for us. But will SRD be any better? For starters, the randomness of the selection has got to be absolutely guaranteed, or the whole thing will face-plant. . . . And I gotta say, the fact that I wound up on here is pretty random, so that's a good first step. . . . The point. . . . O.K., I know where I stand, I guess you could call me a conservative. So, I reckon you have to make sure your selection system is absolutely unbiased, so everyone is fairly represented on every political jury: conservatives, liberals, country people, city people, men, women, blue collar, white collar, and so on. Everyone we all can agree has skin in the game. And that's going to be hard to pull off.¹

Rangi: I agree. The sortitive procedure that decides who rules us has to *be* and, just as importantly, be *seen* to be both totally random and totally fair. And even if that's done, the next step is to make absolutely certain that jurors have nothing personally to gain by deciding one way rather than another. Doing sortition right will get you part way there, but there also need to be strict protections against tampering.

Atlas: Listening to Cato's comment about knowing where he stands makes me think that none of these safeguards will be worth much if we can't also be confident that the jury did something no electorate ever has or will, and that is: come to an informed decision. (*Cato groans*) Sorry, I didn't mean it like that! Anyway, I'd call myself a libertarian. I already know what I think about all kinds of issues. That's true of Cato, Rangi, Uhuru, and everyone else here as well. So, won't people just stick with the politics they have, with the result that your SRD representatives would be no better than a focus group and less representative than a poll? Of course, I suppose that's where the jury model holds the most promise. Courts have rules to exclude people with obvious biases, conflicts of interest, and the like. They also have procedures to make sure jurors get all the information they need, presented in ways that help circumvent their prejudices and preconceptions. When the trial jury system works as it's supposed to, most people can at least agree that the decision is honest and well-founded.

Cato: In theory. But we can all think of trials where at least half the population didn't accept the verdict, from which it surely follows they didn't accept that it was well-founded either. Dare I mention the letters O and J? But I can't deny that as voters we are far worse off than jurors in terms of quality information. We're continually bombarded with, excuse my French, total shite, mind-numbing at best, mind-destroying at worst.

Uhuru: It's true, misinformation and disinformation are rife in pretty much everything that comes voters' way. Worse still, they're left entirely to their own devices to sort the wheat from the chaff. That they don't succeed very well should surprise no one, given how few genuinely critical thinkers there are out there.

Rangi: On top of that, there's a huge amount of important information that doesn't get into the mass media at all, and so never reaches the vast majority of voters. I know firsthand that under the current system, people with minority political views like mine are routinely starved of platforms. In the rare case our message does get out, the mainstream mischaracterizes and distorts it. If that doesn't work, they drown it out with lies endlessly repeated that marginalized voices are powerless to expose and counter. And if all that still doesn't work, our leaders are targeted by smear campaigns that attack the message by attacking the messenger. However it's done, massive amounts of money and effort are put into making sure voters *don't* get the information they need. I agree that courtroom juries are protected from this kind of thing, at least ideally, and so too would SRD jurors be—provided effective procedures were put in place, which won't be an easy needle to thread—but it would need to be information from all viewpoints, whether the powers that be regard them as acceptable or not.

Uhuru: If we do stick with elections . . .

Atlas: . . . as we no doubt will . . .

Uhuru: . . . the system needs overhauling in a big way. Fair rules on campaign donations, information dissemination, electoral registers, ballot access, and vote tabulation. Even then, when you think of the enormous power that's up for grabs, any restrictions we impose on the conduct of elections will be dodged in every imaginable way by all the usual suspects. We know that already, we see it every election season. That's why I'm willing to at least consider the option of ditching elections in favor of a well-designed political jury system that gives power to the people rather than career politicians.²

Cato: I agree! I can't believe I said those words, because no way am I a Commie. But the months I've spent focusing on this stuff definitely had an effect. No way do I want to live in an oligarchy, which is basically what we have now. (*Rustles papers again.*) For those of you who don't know, like I didn't, let me read you the definition of oligarchy: "a small group of privileged people having control of a country, organization, or institution."

Atlas: But won't the elites who dominate today's politics simply shift their attention from subverting elections to subverting SRD, or any other system we set up in their place? For example, I can easily imagine them undermining SRD by bribing bureaucrats with promises of top positions in their firms for themselves or their relatives in exchange for advancing their interests in government. Just think about it. Even more than newly elected politicians, SRD jurors would be totally green, without the slightest clue how government works and, more importantly, how to make it work to get things done. They'd be completely dependent on bureaucrats who, more likely than not, are serving their own agendas . . .

Cato: A liberal agenda like a lot of bureaucrats these days.

Atlas: No doubt. But the point is that jurors would have no way to stop them, for who could they turn to for help but those same bureaucrats?

Moderator: Midge?

Midge: Managing bureaucracies is a challenge for governments of every kind, and has been ever since the first states started creating them thousands of years ago. Still, I agree with the panelists that the magnitude of the challenge facing SRD should not be underestimated, and there can be no doubt that as soon as a true democracy took power, it would have to make root and branch reform of the bureaucracy a top priority.

Moderator: Perhaps you could give us an idea of the kinds of resistance that most concern you by starting with the institution SRD is modeled on. Talk about some of the challenges our current judicial system poses to the independence of trial juries and the significance that has for political juries.

Midge: The bureaucracy in charge of our system of justice is a far cry from anything that can properly be termed "democratic." Courtrooms are ruled by judges, not juries; and judges, even where they aren't elected or appointed by elected officials, are still subject to seeing their careers sidelined or ended by them. As a result, they can no more pretend to democratic legitimacy than the

electoral systems they serve. Their real role, in fact, is to keep a tight leash on juries and apply the choke whenever their democratic inclinations look like threatening the prevailing socioeconomic order. We therefore shouldn't be surprised to find that the primary business of judges in courts of law is not to aid jurors in arriving at well-informed decisions that genuinely mete out justice, but to subject them to restrictive regulations and procedures handed down by elites for applying laws written by elites.³

Atlas: As someone studying to be a legal professional, I don't share your distrust. In fact, I think legal professionals generally do quite a good job of maintaining rule of law, not only in the courtroom but in society at large, and not least when they take on roles in government.

Midge: The notion of "rule of law" that ruling elites like to apply to the societies they control is entirely bogus if they are the ones who write all the laws and exercise total control over their adjudication. How can ordinary people be said to democratically consent to laws they played no part in enacting and have no power to alter or replace? And how can you speak of "rule of law" where such consent is lacking?

Cato: What about the law of God? I'm a Catholic, well, I was, not so much these days but in my house growing up, my parents . . .

Uhuru: I wondered how long it would take before someone brought God into it.

Cato: I don't appreciate the tone. I was only asking about the rule of laws that go beyond man's law. (*Sound of Uhuru snorting derisively.*)

Midge: I hear you, Cato—and you, too, Uhuru. I'm sure we'll address the religion question at some point, but for now let's stick to the laws humans lay down for other humans. "Rule of law" is generally understood as ensuring the peace, predictability, and order of society by using the power of the state to stave off the violence, arbitrariness, and chaos that might otherwise run amok. But we still have to ask whose rule it is. If it is the peace, predictability, and order that elites unilaterally impose on everyone else, then it's just another name for a regime of elite domination. If rule of law is to have a value that transcends mere superior might, it has to represent the peace, predictability, and order that the powerless freely choose to impose on themselves. And that's something they can only do if they live under a democracy that empowers ordinary people to execute, enforce, and adjudicate laws they themselves have enacted. Failing that, rule of law *is* just a euphemism for might makes right.⁴

Atlas: So, you'd retain nothing of our legal system?

Midge: I'm not saying that at all. But legal professionals, as they exist in the current system, are part of the problem, not the solution. The fees they command have nothing to do with how well they use their legal expertise in the service of democracy, and everything to do with their ability to win tough cases, where "winning" generally means getting rich clients what they want: acquittals when they're guilty, saving them from having to compensate victims of

their predations, and securing them legal title to wealth or power that by any properly democratic definition of justice should not be theirs.

Rangi: As the book says, “The Rich Get Richer, the Poor Get Prison.”⁵

Midge: Exactly. Reiman’s book is a great example. It tracks bias in the U.S. judicial system against the poor all the way from elected representatives deciding what counts as a crime to the role of police, judges, juries, and parole boards in deciding who gets arrested, convicted, and sentenced. It’s no surprise that under a system that systematically favors the well-to-do over the poor, lawyers are widely regarded as guns for hire. Only the wealthy can afford the most effective, and because the best lawyers become wealthy themselves, their interests converge with their clientele’s. That wouldn’t be so bad were it not for the electoral system that funnels many of these same high flying legal eagles from top firms into top public offices, where they invariably ply their skills to the benefit of “them that brung ‘em”—which, as everyone knows, are not the masses of ordinary people who make up electorates and fill the prisons, but the wealthy and privileged who finance election campaigns and provide lucrative positions in the private sector after the winners leave office. It’s nothing personal Atlas, but I’m convinced today’s most eminent legal professionals are unsuited to playing any role at all in setting up or administering SRD.⁶

Rangi: If not people like lawyers, who *do* we trust?

Atlas: Whom not who.

Midge: Like present-day elected officials and their high-level appointees, SRD juries should be provided with staff, recruited and trained to professional standards. Their main job would be to supply jurors with all the information they need to make an informed decision, presented in the clearest possible language. In addition, they would be charged with policing rules and regulations imposed on all juries by special SRD oversight juries, as well as any others the jury they are serving decided to impose on itself. Once agreement on the matter in hand was reached, staff would then assist jurors in formulating the official record of their decision and the deliberations that led to it in a way that’s comprehensible to everyone, not just people with law degrees. Finally, they would be responsible for delivering the jury’s decision to all bodies responsible for implementing it, be they other juries, government departments, contractors, the military, or anyone else.

But SRD can only work if jury staff are paid and promoted strictly according to the quality of their service to jurors as judged by juries specifically tasked to assess their performance. The notorious revolving door so prevalent today should be sealed shut, not only for jury staff but for bureaucrats generally.⁷ The goal would be to effect a complete transformation of bureaucratic culture from one of subservience to elites to one where every public servant’s first and only loyalty is to democracy.⁸

Atlas: Even if they did build this politically neutral, loyal, highly competent staff to help their randomly selected masters make wise decisions, that wouldn’t

prevent juries from being split. After all, society is divided in countless ways; so, if SRD juries do faithfully reflect society, they're likely to split every which way as well. Just look at Rangi and I and the others up here, sniping already. How would you ever be able to get all those jurors—what is it, a hundred?—to sign on to a single decision, be it a complicated tax policy, infrastructure project, banking regulation, treaty, or what not?

Rangi: Rangi and me.

Atlas: Touché, my friend.

Midge: Perhaps the best way to think about it is to imagine how things would look to the losing side of an SRD jury and contrast it with how they look to the losing side of an election. Say you are sitting on a 100-member jury charged to consider a wealth tax, and that, like Atlas here, you are opposed to wealth taxes in principle. The jury decides 65-20 with 15 abstentions that wealth in our society is far too concentrated and that a tax should be levied to ensure that there are no more billionaires, much less trillionaires. Now, you will no doubt be disappointed by the verdict, perhaps angry too that despite all the powerful points you and like-minded jurors made, they failed to sway the majority. Given the jury's size and manner of selection, however, you know it's highly likely that another jury would have come to the same conclusion by much the same margin.⁹ You and everyone else must therefore accept the democratic legitimacy of the verdict, whether or not you think it the right one. But, being the lover of democracy we all know you to be, you accept the decision and join with the majority to order its fair implementation and enforcement—just as the measure's proponents would have done had yours been the majority view.

But there are some elements of the current system SRD can borrow, like the political horse-trading that allows for amendments and tweaks to laws before they are written into the statute books. As an opponent of the wealth tax, you could use your special position as a member of the jury to lobby the majority to incorporate some of your side's ideas into the decision—exemptions, delays, a wealth cap rather than a tax, an option to donate to charity instead of a tax, and so on. Even if the majority rejected all your proposals, they would still go into the public record, like the inclusion of dissenting opinions in decisions made by high courts. That way, no one on the jury, losers no less than winners, can feel excluded: all share equally in its authority and all have an equal voice in how it exercises its power.

Rangi: That sounds a bit kumbaya to me. Most politically active people I know are all-or-nothing for worker control and won't accept any compromise. We may not be able to win many elections, but they at least give us politicians we can pressure—target directly in protests, indirectly by instigating worker actions against their big business backers, and raise enough of a ruckus in other ways to generate lots of negative publicity for them. When the level of disruption becomes so great they can no longer ignore us, that's when we can force concessions from them.

Midge: Don't forget that under SRD, leftist jurors will have as good a chance to influence and horse-trade with non-leftist majorities as every other jury minority. They may even be able to persuade majorities to favor their positions on certain issues. Contrast that with today: the far left's chances of breaking through the cone of silence imposed by mass media and connecting with the wider public are basically nil. It also serves to keep negative publicity for politicians at levels they can easily manage, while redirecting media attention to leftist "agitators" who "hurt the economy" and "cost jobs." The end result is that establishment politicians of all stripes feel safe to ignore the left and deliver on none of its agenda.

Now step back and consider how things are for everyone on the losing side of elections. They are told they live in a democracy where the people rule, but find themselves completely excluded from power and any voice in its exercise from the day of their defeat to the day of the next election, years later, leaving them completely at the mercy of their political opponents in the interim. Nonvoters too should be counted among the losers. This category includes people who perceive electoral systems to be so rigged that there is never any candidate on the ballot with even a remote chance of winning who they could count on to represent their interests. It also includes people who view the major political parties as so alike and so indifferent to the lives of ordinary people as to make voting a waste of time. So, instead of casting ballots for candidates who better represent them but have no chance of winning, they turn away from electoral politics altogether to redirect their energies to matters where they can make a real difference.¹⁰

And the contrasts don't end there. SRD shifts people's focus away from political horse races toward specific policy initiatives. If your side is defeated on one today, it might win on another tomorrow or next week. But in electoral systems where ordinary people never exercise power and elections are years apart, even backers of the winning side are at the mercy of those they elect to keep their election promises—an iffy prospect at best in a system dominated by the rich and powerful.¹¹ Also, I think we'd all be pleasantly surprised at the effect on people's political awareness and engagement of the real possibility that (*pointing toward audience members*) you, you or you, or your nearest and dearest, may one day win the SRD lottery and be called upon to take part in actually ruling your city, region, or country. Today's political refusnik might literally be tomorrow's governing juror.¹²

Cato: Do you vote?

Midge: Never. No more than I would kiss the ring of a king.

NOTES

1. On the history, mechanics, and political applications of sortition, see Oliver Dowlen, *The Political Potential of Sortition* (Exeter: Imprint Academic, 2017),

Yves Sintomer and Liliane Lopez-Rabatel, editors, *Sortition & Democracy. History, Tools, Theories* (Exeter: Imprint Academic, 2020), Gil DeLannoi and Oliver Dowlen, *Sortition: Theory and Practice* (Exeter: Imprint Academic, 2010), and Barbara Goodwin, *Justice by Lottery* (Chicago: University of Chicago Press, 1992). See also note 10 in the introduction to part I.

2. An excellent discussion that points up the faults and ultimate futility of the various reforms that have been implemented in electoral systems worldwide can be found in Roslyn Fuller, *Gods and Beasts: How Democracy Changed its Meaning and Lost its Purpose* (London: Zed Books, 2015). See also Isabela Mares, *From Open Secrets to Secret Voting: Democratic Electoral Reforms and Voter Autonomy* (Cambridge: Cambridge University Press, 2015), Camille Bedock, *Reforming Democracy: Institutional Engineering in Western Europe* (Oxford: Oxford University Press, 2017), J. S. Maloy, *Smarter Ballots: Electoral Realism and Reform* (London: Palgrave Macmillan, 2019), and Bruce E. Cain, *Democracy More or Less: America's Political Reform Quandary* (Cambridge: Cambridge University Press, 2014).

3. Many legal scholars point to a tension, or even a contradiction, between judicial independence—putting judges above the political fray—and judicial accountability—making judges answerable to the people. But this ignores the fact that politicians and their appointees exert full control over the judiciary through the laws and regulations they alone are empowered to create (judges merely apply and enforce them in courtrooms and other legal venues), while, in practice, accountability to the people boils down to accountability to the politicians they elect. The contradiction is therefore only apparent: in truth, judiciaries are entirely subordinate to the same powerful elites who dominate electoral systems. Although the implications of this for achieving a truly *democratic* system of justice tend to be overlooked in the literature, valuable insights into today's legal systems and ideas for reforming them can be found in Brian M. Barry, *How Judges Judge: Empirical Insights into Judicial Decision-Making* (New York: Routledge, 2020), Adam Bonica and Maya Sen, *The Judicial Tug of War: How Lawyers, Politicians, and Ideological Incentives Shape the American Judiciary* (Cambridge: Cambridge University Press, 2020), and Robert Katzberg, *The Vanishing Trial: The Era of Courtroom Performers and the Perils of Its Passing* (Herndon: Mascot Books, 2020).

4. The use of laws throughout history to impose order is traced in Fernanda Pirie, *The Rule of Laws: A 4,000-Year Quest to Order the World* (New York: Basic Books, 2021). See also Adis Merdzanovic and Kalypso Nicolaidis, *A Citizen's Guide to the Rule of Law: Why We Need to Fight for the Most Precious Human Invention of All Time* (New York: Columbia University Press, 2021), and Jens Meierhenrich and Martin Loughlin, editors, *The Cambridge Companion to the Rule of Law* (Cambridge: Cambridge University Press, 2021).

5. Jeffrey Reiman and Paul Leighton, *The Rich Get Richer and the Poor Get Prison: Thinking Critically About Class and Criminal Justice*, 12th edition (New York: Routledge, 2020). Reiman was sole editor of the first eight editions.

6. Lawyers, part of the credentialed professional elite, have always been over-represented in the governing bodies of Western electoral democracies, although, in the United States, where this was once truest, they are being replaced more and more

by a “specialized political class.” See, for example: Adam Bonica, “Why Are There So Many Lawyers in Congress?,” *Legislative Studies Quarterly* 45, no. 2 (2020): pp. 253–89, [10.1111/lsq.12265](https://doi.org/10.1111/lsq.12265), and Nick Robinson, “The Decline of the Lawyer Politician,” *Buffalo Law Review* 65, no. 4 (August 2017): pp. 657–737, Available at SSRN: <https://ssrn.com/abstract=2684731>. For an excellent study of the legal profession’s impact on the economic system, see Katharina Pistor, *The Code of Capital: How the Law Creates Wealth and Inequality* (Princeton: Princeton University Press, 2019).

7. For a study of the U.S. case, see Timothy M. LaPira and Herschel F. Thomas III, *Revolving Door Lobbying: Public Service, Private Influence, and the Unequal Representation of Interests* (Lawrence: University Press of Kansas, 2017). See also James D. Cox and Randall S. Thomas, “Revolving Elites: The Unexplored Risk of Capturing the SEC,” *Georgetown Law Journal*, 107 (2019): p. 845, available at: <https://scholarship.law.vanderbilt.edu/faculty-publications/1089>. In the case of the EU, a good place to start is Corporate Europe Observatory’s RevolvingDoorWatch, <https://corporateeurope.org/en/revolvingdoorwatch>.

8. See also chapter 5, 70–1, and chapter 7 note 1.

9. In imagining how it might have gone with another jury, Atlas is limited to only one variable: the composition of the jury. Everything else—evidence, witnesses, inputs from the public, actions by staff, and so forth—would have to be supposed to remain the same. This isn’t to say that a different verdict would be impossible, for example a new juror of truly exceptional oratorical skill might have been able to sway a sufficient number to change the verdict. But Atlas and the others on the losing side couldn’t rely on any such low probability personnel-related factor altering the outcome, and so really do have no choice but to reconcile themselves to their loss.

10. Although the authors generally presuppose rather than question the democratic character of electoral systems, useful information can be gleaned from André Blais and Jean-François Daoust, *The Motivation to Vote: Explaining Electoral Participation* (Vancouver: University of British Columbia Press, 2020), and S. Erdem Aytac and Susan C. Stokes, *Why Bother?* (Cambridge: Cambridge University Press, 2019).

11. The United States is perhaps the most egregious case among developed countries—or at least the best documented—when it comes to elected officials favoring the wealthy and powerful over ordinary constituents whenever their interests and preferences differ. See the series of compelling recent studies by Thomas Ferguson, Paul Jorgensen, and Jie Chen, including “Fifty Shades of Green: High Finance, Political Money, and the US Congress” (New York: Roosevelt Institute, 2017) and “How Much can the US Congress resist Political Money? A Quantitative Assessment” (January 20, 2020, Institute for New Economic Thinking Working Paper Series No. 109). See also Martin Gilens and Benjamin I. Page, “Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens,” *Perspectives on Politics*, 12, Issue 3 (September 2014) and Randall G. Holcombe, *Political Capitalism: How Political Influence Is Made and Maintained* (Cambridge: Cambridge University Press, 2018).

12. Kay Lehman Scholzman et al. muster a strong case to show that, under electoral systems, political activism is largely the province of educated elites: see *The Unheavenly Chorus: Unequal Political Voice and the Broken Promise of American Democracy* (Princeton: Princeton University Press, 2012). Our belief, developed especially in chapter 10, is that a system like SRD that handed over government control and political responsibility to ordinary people would work wonders for political engagement and activism among them.

Chapter 2

The Democratic Ideal

Moderator: Both podiums have lines at them, so it's time we took a question from the audience. Let's start with you, over on my left. Please tell us who you are and then state your question as briefly and clearly as possible.

Questioner: My name is Yu Lin. I'm a senior in philosophy here. Many accuse you of being a democracy purist, while others say you don't go far enough. I don't know if I agree with either, but I do wonder why you hold back from embracing direct democracy, at least as an ideal.

Midge: I'm not sure I know what "ideal" means here.

Yu Lin: I'm thinking of government by referendums, where the people decide all political questions. Imagine that everyone is regularly presented with menus of proposals for new or amended laws, regulations, and policies, infrastructure projects to be financed and built, treaties to be approved, and so forth. Attached to the menus is the relevant supporting information, compiled from both interested parties and disinterested experts. Everyone would be encouraged to consider and discuss the issues, and to participate in the decision, which people would have all the time they need to ponder. Wouldn't that be the most truly democratic way for societies to make political decisions, the closest they can get to the ideal of democratic self-rule?

Midge: A system in which everyone regularly participates in important governmental decisions is certainly democratic and a vast improvement over anything existing today. Still, people have only one head to deal with the various matters put before them, and can only devote as much time and energy as they can spare from the huge, sometimes overwhelming demands of coping with work, family, and the rest of life. Even then, with the best will in the world, they could only deal with a tiny fraction of the pressing issues governments need to address every day. Nor could they afford to commit the extra time and energy needed to master more complex, technical, or otherwise challenging matters, since they'd

have to do it without compensation or relief from their other duties. And even if we set all that aside, how could they ensure that their decisions were carried out as intended—that they didn't fall prey to executive obstruction, legal challenges, red tape, and all the other obstacles the powerful devise to override the will of the people? Which is just to say that however much direct democracy we layer on top of the current system, voters remain completely dependent on career officials not only to deal with the day-to-day running of government and manage the bureaucracy but also to see to the implementation of voters' decisions. And doesn't that leave us right back where we started?

I see no way to escape the conclusion that electorates, even in the most expansive direct democracy imaginable, are helpless to take on the hydra of elite-controlled government. That's something only another hydra has any hope of doing, and that's where SRD comes in. Whereas electorates have effectively only one, overburdened head to deal with the myriad political challenges confronting them, SRD can create juries effectively *ad infinitum*. It can impanel them to democratically determine which issues government needs to prioritize and which it doesn't, with the power to order the creation of as many additional juries as may be needed to address them. For matters currently dealt with by permanent committees of elected officials or their appointees, SRD can establish standing juries whose membership would be regularly replenished. To deal with everyday matters as well as emergencies, SRD can create governing assemblies sufficiently numerous to replace ministers and cabinet secretaries in the day-to-day management of the various departments of government, and to be on call 24/7 to deal with matters that can't wait for the next scheduled meeting. Still other SRD bodies could be impaneled to deal with constitutional questions and to regulate the SRD system itself.

Equally importantly, all the heads of the SRD hydra would be good ones. Whereas on your vision of direct democracy, people would be obliged to decide many issues at once, have no support staff to help them understand the information provided, and be unable to set aside the demands of everyday life to devote the time and attention needed to master complex matters, SRD juries and assemblies would suffer under none of these constraints. Juries would have only one issue to decide and as much time and high-quality information as they needed to make well-informed, thoroughly deliberated decisions; they and their assembly colleagues would have a full-time professional staff at their disposal to help them master the details of complex issues;¹ and they would be well compensated for their service, including fair payment for their time and effort, social assistance to relieve them of their most pressing obligations, and a job guarantee. For all these reasons, SRD juries and assemblies would not only be fully representative of the people, they would represent them at their best—and, no less importantly, be seen by all to do so. Quality decision-making combined with the ability to multiply itself to the point where no political problem

that *can* be solved democratically need ever again be addressed undemocratically: that's what makes SRD not just a better approximation of the ideal of democratic self-rule than direct democracy, but the only way that ideal has any chance of prevailing in the face of implacable opposition from a hydra that includes not only elite-controlled government, but elite-controlled markets, media, education, religion, and more.

Yu Lin: But that doesn't mean you're against all voting, right?

Midge: Not at all. In fact, the use of referendums would be a crucial part of an SRD system. Special juries might be tasked to sift through suggestions for referendums originating both within and beyond the government. Or juries might decide that the matter they were impaneled to judge actually needed to be decided by the entire population. Or citizens' initiatives might receive sufficient support to constitutionally mandate a referendum even over the opposition of the responsible SRD body. However it was done, the matter would be forwarded to a jury specially impaneled to oversee the referendum process from start to finish. They would formulate the question to be put to the electorate in the clearest, most concise language possible. They would then stand watch to ensure that special interests could not use their superior resources to sway the result. Lastly, they would oversee the voting process itself, and only after they were fully satisfied with its probity, make the result official by publishing it.²

Atlas: Unless you cracked down on free speech, I don't see how to prevent those with "superior resources" from using them to sway voters through advertising and their influence over the media, not to mention hiring armies of spokespeople, publicists, signature gatherers, and all the rest.

Moderator: Since we'll be dealing with media and grassroots politicking in a later session, I think it might be more helpful now if you told us about SRD assignment authorities, as they feature prominently in the book.

Midge: The purpose of assignment authorities is to ensure that the issues people care about most are addressed by government, not just eventually but as a matter of urgency. Today, powerful elites are able to use their influence on career politicians to delay or forestall government action detrimental to their interests, and on mass media to divert the public's attention elsewhere and to prevent them from doing anything to upset the political and economic status quo. SRD would change all that. Assignment authorities would set government's agenda by serving as clearinghouses to decide which matters of public concern should be forwarded to SRD bodies for immediate action and which not. They would consider proposals from both inside the government and the public at large. In politics with assemblies, they would also include specially tasked subcommittees to decide on proposals for assembly action. Assignment authorities would take as much time as they needed to get up to speed on the issue before them, consider the pluses and minuses of sending it forward for decision at that moment in time, and then deliver their verdict. If affirmative, their decision

would include recommendations of various sorts: which witnesses should be heard from, what further information needs to be gathered, which experts ought to be consulted, as well as which special precautions should be taken to prevent information from being distorted or manipulated. If negative, their decision would lay out the reasons for deferring action and specify what would have to change to get them to alter their decision.

Atlas: Would juries be bound by their assignment authority briefs?

Midge: Not at all. Like every democratic body under SRD, the jury or assembly that takes up the assignment is fully autonomous. It can decide to add new witnesses, hear evidence of additional kinds, and do pretty much anything it considers necessary to discharging its assigned task according to the highest SRD standards.

Moderator: Let's go to another question from our audience. You, to my right . . . Please tell us who you are and then state your question.

Questioner: I'm Helena, I teach in the poly sci department here. I'd like to know what you think about self-selection as an alternative to sortition, by which I mean putting yourself forward to serve rather than being randomly selected.

Midge: I wouldn't rule it out in all cases and circumstances, but I'm against it in the main, for the same reason I oppose self-selected trial juries. Even in large representative bodies, self-selection is an invitation to create or exacerbate biases of all kinds, not least by re-opening opportunities for the rich and powerful to game the system by recruiting or even hiring "volunteer" self-selectors. By contrast, sortition, buttressed by a fair lottery, total transparency, strict anonymity, and effective protections against tampering, is the best defense I know of against abuses that might otherwise discredit a system of democratic representation.

Helena: But isn't some degree of self-selection unavoidable, given that not everyone whose number comes up for jury or assembly service will be able and willing to serve? If compensation is too low or the sacrifice too great, many will decline. Others may not see it as their duty, or simply hate the idea of SRD service, whether from principle or sheer laziness. So, whoever is left to do the job are effectively self-selected. Won't that defeat the goal of sortitive democracy to provide fair representation of the entire society?

Midge: To encourage enough people to serve to make sortition viable, SRD oversight juries would probably favor a mix of inducements and penalties, and also take steps to promote service in education and the media as both a duty and a privilege. It would in addition be their responsibility to ensure that no group was underrepresented or overrepresented on SRD bodies, be they people from particular regions, rural people, followers of particular religions, ethnicities, the poor, or any other group that a previous SRD body had democratically decided needs to be fairly represented in every random selection. For, of course, the overriding goal is to guarantee, as far as humanly possible, that each SRD jury and assembly is a genuine microcosm of society as a whole, according to the

vision of that society a democratic majority of its members share.³ No less importantly, SRD needs to ensure that such self-selection as there inevitably is never goes so far as one's being able to select the particular SRD body on which one serves; and that, in addition to being certifiably random, everything possible is done to ensure that representatives with conflicts of interest are detected and either excused or assigned to decide a different issue.

Moderator: Let's take a question now from a viewer: "I have my doubts about SRD, if only because it represents such fundamental change that the risks it carries seem to me too great. Couldn't we get true democracy more easily and directly simply by involving ordinary people more? Far greater consultation than presently, even giving them a direct role in the deliberative processes whereby legislators legislate, executives regulate, agencies enforce, and judges judge?"⁴

Midge: Deliberative democracy and other proposals for increasing the participation of ordinary people in governance are both laudable and well intentioned, but the problem common to them all is that their greatest virtue—reforming the current system without replacing it—is also their greatest defect. They may well set up more formidable obstacles to elites having their way with the rest of us between elections than presently, but, by leaving things fundamentally unchanged, elites would still remain at the helm, running the show much as they do now. And then you have to ask yourself, to the extent these reforms did succeed in impeding elites from getting their way, how effectively could their champions defend them against the massed power and wealth elites would muster to neuter or kill them, directed both through elite-controlled mass media and their minions in the executive, legislature, and judiciary? I don't know about you, but I'm not very optimistic. That's why I've come round to the view that if we want more democracy, and want to see it endure, we really have no choice but to take the bull of elite power by the horns and insist on nothing short of radical reform along the lines of SRD.

Moderator: Uhuru, you've been signaling for a while. There's something you wanted to ask?

Uhuru: As Midge was responding to Helena, I remembered a question I wanted to put to her but haven't yet had the chance. (*Addressing Midge. . .*) It's about the anonymity you insist on. I can't imagine anything more off-putting than serving on a jury for an extended period with a bunch of people I'm not allowed to actually meet and personally get to know. It would be alienating, lonely and . . . well, like I said, off-putting.

Cato: Creepy, more like.

Uhuru: Then consider the alternative, interacting with real people. You'd actually get to develop a sense of shared purpose with your jury colleagues, like you do in a workplace or on a sports team.

Atlas: So true! And don't forget that present-day trial jury systems protect the anonymity of jurors quite effectively, without needing to go to such lengths as hiding them behind a screen or fitting them out in disguises.

Rangi: And another thing we shouldn't overlook is the suspicions your approach would fuel that juries weren't composed of real people at all, that everything was the handiwork of bureaucratic wizards of Oz manipulating us from behind a curtain of avatars.

Midge: These are important issues that I've thought about long and hard. The high stakes involved in government decision-making are one reason I recommend strong measures to preserve anonymity. Jury trials are certainly consequential for plaintiffs, defendants, their families and associates, but far less so, if at all, for the wider public. Compare that with decisions about political matters. The powerful interests and intense passions involved in decisions about taxing and spending, war and peace, health, education, and the environment, signing or not signing a job-killing trade treaty, using eminent domain to build a new airport or rail line, banning abortion or legalizing drugs, and so on: the stakes could hardly be greater. The incentives to threaten and bribe decision makers are consequently magnified exponentially, far beyond anything we'd see in a trial. That's why an impenetrable electronic wall of anonymity protecting political juries seems to me not only advisable but essential.

Of course, not every polity will have the resources to go fully electronic, and others may democratically decide to adopt different safeguards than the ones I propose. But if SRD is ever to realize its potential to improve on today's all too corruptible political systems, I see no alternative but to institute measures to protect the anonymity of decision makers that go well beyond any employed today, in legal proceedings or elsewhere.

Uhuru: But that isn't a reason to prevent jurors from at least directly interacting with one another.

Midge: Even if they were personally known only to one another and not to the public, we'd still be importing some of the most problematic aspects of electoral politics into SRD, like the biases—conscious or otherwise—that all of us carry with us. The way people look, how they speak—class identifiers, gender identifiers, ethnic identifiers, religious identifiers, and so on. The more we can prevent factors like these from affecting political decision-making, the more our decision makers will be able to set aside personal preferences and prejudices, focus on the merits of the case, and hammer out decisions that best reflect the general interest. And I don't see how that can happen unless we go 100% electronic and switch to avatars speaking in synthetic voices and accents.

Rangi: And don't forget that personal interaction obliges everyone to meet in the same place, a capital city say. But what if they live great distances apart—in the country, or in another city or region? How many people would be willing to uproot themselves for weeks or months at a time, sacrificing their home and work lives in the process? Not many, I'd warrant; probably too few for a national or even a regional SRD system to be viable. Whereas if all communication were electronic, distances would shrink to zero, and even people in different time zones

could serve on the same jury without unduly disrupting their lives. That said, the thing that most concerns me is the loss of confidence in the system that might result from never knowing whether the people behind the avatars are genuine.

Midge: The fear that SRD proceedings might be faked doesn't really stand up to scrutiny. Given that all communication between members of SRD bodies both with one another and their staff would be electronic, making the public privy in real time to everything they say to one another and all the testimony they hear would be the ultimate safeguard to preserve the integrity of the system. If those behind the avatars said or did anything to steer proceedings in ways that seemed to sacrifice the interests of ordinary people to elite special interests, and did so without the kind of compelling reason all could accept⁵—or if anything else happened in their proceedings that struck the public as less than kosher—a loud hue and cry would be sure to ensue, accompanied by demands for investigations and remediation. Were that to happen even once, much less on a regular basis, SRD would sacrifice the one thing it cannot survive without: public confidence. Once that confidence is won, SRD oversight bodies must do everything in their power to ensure it is never lost.

Uhuru: Still, I worry that without the personal touch, the public would come to loathe SRD service as inhuman and artificial, more fit for machines than real people. How viable would the system be then?

Midge: When I envisaged juries and assemblies operating purely electronically, I was thinking of how real cyberspace has become for everyone who has grown up in a world where gaming, social media, and other internet fora are accepted as a natural, welcome part of everyday life. This is true even in places where people live in privation, including many of the poorest countries on earth. The majority nowadays seem to be as much at home in virtual space as real. Their interactions online with people they've never met, including some in faraway countries, are often as rewarding for them as their interactions at home and in the workplace, sometimes more so. In such a world, and provided SRD technology is sufficiently immersive, user-friendly, and rewarding for both participants and observers, the personal touch will most likely no more be missed than it is in the worlds of gaming, chats, and other social networks.⁶ I'm not saying there aren't downsides. But I'm convinced they would be more than made up for by the advantages of total anonymity for collective decision-making.

NOTES

1. Letting SRD bodies decide for themselves how much information and time they require to master and deliberate upon the matter they are charged to decide seems to us sufficient to exempt SRD from a criticism that has been leveled at other sortitive systems, for example by Fuller: "Decisions, as is often pointed out, are complicated

and, just like you can't build muscles overnight, you cannot build your decision-making capacity in just a few days, either. It is a continual process that involves both periods of activity and reflection. Sortition does not provide this for the vast majority of people, and even when it does provide it—to a tiny number of people—it does so over such short, crammed periods of time as to be functionally useless. There is simply no way anyone should be making up their minds on an issue after just one or two days of debate on it. That's a barely sufficient timeframe to pick out curtains or choose a new car." (*A Defence of Democracy* (Cambridge: Polity, 2019), 120).

2. While every country that permits referendums has its own procedures and language governing them, be it the ability to hold them on already passed laws, on bills yet to be passed, on measures proposed by citizens and so on (see notes 5–6 of the introduction to part I), we use the term "referendum" generally for any political decision that is put to the people.

3. See note 10 of the introduction to part I.

4. Recent books on the democratizing potential of deliberative and participatory procedures include Hélène Landemore, *Open Democracy: Reinventing Popular Rule for the Twenty-First Century* (Princeton: Princeton University Press, 2020), Cristina Lafont, *Democracy Without Shortcuts: A Participatory Conception of Deliberative Democracy* (Oxford: Oxford University Press, 2019), and James S. Fishkin, *Democracy When the People Are Thinking: Revitalizing Our Politics Through Public Deliberation* (Oxford: Oxford University Press, 2018). See also Andre Bachtiger et al., editors, *The Oxford Handbook of Deliberative Democracy* (Oxford: Oxford University Press, 2018).

