Is Democracy Possible?

The alternative to electoral democracy

John Burnheim

New edition

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Preface to the second edition

The first edition of this book came at the end of an epoch of radicalism. The audience to which it was addressed had already lost interest in revolutionary change. Classical socialist assumptions were largely discredited and the spectacular collapse of the eastern European regimes was not far off. Libertarian, Thatcherite and managerial prescriptions for dealing with social, political and economic problems were in the ascendent. My preoccupation with participatory democracy seemed a hangover from the sixties and seventies and my attempts to address Marxist concerns were further evidence of the irrelevance of what I had to say.

A generation later those changes seem to have run their course and many of the problems that concerned me remain unsolved. In particular, much thinking on the left seems bogged down in nostalgic recall of the great days of the welfare state. I am not enamoured of either the state or bureaucracy. So I see the welfare state as at best an interim form of provision of public goods until we can develop a more flexible and genuinely participatory alternative. In note 8 of the last chapter I suggested that this book "can be read as an attempt at a radical rethinking of socialism in reply to Hayek's rethinking of liberalism". In particular I wanted a way of providing public goods that would have the flexibility and responsiveness of the market. What it retains from the original preoccupations of socialist thinking are concerns about participatory democracy and about the importance of public goods. I believe it has a lot to offer those who are dismayed by the way neo-liberalism has sacrificed participation to efficiency and public to private goods. At the same time I have to plead for a certain tolerance of the books faults.

The summary and rather dogmatic form in which the argument is presented was intended to provoke a lively debate by providing obvious targets for objections. My hope was that such objections would enable me to refine and clarify my positions in response to them. It had the opposite result, being dismissed as irrelevant, hubristic speculation. It offered no program for action and no concrete suggestions about how any specific contemporary problems might be tackled. Nothing for the activist and very little for the serious critic of contemporary politics.

As the product of a philosopher trespassing into political theory the book failed to articulate its theses adequately as a contribution to either discipline. In part this reflected my scepticism about most of what passed for theory in both disciplines. In philosophy I came to agree with Wittgenstein that philosophy is a matter of "assembling reminders for a purpose", mainly to free ourselves from the tyranny of entrenched forms of discourse. In political theory I was influenced by the historical readings of political theory by

Quentin Skinner and others. I saw myself as offering suggestions for possible procedures and practices rather than a theory.

Having given some thought to the question of rewriting the book, I have decided against doing so. I have been retired from academic life for many years and no longer have a close acquaintance with much of what has been written since about 1990. I still like the introduction, but the first two chapters on the state and bureaucracy now seem too schematic. Their general thrust seems to me still apposite, but to be adequate to their role in the argument they would need to be filled out with a lot of contemporary material. They reflect preoccupations that relate to the Cold War and to political and economic situations and practices that have changed very substantially. In some ways, I believe subsequent developments have vindicated my contentions, but to recast these chapters in the light of current developments would be to put too much emphasis on dealing with present problems. My perspective, which I hope the reader will indulge for the sake of argument, is a long-term one.

The third chapter is the core of the book. It attempts to show that it is conceivable that a polity organised by negotiation between specialised authorities would work much better than on based on centralised authority. It is inevitably speculative. On the other hand, it does have the advantage of not resting on predictions about the future. My concern throughout is with procedures, the conditions in which they can work and the kinds of results they tend to produce if they work effectively. Inevitably, since the procedures I advocate have not been tried, there is no empirical evidence to back up the claims made for them. What I am urging is that this new social technology is worth trying out.

Chapter four introduces some neglected considerations, but as an argument it is the weakest section of the book and its suggestions about what needs to be done are particularly sketchy, speculative and inadequate.

Why read it?

In the light of these admissions what inducement can I offer to anybody to read this text a generation after it was written?

As far as I know it still offers an approach to the problems of political authority and political organisation that is unique in several respects. However sketchily, it offers a practical solution to the problems of authority and decision-making that incorporates the best of each of the major twentieth century solutions while avoiding their characteristic vices. From the free-market liberals it takes an appreciation of the strengths of the market, its efficiency, flexibility and the opportunities it offers for initiative. From socialism it takes its concern with public goods, social relationships and

effective access to political power. It claims to show how these socialist goals might be achieved in a market economy through new ways of structuring political decision and representation, avoiding the concentration of power and bureaucracy that vitiated socialist regimes.

At a theoretical level it is a set of reflections on the claim that the authority of individuals and groups should be limited to those matters that affect them substantially and directly. In this context it challenges all claims to sovereignty, not only totalitarian ones, but also those characteristic of contemporary democratic nation-states. In part this view rests on a claim about the structuring identities. We each belong to many partial, overlapping communities in virtue of our work, our residence, our recreations and a host of shared needs. In every aspect of our lives we are offered choices between alternatives that are constituted and linked in pre-established forms, sometimes by various markets, sometimes by the means at our disposal, our talents, inclinations, education and family, and sometimes by legal and institutional constraints and opportunities.

