

Introduction

The practical failings of electoral, party or 'liberal' democracy are now so well known that I will limit myself to the following few examples. Political psychologists can predict, with 80% accuracy, voters' judgments about complex issues, solely on the basis of emotional preferences and passions that bear no logical relation to policy issues (Westen, 2007, p.115). 'People vote for the candidate who elicits the right feelings, not the candidate who presents the best arguments' (ibid, p.125).

In eighty-two percent of twentieth-century cases, the tallest candidate won the US presidential election. Perhaps this is the reason that Hillary Clinton's supporters eventually deserted to Obama. Barack came off as the stronger 'Alpha' candidate. Policy differences (if there were any), were far less important. Age also counts against female candidates far more than males even though there is no evidence that intellectual powers decline in line with fertility. (Margaret Thatcher won the top job aged only fifty-four, whereas Ronald Reagan was seventy, and it's had to imagine it the other way round.)¹

For similar reasons the UK Liberal Democrats chose Nick Clegg, a handsome young ski instructor with a priapic reputation (but precious little political experience), as their leader—even though their treasury spokesman, Vince Cable, is clearly the most able politician in the country, if not the whole world. Unfortunately Cable is also short and bald so didn't stand a snowball's chance in hell. This is ironic, because baldness is caused by an excess of testosterone, the hormone that is responsible for the very manliness that is supposed to appeal to voters—male *and* female, as the 'dominance hierarchy' is primarily a male phenomenon (Moxon, 2008). But in the environment of evolutionary adaptedness (EEA), when these preferences were selected for, only a minority of men would have

[1] The real test for the Democrats will be whether the name 'Barack Obama' could ever win in a contest with 'John McCain' (an amalgam of John Doe and Ronald McDonald). The only non-Anglophone name ever to win the presidency is van Buren (when there was still a strong Dutch community in the US). Eisenhower had to become Eisenhower. The Democrats hoped the electorate would forgive Kerry for his family name (Kohn), but no such luck. But then Democrats have never understood electoral democracy, otherwise they would not pick candidates with names like Dukakis or Gore. My thanks to Erich Kofmel for this point.

lived long enough to become follically challenged. If he could only hang on for another million or so years Cable would be a shoe-in for the top job. Until then it will always go to someone with the bouffant locks of Clegg, Blair or Cameron (Blair's political decline coincided with his loss of hair and Ronald Reagan needed copious supplies of Grecian 2000 in order to secure a second term).² Conservative Party leaders belatedly realized this fundamental truth of electoral politics when they stopped picking baldies like William Hague and Iain Duncan-Smith for leader, and instead asked the House of Commons barber to choose (who immediately pointed out an unknown youth named David Cameron, who happened to have a good head of hair). As Bill Clinton, the possessor of another well-covered bonce, might have said: 'It's the tonsorary, stupid.'

Neil Kinnock never recovered from being portrayed on the front page of *The Sun* as a lightbulb. As in the US, the only recent bald Prime Minister – Alec Douglas-Home – reached his position without being elected to it, and immediately lost the subsequent election. As a television producer told him: 'the trouble is that your head is shaped like a skull'. The mild-mannered earl replied that surely *all* heads were shaped like skulls (Hannan, 2007).

If you require even more graphic evidence of the idiocy of the charade that we still like to dignify with the name 'politics', researchers at Stirling University have discovered that recent election victories correlate strongly with the face-shape of the party leader (Little *et al.*, 2007). In the study, published in the journal *Evolution and Human Behavior*, Dr. Little and his colleagues took images of senior politicians such as Blair, Hague, Major, Kinnock, Howard (along with Bush, Gore and Kerry). These were electronically processed to remove all recognizable personal features while still retaining the basic shape, skin tone and symmetry of each party leader's face. Once the faces had been 'anonymized', they were put into pairs representing real past elections. This pitted Blair's face shape against Major's and Hague's, and Major's face shape against Neil Kinnock's. The Bush image was pitched against that of Kerry, his opponent in the 2004 presidential election. Then 110 people in panels were asked to choose which candidate from each pair they would be most likely to vote for. Dr Little and his colleagues found that the votes cast closely followed the results of the elections they had been replicating.

The Times asked Dr Little to run a similar study. This time, 800 potential voters chose between the morphed faces of Gordon Brown, David Cameron and other prominent politicians. Brown's face was easily defeated by Cameron's. But Blair had the most winning face of all:

[2] The last time a clearly bald Presidential candidate (James Abram Garfield) beat a hairy one (Winfield Scott Hancock) was 1880, and that was by less than 10,000 votes. Gerald Ford got to the White House without being elected but was promptly beaten by Jimmy Carter.