5. For example, if a large employer publicly stated it would pull up stakes and move elsewhere, a powerful country warned it would impose crippling sanctions, or a terrorist group issued a threat to blow up a school—or, conversely, if banks publicly agreed to issue loans on more favorable terms, a potential treaty partner promised trade concessions, or people with needed skill sets agreed to immigrate in sufficient numbers to meet the need: in these and similar circumstances, ordinary members of the jury and the viewing public might be induced to agree to support government actions desired by special interests that they otherwise would have opposed.

6. The social media platform Clubhouse, introduced in 2020, offers insight into how real-time online discussions might be organized, with different issues discussed in different virtual rooms, each organized into tiers: moderators, speakers (or a panel), and listeners who can come and go as they please, with the option of raising their virtual hands to request the opportunity to speak. By 2021 other social media platforms were working on apps aimed at competing with Clubhouse, so development of this kind of virtual discussion space is likely to be rapid.

Chapter 3

Phase One

Launching Democracy

Atlas: SRD really does sound like a hydra, with all the complexity and unwieldiness that implies. That is a problem. But the biggest hurdle I foresee is getting SRD up and running in the first place. The only ways I know of to change entire systems of government are revolutions and coups d'état, the mechanisms for achieving communism and fascism. Isn't that how SRD regimes would have to be created as well?

Midge: There are as many scenarios for establishing true democracy nonviolently as there are polities, but I would divide them into two kinds, gradual and sudden. On the first, existing structures would be coopted to support sporadic democratization, until such time as SRD had proven itself across a sufficiently wide spectrum of governmental functions to win the public's support for the wholesale replacement of elective offices with SRD. Given the likelihood of no-holds-barred elite resistance to democratization, however, that may not always be possible. So, under the second scenario, democrats would bide their time and ready themselves for the day when the opportunity arose to take full power all at once, say, on the occasion of a power vacuum that no one else could fill, or as a last resort in desperate times after all the usual undemocratic alternatives had been tried and failed.

Moderator: Tell us first about the gradualist way.

Midge: It starts with the creation of a movement to inform the public about SRD and spearhead a drive to win support to mount real-world experiments with democratic juries. The idea is to use the electoral system against itself. Referenda are the preferable path, though in many polities that option doesn't exist. In that case, members of the movement could adopt a variety of strategies. For example, they might agree to support and work for any candidate, regardless of their views on other matters, who pledges to create democratic juries with the power to veto legislation and other government acts.

Cato: Talk about single-issue politics! I should vote for a socialist who takes the sortition pledge if that candidate has the best chance of winning even if I hate socialism? That sounds like a recipe for electoral failure to me. And I thought you said that you would never vote in an election!

Midge: It's not kissing the king's ring if regicide is on the ballot. As for voting for someone you oppose, you wouldn't have to once the popularity of SRD reached the level where ambitious politicians of every political stripe saw support for it as a way to unseat entrenched incumbents. You'd then be able to vote for a conservative who favors experimentation with SRD, Uhuru could vote for a similarly minded liberal, and so on. No one's politics would prevent them from endorsing SRD because, as can't be said often enough, it is completely neutral regarding not only economics but ethnicity, religion, regionalism, and everything else that splits ordinary people into opposing political camps. It is in the truest sense nonpartisan, which gives the movement to establish SRD a unique potential to appeal across political divides.

Rangi: Sounds fine in theory, but how many times have we heard optimistic statements from politicians about "reaching across the political divide?" It never happens.

Midge: Think about it, Rangi. Non-elites gaining sovereign power, the kind hitherto reserved for presidents, dictators and kings, exercised in accordance with strict procedural protocols designed to ensure decisions that are thoroughly deliberated and well-founded, as well as fully public: that is a goal most regular people can be convinced to get behind, be they right-wing, left-wing, rural, urban, black white or brown, religious or secular, employed or unemployed, pro-union or anti-union, or anything else. The movement to establish SRD has an unprecedented potential to unite enough ordinary people under a single political banner for their overwhelming numerical superiority to finally tell against elites' myriad divide-and-rule electoral tactics.

Uhuru: I'm afraid I'm with Rangi in thinking it sounds good on paper. You'd have to fund the democracy movement entirely by contributions from ordinary people to guarantee its independence, and that won't be easy. Also, the pro-SRD movement's leadership would have to set an example by including people from across the political spectrum who are willing to set aside their differences for the greater good. How often has that happened?

Cato: It'd sure be an uphill struggle. A big problem would be who pays for SRD experiments. I know you said SRD would save money by rooting out corruption, but would the promise of doing that sometime in the future be enough for people to agree to increase their tax burden now?

Atlas: That's right. There's no chance in the existing system this could be funded by a tax on the wealthy. Instead, ordinary people, including the working poor, would have to pay. And how likely is that?

Midge: Most people's objections to new taxes stem from a well-founded reluctance to hand over ever more money to largely unaccountable, self-serving elected and appointed officeholders who owe their positions primarily to special-interest wealth, elite connections, and corporate media backing. Which is why all doubts would have to be dispelled that the tax will be used exclusively to fund the transferral of power to regular people like themselves. It would be a huge job for the pro-democracy movement to convince enough of them, but once awareness reached a critical mass, an irresistible groundswell of support would be created to launch experiments with democratic juries.¹

Rangi: I know you discuss democratic experiments at length in your book, but I have to confess I got a little lost. How do they even get off the ground?

Midge: Before experiments with SRD can be run with any realistic chance of success, the pro-democracy movement needs to recruit a corps of expert volunteers, in and out of country, to plan the specifics of sortition, work out the logistics of jury service, devise effective countermeasures to prevent jury tampering, and do all the other advance preparation necessary for SRD pilot programs to work. It means in effect the creation of a shadow civil service of advisers, consultants, and other specialists drawn from the worlds of high-tech, business, economics, law, social welfare, health, science, academia, foreign and military affairs, the media, and more. These volunteers would aid democracy movements around the world not only by furnishing the intellectual and organizational wherewithal the first democratic juries will need if they are to win the public's confidence but also by giving a stake in these experiments' success to democratically minded members of existing elites—"class traitors" if you will.

Uhuru: In preparing for this, I was surprised to learn that initiatives in this vein are being tried across the globe as we speak. True, many are not as democratic as you consider ideal and none, so far as I know, have real teeth. But they do at least raise public awareness of the potential for a system like SRD to rectify things. Are there any that you think point the way forward?

Midge: I find the Irish case particularly compelling. In 2016, the Irish Parliament commissioned a Citizens' Assembly of 99 randomly selected people to reconsider the country's restrictive abortion laws. After five weekend meetings over five months, much of them broadcast live on the internet, the Assembly voted by a roughly two-thirds majority to liberalize those laws—recommendations that found their way into the 2019 referendum, in which the Irish electorate followed the Assembly's lead. It's a good case study and a testament to the power of true democracy. Still, while I applaud this and the many similar efforts currently underway, the goal isn't for SRD to become the go-to system for elected officials to hand off political hot potatoes that put their careers at risk. Nor would any movement to establish SRD agree to limit juries to a merely advisory role. The kind of experiments I am calling for would not only give jury decisions full legal authority but strike at the heart of the existing power structure

as well—not merely peripheral issues that, however important in themselves, leave elite dominance in place however they are resolved.²

Moderator: Perhaps the difference would become clearer if you gave us an example.

Midge: Suppose a leading proposal of the party that prevailed in the last election was a big tax cut. They have now passed legislation that, they claim, fulfills their election promise. It is then presented to an experimental SRD jury for review to determine if the legislation instead serves special interests at the expense of the general interest. This the jury is competent to do because, thanks to sortition, it is a genuine reflection of society as a whole, and so is uniquely qualified to decide what the general interest is.³

Its first task is to hear from both proponents and opponents of the legislation. The information from the contesting parties is carefully scrutinized by jury staff for quality beforehand and monitored in its actual presentation no less scrupulously than a judge would in a courtroom. Staff provide jurors with any additional expertise or high-quality information they deem necessary for a well-informed decision, even if none of the contesting parties sees fit to provide it. The public, watching the proceedings in real time, also has a role to play by sending in suggestions and comments that a regularly rotating group of jurors would be tasked to review. After however many weeks or months the jurors felt they needed to assess the legislation, they would arrive at a verdict. They then would work with jury staff to articulate their decision in clear language everyone can understand, and to produce an official record of the considerations that led them to take it.

To make this more concrete, let's say that a 100-member jury votes 60–20 to veto the legislation with a further 20 abstaining. Could anyone legitimately claim that the jury's decision is undemocratic simply because it ran counter to the promises of a newly elected government? If elections really were an expression of the democratic will, you'd have to answer yes. Yet, even a moment's reflection is enough to realize that any concerns about undermining democracy are misplaced. For one thing, voters based their decisions on the victorious party's electioneering rather than the text of the actual bill. So, how many would be surprised, given the ill-repute of politicians,⁴ that a randomly chosen, fully informed jury genuinely representative of the people found that politicians had, yet again, betrayed their promises by producing a pig's trough of special-interest giveaways far more costly to society than any benefits to ordinary taxpayers? Whose word would the public be more inclined to trust, the career politicians behind the bill or a jury composed mostly of ordinary taxpayers like themselves? I for one have no doubt that public opinion would side overwhelmingly with the SRD jury against the legislators and demand that the bill either be rewritten to pass democratic muster or be withdrawn.

Uhuru: There are still things I'm not clear about. To start with, how would the SRD movement decide which government initiatives to target with experimental juries?

Midge: Even before legislation establishing SRD experiments was enacted, the movement would put its proposed method of sortition to the test by funding and organizing provisional assignment authorities, whose proceedings would all be broadcast in real time over the internet. Those who agreed to serve would draw on advice from volunteer staff and suggestions by the public to determine which government programs, laws, and other official practices most obviously fail the smell test. They would then select the ripest, lowest hanging fruit, and call for legislation to establish juries to work their way down the list. As malfeasance was uncovered and publicized, public support for experimental juries would surely mount to the point where legislators would feel obliged to enact SRD into law or see their careers terminated at the next election.

Rangi: Dare I say, these SRD juries sound like a version of worker councils, aka Soviets in the U.S.S.R., which is something the revolutionary in me can get behind.

Cato: That's precisely why it gives me chills—not the good kind.

Midge: The analogy with Soviets is not one I would choose, but I certainly agree that it would revolutionize the way we are governed. But, again, SRD is non-partisan. Its focus is not policy as such but how policy is decided and, above all, who gets to decide it.

Moderator: I'm sure things will become clearer as we proceed. In the meantime, could you talk a little about the other type of scenario you mentioned, where SRD comes to power suddenly?

Midge: There will be places where SRD is suppressed to the point that it never has any realistic chance of gaining power under the existing system. That doesn't mean it needs to go underground or turn violent. Instead, the focus would be on spreading the word, educating the public about SRD and preparing the ground so SRD systems would be waiting in the wings should a power vacuum ever arise, be it through disorder, stalemate, outside interference, economic breakdown or any of the other causes of governmental collapse. The choice facing lovers of true democracy would then be whether to proceed gradually and push for experimental SRD juries—at the risk of renewed suppression once the opposition regrouped—or to seize power and shift to democratic governance in one fell swoop. In the latter case, the first task would be to act firmly and decisively to restore peace and stability, so that a fair referendum could be held to let the people have the final say on whether they wanted to continue with SRD, revert to the old regime, or try something else.

Atlas: Wouldn't it be all but impossible under such traumatic circumstances to launch a system as multifaceted, not to say convoluted, as SRD?

Midge: Success would depend on how well the groundwork had been laid. On the plus side, the country's democrats would be able to draw on the financial aid,

know-how, and hands-on assistance of SRD polities and pro-SRD organizations around the world. This would enable them to augment in-country human and financial resources to build the basic infrastructure needed for SRD: an impeccably random method of sortition guaranteed to avoid major sampling errors, effective protections to prevent jury tampering, staff to aid jurors in their tasks, support systems to free jurors from the demands of daily life, and other indispensable practical assistance. Since much of the work would be voluntary and a day's pay for jurors in a disaster zone might come down to being provided with the necessities of life, the jury system could be launched on a shoestring, and continue that way until the time came when it could be put on a sounder footing.

NOTES

1. Citizens frequently vote to impose taxes on themselves via referendums when the use to which that money will be put is both for the greater good and, crucially for this discussion, clearly earmarked for a specific purpose. See, for example, Jeffrey S. Solocheck, "Floridians Are Voting for Special School Taxes: Are Lawmakers Paying Attention?" *Tampa Bay Times* (November 4, 2020), and Christopher Ellis and Christopher Faricy, *The Other Side of the Coin: Public Opinion toward Social Tax Expenditures* (New York: Russell Sage Foundation, 2021).

2. For those interested in this kind of experimentation, the OECD has gathered and analyzed a list of citizen panels, assemblies and the like from across the globe in its report "Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave." OECD (2020), *Innovative Citizen Participation and New Democratic Institutions: Catching the Deliberative Wave*, Paris: OECD Publishing, <https://doi.org/10.1787/339306da-en>.

3. For our purposes, "general interest" may be defined as whatever a well-informed body of randomly chosen representatives that meets democratically set criteria for fairly representing society as a whole decides it is. Given that bodies of such representatives would be composed mainly of non-elites, they would be sure to identify the general interest with the interests of ordinary people like themselves. This does not mean they would never decide in favor of special interests (see note 5 of chapter 2), but only that in order to do so, they would first have to be persuaded that it would either be in theirs as well or that so doing would at least not sacrifice their interests. In other words, the benefits for ordinary people of a democratic system like SRD would flow from the fact that whenever conflicts were identified between the interests of elites and non-elites, the latter would prevail (in contrast to the situation today: see chapter 1 note 11).

4. In the UK, for example, the long-running Ipsos MORI Veracity Index consistently shows politicians among the least trusted professions (trusted by 15% of those surveyed in 2020), even below journalists (at 23% in 2020). Ipsos MORI, "Ipsos MORI Veracity Index 2020," [ipsos.com](https://www.ipsos.com) (Ipsos MORI, November 26, 2020,

<https://www.ipsos.com/ipsos-mori/en-uk/ipsos-mori-veracity-index-2020-trust-in-professions>). In the United States, Gallup's comparable annual survey returns similar results, showing in 2020, only 12% of those surveyed trust members of Congress (in that survey, trust in journalists was at 28%; <https://news.gallup.com/poll/274673/nurses-continue-rate-highest-honesty-ethics.aspx>).

Chapter 4

Phase Two

Democracy in Action

Moderator: Time for another question from the audience. Please tell us who you are and what you do.

Questioner: Hi, I'm Ayisha. I work as a trouble-shooter at a start-up app-developer. Though I haven't read the book, I have to say I'm very intrigued by what I'm hearing. But I still don't get what jury service would actually be like. Say I get a summons. What happens next?

Midge: Let's start with the summons itself. It would instruct you where and when to report, inform you how much pay you will receive for each hour of service, plus the amount of the bonus you will receive at the end if you complete your service. The jury center you report to would be part of a nationwide network of centers able to connect jurors physically separated by large distances, even different time zones, via secure internet.¹ They might be housed in specially dedicated facilities, in parts of existing government complexes, or in space rented in privately owned buildings. Eventually personal computers might be adapted for SRD use as well. Along with the summons, you would receive an information file to acquaint you with the particulars of jury service and an appointment to discuss any special requirements that needed to be met in order for you to be able to participate for a period possibly stretching into months.

Let's say nothing prevents you from serving and you are civic minded enough to do your duty to the democracy you cherish. On the appointed day and time, you arrive at the jury center, where you are assisted through a number of procedural matters prescribed by SRD oversight juries. You are then asked to sign a contract agreeing to accept and complete your service, with your pay and arrangements to meet your special needs stated in the contract, plus an explicit guarantee that your job or equivalent employment will be waiting for you when your service is complete. You then choose a pseudonym for use in communications with fellow jurors and jury staff, all of which is done anonymously over

the internet via avatars and synthesized voices, so that privacy can be respected even while providing real-time public access to all jury proceedings.

Cato: Like the avatars and voices we're using now?

Midge: Whatever SRD tech wizards dream up. The menu of choices might give you the option of viewing proceedings conducted in the personae of hobbits, comic book heroes, sports stars, Hollywood icons, rock legends, forest animals, space aliens, or whatever else tickles your fancy, with the option of changing avatars as often as you like. The same freedom of choice would apply to the language, dialect, accent, and pitch in which other jurors, staff, witnesses, experts, and anyone else involved in proceedings spoke. In that way, SRD could not only protect everyone's anonymity but also shield jurors from the effects of implicit biases for or against, say, well-turned-out, well-spoken white males.

Ayisha: That sounds cool. What then?

Midge: You would then be ushered to a computer terminal, perhaps in a well-appointed booth, perhaps in a room with many terminals. Orientation would focus on using the operating system, obtaining remote assistance from expert staff to help you understand evidence and testimony, communicating with your fellow jurors, and accessing comments and suggestions from the viewing public.

Rangi: What about people who can't work a computer or never learned how?

Midge: SRD staff would operate the computer for them and help engineer any other workarounds they required to enable them to participate, whether at a jury center, at home, overseas, or from institutions such as hospitals, dormitories, army barracks, or prisons. And members of the public unable to access the internet could be supplied with written and recorded summaries of jury proceedings so that they too could keep informed.²

Moderator: Preliminaries done, what comes next?

Midge: You would be provided with an information packet prepared by jury staff relating to the issue your jury was impaneled to decide to help you get up to speed. You will have all the time and assistance you need to master your brief, at which point proceedings can begin—testimony taken, evidence presented, rebuttals and counter-rebuttals heard, expert input provided, and so on until your jury agrees it is ready to begin deliberations.

Atlas: (*Snorts loudly*) Sounds like way too much power is handed over to bureaucrats—the “trained staff” you mention? Information is power and if they decide who gets what information, they're ultimately getting to decide the outcome. It'll be the same kind of bureaucratic capture we have in electoral democracies.

Midge: Their job should not be thought of as restricting information but as clarifying and contextualizing it. Staff would translate complicated information into language ordinary people can understand, check to see they've understood, and try again when they haven't. Because staff would have the education and trained critical understanding many jurors lack, they could identify each juror's

lacunae, take steps to fill them, and so enable all to participate fully in proceedings. Staff could also explain where the information jurors are given came from, what qualifies the source to give testimony on the point in question, whether the source has a vested interest, how reliable the source has proven to be in the past, which biases may be affecting the source's testimony, and so on. And of course they would also have to account for any information and sources they have excluded from proceedings. That said, I entirely agree that any error must be on the side of the free flow of information. And remember, all proceedings are livestreamed to the public, who are free to complain directly to jurors and SRD oversight bodies if they detect the slightest whiff of staff bias. Does that help?

Atlas: I suppose . . . For now . . .

Midge: O.K. We left off at the point where you and your fellow jurors are ready to “retire” into the online “jury room” to deliberate. Perhaps a vote is taken to gauge sentiment going in, after which discussions begin about the best course of action in light of the testimony and evidence, a process that might go on for days, weeks, or even longer. Once a democratically agreed number of jurors decide to end deliberations, a final vote is taken. If the result is inconclusive, they have the option of deliberating further or pronouncing themselves deadlocked, in which case they would be required to put the reasons for the deadlock in writing and suggest ways it might have been averted by, say, reformulating the proposed law or regulation; reframing its purpose; amending its manner of implementation; changing the sanctions imposed on violators; enforcing it through another agency or by different procedures; and whatever other changes they can agree to recommend. But if there is a clear majority, the jury will then work with staff to produce a formal record of the decision, the deliberations that led to it, and any further items they want to put on record, including suggestions made by the minority that the majority refused to adopt. At that point, all that is needed for your decision to become the law of the land is for you and your fellow jurors to sign your names. You will then be discharged and receive your bonus for completing service.

Cato: I'd be worried about security. Tamper-proof juries are great in theory, but how do you think we can actually get there?

Midge: To ensure the democratic integrity of jury deliberations, it is essential to protect jurors' privacy and anonymity—in fact, I consider the security of the system absolutely vital to SRD's success. This means that the online network over which they communicate must rival the most secure in existence, with every means utilized to detect attempts to breach the system and harsh penalties imposed on those who get caught, especially those who put them up to it. I expect jurors themselves would also want regular public audits of all the systems involved.

Atlas: Suppose a family member posts information on social media about what a juror is doing—wouldn't that open them up to pressure or bribery or some other

kind of tampering? Won't heavy security be required to police jurors, their family, and friends as well? And won't that mean we'll just wind up living in just the kind of police state we're seeing today in our so-called democracy?

Uhuru: Oh come on, I hardly think we're living in a police state. That's just far-right hysteria . . .

Atlas: Really? Have you even been paying attention . . .

Moderator: If we can focus on the question, which I think is a good one, about policing SRD systems.

Midge: It is imperative the jury system be democratically self-regulating and self-correcting, with everything relating to juries decided by jurors themselves, including security, penalties for breaches, and the like. If they are fearful at first, when the system is new, they can impose relatively strict security measures on themselves. As its vulnerabilities are addressed and confidence in it grows, they may decide to ease or eliminate some of them.³

Moderator: Here's a question sent in by one of your readers: "In the book, you predict that in a gradual transition to democracy, a point would be reached where elections would be recognized as such an undemocratic waste of time and money that electoral systems would die out naturally—'exit with a whimper rather than a bang' as you put it. Yet, you also stress the fierce determination of 'elites', as you call them, to hold on to power. Surely, then, a whimper of an exit is hardly likely!"

Midge: Let me tackle the easier part of your question first, which is how the gradual introduction of SRD would reduce, and ultimately eliminate public support for elections, since that lays the groundwork for answering the second part. So, let's say that juries move beyond deciding whether to veto tax bills passed by elected legislators and start crafting their own tax bills, bypassing legislatures altogether. They also begin taking up spending bills, going from approving or vetoing infrastructure, military, and other government expenditures to crafting their own spending bills. Eventually, they largely take over the roles currently performed by elective legislatures in conceiving, planning, and financing state operations. At the same time, the jury hydra starts taking on executive matters of implementation and enforcement of the laws, as well as their adjudication by the judiciary (at which point SRD could also set about rectifying the many undemocratic features of its original model, the trial jury). This, too, would start small, with juries approving or rejecting decisions taken by the executive and judiciary, but here again they would steadily assume more and more of those responsibilities as well. Ultimately, the day would come when the elected dimension of government became so subordinate and ancillary that it would be as obvious to career politicians as to everyone else that there was little point keeping it on. The electoral system's demise would then be a *fait accompli* and nothing would remain but to sign its death warrant by officially abolishing all elective offices in favor of SRD.

Atlas: That sounds ridiculously Utopian. Even if the public did come to love SRD and back its expansion enthusiastically, your reader's right to think that anyone and everyone with an investment in the current system is going to make sure it gets strangled at birth, if not before.

Midge: I grant that so long as elected offices exist, officeholders and their appointees will use all the power at their command to forestall SRD—keep it from taking off as a movement and giving people a taste for democratically exercised power, then fighting against its extension every step of the way. Elected legislatures might conspire to do cosmetic rewrites of jury-vetoed legislation and enact the result without further jury review, whether or not the legislation that established juries permitted it. After all, how hard is it for people with the power to enact laws to exempt themselves from obeying them? You also have to remember that today's high courts consist of political appointees who might be perfectly happy to let elected legislatures get away with it. And those are just the first of the hurdles SRD would have to get over. Unless and until supporters of democracy succeeded in incorporating SRD into their polity's constitution, giving juries full scope to expand and a final say in all matters that come within their purview, their decisions would be at perpetual risk of being neutered by executive obstruction, lax enforcement, and judicial nullification, while SRD itself would be susceptible to being ruled unconstitutional and removed from the books. Like any other great political struggle, establishing SRD and cementing its authority won't be easy and certainly won't be without setbacks.

Atlas: Color me unconvinced, not so much by SRD as its prospect of success, which I rate as nil.

Midge: Dare I say, it's starting to seem that these last months spent getting your head around SRD may have turned even you, Atlas, into a supporter of sorts, in principle if not in practice?

Atlas: I don't know if I'd say "supporter," but I'm happy to admit that I see now that libertarian small-government principles are just as compatible with SRD governance as Uhuru's liberal ones, Cato's conservative ones, and maybe even Rangi's communist, though that's probably a stretch. It's my sense of what's practicable that sets me against it.

Rangi: Oh come on, I recall some of the comments you posted on the panelists' discussion board early on—assuming you're *that* Atlas—you've totally changed your Randian Ubermensch tune since then.

Atlas: (*Sputters but says nothing.*)

Cato: I think Atlas and I are pretty much on the same page about SRD. Though I'm surprised how much I warmed to the idea, I've come to a similar conclusion. But even more than its being unworkable, I see SRD as actually being bad for democracy . . . (*rifling through papers, then reading from notes*). Today's political leaders had a hard row to hoe to get to the top. They had to beat back legions of rivals, secure the loyalty of the people whose aid they needed, and

deploy all manner of craft, guile, and other dark arts in order to become powerbrokers in their own right, while at the same time staying in the good graces of the electorate. You can't honestly say they got to the pinnacles of power by accident. But under SRD, people literally would: they'd be rewarded with sovereign rule simply for drawing the lucky lot. (*Looking toward Midge.*) How you expect us to endorse a system that would take the difficult, high-stakes choice of who leads us from "we the people," and instead makes leaders of random, untested, totally inexperienced nobodies, with the people having no say about it at all, I just don't get. It seems reckless, not to mention totally undemocratic.

Atlas: Exactly. I keep thinking, if bodies formed like that are going to make decisions for the nation, then, well, so much the worse for the nation, so much the worse for all of us. My vote at election time is based even more on the character and leadership qualities of the candidates than their policy platforms, which I know they probably won't deliver on anyway. Being able to choose the right leaders to make political decisions and, even more importantly, keeping out the wrong sort, seems to me an essential democratic right, one we cannot forsake without fatal damage to democracy itself.

Midge: Et tu, Rangi?

Rangi: I'm afraid so. As rotten as the current system is, it's only able to pass for a democracy because voters have the final say on who leads them and who doesn't.

Midge: Well there you go, Atlas, something the whole panel agrees on! And, I would add, the four of you came to concurrence in a way that exemplifies SRD best practices. Just consider: over these last months, you've come to grips with a large body of new information, done a bang-up job of ferreting out the strengths and weaknesses of contending positions, and succeeded in forging majority, sometimes even unanimous consensus. Though I might not have won you over to SRD quite yet, your performance here illustrates perfectly the virtues of a system that lets people decide for themselves, rather than deferring to elites to do the deciding for them.

Moderator: All well and good, Midge, but please come back to the point about its being our democratic right to vet the people who rule over us. Isn't that the essence of democratic meritocracy and the only possible way of getting the best of both democracy and meritocracy?

Midge: I quite agree that if you live under a system that requires you to cede total political control to the officials you elect from one election day to the next, years later, then you really do need to carefully vet their personal character and leadership qualities. After all, if you get it wrong, you have to live with the consequences for years, possibly the rest of your life. Hitler voters in 1933, for example, no doubt lived to regret it—assuming they survived the vicious police state he unleashed and the disastrous war he launched. So, I have no trouble

understanding why voters take the character and leadership qualities of candidates for high office so seriously, nor do I have any difficulty seeing why eliminating them as leadership criteria, as SRD would, causes great misgivings.

But there's another way to think about it. First, the large size of SRD juries, its ways of avoiding sampling errors, jurors' guarantee of anonymity, the strict protections against tampering, and, finally, the temporary, strictly disinterested character of jury service all go far toward ensuring that, regardless of the personal preferences and peccadilloes of individual members, SRD juries as a whole are much more likely than career politicians to settle on decisions that put the general welfare ahead of personal animuses, hobbyhorses, greed, and sheer ego. Second, the strict quality protocols placed on the information juries receive, together with the professional assistance provided by jury staff, will help ensure that the decisions they make are both well-founded and well-deliberated, and so at least as likely to be sound as the ones career politicians make . . .

Uhuru: . . . who, it has to be said, regularly sign off on laws, regulations, and policy papers they not only may not have studied closely but often haven't even read. I've actually researched this. When it isn't sheer laziness, it's because they feel they have to assign priority to political business—doing events to raise money, cultivating donors, schmoozing with lobbyists or the media, and so on—leaving them too little time for government business. Or it's because party loyalty obliges them to decide a certain way whether or not they understand or believe in it. Or it's because pressures ranging from threats to their careers from powerful constituents to outright blackmail effectively take the decisions out of their hands—decisions that, for the most part, the less they know about or understand the better, if only for their own peace of mind. Factors like these drain away much of the incentive politicians have to do their jobs diligently, much less with the sterling probity their voters were promised at election time.⁴

Midge: The diligence of individual SRD jurors would of course also be variable, though, as a body, with proper support from staff, they would probably far exceed the level witnessed in politicians today. But the more basic point is that their individual peculiarities of character, whether regarding diligence or anything else, would tend to cancel out overall, so that the only qualities of character applying to juries as a whole, good or bad, would be those characteristic of society generally. And since that means the character of individual juries would be reliably consistent from one jury to the next, making them for all intents and purposes interchangeable, SRD would effectively remove questions of character from the political equation altogether.

Atlas: That's precisely what I fear. I'm sorry, but I can never forgo the idea that our rulers' character and leadership quality matter more than anything, and that the democratic way is for the people over whom they rule to be the ones who get to make that call. Sortition takes that right away from us, whereas elections

preserve it. And that alone seems to me enough to prove the democratic bona fides of elections and put those of SRD in grave doubt.

Midge: Why should you want to cling to a system that forces you to judge the personal qualities of people you don't even know, leaving you entirely at the mercy of the information that corporate mass media choose to provide you, and offering you no other way to confirm your judgments than political endorsements from prominent people who you also "know" exclusively through that same tightly screened, elite-controlled media filter? I see no more reason to believe that the mass media we have today deliver trustworthy, high-quality information about the candidates competing for our votes than they deliver about the products, services, and celebrities competing for our patronage. As for endorsements, we have to remember how the sausage gets made. All the backstairs horse-trading that goes on to get them, secret deals whose terms might well sully those endorsements in voters' minds if they ever found out—which they seldom do, and hardly ever before the time comes to cast their ballots. At best, voters' judgments of candidates' character and leadership qualities have a tenuous basis in reality. At worst, they give us Hitlers.

Cato: It's true. I know people who literally vote for the candidate they'd most like to have a beer with . . . or who seem to always go for the best looking.⁵

Rangi: My parents vote for whoever the church endorses, whatever their party.

Midge: Again, I don't mean to dismiss people's misgivings about leaving the choice of rulers to the lottery. But the bigger gamble by far, it seems to me, is obliging people to judge the merits of total strangers based on low-quality, highly confected information. Instead of fearing the advent of SRD, I think we should embrace a system that obviates the risk by making the personal attributes of political decision makers irrelevant. At the very least, I hope you'll think twice about your attachment to the ideal of electoral meritocracy—a primrose path that far too often turns voters into unwitting abettors of cronyism and corruption.

NOTES

1. There is a growing literature on the use of the internet in democracy, but also a recognition that some of the early hopes of improved citizen involvement have yet to be realized, suggesting the biggest obstacles are political rather than technological. See, for example, Leonhard Hennen et al., *European e-Democracy in Practice* (New York: Springer Open, 2020), 67.

2. Interestingly, the Covid-19 pandemic that began in early 2020 prompted a push to see if jury trials could be carried out remotely, with the British charity Justice testing fully remote jury trials (see: Justice, "JUSTICE COVID-19 Response," JUSTICE, October 13, 2020, <https://justice.org.uk/our-work/justice-covid-19-response/>).

Additional cases are discussed in Richard Susskind, *Online Courts and the Future of Justice* (Oxford: Oxford University Press, 2019) and Zbynek Loebel, *Designing Online Courts: The Future of Justice Is Open to All* (Alphen aan den Rijn: Kluwer Law International, 2019). Together with innovative approaches to public discussion of the kind considered in note 6 of chapter 2, experiments like these might serve as models for experimental SRD.

3. There are a variety of rules and enforcement mechanisms that SRD bodies could opt to impose on themselves to ensure the integrity of the system. Bureaucrats subject to SRD control and oversight might be tasked to monitor jurors during proceedings and for a period thereafter in order to detect irregularities that raise red flags—unusually large deposits into a bank account, heightened expenditures, unprecedented investment success, promotion several steps up, a new job at far higher salary, and other signs of malfeasance, whether involving jurors themselves, family members, or close associates. Sting operations and other law enforcement techniques might be employed to expose outside interests that seek ways to bribe or threaten members of SRD bodies or staff in ways that might otherwise go undetected. Jurors would also need to be examined for conflicts of interest and reassigned if any are detected; so too if their anonymity is blown; and any other measures that are deemed essential to maintaining the integrity of the jury system in the eyes of the public. See also note 1 of chapter 7.

4. In her paper proposing a “Read-the-Bill Rule” for Congress, Hanah Metchis Volokh cites several examples of bills in the U.S. Congress that went largely unread by those voting on them, including that of the Waxman-Markey cap-and-trade bill of 2009, which was more than 1,500 pages long. “By the time the vote occurred, there was no complete copy of the Waxman-Markey bill in existence anywhere” (“Read-the-Bill Rule for Congress, A,” *Missouri Law Review* 76, no. 1 (2011): p. 136). Volokh’s anecdotal evidence was supported by research on legislators in England, Scotland, and the United States conducted by Brian Christopher Jones, though he ultimately opposed a “Read-the-Bill” style mandate, arguing that politicians’ lack of understanding of legislation was of less concern than “where lawmakers are getting their voting cues” (“Don’t Be Silly: Lawmakers ‘Rarely’ Read Legislation and Oftentimes Don’t Understand It . . . But That’s Okay,” SSRN (*Penn State Law Review*, November 2, 2013, p. 21).

5. See Chappell Lawson et al., “Looking Like a Winner: Candidate Appearance and Electoral Success in New Democracies” (*World Politics* 62, no. 4 [October 2010]), Alan Renwick and Jean-Benoit Pilet, *Faces on the Ballot: The Personalization of Electoral Systems in Europe* (Oxford: Oxford University Press, 2016), and Michael Bruter and Sarah Harrison, *Inside the Mind of a Voter: A New Approach to Electoral Psychology* (Princeton: Princeton University Press, 2020). Hélène Landemore nevertheless mounts a stout defense of the wisdom of crowds in *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many* (Princeton: Princeton University Press, 2012).

Chapter 5

Phase Three

The Ruling Assembly (Demarchy)

Moderator: This seems a good time for a question submitted by the mayor of this fine city, Lu Itu. It's on video, so I'll put it up on the big screen.

Mayor Itu: “Tēnā koutou katoa! Greetings to you all! As an elected official myself, I know first-hand that leaders cannot afford the luxury of focusing all their attention on any one issue, much less linger over it until the spirit moves them to do something. Someone needs to be in a position to act, and act quickly, not just on one problem but on many at once. It's a 24/7 job. Just this summer, we've had to deal with the collapse of a major road bridge, a water shortage, gridlocked streets, a bus strike, and a homelessness problem exacerbated by economic difficulties related to the pandemic, just to mention a few of the city's recent challenges. In my experience, the proverbial excrement hits the fan on a daily basis, requiring me to take action on multiple fronts, and then see to it that my orders are followed and things actually get done. How could any city, much less a province or country, possibly manage its affairs successfully without someone of proven leadership to take charge and be held accountable? I cannot for the life of me see how juries could be expected to assume real, direct authority and exercise power effectively or expeditiously. While I consider myself as democratic as anyone, I'm firmly against your fantasy of rule by jury. Now, I look forward to tuning in tomorrow to be told how wrong I am!”

Midge: Thank you, Mayor. I take your point that leaders are an absolute necessity of government, not only in the face of a mountainous bureaucracy with massive built-in inertia but to deal with emergencies and other matters that can't wait for juries to decide. But I don't see why that means we need to elect those leaders. If we are true democrats, we will want to get them from governing assemblies chosen by sortition. That would place the day-to-day running of government under the permanent control of ordinary people who could be relied on to put

the interests of people like themselves ahead of even the most powerful special interests.

Cato: Juries, assemblies . . . I gotta say, I find it all a bit confusing. How can assemblies be expected to provide better leadership than juries or any other collective body? Both put me in mind of the old adage about camels being the result of a committee's attempt to design a horse. Government, like businesses and the military, needs a clear chain of command, and that means one person at the top calling the shots, with the authority to see that decisions are properly carried out and who can be held accountable when things go wrong.

Midge: Let me try to untangle your jury-assembly confusions and, all going well, address Mayor Itu's concerns at the same time. Juries are best for focused, long-term examination of discrete issues such as the environment (how do we get off fossil fuels?), long-range planning (what kind of transport network will we need twenty years from now?), policy formulation (can we afford to include dental care in publicly funded medicine?), organizational matters (should Energy be folded into Environment?), internal relations between different sub-groups of society (how should one of the country's main religious minorities' demands for greater self-determination be addressed in the interests of all?), and so on. But for the kind of matters the mayor is talking about—the many short-term exigent matters needing to be dealt with on a daily basis—juries are, I agree, ill-suited. So, under SRD, the mayor's place, along with the rest of the city council, would be taken by a local assembly chosen by sortition; the region the city is in would replace its elected officials with a sortitive regional assembly; and, at the top, a national assembly would take over the presidency, cabinet portfolios, and whatever other offices it decided would be better filled from its own ranks than by appointees.

Uhuru: You're saying SRD assemblies would work more like the elected officials they'd replace than juries?

Midge: That's right. Let's start with the mayor's bus strike example. An SRD city assembly might step in and force a settlement with the bus company—or fire the strike leaders, or fire the heads of the bus company, or seize control of the bus company itself, options I suspect the mayor and members of the council considered at one time or other, though in the end as I recall they resolved the strike-through mediation. An SRD regional assembly might deal with a mid-winter shortage of heating fuel by cutting a deal with another region that had a surplus. And a national SRD assembly might respond to sanctions imposed by the U.S.-bloc by cutting deals with the Chinese, Russians, and other countries to help keep the economy afloat until the country's economic independence could be better secured. So, where juries' briefs would center on matters of longer-term governance, more like legislatures and judiciaries today, assemblies would generally focus on pressing short- and medium-term governance issues, more like executives and agencies. That's the basic idea, but the precise

divisions of power between juries and assemblies would need to be worked out democracy by democracy, sometimes constitutionally, sometimes by enacting laws, sometimes by adapting pre-democratic arrangements to new democratic circumstances, and sometimes ad hoc.