Politics is concerned with preserving, developing or changing the alternatives open to us. Traditionally all political jurisdiction has been based on territorial boundaries. These in turn were based on various titles of ownership of land. Nearly everybody made a living from the land to which they belonged. Most relationships were fairly simple and confined to a small area. Nation-states were formed out of wars over jurisdiction based on domination of a piece of land by force. National concerns were seen as nobler than merely local ones. Nationalism in many of its variants became a religion.

In such a context the state strove to secure the identification of its scattered subjects with the institutions through which they were to be turned into citizens. The same laws and legal institutions must apply to all. The law defined status, ownership, binding relationships and the limits of acceptable behaviour. The economy must be regulated in the national interest, especially the interest of the sovereign. The same religion and culture should be shared by all citizens and all divisive foci of identity suppressed or coopted into the national identity. The state required its citizens not only to be loyal but to be ready kill others and risk their very lives in order to preserve it from domination by other states. The state thrived on demonising its enemies, internal and external.

The folly and futility of this way of ordering things is widely recognised, but the alternatives, devolving power to smaller geographic communities and to international authorities, are seen as unsatisfactory because of the dangers of local chauvinism on the one hand and the difficulties of controlling international bodies democratically on the other. What this book suggests

is that in general the solution to the inadequacies of the nation-state is to recognise the specific authority of committees representative of the various overlapping partial communities to which each of us belong through our relationships, activities and needs. Some of these will be very local, but many will be global in their scope. How they are to be constituted and controlled is spelled out in what follows.

One of my hopes in writing the book was that its proposals might appeal to reformers in socialist states who wanted to introduce a market economy while still retaining some traditional socialist concerns about public goods. So I was heartened to receive a letter, posted in Norway, from a young activist in Archangel, who wanted to translate the book into Russian. I agreed enthusiastically, and he put a good deal of work into the project. Meanwhile, the Soviet Union collapsed and I received a forlorn letter saying that in the new Russia there was little prospect of its being published and less of it receiving serious attention.

I still have some hopes that Chinese reformists may find it interesting. My main hope remains that people of all sorts who are concerned about the problems that face our contemporary democracies may find it stimulating to step back from the plethora of current policy questions and devote more attention to questions of procedures of representation and decision-making. The basic conviction underlying my approach to our problems is that social relationships and structures are built up out of our social practices, our ways of doing things. In our social lives we can do individually and collectively only those things we have a way of doing, a set of steps that we can take that have a definite meaning and effect in virtue of the conventions governing them.

It is useless to expect an autocrat, however benevolent, to recognise political rights. The practices and institutions that could guarantee such rights simply do not exist in an autocracy. In Socialist Eastern Europe the joke used to be: We pretend to work and they pretend to pay us. The arrangements mimicked a labour market, but it could not work as one because the essential procedures and structures were missing. Nearer home we are all aware how legal and bureaucratic solutions to problems so often fail simply because legal and bureaucratic procedures are inappropriate to dealing with them. “Treat everybody the same” is an excellent way of proceeding in some contexts, but disastrous in others. So often it ends up treating badly just those who most need consideration.

There is an enormous literature about what “we” need to do to deal with the various problems that face us. Much of this literature is entirely ineffectual, even when there is a great deal of agreement about what needs to be done, because the institutions that might give effect to many of its recommendations

do not exist. “We” are impotent. Bodies that depend on agreements between sovereign states are always going to be at the mercy of the internal politics of each state, particularly of the most powerful states, which always have veto, if only because nothing much can be done without their active cooperation. In the arenas of domestic power politics considerations about global problems are just one among many items that enter into the game of power trading. They have no clear constituency. So they lose out. Genuinely international authorities must rest on a firmer basis. How they might be constituted is one of the themes of this book.

A Major change of view

At various places in the text I endorse Marxist[1] analyses of class conflict, without ever conceding the claim that the only solution to these conflicts is a classless society to be achieved by a proletarian revolution. I have always thought that that claim rests on a number of errors, notably about the ultimate possibility of a complex economy without market exchange and about the desirability of change by violent revolution.

However, I have continued to recognise that there is an inevitable conflict of interest between capital and labour, employer and employee, both at the level of the particular firm and at the level of the economic system. What I now reject is a class analysis of these conflicts. Instead, I want to emphasise how these conflicts are entwined with other conflicts of interest and how they are instantiated in the lives of most individuals and groups.