We have shown that differences in facial shape can predict who wins or loses in an election. It shows that even for decisions ostensibly based on objective and critical evaluation we are actually following primitive subconscious processes. Our findings suggest that voters may *seem* to listen to the arguments and join the debates but they will still vote according to a potential leader's appearance (*ibid.*, my emphasis).

Dr. Little speculates that voters chose Blair because his skin looked healthier than Major and his face, with a strong jaw and thinner lips, looked more masculine than Hague. Although committed voters will ignore such superficial cues, this is not the case with 'floaters', hence the tendency of all three major parties to select leaders possessing the appropriate visual cues to appeal to the undecided.

Tony Blair's defeat of John Major was largely down to his courtship of 'Worcester Woman'.³ More women now want to see David Cameron as prime minister because they admire his stylish wife and would fancy marrying him, according to a poll in the magazine *Grazia*. The poll reveals that women look for the same qualities in a prime minister as in a partner or friend. More than half thought the premier also needs 'charisma and sex appeal'. Of survey respondents, sixty-two percent said they would like to 'throw Gordon Brown off a cliff', compared with thirty-four percent for Cameron. I'm not making any of this up – given that women aged twenty-five to forty-five are the UK's largest floating voter group perhaps the anti-suffragettes had a point, if the outcome of elections is to be decided by this sort of idiocy.

Surveys show that the general public does slightly *worse* in estimates of the parties' positions on most issues than it would do if it proceeded by flipping a coin (Luskin, 2002). At the height of the cold war, a majority of the American public did not even know whether the Soviet Union was in NATO (Erickson and Luttbeg, 1973). Although these examples chosen are from the USA, the British electorate is equally badly informed.

The appalling level of ignorance over policy issues amongst voters shouldn't really surprise us – voters like Mondeo Man may well be 'rationally ignorant', but they're certainly not stupid – they've simply realized that their individual vote makes no difference at all – even in an exactly tied poll, their own 'casting' vote would be swamped by the margin of error, leading to a fresh election (Downs, 1957). So why bother to turn out in the rain to vote or take the trouble to master the considerable knowledge required to vote intelligently? 'Having the liberty to cast [my vote] is

[3] 'Worcester woman' is often used as a pejorative term to describe someone with consumerist views and a shallow interest in politics, leading her to decide her vote based on issues raised during the election campaign, and therefore likely to vote for whichever political party has the most effective spin. At least 'Mondeo Man', her predecessor, was pursuing his own rational self-interest.

roughly as valuable as having the liberty to cast a vote on whether the sun will shine tomorrow' (Hardin, 2003, p.179).

The US presidency is largely bought by whoever attracts the largest campaign contributions or whoever gains the support of the biggest commercial, religious and media interests, and the UK is not far behind. The primary factor constraining Gordon Brown's decision on whether to go to the polls during the autumn of 2007 was that the Conservatives had more money in the bank (any spare Labour Party cash was earmarked for the repayment of dodgy loans from undeclared party donors). The scientific marketing of candidates by soundbite specialists is a lot more expensive than standing on a soap-box and shouting through a megaphone—even though John Major showed how the latter form of 'traditional' electioneering could itself be turned into a gimmick for the television cameras. No doubt it is morally irresponsible to market 'the politicians with the biggest smile or the biggest handout' (or best haircut), but they tend to win the election (Ackerman and Fishkin, 2003, p.21).

The 2005 Labour 'landslide' was secured on the votes of just twenty-one percent of the electorate (thirty-five percent of the votes counted), but recent experiments with proportional representation have proved no more popular.

The Median Voter Strategy

According to Burke the role of the elected representative was 'impartial' deliberation on behalf of the whole nation. This may or may not have been possible at the end of the eighteenth century but the independence of means required by Burke for independence of mind would immediately disqualify any professional politician nowadays, the other impediment being the domination of party politics. In any event, Downs (1957) also observed that successful candidates must adopt the 'median voter strategy' to stand any chance of getting elected, and this strategy is now enthusiastically pursued by all the major political parties.

In first-past-the-post electoral systems (as in the UK), the median voter (who occupies the 'centre ground', half-way between the political Left and Right) is not the same as the arithmetic mean (statistical average) and tends to be over-represented in a small number of key marginal constituencies. Now that all the major parties are targeting this tiny strip of centre ground ('median' is also the term for the central reservation on US motorways) this has the paradoxical effect of shifting the message *away from the average voter*. The median viewpoint may be half way between the Right and the Left but is not usually representative of the opinions of the *average voter*.