Uhuru: That helps, but—and I’m shocked to hear myself say this—I think I agree with the mayor and Cato about the need for individual leadership and accountability, especially in a crisis.

Cato: (Harumphs.) Well this is certainly a first. *(To Midge.)* And you haven’t yet explained the difference between juries and assemblies from the perspective of the people who’d serve on them.

Midge: Let me start with Cato’s query and then circle back to Uhuru’s. *(Clears her throat.)* SRD jury service wouldn’t be all that different from serving on a trial jury: part time and short term, usually a matter of days or weeks, occasionally months, never longer. Assembly service, by contrast, would be far more demanding. People who run a nation, region, or city have to be at their jobs every day, even when that means working nights, weekends, and holidays. They also need sufficient fortitude to deal with the heavy responsibilities they’d be asked to bear. And, perhaps most importantly, they need to be level-headed and self-confident enough to respond to crises quickly, decisively, and effectively. The demands of assembly service relative to jury service also create a need for longer periods of service, both to ensure continuity of government and to allow time for those best suited to take leadership roles to emerge. For if the assembly is to manage day-to-day government operations effectively, it must be able to rely on those among its membership who are most skilled at changing minds, forging compromises, and, above all, constructing majorities. That’s why I recommend three-year terms with one third rotated out annually.

It’s also important that assemblies number in the hundreds or more, even in relatively small polities. One reason is that they have to be sufficiently numerous and versatile to staff the upper echelons of entire branches and departments of government. Another is that high numbers are vital to maintaining assemblies’ democratic legitimacy, since it gives each citizen a decent chance of serving on their local, regional, or national governing body at least once in their life.

Cato: Yeah, I got all that from the book. But I still don’t feel I have a firm grasp on what assembly service would be like. Say my number is drawn.

Midge: As with jury service, the process would start with a summons, but since this time service consists in the actual rule of your country, region, or city, and so a share in the power hitherto reserved for presidents and cabinet ministers, provincial governors, and big-city mayors, the summons would be even more like winning a lottery—if, that is, the idea of exercising wide-ranging political authority for an entire triennium appeals to you. If it doesn’t, and the idea of bearing huge responsibility and sacrificing three years of your life to hard labor terrifies you, you are of course free to decline. Indeed, since the refusal rate for

assembly service is apt to be quite high, there would need to be sweeteners. In addition to higher pay, there would have to be an ironclad job guarantee of the same or equivalent work upon exiting assembly service, and personal needs of the kind involved in years-long commitments would have to be met in ways that alleviate as many cares as possible so that otherwise willing selectees do not feel obliged to decline.

Cato: Deluxe treatment, then—though nothing compared to the limo-life today's leadership class lives. O.K, let's say I agree to accept assembly service. What then?

Midge: Once the annual quota of new members is met, they need to be brought up to speed by colleagues with another year or two of service remaining, as well as by assembly staff and officials from various government departments. This kind of orientation process already happens with freshmen legislators, so much of it is fairly well worked out. In the case of our assembly, it would include helping new members select a department where they would join a committee of assembly members to take on the jobs ministers and cabinet secretaries do today. They would also choose which subcommittee or -committees to sit on within that department to help run its various branches and subbranches, the idea being that assembly members be sufficiently numerous to penetrate as far down the bureaucratic hierarchy as they see fit to ensure that the civil and military bureaucracies are everywhere responsive to democratic authority.

Atlas: With respect, I still don't think your detour has answered our main question: if everything is done by the committee, who will lead and take final responsibility? Ordinary people with no preparation or training seem to me far more likely to panic and fall into chaos during a crisis than to deal with the situation soberly, intelligently, and expeditiously.

Midge: Before we go any further, I think we need to acknowledge that there's a psychological component to many people's opposition to demarchy¹ that runs quite deep. If you are someone—and let me make clear, I'm not directing this at any of you—but if you are someone who has a loathing for society's lower orders, or simply can't help looking down your nose at those less educated or well-spoken than you, or if for any other reason you have an instinctive aversion to elevating ordinary people to decision-making roles, then you cannot help but abhor the idea of demarchy, where they control *all* the levers of power. You may not want to out yourself as anti-democratic. You may prefer to cloak your demophobia in meritocratic language. But let's be honest: your real political preference is for any system, be it elections or any other, that keeps ordinary people as far from real power as possible. In fact, if truth be told, you'd probably be happy to do away with trial juries as well.

But even if that kind of thinking plays no part in your opposition to demarchy, I believe you woefully underestimate your fellow citizens if you think they are any less capable than the ancient Greeks of organizing themselves into a

democratic assembly that is as fit to call the shots and prime the bureaucracy as the undemocratic, elite-controlled regimes that rule the world now. After all, with highly professional ministries to lean on, governing a modern state is not that high a bar, even if governing it well and at the same time democratically. That's why I think democratic assemblies chosen by sortition and functioning according to SRD protocols could be counted on to deliver political leadership equal or superior to the best oligarchic forms of government today, elective and nonelective alike.

Uhuru: Hear, hear! Anyone who believes their fellow citizens aren't up to the task and prefers government as it is now, run entirely by elites, is actually conceding that what people nowadays like to call "democracy" isn't that at all—that government of, by, and for the people no more exists today than the moa or the mastodon.

Atlas: Hey, I had started to think that you were on my side! That didn't last long . . .

Uhuru: I'm not on anyone's side. I guess I've lost some of the reverence for meritocracy I had going in . . .

Cato: Becoming tepid in your liberalism, eh?

Moderator: Let's not get off track. Midge, you were saying.

Midge: For anyone who's still skeptical whether demarchy can produce worthy leaders, consider these facts:

Fact #1. Each assembly's members would include a broad mix, some of whom, perhaps unbeknownst to themselves, are blessed with abilities that make them naturally suited to lead. If the skills are latent, the assembly is the ideal forum to elicit them. Indeed, given the importance of leadership to any governing body, effort could be devoted to identifying such people, so that their emergence into prominence in the assembly was not left to chance but intelligently managed and promoted.

Fact #2. A subset of those naturally equipped to lead would also be endowed with rhetorical skill. They are the ones most likely to emerge as the principal leaders in any body where leaders' chief task is to convince a majority to support the measures they favor.

Fact #3. In a democratic assembly consisting overwhelmingly of ordinary people drawn from every walk of life, all of whose identities are masked by avatars and synthetic voices, winning majority backing could not be achieved through good looks, appealing manner, friendliness, a gift for banter, or personal charisma, much less by appeals to identity, shared background, occupation, institutional affiliations, or anything else of that kind. Instead, orators would have to rely solely on reason to convince a majority of the assembly that the measures they champion do not sacrifice ordinary people's interests to those of the wealthiest and most powerful. And since these measures have to be able to withstand any and all challenges, not only from fellow assembly members

but from the viewing public as well, advocates will be expected to demonstrate their merits using facts and figures that the majority can agree are both genuine and germane.

Put all this together and you have a leadership structure able to command majority support, not just from the assembly itself but from the people at large, even for the most urgent, controversial decisions governments are obliged to make.

Rangi: It may sound egotistic of me, but I confess I'd love a shot at leadership—though I'd never for a minute consider running for anything, where I'd have to go out and shill for votes. Think of all the hate that gets directed at anyone who stands for election—raking up past sins, character assassination, smears directed not only at the candidate but their family and friends—just the pervasive cynicism of it all. But under SRD, with all its protections and protocols, I wouldn't hesitate, if I was picked for an SRD assembly, to use whatever energy and talents I have to vie for a leadership role in support of the policies I believe in.

Midge: There are more people than you might think who'd absolutely shine if given a chance to lead in an SRD assembly.

Cato: You still haven't said how emergencies would be handled. Say, enemy missiles are reported launched. Whose finger will it be on the nuclear trigger? Or a previously unknown disease suddenly breaks out that starts killing huge numbers of people. How would SRD organize itself to deal with matters so urgent they couldn't wait for the assembly to meet? Who takes command?

Midge: To deal with emergencies, the assembly might establish a small rotating committee of experienced third-year members who'd be on call 24/7 and vested with full authority to respond at a moment's notice. Like today's heads of government, they would get together with the heads of the relevant portions of the civil or military bureaucracy to develop an immediate response to the crisis and see to its implementation. If any less urgent, but still pressing matters remained, the emergency committee would also have the authority to call the appropriate assembly committees or the full assembly into special session.

Atlas: I'm afraid I still can't help finding it absurd that an assembly of regular Joes and Janes, even a thousand in number, could produce the level of leadership needed to govern a complex modern state.

Midge: Why not? Think of the caliber of leaders the democratic assembly of ancient Athens produced—people like Themistocles, Pericles, and Demosthenes, whose abilities to attract democratic majorities to do the most amazing things have few parallels in history. That's what demarchy, adapted for modern conditions by SRD, could do for the quality of leadership today.²

Atlas: I come from a long line of non-elites, as you call them, so I would never for a moment think people from my background couldn't hack it as leaders. But I

strongly believe that leadership roles have to be earned. I'm fairly confident I'm one who could step up, stand for Parliament one day, and, who knows? Maybe even get to the top. Why won't you admit that leadership born of individual effort is unique and irreplaceable? That its loss would leave a void no random selection could possibly fill? And what does someone like me do—working her butt off to someday be worthy of a position in the leadership of this country—wait by the phone?

Midge: SRD doesn't mean the end of political careers. You might well become the leader of a political movement championing the policies you support, and eventually head an alliance of like-minded movements. Or you could work your way up the bureaucracy to a high position in a major ministry by dedicating yourself to ensuring that decisions democratically arrived at get implemented as they were intended to be.

Moderator: I have a related question from a viewer: "One of the principal tasks of a government is selecting worthy people to fill positions at the highest level of the civil and military bureaucracies: civilian commanders in chief in war time, ambassadors, negotiators of important treaties, agency chiefs, and similarly vital tasks requiring people of proven leadership and ability. Even an assembly of hundreds couldn't take on all those roles and run a massive modern state bureaucracy at the same time. So, how would these positions be filled under SRD?"

Midge: Each SRD polity's assembly will want to divvy up the administrative pie its own way. Appointments assemblies chose not to fill from their own ranks could be made by calling on persons of proven leadership and democratic reliability from previous assemblies and other areas of SRD service, including people in the upper echelons of the bureaucracy of proven skill, integrity, and loyalty. Relevant experience and personal merit would be the only deciding criteria, in contrast to today when such appointments are often given to cronies, or as rewards to powerful backers, or—more often than we may think—as ways of sabotaging popular policies and programs politicians secretly wish to terminate but don't want to be blamed for.

Moderator: How would the assembly go about filling positions of the sort that require decades of experience but are typically considered apolitical—like judges and prosecutors, generals and admirals, people to run the banking system and oversee state-owned enterprises, chief engineers and lab heads, managers of rail, road, ocean, and air transport networks, consuls, agency watchdogs, and so forth? And given the number of these sorts of jobs in a modern state, would that leave it time for anything else?

Midge: Like the ancient Athenian assembly, SRD assemblies would probably opt to fill high positions that require specialized knowledge by election rather than by lot. They would choose among candidates vetted by specially tasked assembly committees or juries, aided (as necessary) by expert advisors, with

submissions and nominations welcome from all, both inside the government (including the assembly itself) and the public.³ In the case of second- and third-tier offices, however, it might be more practical to delegate appointments to bodies other than assemblies. Democratic oversight could still be provided by establishing permanent standing juries tasked not only to vet all hiring, firing, and promotion decisions but also to monitor civil and military bureaucrats' job performance, including fielding and evaluating complaints from both inside and outside the government. Fresh blood as well as a measure of continuity could be assured by rotating out half the jurors every three or six months. Most governments already have these kinds of public service commissions, but as they tend to be filled with political appointees rather than people randomly selected from the population at large, they are ill-suited to play the role SRD standing juries could be counted on to perform: keeping the bureaucracy, military and civil alike, on a tight democratic leash.

Moderator: Let's take another question from the audience. Over on my right . . .

Questioner: My name is Quentin. I'm retired now, but I worked 35 years at Treasury. SRD's Achilles heel, it seems to me, is its total dependence on government bureaucracies. We bureaucrats always think we know better, and, truth be told, more often than not, we do. We have insider knowledge of everything that goes on, and the experience and know-how to make government work . . . or not . . . as we see fit. What's more, at the higher echelons where I ended up, the appetite for power is ravenous, along with the resolve to get the budgets needed to wield it, by hook or by crook. I fear that ordinary people, even more than the greenest elected officials, would be lambs to the slaughter. How could jurors and assembly members possibly prevent bureaucrats from thwarting their best impulses and commandeering the authority SRD vests in them to serve other, more parochial ends?

Midge: While I share the concern, I question your premise that scores of jurors or hundreds of assembly members of widely varying background and experience could be so easily duped. In such a number, there are bound to be ex-bureaucrats and others wise in the ways of officialdom who would spot attempts to manipulate them and alert their fellows. There would also be savvy members of the viewing public who would warn jurors and assembly members whenever they detected the slightest hint of bureaucratic mischief. But O.K., let's say the bureaucracy is run by such clever people that they find ways to evade these checks on their power. The question I would ask is whether, under SRD, they'd even want to.

Quentin: How's that?

Midge: Just imagine you served in a bureaucracy with full democratic accountability at the top and a solid wall insulating everyone in it, from top to bottom, not just from the kind of pressures they are under today from careerist politicians and their appointees—who wouldn't exist in a demarchy—but from the

rich and powerful outside the government. On the one hand, your randomly chosen, non-careerist SRD ministry chiefs would never ask their subordinates in the bureaucracy to act in ways other than those democratically mandated—which, if nothing else, means never being asked or expected to put special interests ahead of the interests of ordinary members of the public. On the other hand, SRD would legislate, regulate, implement, and enforce measures that together would go far to eliminate the kinds of corruption that poison bureaucratic life today, particularly among the upper echelons. These measures would have the further effect of encouraging self-aggrandizing, status-seeking high-flyers to pursue other careers, whereas qualified people with a genuine vocation for public service and fidelity to democracy would line up to get in. That’s how I expect democracy to get the public servants it needs and deserves.

Rangi: What are the actual bricks and mortar you’d use to build that solid wall?

Midge: I’ve already talked about closing the revolving door to lucrative gigs in the private sector. Other measures might include (*counting off on her fingers*) keeping careful watch to ensure that bureaucrats could not avail themselves of lobbyists’ lures and blandishments; coming down hard on any who failed to recuse themselves in cases of conflict of interest; make profiting from insider information not only a firing offense but a serious crime; stamp out nepotism and all other forms of favoritism in hiring and promotion; and institute a blanket ban on titles, honors, exclusive memberships, and preferments of every kind.

Cato: No more Sir Humphreys, eh?

Atlas: Grrrrrr. If you ask me, no good can come of creating so powerful and determined a state apparatus. Before you know it, bureaucrats will be poking their noses into every aspect of life, even more than they do already.

Midge: I think you may be missing the forest for the trees, Atlas. Democracy isn’t socialism; it doesn’t inherently require a large state apparatus. But if the government’s size concerns you, even a state apparatus as democratically accountable and incorruptible as SRD would create, then all you have to do is convince a majority of your fellow citizens to use the authority SRD gives them to keep the state small, and pare it down whenever it grows too large and intrusive. The question is whether, in your heart of hearts, you are a true democrat, willing to leave that kind of choice up to ordinary people, or whether you prefer a “meritocracy” in which the upper echelons of the bureaucracy and credentialed elites make the choice for them.

Uhuru: You see, Atlas, Midge’s idea is to combine the two: with an incorruptible bureaucracy attuned to SRD’s democratic ethos, you get meritocracy without the undemocratic drawbacks of the current system.

Cato: I’ve never been all that attached to meritocracy. That’s a liberal shibboleth. But meritocracy with a democracy to ride roughshod over it doesn’t seem to me a bad thing at all . . . I mean, if you’ve got to have a bureaucracy at all.

Moderator: I hate to interject myself into what looks like becoming a democracy lovefest, but I'm still getting complaints about not taking enough questions from the public. So let's hear now from someone in the audience. You, over there, tell us your name and what you do . . .

Questioner: Hi, I'm Kareena. I work as a cardiac surgeon at a state hospital. My experience with the bureaucracy has been anything but good. No matter how often my colleagues and I complain, nothing changes at the health ministry. Your book speaks of SRD imbuing the government with a democratic spirit. But where specialist knowledge is required, there's only so much randomly chosen ordinary people can accomplish in the face of recalcitrant bureaucrats and other entrenched obstacles to change. So, please tell me why SRD wouldn't just be another case of nothing ever changing.

Midge: In affairs of state that require specialized knowledge, randomly chosen lay-people can only hope to exercise political power effectively if they can call on scientists and clinicians to advise them on health programs, engineers to advise them on infrastructure projects, agricultural experts to advise on food production, and so on. One way of democratizing the process would be to impanel specialist SRD juries. Though still chosen by sortition, they would be drawn from pools limited to those with the required expertise. Surgeons are a good example. A democratically chosen jury of surgeons would consist not only, or even mainly, of prestigious surgeons from leading hospitals and medical consultancies, as tends to be the case with the government advising today. Instead, it would randomly draw from surgeons of all kinds, from neophytes to retirees, whether practicing in rural clinics, inner cities, the front lines of wars, or plush suburbs. They would bring to their deliberations a far wider variety of perspectives, backgrounds, and experience than tends to occur when government advisory boards are selected by career politicians and their appointees. And an important part of their job would be to field complaints from fellow professionals like you, with full authority to intervene on your behalf with the government.

Uhuru: How would the specialist advisors get juries of ordinary people to understand and act intelligently on complicated matters? My mother never understands what her doctors tell her; that's why me or one of my sisters always have to go with her.

Midge: Once the specialist jury agreed on a set of findings, they would collaborate with jury staff to translate them into terms comprehensible to ordinary jurors, some of whom could then join with staff to help bring people like your mother up to speed. It wouldn't be perfect, but what governing system is when it comes to integrating expert advice into non-expert decision-making? At least with SRD there would almost always be a majority able to put the information provided by specialist juries to good use.

Rangi: You've mentioned the military a number of times. Democratizing the military has simply got to happen or they'll strangle SRD at birth and revive the

old system, like they did in Egypt, Bolivia, Myanmar, and . . . um . . . Well, you get the picture.

Midge: I'm totally with you there. My suggestion is to redraw the lines of authority so that military and security advisory matters currently routed through top commanders and agency heads would instead be assigned to specialist juries randomly chosen from all ranks and every kind of unit, as well as nonuniform employees from boffins to office workers, technicians, and maintenance staff. These SRD bodies would be the highest military and security advisory authorities; all military and security contact with the government would have to be channeled through them. They would be scrupulously protected from interference by top commanders, agency heads, and senior management, not only by anonymity but also by vesting them with the authority to call their superiors to heel when it came to ensuring their subordination to civilian democratic authority. At the very least, SRD military and security juries would help to instill a democratic ethos in the parts of the bureaucracy that pose the greatest threat to the new democratic order.

Moderator: Time now for a question from a viewer: "I think everyone should have an equal say in democratic decision-making, or else it's not really democratic, is it? So, will the public have a role in assembly government, and if not, why not?"

Midge: If we are going to create an assembly to represent the people's interest in matters of day-to-day governance, then it seems right that we should leave the decisions to them. After all, that's the deal under SRD: assembly members agree to give up years of their life to devote themselves full time to the business of governing, with all the hard work and burden of responsibility that entails, in exchange for the rest of us awarding them the final say on the matters that come within their purview. That doesn't mean the public couldn't still play an important role. Indeed, I think that assembly members should regard it as a duty to use part of their debate time to convey suggestions and raise questions submitted by members of the public ahead of time and by viewers of assembly proceedings watching in real time. And sometimes it might also be a good idea to invite viewers to participate in spontaneous, nonbinding polls.

Moderator: Cato, you look like you have something you want to say.

Cato: All this talk of bureaucratic organization, supervision, appointments, and advisory roles is well and good, but I want to ask about a different aspect of government that seems to me just as important.

Midge: Sure, fire away.

Cato: I'm no admirer of the current set of royals, and I can take or leave the Pope and lots of the Bishops, but, as one who values tradition deeply, I want to see it maintained. But, I gotta say, I'm having trouble seeing how SRD, with its CGI avatars, synthetic voices, and seven other veils of concealment could possibly take on that role.

Midge: It is one thing to ask the impossible of democracy, that it share power with monarchs, high clerics, or other august personages, and quite another for it to embrace them as figureheads, if the people desire it. SRD would have no difficulty welcoming eminent people to continue performing their traditional functions of pinning medals on heroes, anointing officials about to embark on important missions, christening ships, dedicating hospitals, and all the rest. I too believe that traditions the people hold dear, governments should as well, and democratic ones most of all. But the example of ancient Athens should banish any doubts whether democracies can accommodate patriotic ceremonial with unrivaled aesthetic panache. Though, of course, reverence for tradition cuts both ways: it was their unquestioning adherence to long-established Greek practices that led Athenian democrats to retain slavery and deny political rights to women.

NOTES

1. For our purposes, “demarchy” (literally, the people rule) may be defined as a democratic political order in which the people, the vast majority of whom are not elites, not only hold title to political power but also exercise it, directly or through democratically selected representatives, to govern, legislate, regulate, enforce, and adjudicate. In contrast to other, less literalist definitions of the term, we do not identify demarchy with sortitive democracy (to the exclusion of direct democracy and non-sortitive yet still democratic representative systems), but we do restrict it to *pure democracy*, that is government 100% under the control of the non-elite majority. Thus, demarchy contrasts with *mixed democracy*, in which non-elites control some but not all branches, departments, and levels of government (i.e., the people rule sometimes but not always).

2. “Critics, both ancient and modern, have attacked and ridiculed a system whereby men, no matter how humble their social and economic position, had through the vagaries of sortition an equal opportunity to share in many aspects of administering the state with the classes more favored by birth and wealth. The incredible achievements of Athens in the fifth and fourth centuries [BCE], made possible by the free and open society which was created and fostered by its liberal governmental institutions, furnish the most effective rebuttal to these criticisms.” (Fine, *The Ancient Greeks*, 405) It should be said that the Athenian assembly, unlike the sortitive assemblies proposed here, was not in charge of day-to-day government business but instead met infrequently and operated as a direct democracy. Regular government business was dealt with by other bodies, staffed by sortition except for the few offices that required specialized skills such as military commands, which were filled by election.

3. In contrast to the Athenian assembly, the vote on elective appointments under SRD would be limited only to those whose names had been drawn to sit on the responsible assembly (though SRD would not prevent an assembly from deciding to open up voting to everyone in particular cases). Is that undemocratic? We have to ask

ourselves how many people, overburdened by personal and professional demands, would want to add to their regular load the huge business of government appointment making. In ancient Athens, the number of elective appointments was small, and few if any were remotely as specialized as those governments today are obliged to make. The only practicable way to control the process—vet, review, assess, and ultimately choose among a multitude of candidates for scores, possibly hundreds of highly specialized top government positions—is indirectly, through representatives. Given that reality, the only way it can be done democratically is for the appointments process to be controlled by bodies composed of people randomly selected from the general population. And since they would require support staff and expert advice to decide wisely and well, a system like SRD seems to us best suited to manage the process both effectively and democratically.

Chapter 6

International Democracy

Foreign Affairs and War

Moderator: In your book, you describe the fourth phase of SRD that you expect to proceed concurrently with the other three: democracy at the international level. Could you give us a brief overview?

Midge: Just as defenders of democracy have to overcome oligarchic resistance in order to take power in their own countries, they will need to do the same at the international level. Bodies like the United Nations (UN), the World Trade Organization (WTO), the International Monetary Fund (IMF), and the World Bank are controlled by oligarchs and politicians captive to oligarchs without even the pretense of a democratic say for ordinary people. The same applies to regional international bodies like the OAS, ASEAN, the Arab League, and the OAU. The European Union is little better, and in some ways worse. And I need hardly add that nongovernmental organizations, or NGOs, are often no more than cutouts for governments, large corporations, or wealthy individuals; and even where they are genuinely independent, their extensive reliance on governmental and other elites for funding and a place on the table has left nearly all of them severely compromised.¹

It is true that where international bodies include representatives from countries with electoral systems, the usual claim of democratic legitimacy is made. But we have already seen how far such systems fall short of true democracy at the national level, where voters at least have a say once every few years, and such claims are even more laughable at the international level where they have none at all. Clearly, the international order is exactly as it was intended to be: oligarchic and wholly undemocratic.²

The good news is we don't have to wait until SRD has spread across the globe to start replacing undemocratic international institutions. My proposal is that democratization proceed on two fronts. First, countries with SRD systems should institute international juries and assemblies as soon as practicable to

start creating an international order specifically adapted to SRD. These bodies would democratically manage everything from fisheries to space exploration, including democratic equivalents of the WTO, IMF, and UN bodies like UNICEF and WHO. Using state-of-the-art translation technology to permit real-time communication via the internet, international SRD bodies could settle disputes among democratic countries as well as forge common positions to present a united front—a democratic bloc, if you will—to an undemocratic world of multiparty elective oligarchies, single-party dictatorships, and autocrats of varying stripes. The idea is simple: rather than trying to make do with existing international institutions created by and for elites, democracies are far better off launching a new international order suited to rule by juries and assemblies controlled by ordinary people, culminating in a democratic equivalent of the UN General Assembly.

Alongside this, democracies would replace the representation of their countries in existing international bodies with democratically selected delegations. Delegates at ambassador level would be nominated and controlled by SRD standing juries charged with oversight of particular areas of foreign policy, while SRD national assemblies would choose among ambassadorial nominees, deal with day-to-day running of relations with undemocratic states, and act for their nation in international crises.

These parallel international systems would persist until democratic countries had sufficient strength for further participation in elite-controlled international institutions to lose its point. They would then start withdrawing from one after another, until those institutions became so weak and ineffectual that holdouts would have even more incentive to turn themselves into democracies.

Cato: I'm wary of all international bodies. I suppose you could say I'm not far from being an isolationist—good relations with all countries yes, entangling alliances no.³ We're all much better off minding our own business. I imagine most people think that way too, especially when it comes to war. Wars are always launched by governments, not regular people. So, any system that puts lots more regular people into the running of foreign affairs is, I reckon, a good thing. And, as a veteran, I never want to see my kids go off to war, certainly not another “war of choice.”

Uhuru: I'm sure we all feel that way . . . if we're not psychopaths. I'm a patriot. I'd defend my country to the death if it were attacked. It's offensive wars I'm against. But our current international order seems to be all about going on the offensive and pretending it's defensive. All the same, I think you're maybe painting too rosy a picture of foreign affairs under SRD. Wars wouldn't end even if democracies blossomed all around the planet.

Midge: No doubt. But I do think they'd be a great deal rarer and that the ones that did break out would end more quickly, with less devastation than now. You only have to ask who stands to gain from endless war and imperialist expansion and

who doesn't. Weapons makers love war, as do their financiers. So too big oil companies and other resource-hungry corporations, as well as civil and military bureaucracies greedy for more power and, of course, the media who attract massive viewerships to watch their video of planes firing missiles at enemy ships, tanks blasting enemy troops, and bombs falling on enemy cities.⁴ By contrast, ordinary people generally don't gain by military spending and war, even in aggressor states. They're the ones who put life and limb on the line; and they're the ones who have to do without schools, health care, infrastructure, and the quality of life they'd have if they didn't have to keep pouring in more and more of the little they have to feed the war machine. And let's not forget the labor and brainpower that could be used to improve lives instead of taking them.⁵

Rangi: Still, you shouldn't underestimate the extent to which ordinary people are on board with imperialism and war—at least the ones living in the wealthy West. Cato and Uhuru both sound like nationalists to me, and it's nationalism that gives leaders the political cover they need for their forever wars. Not to mention that throughout history many of the most vicious, predacious colonialists and imperialists came from “the lower orders.”

Midge: Keep in mind that SRD juries and assemblies are duty-bound to submit themselves to protocols and procedures that guarantee that their decisions are well informed and reached only after due deliberation. Even if the general population was consumed with war fever, its ruling democratic bodies would still be required to gather testimony from all sides, thoroughly digest the information they are given, and provide a detailed account of the reasons underlying any decision they make to resort to hostilities. That would oblige them to consider the harm to ordinary people like themselves that is likely to result from the use of weapons in the arsenals of both sides, economic as well as military. By the time all the costs of conflict were fully weighed—who would gain, and, most importantly, who would end up paying—war fever would hopefully have had a chance to abate, letting cooler heads prevail.

Atlas: Let's say that's true, and SRD would tip the balance against war, in contrast to the forces that tip it the other way today. Couldn't that backfire by weakening the country's ability to stand up for itself on the international stage? Relations between states, more even than international football, is all about rivalry and competition, but with far higher stakes: holding strategic territory, controlling key resources, and dominating others economically. How can we possibly expect countries run by ordinary people to compete against states whose rulers are far more ruthless, power hungry, and determined to prevail? What makes you think they could compete at all, much less come out on top?

Midge: Any members of SRD bodies dealing with foreign relations who naively didn't realize that other countries play for keeps would soon be brought up to speed by their colleagues, by staff, by the civil and military bureaucracies, and by the

informed public. They would quickly come to appreciate that the world's ruling elites perpetually engage in no-holds-barred competition, with one side forcing the other onto the defensive the minute it displays the least weakness or lack of resolve. Once they were clear about the challenges facing them and the stakes involved, I have no doubt that SRD juries and assemblies would respond forcefully, use the tendency of contemptuous elites to underestimate them to their advantage, and even, when circumstances warranted, take the offensive themselves. That said, the more democracies there were, the more the incentives would favor nonviolent accommodation and stability over the reckless use of aggressive tactics in pursuit of the winner-take-all strategies typical of the undemocratically run regimes contesting for power in the world today—regimes that put us all at risk of Armageddon.

Moderator: I have a question on precisely that from a viewer: “My greatest concern is nuclear war. The slight progress made in the Cold War to ease tensions is now mostly on the scrap heap, with nothing remotely in sight to take its place. Tensions have risen to new heights, new weapons of the most destructive kinds are being built or planned, and nuclear confrontation lines have expanded across the globe, even into outer space. Sooner or later, nuclear war seems certain to break out somewhere on the planet, whether by accident, the desperation of the losing side in a conventional war, or the astronomical arrogance of the side that thinks it can come away victorious by launching a first strike. Could SRD help to put an end to these games of nuclear chicken?”

Midge: Sit any ordinary person down and explain to them what thermonuclear weapons do, and how using not all that many to obliterate enemy cities would ignite firestorms so cataclysmic that they would trigger a global nuclear winter capable of destroying most plant and animal life on the planet, humans included. Then brief him or her on the history of how often leaders of nuclear powers have deliberately gone to the brink of war with other nuclear powers, and how many times nuclear wars have nearly happened due to “accidents” lower down the chain of command. Finally, describe the immense expense of those weapons and the infrastructure they require, the uniquely dangerous pollution that results from their manufacture, how neither they nor their waste can be safely transported or stored, plus the real risk of weapons or weapons-grade radioactive material being stolen and used by terrorist fanatics in mass casualties attacks. If SRD came to power today, I have no doubt that juries of well-informed ordinary people with no power bases or career stake in politics, who could be neither bribed nor threatened by pro-nuclear interests, would do everything in their power to eliminate those weapons without delay. And if that isn't a decisive argument in favor of the immediate abolition of electoral systems everywhere and their replacement with SRD, I don't know what is.⁶

Moderator: Another viewer wonders whether a shift to democracy might see imperialism perpetuated and enlarged, as happened when ancient Athens went from oligarchy and tyranny to democracy.

Midge: There is nothing about SRD that would prevent imperialism from flourishing if non-elites supported it. The question is whether they would once they were properly informed as to its true costs and risks, at least where ordinary people are concerned. Empires are extremely expensive to maintain and defend. If countries in the U.S.-bloc or any other empire ever went democratic, and it was up to ordinary people to decide whether empire made sense for them, they would likely begin dismantling it forthwith—cancel contracts with mercenaries and weapons makers, deploy phalanxes of diplomats to settle existing conflicts and avert future ones, and, above all, shut down military bases around the world and bring the troops home.

Uhuru: While I hope you're right, sometimes it feels to me like you're making a lot of assumptions about outcomes. What I mean is, you seem not just to be talking about a political system, but about some kind of Utopia you think it's going to bring with it.

Atlas: I've been thinking the same thing. How are you going to convince me, a libertarian, and Rangī, who I think is some kind of communist . . .

Rangī: . . . and proud of it.

Atlas: Right. All of us think very differently and want very different things for humanity. That's also true of everyone in the audience and of people around the world. At the level of countries, these differences inflame rivalries between well-armed powers that won't just go away with a wave of your SRD magic wand. With all its flaws, the current system has still managed to build a potent international structure for dispute resolution and, when that fails, it's still fairly good at keeping a lid on things. And we know where we stand with the current system—how to fight within it for the kind of future we want . . . for ourselves, our families, and our fellow human beings. So, again, why shouldn't we just stick with the devil we know instead of taking a leap in the dark to pursue a dream that could well end up becoming an even worse nightmare?

Midge: Paint me a cynic, but the idea that you can fight within the system to change an international order that is even less democratic than our domestic one seems to me far more pie in the sky than the idea that a genuinely democratic international order should replace it.

Cato: Do you really think it's mainly due to this democratic deficit that we find ourselves sitting on a nuclear time bomb? Paint me a skeptic.

Midge: Not just a nuclear time bomb. The current system has also shouldered us with the mortal threat of imminent climate cataclysm, not to mention the myriad other environmental crises we face, along with the droughts, famines, and diseases they cause, the resource wars they instigate, the millions they dispossess, the millions more who are forced to flee to other countries, and all the social turmoil influxes of refugees create in host countries. Deciding to keep sitting where you're sitting when you're sitting on a whole stack of time bombs doesn't seem all that wise to me.

Rangi: Still, I have to second Cato's skepticism as to whether democratization by itself is enough. It won't mean anything if we don't first put an end to capitalism.

Midge: That's where we disagree. We don't have to engage in violent revolution and upend the entire socioeconomic order, with all the risks and uncertainties that entails, to achieve peace. We simply have to give the people most likely to be adversely affected by political decisions made in the international arena the authority to make those decisions themselves. True democracy is the safest, surest, most direct road to a more peaceful world there is.

Moderator: Let's take another question from the audience. You, sir, please tell us who you are . . .

Questioner: Hi, I'm Enver. I'm a partner in a restaurant across town. The propaganda, if that's what it is, equating electoral systems with democracy is all-pervasive. What little I know about new styles of democracy emerging around the world has to do with internet referendums on local issues and purely advisory citizen assemblies. I've heard nothing about expanding that sort of democracy to the national or international level, much less giving it real teeth, but I see now how with SRD it might actually be done. In theory anyway; because I'm myself more than a little cynical about all things political, and certainly don't expect to live to see a system like SRD take over the world. But let's say people did warm to the idea and, by some miracle, succeeded in establishing SRD governments. Where do you think it would happen first, next, and last? In large countries or small? Rich or poor? Will the United States ever go democratic? Will we?

Midge: I think the first countries likely to launch SRD experiments and then gradually go democratic will be small or medium sized, and located at the periphery; stable, independent-minded countries with strong traditions of political participation. Iceland is already far along a path that could very well lead to full SRD.⁷ Countries like this one, Norway, Ireland, Uruguay perhaps, possibly Iran or Tanzania. Those most likely to go democratic suddenly are countries facing extreme crises, economic, military, environmental, health, or social, where SRD is perhaps the only political solution yet to be tried that all contesting parties can agree on. Which countries those might be is anyone's guess—Ukraine, Libya, Myanmar?

Moderator: What about the largest, most powerful states?

Midge: The U.S.-led bloc that dominates the planet today, comprising North America, Europe, Oceania, and much of Latin America, Africa, and Asia, is effectively ruled by a few hundred plutocrats, at most a couple of thousand worldwide. Their number includes those among the very richest of the rich who take an active interest in global affairs and are judged competent enough by their peers to assume a leading role in the direction of their demesne. Beneath them in the power structure, many layers down in fact, are the stewards of that demesne: elected leaders and other members of our ruling elites. They are people who either rotate in and out of government, garnering wealth and prestige in the private sector along the

way, or cash in at retirement via sinecures—jobs in the UN, NATO, and other international bodies, corporate directorships, upper management positions, think tank gigs, jobs in corporate media, and the like. At each stage of their careers they are vetted by higher-ups, ensuring that only those ready to make common cause with the aims and interests of the plutocracy find their way into the highest echelons. That doesn't mean they take orders directly from the top. But they know perfectly well they would never have gotten where they are if they couldn't be implicitly relied on to do its bidding without needing to be told.⁸

Uhuru: That certainly includes mass media, a point made brilliantly by the famous U.S. dissident Noam Chomsky. Back in the mid-1990s, in a TV interview, the BBC host Andrew Marr asked Chomsky how he could possibly say that he, Marr, was self-censoring—in other words, that he was taking his marching orders from the powers that be. To which Chomsky replied, and I'm paraphrasing here, "I'm not saying you're self-censoring because I'm sure you believe everything you're saying. What I am saying is that if you believed something different, you wouldn't be sitting where you are."⁹ Ditto with our presidents, prime ministers, chief justices, generals, and all the other heads of the various civil and military hierarchies, who could never have made it to the top without first having made it past a phalanx of Establishment gatekeepers.