As consumers we all want cheaply priced products, produced by low wage labour. We support the firms that extract the most productivity. We may react against particular instances of gross exploitation, but ordinarily we look for value for our money. Similarly, as contributors to - funds or investors most of us are in the position of having to look for profitable capital investment. In effect, we want to be paid well while others are paid as little as possible.

At the level of the national economy we are concerned about its “competitiveness” internationally and about efficiency in the use of capital and labour quite as much as about social justice. In the short run at least the capacity of the economy to finance social programs to redress the market’s failure to provide for the disadvantaged depends on the prosperity of the economy. And so on.

These conflicts are inherent in the system of a labour market, which we have no prospect of abolishing. To portray them as a matter of conflict between distinct classes of “haves” and “have-nots” is to falsify the problems they pose. Obviously they impact on different individuals and groups quite differently. Very many people get a big share of the disadvantages of the

system as compared with the number of those who benefit most from it. Nevertheless it is wrong to see their disadvantages as springing crucially from the capitalist system. Often those disadvantaged by capitalism would be disadvantaged in almost any arrangement. Their disabilities come from historical, environmental and genetic sources, though those disabilities are aggravated by any competitive context. They need help and the problem of providing that help is not just a question of "charity". The doctrine that people do not have a right to a decent life, but only a right to compete for it is inhuman.

There is no reason to conceive all the ills that afflict so many people under capitalism as a matter of exploitation. The worst aspect of our present system is the gross inequality between nations. In the case of Third World countries the major problems arise from their having little to sell that will sell in the international market. Their natural resources are poor, they lack both capital and managerial skills and their labour is not needed by those who have the resources to make use of it. The idea that there is a clear, objective, supremely important interest in expropriating the capitalists that is common to the majority of people in all countries rests on a simplistic analysis. The idea that this should lead to politico-military revolution is a disastrously illusory objective.

More generally, the procedure of attributing conflicts of interest to conflicts between social classes or other groupings is rarely useful in understanding these conflicts or dealing with their effects. In a modern complex society most people belong to very many interest groups, occupational, educational, aspirational, geographic, cultural, political, recreational, religious and so on.[2] The relations they establish in each field of interest may be of greater or lesser importance to different individuals and groupings both in their own estimation and in their actual outcomes. What turns out to be decisive in any given conjuncture is a matter of historical contingencies.

Violence

Human history has been a history of organised violence based on religious, cultural, political and economic conflicts. People have seen violence as the only means of bringing about a definitive resolution of major conflicts because if successful it destroys the power of the enemy, it is hoped, permanently. It rarely succeeds, instead breeding a desire for revenge that perpetuates violent conflict. That organised violence has been so intractable is not just a matter of the violent propensities of individuals. Most people most of the time have seen social relations as ultimately a matter of dominating or being dominated, in a Hobbesian state of nature.

It is only very recently and hesitatingly that we have come to grasp the possibility of a consensual order based not on agreement about what is true and important but on agreement about procedures for making decisions about what needs to be done by collective action.

There are two sides to this possibility. The first is agreement not to pursue a resolution of most conflicts through coercive social organisation but through social interactions that use non-coercive means. All the questions traditionally regarded as of supreme importance, about what is true and ennobling, about our ultimate personal and communal purposes are to be excluded from the field of violent conflict. Many different reasons may be given for this policy, ranging from extreme scepticism or extreme individualism to a hatred of violence or the celebration of diversity. In any case, on most matters if we cannot reach agreement we agree to differ, if only for practical reasons.

This side of the possibility of a consensual order seems fairly secure, in spite of the resurgence of religious fundamentalism. Even extreme fundamentalists are reluctant to admit to imposing their religious views on others, even when they in fact do so. It is true that we have become increasingly aware that very significant power is exercised by non-coercive means. Renunciation of threats of force is not sufficient to guarantee a social order without oppression. The enlightenment confidence in the capacity of reason to liberate people from fear, subjection and falsehood has been profoundly shaken. Still hardly anybody now believes that authoritative imposition of a religious, cultural or philosophical answers to social problems is either possible or desirable.

The other side is more problematical. Recourse to violence as the necessary means of confronting violence continues to be accepted in theory and in practice even by states that are committed to freedom and peace as supremely valuable. The idea that only violent action can defeat entrenched repression continues to be accepted not only by extremists but by most people, albeit reluctantly, in the name of realism. In this book I have argued that this orientation to violence as the ultimate decision procedure can be reversed only when the concentration of all legitimate power in the state is radically eroded by establishing a network of authoritative institutions that are quite independent of the state or anything like it.

A Darwinian Perspective

We are only gradually coming to accept the overwhelming evidence that order of a very efficient and effective kind can grow out of adaptation by organisms to changes in the conditions under which they strive to survive and reproduce themselves, without any plan or guiding hand. Again we have had striking evidence of the capacity of a free-market economic system to produce an abundance of goods and services very efficiently. The astounding successes

of modern science have likewise come about in spite of the utter inadequacy of all the philosophies that have prescribed what science should be doing.