For example, until very recently all the three principal UK parties were in favour of much higher levels of immigration than the average voter, leading to the paradox that the 'extremist' BNP were closer in line with the views of the typical voter than the so-called 'moderate' parties. One would naturally expect the Liberals to be liberal on immigration, along with the post-Thatcher Conservative party (largely a party of economic liberals). But why would the Labour Party – founded to protect the interests of the working man (sic) – adopt a policy which would so clearly lead to downward pressure on wages for the indigenous workforce?⁴ This was partly on account of the Government's attempts to control wage inflation, partly due to its wish to keep the city and the bosses happy but primarily because most of the *floating* voters in key marginals were liberally inclined. This is also the reason that the Conservatives dropped the hot potato of immigration even though the *average* voter was much closer to the *Daily Mail* position than the *Independent*.⁵ The position is the same on a wide range of issues, from EU membership through to capital punishment and gay rights, where the median voter strategy puts all the parties a long way to the left of the average voter. Given that MPs themselves tend to be drawn disproportionately from the metropolitan liberal elite, the median voter strategy is starting to look like a conspiracy against Mr and Mrs Average.

With the aid of powerful computer sampling models, the preferences of the median voter can be specified with a high degree of precision,

[whereas] prior to the birth of the modern science of public opinion, politicians had a hard time penetrating into the hearts and minds of ordinary [voters] to learn *precisely* which combinations of myth and greed might work to generate support from *key voting groups*' (Ackerman and Fishkin, 2003, p.10, my emphasis).

Before the computers arrived politicians could only guess, or might even, on occasion, advocate a policy or two because they thought they were right for the whole nation.

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- [4] It took a Conservative-dominated House of Lords committee to point this out and to demonstrate that unlimited immigration had no net benefits for the economy as a whole. Once this, blindingly obvious, conclusion was officially on record (along with Home Office minister Tony McNulty's admission that its estimate of immigration from the so-called EU 'accession' countries was out by a factor of *two thousand percent* – 600,000 between May 2004 and June 2006, against a Government estimate of 15,000 per annum) then the game was up, so all parties had to re-adjust their message to the new median position.
- [5] Shadow Home Secretary David Davis pulled out at the last minute from chairing the press conference launching Steve Moxon's *Great Immigration Scandal* because the *Independent* suggested strongly that he should do so (in an intemperate article published on the morning of the press conference). Mr. Davis's office said the cancellation was because the book [which Davis received several weeks previously in proof form] endorsed the BNP, whereas Moxon only claimed that the BNP was a legal political party and that its views were closer in line with those of the average voter than the three mainstream parties.

So what is the point of the elections? We could save ourselves a lot of time and expense by leaving the formulation of policy to Ipsos-Mori or Gallup, who would only need to knock on the doors of those few thousand swing voters in key marginals and ask them what they want. These policies could then be put into practice by civil servants, who at least have had to pass a rigorous selection process to weed out the incompetent.

That's enough on the practical failings of liberal democracy, but even the term itself, like so many lexical compounds, is oxymoronic. Liberalism is essentially a doctrine of individual choice; however, as demonstrated by public choice theorist Kenneth Arrow, there is no general, acceptable way to aggregate individual preferences at the level of the collective *demos* (Arrow, 1963). This is particularly problematic in our 'post-ideological' and increasingly classless society when attitudes on social issues no longer have any significant correlation with attitudes on economic issues. In such an atomized age political labels tend only to represent the persona of the party leader, as in the case of the ballot paper for 'David Cameron's Conservatives' at the 2007 Ealing Southall by-election.

Arrow's impossibility theorem, originally formulated in 1951, has not been disproved, and American liberal-democratic theorists have long given up pretending that elected politicians, in some way 'represent' the wishes of voters. The best you can say is that a mechanism to 'throw the rascals out' every few years is at least some form of protection against complacency, corruption or tyranny (Schumpeter, 1942; Dahl, 1956; Riker, 1982). But then we might as well just let the rival political tribes take it in turns, or even toss a coin. Joseph Schumpeter's overriding fear was dictatorship – although he fled from Nazi Germany in the 1930s, his principal bogeyman was Soviet Communism – so 'Buggins' turn', flipping a coin or sheer chance would work just as well as elections as a mechanism to put a time limit on tyranny by ensuring a change of elite every few years. The latter suggestion (random selection, or 'sortition' to use its technical name) is not intended to be remotely facetious, and is a suggestion that we will develop at length in this essay.

The English Constitution

Moving back to this side of the Atlantic the modern constitutional narrative starts with Walter Bagehot's famous distinction between the 'dignified' and 'efficient' elements of our constitution, as described in *The English Constitution*, published in 1867. To Bagehot the 'dignified' apparatus of state – from the monarchy right through to the House of Commons – was a façade, a smoke-screen designed to conceal the 'efficient' exercise of power by a secret (cabinet) committee of the leaders of the reigning political party (most people at the time still thought that they

were being ruled by Queen Victoria). I am reminded of a story told me by a plumber friend who went to service a central heating installation, only to find that the room thermostat was not connected to the boiler. Non-plussed, he questioned the householder, who replied that the visible control panel was 'just for the missus' and pointed out where the real (hidden) thermostat was located.