Rangi: The plutocracy's control of the media certainly helps subdue the population by identifying patriotism with support for the existing order. People love the military and security services heroized by Hollywood, hate all the officially designated heavies—China, Russia, Syria, Venezuela, and so forth—and are more than willing to stand by or even cheer as their leaders inflict misery, hardship, and death on the masses living in targeted countries, through subversion, debilitating economic sanctions, war by proxy, direct invasion, or all of the above.¹⁰

Cato: That's preposterous. Are you saying you support Chinese Communist dictatorship? Russia's kleptocratic autocrat? Syria's bloodthirsty dictator?!

Rangi: (*Sighs loudly*). You make Chomsky's point perfectly. Can't you see you've been brainwashed by the media into hating entire nations that have done absolutely nothing to threaten you? Tell me when China last attacked the United States or Japan, or Cuba landed American insurgents at Chesapeake Bay, or Russia launched an unprovoked invasion of Germany, France, or Britain? Aggression *always* goes the other direction.

Midge: Nor has China ever forced people in the West to buy opium¹¹—unless TikTok qualifies as a narcotic.

Cato: Brainwashed, huh? I gotta say, I've been feeling a bit like the whole argument you guys are making is based around seeing a majority of the population as patsies who've fallen prey to the biggest hoax of the past however-many-hundred years, so that the causes they fight and die for are all a big fraud. I don't think you're going to win many converts by treating the rest of us like morons.

Midge: I certainly don't mean to write off those who question the wisdom of ending the existing order and moving to SRD as stupid. If it helps, I personally went through great emotional turmoil when I realized nearly everything I'd been taught to cherish about my country's position in the world was a lie. But as Chomsky pointed out, it's not that our parents, teachers, reporters, politicians, and historians are teaching us things they don't also believe. If you want to use the word Rangi used—brainwashed—I'd say we've all been brainwashed. Maybe even you?

Atlas: Uh, isn't this starting to verge on the paranoid?

Moderator: It's certainly a bit conspiratorial for my taste. Let's try to get back on point. We were talking about where SRD might take root, and I'm sure we'd all like to know your take on the world's up-and-coming superpower, the People's Republic of China.

Midge: The plutocrats who run the U.S.-bloc would be happy to make common cause with their Chinese counterparts, so long as they accepted a subordinate role. However, they have no desire to be taken over by them, which they evidently presume the Chinese intend to do once their global economic preeminence is assured. As a result, something of a wrestling match has developed, like the boards of two corporate titans battling over who gets to control what when the inevitable merger occurs—only in this case there's a serious risk of a hot war breaking out that could easily go nuclear. What is less clear is what ordinary Chinese people will do should their government's efforts to mitigate the environmental, social, and economic stresses they are under fail. Still, I'll say this for China since the revolution: they have been readier to experiment with different governance models than most countries, and so might very well someday give SRD a try, at least at the local level.

Rangi: Hold on! Last time I checked, China is still run on socialist principles by a Communist Party. Its capitalism is state capitalism, where the Party retains supreme command over the market. State capitalism is a transitional stage on the way to worker control of the means of production, the truest form of democracy there is. The U.S.S.R. collapsed precisely because it let itself become frozen in transition. But if one reads their speeches, there's every reason to believe that the leaders of China and the other surviving Communist countries have learned their lesson and are taking concrete steps to ensure that the goal of a true people's democracy does eventually get realized. In the meantime, in all the ways that matter for people's lives, the countries they preside over are far more democratic than those of the West, even if the West's Hollywood-industrial-propaganda-complex is light years ahead when it comes to the rhetoric and pageantry of democracy.¹²

Cato: Rubbish! Communist countries are police states that stamp out free thinking wherever they find it, have no respect for human rights, and brainwash their people with torrents of propaganda.

Rangi: That's rich—given the 90% approval of Chinese for their government shown in every recent poll, aren't you guilty of treating *them* like morons? And don't pretend that your self-styled "democracies" aren't veritable panopticons, with cameras, mikes, and software backdoors everywhere to surveil everything we say and do. Or that censorship isn't rampant, even if governments mostly rely on corporate media titans to enforce it. And how else do you expect Communist states to respond given the onslaughts they face? Western economic sanctions, cyberwarfare, subversion, and military encirclement, backed up by massive government-directed propaganda campaigns channeled through NGO cutouts and oligarch-funded foundations, all echoed relentlessly in capitalist-controlled news media and entertainment. Are they just supposed to sit back and take it? I think their peoples mostly understand the need for hyper-vigilance. And didn't I also just see a poll in which well over 70% of Chinese agreed that they live in a democracy?

(Loud scoffing from Atlas and Cato and parts of the audience, with others cheering Rangi)

Moderator: Please, quiet down. Let Midge respond.

Midge: Since no Communist country has yet to metamorphose into anything approximating the workers' paradise Rangi envisions, I think we should judge them as they are and seem likely to remain for the foreseeable future. When we do that, no one can seriously argue that they are remotely close to being democracies. Communist Parties are run by elite cadres—highly educated, experienced, politically astute people who have built long records of success heading up ever-higher level departments, enterprises, and other kinds of organization. Far more than the West's vaunted meritocracies, they truly are the best and the brightest, the antithesis in every way of everything ordinary, average, and run-of-the-mill. But that's not democracy, it's elite rule, and it's no accident that Communist leadership cadres have far more in common, personally as well as professionally, with their Western government and corporate counterparts than they do with the generality of their own people—which, to my mind, makes it unlikely that their transitions to democracy won't end up just as frozen as the U.S.S.R.'s.

As for Rangi's claim that Communist countries are more dedicated to policies and practices that produce better outcomes for their peoples than their Western rivals, I don't dispute it. China's astonishing success in poverty eradication, Cuba's world-class medical system, and the social support systems in Vietnam are unmatched by anything in the West and deserve the highest praise. Yes, more people are materially better off in the West, but that's mainly because the West had such a huge head start. It's benefited from centuries of colonial expropriation and imperial aggrandizement, whereas the countries that went Communist were among the West's worst victims—ravaged by wars, forced to pay debilitating tributes, and subjected to every other imperialist depredation

imaginable. Despite that, Communist China in particular, starting from literal rock bottom, has raised itself to the threshold of becoming the world's leader in education, health, technology, infrastructure, and almost every other sector that makes a difference to the lives of ordinary people.

But that's where I draw the line. Even if Communist countries were some day to make the transition to total worker control, so long as support for communist principles remained a litmus test for power, so long as those with opposing views were suppressed or silenced, and so long as everyone did not have an equal opportunity to participate in the actual rule of their country, they would not deserve to be considered democracies.

Moderator: I want to press you on that a bit more. As has been true of China since ancient times, Communist China subjects candidates for positions in the bureaucracy to the most stringent tests, including performance in school, the workforce, on exams, and in grueling interviews. Only a tiny fraction succeed, who thereafter must compete on performance to rise higher in the mandarin. Crucial to this process is that the public has a decisive say every step of the way. For the Party, very much like a business, relies heavily on polls, surveys, and other ways of gauging popular satisfaction and dissatisfaction to decide which officials to promote, sideline, demote, or fire. . . . And, by the way Cato, the Party also holds multiparty elections open to all for delegates to its People's Congresses. . . . Anyway, the upshot is that the few who do make it all the way to the top generally deserve to be there, more so perhaps than the leadership cadres in any other country on earth. That, I believe, is why the people of China—who, let me tell you, don't hesitate to make their complaints known whenever officialdom falls short—rate their leadership so highly, including on the democracy scale.¹³ So tell us this, Midge: if the people are happy with their meritocracy and believe it operates democratically, who are you to say they're wrong?

Midge: Ordinary Chinese are completely excluded from the process of choosing their officials. They have no say in setting qualifications, preparing, administering, or evaluating the tests that determine admission, nor in subsequent promotion decisions. There is no democratic input at all in high-level decision-making, much less democratic control. As for polls and other measurements of public opinion, while they may be good for assessing the effect on the public of government and private sector initiatives promoted through the education system and mass media, they are largely useless when it comes to assessing what people *would* think if education and media were under democratic control and provided them with free, unfettered access to high-quality information.¹⁴ I don't doubt that countries with SRD would want to take many pages out of the Chinese Communist Party's book of governance. They, too, would work hard to ensure that only highly qualified people could compete for positions in the bureaucracy, that only those who passed the most exacting tests were admitted, that officials' subsequent careers were determined by merit and nothing else,

and that public satisfaction or dissatisfaction with their performance in office played a decisive role every step of the way. Sitting atop such a bureaucracy, aided by specialist juries and highly professional staff, I have no doubt that countries under SRD would score just as highly in governance as China does today, while at the same time being infinitely more democratic.

Moderator: I'd like to think you're right that SRD would give us the best of both worlds, democracy and meritocracy. In any event, let's round off this discussion by having you tell us how you view SRD's prospects elsewhere—in Europe, India, and so on.

Midge: Europe doesn't have much of a separate identity anymore at the international level. Its rulers are selected in the same ways and serve the same plutocracy as their U.S. counterparts. Like the Canadians, Japanese, Australians, and ourselves, they seem quite content to remain junior partners in an American-led enterprise of plutocratic world domination.

India is a country I love, but I can't help fearing the worst. Even apart from its increasingly unmanageable social divisions, climate change may soon make much of the country all but uninhabitable. That is likely to unleash unprecedented upheaval in the form of mass migrations of desperate refugees, pogroms, civil wars, and worse. I'm sure it won't surprise you if I say that the only way India could ever hope to cope with challenges of that magnitude is by abolishing elections and going democratic, the sooner the better. Or that my prescription is the same for countries everywhere facing similar threats, from Indonesia to Brazil to Nigeria.

Uhuru: Do you think SRD could ever take root in a country as, shall we say, conflicted as the United States? It often seems that their idea of "democracy" is really the freedom of ordinary people to go jobless and homeless, be hit by a bullet, or die of Covid.

Midge: The "land of the free" is certainly the hardest nut for democracy to crack, not least because, in its own self-image, it is already the "arsenal of democracy." Gore Vidal summed it up best: "Democracy is America's ruling myth. It's the one form of government we've never tried."¹⁵ I think the most likely path for SRD to make headway there is via the electoral system at local and state levels. Progress will be slow and halting. It may well suffer many reversals before it finds ways to spread and percolate up. But even a small foothold is enough. SRD merely has to be in place here and there when the rotting pillars of the plutocratic order start to give way. It might be a disastrously failed military intervention; a financial collapse; loss of confidence in the dollar; failure to respond to a new, more lethal pandemic; or inaction in the face of some large-scale natural disaster, particularly one attributable to global warming. Plutocracy's failure is democracy's opportunity, one whose culmination in the United States would be a constitutional amendment to establish SRD as the fourth and highest branch of government.

Cato: I gotta say, I don't see it happening, not without massive uprisings, and that doesn't really seem possible in the United States. Maybe in France, but I doubt even there it's possible.

Midge: I agree that those living under that kind of plutocratic dominion can do little to change things. Mass resistance is sometimes effective but difficult to arouse or sustain in the face of fierce regime countermeasures and hostile corporate media. Deep states seem to always get their way. Arms races, imperial wars, and economic bullying of other countries are likely to persist until the electoral systems that sustain them are abolished. In the meantime, we will continue to live out our lives in political spaces controlled by elected and appointed elites in the pockets of plutocrats, with nearly all the information we receive filtered through media working out of those same pockets.

Moderator: Time for another question from our audience. You—please tell us who you are.

Questioner: I'm Maeve; I work in an art gallery. I don't really have a question. I just want to say how cool it would be for us common folk to serve on the jury in charge of, say, relations with China, agree a deal, and then get up on a platform for a photo-op with the likes of Xi Jinping, followed by a state dinner. It blows my mind to think of proles like me hobnobbing with people like that!

Midge: It would certainly be amazing for anyone doing jury or assembly service who was willing to forego their anonymity to represent their country on such occasions. But my hope is that democracy will eventually become so widespread and events like that so commonplace that no one will think to bat an eye.

NOTES

1. In James McGann and Mary Johnstone, "The Power Shift and the NGO Credibility Crisis" (*International Journal of Not-for-Profit Law* 8, no. 2 [January 2006]), 65–77, the authors point to a rapid proliferation of NGOs in recent decades, and the near impossibility of tracking the sources of their funding. Dorothea Baur and Guido Palazzo highlight the rise in partnerships between corporations and NGOs, and the need for accountability, or as they put it, "moral legitimacy" ("The Moral Legitimacy of NGOs as Partners of Corporations," *Business Ethics Quarterly* 21, no. 4 [2011]), 579–604. See also George Kaloudis, *Non-Governmental Organizations in the Global System* (Lanham: Lexington Books, 2021), and George E. Mitchell et al., *Between Power and Irrelevance: The Future of Transnational NGOs* (Oxford: Oxford University Press, 2020).

2. Roslyn Fuller provides an excellent analysis of the democratic shortfalls of international organizations and NGOs in *Gods and Beasts*, chapters 5 and 6. See also Brendon Goff, *Rotary International and the Selling of American Capitalism* (Cambridge: Harvard University Press, 2021), Sharon Beder, *Suited Themselves: How Corporations Drive the Global Agenda* (New York: Routledge,

2006), and Matthew D. Stephen and Michael Zürn, editors, *Contested World Orders: Rising Powers, Non-Governmental Organizations, and the Politics of Authority Beyond the Nation-State* (Oxford: Oxford University Press, 2019).

3. Alliances traditionally were formed in the face of an imminent threat and dissolved once the threat was past, whereupon states returned to charting their own sovereign courses. More recently, however, alliances have tended to persist well beyond the threats that led to their formation, often going “abroad in search of monsters” to perpetuate themselves. For a good discussion of the pros and cons of alliances, see Raymond C. Kuo, *Following the Leader: International Order, Alliance Strategies, and Emulation* (Palo Alto: Stanford University Press, 2021).

4. The most famous book on the subject has a title that says it all: *War is a Racket*, by General Smedley D. Butler (Washington: Library of Congress, 1935). See also Efe Can Gürcan, *Imperialism after the Neoliberal Turn* (New York: Routledge, 2021), Nina H. B. Jørgensen, editor, *The International Criminal Responsibility of War’s Funders and Profiteers* (Cambridge: Cambridge University Press, 2020), and Josef Seethaler, editor, *Selling War: The Role of the Mass Media in Hostile Conflicts from World War I to the “War on Terror”* (Bristol: Intellect Books, 2013).

5. There remains a widespread aversion to war, even if citizens of rich and powerful states are more comfortable with the use of force in international relations than citizens of poorer and weaker states: see Richard C. Eichenberg, “Public Opinion on Foreign Policy Issues,” *Oxford Research Encyclopedia of Politics*, April 5, 2016, <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-78>.

6. Everyone who can stomach a story so harrowing should read Daniel Ellsberg’s *The Doomsday Machine: Confessions of a Nuclear War Planner* (New York: Bloomsbury, 2017). The go-to website on this topic is the Bulletin of Atomic Scientists, <https://thebulletin.org/>. See also Aiden Alexandre Debs and Nuno P. Monteiro, *Nuclear Politics: The Strategic Causes of Proliferation* (Cambridge: Cambridge University Press, 2016), Andrew Futter, *Hacking the Bomb: Cyber Threats and Nuclear Weapons* (Washington: Georgetown University Press, 2018), William M. Alley and Rosemarie Alley, *Too Hot to Touch: The Problem of High-Level Nuclear Waste* (Cambridge: Cambridge University Press, 2013), and Brecht Volders and Tom Sauer, editors, *Nuclear Terrorism: Countering the Threat* (New York: Routledge, 2016).

7. See Ágúst Þór Árnason and Catherine Dupré, *Icelandic Constitutional Reform: People, Processes, Politics* (New York: Routledge, 2020), and Landemore, *Open Democracy*.

8. There have always been powers behind thrones and there is no reason to think things are any different today. However, since it is seldom in the interest of those who hold that kind of power to publicize it, and since having a controlling influence over education and mass media is essential both to their power and to keeping it hidden, there is an extreme paucity of solid information about them. Consequently, understanding the apex of the U.S.-bloc power structure is essentially a matter of piecing together the few facts that are known by informed conjecture and logic. Useful background and important details can nevertheless be gleaned from Michael

Hudson, *Super Imperialism: The Economic Strategy of American Empire*, third edition (Dresden: Islet, 2021), Peter Phillips, *Giants: The Global Power Elite* (New York: Seven Stories Press, 2018), Quinn Slobodian, *Globalists: The End of Empire and the Birth of Neoliberalism* (Cambridge: Harvard University Press, 2018), G. William Domhoff et al., *Studying the Power Elite: Fifty Years of Who Rules America?* (New York: Routledge, 2017), Dino Knudsen, *The Trilateral Commission and Global Governance: Informal Elite Diplomacy, 1972-82* (New York: Routledge, 2016), and Richard Lachmann, *First Class Passengers on a Sinking Ship: Elite Politics and the Decline of Great Powers* (New York: Verso, 2020).

9. “Noam Chomsky on Propaganda—The Big Idea—Interview with Andrew Marr, BBC (1996).” Available at YouTube <https://youtu.be/GjENnyQupow>. Accessed July 3, 2021.

10. See “Costs of War” website of the Brown University Watson Institute for International and Public Affairs, <https://watson.brown.edu/costsofwar/costs/human>, the World Bank Group’s “Conflict and Violence in the 21st Century” (<https://www.un.org/pga/70/wp-content/uploads/sites/10/2016/01/Conflict-and-violence-in-the-21st-century-Current-trends-as-observed-in-empirical-research-and-statistics-Mr.-Alexandre-Marc-Chief-Specialist-Fragility-Conflict-and-Violence-World-Bank-Group.pdf>), and the Stockholm International Peace Research Institute (<https://sipri.org/>). Other estimates put the number of deaths since World War II from U.S.-bloc backed pogroms (perhaps a million victims in mid-1960s Indonesia alone), economic warfare (including cyberattacks on electricity grids and other vital infrastructure), proxy wars (with limited military, CIA, mercenary, and other bloc involvement), and full-scale invasions as high as 30 million, with scores of millions more injured, reduced to poverty and squalor, or turned into refugees. However many millions, the implication is that if the bloc had not intervened, or had instead behaved benignly, the fates of those people would not have been so tragic.

11. The so-called Opium wars of the mid-nineteenth century between China and Britain (with France involved in the second) were the result of the illegal opium trade imposed on China by Britain. It led to widespread addiction as well as social and economic turmoil, which the Chinese fought vainly to resist.

12. A defense of the view that China’s economy remains socialist and is managed according to socialist principles can be found in John Ross, *China’s Great Road: Lessons for Marxist Theory and Socialist Practices* (Glasgow: Praxis Press, 2021).

13. Illuminating analyses of Chinese governance can be found in Daniel Bell, *The China Model: Political Meritocracy and the Limits of Democracy*, revised edition (Princeton: Princeton University Press, 2016), Tongdong Bai, *Against Political Equality: The Confucian Case* (Princeton: Princeton University Press, 2019), and Godfrey Roberts, *Why China Leads the World: Talent at the Top, Data in the Middle, Democracy at the Bottom* (London: Oriol Press, 2020). For a more skeptical take, see Jonathan R. Stromseth et al., *China’s Governance Puzzle: Enabling Transparency and Participation in a Single-Party State* (Cambridge: Cambridge University Press, 2017).

14. For example, according to Thomas Piketty in *Capital and Ideology* (Cambridge: Harvard University Press, 2020), figures on inequality and similarly sensitive

economic matters are treated as state secrets even more under the Chinese Communist government than they are under Western neoliberal regimes. And Piketty's judgment would seem to be confirmed by Chinese authorities' insistence on censoring his book's discussion of Chinese inequality, which the author refused to do.

15. "A Conversation With Gore Vidal on the 'E' Word," interview with Joe Lauria, May 2007, first published at *Consortium News*, July 31, 2021.

Chapter 7

High-quality Information— Democracy's Lifeblood

Moderator: We have a question from an audience member. Many of us know you well, but if you could please introduce yourself for the benefit of all.

Questioner: I'm Hildegaard van Djiling. I head a think tank dedicated to democracy and freedom based near the university. It seems to me that the bane of SRD is what you call "high-quality information." One person's "good information" is another's propaganda or conspiracy theory. So, who gets to define it? You? Me? Government regulators? Private corporations? It seems arbitrary and authoritarian to me, people taking it upon themselves to decree what is good information while damning all the rest. I don't want your "non-elites" to monkey with my information anymore than I want elites to. I just want it left free. That means leaving it to the open marketplace of ideas. That to me is true freedom of information, the closest thing there is to an informational "state of nature," where anything and everything goes, only the fittest ideas survive, and those that are out-competed get consigned to oblivion.

Midge: I think we all share the conviction that information channels should be kept as free and open as possible—I certainly do. But we cannot escape the fact that most of the discourse circulating around us is pumped in via corporate media, which is so hugely expensive to own and use as to be accessible only to the wealthy, who inevitably skew its messaging in the political directions they favor. That's not at all a prescription for a healthy democracy. And it's why SRD takes its model from law courts, not markets. In a criminal trial, people's lives and liberty hang in the balance every time a jury randomly selected from the defendant's peers delivers a verdict of guilty or not guilty. The public can only have confidence in such high-stakes decisions if the jury is provided with no information except what is deemed admissible in accordance with strict juridical codes and canons, and jurors are held to their obligation to base their verdicts solely on that information. That's precisely why courts of law exist: to

insulate juries from your open marketplace of ideas, where bad information is not only free to compete with good, but generally wins whenever it has greater money and power behind it.

Political decisions are of even greater moment than trial verdicts since they put everyone's lives, liberty, reputations, and material well-being on the line, not just the few who find themselves in the dock. So, it's vital that political juries and assemblies base their decisions exclusively on comprehensive, clearly presented, high-quality information. And it is no less vital that everyone see this to be so, since general acceptance of the decisions rendered by SRD bodies depends on the public's being able to have confidence that their representatives have all the information they need, all the time and aid they require to master it, and are free to debate and decide the issue without fear of public exposure or outside interference. To that end, democrats have no choice but to institute information protocols of the strictest sort—as good or better than those found in the finest courts of law and fact-finding investigations, but never in the open marketplace of ideas.¹

Hildegard: That may be fine for courtrooms, but in the political sphere, I find the notion of “high-quality information” hopelessly subjective and ripe for abuse. I don't even know what it is.

Midge: Come now, Hildegard, it's not complicated. Making up one's mind without enough information, being misinformed, disinformed, or drowned in irrelevancies: that's decision-making determined by low-quality information. Decisions made on the basis of certifiably factual information that is clearly presented, to the point, unambiguous, includes nothing extraneous, and leaves out nothing essential are, by contrast, well informed. I don't see what more there is to it. The whole point of SRD protocols is to exclude low-quality information, admit none but high quality, and hold jurors and assembly members to their obligation to base their decisions solely on the latter.

Uhuru: And now that we have entire scientific fields devoted to obtaining and properly utilizing high-quality information, we could make political decision-making work a great deal better by applying their results. Epistemology, cognitive science, psychology, neuroscience, statistics . . . I'm sure science could be of great service to SRD to help jurors and their staff separate the wheat from the chaff at high frequency and with reliable accuracy.²

Midge: SRD oversight bodies would certainly want to avail themselves of good science wherever it is to be found. But it can't be stressed too often that high-quality information is only useful to a democracy if it is presented in a form ordinary people can understand, whether they are serving on SRD bodies or watching their proceedings at home. One of the principal jobs of jury and assembly staff would be to do precisely that: apply state-of-the-art communication techniques to distill high-quality information from reliable sources into something as accessible and user-friendly as mass media offerings. SRD will

live or die by its ability to convey high-quality information in ways everyday people can absorb and put to good use.

Atlas: With all due respect, I don't think that addresses Dr. van Djiling's concern because it still doesn't tell us who gets to decide what is "high"- and what is "low"-quality information, assuming that jurors and assembly members can't be expected to do it for themselves and that their staff are just adhering to prescribed protocols and procedures.

Midge: In all public matters that have a scientific component, such as engineering projects, health, and environmental protection, the gold standard of quality information is scientifically established theory and fact, attested by the experts themselves. The next best source is nonscientific but still objective data that have been scrupulously vetted in accordance with time-tested procedures for ensuring the information used is all of high quality. Juridical proceedings are of course one example, crime detection techniques another. So, too, information produced according to the methods of fact-checkers in journalism, scholars in academic fields, statisticians, accountants, and all the other professions whose authority depends on their ability to guarantee to all parties that their results are derived from information of the highest quality obtainable. Factor into the mix established techniques of error detection and correction in everything from experimental science to financial management, and SRD proceedings would become a byword for high-quality information-based decision-making.

(A commotion is heard from the audience.)

Moderator: It seems Dr. van Djiling wants a right of reply, uh . . . but . . .

Hildegard: Thank you, and you were right, Ms. Moderator, these preposterous ideas only exacerbate my fears that Midge's SRD regime would be built on some kind of total information control regime. You can dress it up in talk of "high- vs low-quality information" all you want, but the end result is to shackle news and information by putting it entirely under government control.

Midge: I think you may be conflating government control of the information government itself relies on in making decisions with government control of information in society at large—mass media, education, and so forth. What I've said about high-quality information so far is concerned only with information constraints that SRD juries and assemblies need to place on themselves. Which isn't to say I don't want to see certain SRD information protocols extended beyond the government, but that, I believe, is a topic we'll be . . .

Hildegard: I haven't conflated anything. I firmly believe a democratic government should be free to, indeed must, listen to everyone. That it should not be siloed off inside some kind of informational purity zone . . .

Cato: You mean that it should listen to the corporate-friendly shells your think tank employs? You're actually making me agree with Midge, that we really do need to keep "information" put out by lavishly financed "nonprofits" like yours well away from government decision makers.³

Hildegard: That suggestion is offensive . . .

Cato: . . . so are you.

Moderator: Please remember our rules of debate: no personal attacks and no interruptions. Atlas, did you want to add something?

Atlas: The optimist in me wants to agree with Dr. van Djiling, and shout “the truth shall set you free!” But the realist remembers what ordinary people are really like. How can they be expected to overcome faith, superstition, and the cherished beliefs of a lifetime and, at the same time, critically navigate a marketplace of ideas open to all comers, above all those with thick wallets? And I put the same point to you, Midge: even if everyday people were held to high-quality information standards, can they truly be expected to overcome their lifelong exposure to low-quality information, not to mention their religious and other preconceptions—beliefs a secularist like you would surely consider unsound—to make responsible, fact-based, scientifically informed decisions? Is that even possible? Perhaps decisions by ordinary people will always be mainly determined by low-quality information. And that just means having to re-learn the hard way the lesson that political decisions are best left to experienced, rationally skilled practitioners, who can best be held democratically accountable by obliging them to stand for re-election.⁴

Cato: I gotta say, what you just said applies to everyone, not just “ordinary people.” Universities like this one are stuffed full of virtue-signaling, know-it-all ultra-liberal crackpots, totally convinced of their moral rectitude and intellectual superiority.

Rangi: I’d toss in popes, generals, corporate magnates, elites of all stripes: people who rise to the top and then look down from their pinnacles at the rest of us as losers and reprobates.

Cato: “Deplorables.”

Moderator: Please, let Midge speak.

Midge: Atlas’s point is well taken. Different cultures imply different information control regimes. I would certainly expect highly religious democracies to control information very differently from highly secular ones. None of us, secular-modern no less than religious-traditional, is immune when it comes to the lure of low-quality information. So, of course, truth may sometimes be a casualty in a democracy, just as under every other political system. That said, SRD has some built-in advantages no other can match. Like trial juries, SRD juries and assemblies are duty-bound to base their decisions only on the information presented to them during proceedings, the high quality of which is intended not only to aid them in the pursuit of truth but to win the confidence of the rest of society in the soundness of their decisions. That places a huge burden of responsibility on their shoulders. My expectation is that the majority of jurors and assembly members would try their best to ground their decisions in empirical reality, even to the point of seeking workarounds that, while paying

obedience to cherished beliefs, are still rooted in the facts. Even in cases where they found it impossible to square the circle, SRD juries and assemblies would still represent a massive improvement over career politicians who not only pander shamelessly to popular prejudice but are wont to seek political advantage by exploiting it to whip up one part of society against another. With no career stake in politics, the cover of anonymity, and nothing to gain by setting people at one another's throats, SRD decision makers could generally be counted to do right by the facts to the maximal extent the society they represent permits.

Moderator: I have a question from a viewer that bears directly on the question of jurors' ability to make sound decisions: "People in power often see it as in their interest to keep the public ignorant and misinformed, since that tends to make them more compliant and easily led. That's why I think we see so much propaganda directed at us, both through education and mass media. Wouldn't a newly established SRD government need to make changing that a top priority?"

Midge: Absolutely. No one, including elites, wants their political decision makers to operate on a basis of ignorance and poor-quality information, if only because they would suffer just as much from the consequences of the resulting bad decisions as the rest of us. So, under SRD, it would be imperative to improve the quality of public education and mass media to the point where ordinary people are equipped to absorb and utilize the kind of high-quality information they would be provided whenever they were selected to serve on SRD decision-making bodies. Any society that adopts SRD would therefore have the strongest incentive imaginable to do all it takes to raise public information systems of every kind to the highest possible standard.

Moderator: Since education and media are topics we'll be focusing on when we turn to the wider social implications of SRD, let's set them aside for now and take a question from a member of the audience. You . . . in the green, uh, Spandex. Please tell us your name and what you do.

Questioner: Hi Midge, everyone. I'm Radhika, a second-year med student here. My question is this: if SRD were ever to assume power, do you think it should open up the archives and create truth commissions? I'm sure there is heaps of information that undemocratic governments conceal, information that ordinary people given a chance at self-rule would want to know, in fact *need* to know, in order to govern well.

Midge: That's a great question. Yes, opening up the archives and instituting truth commissions would not just be advisable for SRD; it would be essential. Governing jurors and assembly members can't be expected to make well-informed decisions if they are ignorant of how much people like them have been deceived in the past, and they can't hope to protect themselves against deception in the future if they lack awareness of the reasons and motivations behind the lies. Of course, publicizing the secrets of today's elected governments would be certain to implicate others—corporations, mass media, and who knows who else.

That's why I would not rule out empowering SRD truth commissions to open up private sector archives as well, so the worst malefactors could be identified and prosecuted.⁵

Moderator: I can just imagine what Hildegard would say to that! Alas, we won't be able to find out because our time for this session has run out. Please give our author, panelists, and questioners a warm round of applause. Thanks to everyone! I hope we'll see you all here next time.

NOTES

1. In addition to the rules and procedures instituted by SRD constitutional and oversight bodies to regulate the operations of juries and assemblies, the prime responsibility for earning the public's confidence in SRD verdicts falls on jury and assembly staff. Since this makes the integrity of staff selection, management, and operation crucial to SRD's success, every measure necessary to gain and retain that confidence needs to be taken. These might include strict qualifications for entry, including extensive training and education in communication, general knowledge, and the mastery of SRD rules and procedures; rigorous, fairly administered, democratically approved exams for selection; and promotion dependent not only on democratically established performance criteria but on evaluations of staff performance by the jurors and assembly members they serve as well as the public at large.

2. Much of the relevant work is highly technical and specialized, but in addition to any of the better freshman-level critical thinking textbooks by philosophers, a relatively accessible sampling might include Russell A. Poldrack, *The New Mind Readers: What Neuroimaging Can and Cannot Reveal about our Thoughts* (Princeton: Princeton University Press, 2018), Daniel Kahneman, *Thinking, Fast and Slow* (New York: Farrar, Straus and Giroux, 2011), Donald D. Hoffman, *The Case Against Reality: Why Evolution Hid the Truth from Our Eyes* (New York: W. W. Norton & Company, 2019), Judea Pearl, *The Book of Why: The New Science of Cause and Effect* (New York: Basic Books, 2018), Grace Lindsay, *Models of the Mind* (New York: Bloomsbury Sigma, 2021), and Jonathan Haber, *Critical Thinking* (Cambridge: The MIT Press, 2020).

3. For better or worse, policy institutes tend to reflect the interests and objectives of their funders. See, for example, Thomas Medvetz, *Think Tanks in America* (Chicago: The University of Chicago Press, 2012), James G. McGann and Laura C. Whelan, *Global Think Tanks: Policy Networks and Governance* (New York: Routledge, 2020), Donald E. Abelson, Stephen Brooks, and Xin Hua, editors, *Think Tanks, Foreign Policy and Geo-Politics: Pathways to Influence* (New York: Routledge, 2016), and Julien Landry, editor, *Critical Perspectives on Think Tanks: Power, Politics and Knowledge* (Cheltenham: Edward Elgar Publishing, 2021).

4. On the shortcomings of ordinary voters' judgment, see, for example, Christopher H. Achen and Larry M. Bartels, *Democracy for Realists: Why Elections Do Not Produce Responsive Government*, revised edition (Princeton: Princeton University

Press, 2017), and Ilya Somin, *Democracy and Political Ignorance: Why Smaller Government Is Smarter*, 2nd edition (Palo Alto: Stanford Law Books, 2016). For a different view, see Vincent L. Hutchings, *Public Opinion and Democratic Accountability: How Citizens Learn about Politics* (Princeton: Princeton University Press, 2003), and Landemore, *Democratic Reason*.

5. Truth commissions are always controversial, at least if they do their jobs properly. Their record to date is examined in Onur Bakiner, *Truth Commissions: Memory, Power, and Legitimacy* (Philadelphia: University of Pennsylvania Press, 2015), Paul Gready, *The Era of Transitional Justice: The Aftermath of the Truth and Reconciliation Commission in South Africa and Beyond* (New York: Routledge, 2010), and Priscilla B. Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions*, 2nd edition (New York: Routledge, 2010).

Part II

DEMOCRATIZING SOCIETY

SCENE: Same as before.

Moderator: Welcome back everyone. In previous sessions, we traced the various stages in the realization of sortitive representative democracy, or SRD, from the initial experiments with democratic juries, to its becoming the political norm, and finally its transformation into true demarchy: the abolition of elective offices in favor of governing assemblies chosen by sortition. But the democratization of government is not yet the democratization of society at large. Accordingly, our four panelists, those present in the auditorium, and viewers at home are invited to join our featured guest in discussing SRD's relation to the principal sectors of society. We agreed to open with the economy, focusing especially on SRD's likely impact on wealth and income redistribution, in both the short and longer terms. Our next topic will be mass media, which certainly touched a nerve when it came up in our discussion earlier. Though the media in Western countries purports to be free, it is owned and run by wealthy elites and is generally compliant with their agendas, while the media elsewhere . . . well, the less said the better. It is unlikely that this state of affairs could coexist indefinitely with a truly democratic government of the kind envisioned by our author. But how can mass media be democratized without the cure being worse than the disease? We'll then turn to the topic of political life under SRD: if elective officials are all replaced by people chosen at random, serving anonymously on a short-term basis with no career stake in the matters they decide, what will politics be like? How will people organize political movements and wage political struggles when there are no leaders to line up behind or hold accountable? Next, given how deeply politics is intertwined with questions of the rights of individuals and groups within society, we'll delve into the kinds of constitutional issues that have divided societies from time

immemorial, pitting one level of government against another and citizens' rights against government prerogatives. We will explore how SRD might approach these challenges to determine whether it is any better equipped to deal with fractious internecine quarrels than today's constitutional politics. Finally, we will consider the promise and prospects of institutional democracy: can and should SRD be extended to the governance of private businesses, educational institutions, religious bodies, organized sports, and anything else people might see fit to democratize? How would that work? Can it work?

So, let's proceed to the first item on our agenda. . .

Chapter 8

The Economy

Moderator: Let's start with a question from a viewer: "I wonder if the choice you present between election and sortition isn't a false one since it seems to presuppose that political conditions can be divorced from economic. I take the view that if government by sortition exists nowhere on the planet, it is probably because the economy of the present-day is incompatible with it, and likely to remain so. How do you respond?"

Midge: I don't accept the premise that political conditions march in lockstep with economic. If that were the case, how do you explain the capitalist system's evident compatibility not only with electoral regimes but Communist Party rule in China, Gulf monarchy autocracies, and the various other forms of undemocratic rule around the capitalist world today? I see no reason to think it couldn't flourish just as well in SRD countries that democratically decided to continue down the capitalist path. After all, the economy of ancient Athens thrived even more after it went fully democratic than it had under oligarchy, despotism, or Cleisthenes's quasi-democracy.

Rangi: A good way to judge democracy's compatibility with capitalism might be to take an actual case, and I can think of none better than the abomination known as the U.S. health-care system. It seems to me that if you put the general welfare ahead of special interests and profits, as an SRD jury would, the only well-informed decision you could make would be to socialize the U.S. health system straightaway, as most countries did with theirs long ago.

Uhuru: Yes, you just need to imagine what a hundred Americans from all walks of life would think when presented with the facts about socialized medicine—that it's far cheaper to run, easier to use, and leaves no one out, just for starters. I find it impossible to believe that they'd hesitate for a minute to use the power granted them by SRD to transform the current U.S. system into a nonprofit socialized one like those in other developed economies.¹ But I also think that

changes like that are perfectly compatible with capitalism—sorry Rangi, but don't most countries with socialized medicine have economies based on private enterprise?

Rangi: Countries that adopted socialized medicine did so when they were led by real socialists, politicians who emphasized people over profits. That ceased to be true long ago. In today's so-called social democracies, the order of the day is reverse socialism, where the profits of the rich are privatized, their losses socialized, and the opposite is true for everyone else. That's why we see their rulers showering the rich with tax breaks and other lucrative favors, while subjecting the rest of the population to ever-harsher austerity regimes. You have to wonder just how much longer the people in these social-in-name-only "democracies" will continue to enjoy free health care, cheap higher education, low-cost public transport, and all the other welfare-state benefits they received thanks to the hard work and sacrifices of earlier generations of real socialists.²

Moderator: Before this turns into a diatribe, you wanted to say something, Midge?