At first sight all of these endeavours are extremely wasteful. In each case success emerges unpredictably from an enormous mass of failures that in retrospect appear to have served no useful purpose. Indeed, in many respects each process is a history of destruction of projects that might well have flourished if only various extraneous events had been different or had occurred at a different time. The contrast between the processes of evolution and our utilitarian models of instrumental rationality could hardly be more complete. In our system of production it is institutionalised in the contrast between the anarchy of the stock market and the tightly disciplined organisation of the factory.

One way of describing what is being attempted in this book is to displace the model of the factory or the tightly organised firm as the paradigm of rational social organisation in favour of the unorganised adaptive rationality of an open-ended evolutionary process. If it is looked at as simply a means to an end such a process will inevitably appear extremely wasteful. The apparent waste is inevitable. Even in intellectual enquiries we usually do not know what we have been looking for until we find it. We only learn what questions we should have been asking when we find the answers. Living is mostly blind experimentation and success a matter of happy accident. What we come to see as success is what survives amid the scramble of competition.

In the context of competition, what does not survive is seen as failure, wasted effort. It is only when the particular components of the process are seen as being worthwhile, in spite of their ultimate failure, that we can see the whole as worth all the fuss. We need to cherish the dinosaurs and the dodos, the phlogistons and the utopias. What appears as waste by the standards of means-ends rationality is in fact the substance of life. Its value is not to be measured exclusively by some retrospectively imposed teleology but in terms of its own context, objectives and striving. Dinosaurs are not just failed mammals, nomads not just people who did not discover agriculture, discarded ideas not just mistakes.

More fundamentally, we have to recognise that in every kind of progress something is lost. There is no philosophical measure of progress that can stand outside the process and decide what constitutes genuine progress and what is a departure from the right order of things. The fact is that we can come to envisage certain possibilities only when they emerge from a process of change that was not directed to bringing them about. Our assessment of progress involves our relative assessments of unexpected new possibilities and the expectations and preferences derived from the old context that the new is disrupting. Against both instrumental rationality and

adaptive rationality, traditionalisms of all sorts deplore the destructive effects of both uncontrolled change and over-controlled change. But traditionalist orthodoxies inevitably collapse as their idealised referents vanish into contingent historical particulars. Even the fundamentalists find that their sacred texts refuse to stand still.

The frightening image that emerges is of our being adrift without rudder or compass at the mercy of the viewless winds and waves. But the fear is misplaced. We do have the means to adapt to our situation, to make the most of the opportunities it offers, to construct institutions and practices that instantiate values and concerns that are genuine, even if their value is limited to a certain historical context. Once we accept not only our personal limitations, but the finitude and contingency of our best aspirations, we will not devalue our particular efforts and achievements simply because they share our limitations. If we are adrift we can improvise a paddle and by dint of paddling and good luck eventually reach a shore. The shore we reach may not be where we wanted to go, but perhaps we can negotiate some acceptable arrangement with the natives until we find something better. In doing what we can to make the best of our situation we will quite probably be making our small contribution to the emergence of a new order that in some respects at least and by some relevant measures is an improvement on the old.

The process involves a lot of efforts that fail in the tasks they set out to perform. That may well turn out to be the case with this book. It will still have been worth the effort of writing it, and perhaps even of reading it.

John Burnheim

Sydney, Australia 1 May 2006

Notes

1. In general I agree with the criticisms of classical Marxist doctrines made by the so-called analytical Marxists, G A Cohen, J Roemer and J Elster. See especially J Elster *Making sense of Marx*, Cambridge U P, 1985 and J Roemer *A general theory of exploitation and class*, Harvard U P, 1982.
2. See the work of Manuel Castells on the Network Society. An accessible introduction is Martin Ince, *Conversations with Manuel Castells*, Polity, 2003. Also R Florida, *The rise of the creative class*, Basic Books, 2002.

Preface to the first edition

The ideas in this book were originally expressed in the context of a philosophical manuscript in 1979, and in two different articles entitled ‘Statistical Democracy’, one in *Radical Philosophy*, no. 27, Spring 1981 and the other in *Thesis Eleven* no. 3, 1981, p. 60. Since then a number of people have read one or other essay and various drafts of the present book. Noam Chomsky, Ferenc Feher and C. B. Macpherson offered valuable encouragement. Carole Pateman read a late version of the present book and offered helpful suggestions, as did Graham Nerlich, Geoffrey Blunden, Wal Suchting and Barry Hindess, who suggested the publisher to me.