Bagehot was quite happy with this arrangement – to conservative Liberals like him nothing could be more natural than a small group of the elect running the country like the directors of a joint-stock company. He recognized that this comfortable state of affairs required a legitimizing myth (the 'dignified' constitution), but he would have been horrified to see his elegant game of political charades degenerate into a Brian Rix-style Whitehall Theatre farce. Party leaders are now selected purely on account of their thespian skills and televisual charisma – the laborious preparation for prime minister's question time has more to do with instruction in the skills of method acting than statesmanship. Meanwhile, behind the scenes, policy is being drafted by shadowy figures from the world of advertising and public relations.

Bagehot doubted whether the gentlemanly cabinet tradition of 'government by conversation' could survive Disraeli's extension of the franchise. Although he held no principled objection to democracy, he questioned whether the masses were sufficiently educated to exercise the franchise responsibly, and concluded that it was more likely that demagogues would prevail and that the corruption eradicated by the first reform act would be replaced with a new form, whereby politicians competed for the popular vote with ever-increasing bribes.

Bagehot also anticipated the birth of the modern, disciplined political party and the decline in the autonomy of the constituency member.⁶ For the twentieth century saw a steady increase in the power of party managers and prime ministers. The powers assumed by Lloyd George and Churchill during the two world wars were not abjured by their successors. The growth in government bureaucracy and the steady extension of the tentacles of patronage by successive prime ministers has led to Bagehot's distinction being turned on its head – the Member of Parliament now re-presents his party to his constituents, rather than the other way round. The tail is now well and truly wagging the dog.

According to Tony Benn (who resigned his seat at the 2001 election 'in order to devote more time to politics'):

[6] Notwithstanding his cynicism, Bagehot acknowledged that MPs did hold the government to account *indirectly* by acting as the electoral college for the cabinet. And governments were frequently defeated in divisions by their own MPs, who were able to cross the floor of the House with impunity. These parliamentary constraints are now only of interest to historians.

Today it would be more accurate to describe the House of Commons as the dignified part of the constitution, which is there to 'excite and preserve the reverence of the population' while the powers of the Crown, controlled by the Prime Minister, are the efficient part 'by which [government], in fact, works and rules' (Benn, 2000, p. 60).

The histrionic jousting of the party leaders and their serried ranks of yah-boo infantry is a parody of the very real conflict that spawned the political party in the aftermath of the English Civil War. The two red lines that separate the opposing armies in the chamber of the House of Commons are positioned at exactly two swords' length from each other (whence the expression 'toeing the party line'.) This arrangement worked splendidly for the ensuing three centuries, during which politics was principally class war by other means.⁷ Right up to the end of the cold war voting was instinctual group behaviour – party-political allegiance was inherited along with the family silver (or lack thereof). Late-nineteenth-century blue-collar Conservatism was no exception to this rule, as it was Disraeli who enfranchised the working classes and the Liberal Party was the party of the mill owner just as much as the Mills. It has often suited 'the people' to unite with the king's party against the aristocracy/plutocracy.

But the 1980s and '90s changed all that. The expansion of home and share ownership during the Thatcher revolution did much to undermine class solidarity, and the rout of Clause Four-style state socialism in the wake of the fall of the Berlin Wall weakened the ideological polarities separating the two main political parties. The Conservative Party was thrown out in 1997, but only because the electorate was bored with the Tories and Tony Blair cultivated the appearance of being a more competent conservative than the proprietary brand.⁸ Politics has fragmented into a myriad separate issues – the simple polarity of left and right should now be replaced with a quadrant model, leading to a need for at least six political parties to represent the combinatorial possibilities, once centrism is included (see Figure 1).

In the light of the analysis derived from this typology, the major political parties are best seen as coalitions or uneasy marriages of convenience.

[7] At least that's what the Marxists would have us believe. In fact it was only really the case post-1867, but why let a nuanced regard for the facts get in the way of a tasty soundbite? Besides which, Marxist historiography is probably closer to the mark than Disraeli's pious claim that the party was 'organized opinion', seeing as the British tradition of adversarial politics long predates the era of divergent party doctrine (see below, p.200n).

[8] He also commanded the support of the proprietor of the *Sun* and the *News of the World*. It is a remarkably coincidence that Blair's decision to contest the proposed European constitution came shortly after the Eurosceptic Murdoch indicated that he was thinking of shifting his newspapers' support back to the Conservative Party. Whilst it may be an exaggeration to claim that newspapers decide the outcome of elections, the influence of powerful proprietors on the political agenda is undeniable (see chapter eight).