Midge: When I said that politics is independent of economics, I didn't mean to suggest that political change on the scale we're discussing won't have profound economic consequences. I'm in full agreement with Rangi that once democratization dismantles the roadblocks that elite-controlled elected governments and international organizations like the EU, IMF, and World Bank set in the way, welfare states that are currently being eroded will not only be revived but expanded, and that additional socialist reforms will be introduced into sectors of the economy that electoral regimes have hitherto succeeded in preventing.

Atlas: Ah ha! You've assured us time and again that SRD is nonpartisan and that accepting it is not the same as adopting socialism, but here you reveal your hand: it's just a socialist stalking horse, nothing more. You deny it? Then tell us how SRD might work in capitalism's favor.

Midge: A country with SRD is one without career politicians. That means there would be no need to raid the public purse to reward or buy off wealthy donors, powerful special interests, institutional endorsers, and others whom politicians need to maintain and expand their power bases. As a result, the savings in taxes, fees, and other needless expenditures would be considerable. And it is perfectly possible, even likely, that democratic juries would decide to refund those savings, as libertarians and conservatives advocate, rather than apply them to unmet social needs, as socialists prefer.

Atlas: O.K., but I think that's a pretty weak case. Nothing would stop another jury from deciding that more money needed to be spent on something else, say, low-cost housing, and the freed-up money would end up going to the government, not to taxpayers. That's why I'm convinced that the government would grow under SRD, not shrink, just as it would under socialism. In your view, so long as it was decided democratically, all citizens should be fine with it, whatever

their economics or political leanings. But I don't accept that. People resist decisions imposed from above that deprive them of their economic rights, and it makes no difference whether "above" is sortitive, elective, or anything else. As I see it, they'd be right to object, whether against a tax they considered unjust or any other government imposition people care about passionately enough to resist.

Midge: The tax may be unjust, but, under SRD, its opponents still have to concede that it was imposed on them by an informed, scrupulously careful *democratic* majority, fully representative of the people as a whole. If their resistance is so passionate they can't be fine with it, notwithstanding its democratic legitimacy, they are free to sell up and emigrate. But they don't have the right to refuse to pay the tax, or riot, or do anything else that goes beyond normal, democratically agreed paths to change. To consent to reside in a democratic polity is to accept its democratic political order—nothing more, nothing less. So, yes, you should be fine with the tax, along with everything else the majority *democratically* decides to do. Otherwise, should your resistance go beyond what democracy permits, it becomes resistance to democracy itself.

Rangi: Does prosecution and punishment of antidemocratic resisters to democratic edicts illustrate what you mean by rule of law?

Midge: Perfectly.

Atlas: O.K., have it your way. But even if dissidents are all good democrats who never actively resist democratic majorities, their principled opposition means there will always be enough passive resistance to prevent the people as a whole from ever pulling in the same direction economically. Under SRD, you'll have libertarians battling social democrats battling communists battling liberals battling conservatives, each holding fast to a different conviction on pretty much everything, everyone pushing against everyone else, all against all. Won't that put democracies at a huge disadvantage when it comes to competing with countries that are more united on economic matters? And you have to admit that oligarchies, be they capitalist, communist or anything else, are far better able to organize their economies to get everyone pulling in the same direction than democracies could ever be.

Midge: It's true that ordinary people are all over the map on economic questions. Not just overall, but the same person's attitude to different sectors, perhaps being free trade on manufacturing, pro-regulation on services, socialist on health care, and outright dirigiste on energy or transportation. It's not any special insight or wisdom that makes democratically managed economies superior. It is the simple fact that putting non-elites in charge means handing over power to the only genuine experts on their well-being. Professional economists, even those with the best intentions toward "the little guy," are not remotely as competent to decide on matters that impact non-elites' quality of life, much less make those impacts their priority in all economically consequential government

action. That, ordinary people alone can do; and only in a true democracy, where their massive numerical superiority entitles them to call the shots in all governmental decisions that impact the economy, are they truly free to do so.³ So, let me turn the question back at you, Atlas: would you rather live in a society with an economic system you oppose, but one that was adopted democratically, or one with an economic system you support that had to be imposed from above?

Atlas: (*Laughs*) Obviously neither, I'd want the laissez-faire system chosen democratically. But, in the spirit of open discussion, if I had to pick between your two options, I'd go for the democracy.

Rangi: Good answer. Better Allende's Chile than Pinochet's.

Atlas: Wasn't Allende elected?

Cato: Touché.

Moderator: A question now from a viewer that relates to the point you've just been making: "The richest of the rich have no interest in watching the economic goose that's been laying all those golden eggs sicken and die, but fear that if they ever lost political control, that's exactly what would happen. That's why they use all the power at their command to defend the existing electoral order, which they have so little difficulty dominating. But, speaking as one of your 'ordinary people,' I'm deeply offended at the idea that we'd use our control under SRD irresponsibly. If the economic system collapsed, we'd be the first to suffer, and we'd suffer worst. So, it should be obvious to all that we have even less interest in risking its destruction than the rich do. My question to you then is this: how do we get the rich to see that a political system like SRD is not their mortal enemy, not something they need to fight to death, as they regard socialism?"

Midge: The viewer is onto something of the first importance. SRD is not revolutionary in nature, not in the least. That's just not true democracy's way. It's only if we stand back and consider the likely cumulative impact of innumerable decisions by juries and assemblies, from the local level on up to the national and international levels, that it becomes clear that SRD would transform working and living conditions radically in favor of ordinary people. It need not always disadvantage the rich and powerful, but it undoubtedly sometimes would, at least relative to the current system, where they have everything going their way. Who can doubt that the enormity of the wealth and income disparities we currently live with could ever have developed if we didn't have a political system so easily rigged to benefit plutocrats at the expense of everyone else? Even the most pro-capitalist juries and assemblies would still do everything in their power to curb anticompetitive practices—practices that, by rewarding the most powerful players in the market rather than the most innovative and dynamic, make electoral systems as much the number one enemy of true capitalism as they are of true democracy.⁴ That's why pro-capitalists who consult their own best interests—and I of course include true-believers like you, Atlas—should

welcome the advent of SRD, notwithstanding the fact that it also brings with it the risk—I would say, promise—of democratic majorities going farther than markets alone are capable of doing to put a stop to today’s grotesque disparities of wealth and income.⁵

Atlas: So, let me see if I’ve got this right. All we have to do is get rid of politicians by abolishing elections in favor of SRD, and, presto!, competition flourishes, capitalists are content, and socialist outcomes become not only possible but are welcomed by all. The lion lies down with the lamb, and plutocrats live happily ever after in a socialistic world. A pretty tale you tell, but isn’t it more than a little too airy-fairy to ever come true?

Rangi: I’ve been wanting to ask about the poor, especially since Atlas only seems to be concerned about what would happen to the people at the top . . .

Atlas: . . . Not true! I’m simply homing in on weaknesses in this . . .

Moderator: (*Interrupts*) Please let Midge address Rangi’s question. About the poor.

Midge: The poorer third of society, the people living in greatest want, would benefit the most from SRD. Instead of being all but totally excluded from political power by their obvious inability to compete in elections, they would share actual rule with the other two-thirds and match the political clout of each. Even if they didn’t always prevail, their presence on every jury and assembly would be certain, in the long run, to dramatically transform their quality of life for the better. That doesn’t mean the richer among us won’t still be wealthy and that the poorer won’t continue to have to do without things the rest get to have. Inherited wealth and property, and the special opportunities that go with them, are hard to shift, and SRD certainly won’t change things overnight. Still, without the least intention of doing anything revolutionary, policies implemented under SRD government could be counted on to gradually redistribute wealth and income from the richest to everyone else, with an unprecedented share of the bounty going to the poorest of the poor.⁶

Cato: I get it. But even if we grant that SRD isn’t revolutionary, it still seems naive to expect the rich to just stand by passively while democrats like you try to convince the majority to use their power to reduce the share of the economic pie the rich are currently taking. You’re treating them like the proverbial frog suspended in a heating pot of water that lets itself be boiled alive because the temperature is only raised gradually. The rich are way too smart for that. And that’s why they’d never allow us to do away with elections.

Uhuru: Before you answer that, I’d like to return, if I could, to the way you contrast democracy with socialism in the book, which, I have to say, really intrigues me. You claim that whereas it will always be difficult to convince more than a minority that they’d be better off under socialism, it will be easy to convince the majority, *including the majority of elites*, that they’d get a better economic deal under SRD. Could you expand on that while you respond to Cato?

Midge: Maybe an illustration will help. Under the current system, the owner of a local grocery chain is likely to unite politically with the most powerful oligarchs against socialist initiatives, since those policies weaken the power bases of all capitalists by giving workers a greater say in how businesses are run. At the same time, trade unions, the self-employed, farmers, religious congregations, ethnic groups, and other organizations of ordinary people—all of whom socialism would arguably benefit—are instead more often than not divided by it because so many of them view it as harmful to all businesses, even small ones, as posing a risk to everyone's security in private property, and as hostile to traditional values more generally. But under SRD, capitalists like the grocery-chain owner, who today suffer just as much as ordinary people from the anticompetitive practices that elevate and sustain mega-billionaires like Bezos and Buffett, could use the power of the state to eliminate patent regimes that mass produce monopolies, trade regimes that promote oligopolies, and various other policy regimes that favor not only these but also monopsonies, oligopsonies, and other market conditions that together make today's economic playing field anything but level.⁷

Rangi: I need to correct your idea of socialism's mission. I think it's actually a lot more like that of SRD than you realize: to return ownership of the means of production to those who earn it with every drop of their sweat. Workers toiling in factories, farm laborers doing backbreaking work in fields, workers in large corporations chained to their computer terminals night and day, shop assistants with forced smiles working long hours waiting on customers—your “non-elites.”

Atlas: (Interruptions) Sounds like maybe even Rangi could get behind SRD, at least as a stairway to workers' heaven. *(Laughs.)*

Rangi: Don't mock my music tastes. Anyway, what do you say to my point?

Midge: It's true that democracy resembles socialism in taking political power out of the hands of plutocrats. But there the resemblance ends. Socialism's mission is to eliminate plutocratic rule through economic transformation: replacing private wealth with state largesse by socializing financial and corporate capital, both directly and by subordinating private capital to state authority. By contrast, SRD's mission is more modest—political, not economic. It would keep private capital in private hands, and leave capitalists at liberty to make more. With the loss of political dominance, however, they would be obliged to do what everyone else has to do: put their case for what they consider economic reason to juries and assemblies in accordance with SRD's strict information protocols, and rely on superior arguments to carry the day, not superior political influence. SRD means exactly what the initials stand for, no more, no less: a genuinely democratic political system that includes the homeless and unemployed in the same sortition pool as bankers and captains of industry, empowering each economic group politically in proportion to their numbers, with the

balance of power always favoring those judged by the majority to have the best arguments for advancing the general interest.⁸ So, there can be no confusing SRD's nonpartisan political order with socialism and its goal of economic classlessness. And let's be honest: due in no small part to its self-destructive tendency to divide non-elites and unite elites, the socialist left could never hope to deliver on its economic agenda for ordinary people remotely as well, or as durably, as ordinary people themselves could under SRD.

Uhuru: So, what you're saying is that SRD is the political inverse of socialism: economically benefiting ordinary people by uniting them politically and dividing elites?

Midge: Exactly. On the one hand, SRD would be adept at assembling majorities of minor capitalists, small business owners, and the pro-capitalist, pro-business majority of working people to bring about positive economic change of a kind that socialists will no doubt think doesn't go nearly far enough, and may even oppose. On the other hand, the more overtly socialist the change proposed, the more difficult it would be to assemble SRD majorities to back them, given the huge popular appeal of pro-capitalist, pro-business ideology and traditional ways of thinking. That's why, even if I'm right that SRD is certain to create an economic order close to what socialists envision, it will come about only as a cumulative effect, not an intended goal, and could very well happen despite the majority's determination to defend free-market capitalism every step of the way.

Rangi: I have to admit, what you're saying hits close to home. To explain why he could never become a communist, my Grampy would say that he and his mates had one dream when they were young and that was to someday scrape together enough money to start their own businesses and never have to work for anyone else again. Once he got his chance, he sacrificed everything to build his business and make a success of it, while bitterly resenting the extra costs he incurred because of what he regarded as unwarranted government interference in his running of it. I'm sure his real goal was to someday join the ranks of the wealthy himself, and though he never did, his dreams still came true to the extent he was able to give my mother a good start in life. People like him are unlikely ever to become social democrats, much less sign up to out and out socialism, and I don't doubt that he wouldn't have hesitated to line up alongside the likes of Bezos against anti-capitalists like me. But SRD is a different story. The idea of him and Gran and other regular people calling the shots, not just on the economy but on everything else, would have tickled him no end. He'd surely have been up for giving it a try.

Atlas: I concede that SRD's near-term result is more likely to be "capitalism for the little guy" than socialism. But I very much fear Midge may be right that, in the longer term, it could end up looking a lot more like the kind of economy Rangi wants—with everyone the poorer for it.

Cato: Midge takes consolation in the prospect of its happening peacefully, without revolutionary upheaval. But I have enough faith in freedom-loving people like me to expect it wouldn't happen at all. My kind of people no more welcome socialist outcomes than socialist writ.

Moderator: Be that as it may, I think Midge may be right that the difference between "capitalism for the little guy" and "socialist outcomes" could well become vanishingly small given enough time for SRD to work its magic. But let's take a question now from the audience. You, on my left . . .

Questioner: Hi, I'm Hannah; I own a small business. I'd like to know how democracies will control their budgets, especially when decision makers can't be held to account at the next election if they preside over a blow-out.

Midge: They'd do so in much the same way governments do now but far more responsibly, not least because of SRD's total transparency. Here's how it would work. The various bureaucracies would still be responsible for compiling budgets to cover their running costs. To fund spending decisions taken since the previous budget, standing budget juries would compile and amalgamate the new expenses and decide on the best ways of paying for them. Since their proceedings would all be broadcast in real time, public input, from approval to rage, would be continuous. The resulting state budget would then go to the assembly for review by the members heading each department and subdepartment, then to the full assembly for debate and final approval, with all proceedings again fully available to the public—no secret backchannels, no backroom deals. But the biggest difference from government budgeting today is that every penny spent would be publicly accounted for in terms anyone literate in accountancy could understand—there would be no black budgets, no secret juggling of accounts, no deceptive language to conceal fiscal mischief, nothing to obscure the facts or mislead taxpayers in any way. Every cent raised from the public would be accounted for to the public, and every cent spent assessed scrupulously for value-for-money.

Hannah: That sounds like the promises political candidates make. People are still people, and I don't see how full transparency can be guaranteed under SRD any more than under the current system.

Midge: It's not just the fact that everything is live-streamed. We're also protecting the anonymity of our jurors and assembly members—they're using pseudonyms, avatars, and speech synthesizers in all their public-facing work—meaning they as individuals have nothing to gain from budgetary chicanery and nothing to fear by not engaging in it. Nor do lobby groups have identifiable targets to tempt with their lures and blandishments, as they so easily target politicians today who have to stand for reelection and can't afford to make powerful enemies.

Uhuru: But not all lobbying is bad. I mean, what about lobbying for the environment, which I'm involved in?

Midge: Under SRD, all lobbies would have to restructure themselves for a very different political environment. Instead of using their resources to curry favor with powerful politicians and the plutocrats who control them, they would need to focus all their efforts on persuading ruling bodies composed mainly of ordinary people of the righteousness of their cause. Less benign lobbies than yours might still try to bribe or threaten individuals in positions of power. But penetrating the SRD wall of anonymity enjoyed by jurors and assembly members, or the wall insulating bureaucrats from outside interference, would be extremely difficult, and very hard to get away with—that, plus the fact that the total transparency of the system would almost surely expose any insider who tried to game the system to put elite special interests ahead of those of ordinary people. So, with no one in authority in any position to profit from it, and no way to hide attempting it, budgetary duplicity of the kind so common today would likely become a thing of the past.⁹

Uhuru: Still, it's all well and good for SRD to reform the economy incrementally, but there are some changes that just can't wait for political business as usual. The greatest threat facing us today is global warming. On one side, there are natural forces strong enough to bring all human civilization down by century's end, and possibly cause our species' extinction before the end of the next one. On the other side is the centrality of fossil fuels to every country's economy. Since we can't bargain and make deals with nature, it seems to me that we have no choice but to replace them with 100% green energy without further delay and deal with the economic hit as best we can. But our political systems seem committed to palliative measures at best. Is there anything SRD could do *today* to keep us from plunging over the precipice?

Midge: The kinds of gradual approach people favor would have been an option if steps had been taken when the scientific alarm bells first began ringing decades ago. That nothing remotely effective has been done to address the problem in the intervening time, that the tendency instead has been to exacerbate it, illustrates better than anything else the abject failure of the electoral systems that prevail in most of the world's richest, most powerful states. The reason for their failure is clear: no lobby is more politically powerful than Big Energy, which unites petro-states, frackers, and other big extractors with megacorporations like Exxon and Shell and, most formidably of all, their financiers. That's why it's a virtual truism that defying Big Energy is political suicide wherever elected officials exist.¹⁰ And that's why it's urgent we do everything possible to replace the regimes they control with a system empowered to crush Big Energy that can also unite the public behind the drastic action needed to deal with the crisis.

Atlas: But isn't our only hope for success to work within the existing system? And how can we do that if we're working to overthrow it at the same time?

Cato: It's also a mistake to assume business leaders are stupid. They realize this is the only planet we've got and they aren't making things as hard on politicians

as they once did. Take the Paris accords, for example. Or the growing movement toward a Green New Deal.¹¹

Midge: Like the other steps taken to date, they are mere sops, at best stopgaps. I'm not a climate scientist, but my understanding of the scientific consensus is that we are way beyond the point where we can afford to allow career politicians to continue dithering by pursuing their preferred method of placating powerful interests in return for promises of future action—promises that are not even remotely adequate to solve the problem and are anyway seldom kept, even in part. Can there be any reasonable expectation that they will change their approach in time for genuinely effective climate remediation, if that's still even possible? Would you bet your life on it, as you'd in fact be doing? I certainly wouldn't. Whatever actions elected officials end up carrying out, it's a fair bet to be too little too late. That's why I believe climate activists would be well advised to fold their struggle into a political movement to establish an SRD experimental climate jury with full power to deal with the emergency as they saw fit.

Uhuru: Isn't something like that already happening? The French and English set up citizens' assemblies on climate change, and in 2021 a global assembly was organized. These give both those participating and those viewing their proceedings a chance to learn what we're up against and what our options for dealing with it really are.

Midge: Vesting knowledge in ordinary people's hands is great, but it shouldn't be mistaken for true democracy. The climate crisis is a clear case where knowledge *isn't* power. These citizen assemblies have no authority to impose the solutions they favor on politicians, much less the power to force Big Energy interests to comply, as juries and assemblies would under SRD. Under the current system, the odds are stacked against them.¹²

Atlas: What makes you so sure that an SRD jury would be any more successful than citizen assemblies? Or electorates, which do have real power?

Midge: Take any random group of a hundred, mainly ordinary people and imagine what a majority would conclude after receiving all the relevant information on the climate crisis, all in high-quality form presented clearly and comprehensibly, with all the time and assistance from professional staff they require to absorb it. They would have as sure a grasp of what the science says and doesn't say as ordinary people are capable of. In particular, they would realize that our true adversary in this instance is the laws of physics, which can neither be overridden nor repealed. Having no political career or financial stake in the outcome, the majority would have to accept that further government delay is not an option. They could then use their authority SRD gives them to mandate effective measures to shift us away from fossil fuels as rapidly as possible—as people faced with imminent Armageddon must.¹³ And remember: unlike the voters in a referendum, SRD not only gives juries the authority to enact laws

and regulations, it also empowers them to take charge of their implementation and remove legal hurdles, no matter how rich and powerful the resistance.

Atlas: So many assumptions about what these imaginary juries would think and do. What's your basis for all these assumptions? The idea that "ordinary people" will always make the "rational" decision, given the best evidence? And how many do you think will support action that destroys the jobs of workers today to save the climate in the future?

Midge: Ordinary people are reliably rational when it comes to mortal threats to their own and their family's survival.¹⁴ By enabling them to understand the true extent of the peril and the measures needed to overcome it, as well as empowering them to see to it that those measures are actually implemented, SRD seems to me the best answer to the climate crisis by far. As regards the economic hit to ordinary people, my expectation is that juries and assemblies drawn from the population at large would insist on doing everything possible to mitigate the suffering inflicted by the measures nature compelled them to take. In the case of fossil fuel industry workers more particularly, since it certainly isn't their fault that the earth is in the predicament it is, their compensation should come first and foremost from the people directly responsible for our current predicament: Big Energy interests themselves, along with all the other plutocrats who sustain the system that gives Big Energy its immense political power—elections. The climate jury could tap into their personal wealth and the corporate interests they control to continue paying fossil fuel workers' full salaries until new jobs of equal quality could be found for them and, where necessary, pay their moving and related re-housing expenses as well. Whatever they deemed fair. In compensation, the jury might decide to offer government assistance to energy corporations prepared to go 100% green without delay, in addition to other measures to create a 100% green energy market by mid-century—one in which real competition reigned in place of today's oligopolies.

Cato: I gotta say, before the state opened its coffers to those companies, they'd better be under new management. The old ones belong behind bars.

Midge: The climate jury would certainly be empowered to replace boards of directors and top management wherever they proved recalcitrant, even to nationalize those companies that left them no other choice, if only temporarily. Nor would I be surprised if, after the truth commission did its work, the public outcry became so great that democracies would have no choice but to bring those most to blame for our present dire predicament before trial juries—CEOs, bankers, political leaders, and so on.

Rangi: I hope that all of us, except perhaps Atlas, someday get to serve on one of those juries.

Moderator: This seems a good point . . .

Uhuru: Wait, may I say something first, please? (*Moderator nods.*) It just struck me that the beauty of Midge's idea for a climate jury is that it's such a huge

win-win. If climate activists like me join up with the movement to launch SRD experiments, we get a genuinely effective means of achieving our goal, while the movement for SRD gains a corps of committed recruits. And the same logic applies to peace movements, campaigns against discrimination, in fact activism of every kind, left, right, and in between. On the one hand, by campaigning for experimental SRD juries to decide our issues instead of pleading to the deaf ears of coopted career politicians, we could finally get something done. On the other hand, with all those forces united behind it, the SRD movement might actually succeed in getting the system launched. In fact, for the first time I think I see how SRD experimental juries could really happen.

Midge: Quite, but I would go farther and argue that SRD has a value no amount of activism can hope to match. Everyone in society would have to accept that the decision reached by an SRD jury is the decision any body of 100 randomly chosen people would have reached if they too had the same high-quality information, time, and assistance to do the job right. The people as a whole would consequently be able to accept their decision as a genuine reflection of the democratic will, thus giving it unique, unparalleled legitimacy.¹⁵ That's why I see SRD, and it alone, as capable of uniting majorities around the world behind a program of effective climate remediation that otherwise might be so contentious and divisive as to be impossible to enact or implement. And the same holds true for any policy or program activists could convince SRD juries to endorse.

Moderator: That's certainly key for SRD's prospects in the near term. But here's a question about the longer term from a leading political economist who asks to remain anonymous: "Your book put me in mind of the optimism expressed by John Maynard Keynes in the first half of the last century. He believed that rapidly increasing productivity meant that economic life would head in the direction of ever less time on the job, achieved with little or no sacrifice to living standards.¹⁶ It is hard to imagine anyone being more wrong. Yet, I wonder if you think his error wasn't due to failing to take into account the undemocratic nature of electoral systems, for I can't help believing that Keynes's prophesy would be vindicated under sortitive democracy. Certainly, democratic juries and assemblies would have no love for worker precarity of the kind we see in today's gig economy. Or for one job per individual not being enough to live on; pay so low as to make it difficult or impossible to escape debt traps, much less accumulate savings; unaffordable housing; underfinanced infrastructure and social support systems. . . . And that's just the start of the list of conditions under which people struggle today that I believe would never be tolerated in a true democracy. Is that your view as well?"

Midge: I think I might know the questioner . . . (*peers over at the Moderator's screen, smiles, then looks back to the audience . . .*) Yes, that's certainly my view as well. Should political power fall to ordinary people, I have no doubt

they would take steps that, over time, would transform the economy to bring about the highest possible quality of life for themselves—just as elites have always done for elite quality of life under undemocratic systems like ours. It would manifest itself in far less economic inequality, far more reluctance to risk crashes by tolerating speculative bubbles, a greater readiness to mitigate the pain of innocent victims of economic crises, and significantly improved working conditions for everyone, not least more time for family and self.

Moderator: But aren't you thereby conceding that politics and economics do march in lockstep?

Midge: I agree that economics cannot be divorced from politics, as tends to be done far too often. Keynes certainly needed to take into account the character of the political systems in which economies operate more than he reckoned. But that doesn't make the reverse true. Under true democracy, economics can take any form a majority of the people's representatives choose to give it. It is genuinely wide open, both in general direction and particular policies. The one way it isn't, which you may call "predetermined" if you wish, is that the majority will always do everything in their power to put the economic interests of non-elites first.

Rangi: I have to confess I'm still not clear who you mean by "non-elites." It's one thing if you define them as "the working class," which is how I do, but quite another if you do it in terms of other economic categories, and something else again if noneconomic categories are used, like culture, religion, ideology, and what not. So, how exactly do you define them?

Atlas: Before you answer, I want to say something too. Dividing the populace into non-elite and elite strikes me as completely artificial, no better and in a lot of ways worse than Rangi's beloved class analysis. Nobody identifies as "non-elite," and no one would want to identify anybody else that way either. It's not a real category in the way religious denominations like Hindu, Moslem, and Christian are; ethnic ones like Malay, Yoruba, and Māori; or male and female, young and old, employed and unemployed, property owning or renting. And the thing is: these real categories, these genuine social groupings, all cut across the divide you want to draw between elites and everyone else.

Midge: You hit the nail on the head, Atlas, but not in the way you think. The divide between non-elite and elite *is* demographically meaningless. It is relevant in one and only one crucial respect: to democracy. Since the overwhelming majority of people are ordinary, with nothing to raise them above the rest, only a political system that empowers them proportionately to their numbers can legitimately lay claim to the name "democracy." That's the whole point of my book. And it's also why, in that one, all-important respect, no way of categorizing people is truer or more to the point than "elites" and "non-elites." It cuts right to democracy's heart precisely because only the category "non-elites" unites ordinary people across all their manifold "real" divides in the

one regard directly relevant to a genuinely *democratic* distribution of power, both in government and throughout society. Only when non-elites hold preponderant power, directly or through preponderantly non-elite representatives, can democracy be said to exist, whereas when elites hold it, nothing can disguise its absence—not elections, not anything else. The only reason the concept of democracy, though perfectly clear and simple in itself, is so regularly misused as to be confounded with its polar opposite is that the one categorical distinction indispensable to comprehending it is almost universally disregarded.¹⁷

Uhuru: Does the same logic apply to elites?

Midge: For all that divides the wealthy against one another and other elites—the professional-managerial classes, religious authorities, the leadership cadres of minorities, trade unions, and other organized groups—all can unite around the antidemocratic ideal of soi-disant meritocracy: that it's in everyone's best interests if they continue calling the shots, in politics and the other institutions they control, with real power kept firmly out of the hands of the rank and file: ordinary earners, the uncredentialed, lay parishioners, and so on.¹⁸ And in most polities, elections, for good reason, are their preferred vehicle for achieving this.

Rangi: Who are the non-elites then?

Midge: Politically, everyone who has no chance of ever winning an election and holding governmental authority, and who exercises his or her meager share of power only on election days. Economically, the middle and poorer classes, which would certainly include your “working class.” Socially, everyone without advanced degrees, professional credentials, celebrity, or any other kind of special status. I would even include the lower ranks of the police, military, and others whose job it is to preserve today's undemocratic political order since in all other respects they are no different from other non-elites. This leaves anywhere from a tenth to a fifth of the citizenry in most countries who count as elites of one kind or another, the vast majority of whom pose no threat to democracy. The challenge always comes from the apex of elite power, which in sheer numbers falls well below 1% of the earth's population. For it is they who have the most to lose if sortition were ever to replace election.

Moderator: Spoken like the philosophy professor you once were! Time now for another question from the audience. The woman at the podium on my right. Tell us who you are and what your question is.

Questioner: I'm Micaela; I lecture on economics at the university. People like you talk as though governments can play Robin Hood without running any risk of making things worse by their interference. Experience shows the reverse is more often true, with government-ordered redistribution generally ending up aggravating unemployment, increasing inflation, and freezing out needed investment. The lesson I think we all need to draw is that the danger of government meddling hurting the very people it is intended to help is so great that the economy is better

left to its own devices. And if SRD means government meddling run amok, isn't our wisest course to forego experimenting with it and leave what could easily become a Frankenstein's monster safely moldering in its Hellenic crypt?

Midge: Plutocrats are smart enough to recognize that an essential part of dominating both government and the marketplace it supervises is dominating the market for ideas. Just follow the money. The most prestigious academic jobs in economics track the wealth of the universities and institutes that house economics departments. That wealth comes from plutocrats, whether directly in the form of private endowments or indirectly via ostensibly public endowments run by appointees of elected officials captive to plutocrats, overseen by those same officials. So, it should come as no surprise that when plutocrats control the marketplace of ideas, students of economics get taught that what is best for the wealthiest is best for all, while government intervention in any way to their detriment backfires on the very people it is intended to help.

Micaela: You're evading my question with the ad hominem suggestion that my colleagues and I hold the positions we do not because of merit but because we have elite sponsorship. So, I repeat: if good economics favors plutocrats over everyone else, then it is not the economics profession or its funders that favor them, it's reality, and it can't be in anyone's best interests to deny reality.

Midge: If the people at the heights of academic economics are handpicked to build economic theory from within and on behalf of a plutocratically controlled undemocratic system, then it's simple common sense to be skeptical when they start speaking of economic "laws" and "objective truths" that just so happen to favor plutocrats.¹⁹ To me, it illustrates perfectly why newly established democracies can't expect to succeed at economic governance if the only ideas to which they have access are those conceived, tested, and affirmed under current political conditions. If they don't already, democratically disposed economists need to start thinking outside the usual boxes, develop theories of what democratic management of the economy might achieve, and work out ways to dismantle the existing apparatus of elite dominance without inflicting hardship on non-elites. Just imagine, Micaela, being granted the freedom to reset all the economic dials in ways that de-prioritize elites while prioritizing everyone else. The economic reality would be the same, the economic laws operative under current conditions would remain, but everything in the economics profession that relates to government would be reset to making ordinary people better off, in the short, medium, and longer terms, even if doing so impacts negatively on elites. For unless you take the Panglossian view that today's economy is already maximized to benefit non-elites, then it has to be granted that they would fare better under democracy, where the same effort would be devoted to finding economists with the best ideas for improving the lot of ordinary people that is currently devoted to making wealthy individuals and corporations wealthier still.²⁰

And it really does have to be SRD. Non-elites' ability to comprehend economics unaided is extremely limited, the ability to ensure the high quality of the economic information that does get to them equally so, and there would be an inadequate institutional basis for ensuring that ideas favoring non-elites get translated into proposals for new policies, laws, and regulations.

Cato: I gotta say, it bothers me that you make resistance to the established order sound so easy. If a newly created democracy tries to restructure its economy to favor non-elites, more powerful, plutocratically controlled states will just hit it with sanctions, first informal, then formal. Loans will dry up or become unaffordable. The country's trade might even be embargoed, resulting in mass poverty, even starvation. What would your new democracy do then?

Midge: You're right that renouncing the various economic protocols instituted by elites does not come without costs. But, in the normal course of events, after some short-term economic pain, most democracies would gain by freeing themselves from plutocratically imposed terms of trade, which have their own, greater costs in the middle and longer term. Of course, those benefits may be lost to democracies if they become targets of the kind of economic warfare that risks immiserating their people. But that doesn't mean they have to just bend over and take it. For one thing there is a price to be paid by plutocracies with electoral systems that punish countries with democratically run economies while pretending to be democracies themselves. Economic warfare directed against SRD countries simply because they sought to run their economies to benefit the majority of their people would focus the attention of populations in undemocratic countries more intently on their own powerlessness, and could easily backfire on the elites who run them, particularly elected officeholders. In fact, true democracy could well turn out to be the Achilles heel of faux democracies like ours, especially if indigenous democracy movements were backed up internationally by well-publicized boycotts, protests, petitions, and other ways of helping them pressure antidemocratic electoral regimes to relent. The more SRD countries there were, and the more powerful democratic movements became around the world, the more economic leverage they'd have. I grant it could well be a painful and protracted struggle. But given that democratization of the economy is anyway far more likely to be incremental than revolutionary, I think they would have a real chance of prevailing in the end.

Moderator: Let's take a question from an audience member. You . . .

Questioner: Hey, Midge! My friend defines "midgetocracy" as a political system that gives little people all the power.

Midge: (Laughs) Sorry, but I'm not going anywhere near that one.

Moderator: Yes. This seems a good point to move on . . .

NOTES

1. Polling of Americans on socialized medicine gives widely varying results, depending on the use of politically loaded terms (“socialized,” “government,” “public”), whether universal private insurance coverage is properly distinguished from universal public care, and numerous other factors. Given how few Americans have experience or knowledge of how universal health care actually works even in a neighboring country like Canada, much less in Europe and other parts of the world, this is no surprise. For these reasons, we do not consider polls a reliable guide to what an American SRD jury would decide if they had months to properly inform themselves about how universal health care operates in countries like France and Denmark, and how it could be made to work in the United States as cheaply and efficiently as it does in the best public health systems elsewhere. At the very least, they could be counted on to put the interests of ordinary people like themselves ahead of the interests of insurers, hospital corporations, drug and equipment manufacturers, and all the other special interests that use their influence over elected officials to preserve the (for them) highly profitable status quo.

2. The forces behind and challenges posed by austerity regimes are chronicled in Daniel V. Preece, *Dismantling Social Europe: The Political Economy of Social Policy in the European Union* (Boulder: Lynne Rienner Publishers, 2009), Mark Blyth, *Austerity: The History of a Dangerous Idea* (Oxford: Oxford University Press, 2013), and Cristina Flesher Fominaya and Graeme Hayes, editors, *Resisting Austerity: Collective Action in Europe in the Wake of the Global Financial Crisis* (New York: Routledge, 2019).

3. There are many examples of voters wanting to put the general welfare first, and doing just that when given the chance, including this one from Matt Qvortrup’s 2017 study, *Direct Democracy*, 51: “In 1996 citizens in Lithuania had the opportunity to vote on an initiative which stipulated that ‘at least half of the [national] budget [must be allocated] to citizens’ social needs’ (76 percent supported the proposal).” See also note 1 of chapter 3.

4. Economists have long realized that unfettered capitalism can be its own worst enemy, and that only governments have the power to prevent entrenched corporate power from stifling the rise of innovative new entrants. For an intriguing recent analysis, see Philippe Aghion, Céline Antonin, and Simon Bunel, *The Power of Creative Destruction: Economic Upheaval and the Wealth of Nations* (Cambridge: Harvard University Press, 2021).

5. There is a vast literature on mushrooming inequality, most notably Thomas Piketty’s *Capital in the Twenty-First Century* (Cambridge: Harvard University Press, 2017) and *Capital and Ideology*. Other significant recent contributions include Mike Savage, *The Return of Inequality: Social Change and the Weight of the Past* (Cambridge: Harvard University Press, 2021), Jason Beckfield, *Unequal Europe: Regional Integration and the Rise of European Inequality* (Oxford: Oxford University Press, 2019), and Larry M. Bartels, *Unequal Democracy: The Political Economy of the New Gilded Age*, 2nd edition (Princeton: Princeton University Press, 2016).

6. Notable recent works on poverty, its economic causes, effects, and remediation include Martin Ravallion, *The Economics of Poverty: History, Measurement, and Policy* (Oxford: Oxford University Press, 2016), Serena Cosgrove and Benjamin Curtis, *Understanding Global Poverty: Causes, Capabilities and Human Development* (New York: Routledge, 2017), and Philip N. Jefferson, editor, *The Oxford Handbook of the Economics of Poverty* (Oxford: Oxford University Press, 2012).

7. The challenges posed by anticompetitive market practices and proposals for remedying them under current political conditions can be found in Jonathan Tepper, *The Myth of Capitalism: Monopolies and the Death of Competition* (New York: Wiley, 2018), Barry C. Lynn, *Liberty from All Masters: The New American Autocracy vs. the Will of the People* (New York: St. Martin's Press, 2020), Cecilia Rikap, *Capitalism, Power and Innovation: Intellectual Monopoly Capitalism Uncovered* (New York: Routledge, 2021), Tim Wu, *The Curse of Bigness: Antitrust in the New Gilded Age* (New York: Columbia Global Reports, 2018), Chris Carr, *Global Oligopoly: A Key Idea for Business and Society* (New York: Routledge, 2020), Alan Manning, *Monopsony in Motion: Imperfect Competition in Labor Markets* (Princeton: Princeton University Press, 2013), and Sandra Marco Colino, editor, *Cartels and Anti-Competitive Agreements: Volume I* (New York: Routledge, 2017).

8. See note 3 of chapter 3.

9. As emphasized throughout part I, under SRD, jurors and assembly members would be shielded from outside interference, subject to strict rules of conduct, and monitored for compliance—a system that nevertheless counts as democratic because all its components have to be democratically agreed by SRD constitutional assemblies, oversight juries, assignment authorities, and other governing bodies composed mainly of non-elites. This, together with Midge's answer to the question about budgeting under SRD, may serve as a response to anti-sortitionists' objection that ordinary people are no more trustworthy than anyone else (see, e.g., Fuller, *In Defence of Democracy*, 132–5).