More generally, I am grateful to my colleagues and students in the Department of General Philosophy for forcing me to think critically and practically about the problems of democracy and of social decision-making. My deepest and most comprehensive debt is to Wal Suchting. Gyorgy Markus has contributed a great deal, not least his critique of “actually existing socialism” in *Dictatorship over Needs* (Oxford, Basil Blackwell: 1983), with Ferenc Feher and Agnes Heller.

Pat Bower and Charle Reimer were responsible for typing innumerable drafts. The staff at Polity Press and at Basil Blackwell have been most helpful, especially Anthony Giddens, Helen Pilgrim and Pat Lawrence.

Finally, my wife, Margaret Harris, and children, Catherine and Lucy, had to put up with numerous ill-effects of my pre-occupation with this book. To them it is gratefully and affectionately dedicated.

John Burnheim

Sydney, January 1985.

Is Democracy Possible?

Introduction

I A first approach to the issues

Democracy does not exist in practice. At best we have what the ancients would have called elective oligarchies with strong monarchical elements. Most contemporary discussions of democracy assume that the task of democratic theory is to provide either some justification for these regimes or some normative guidance for their improvement.[1] It is assumed that the state is a necessity of social life. The question is whether it can be made more democratic. One of my aims is to disprove this assumption by showing how a polity might function without the centralization of government that constitutes the state.

There is no denying that social life is impossible without government. There must be decision-making bodies that exercise coercive power over groups and individuals. Moreover, the decisions of governing bodies must be co-ordinated, and where negotiation fails some co-ordinating decision must be imposed on them if peace and rationality are to prevail. But this neither necessitates nor justifies any body possessing a *monopoly* of power to decide and enforce decisions about matters of public and common concern.

For a variety of reasons I begin with practicalities, though of a very general and abstract sort, rather than with a theory of human nature or of society or of rights and authority. Discussions of these latter matters always involve assumptions about what can be done or is likely to happen. The values we emphasize reflect our hopes and fears and the experience from which these spring. The very concepts we use in political theory are bound up with the structuring of our social world by specific social practices. What human nature is is a matter of what human beings can do. And what they can do is a matter of what they have ways of doing, individually and collectively. What rights seem necessary for people to enjoy and what authority is desirable are a function of needs that take definite shape only in definite forms of social life. No doubt human nature is neither indefinitely plastic nor perfectible, but equally certainly what human beings can do remains a matter to be explored.

There is no well-founded theoretical basis on which arguments about human nature can resolve our present problems. It is, I hope to show, both more profitable and more honest to address ourselves explicitly to practical problems and their solution in the first instance. Here the constraints are quite specific. Nevertheless, the solution is unlikely to arise simply from

the analysis of the problem. It will call for philosophical reflection about its desirability as well as for argument for its practicability. In the long run, however, proposals can be tested only in political practice, which will judge both their feasibility and desirability.

The main practical problem about democracy is easily stated: in any full-blooded sense "government of the people, by the people, for the people" seems impossible in any but the narrowest range of circumstances. For government by the people to occur the people must make the decisions that constitute the content of government. But there is no way in which they can make these decisions, much less make them on a sound basis, when the decisions involve so many people in so many different ways as do the decisions involved in legislating and administering in a modern state. This is not a matter of technical difficulties of communication. Today we can organize and address assemblies hundreds of times as big as the Greeks could. It would be possible to provide everybody with the means of listening to debates on any topic and recording a vote on every issue without their leaving their armchairs. But people would be reduced to accepting or rejecting proposals. There is no way in which any significant proportion could participate in framing them. Aristotle and other ancient critics of democracy argued that it inevitably degenerated into rule by the orators and ultimately into tyranny. The bigger and more passive the audience the more that is likely to happen.

Moreover, if the point of democracy is that good decisions, decisions that reflect the long-term interests of the people, should be made, it is questionable whether people can know enough to make rational decisions on the very large range of issues that have to be faced. This point has nothing to do with the "ignorance of the mob". It applies equally well to professional politicians, social scientists or any other aristocracy. It is an argument against all centralization of decision-making power whether in an individual, a small group or a mass assembly. Clearly the force of the difficulty is a function both of the size and complexity of a society and of the degree to which its affairs are ordered by explicit administrative decisions, its degree of socialism. Advocates of the market mechanism have used it as an argument for small government and advocates of certain kinds of socialism have insisted on it as an argument for small autonomous communities. I shall argue that both of these solutions to the problem are unsatisfactory.

Again, there are inherent difficulties in the vague concept of "the people". For all those who, from Plato and Aristotle onwards, have accepted the importance of class power in politics, rule by the people comes down in practice to rule of the poor over the rich. As long as the economic system functions to produce control of the means of production by a few, class

differences will persist. The attempt of the "have-nots" to use the power of government to limit the power of those who control the means of production must always lead to a situation of self-defeating conflict. If a market or, more specifically, a capitalist system is to flourish it must be possible for owners of capital to make long-term investments with a reasonable probability of profit. Attempts to redistribute income by taxation must either fail to have any substantial effect or result in lack of investment and economic hardship for those in need of employment.