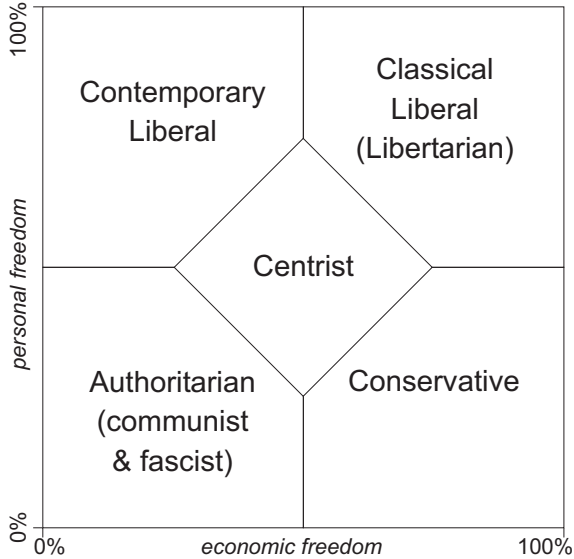


Figure 1: The Nolan Chart

The Conservative Party, for example, includes people who are economic liberals but proscriptive on social issues (Thatcherites), liberal on both axes (libertarians) and protective on both axes (populist and one-nation Tories). The Labour Party is afflicted by a similar problem—usually understood in terms of the conflict between old and new Labour.

Unfortunately our first-past-the-post voting system lends itself to a binary model of politics that is incapable of reflecting the fragmented and pluralistic reality of modern life. The principal result of the loss of simple bi-polar certainties is apathy, confusion and a dramatic decline in voting.

The major parties have responded to this fragmentation by stampeding for the centre ground. As the political system is no longer capable of representing the diversity of opinion in the electorate, the natural recourse is to the common denominator (lowest or otherwise). But if the parties are converging, then why bother to vote at all? What purpose does the political party serve (apart from offering career opportunities for graduates of university politics departments)?

The experience of the last two decades also makes a mockery of the notion that parties in some way reflect an underlying political philosophy. The hollowing-out of politics has provided an irresistible opportunity for cuckoos and corporate raiders. How can we describe a party that was responsible for the destruction of much of the professional and institutional infrastructure of the country as 'conservative' in any sense that Burke or Oakeshott might have understood? And can the career opportunists, carpetbaggers and asset-strippers who picked up the capital of

the Labour Party for a song during the July 1994 liquidation sale make any plausible claim to represent the tradition of Keir Hardy and Nye Bevan?

One of the unintended consequences of Labour's 'pro-enterprise' policy of freeing up the insolvency laws, has been the 'phoenix' company, which goes bust, clears the debts and starts again the following day with a small name change. Could it be that the Labour Party – which is on the brink of bankruptcy (financial as well as intellectual) – will have to avail itself of this legal sleight of hand? At the time of writing (June 2008), the party was in hock to the tune of some £24,000,000 including accrued interest (Electoral Commission website) and in need immediately of £7,450,000 million to pay off Lord Levy's dodgy loans by the end of the month. Furthermore the members of the NEC (including Gordon Brown) are jointly and severally liable for the debt, as the party has a similar constitution to a local cricket or five-a-side football club. This is the reason that the position of general secretary has been vacant for some time – Gordon Brown's choice for the job, the financier David Pitt-Watson, took one look at the books and ran a mile.

Given the absence of limited liability, the phoenix option is ruled out, so a group of Labour-friendly businessmen are considering inviting a hedge fund to buy out the party and offer the remaining members shares (I kid you not):

Turning the members into shareholders could offer the same opportunities as the demutualisation of the building societies...If New Labour became a 'limited liability party' it might be possible to 'sell non-core policies, from a customer perspective, as three- to five-year options on implementation in office' (Seddon, 2008).

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Leaving aside my penchant for polemical language, there is nothing remotely original, or even controversial, about my analysis – political scientists and journalists have been charting these developments for years, if not decades. To choose just one example from the journalistic end of the spectrum, the following is from the late Hugo Young's *Guardian* article 'The Party is Over' (20 December 2001), the source for the title of the first incarnation of this essay (Sutherland, 2004):

The intense need for unity made democratic sense when the whole of life was more rigidly organised. There was a day when parties mattered and many citizens belonged to them. Few alternative outlets existed for engagement, or even leisure. An ideological divide produced understandable demands for what amounted to class loyalty from anyone who got to parliament. In Clement Attlee's time the machine was everything, the member almost nothing. The label was the entry permit to the Commons, and with it came a lot of baggage that people could expect their MP to carry and never drop.