10. Background and analysis of the political landscape relating to global warming and the environment from a variety of perspectives can be found in Andrew W. Dessler and Edward A. Parson, *The Science and Politics of Global Climate Change: A Guide to the Debate*, 3rd edition (Cambridge: Cambridge University Press, 2019), Matto Mildenberger, *Carbon Captured: How Business and Labor Control Climate Politics* (Cambridge: The MIT Press, 2020), Neil Carter, *The Politics of the Environment: Ideas, Activism, Policy*, 3rd edition (Cambridge: Cambridge University Press, 2018), David Ciptet, J. Timmons Roberts, and Mizan Khan, *Power in a Warming World: The New Global Politics of Climate Change and the Remaking of Environmental Inequality* (Cambridge: The MIT Press, 2015), and Hayley Stevenson, *Global Environmental Politics: Problems, Policy and Practice* (Cambridge: Cambridge University Press, 2017).

11. Although conservatives have a not-undeserved reputation for denying human responsibility for climate change and opposing the actions needed to address the crisis, that does not apply to all conservatives, nor even to most conservatives in all nations. Cato, being at a university in a country where the issue is less politically

charged than elsewhere, is representative of the views of many conservatives with no personal interest in business as usual but a huge stake in surviving.

12. At time of writing, it is becoming clear the French effort has been fatally undermined by elected politicians in concert with lobby groups, including the building and transportation industries. See, for example, Deutsche Welle (www.dw.com), “France’s Citizen Climate Assembly: A Failed Experiment?” DW: 16.02.2021, DW.COM, accessed July 7, 2021, <https://www.dw.com/en/frances-citizen-climate-assembly-a-failed-experiment/a-56528234>. The UK assembly’s report can be accessed via this article: UK Parliament, “Climate Assembly UK Publishes Report on Path to Net Zero Emissions,” UK Parliament, September 10, 2020, <https://www.parliament.uk/business/news/2020/september/climate-assembly-uk-new/>. For information regarding the 2021 Global Assembly on climate change, see: <https://globalassembly.org>.

13. People without expertise in climate science who do not contest the science may still question the need for drastic action to deal with the crisis. For an excellent critique of neoliberal economists like Nobelist William Nordhaus who argue from economic principles in favor of business more or less as usual, see “From Finance to Climate Crisis: An interview with Steve Keen,” 130–47, *Real-World Economics Review*, No. 95.

14. There is much debate about precisely what is meant by “rational,” and much that we consider to be rational that is actually after-the-fact rationalization of emotion-based decision-making. Still, as Hutchings documents in *Public Opinion and Democratic Accountability*, ordinary people are reliably rational when it comes to their own and their family’s well-being, where their emotional stake is greatest. The true nature of rationality as it applies to politics and human affairs generally was perhaps best expressed by the philosopher David Hume when he wrote, “Reason is, and ought only to be the slave of the passions, and can never pretend to any other office than to serve and obey them.” (*A Treatise of Human Nature*, 415 [Oxford: Clarendon Press, 1978]).

15. Recall chapter 1, 32 and note 9.

16. See Keynes’s essay on the “Economic Possibilities for our Grandchildren” (1930): “I draw the conclusion that, assuming no important wars and no important increase in population, the economic problem may be solved, or be at least within sight of solution, within a hundred years. . . . Thus for the first time since his creation man will be faced with his real, his permanent problem—how to use his freedom from pressing economic cares, how to occupy the leisure, which science and compound interest will have won for him, to live wisely and agreeably and well. . . . For many ages to come the old Adam will be so strong in us that everybody will need to do some work if he is to be contented. We shall do more things for ourselves than is usual with the rich today, only too glad to have small duties and tasks and routines. But beyond this, we shall endeavour to spread the bread thin on the butter—to make what work there is still to be done to be as widely shared as possible. Three-hour shifts or a fifteen-hour week may put off the problem for a great while. For three hours a day is quite enough to satisfy the old Adam in most of us!” (*Essays in Persuasion* [New York: W. W. Norton & Co., 1963]). See also Birendra Prasad Mathur, *An Alternative*

Philosophy of Development: From Economism to Human Well-being (New Delhi: Routledge India, 2019), and David Harvey, *Social Justice and the City* (London: Edward Arnold, 1975).

17. Midge is again insisting on using “democracy” in a sense that retains at least some connection to its original meaning: see introduction to part I, 15.

18. See note 4 of the introduction to part I.

19. In a wide-ranging report, a group of economic students from the University of Manchester, called The Post-Crash Economics Society (the “crash” being the financial crisis of 2008), argued that economics syllabuses were dominated by the economic theory of one perspective, known as neoclassical economics, “as if it represented universally established truth or law,” and argued for a more pluralist and critical education. (The report noted that the Government Economics Service is the largest employer of economics graduates.) See Post-Crash Economics Society, “Education, Economics and Unlearning—The Report,” www.post-crasheconomics.com (The University of Manchester Post-Crash Economics Society, April 2014), <http://www.post-crasheconomics.com/economics-education-and-unlearning/>, 10. See also Robert Skidelsky, *What’s Wrong with Economics?: A Primer for the Perplexed* (New Haven: Yale University Press, 2020), and John T. Harvey, *Contending Perspectives in Economics: A Guide to Contending Schools of Thought*, 2nd edition (Cheltenham: Edward Elgar Publishing, 2020).

20. A sampling of critiques of views like Micaela’s can be found in Steve Keen, *The New Economics: A Manifesto* (Cambridge: Polity, 2021), Fred L. Block, *Capitalism: The Future of an Illusion* (Berkeley: University of California Press, 2018), Samuel Bowles, *The New Economics of Inequality and Redistribution* (Cambridge: Cambridge University Press, 2012), John N. Drobak, *Rethinking Market Regulation: Helping Labor by Overcoming Economic Myths* (Oxford: Oxford University Press, 2021), Stephanie Kelton, *The Deficit Myth: Modern Monetary Theory and the Birth of the People’s Economy* (New York: PublicAffairs, 2020), and Mike Konczal, *Freedom From the Market: America’s Fight to Liberate Itself from the Grip of the Invisible Hand* (New York: The New Press, 2021).

Chapter 9

Mass Media

Moderator: A question now from a viewer. He's a well-known British journalist who asks to remain anonymous: "Democracy exists only where government action accords with the public mind. But what shapes the public mind? No one doubts that propaganda has a huge influence. Why else would advertisers spend fortunes to persuade us to buy their wares? They wouldn't make those massive investments if the public mind wasn't highly influenceable. That makes mass media all-important since whoever controls it controls access to the public mind and thereby controls the public mind itself.¹ But right now mass media is firmly in the hands of immensely wealthy, powerful individuals who either own media corporations, advertise on them, direct their operations, or sit on their boards. They're the ones with the final say on who gets hired or fired, who gets promoted to the top, and who gets excluded from mass media altogether: reporters, editors, pundits, expert analysts—everyone in a position to influence the "product" the masses "consume." The same is true of public media corporations like the BBC and PBS, whose financing and operations are politically controlled—which, as you've made abundantly clear, puts them under the sway of those same elites. Voices the wealthy and powerful object to are consequently never heard, while the ones that do reach the masses are, by definition, voices elites approve of.² There thus seems to be a contradiction at the heart of our politics: elites control mass media, mass media controls the public mind, the public mind-set on political matters represents the democratic will, and the democratic will is the will of the non-elite majority. The implication that the wills of non-elites and elites are the same is obviously specious, but what can be done to free the public mind from elite control? You hold out the hope that SRD can set things right. But given how bad mass media have become in recent years, and the likelihood that their subservience to elites will become even more complete with increased market consolidation and technological sophistication, how can

SRD possibly circumvent media gatekeepers to get the word out, much less survive long enough to effect real change?”

Midge: In a book I wrote some years back, I argued that to understand the media you have to recognize that they are always totally subservient to the established political order, be it capitalist, communist, military, theocratic, or anything else. This is what people miss when they lament that journalism is worse today than it was 40 or 60 or however many years ago. It actually hasn't changed at all; it is the same beast it's always been, operating the same way it always has. What ebbs and flows with the times is the political order that mass media reflects and amplifies, not just in reporting but in entertainment and social media as well. In societies subject to electoral regimes like ours, it is an order dominated by wealthy elites whose political control wanes as wars, depressions, and other great catastrophes sap their strength and unity, and waxes when recoveries reinvigorate them. For example, their grip loosened to an unprecedented extent due to the massive destruction wrought by World War II—enough so that leftist parties, even Soviet-aligned Communist Parties, were able to make unprecedented breakthroughs in elections and claim a greater, more secure place in the postwar political order than ever before. And here's the thing: that change was faithfully reflected by the mainstream media of the time, which opened its doors to provide leftist politicians and spokespersons with more mass platforms and balanced coverage than ever before. Once the plutocracy reestablished its grip, however, the media reflected that change too. As its increased political strength forced parties of the left to either go under or change their politics in line with elite interests, the ever-compliant mass media flooded the airwaves and print with elite-friendly voices and starved antagonistic ones of mass platforms, so that today, at the zenith of the neoliberal era, anti-plutocratic voices are virtually nonexistent so far as the masses are concerned. This means that we shouldn't expect any change for the better from the media until something causes the plutocrats to once again loosen their grip. My hope is that, if and when that happens, it proves to be democracy's turn to break through and become part of the established political order. If so, I have no doubt that the media will fall smartly into line and start providing the public with coverage of SRD experiments and access to pro-democratic voices. And just as importantly, it wouldn't be too long before that great bastion of elite impunity—the media industry itself—began to see democratization.

Moderator: I take your point that media are the same beast they've always been. You just have to read Upton Sinclair's *The Brass Check*.³ It's by far the clearest account I've come across of how media censorship and misinformation work, and if you didn't know he published it more than a century ago, you'd think he was describing the mass media of today.

Midge: I'm so glad you mentioned *The Brass Check*. Its diagnosis of the symbiotic relationship between industrial, political, and media power is chilling, as

is what happened to Sinclair and his book.⁴ My book on media power opens with a rather long quote from Sinclair, which ends with his defining journalism in America—and the same goes for media pretty much everywhere—as “the business and practice of presenting the news of the day in the interest of economic privilege.”⁵ And unlike many media critics, he links it all to what he sees as sham democracy, where two rival political machines—the Tweedledum and Tweedledee parties—are presented to the people as the quintessence of democracy. It’s a dance, a farce, and if I were of a conspiratorial bent, I’d argue that the extent to which we’re endlessly lectured to by the media about their “crucial role” in upholding this sham democracy ought to be enough to raise anyone’s suspicions. Do you know any other industry that gets away with insisting on its vital importance to our very way of life but at the same brooks no oversight or transparency?

Moderator: So, let’s zero in on the remedies you propose in your new book, starting with your insistence that a media jury be included among the first SRD experiments. Could you tell us what you have in mind and why you think it essential to democracy’s survival?

Midge: An experimental media jury could take its start from what’s been tried so far. You may recall the proposal for a press council in the early 2010s in the UK, after a phone-hacking scandal led to a public outcry—although it was never implemented, for all the usual reasons.⁶ An SRD press council would be composed not of media insiders like that one, but of ordinary people, with a wider brief and teeth sharp enough to do for the media what the media clearly will never do for themselves: open up their operations to public scrutiny so the public can start holding them to account. An SRD press council could inquire into broader issues than complaints about errors of fact, misrepresentation or misbehavior, and impose real penalties whenever the media were caught betraying the public trust. It might, for instance, investigate and order changes in the political makeup of newsrooms, media portrayals of controversial people and groups, or systemic bias, be it favoritism or antagonism, in their coverage of domestic and foreign affairs. The big bogeyman of “government control,” which the media always conjure up to fend off attempts at outside regulation, wouldn’t apply because, thanks to SRD, this press council would be of, by, and for the very people the media claim to represent.

Cato: I gotta say, I’m always astonished by how, on the one hand, mainstream journalists are so full of themselves—always telling us how necessary they are to a healthy democracy—and on the other hand, how resistant they are to transparency, much less meaningful oversight of any kind. The little self-appraisal they do engage in is mostly pap, where they pat themselves on the back for the fine job they’re doing being neutral and objective because everyone from conservatives to communists hates them. Don’t they get that our hatred is real . . . not to mention entirely justified?⁷

Atlas: As you say, it's hard to think of another industry that gets to oversee itself in the way the media do—except perhaps the churches. But I'm not convinced your press council idea kills the government-control bogeyman. For a start, it would be dependent on politicians to enact and enforce its recommendations. The media would never agree to it, and given the power they have over politicians, won't that just mean it never happens, per the UK?

Cato: We conservatives have been making noise about liberal media bias for years—everything from the “rules-based liberal international order” to the omnipresent wokedom shoved down our throats 24/7 . . .

Uhuru: . . . due respect, Cato, conservatives being the ones with all the power, I've never understood that complaint.

Cato: (*Snorts*) Have you been asleep the past few years? Liberals control everything now—the press, the economy, government, you name it. And you're confusing elite-governing parties that brand themselves “Conservative” with people like me, who really are conservative but find ourselves powerless to change things no matter how we vote. Right-wing politicians are just as much in bed with the media as all the rest. We'll never get reform from them. The idea of an SRD experimental media jury is all fine and dandy, but the media will never let it happen.

Rangi: I'd like to ask something else. Social media has undermined a lot of the power of traditional media, which may be a good thing, but it's also a toxic cesspool. How would SRD deal with that?

Midge: I'm of the view that social media platforms should be treated as public utilities—in keeping with the idea that there's no such thing as a free media that's also corporate controlled. Just as government-controlled media can never be free.

Atlas: Can media ever be free by your lights?

Midge: In the same way the only path to true political freedom is democracy—for the people themselves to take charge—mass media can only become free if the public take control of it from plutocrats and governments alike by establishing randomly chosen media juries operating in strict accord with SRD protocols and procedures.

Atlas: *That's* “freedom of information”?!

Midge: How can the people's right to know and judge for themselves what's true and what's not be protected while the political order that oversees mass media is undemocratic? And conversely, how can we ever hope to establish true democracy while the plutocratic power structure in mass media that props up the current undemocratic political order remains intact? Each reinforces the another. Granted, the advent of SRD experiments in areas other than media would already of itself have a salutary effect. At the very least, it would oblige the media to take a break from nonstop coverage of political horse races and in-fighting to report on SRD's politician-free, fully transparent decision-making;

and that in turn would oblige them to reflect the points of view being aired and favored by juries, however unpopular they were with elites. But so long as mass media remains under the ownership and control of the same wealthy, powerful people who finance political parties and control elected officials, media coverage will inevitably be skewed in their favor, which would certainly include using their control over access to the public mind to discredit SRD—biased reporting and editorializing designed to smear leaders of democracy movements, sow discord among their supporters, caricature SRD's methods and practices, ridicule its proposals, and so forth. The best way I can think of to combat this, or even prevent it from happening at all, is to establish media juries with the power to rein in print, electronic, and social mass media to the extent needed to ensure that their coverage is genuinely fair and balanced, be it of SRD or anything else. That's why I'm of the firm belief that media juries must be among the very first SRD experiments launched. And since, like all standing juries, their membership would be both open to all and regularly replenished, they couldn't fall into the kind of partisan rut to which so many of the self-selected insider groups that attempt to monitor the press today seem prone.⁸

Uhuru: Democratizing mass media is an idea even liberals like me can support.

Corporate media is weighted so heavily in favor of the political and economic status quo that it puts the very idea of “the democratic will” in doubt.

Rangi: You're certainly right there. We don't hold people accountable for sounding off when they're drunk or on drugs, saying things they wouldn't have said otherwise, at least not out loud. Likewise, any views the public might not have formed were it not for plutocratic control of mass media should no more be regarded as authentic expressions of the democratic will than harebrained schemes hatched at a Frat party.

Cato: Are we back to brainwashing again? Can't you admit that all people think for themselves, not just over-educated people like all of you?

Rangi: If given half a chance. But are they ever, really? The media might not use a black marker to censor the news anymore, but that's only because anyone with views outside the mainstream doesn't make it in the door in the first place. That's why my default position is radical skepticism. When the headlines shriek “Unprovoked Aggression! Human Rights Violation! Foreign Interference!,” I assume it's either a nothingburger or an outright falsehood. The more “reputable” the media outlet, the less likely I am to credit the story—“reputable” being just a euphemism for “elite.” Nonbelief is my initial position, and that's where I remain until they publish hard proof that can't be challenged. Even then I want to know if the story is still being denied and why. And if the media refuse skeptics a fair hearing or ignore them altogether, then I revert to my default.

Uhuru: I too try to treat everything corporate mass media outlets tell me as suspect, but I often catch myself believing anyway. I suppose it's because the narratives they peddle get repeated endlessly by everyone from movie stars to

Ivy League professors to hairdressers. How can we be expected to keep up our skeptical guard in the face of a literal tsunami of questionable information echoed from every side?

Cato: I used to be a radical skeptic too, but now I'm not so sure.

Moderator: Very funny. Midge?

Midge: Uhuru is right that skepticism by itself is not enough. People want their information sliced, diced, grated, seasoned, cooked over easy, and served in satisfying, attractively presented morsels that they can enjoy with friends and family. Enjoyable books and articles, entertaining videos and movies, captivating gossip, rousing speeches, engaging discussions—they're as easy to swallow as they are hard to resist. The politically crucial question is who gets to be in charge of producing and disseminating them, since the power at stake is huge. Mass media can either be controlled undemocratically, as is the case now, or democratically. We all know the kind of information undemocratically controlled mass media delivers. By contrast, the goal of democratic control would be to provide the masses with engaging, entertaining information that is also high enough in quality to enable them to understand the world as it really is and to discover all the ways government can best serve their interests.

Atlas: I'm on board with pretty much everyone's criticisms of the media, but I simply can't stomach the idea of government media "control," no matter how democratic the government is. State-controlled media doesn't exactly have a good track record. Look at *Pravda*, *The People's Daily*, or, at the other extreme, the *Völkischer Beobachter*. Why should we expect things to be any better under SRD management? Democracy in the public sphere, if not in the virtual halls of SRD government, requires total freedom of information, where anyone and everyone with something to say is permitted to say it, elites included.

Midge: Being free to hold any opinion as a private individual is one thing, being free to express your opinion through a mass media megaphone is something else entirely. No one on the democratic side wants to silence elites, much less prevent them from holding and expressing any opinions they wish as private individuals. But so long as they retain the power to determine what does and does not get onto broadcast, print, and social mass media, our side—the side that champions the interests of the non-elite majority—is starved of access. That's what SRD would change. Elites would still have access, no doubt more than their fair share. But theirs would no longer be the first, last, and loudest word heard on every subject. And it doesn't have to be the SRD government that takes the lead in democratizing mass media.

Moderator: I know we'll be focusing on corporate democratization later, but could you give us a preview by explaining how it would work in the case of private-sector mass media?

Midge: While SRD is compatible with corporate governance models that leave elites holding a significant share of power on the governing boards of

democratized corporations, corporate media are an exception because of the vital role mass media play in a democracy. The governing boards of at least their news and information divisions could be made fully democratic by drawing their membership from sortition pools open to all, operating with the assistance and advice of specialist juries randomly drawn from the lower echelons of the corporate media workforce, alternative media, stringers and independents, as well as journalism school faculty and students. Profit would thereafter take second place to discharging the media's public trust to provide the people with the high-quality, appealingly packaged information they need to keep informed.

Atlas: I think your idea of a democratically run media overlooks a key factor that largely accounts for the limitations of mass media today: its business model is based on advertising, the bulk of which is corporate and controlled by the very wealthy. Deprive these people of their say in the way mass media operate and you could well be killing the goose that lays the golden eggs. At the very least, production quality will plummet for want of the resources only great wealth can provide. And then see how easy it will be to convince taxpayers to make up the shortfall!

Midge: It already has plummeted. If you look at the private and public corporate media landscape today, you see ever less investment in obtaining and disseminating high-quality information. Foreign bureaus have been cut to the bone or closed down completely; reporters, editors, fact checkers, and other staff crucial to quality journalism have been let go in droves; and press statements, both government and corporate, get passed on to the public not only more or less unchanged, but unchallenged. At the same time, some of today's best investigative reporting and important whistleblower revelations get little or no mention in mass media because powerful interests oppose their dissemination. If we accept that the public mind can only function as an expression of the democratic will if it is supplied with high-quality information from a wide range of voices, there can be no question that the job corporate media are doing today needs to be drastically improved. Once SRD bodies decided what changes are required for them to meet their obligations in a democracy, the finances needed to pay for them could be secured by levies on more profitable sectors like sports, entertainment, and social media, or, in the case of media-owning conglomerates, on profitable non-media sectors as well. At the same time, they would institute strict new protocols to ensure that reporters, investigative journalists, editors, and other media workers are freed from the need to answer to elites, including the owners and top management of the media corporations that pay their salaries. They would be accountable solely to the people via their randomly selected representatives, whether in the SRD government or on democratized corporate boards.

Atlas: I'm not sure I see much difference between subjecting media to SRD government media juries and subjecting it to government-mandated SRD corporate governing boards. Either way, it's state control; and state control in any form is always the enemy of freedom of information.

Midge: Where mass media is concerned, ensuring freedom of information boils down to sending journalists out to cover everything well-informed people need or want to know; supplying them with all the means necessary to ferret out the important stories on their beat; providing them with sufficient editorial support to ensure that everything they report is well sourced and thoroughly fact-checked; and, above all, offering all media workers an ironclad assurance of complete independence from all outside influences in reporting their stories . . . other than the public they are meant to serve. Since under SRD the public genuinely *is* the government, making journalists answerable to government media juries and democratized corporate governing boards is the only way I know of to make them truly accountable to the public. It's also the only way I know to give journalists the protections they require to set them free to interrogate powerful government and corporate officials without fear for their careers or reputations. For, again, what the public most needs from journalists, what democracy requires of them, is that they hold all public- and private-sector worthies to account—as corporate media journalists today profess to be doing but seldom ever do.

Cato: What is it they like to say? Afflict the comfortable while comforting the afflicted? For once they'd actually be doing it, probably for the first time in history.

Moderator: Let's take a question now from the audience. You, there . . .

Questioner: Hi, I'm Javier, I work as a media consultant. My question is this: even if the abolition of elections puts an end to election advertising, it won't stop the wealthy and powerful from flooding the media landscape with propaganda to advance their agendas. After all, as you say, politics without politicians doesn't mean the end of politics. So, how would SRD combat that power? Or would it simply make political advertising illegal, at least when not fully funded by small contributors?

Midge: There are many ways democratic authorities could deal with the challenge. They might impose caps on the amount of money that can be spent on political advertising by individuals, corporations, foundations, or anyone else. Or they might require that big political advertisers contribute an equal sum to a pot that goes to pay for advertising by their opponents, so all sides get heard. Or undemocratized media that carry such programming could be required to provide free, equal time in comparable slots for rebuttals. Or big political advertisers might have to prove before a democratic review body that their messaging meets high-quality information standards. Some or all of these remedies could be used, and there are others democracies could choose from as well.

NOTES

1. As Harvard psychologist Hugo Münsterberg remarked as long ago as 1911, “If the country is governed by public opinion, and public opinion is largely governed

by the newspapers, is it not essential to understand who governs the newspapers?" (quoted in the *Monthly Review* article of McChesney and Scott cited in note 4). The influence of the news media on public opinion is well documented, including Jonathan McDonald Ladd and Gabriel S. Lenz, "Exploiting a Rare Communication Shift to Document the Persuasive Power of the News Media," *American Journal of Political Science* 53, no. 2 (2009): pp. 394–410, <https://doi.org/10.1111/j.1540-5907.2009.00377.x>, and John Zaller, "The Myth of Massive Media Impact Revived: New Support for a Discredited Idea," in Diana C. Mutz, Paul M. Sniderman, and Richard A. Brody, editors, *Political Persuasion and Attitude Change* (Ann Arbor: University of Michigan Press, 1996). Media's ability to set the public's agenda is explored in Maxwell McCombs and Sebastián Valenzuela, *Setting the Agenda: Mass Media and Public Opinion*, 3rd edition (Cambridge: Polity, 2021).

2. In *Manufacturing Consent: The Political Economy of the Mass Media* (New York, NY: Pantheon, 1988), their now classic critique of the media, Edward Hermann and Noam Chomsky put forward what they call the "propaganda model," which argues that the news media "serve, and propagandize on behalf of, the powerful societal interests that control and finance them." The agendas and principles that these elites want to advance are not, the authors argue, achieved "by crude intervention, but by the selection of right-thinking personnel and by the editors' and working journalists' internalization of priorities and definitions of newsworthiness that conform to the institution's policy."

3. Upton Sinclair, *The Brass Check: A Study of American Journalism* (Pasadena, CA: Self-published, 1920; Kindle edition, New York: Open Road, 2015). The title of the book refers to the "brass check" used as a chit in urban brothels: "There is more than one kind of parasite feeding on human weakness," Sinclair wrote, and "there is more than one kind of prostitution which may be symbolized by the BRASS CHECK" (*The Brass Check*, 16). The same sentiment is conveyed today by the frequently used term "presstitute." Sinclair's book's contemporary relevance is underscored in Alison McCulloch's "Stop The Press," *Scoop News*, January 16, 2015, <http://www.scoop.co.nz/stories/HL1501/S00060/stop-the-press-alison-mcculloch.htm>.

4. Sinclair is best known for *The Jungle*, his 1906 exposé of the horrific labor and sanitary conditions in the Chicago meat industry. A masterpiece of long-form journalism, *The Jungle*, became a best-seller eventually forcing a grudging President Theodore Roosevelt to take action, albeit feeble. The first part of *The Brass Check* recounts Sinclair's struggle to get the press to pay attention to his *Jungle* exposé, and how, a mere year after the book's publication, and despite the "reforms," the situation in the packing houses was as tubercular and inhumane as ever, for both workers and animals. He couldn't find a commercial publisher for *The Brass Check*, so self-published the book and did not copyright it. Robert McChesney and Ben Scott, who wrote an introduction for a 2002 reprint by the University of Illinois Press, note the quiet forgetting of Sinclair's critique—which they put down to a smear campaign against him—and outline the powerful opposition he faced ("Upton Sinclair and the Contradictions of Capitalist Journalism," *Monthly Review*, October 21, 2014, <https://monthlyreview.org/2002/05/01/upton-sinclair-and-the-contradictions-of-capitalist-journalism/>).

5. Sinclair, *The Brass Check*, 222.

6. See Brian Henry Leveson, *An Inquiry into the Culture, Practices and Ethics of the Press* (London: Stationery Office, UK Parliament, 2012). For an insider's account of the phone-hacking scandal that led to the Leveson inquiry, see Nick Davies, *Hack Attack: How the Truth Caught up with Rupert Murdoch* (London: Chatto & Windus, 2014). Among other things, Leveson called for "independent self-organised regulatory system" underpinned by legislation. In 2019, the Media Standards Trust assessed the extent to which the UK's Independent Press Standards Organisation (IPSO) satisfied the recommendations in the Leveson report and concluded that of 38 Leveson recommendations for a regulatory system, IPSO satisfied 13 and failed 25 (Media Standards Trust, "The Independent Press Standards Organisation (IPSO) – Five Years On," Media Standards Trust, October 2019, <http://mediastandardstrust.org/mst-news/the-independent-press-standards-organisation-ipso-five-years-on/>. Accessed July 10, 2021); see McCulloch's article cited in note 3.

7. See for example, Jonathan M. Ladd, *Why Americans Hate the Media and How It Matters* (Princeton: Princeton University Press, 2012), and note 4 of chapter 3.

8. Both a legislative underpinning and the random, regularly rotating selection of participants are crucial for this kind of people's oversight, as can be seen in the myriad failed efforts by so-called independent media watchdog and fact-checking groups. In the first place, because they have no statutory power and little ability to publicize the media wrongdoing they uncover, these organizations are rarely able to achieve meaningful redress. Second, because they are not composed of a randomly selected, regularly rotated membership, they quickly come to reflect the bias of those who fund and/or run them. For example, in the United States, the organization FAIR (Fairness and Accuracy in Reporting <https://fair.org>) represents a so-called liberal or progressive bias, while AIM (Accuracy in Media <https://www.aim.org>) reflects a conservative one. Some media organizations have themselves appointed reader representatives and ombudsmen, as *The New York Times* established the post of Public Editor in 2003 in the wake of the Jayson Blair plagiarism scandal. However, the *Times* eliminated the post in 2017 (<https://www.nytimes.com/2017/06/02/public-editor/liz-spayd-final-public-editor-column.html>), just as the *Washington Post* had eliminated its ombudsman in 2013. The publisher of *The New York Times* company, Arthur Sulzberger Jr., justified the action by arguing that "[o]ur followers on social media and our readers across the internet have come together to collectively serve as a modern watchdog, more vigilant and forceful than one person could ever be." Little need be said about the idea that the "public," as represented by the small, self-selected group who follow the *Times* on social media, could do what a statutory media watchdog with real authority, funded by levies on corporate media, and staffed full time by people randomly drawn from the population at large could do.

Chapter 10

Politics without Politicians

Moderator: The question about political advertising segues nicely into the topic of politics itself. Under SRD, there would be no need to vote for our leaders because anonymous, randomly selected people serving for a brief, once-in-a-lifetime term would hold all leadership positions. So, there would be no need to organize to register voters, canvass, or conduct turnout drives on election day—no campaigns for the media to cover, no political horse races to prognosticate, no leadership qualities to pronounce on, no reputations to extol or drag through the mud. Political parties too would lose their reason for being since there would be no need to combine candidates for multiple offices onto a single electoral slate, provide the slate with financial backing, campaign managers and consultants, bargain for individual and institutional endorsements, work the media, and do everything else parties do in modern-day electioneering. Though some might see that as a welcome turn of events, others might find political life under SRD somewhat denuded. Elections at least give people a sense of direct involvement in the political life of their nation, region, or city. Politicians give issues and causes a public face and voice, which the mass media publicize by doing their best to turn election campaigns and political infighting into high drama. The result is an engaged public. But all that would be gone under SRD. There'd only be arbitrary, ever-shifting avatars shielding the identities of ephemeral, all too boringly ordinary decision makers. Nothing to personalize or dramatize, no one for people to engage with or line up behind. So, won't politics be impoverished under SRD, not to say dreary?

Midge: It's true that the politics we know dies with elections. Just as the politics ancient Romans knew died with their empire, the politics serfs knew died with feudalism, and the politics Soviets knew died with the U.S.S.R. Since SRD has yet to be implemented anywhere, we can't know all the ways politics would

change under it. But one thing I am sure of is that its arrival will be sure to stimulate and enrich, not weaken political engagement.

Moderator: Why?

Midge: Political power and the tremendous stakes its exercise involves inevitably focuses public attention on those in whom it is concentrated. Everyone seeking benefits from them or fearing their enmity is driven to organize and unite their forces to win their favor and deny it to their adversaries. That being the nature of concentrated power, it would be certain to remain just as true were it ever to be concentrated in the hands of ordinary people as it is today, when power is the exclusive preserve of career politicians, party general secretaries, absolute monarchs, and the like. Among other things, this means that SRD would become the focus of mass media coverage, who could be counted on to do everything in their power to whip up public interest in its proceedings, if only to improve ratings, increase clicks, attract subscribers, and otherwise extend their reach. Focusing on ordinary people concealed by avatars would of course be challenging, but, when it comes to attracting audiences, media people are nothing if not clever. And you also have to consider that a great many people, more perhaps than you might think, are turned off by the fact that the contestants in the political struggles of electoral politics are virtually all elites—professional pols, captains of industry, heirs of famous business and political dynasties, highly credentialed professionals, and various flavors of celebrities, many of them multi-millionaires, some billionaires. Given a system that invested power primarily in ordinary people like themselves, including people personally known to them, their engagement with politics would be likely to revive, not only drawing them to its coverage in the media but also inspiring many to become politically active themselves.

Uhuru: So, how would activists like me operate under SRD? What would change and what wouldn't?

Midge: Activists for various causes can and surely will continue doing most of the things they do now: organize, mobilize, mount petition drives, stage protests, raise funds, issue press statements, advertise, and cultivate spokespeople to give speeches, write articles, and appear on TV, video-sharing platforms, podcasts, and other digital fora.¹ But instead of having to rely on back channels to lobby politicians and politically influential elites, their politicking under SRD would all be out in the open and entirely issues-based. Another key difference from today is that *every* political movement with genuine grassroots support would be assured regular access to mass media, providing the public a chance to hear from all voices, not just those vetted by elites. Given the plethora of issues people of varying political stripes care deeply about, SRD offers vast scope for a new, reborn politics at every level of government—local, national, and international.

Rangi: What I'd like to know is how I, an ordinary member of the public who no longer has a vote or a political party to join, go about getting an issue I care about brought up before a jury or put to a referendum. You'll probably say I'd need to start a political movement. O.K. But what if my movement can't get the government to listen? Would there be any way to force its hand?

Midge: Let's say the assignment authority rejected your movement's petition to impanel a jury to decide your issue, forward it to an assembly, or put it to a referendum. Provision could still be made to force their hand by demonstrating broad enough public support.

Rangi: How would my organization go about doing that? And how high a bar would we need to get over?

Midge: It might involve getting a certain number of people to sign a petition, or sufficiently large membership rolls in organizations campaigning for your group's proposal, or high-enough subscription levels to printed, audio, or video publications advocating it. Of course, there would also be hurdles. If your organization were just an elite front—astroturf, not real grassroots—then the assignment authority would still have the power to reject the proposal. But let's say it's a genuine people's movement proven to have wide appeal. In that case, the assignment authority could be constitutionally required to forward your proposal for official action.

Rangi: Then what happens?

Midge: The focus would shift to the decision makers, be it a jury, assembly, or the voters. Since the case for and against it would be broadcast via the internet, your group, as prime movers in the affair, would be guaranteed the opportunity to present their views both to the responsible SRD body and to the public via mass media. In that way, even if the verdict on your proposal is negative, you'll at least have the consolation of knowing you were heard, and understanding why the majority of decision makers failed to be persuaded.

Cato: A night and day difference from how politics works now, I gotta say!

Atlas: Just out of curiosity, what do you think would happen to today's Republicans and Democrats, Labour and Conservatives, Christian Democrats, Social Democrats, Greens, and their ilk? Will they vanish with electoral politics, or do you think they will find ways to perpetuate themselves under SRD?

Midge: Party politics as we know it is fueled by massive infusions of money, mostly from big donors. Center and right parties depend on finance capital and so are, by definition, pro-elite. Of course, being past masters in the arts of electoral engineering, they are also adept at recruiting non-elites to their banner by deploying myriad divide-and-rule tactics to win elections. That's why, with the abolition of elections, they'd lose most of their value to elites and probably soon be consigned to history. The same would happen to electoral parties nominally of the left but no less dependent on wealthy donors, like the Democrats in the United States and most so-called Social Democrat and Labor

Parties elsewhere. The few exceptions tend to be heavily dependent on financing and canvassers supplied by large organizations like trade unions, religious movements, and ethnic groups—groups run by their own elites, often featuring their own parochial styles of corruption. Once elections were abolished, there would be little reason for them to continue devoting their resources to old-style party electioneering machines either.²

Rangi: How would workers' parties fare under SRD? And I don't just mean as political machines that compete to win power in elections, but also their use of elections to decide their internal leadership.

Midge: Elections are a bad model of governance for any organization that purports to be democratic—run by and for its members—and that's true of leftist no less than non-leftist ones. Elections for leadership roles in major pro-worker parties, trade unions, and cooperatives are typically won not by ordinary group members but by group elites, and so mainly serve to maintain their grip on power while keeping the rest out. Sortition is far fairer, more democratic, and, especially when SRD procedures and protocols are adhered to, much better for everyone than competitive elections—not to mention avoiding all the horse-trading and temptation to make corrupt bargains that inevitably accompanies high-stakes electioneering.³

Atlas: I have my doubts that politics under SRD would change quite so drastically as you think. Wouldn't today's divide between parties supportive of Big Government against Big Business and vice versa just translate itself into a divide between parties supportive or opposed to Big Jury and Assembly Government, with much the same personnel on both sides? Maybe they wouldn't call themselves by the same names, but I suspect the coalitions composing today's pro- and anti-Big Government parties would remain much the same.

Midge: Big Government today means government by and for career politicians, who don't tend to last long, much less succeed in building power bases they can use to influence policy, if they lack strong backing from Big Business. So, when politicians use governmental power to intervene in the marketplace, it is all too often to tip the scales in favor of the parts of Big Business from which they draw support and against those from which their rivals draw theirs. But take career politicians out of the equation and all that changes. In the first place, limited-term, unbribable, anonymous, randomly selected jurors and assembly members have nothing to gain by aiding one coalition of wealthy elites against another. Second, being naturally inclined to caution, they would probably use the power of the SRD Big Government to take on Big Business sparingly, reserving it for when they judged inaction more likely to harm the interests of people like themselves than action. And third, thanks to SRD's strict protocols for arriving at well-informed, duly deliberated decisions, the public could be confident that when SRD bodies did intervene in the marketplace, the decision to do so is what anyone in their shoes would have done. So, while large portions

of today's public may be less inclined to place their trust in Big Government controlled by career politicians than in Big Business itself, just the opposite would be true under SRD, where they could rest assured that Big Government would always put their well-being and quality of life ahead of even the most powerful and intimidating special interests. Of course, juries and assemblies may not always decide in ways libertarians like you prefer, but even when they didn't, you'd have the consolation of knowing it was not because they were in the pockets of any segment of Big Business, much less under the sway of leftist radicals, but simply because libertarian arguments failed to persuade the majority. That's why I'm confident that the divide between parties of Big Government and Big Business would quickly be erased under SRD and become something remembered only by historians.

Uhuru: So, once again, the lesson is that elected politicians, far from being democracy's singular virtue as we are taught, are the main obstacle standing in its way. I had no liking for them before, but now . . .

Cato: Right. I mean who likes politicians anyway? Not voters, that's for sure. (*Chuckles.*) Maybe at some level, we grokked all this without realizing it.