Instability produces war and repression. Ruling groups that are threatened by popular power have always been inclined to use military means, demagogy and treachery to protect their interests. Only in a classless society does the notion of the people acquire a genuinely inclusive extension. In a class society it oscillates between a more general and a more specific meaning in a way that reflects the contradictory interests of the different classes. But is a genuinely classless society possible? Is it possible to avert concentrations of *economic* power and of status only at the cost of an intolerably restrictive concentration of *political* power in the hands of those who claim to represent the people?

[See, however, my remarks about Marxist class analysis in the preface to the second edition.]

Moreover, the concept of the people covers up an enormous variety of differences of interest connected with specific forms of life and community property. Most significantly, each nation-state treats its own territory as a collective property subject to no external interference. The people are always the French or British or Guatemalan people. The "people of the world" has a hollow ring even in rhetorical contexts. It corresponds to no operative reality. But many of the problems that we face, ecological, economic and humane, are soluble only on a global basis and with an eye to the future needs of all humankind.

If government by the people for the people can be conceived coherently only as government by all existing human beings in the long-term interests of the human race and of the world that it dominates, is it not patently impossible? Would any nation be willing to submit itself to a world state that would dictate to it how its resources were to be used and disrupt its way of life to conform to the prescriptions of some remote majority? How could such a remote and all-powerful body admit of any meaningful participation by the thousands of millions whom it governed? Can there be world democracy without a world state?

There is, finally, a fundamental point of principle that is hardly ever addressed by democratic theorists. It is desirable that each person or group should have an opportunity for influencing decisions of any matter in direct proportion to their legitimate material interest in the outcome. It is not often

noticed that this principle is ineffectual unless its converse is also satisfied. *Nobody should have any input into decision making where they have no legitimate material interest*. The notion of legitimate material interest calls for explication. Roughly, by "material" I mean to exclude interests that people have simply because of their intrusive desires about how others should fare, while by "legitimate" I mean to exclude material interests that are not based on entitlements that are morally sound.

The point of these exclusions is obvious enough. Individuals or groups do not acquire the sort of interest that entitles them to have a say in determining what I or some group to which I belong may do simply by their having strong feelings about the matter. Their interest must have a more material ground than their thinking about the matter. Equally, people may have good reason to covet things that I am entitled to, but that does not give them a legitimate interest in those things. In particular, in regard to public goods there is often a serious confusion between people's legitimate material interest in the opportunity costs of providing some good for a particular group and their unwarranted claims to determine just what is good for the group in question. There may be a reasonable argument that the money should have been spent elsewhere. But if it is allocated to a certain educational programme, for example, the precise form that programme should take is a matter on which those who are directly affected by it should normally decide.

If these principles are not observed the result is tyranny, perhaps well-intentioned or unobtrusive tyranny, but tyranny in a strict sense. People are exercising authority over others, without warrant and without regard to their proper autonomy, by virtue of possessing political power.

All present forms of democracy and all hitherto proposed forms of it not only permit but encourage such tyranny. The result is that they strain their claims to be called democracy and their claims to superiority over monarchies and oligarchies. Normally they become oligarchies that are defensible only on the grounds that no better alternative is available.

That this degeneration is a normal consequence of everybody having a say in everything is not difficult to understand. In a very small and amicable group people may abstain from using their votes on matters that do not concern them on the basis of a convention that it is the proper thing to do. The convention may be sustained by interpersonal relationships. In larger groups it tends to break down. Vote-trading becomes the key to success. Not to use every opportunity to extract the maximum return for one's agreement to vote in a certain way is to invite defeat at the hands of those who do. The more uninterested one is in the specific issues the better. It makes it so much easier to trade favours uninhibitedly. Naturally, one may need to put some sort of face on it, but usually that of a soundly pragmatic man will do.

What happens in this process is utterly different from what happens in a genuine exchange of substantive interests. If each of us quite legitimately has some title to the same thing we shall have to bargain about what each is willing to trade for the other's title, or perhaps submit to arbitration or the toss of a coin. Each of us has some power over the other, but unless one of us is so poor in entitlements as not to be able to secure any reasonable set of his or her interests, or is in particularly desperate need of just this thing, the exchange will normally be fair. The exchange ceases to be fair when what I get in exchange for my substantive good is merely release from an arbitrary threat on your part. The obvious case arises when you threaten to harm me physically unless I hand over what you want. But any threat to use arbitrarily power that you have to harm me without substantive cost to yourself is equally obnoxious, whether it is done out of malice or self-interest, or even paternalism.