Labels do still matter. At general elections, parties, not individuals, usually get elected, though often more because of their leaders than their ideas. But parties are shrunken organisms. They play tiny parts in community life. In some cities, the Tory party has ceased to be. After swelling its numbers on the high tide of mid-1990s Blairism, Labour has fallen right back. All over the country, party politics has become a pastime for anoraks, and a handful of fat cats.

By no coincidence, this is paralleled by an absence of [ideological] division. Political parties have less dramatic meaning than they used to. As a result, people have better things to do than care about allegiance. The whole game is more fissiparous, more closed, less stratified, less regimented, much more fluid.

David Goodhart (2003) also commented on the 'hollowing out' of political debate in the post-ideological age. The successful modern party must be able to appeal beyond class and ideology to the large slice of voters who want a stable economy and decent public services without the political baggage. But this creates a problem for the parties as it's hard to get activists inspired over 'mere' technocratic and managerial issues:

These are not arguments to set the pulse racing—or to galvanise domestic political participation. To take part in these debates it is no good just feeling passionately that our society is too unequal or centralised or polluted, you have to know things about policy debates and how institutions work. And most people, even members of political parties, don't know enough to join in. (Those who *do* know enough often lack eloquence or charisma, reinforcing the unheroic or simply uninteresting image of technocratic politics.) (Goodhart, 2003, p. 12).

Unfortunately political parties exist, by definition, for partisan purposes, so if the function of politics is now technocratic/managerial why do we need them? There are much better ways of appointing managers and holding them to account. Party leaders need, from time to time, to provide some partisan meat for their baying hounds, purely in order to justify their own existence. So foxhunters or some other ikon of class hatred (or minority group of little consequence) are chosen for sacrifice on the altar of party identity.

Michael Jacobs, former general secretary of the Fabian Society, has explicitly called for the return of ideology, largely in order to keep party activists happy, but it would make more sense to admit that the political party itself is past its sell-by date and start looking for a better way to organize our affairs. The Power Commission investigation into the state of our democracy (2006) shared most of the gloomy assessments of this introduction but then, as is the way with committees, started rearranging the deckchairs. By contrast this essay will argue that if we don't want the ship of state to go down with all hands then we need to start thinking outside the (ballot) box. Although my metaphors may be clichéd my proposals will be radical and bracing.



Greek *kleroterion* (lottery machine)

The Athenian Option

Time then to explore our earlier claim that we might as well choose our politicians by lot. In classical times elections were used to preserve aristocratic privileges; if you wanted democratic representation and an absence of factional in-fighting the only reliable method was the lot (corruption could also be inhibited because there is no one to be bribed or threatened in respect to an appointment). In Athens during the fifth century BCE, three out of four of the major government institutions were determined by lot; in fact sortition (random selection) was the default principle, direct election was only employed in cases where particular skills were required in office holders, such as a minority of specialist magistrates and the ten *strategoi* (generals). All other public offices – the *boule* (Council of 500), the *dikasteria* (People’s Courts), most of the magistracy and the priesthood were selected by lot and subject to a strict system of rotation. The inclusion of the priesthood in the lottery list is significant, as the Greeks believed that sortition was a means whereby the gods could intervene in human affairs. But the main advantage of the lottery was that, as an inherently *arational* mechanism, it was an effective way to combat *stasis* (factionalism) and partisan interests in the affairs of state (Dowlen, 2008).

The classical model most frequently cited by radical democratic reformers is the Athenian Assembly (*ekklesia*), in which all (male) citizens were able to participate directly in the political process. This would hardly be practical in large modern states, but this book argues that the randomly-selected People’s Courts (*dikasteria*) – which started as courts

of final appeal against the excesses of the Athenian magistracy but over time assumed an increasing responsibility for legislation—provide an alternative model that could have real potential for modern legislatures. The People's Courts model is particularly apposite seeing as they judged general interest political cases (whether someone's actions or proposals were against the interests of the *polis*). To the Greeks random selection (sortition) was the keystone of democracy and the best protection against partisan factions. In the People's Courts large juries, selected by lottery, voted in secret after hearing the competing arguments of informed advocates.

Such a system could be accommodated within existing British bicameral legislative institutions with relative ease—the House of Lords becoming the chamber of informed advocacy, leaving voting in the hands of randomly-selected commoners. However, such a development presupposes an additional distinction—a radical separation of executive and legislative powers, and would lead to a dramatically reduced role for the political party, along with an entirely separate process for the selection and overseeing of government ministers.