Midge: That's why it's so vital we keep our focus on the system, not the personalities who front it. "If only we get rid of this president or that P.M., things will change. . ." is the kind of attitude that only serves to camouflage and direct our gaze away from what's really at stake in politics.

Uhuru: Policies, not personnel . . . Hmm. It just occurred to me what that means: in a true democracy, not only would we be essentially invulnerable to malfeasance at the top, we would be immune to the kinds of turmoil and instability that result when elected leaders are assassinated, impeached, exposed as liars or criminals, go insane, senile, or otherwise come off the rails. Under SRD, our rulers would be interchangeable; literally any random passerby could step in for any that died or were incapacitated. Short of a coup or mass calamity, I can't see anything being able to capsize the SRD ship of state. For any country that's known real political upheaval, like the one my parents emigrated from, that kind of stability is more precious than gold.

Moderator: Let's take a question from a viewer. It's about identity politics from a self-described critic: "Even if your system were adopted, elites would continue to fight rear-guard actions to preserve their political power for as long as possible. No tactic is likely to be more effective than identity politics, whipping up political passions by fanning the flames of racism, sexism, anti-immigrantism, and that old standby, religious hatred. It costs elites nothing, but weakens non-elites by pitting neighbor against neighbor. It's classic divide and rule. How could SRD cope with weaponized identity politics?"

Midge: I'm the first to admit that SRD isn't a panacea for social pathologies. Even without elites stirring the pot, political and social grievances would continue to stoke rage liable to erupt into violence and internecine conflict at any time.

Since civil strife generally works against the interests of the great mass of ordinary people, I see its prevention as one more reason for SRD to create media juries even in its initial experimental phase. They could act to neutralize the ability of corporate, political, religious, and other elites to use their influence over the media to foment trouble. That would help create the time and space for other juries to promote civil peace by coming up with ways of managing social divisions that everyone can live with.

Atlas: But if, as you're suggesting, political movements under SRD would of necessity focus on issues rather than personalities, mightn't that aggravate internecine conflicts even more? Instead of dissipating themselves in fights over personalities, scandals, and other ephemera, agitators could single-mindedly direct their poison at society's most intractable differences and unbridgeable divides.

Midge: Quite possibly. So, the question is how well SRD is equipped to cope with that kind of challenge. The best way forward would be to set up a variety of democratic pathways for aggrieved parties to be heard and secure redress. Even those who came away dissatisfied and disillusioned would then still have to concede they lost democratically. And, what's more, this same democracy would offer them every opportunity to renew their struggle in the hope of eventually changing enough minds to prevail.

Uhuru: I don't quite see how that addresses the question about weaponized identity politics.

Rangi: Actually, I do. If I can answer for Midge?

Moderator: Sure, go ahead.

Rangi: As I see it, an SRD society—just like a truly classless society—would have no need for an “enemy of the day” to set one group against another. The rich would no longer be able to distract us from our true interests, so they can go about advancing theirs beneath the public's radar. And before Atlas interrupts, I know Midge isn't advocating for a classless society; I'm just pointing out where SRD could do some of socialism's work for it by helping to expose the vacuousness of these capitalist-manufactured and -manipulated squabbles over identity and cultural symbols. And before Uhuru and Cato interrupt, that doesn't mean problems like racism, sexism, and homophobia aren't real or important, or that history and tradition aren't as well. It's just to say that Midge could be right that SRD is better suited to deal with such challenges than today's undemocratic alternatives.

Moderator: (To audience member at one of the podia . . .) You seem more than a little skeptical about all this. Tell us who you are and what you do, then explain why.

Questioner: I'm Kala, I work in Human Resources at the regional headquarters of a large multinational. Politically, people are very conservative. They dread radical change because they're afraid of the chaos and upheaval it may bring.

Sure, there are always a few firebrands around to preach revolution and attract agitators and anarchists to their banners. But the vast majority simply aren't interested in transformative political change. Even when there is recognition of the need for radical action, as in times of economic catastrophe or rampant pandemic, they still prefer change to happen within the political framework familiar to them. And, to be honest, I totally understand that. No one wants to court disaster if they don't absolutely have to. So, how on earth are you going to convince people to back change as radical as SRD when they don't have to?

Midge: Everyone is wary of SRD when they first encounter it, professors and panhandlers alike, as I know from long experience. That's why SRD's initial political goal must be limited to winning the public's approval to run proof-of-concept experiments. The process leading to that point starts with ideas for people like me. Our task is to inspire coteries of talented visionaries to turn our ideas into blueprints, who then need to recruit and deploy armies of committed activists to turn their blueprints into reality. The objective is to prepare the ground so thoroughly that everything is ready to get SRD experiments up and running the day the very first one is implemented. After that, political transformation would just be a matter of time. As SRD spreads into more and more levels and branches of government, as the bugs are worked out and public confidence steadily builds, demarchy will not only become attainable but, I believe, inevitable.

Cato: Despite my contempt for politics as usual, I gotta confess that makes me nervous. Maybe it *is* just fear of change. At the same time, this is definitely a debate worth having, even if we do end up deciding to stick with the devil we know. Not that I'm saying I definitely . . .

Moderator: (Interrupts) Sorry, Cato, but is there a point . . .

Cato: I was going to say I think we need to find different ways to spread the word and get people thinking about SRD. Midge's setup is fine, but I'm thinking of my own kids, who live online. An idea I had—actually it was my son's idea—is to recruit game designers to create virtual SRD worlds to run simulations well before the time the first real-world experiments are run. We could use simulations to try out various versions of SRD, apply them issue by issue, with as many jurors as there were players, so as to learn what works and what doesn't. Successful versions could be offered free to gamers everywhere to help popularize it. Take the idea of an experimental climate jury—again, that was one my son was interested in. Each country would have its own version of the game, specific to its current form of government and place in the international order. Players are given Midge's "high-quality information" to chew on and have to decide what actions their country could take to make a difference domestically, regionally, and at a global level. It requires them to fight off underhanded challenges from Big Energy, career politicians, judges, and others to see to it that those actions actually got taken, while dealing with unexpected pitfalls that

crop up along the way. We've worked out some designs together, avatars and so on . . .

Uhuru: That's not a bad idea . . . not bad at all, actually. And in addition to video games, activists could conduct SRD proceedings online to provide a contrast with the current doings of electoral governments—SRD shadow governments, as it were. Debates could be organized, novels written, videos made, presentations of every kind in every forum. As Cato says, get people thinking about SRD by giving them ways to get to know it firsthand. That's how the idea could actually start to take root.

NOTES

1. On the rise of digital politicking, see Paolo Gerbaudo, *The Digital Party: Political Organisation and Online Democracy* (London: Pluto Press, 2019), Jessica L. Beyer, *Expect Us: Online Communities and Political Mobilization* (Oxford: Oxford University Press, 2014), and David Karpf, *Analytic Activism: Digital Listening and the New Political Strategy* (Oxford: Oxford University Press, 2016).

2. Recent studies of the history and place of political parties in electoral systems include Daniel Ziblatt, *Conservative Parties and the Birth of Democracy* (Cambridge: Cambridge University Press, 2017), Robert E. Mutch, *Campaign Finance: What Everyone Needs to Know®* (Oxford: Oxford University Press, 2016), Andrea Ceron, *Leaders, Factions and the Game of Intra-Party Politics* (New York: Routledge, 2019), and Elin Haugsgjerd Allern and Tim Bale, editors, *Left-of-Centre Parties and Trade Unions in the Twenty-First Century* (Oxford: Oxford University Press, 2017).

3. See Simon Pek, "Rekindling Union Democracy Through the Use of Sortition," *Journal of Business Ethics* 155, no. 4 (2019): pp. 1033–51.

Chapter 11

Constitutional Democracy

Moderator: The hardest political questions of all are constitutional ones. You say in your book that in mixed democracies, where non-elites control some but not all of the government through SRD, the SRD parts should always prevail over the non-SRD parts. But what about disagreements within SRD itself? What happens when the decisions of SRD bodies in the same or overlapping jurisdictions conflict: who prevails? Do assembly decisions prevail over jury decisions, and referenda over both juries and assemblies? Does local SRD prevail over regional and national, or national over regional and local, or what? What if part of an SRD polity decided it wanted to secede and go its own independent way, either as a country in its own right or by combining with another country to form a new, combined polity—would SRD provide democratic paths to secession, fusion, and redrawing of boundaries? Finally, but perhaps most importantly of all, how would SRD balance state power against the rights of individuals and groups such as women, religious minorities, and minority ethnicities?

Midge: That's quite a list! I would expect most polities newly converted to SRD to minimize disruption by carrying over as many constitutional arrangements from their undemocratic predecessors as possible.¹ Of course, that won't always be feasible, even in the short term. SRD should therefore provide for special constitutional juries and assemblies in addition to the regular kind. Their job would be to decide democratically (1) which levels—local, regional, national, international—have which authorities, (2) which prevail under what circumstances in cases of conflict, (3) which individual and group rights take precedence over state authority, and (4) whether to make provision for undemocratic extensions of SRD itself. It should further be required that decisions reached by SRD constitutional bodies, as well as any matters they are unable to decide, be put to popular referendum for final disposition.

Uhuru: Did I hear correctly? UN-democratic SRD?

Midge: True democracy vests power in the people, the vast majority of whom are non-elites. That isn't the same as majoritarianism, where the majority always rules regardless—regardless of considerations of history, justice, morality, order, stability, and everything else. Sometimes the majority may choose to sacrifice a portion of their power for the greater good. So long as undemocratic arrangements are introduced into a polity's constitution democratically, by majority vote of a jury or assembly and confirmed by popular referendum, everyone who values democracy should be fine with it.

Cato: Wait. How can a procedure in accordance with SRD not be democratic? Is that even possible?

Midge: On a purely democratic scenario, the sortition pool from which jurors and assembly members are selected would be open to everyone who meets certain universal basic requirements like minimum age and good health. Restricting the pool in any way beyond these is a move away from pure democracy, and to go so far as to restrict it to specific groups to the exclusion of everyone else is to depart from democratic practice entirely. Yet, restricting the sortition pool as a way of conferring official recognition and a degree of self-government on distinct groups within society can be vital to the health of a polity. It gives aggrieved groups political buy-in, an actual share in government no less, and so could go far to alleviate historical injustices and soothe persistent tensions that otherwise might get out of hand, even tear society apart. SRD governments should anticipate these situations by creating constitutional procedures for establishing and regulating group self-governance.²

Atlas: What if the majority believe that everyone should be treated as equal individuals and refuse to recognize any groups at all?

Midge: Democracies cannot afford to be group-blind for the simple reason that societies aren't. Like it or not, human societies are as much agglomerations of groups as aggregates of individuals. And like it or not, a system committed to fair sortitive representation cannot help but take measures to ensure that democratically recognized social groupings are fairly represented. Ensuring that none are over- or underrepresented on SRD bodies is important in itself, especially where limited resources require smaller juries or assemblies than ideally. But finding ways for dominant groups to accommodate out-groups and for majorities to accommodate minorities can easily end up becoming a matter of life or death for a society. Thus, constitutional formulae need to be devised to permit SRD polities to defuse potential conflicts by providing aggrieved groups with a path to official recognition of their right to democratic self-rule.

Uhuru: I'm struck that you think constitutional matters like group recognition can never be left to representative bodies, but must instead always be put to popular referendum. Why is that necessary if sortition is already managed in such a way as to guarantee that representative bodies are a true microcosm of society?

After all, you did argue earlier that sortitive representative democracy is the democratic ideal, not direct democracy.

Midge: All power in a democracy must be exercised democratically, and never more so than when it is exercised to constitutionally cede power to undemocratically selected governing bodies. Such decisions cannot be taken just by a few, however representative of society as a whole or impeccable their proceedings. Society itself must sign off, and a referendum is the only way it can signal its readiness to stand guarantor over undemocratically allocated political power. It assures the beneficiaries that constitutionally guaranteed group rights are not lightly given and will not be lightly taken away; and it assures the rest that signing away a portion of their authority was truly the society's own decision, not merely something done in its name by a tiny few. Similar considerations make referenda advisable in all matters a polity sees fit to incorporate into its constitution, which, in contrast to ordinary SRD decisions, cannot be annulled simply because another, subsequent SRD body arrives at a contrary judgment. Changes at the constitutional level should therefore always be finalized by a vote of the people.

Rangi: I still don't get what groups gain from the official recognition you are proposing. Is it just respect or does it mean something more?

Midge: Official recognition would confer on groups both the authority and the means to impanel juries and assemblies drawn from a group-restricted sortition pool to deal with issues specific to the group's membership and its relations with the rest of society. Their authority would extend to all persons who qualify for membership and agree to be included in the group's sortition pool. As for means, recognized groups would be given an operating budget, free use of SRD facilities and equipment for their deliberations, as well as the right to impose levies on their members and apply to SRD budgetary authorities for aid in implementing their decisions.

Uhuru: Wouldn't the referendum process have to work differently in the case of group recognition?

Midge: Yes, in two ways. Pre-referendum, the jury overseeing the process would be charged to apply constitutionally prescribed criteria to select from the groups seeking recognition which qualify to be included on the ballot. They would also be required to define the specific powers that would devolve to each group, their scope, and the extent of group autonomy in their exercise, if recognition were granted. After the referendum was held, the jury would then be tasked to define each newly recognized group's sortition pool: after all nonmembers are excluded, who remains eligible to serve on its juries and assemblies? They would collaborate with group representatives who command sufficient confidence from their fellows to be entrusted to act for them in this matter. Once group-membership criteria were agreed, they would be used in censuses and other government data-gathering to compile official group lists. The final step

would be to obtain the consent of everyone identified as a member of the group for inclusion in the group's sortition pool.

Cato: Which groups would be eligible? Would it include veterans? Parents of young children? The aged and terminally ill?

Rangi: What about workers, the homeless, the unemployed, prisoners, and probationers?

Atlas: Don't forget vegetarians.

Midge: (*Laughs*) OK, OK. It would be completely open-ended. Who knows, in the future even advanced AI systems might be included.

Atlas: It all sounds terribly unwieldy. And, obviously, not all groups are born equal—I mean, surely, you couldn't set indigenous people alongside vegetarians as equally worthy of group recognition. If you did, what's it even worth?

Midge: Look, for all I know, there may be places where social harmony depends on extending official recognition to vegetarians. It's up to each society to determine which groups, based on history and precedent, have a persuasive case for official recognition by the state and which can get along without it. That doesn't mean vegetarians or any other group, from bowling clubs to marching bands, would be hindered from organizing and functioning as a collective in the public arena much as official ones did. It simply means they would do so in a private capacity.

Moderator: A gentleman in our audience has a question. Please tell us who you are and what you do.

Questioner: Hiya. I'm Chip, I work for the Department of Conservation. Actually, I have two questions: would group recognition confer the right to hold group referenda, and could groups decide to subdivide when the issue seemed to call for it? For example, I could imagine the Native American SRD authority in the United States assigning Cherokee matters to Cherokee juries, Comanche matters to Comanche juries, and so forth. Or the African-American assignment authority seeing fit on some issues to restrict the sortition pool just to people, say, of Haitian descent, or to black women, or rural blacks, or black serving military and veterans.

Midge: Group authority certainly could include the right to hold group-restricted referenda. As for subdividing, it would be inevitable, and I see no reason SRD-run governments wouldn't be fine with it.

Uhuru: That's all very well for groups like those mentioned so far. But what about religious cults, ethnic supremacists, fascists, or other groups the majority of society would be extremely hesitant to recognize for fear of what they might do? And I don't just mean groups you or I might hate, but also groups people we know belong to or might someday join, like, say, a sect that mandates clitoridectomies for young girls or treats certain subgroups as untouchables.

Midge: While all groups have the right to seek official recognition, it doesn't mean all will succeed. I can't see groups motivated purely by hate and parochial

prejudice gaining it in most societies, certainly not this one. But your general point is well taken. To encourage the majority to overcome their reservations regarding the recognition of any group within their society, democratically instituted constitutional checks and balances will be needed. One might be that whenever decisions of SRD bodies drawn from restricted and unrestricted pools conflict, the latter take precedence. But of course there's more to it than that. The majority need to exercise great restraint if they are not to defeat the purpose of group recognition, which is to manage volatile social divides peacefully, in ways acceptable to all, to help promote stability and tranquility. It might therefore be wise to require supermajorities of regular, unrestricted SRD bodies to override decisions taken by officially recognized groups. But whatever constitutional means were adopted, the point would be to guarantee to the majority of society the right to veto any group decision to which they object strongly enough—something that would happen anyway, no matter what the political system, but be far less likely to tear society apart if the veto was in accordance with a democratically decided constitutional procedure confirmed by referendum.

Atlas: I have some personal experience of so-called constitutional rights, plus a question. I'm not from here, but I did grow up in a place that, like this one, has an indigenous minority who are governed by the non-indigenous majority, despite several nineteenth-century treaties that promised they would retain sovereignty. While I think you're right that minority rights are important, the majority are never going to honor those treaties and would never vote to give indigenous peoples what the majority might see as "special treatment." To be honest, I've always been sympathetic to the majority's point of view, which partly explains why I emigrated. But I also understand the frustrations and anger of my people. So, tell us why they should believe that SRD group recognition would help them regain the autonomy and respect in their own land that they believe is theirs by right?³

Midge: While certainly a challenge for SRD, group recognition at least offers everyone a path for achieving compromises, whereas under electoral systems, doing so may be all but impossible. Think about the fact that first-past-the-post electoral systems can't even guarantee that the party with the most votes wins. Proportional systems do better, but they're still subject to all the distortions that money and entrenched power bring to elections. Under those systems, indigenous self-rule doesn't stand much chance at all.

Uhuru: High courts sometimes make good on treaties when elected officials won't. Aren't they a possible pathway for indigenous rights, even in the absence of treaties or other legal instruments to underwrite them?

Midge: It's true that high courts have issued many wise rulings, and one hopes there will be more, so long as the current system endures. But by far the best guarantee of the rights of indigenous people and other out-groups is to win

self-rule from a majority decision of the entire electorate through a constitutionally prescribed referendum process. And don't forget, I'm talking about referenda overseen by randomly chosen juries impaneled specifically to ensure that voters' choices are formulated in clear, unambiguous language, that debate is restricted as far as possible to high-quality information, that the rich and powerful are prevented from using their superior resources to tip the scales in any direction, and that the vote itself is conducted fairly and honestly.

Rangi: What about cases where pre-SRD treaties and other constitutional pacts that recognize group rights are undemocratic, at least by the standards of SRD?

Midge: The democratic way would leave it to SRD constitutional bodies to decide whether to retain them as written or alter their terms. They might, for instance, want to offer group members the choice of selecting their representatives the traditional way, which typically means representation by group elites, or selecting them randomly from a group-restricted sortition pool, which would mean representation predominantly by ordinary group members.

Atlas: A nifty idea, but hang on: you'd still be imposing your SRD system on us, just as electoral democracy was. If you're looking for people who don't believe the current political system is the holy grail, that would be us. It's your people, if I can put it that way, who always had this religious-level faith in the superiority of elections, not mine. I'm sure you'll also agree that elections were a very successful tool that colonizers wielded, and continue to wield, against indigenous peoples—a way of providing a democratic veneer for keeping “those people” “in their place.”⁴ But I can't see how your faith in SRD is any different. Wouldn't it just end up serving all the same purposes for the colonizers, just plastered over with a newfangled democratic veneer? Treaties or no treaties, when all is said and done, it always comes down to who has the power or numbers to have their way with those who don't.

Midge: It's true that what indigenous people face is the result of decades, sometimes centuries of oppression, often leading to their becoming vastly outnumbered in their own lands. I can't think of a colonized society that hasn't suffered and isn't still suffering from higher rates of poverty, incarceration, ill-health, and other injustices. It's much the same for societies with economies historically based on slavery and migrant labor. It might seem like I'm dodging your point, Atlas . . . actually, dodging it might be a good idea. Can I throw it back to you? What's your answer to the problem you've raised?

Atlas: (*Laughs*) Bottom line is my people are never going to get the sovereignty they were promised in the accession treaty if it's up to the majority, no matter what system of government we have. But I don't hold this against SRD anymore than I hold it against electoral systems, not when it's just a numbers game. In case you're interested, I became a libertarian after seeing both liberal and conservative governments break promise after promise to do right by history. Encountering libertarianism opened my eyes to the fact that the government is

not just my enemy or the enemy of my people, but everyone's enemy, and that the less there is of it, the better for us all. So, I won't be holding my breath for the SRD government to make good on the promises our colonizers made but never intended to keep.

Midge: Fair enough, but I can't quite share your level of pessimism. Once official recognition was conferred on a group, it could customize and expand its authority in ways electoral systems simply don't allow. True, to reconcile the majority to the realities of ceding so much power, it might need to be undertaken in stages, with SRD group juries and assemblies taking over one sector at a time. In the case of indigenous groups like yours, it might start with a share of authority over your people's education, health care, and portrayal in the media, then extend to policing and the criminal justice system, and finally to economic initiatives, land reform, and group-dedicated digital and media infrastructure, until your people were effectively running their own state within the state. SRD would thus offer groups like yours a way to regain true sovereignty over your lives. And what's most special about the democratic path to sovereignty is that it would be gained with both the consent of the governed—the group's members—and the constitutional blessing of the rest as expressed by referendum—rather than through decisions imposed from on high by politicians or judges that many on both sides of the social divide greatly resent.⁵

Rangi: I have a related question. So let's say Atlas's people had this special status
...

Atlas: Special? See, what I'm talking about? As the indigenous population, we shouldn't be the "special" case . . .

Rangi: O.K., sorry. Sorry. I just want to follow up on something you said. Let's say Atlas's people did adopt a practice that went against the constitution of our new SRD state, what then? Would they lose their recognition by the state as a group able to run its own affairs?

Midge: Rejection of a particular decision by a group to which the majority strongly object is one thing, revocation of group rights is something else altogether. Revocation risks rendering constitutional guarantees meaningless. One could only hope that if it ever did happen, the group, however aggrieved, would confine itself to obtaining redress to democratically agreed remedies.

Cato: If only for fear of alienating the dominant group even more.

Uhuru: I doubt Atlas's people would peacefully accept having even their limited sovereignty taken off them—yet again—even if it happened one act at a time rather than at a single go.

Midge: Bear in mind that the primary inducement for keeping things peaceful is the prize that comes with success. Once a group secures constitutional recognition from the majority, it becomes an official participant in all state business in which it has a stake. That kind of direct, democratically based participation in state power would go far toward staving off civil strife. So long as aggrieved

groups keep their eyes on that prize, they have every reason to cleave to the democratic path to change, even if, once in a rare while, particular decisions they made were overridden by the majority.

Atlas: Which brings me back to my libertarianism. If you can't beat 'em, join 'em—to fight for the freedom of all against the heavy-handed leviathan of the state. At least, that's what I concluded. But I appreciate your being up front about it.

Rangi: I'd like to know what happens if Atlas's people refuse to knuckle under and want to secede.

Atlas: (Chuckles) We'd want to "secede" and take all the land with us, since it was ours to start with. I'm not sure what you call that.

Cato: Revolution?

Midge: Since a military solution to a secession crisis should be regarded as an absolute last resort, every country that shifts to SRD needs to decide whether its constitution should provide a democratic path to secession, though not necessarily an easy one. Start with all the peoples of the world who have had unworkable boundaries deliberately inflicted on them by foreign masters in pursuit of colonial divide-and-rule strategies. The result, post-independence, has been one country after another beset by civil wars or locked in perpetual conflict with neighboring countries that all too often cripple their societies and turn them into economic basket cases. Now imagine a system under which randomly chosen people, protected by SRD anonymity from interference by factional leaders, rabble-rousers, financial interests, or anyone else who benefits from the failed status quo, could get together to redraw their boundaries in ways the vast majority can agree to live within peacefully. Wouldn't that be a huge advance on the way things are done now, where peace, if it ever comes at all, is imposed undemocratically, be it by the iron fist of a dictator or by self-interested outside powers?⁶

Cato: I gotta say, I have my doubts whether any system, SRD included, is capable of bringing about the happy endings you envision. For starters, what does it actually mean to redraw boundaries "democratically"?

Midge: Take the case of secession. Without getting too far into the weeds, I think it is best approached in stages. First, a call for independence meeting constitutionally prescribed criteria would need to be issued and gain some pre-set percentage of support from group members—perhaps in the form of a petition. Next, an SRD group referendum would be held that needed to win the backing of a supermajority of group members. If voted down, the secession bid would end there. But if the motion passed, a joint SRD committee drawn equally from the group and from everyone else would be formed to hammer out an agreement which would then be put to a referendum vote open to all. If the agreement were rejected by a simple majority either of group members or of non-group members, it would have to be renegotiated and the new, recast

secession agreement put to a vote. Once backing was secured, the decision would be final and new joint committees would be formed to see the division into separate polities through to completion.

Uhuru: I can see the procedure being taken up by descendants of the former colonial powers as well. Some already have secession mechanisms, but without elites controlling government, mass media, and everything else, we might well see ordinary Quebecois and Scots opting for independence, just for starters.

Rangi: I wouldn't be surprised to see Belgium, Italy, Spain, Russia, maybe even Germany break apart. And it would certainly lead to the break-up of the E.U.⁷

Midge: The process might be adapted to work in reverse too, to enable different polities to fuse peacefully and democratically—the north of Ireland with the Republic, say, or the two Koreas. They need not even be people living in geographically contiguous areas. Fusions of sovereignty could best be accommodated by a democratically established, internationally agreed procedure incorporated into every country's constitution.

Cato: Ordinary people with nothing personally to gain by deciding one way rather than another do seem far more likely to come to peaceful accommodations than greedy elites and power-hungry politicians. The idea would certainly be worth exploring.

Moderator: Let's change tack now to individual rights. I have a question from a viewer on privacy: "I'd like to see personal privacy a constitutionally protected right, so that law-abiding citizens are free from surveillance and other unsought, unwanted interference by governments, corporations, or anyone else. At the very least, people should have an inalienable legal title to all data that concerns them which they can then either lease for a fee or keep completely private. Unfortunately, the individual right to privacy is nowadays pretty much a dead letter. Would things change under SRD?"⁸

Midge: Privacy rights and a host of other personal liberty issues are certain to be considered candidates for constitutional protection in SRD polities. It would be up to constitutional juries and assemblies to decide whether the state should ever be permitted to limit or deny these rights. If privacy rights were among those extended constitutional protection, the obligation would then fall to the state to ensure they were respected. So too with all other individual rights: SRD government would act as their guarantor against all violations, including by itself.

Cato: Are you serious? There's no greater threat to people's rights than the state. And you're asking us to expect it to check itself?! Good luck with that.

Midge: That's true of states subject to elite rule like ours. Under SRD, by contrast, a state agency for the protection of privacy and other constitutionally protected individual rights could be kept independent of every other part of the state and subjected to strict control by the democratically selected juries and assemblies tasked to direct its operations and decide on its staffing. Ordinary people with

the will to defend individual rights against impositions from powerful public and private institutions would then have the means to actually make it happen, no matter how wealthy or powerful the resistance.

Moderator: Let's take a question now from the audience. Please tell us your name and what you do.

Questioner: I'm Kasha. I'm a retired lawyer and political activist. You clearly prefer liberal democracy to the illiberal kind. But, if I understand you correctly, that's not because you equate democracy with being liberal. For you, liberalism and democracy are distinct, independent categories, so that democracy as such doesn't come with any liberal constitutional guarantees whatsoever. But won't that mean that the majority can strip rights from, actively persecute, exile, or even slaughter a group of their fellow human beings and still count as a democracy so long as their decision to do so conformed to SRD protocols? I can't agree. Such barbaric practices may only affect a minority, but democracy means nothing if it doesn't protect the most vulnerable. That's why, for me, democracy and liberalism are inseparable, one and the same even. So, any political system capable of egregiously illiberal behavior can't rightly be considered a democracy. Or if it can, I'll take liberal oligarchy over illiberal democracy any day.

Midge: The number of fanatics in a society willing to kill and die for a cause tends to be quite low, so that on any randomly chosen SRD body such people are sure to be greatly outnumbered. It may not suffice to guarantee a course of action that you or I would consider liberal, but it is an effective failsafe against the bloodthirstiness of society's most illiberal members. If an SRD body did nevertheless democratically choose genocide, it could only mean that the society itself had degenerated to the point that no political system could restrain it, certainly not electoral ones with their endless supply of pandering politicians and rabble-rousing demagogues. This is just to say that the real choice is never between illiberal sortitive democracy and an elite-run liberal system, but between SRD and another, even less liberal system.

Rangi: Don't forget that the Nazis never came close to an electoral majority but got power anyway because of support from career politicians and their wealthy backers. But I'd like to know what you think about the slightly less murderous Apartheid regimes of the Jim Crow U.S. south, South Africa before Mandela's release, and the other bigoted monoliths still in existence. And what about illiberal regimes generally, including electoral ones like Modi's India or Bolsonaro's Brazil?

Midge: Again, the choice is never likely to be between liberal oligarchy and illiberal democracy. True democracy will favor more liberal over less, if only because sortition is more effective than any other system in keeping the reins of power from numerically small groups of every kind, be it the rich and powerful, ideologues of various stripes, or the out and out murderous. It is only under

political systems whose leaders are not randomly chosen that it is possible to have governing bodies dominated by a minority of society's most extreme, inhuman members.

Uhuru: But if you won't equate democracy with liberalism, how do you see them as related?

Midge: People today are everywhere inundated with a continuous barrage of low-quality information, much of it propaganda, some of it aimed at enlisting their support for heinous acts against vulnerable groups. Even if it rarely leads to the majority's active participation, it often succeeds in gaining their passive acceptance. SRD protocols, by contrast, will provide democratic representatives with all the high-quality information they need to recognize that certain courses of action, however tempting for them, are likely not only to be branded as barbaric by the rest of the world but to be costly, fraught with risk, and socially self-destructive. Combined with sortition's effect of keeping extremists in the minority and anonymizing avatars to shield decision makers from extremist threats and pressure tactics, high-quality information should go far to ameliorating society's most illiberal, unenlightened tendencies, certainly better than any competing political system. The upshot is a system of constitutional governance that is at once enlightened, moderately liberal, and, above all, democratic.⁹

Uhuru: Enlightened moderately liberal democracy. I think most liberals could live with that. Of course, as someone repelled by everything illiberal, I would not expect to find any SRD country entirely to my liking either.

Cato: Not liberal enough? Are you kidding? Force-fed all that so-called high-quality information, SRD juries will end up being *too* liberal.

Midge: I think you're both getting the point: SRD is the mean between liberal and illiberal extremes. It is a democracy in tune with enlightened liberalism insofar as it regards society as an organism that decides best when properly informed about the past present and foreseeable environing world. Yet, while that would tend to make SRD more liberal than most alternatives, its reliance on randomly chosen, mostly ordinary people makes it highly unlikely ever to set society on an optimally liberal path. Liberals have to be realistic in their expectations of SRD and settle for a polity that is more liberal than any realistic alternative, even if far from perfectly so.

Rangi: That's all well and good, but liberals make me even more nervous than right-wingers because they're so blind to their own fallibility. How often have liberal solutions to society's problems ended up backfiring, making society more illiberal than ever?

Atlas: Hear Hear! Intolerance of intolerance too often leads liberals to lose sight of liberalism's true goal of universal toleration. How often do we see people hounded off speaking platforms, de-platformed altogether, and ruined professionally and personally, all in the name of tolerance—of minorities, migrants,

gender identity, and all the rest? Where is their tolerance of free speech—my right, everyone’s right, to speak and be heard?

Midge: SRD would treat liberal excesses with the same remedies it applies to the illiberal kind: sortition cancels out extremes, liberal no less than illiberal, while the anonymity, transparency, and strict information protocols that govern its proceedings would generally enable it to strike balances between extremes that everyone can live with, even if no one comes away fully satisfied. And precisely because these features are built into SRD at a constitutional level, reflecting a true democratic consensus confirmed by referendum, it would be better equipped than any competing system to protect society against zealotry of every kind.

NOTES

1. Discussions tend to be technical and legalistic, but useful insights into today’s jurisdictional arrangements can be found in Arthur Benz, esp. *Constitutional Policy in Multilevel Government: The Art of Keeping the Balance* (Oxford: Oxford University Press, 2016) and *Policy Change and Innovation in Multilevel Governance* (Cheltenham: Edward Elgar Publishing, 2021). See also Christopher R. Berry, *Imperfect Union: Representation and Taxation in Multilevel Governments* (Cambridge: Cambridge University Press, 2009) and Ignacio Lago, editor, *Handbook on Decentralization, Devolution and the State* (Cheltenham: Edward Elgar Publishing, 2021).

2. Good surveys of the contemporary scene that include the constitutional dimension can be found in Adrian Guelke, *Politics in Deeply Divided Societies* (Cambridge: Polity, 2013) and Stefan Wolff and Christalla Yakinthou, editors, *Conflict Management in Divided Societies: Theories and Practice* (New York: Routledge, 2013).

3. Perhaps the foundational text on the topic is Frantz Fanon’s *The Wretched of the Earth* (1961). See also G. N. Devy and Geoffrey V. Davis, *Indigeneity and Nation* (New Delhi: Routledge India, 2020) and Ann McGrath and Lynette Russell, editors, *The Routledge Companion to Global Indigenous History* (New York: Routledge, 2021). For the digital dimension, see Maggie Walter, Tahu Kukutai, Stephanie Russo Carroll, and Desi Rodriguez-Lonebear, editors, *Indigenous Data Sovereignty and Policy* (New York: Routledge, 2020).

4. In his discussion of two court cases in Canada, Aaron Spitzer notes how electoral systems based on individual voting rights effectively eliminated the original indigenous demos along with indigenous ways of governance (sovereignty) in colonized nations (“Colonizing the Demos? Settler Rights, Indigenous Sovereignty, and the Contested ‘Structure of Governance’ in Canada’s North,” *Settler Colonial Studies* 9, no. 4 (October 2019): pp. 525–41, <https://doi.org/10.1080/2201473x.2019.1603605>). In Aotearoa/New Zealand, too, the one-person-one-vote mantra together with what is framed as opposition to “race-based preferences” and the like is used to preclude any self-determination by the indigenous Māori. For their part, Māori

spent three years (2015–2018) organizing more than 250 meetings to develop “an inclusive Constitution for Aotearoa” which proposed several options involving three overlapping spheres of governance: (i) a “tino rangatiratanga” sphere where Māori make decisions for Māori; (ii) a “kāwanatanga sphere” where the Crown (that is, the state) makes decisions for non-Māori; and (iii) a “relational sphere” where the first two overlap and the Treaty of Waitangi (which was signed between the British Crown and Māori in 1840) operates. The relationship between this kind of innovative constitutional thinking and SRD is discussed by Alison McCulloch in “This Is Not a Democracy,” *The Dig*, August 24, 2020, <https://thedig.nz/transitional-democracy/this-is-not-a-democracy/>.

5. The United States and Canada incorporate various self-rule arrangements with their native peoples, and these are under constant negotiation and debate. Meanwhile there is ongoing discussion about what indigenous sovereignty might mean in electoral democracies. As Harald Bauder and Rebecca Mueller point out in “Westphalian vs. Indigenous Sovereignty: Challenging Colonial Territorial Governance” (*Geopolitics*, May 2021, pp. 1–18, <https://doi.org/10.1080/14650045.2021.1920577>), the European concept of sovereignty differs fundamentally from that of indigenous peoples, not least because the very notion of sovereignty is of Western origin, and revolves around a kind of statehood that was exported to and imposed on colonized peoples.

6. Illuminating treatments of how matters stand today in Africa and beyond can be found in Dirdeiry M. Ahmed, *Boundaries and Secession in Africa and International Law: Challenging Uti Possidetis* (Cambridge: Cambridge University Press, 2015) and Gnanapala Welhengama, *Minorities' Claims: From Autonomy to Secession: International Law and State Practice* (New York: Routledge, 2017).

7. See Don H. Doyle, editor, *Secession as an International Phenomenon: From America's Civil War to Contemporary Separatist Movements* (Athens: University of Georgia Press, 2010) and Martin Below, editor, *Territorial Politics and Secession: Constitutional and International Law Dimensions* (London: Palgrave Macmillan, 2021).

8. Historical background can be found in Megan Richardson, *The Right to Privacy: Origins and Influence of a Nineteenth-Century Idea* (Cambridge: Cambridge University Press, 2017). See also George Brock, *The Right to be Forgotten: Privacy and the Media in the Digital Age* (London: I.B. Tauris, 2016) and Andrea Monti and Raymond Wacks, *Protecting Personal Information: The Right to Privacy Reconsidered* (Oxford: Hart Publishing, 2019).

9. Interesting discussions of the synergies and conflicts between contemporary notions of democracy and liberalism can be found in Aviezer Tucker, *Democracy Against Liberalism: Its Rise and Fall* (Cambridge: Polity, 2020), Peter L. P. Simpson, *Political Illiberalism: A Defense of Freedom* (New York: Routledge, 2017), and G. John Ikenberry, *A World Safe for Democracy: Liberal Internationalism and the Crises of Global Order* (New Haven: Yale University Press, 2020).

Chapter 12

Institutional Democracy

Moderator: A question now from a viewer: “The distinctive feature of SRD as a political system is its ability to act unimpeded, like the absolute monarchs of yore. There are no institutional counterweights as in electoral systems: no chief executives to veto SRD acts, no legislatures to countermand them, no high courts to overrule them, no independent agency chiefs to sabotage them, nor anyone else in government positioned to delay, water down, or otherwise stymie them. Recalling the old adage that absolute power corrupts absolutely, isn’t SRD therefore likely to end up interfering everywhere, in every way it can, eventually devolving into something not all that different from totalitarianism?”¹

Midge: Unchecked democratic power in a system like SRD simply means that, jury by jury and assembly by assembly, life for ordinary people will become progressively less harsh, demanding, and unforgiving. It will inevitably also make life slightly less idyllic for elites. “Rich” may well end up being defined down. But a dictatorial police state? Hardly. Which is precisely why SRD’s penetration beyond government to society at large should be welcomed, not feared. Although it doesn’t have to stop with democratizing large institutions, it’s mainly them I’m thinking of: corporations, charitable foundations, trade groups, school systems, religious denominations, organized sports, arts organizations, and everything else people may see fit to democratize.