Now in any present form of democracy it is quite usual for it to be necessary to buy the votes of many people who have no legitimate material interest in the matter in hand in order to meet the interests of those who do have a genuine interest in it. Electoral democracy carries this to the point where the "numbers-men", the power brokers, operating through political parties and professionally organized lobbies, manipulate these disposable votes into concentrations of power for their own aggrandizement. The trick is to buy people's votes over the whole range of matters that come up for decision on the basis of committing oneself to some limited set of promises about the few things that they feel strongly about. To make matters worse, those strong feelings are often not based on legitimate material interests. The system is corrupt and corrupting. We do not realize how badly it functions only because the existing alternatives are worse.

II Functional autonomy

Our task is to disentangle the knot of assumptions that go to make these difficulties; rejecting some, showing how others can be dealt with, accepting others. At the risk of being dismissed out of hand, I shall indicate what my strategy is. I shall argue that most of the decisions that are now taken by centrally controlled multi-function agencies ranging from nation-states down to municipalities could be taken by autonomous specialized agencies that are co-ordinated by negotiation among themselves or, if that fails, by quasi-judicial arbitration, rather than by direction from a controlling body. Participation in the decision-making process in each body should extend not to "the people" generally, but to those who are affected by the decisions in question to the degree in which they are affected. Obviously, this raises a crucial problem about what interests are to be accounted legitimate.

Interpreted conservatively it could mean that all existing interests are to be protected. Interpreted radically, it might seem that everything is "up for grabs" and every individual or group has an interest in almost everything. I shall attempt to show how a course might be steered between these extremes.

The first element of my strategy, then, is not only anti-state but anti-communalist, directed against giving sovereignty or anything like it to any geographically or ethnically circumscribed group. In doing so it runs contrary both to the major tradition of political philosophy and the course of political history, as well as to most projections for the future, conservative or radical. Nevertheless, I shall argue that the problems we have to face in practice can be solved only by moving in the direction of functional decentralization of this kind. My argument will involve an examination of the inherent characteristic of the various decision-making procedures that already exist in social practice designed to demonstrate their limitations and the effects of using them beyond the scope of those limitations. In particular, I shall examine the limitations of the market, bureaucracy and voting as mechanisms for the control of productive resources and argue that other mechanisms could be introduced in appropriate contexts that would not have the same limitations.

If the division of communal and corporate agencies into specialized functional agencies were carried as far as possible, subject to considerations of technical efficiency, the number of decision-making bodies with considerable autonomy would be increased enormously. Even at a municipal level there is no reason why the various services that local councils provide, roads, parks, libraries, recreation facilities, building regulations, health services, garbage collection and so on, should not be run quite independently of each other, with different geographical circumscriptions and with closer relations to similar services in other areas than to many other services in their own area. People might come to see themselves as being part of many diverse social activities and functional communities rather than any simple inclusive community. Indeed, this is increasingly the case in modern urban societies. Nevertheless the very complexity of modern life raises a seemingly intractable practical difficulty. In most local communities there is little enough interest in local politics. If people are faced with the need to participate actively in the very large range of agencies of all shapes and sizes that affect their wellbeing, it seems most unrealistic to suppose that they can or will do so in an informed and constructive way. In practice they will vote *en bloc* for party tickets and hand over their active voice to political elites.

III Statistical representation

This brings me to the second and more outrageous element of my strategy. In order to have democracy we must abandon elections, and in most cases

referendums, and revert to the ancient principle of choosing by lot those who are to hold various public offices.[2] Decision-making bodies should be statistically representative of those affected by their decisions. The illusory control exercised by voting for representatives has to be replaced by the chance of nominating and being selected as an active participant in the formulation of decisions. Elections, I shall argue, inherently breed oligarchies. Democracy is possible only if the decision-makers are *a representative sample* of the people concerned. I shall call a polity based on this principle a demarchy,[3] using "democracy" to cover both electoral democracy and demarchy. How and under what conditions this procedure might work I shall discuss in detail later. For the moment I shall say just a little about the philosophical consequences of adopting it.

Until about two hundred years ago it was widely assumed that the principle of rotation of offices by lot was the characteristic procedure of democracy.[4] Since then democracy has come to be identified with competitive elections on an universal suffrage. In practice, this situation has arisen because democratization has usually been won by a series of steps, each of which has been mainly a matter of bringing existing political elites under the control of a wider group of the population by submitting them to the necessity of competing for office at regular intervals. It has rarely been a major tendency of such changes to widen the political elites themselves. When new groups have acquired the franchise they have often sought to generate their own political parties, but the elites that constitute the ruling stratum in these parties have usually come to be only superficially distinguishable from the more traditional elites. Elitism has not been challenged effectively.