The model outlined in this book is an updated version of James Harrington's *Commonwealth of Oceana*,⁹ originally published in 1656, during the aftermath to the English Civil War. Harrington is credited, along with Machiavelli, with introducing the republican tradition of the ancient world to modernity, and of being a major influence on James Madison's 'Federalist' proposal for the US Constitution. Although there are certain differences between Harrington's model and my own—centring on the relationship between the advocates and the voters and the ongoing need for the representation of interests (via political parties)¹⁰—the principles are essentially the same.

The Philosophical Case Against the Democratic State

Immanuel Kant (1724-1804) claimed that 'Democracy, in the truest sense of the word, is necessarily a despotism' (Kant, 1991, p.101) 'because it establishes an executive power through which all the citizens may make decisions about (and indeed against) the single individual without his consent.' This fear of the tyranny of the majority became the main thrust of liberal objections to democracy from Burke through to Mill, ending up

[9] All citations are from J.G.A. Pocock's *Cambridge Texts in the History of Political Thought* edition (Cambridge University Press, 1992).

[10] To speak of political parties before 1688-9 is anachronistic. As for the representation of interests, Harrington felt that a balance between the aristocracy and the commons was sufficient.

with Lord Hailsham's observation (Hogg, 1978), that the British constitution was an 'elective dictatorship.'¹¹

In his brilliant (and almost entirely overlooked) book, *The Case Against the Democratic State*, the moral and political philosopher Gordon Graham builds upon the arguments of Plato and Kant to demolish the myth of 'democracy'. According to Graham democracy merely serves to provide a patina of legitimacy to mask the extraordinary growth in the power of the modern state. But democracy is just a mechanism to select leaders – from the point of view of the individual voter there is little to prefer it over the tossing of a coin (Graham, 2002, p. 58). So much for the slogan 'power to the people.'

The book starts with a consideration of Hobbes's case for the state. Graham is not persuaded by Hobbes's pessimistic view of human nature, observing that if the only thing that deters people from indulging in a life of criminality is the fear of punishment then they have nothing to worry about, as the chance of detection is small. On the contrary, he remarks that 'the reason that I do not go in for murder and mayhem is that I have no inclination to do so' (*ibid.*, p.11). But, unlike the American anarchist thinkers discussed on pp. 105-110, below, he does think there is an argument in favour of the state – defined as the monopolist of legitimate coercion (Weber, 1948, p. 78). For in cases where there is a trade-off between individual advantage and the general good, individuals are more likely to sacrifice their own advantage if they know that the state will coerce all other individuals to act in the same way. However this limited benefit needs to be set against the cases in which the state is the *cause* of criminality – the examples he draws on are 'prohibition' in America and the 'war on drugs' (Graham's book was written before the declaration of the 'war on terror'). The other factor in the cost-benefit analysis is the long and bloody history of murder and mayhem committed in the name of the state.

So Graham's anarchism is of the limited variety and the thrust of his argument is not against the state *per se* (although he would like to see its power and extent drastically curtailed) but against its legitimizing myth – democracy.

The myth of 'people power' in democratic elections is forensically explored by Graham. The power of the individual elector to change the outcome of elections is minimal. This is because in modern democracies the extension of the suffrage cannot in the end empower people because once the political 'cake' has grown past a critical size each voter's slice

[11] More accurately, this was less of a philosophical point than an observation on the unlimited nature of the British state by a Conservative Lord Chancellor. Jack Straw in turn labeled our constitution an 'executive democracy' to suit the tastes of a more euphemistic age.

becomes so small as to be causally irrelevant.¹² He contrasts the diminishing returns of political power with public goods such as road lighting. Public goods by definition confer benefits on any number of people, while in this respect political power is limited. However, the democratic myth hides this fact so that democracy is not believed to suffer from diminishing returns. When people see through the myth, and discover voting is causally irrelevant, apathy results.

It is impossible in a short summary to do justice to the arguments involved – you will need to read it for yourself – but the practical proposals made in this essay are my response to Graham's case against the democratic state. For the weakest part of his book is its concluding chapter, 'Alternatives to Democracy'. This is something of a misnomer, because there are no practical alternatives on offer, merely an exercise in hermeneutics. Even though it can be proved – conclusively to my mind – that participation in the democratic process has no *causal* value,¹³ it is still a useful *moral* exercise. The 'republican' moral virtues need to be nourished and participation in the democratic charade is one way of demonstrating our sense of civic commitment. Here Graham is building on a philosophical tradition that includes theorists such as Mill, Dicey, Hobson and (ultimately) Rousseau (Qvortrup, 1999). Hannah Arendt's *On Revolution* (1956) is another brilliant example of the value of political participation as an end in itself.