Uhuru: I find that very hard to imagine. How would it work in, say, a business? Decisions to hire, promote, demote, and fire; expand, contract, restructure, move overseas; issue shares, take partners, outsource, or sell out. What would SRD mean in that world?

Midge: Top managers responsible for such decisions today are answerable only to owners or corporate directors drawn exclusively from the rich and powerful. As quintessentially plutocratic, these institutional governing structures are as undemocratic as they could possibly be. But the full extent of their

undemocratic character must be measured by all the stakeholders they exclude: ordinary employees, lower management, small investors and shareholders, end users, the surrounding community, and society generally. SRD can make good this want by democratizing institutional governing bodies.

Atlas: Aren't workers already represented on boards of directors in lots of places today, in Europe and elsewhere?

Midge: But always in a subordinate role, never as the ones calling the shots. SRD, by contrast, can take us all the way to true institutional democracy, giving non-elite stakeholders veto-proof majorities on corporate and other institutional governing boards.²

Uhuru: So, institutional democracy doesn't only mean power sharing; it means non-elites actually controlling institutions?

Midge: If non-elites constitute the majority of societal stakeholders in a business, bank, school, or comparable entity, then institutional democracy would give non-elites control over its governance. And how better to accomplish that than by selecting all its membership by sortition, including elite directors?

Cato: I still don't get how SRD corporate boards would work in practice.

Midge: Each governing director would serve for a definite period, say, three years, staggered to allow the board to be partially replenished annually. For elites, sortition pools would include major investors, principal lenders, heads of partner firms, major customers, and top management. Sortition pools for non-elites would be drawn mainly from non-elite members of the workforce, but also from the other groups I mentioned. The precise proportions and terms would be set in the company's charter when it goes democratic. But to be recognized as democratic by SRD authorities, and so be eligible for government largesse in the form of contracts, tax breaks, guarantees, loans, subsidies, or even government's buying a stake, a number of requirements would have to be met, the primary being that non-elites constitute a majority of the institution's governing board.

Rangi: Democratized corporate boards at the top are all well and good, but I'm more interested in the difference it would make for workers at the bottom.

Midge: Let's say I was an ordinary worker in a large corporation. Under institutional SRD, my boss's bosses' ultimate boss, the CEO, is answerable to someone just like me. Indeed, for all they know, the person behind the avatar could *be* me. That means they are accountable for all their decisions to a board in which non-elites have a greater say than elites. They could no longer get away with the kind of victimization of underlings they do now, when they are ultimately only answerable to an elite-controlled governing board and elite-beholden management appointees. Or say the company had to downsize to remain competitive: the plan management presented to the board would have to satisfy all stakeholders, non-elite as well as elite, that it is both necessary and fair.

Uhuru: It strikes me that democracy at the top might well do more for workers than even the strongest unions can achieve through collective bargaining and strikes. Management would always have to take workers into account or else risk their future with the company. And for the first time in history, owners of large businesses would truly be answerable to all stakeholders.

Cato: Still, taming capitalism by means so extreme is rather too close to communism for my liking.

Midge: (Laughs) Don't worry. Far from wanting to abolish private property, non-elites mainly want to see people like themselves own more of it. But the comparison with communism is apt in one regard: the impacts of institutional democratization would be profound, revolutionary even. Think of its effect on corporate culture. Capitalists appreciate the importance of staying in the good graces of those whose positions in the private and public sectors make them indispensable to securing opportunities to enhance their wealth and power. So, if ever non-elites were to control those positions, capitalists would be obliged to take great pains to stay in their good graces. Their attitude toward non-elites—in the factory, on the farm, in service jobs—would have to change from predatory indifference or outright contempt to assiduously courting their favor with real, bankable benefits.

Atlas: A lovely dream. But in the real world of dog-eat-dog competition, isn't there a likelihood that by going democratic a company would lose its competitive edge, and eventually go belly up? More to the point, wouldn't the mere perception of that risk be enough to put non-elite stakeholders off the whole idea, from fear for their livelihoods?

Midge: This is another case where the best way to achieve revolutionary progress is to proceed conservatively. To start democratization off, pilot programs shepherded by the SRD government would be launched. The first experiments might be run on state-owned enterprises. There would probably also be volunteers in the private sector—companies whose non-elite stakeholders demonstrated a strong desire to go democratic but needed government help to overcome the obstacles. I have no doubt that SRD bodies, specialist advisors, and the bureaucracy could muster sufficient ingenuity to come up with workable formulae for institutional democratization, not only in the business world but for other kinds of institutions as well. At the same time, state power could be used to shield corporate democratization movements from the well-honed suppression tactics that elites have used from time immemorial to crush trade unions, worker cooperatives, and other non-elite organizations they regard as threats.

Moderator: I have a question from a viewer who also believes that corporate democracy is a bridge too far: "Businesses need to be run with an iron hand. Running them democratically would undermine competitiveness if it turned that iron into marshmallow. Unless democratic corporate governance was prepared to be as hard-nosed as the most exigent owner—think Jeff Bezos—democratization

might spell disaster. That why I think government of all sorts, SRD included, is best advised to just stay out of the way and let capitalists get on with doing what they do best.”

Midge: I don't think anyone would argue that Germany and Scandinavia are examples of business weakness, but they are places where workers generally have voting rights on boards even where they don't own shares in the company. It's just a start, but it's enough to expose the fallacy of the argument that worker involvement in corporate governance adversely affects performance. In fact, there's a wealth of evidence suggesting the opposite is true, that shareholder dominated decision-making that mandates profit maximization as the primary, or even the sole, objective is good neither for those companies nor for the societies in which they operate. Ditto with the idea that hugely overpaid CEO's are necessary to an enterprise's success—the evidence again suggests that the reverse is true.³

Cato: I can well believe it. No one wants companies to succeed more than the workforce whose livings depend on them.

Midge: Quite. All stakeholders, non-elites even more than elites, depend on the institution's prosperity for their economic well-being, and so have every incentive to do all it takes to preserve it. If doing so requires that democratic governing boards sometimes be not just hardheaded but hard-hearted, then that's what they'll be. Nor do I doubt that non-elites would hesitate for a minute to line up alongside elite stakeholders to resist government actions they believed detrimental to their institution. And SRD government would be all the more inclined to listen when the institution resisting its prescriptions was governed democratically.

Uhuru: Let's see if I have this right. Unlike nationalization, democratization would not replace individuals and companies competing against one another in free markets with noncompetitive state-owned enterprises operating in state-controlled markets. Democratically managed business isn't state control; it's stakeholder control. It hands power to everyone in society whose livelihood depends on the institution's success. But what precisely is the state's role then? If it involves government doing everything in its power to aid democratized businesses in becoming fit to compete and afterward cutting them loose to sink or swim in the free market, then I'm fine with it. But if it just means addicting them to government handouts and reducing them to wards of the state, I'm not. I'm for free enterprise but totally against the creation of state monoliths.

Midge: The state would only act as a counterweight to elite institutional power to enable non-elite stakeholders to wield sufficient clout to protect their interests within the institution. It would not seek to replace their control with state control, which, as you say, would be tantamount to taking control from all the institution's stakeholders and handing it over to government bureaucrats with

no stake at all. So, yes, not communism, not nationalization, but democratically run private businesses fully fit to compete in the open marketplace.

Rangi: More's the pity . . .

Midge: Don't give up on the idea of institutional democracy just yet. Democratizing an institution can mean many different things. If the non-elite majority of stakeholders wished to restructure their institution in line with collectivist principles, then that's how their institution's democratization would proceed. There are myriad approaches SRD institutions could adopt in addition to the ones showcased in my book.⁴ The only universal is that whatever is done, it be done democratically, at both the governmental and the institutional levels.

Atlas: I still think democratically run enterprises, by their very nature, would be at a competitive disadvantage. The sheer lust for money and the power it brings infuse the spirits of successful entrepreneurs. It's why they get up in the morning. Things are not at all that way for ordinary workers. They certainly wouldn't do all it takes to win against undemocratic business rivals as cunning as they are ruthless. State aid might keep democratically run enterprises afloat, but cases like the Soviet Union show that the cost in efficiency and effectiveness is too great over the long haul. It weighs a country down, holds its economy back, and that leads to decline and eventual collapse.

Midge: Remember, capitalists are not excluded from the governing boards of democratized private institutions. Democratization in those cases means just two things: elite corporate directors would be chosen by sortition like non-elite ones, and elites would never be able to govern alone, without allies among the non-elite majority. As a result, they would have no choice but to take non-elite stakeholders' interests into account as part of the costs of doing business. But once having done so, they could resume pursuing wealth and power as lustily as ever.

Atlas: I suppose you think we libertarians make a shibboleth of owners' having full control over their property. But the evidence that sound economics necessitates it is clear. And since that makes corporate democratization a path to likely economic disaster, I'm sorry but I could never endorse it.

Midge: You may well be right and I wrong, but how can we know without putting it to the test? If the experiment with SRD government proves successful, then surely its extension to institutions is at least worth trying. If libertarians are right, then experiments with institutional democracy will fail or at least fail to scale up. But if they are wrong, then some formulae will be successful, and deserve not only to be perpetuated but widely replicated. The beauty of nonpartisan SRD is that it can assume power both in government and private institutions without committing itself to the truth of any economic doctrine or ownership model. Each can be put to the test, sector by sector, case by case, so that whatever democratic majorities decide works best can thereafter serve as a model for wider application.

Cato: I gotta say, I think you're going too easy on libertarianism. If the marketplace really worked according to the free market ideal, today's relatively unregulated markets would not be such havens for monopolies, cartels, and all the other anticompetitive cabals proliferating around us like weeds. The vision of a free market of small, independent buyers and sellers engaged in fair competition stopped applying to the real world by the time the Industrial Revolution kicked into high gear.

Uhuru: I too want nothing to do with libertarian fantasies of immaculately conceived free markets operating independently of governments. Whether you like it or not, government involvement in today's complex, integrated economies is unavoidable.⁵ The only real question is who benefits: a few rich owners or all of us—plutocrats or democrats. That's why Atlas's libertarian objections to the idea of democratically run governing boards are at best unproven, at worst dogmatic, and, to my mind, rightly branded shibboleths.

Rangi: The fallacy at the heart of libertarianism couldn't be clearer. Slavery serfdom and other kinds of human bondage are obvious cases of harms inflicted by capitalism when ownership rights are unrestricted and free markets are left to run amok. And such abuses aren't just things of the past. Today's neoliberal economic order turns workers into slaves in all but name by continually increasing their workloads, reducing their salaries, forcing them to work insane hours in unsafe conditions, all to squeeze ever more profits out of them for investors, with workers largely powerless to set things right. I deeply believe that we, as a society, have both the right and the duty to introduce all the checks on ownership necessary to protect workers and other non-elite stakeholders from the predations of bosses. And if democratizing corporate governing boards can help make that happen, I'm all for it.

Midge: My agreement with Atlas only goes so far as conceding that the libertarian case against government intervention holds water in relation to today's undemocratic political order. Career politicians captive to Big Capital do far more to protect the anticompetitive status quo than to reform it. They are also all too ready to transfer wealth to elites from the rest of us through subsidies, tax cuts, cheap money, and other corrupt practices they've either legalized or made hands-off for prosecutors. All too many governments today give full vindication to the libertarian credo that less government is better and none best of all. But since SRD would effectively eradicate the political basis on which today's rampant corruption depends, libertarian misgivings cease to apply. Government controlled by non-elites could and would use its muscle to combat anticompetitive practices of every kind and so create something a good deal closer to the libertarian free-market ideal in its place. But, as I've said before, I don't for a minute believe it would stop there. Wherever they were convinced by high-quality information that it is practicable, SRD bodies would intervene against the status quo to the benefit of non-elites. And an essential part of that

would include state backing for all who seek to democratize the businesses for which they work, as well as the other institutions in which they spend such a great portion of their lives.⁶

Moderator: Let's take a question from a viewer, who also happens to be a well-known bond trader: "One thing I think you overlook is the importance to capitalism of the connections needed to access profitable business opportunities. Those with the wherewithal to grant or withhold them are overwhelmingly elites, be it directly through ownership or indirectly through their positions in elite networks—networks that today tend to have a significant elite government component as well, which, far from being corrupt, is simply the way to get things done in an era of Big Government. At the apex of the system are those who control capital itself, the banks, insurers, and the rest of the FIRE⁷ sector. If businesses can't raise enough capital from financial institutions, they can't attract investors, market their stock, find partners, or recruit key personnel. But to do so, it is imperative that their directors be well-connected in the financial world. Ordinary people, however, are wholly bereft of such connections, and there is nothing even the friendliest government can do to change that. So, doesn't that make the very idea of a democratic marketplace a non-starter?"

Midge: Finance is vital to businesses, no question of that. Difficulties in accessing loans or insurance that would hinder economic democratization can be addressed, in part, by publicly owned banks and insurers. Public finance has been tried in many places at different times, and has a generally good record servicing parts of the market underserved by private finance, or, in cases like red-lining, not served at all. There is no reason the remit of public finance couldn't be extended to assisting businesses of all stripes, including private financial institutions, to democratize.⁸

If this goes against the grain, don't forget that the FIRE sector is already heavily dependent on the government, and benefits enormously from the undemocratic character of electoral systems. Financiers' political friends regularly raid the public purse to shower them with government guarantees and bailouts. Those same friends are all too willing to enforce laws and regulations with kid gloves and skew monetary policy to favor creditors over debtors. Last, but by no means least, the central bank governing boards politicians appoint or oversee are chockablock with elite directors dedicated to ensuring that Big Finance's interests always take precedence.⁹

Atlas: It would be no easy task to extend public banking into parts of the market that are already well served by private banking and insurance. I hate to sound like a broken record, but how could public banks possibly come close to matching the ingenuity, ambition, and sheer greed of private financiers, much less out-compete them?

Midge: The financial democratization process would have to start with the central bank. Its board of directors would be democratically reconstituted to represent

all stakeholders, not just financial elites. To make up for their lack of financial expertise, they could draw on advice from randomly chosen financial specialist juries that included experts in capitalism, communism, and everything in between. These would assist them not just to determine policy and set rates but to launch SRD experiments designed to reshape the financial playing field. Once viable formulae were devised to allow full-service public banks to flourish and private financial institutions to be successfully democratized, central banks would work together with relevant government bureaus to support these institutions with government contracts, cheap money, and whatever else they needed to compete with private, undemocratically run competitors. Simultaneously, they would begin withdrawing the support systems that pre-SRD governments had lavished on undemocratically run financial institutions, so that the public was no longer on the hook to rescue rich bankers whenever poor judgment or malpractice got them into deep financial water.

Uhuru: What if they are too big to fail?

Midge: It goes without saying that no democracy worthy of the name would ever allow financiers in the private sector to get into a position where their institutions became “too big to fail” and they themselves were “too big to jail.” That present-day elective governments permit these things tells you all you need to know about how democratically markets are governed today.¹⁰

Rangi: Of all the things wrong with capitalism, Big Finance is the one that needs to be scrapped first and fastest. And even if Midge’s democratization idea gets us only part of the way, it’d still be a tremendous change for the better.

Cato: It is mind-blowing to think of regular people like us having as much say on financing the economy as the Morgans and Rothschilds of the world. That’d certainly be a change! But how would it work, really? For instance, who’d be eligible to serve on the board of directors of a democratically run financial institution?

Midge: All stakeholders, however minimal their holding or investment, down to the smallest depositors and borrowers, along with everyone else with an interest in the institution’s operations, not least the communities most directly impacted by it. Non-elite directors could use their clout to cut non-elite stakeholders a larger share of the company’s profits to go along with their majority voice in its direction. Certainly, well beyond anything possible in today’s undemocratic financial marketplace. If that led to some elites pulling out, the democratized central bank could work together with public banks and insurers to fill the void—enough to ensure newly democratized private financial institutions continued profitably into the future.

Uhuru: Regular depositors would receive higher interest, ordinary borrowers easier terms, and small investors higher returns, all from the same pool of profits, with reduced shares going to wealthy stakeholders. Finance capitalists would still make out like bandits, of course. But even if some of them pulled out, the

state could still take up the slack, so that the share of the profits that formerly went to them would thereafter go to small stakeholders instead. That's the idea?

Midge: Yes. The beauty of the system is that state-backed democratic finance would be able to compete with more profitable undemocratic finance on risk. Skilled investors would still put huge portions of their wealth into undemocratic financial institutions to maximize profit, but even they might want to keep back a portion of it to put in the comparatively risk-free, government-backed democratic sector. And since ordinary people would be especially wary of putting their financial well-being in the hands of institutions that the state refused to underwrite in a crisis, the democratized financial sector would be sure to attract the lion's share of their holdings, including pension funds, securities, and other repositories of their assets.

Atlas: My preference would be to eliminate public backing for private finance entirely, whether democratized or not. As I see it, it's just another form of market-skewing state meddling. But withdrawing state backing from undemocratically run financial institutions would at least be a start. And I fully agree that it's better for profits to be shared more widely among financial institutions' stakeholders than to have them taxed away for redistribution by government bureaucrats. Still, capital goes where the profits are, and I can't imagine anyone besides the government capitalizing financial institutions who see it as their job to serve the community first, last, and always, with profits only an afterthought. My fear is that state-backed democratization would lead to many more uncommercial projects being financed than today, while squeezing out more viable ones.

Midge: As the aim of democratization is not nationalization, not to replace private finance with public, but to democratize private finance as far as practicable, I appreciate your concerns. And I'm sure SRD government representatives would listen closely to the case libertarians make in favor of cutting democratized financial institutions loose to compete in the marketplace, with no further direct state involvement in their operation and future direction.

Cato: All creatures great and small go extinct eventually—even state-backed private banks?

Midge: Notwithstanding government guarantees and first dibs on government business, they could still lose money, get taken over, or fall into receivership if rivals out-competed them or they invested unsoundly.

Uhuru: It occurs to me that there is another side to institutional democratization we've been overlooking. What better way could there be to educate and familiarize people with democratic governance than SRD becoming a permanent fixture of institutional life—work, education, investment, recreation, sports, worship, and who knows what else?

Midge: Absolutely. It would complete a virtuous circle in which democratic government creates the conditions for extending democracy to institutions, which

in turn would not only instill a democratic ethos in their stakeholders but also provide a good many of them with the kind of sustained, hands-on experience of SRD governance most needed by the SRD juries and assemblies responsible for governing the state. When their number was called, they'd be ready and able to serve.

Cato: Still, everything you've talked about so far only applies to big institutions. What about small ones?

Midge: The democratic ethos might eventually permeate society so completely and at such a deep level that people would become intolerant of undemocratic forms of social organization even at scales too small for SRD to be feasible. They would then seek ways to adapt aspects of it as far and wide as possible—to the running of towns and villages, small businesses, churches, amateur sports, even the family.

Uhuru: You know, last year I put my name in the hat to form a committee to take charge of refurbishing the streets in my neighborhood. Since almost everyone joined the draw, I was thrilled to see that those whose names were drawn included people other than the usual pro-car, pro-strip-mall business types. The trick is getting enough to participate to forestall self-selection.

Moderator: Time now for another question from the audience . . . You, there . . .

Questioner: Hi, I'm Soroi. What you call the "democratic ethos" isn't something you can expect everyone to just naturally come by, is it? Wouldn't it require years of education, training, rites of passage, and what not? And if so, wouldn't that mean government involvement, even control?

Midge: In democratically run polities, it would be natural to incorporate the nuts and bolts of SRD into school organization and curriculum at every level, all the way down to SRD with training wheels in primary education. No more school elections, for starters. Children would learn about undemocratic political systems like ours, the harm they did to ordinary people and the planet, the struggles launched to establish SRD in the face of overwhelming odds, and the lessons they teach of the need for continued vigilance in the face of elite power. To sweeten the pill, classes might include SRD play acting, SRD instruction videos and video games, and watching clips from past and present online SRD proceedings on topics of particular interest to young people. By the time students reach secondary school, their education in democratic history and government will have prepared them to participate in actual institutional SRD bodies, starting with their own schools, if at first only in an advisory role.

Soroi: Students sitting on school governing boards?!

Midge: For brief terms, both at the level of individual schools and district school boards, alongside representatives of the teachers, nonteaching staff, administration, parents, community, and bureaucrats. This would not only give students hands-on experience of SRD but also help cultivate a respect for SRD procedures, not least its commitment to high-quality information, which

would have beneficial fallout on their studies generally. By the time students enter higher education, worker training, or full-time employment, they would be fully prepared to participate in SRD governance bodies, both state and institutional.

Moderator: I have a question from a viewer pertaining to another aspect of education: “Parents in many countries want to keep Darwin out of public schools and shield their children from other secular influences. Some prefer to put them in sectarian schools or, where the right kind aren’t available, opt for home schooling. How would SRD change things from what I presume you regard as the undemocratic way they are done now?”

Midge: The crucial difference is sortition: bodies whose membership is determined by random selection inevitably reflect mainstream ideas more than extreme ones. In many polities, this means that even if a majority of jurors and assembly members reject evolution, a substantial portion of the skeptics will still be reasonable enough to tolerate its teaching in schools. For unlike the more zealous opponents of evolution, most people who reject evolution are open to the argument that if their polity were to ban it from the curriculum, they would risk damaging its reputation and the prospects of their children in the job market, not only in biotech and medicine but any profession where a certain level of critical, scientifically informed judgment is expected. Persuadable skeptics might also be open to teachers’ pleas to be permitted to teach their students what virtually every expert in the life sciences regards as established fact. Some might even be surprised to learn there are many people able to accept both science and religion by regarding each as true in different ways. So, once evolution skeptics heard the evidence, all of it in the form of what they know to be high-quality information, enough of them, emboldened perhaps by the protection afforded by SRD anonymity, might be persuaded to join their more secularly minded colleagues in deferring to scientific expertise to form a majority in favor of teaching evolution. And so too for a raft of other issues that pit established science against demotic custom.¹¹

Cato: That sounds naive to me. What about the irreconcilables who would insist on removing their children from the reach of secular authorities, no matter how democratically they were run?

Midge: If SRD bodies decide that everyone has a right to homeschool even if it costs their children the role they could otherwise play in society, then so be it. But I would still expect there to be limits. For example, could any state, democratic or otherwise, sanction the choice of parents who refused to educate their children at all? If it is democratically decided that no child may be denied an education, then parents who attempted it would be prevented.

Rangi: But what happens if the schooling on offer falls so far short of democratically established norms as to be effectively no education at all—shouldn’t the state intervene in those cases as well?

Midge: SRD bodies might well decide to impose standards, which they could enforce in various ways—say, by sending in outside evaluators to regularly review the progress of sectarian and homeschooled children. The most recalcitrant parents—the ones who categorically refused all role for government in their children’s education—might be penalized by loss of guardianship or even, in extreme cases, custody. It depends on what each society democratically decides about how far state power should go in such matters.

Atlas: So, just as heavy-handed as today?

Midge: I’m happy to concede that the authorities in many, perhaps most jurisdictions, implement social policies that reflect majority mores. That the majority prevail in most matters concerning children shows that where undemocratic regimes permit democratic approaches, it is generally for the best, not only for society but for the children as well. If only they would permit them in adult matters too!

Moderator: Here’s a related viewer query: “Anti-scientific attitudes on many matters are deeply entrenched among people in all societies. As these feed back into education, they can make change all but impossible. Do you think SRD could break this vicious circle?”

Midge: I do not doubt that SRD juries and assemblies, like governments today, would sometimes make decisions contrary to the facts established by science. The more enlightened SRD polities would do their best to educate people not to, but even they would sometimes fail. Nevertheless, those whose social fabric might unravel if science were to prevail on a particular matter could still find ways of respecting reality even while seeming to defer to traditional values. For example, laws that make teaching evolution a crime might be enforced rarely, if at all, and if they ever had to be, penalties might be kept symbolic. Given that jurors and assembly members are shielded by anonymity and not at risk of losing their careers by deciding a certain way, they would probably feel freer to brave the wrath of the fanatical than elected officials and their appointees may do.

Uhuru: I think I see how SRD provides a way out of the questioner’s vicious circle. Its workings make it more likely than any non-sortitive alternative to produce the most enlightened education system a society can tolerate at any point in time. And that would presumably lead to its eventually becoming a more enlightened, scientifically minded society. You know, positive feedback!

Rangi: A society that might one day be able to muster a democratic majority in favor of purging everything contrary to established science from education, government, and social institutions generally.

Atlas: What you all might call “contrary to established science,” my people would call their culture and tradition.

Midge: Culture and tradition can and do coexist with science in most societies most of the time. It’s only when they bump up against one another that

government starts to have an interest and may need to play a role, and I can see no better way to address such challenges than greater democratization. Powerful groups, including religious sects, would find their influence diluted by the preponderance of randomly chosen ordinary members of their society on SRD decision-making bodies, many of whom would be open to arguments based on high-quality information in favor of greater tolerance. And the effect would be greatly enhanced by the enormous favor science enjoys with the public in a host of applications: building bridges that don't collapse, running health-care systems that provide effective treatments, increasing crops yields to meet the needs of growing populations, and so forth.¹²

Cato: Not to mention the electronic gizmos and toys everyone loves so much these days.

(Audience member calling out): What you're saying of course depends on a healthy scientific establishment, which is far from the case now, as many at this university can attest. What's there to guarantee things would be any better under SRD?

Midge: The greatest threat to science comes not from traditionalists but the wealthy elites who finance and control it, either directly or through their minions in government, charitable foundations, international bodies, and the NGO sector. Their bounty is shed almost exclusively on research paradigms and programs that serve their interests, while those that don't tend to be starved of resources or actively undermined. As a result, scientists aren't as trusted as they should be, either because their reputations are blackened by elite-backed smear campaigns or because they destroy their own credibility by selling their services to the likes of weapons makers, fossil fuel extractors, the nuclear industry, Big Pharma, Big Ag, and other politically powerful special interests whose poorly regulated operations put us all at risk. Under SRD, things would change fundamentally, so that everything about science, from its funding and research directions to its real-world applications, would be controlled by democratically run governing bodies, scientific organizations, and citizen watchdog groups.

Uhuru: A scientific establishment governed like that would certainly not only be more trusted but more trustworthy. Not perfect, of course, but as robust as science is now, I don't doubt that SRD could do a good deal to make it more so.

Moderator: Let's take another question from the audience. You . . .

Questioner: Hi, I'm Gillian. You've mentioned charitable foundations. I'd like to know what SRD could do to improve them. I mean, all too often they are dependent on a few, or even one mega-donor, whose name or organization is attached to the foundation. These foundations undoubtedly do much good in the world, but they also tend to serve other, less wholesome purposes. Sometimes they're simply vanity projects designed to whitewash their founders' image as the greedy, evil bastards most of them are. Usually, though, they serve to project their power into noncommercial spheres in ways that rebound

to the benefit of their commercial and political power. The one thing all such foundations have in common is the undemocratic, quasi-monarchical way they are run, as he who pays the piper calls the tune.¹³ Could SRD *please* be extended to them?

Midge: They'd be a prime target for democratization. One way of doing so is by turning over their governance to boards of directors chosen by sortition from all stakeholders: beneficiaries of the charity or members of their family, those employed to supply the aid, the communities concerned, and society at large. If the plutocrats controlling them threatened to withdraw their support in retaliation, then whatever worthy causes they funded could continue to be supported by taxing or otherwise obliging them to pay for them, while the ones that failed to garner democratic support would be terminated. Plutocrats who agreed to continue supporting "their" foundations might still be permitted to retain a share of representation on their governing boards, but nowhere near majority control.

Moderator: One more question from the audience. It will have to be the last. At the podium to my left . . .

Questioner: Hi, I'm Seanne. I'm a musician. My work involves a lot of tech and support staff, and busking and occasional gigs aren't nearly enough to make ends meet. Is there anything SRD could do to help people like me?

Midge: Under SRD, you would be able to join a democratic musician's organization and the sortition pool of its governing board. This means that there'd be plenty of people on the board who understand your plight and respect your interests. Your organization would also be connected to the parts of government tasked with promoting the arts, including music education, production, and performance. In the spirit of democracy, the SRD arts ministry might, for example, provide everyone in the polity with a virtual currency, call it the "kwatlu," which people can "pay" to musicians and other creatives in the same way they toss bills into a busker's hat. Recipients could then cash in their kwatlus with the government in the form of aid to permit them to continue learning and performing. And if they earned enough kwatlus, they could give up their day jobs and devote themselves to their art full time, even if it didn't generate a profit, as typically happens at avant-garde ends of the spectrum. And that's just one of many ways SRD could improve support for the arts.

Moderator: Kwatlus. I like that. Sounds like something we could institute under the current system, but probably won't. I'd like to think interesting ideas like that would be more likely to flourish under SRD. And, as you say, not just the arts but religion, sports, the marketplace, large institutions generally—a top-to-bottom transformation of society toward democracy, led and supported every step of the way by democratic government. I have to admit my first reaction to your book was to mock your denunciation of the current regime as Utopian. But the extent to which true democracy is almost entirely absent from our lives now seems blindingly obvious. So too SRD's potential to fill that void. Yet, I

remain skeptical whether the transformation is really as desirable as you present it. Isn't there still too much that could go wrong?

Midge: Many of us regard the future with great unease, and democracy alone can't ensure a brighter one. All I know is that the present order is not only nasty and brutal but downright suicidal in its flirtations with all-out thermo-nuclear war, climate cataclysm, and egregious inequality. My book's thesis boils down to this: the fight to keep society from destroying itself can't pursue the path of elections if electoral politics is the main obstacle keeping us from taking effective action to prevent it. We must change course, and do so without delay. Perhaps you're right to be skeptical that SRD is the best way to go. But if elections aren't the answer, what's left? Are we forever to confine ourselves to the replacements currently on offer—socialist revolutions that empower Party elites, nonsocialist revolutions that end up handing power over to a different kind of self-selected mandarin, or coups to install dictatorships of generals, clerics, kings, or plutocrats who, hope against hope, might take a more enlightened approach to human survival? Or should we give something radically different a try—a system that takes sovereignty from elites of every kind and, for the first time since ancient Greece, places it in the hands of ordinary people? If ever there was a time to embrace true democracy, now is it.

Moderator: And if ever there was a good point to draw this discussion to a close, it is here. So, to the final activity of the evening, one we didn't warn you about ahead of time. We're going to conduct a referendum on SRD. We've produced an app-clip just for this purpose, and the instructions are up on the screen in front of you now. I invite all of you in the auditorium and at home to vote. We'll announce the tally on the university website a week from today.

Meanwhile, please show your appreciation to Midge for her time and patience under our relentless grilling. . . . Thanks also to our panelists. . . . And everyone in the audience. . . . But don't go away—Midge'll be in the reception area later for a book signing, where there'll also be food and refreshments for all.

NOTES

1. The questioner is echoing a view enunciated in particularly outspoken fashion by Fuller: "sortitionists . . . depriving 99.99 per cent of all people of their vote . . . [with their] blue-chip experts . . . to 'advise' assemblies with their allegedly 'objective' information to come to 'better' conclusions than the masses would . . . endorse an absolutist worldview: when something is right, it is right for everyone. . . . I've called this stream of thought anti-democracy up until now for the sake of politeness, but let's call it as it is: it's thinly veiled, third-rate totalitarianism" (*In Defence of Democracy*, 137–9).

2. In Germany, workers are represented on corporate boards with 500 or more employees, where they take part in key decisions, including nomination and removal of top executives and certification of financial results. However, while firms with more than 2,000 employees are required to reserve half their board seats (including voting rights) to worker representatives, directors chosen by shareholders hold the deciding vote in many key matters and, crucially, most firms have a dual governing structure with workers represented only on one. This is not the case in Sweden, where workers are represented on boards in firms with more than 25 employees (35 in Denmark and 50 in Norway), but never hold more than a third of the seats. See Jeremy Waddington, *European Board-Level Employee Representation: National Variations in Influence and Power* (Alphen aan den Rijn: Wolters Kluwer, 2018), and Jeremy Waddington and Aline Conchon, *Board Level Employee Representation in Europe: Priorities, Power and Articulation* (New York: Routledge, 2015).

3. As Piketty notes, “the fact that the unions help to define the firm’s long-term strategy and are given access to all the documents and information they need for that purpose leads to greater employee involvement in the firm and thus to higher productivity. The presence of workers on boards of directors has also helped to limit wage inequality and in particular to control the vertiginous growth of executive pay seen in some other countries. Specifically, in the 1980s and 1990s, executives in German, Swedish, and Danish firms had to make do with far less fabulous raises than their English and US counterparts, yet this did not harm their firms’ productivity or competitiveness—quite the contrary” (*Capital and Ideology*, 499). Where workers are excluded from governing boards, by contrast, executive pay has risen at extraordinary rates relative to the pay of their workers. The Economy Policy Institute reported that in 2021, in the midst of the Covid-19 pandemic, CEO pay in the United States jumped nearly 16% while worker compensation rose 1.8%, pushing up the CEO to worker pay ratio up to 342-to-1, continuing a long-term trend (Lawrence Mishal and Jori Kandra, “Preliminary Data Show CEO Pay Jumped Nearly 16% in 2020, While Average Worker Compensation Rose 1.8%,” *Economic Policy Institute*, May 27, 2021, <https://www.epi.org/blog/preliminary-data-show-ceo-pay-jumped-nearly-16-in-2020-while-average-worker-compensation-rose-1-8/>). At the same time, researchers have struggled to find a correlation between increased CEO pay and better company performance. A 2017 Harvard Business School study of S&P 1,500 firms found poorer performance in companies where there was a large (and unexplained) gap in pay between CEO and workers, together with higher worker dissatisfaction: see Ethan Rouen, “Rethinking Measurement of Pay Disparity and its Relation to Firm Performance,” *Harvard Business School*, 2017.

4. Worker control and other ideas for democratizing commercial enterprises are discussed in Martin Parker et al., editors, *The Routledge Companion to Alternative Organization* (New York: Routledge, 2014), Bruno Jossa, *Producer Cooperatives as a New Mode of Production* (New York: Routledge, 2014), Marjorie Kelly and Ted Howard, *The Making of a Democratic Economy: Building Prosperity For the Many, Not Just the Few* (Oakland: Berrett-Koehler Publishers, 2019), and Janez Prasnikar, *Workers’ Participation And Self-management In Developing Countries* (New York: Routledge, 2019).

5. See, for example, Slobodian, *Globalists*, and Leo Panitch and Sam Gindin, *The Making of Global Capitalism: The Political Economy of American Empire* (London: Verso Books, 2012).

6. For critical discussions of libertarianism, see William E. Hudson, *The Libertarian Illusion: Ideology, Public Policy and the Assault on the Common Good* (Los Angeles: CQ Press, 2007), and Craig Duncan and Tibor R. Machan, *Libertarianism. For and Against* (Lanham: Rowman & Littlefield, 2005).

7. FIRE = finance-insurance-real estate.

8. In some countries, China most notably, finance is wholly or in large part public. New proposals for democratizing finance have been advanced by Thomas Marois, *Public Banks: Decarbonisation, Definancialisation and Democratisation* (Cambridge: Cambridge University Press, 2021), Ellen Brown, *Banking on the People: Democratizing Money in the Digital Age* (Washington, DC: The Democracy Collaborative, 2019), and Clifford N. Rosenthal, *Democratizing Finance: Origins of the Community Development Financial Institutions Movement* (Altona: FriesenPress, 2018).

9. On the history and current state of government relations to the financial sector, see Judge Glock, *The Dead Pledge: The Origins of the Mortgage Market and Federal Bailouts, 1913–1939* (New York: Columbia University Press, 2021), Michael Hudson, *Killing the Host: How Financial Parasites and Debt Bondage Destroy the Global Economy* (Dresden: Islet, 2015), Nomi Prins, *All the Presidents' Bankers: The Hidden Alliances that Drive American Power* (New York: Bold Type Books, 2014), and Robert E. Wright, editor, *Bailouts: Public Money, Private Profit* (New York: Columbia University Press, 2010).

10. See Kerry and Linda Killinger, *Nothing Is Too Big to Fail: How the Last Financial Crisis Informs Today* (New York: RosettaBooks, 2021), Nomi Prins, *Collusion: How Central Bankers Rigged the World* (New York: Bold Type Books, 2018), Tom Filip Lesche, *Too-Big-to-Fail in Banking: Impact of G-SIB Designation and Regulation on Relative Equity Valuations* (Wiesbaden: Springer Gabler, 2021), and Brandon L. Garrett, *Too Big to Jail: How Prosecutors Compromise with Corporations* (Cambridge: Harvard University Press, 2014).

11. The challenges are delineated in Lauri Lebo, *The Devil in Dover: An Insider's Story of Dogma v. Darwin in Small-Town America* (New York: The New Press, 2008), and Adam Laats and Harvey Siegel, *Teaching Evolution in a Creation Nation* (Chicago: University of Chicago Press, 2016).

12. Relevant recent books include Adrian Bardon, *The Truth About Denial: Bias and Self-Deception in Science, Politics, and Religion* (Oxford: Oxford University Press, 2019), James C. Zimring, *What Science Is and How It Really Works* (Cambridge: Cambridge University Press, 2019), and Lee McIntyre, *The Scientific Attitude: Defending Science from Denial, Fraud, and Pseudoscience* (Cambridge: The MIT Press, 2019).

13. See Rob Reich, *Just Giving: Why Philanthropy Is Failing Democracy and How It Can Do Better* (Princeton: Princeton University Press, 2018), and David Callahan, *The Givers: Wealth, Power, and Philanthropy in a New Gilded Age* (New York: Vintage, 2017).

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