As Gordon Graham is a professor of moral philosophy, no doubt this is a suitable conclusion to his book, but those of us of a more practical disposition might think that the time has come to replace the charade with something that is a little more effective. The current essay is my own effort in that direction. However, moving away slightly from Graham's theme, it is not democracy *per se* that is challenged by this essay, but rather the imbalance of our contemporary political arrangements that places a monopoly of power in the hands of the leaders of political parties. The Victorian jurist A.V. Dicey's solution to this problem was to introduce *more* democracy in the form of the referendum. Along with Dicey, this essay proposes that we should fight fire with fire by introducing a *revitalized* form of democracy to overcome the abuses introduced by party-political factionalism.

[12] For Harrington's take on the political 'cake' see p.64, below.

[13] Judging by the steady decline in electoral participation, folk wisdom was aware of this ahead of the philosophical community.

The Iron Law of Oligarchy

The reason for alarm is not that the English executive is too strong, for weak government generally means bad administration, but that our English executive is, as a general rule, becoming more and more the representative of a party rather than the guide of a country.

Albert Venn Dicey

Electoral democracy may have received a mauling at the hands of philosophers, but it hasn't fared much better in the writings of political sociologists. According to the so-called 'elite theorists' (Gaetano Mosca, Vilfredo Pareto and Robert Michels), democracy will always degenerate into oligarchy. This is true both of states and the internal organization of political parties (Michels left the German Social Democratic Party as a result of the corruption of its democratic ethos). This is partly on account of the psychological needs of the masses for leadership (see pp.205-7, below) — Shaw famously defined democracy as a 'collection of idolaters'. 'In states under democratic rule it is a general belief that oratorical power is the only thing that renders a man competent for the direction of public affairs' (Michels, 1968, p. 98).

But the principal reason for the oligarchical tendency of the political party is that it has the same functional requirements as any other social organization. Oligarchy develops out of a desire to be effective. For good reasons (the division of labour) the members look for leaders and organizers, these people specialize at various tasks, and their specialized knowledge and skill makes them indispensable. The 'rank and file' leave it to the officials: they do not attend meetings — in fact supporters often do not bother to join the organization, being confident that it is in good hands. Members and supporters develop attitudes of gratitude and loyalty to the leaders, especially those who have suffered for the cause. (This is the reason for the extraordinary loyalty to Mugabe amongst African leaders.) Among the leaders megalomania develops (ditto), and this reinforces their power. Once the organization becomes large enough to have income and accumulated funds, it appoints full-time officials and establishes newspapers, training schools and so on. This means that the party leaders have patronage — power to appoint people to paid jobs. The appointees are their heirs apparent. And they are a conservative element: they are not in favour of anything that might lead to a clash with public opinion or with powerful interests, because this might lead to the destruction of the party's power to pay their salaries.¹⁴ The possibility of a career within the party attracts the interest of a less idealistic kind of person. And so on.

[14] Although the SDP was a prominent member of the Socialist International, its leadership had no hesitation in emphatically declaring the party's solidarity with the Kaiser at the outbreak of World War I.

Michels argued that if a party like the German SDP, which was steeped in a democratic ethos, could turn into an oligarchy, then this was a general *structural* principle, which he called the 'iron law of oligarchy'. His disillusion with democratic party politics led him to embrace fascism, in 1928 accepting a chair of politics from Mussolini's Government. Although this essay shares his concerns over the oligarchical tendency of political parties, I would like to think that the solution proposed is somewhat more liberal than that of Michels.

The Structure of this Book

The book is divided into three parts, the first part dealing with the historical and philosophical background for the proposal. Chapter one looks at how we got into the mess described in this introduction, via a study of the history of the political party. Although the framers of the American Constitution did not think that parties were an essential, or even desirable aspect of electoral democracy – nevertheless they soon came to dominate politics in the western world, and became synonymous with the electoral process. Chapter two outlines the emerging field of study known as deliberative democracy. To what extent could the 'talking cure' be used as a remedy for some of the ailments of modern representative democracy? This necessitates a short grounding in republican theory, followed by an extended analysis of Kevin O'Leary's complementary proposal for reform of the US Constitution. Chapter three discusses the value (if any) of expert political judgment and asks whether we would be better off putting our trust in the wisdom of crowds. Chapter four then examines (and dismisses) some of the alternatives to the radical therapy proposed in this book.

Part II is an examination of the institutional structure that would be required for the proposal to work. Chapter five is an examination of the executive and chapter six of the bicameral parliament. Given that members of the Commons would be appointed by lot (descriptive representation), chapter seven examines the steps that would then be necessary to ensure the continued representation of interests. Chapter eight is a study of the increasing role of the media (the fourth estate of the realm), and chapter nine argues for a revival of subsidiarity and local democracy.

Part III of the book is an examination of what the likely entailments of this constitutional revolution might be, along with a response to some of the brickbats and insults that were hurled at the first incarnation of the proposal.