In the theory of democracy two quite different strands of classical liberal theory have contributed to the identification of democracy with elections. Classical utilitarianism claims that actions are to be evaluated solely by their consequences. What matters is that governmental decisions should be good decisions. The responsibility of decision-makers is not to give people what they want, but what is in their interest. The role of elections is to give electors the chance of choosing those who are best equipped to make good decisions, those who possess all the knowledge and skill that the electors themselves inevitably lack. By contrast, a less clearly formulated tradition, often associated with Rousseau and more generally with contractual views of political authority, sees elections essentially as the expression of the collective will of the electors. The government derives its legitimacy not from its function or its deeds and their consequences but from a commission given to it by an agreed procedure of electoral choice. A governmental agency ought to do all and only those things that the majority of the electors want it to do.

The utilitarian position about elections depends primarily on factual considerations. Elections are supposed to be the best means we have of seeing that government is properly carried on. So my differences with them will be resolved by the discussion of the possibility and consequences of statistically representative democracy or demarchy. (I am not a utilitarian but the differences do not matter in this context.) The contractual tradition, however, raises more complex questions. One might argue, for example, that a voluntarist account of political authority is compatible with any form of government, since the people can will anything that they like. But the voluntarist view may be pressed so far that only those particular decisions that command informed, universal and explicit consent are deemed legitimate. In that case any substantial existing interest group is in a position to block any change that affects its interests adversely. Even if the requirement of consent is restricted to decision procedures rather than extended to specific decisions, no group would consent freely and rationally to decision procedures that would undermine its vital interests.[5]

Some contractarians, notably John Rawls, have held that it is possible to escape the problems of actual interests and to deduce a set of moral principles of legitimacy from a thought experiment. This envisages a group of people who are ignorant of what their interests will be convening to decide on a constitution that will be beneficial to the contractants no matter what their interests may turn out to be.[6] These moral principles would then act as constraints on what could be deemed a legitimate will. I believe that such hopes of deriving definitive results from thought experiments are theoretically and practically illusory. Nevertheless, given some fairly weak assumptions, I believe that the Rawlsian move constitutes a reasonable test that any proposal calling itself democratic should pass. I believe that my proposal would pass.

At the other end of the scale from extreme individualist voluntarist views we come to views that attribute to the corporate will of the people a more or less mystical rightness. This will is not the product of compromises between conflicting interests or of accepted constitutional procedures but of historical necessity or of some *Volksgeist*. In so far as it attains concrete expression it is manifested in a charismatic leader or an organization that claims some unique authority to articulate it correctly. It is hardly necessary to emphasize either the enormous dangers of such movements or the ease with which they may in fact constitute a very effective social force in certain circumstances. One of the salient features of the sort of polity I am advocating is that it radically undercuts the possibility of such movements using the instruments of government to force their will on people. Indeed, I should hope that it would result in the dissolution of the social basis of charismatic authority and destroy its grip on people. Even if it is true that many of us have

some profound psychological need for identification of a non-rational kind with some totality that transcends us, perhaps we can satisfy this need by identifying with football teams rather than governments, “historic missions” or the destinies of races.

Nevertheless, no profound social change can take place in a conscious and deliberately controlled way unless there is a very wide consensus that it is at least acceptable, and a substantial group that is both strongly motivated and organized to bring it about. I concede that the central requirement in our present historical situation is that the working class should become conscious of the need to abolish the sources of class division at every level of social life. This is especially the case in the matter of control of the means of production. To that extent I agree with the classical Marxist analysis. { In fact I now reject a class analysis, stressing instead conflicts of interest that we all have. In a market society we all have some interest in the profitability of capital investment and some interest in the prosperity of people who sell their labour power. It is no longer true in advanced capitalist societies that most people possess nothing but their labour power, though there is a significant minority of whom this is true.]

In any case what that analysis lacked in my view, was a sufficiently rigorous and constructive theory of democratic government.7 Rather, the classical Marxists tended to share the anarchist assumption that in the struggle for democracy the revolutionary movement would generate spontaneously the decision procedures and institutions that were needed to produce a democratic society. I shall argue that in this respect it was deeply mistaken and try to indicate the strategies that are appropriate for a revolutionary socio-political change in a democratic direction.

IV Assumptions

Demarchy, as I shall present it, is utopian, at least in the sense that no model for it exists, and it is not based on a projection of present trends or causes. It can be brought about, if at all, only by convincing enough people that it should be tried. Obviously the chances of doing that are small. So it is all the more important to emphasize that in other respects it is not utopian at all. In particular, I shall argue that it does not presuppose that people perform substantially better either morally or intellectually than they do at present. My hope is that it could create conditions that would lead to improvements in the level of moral and scientific self-awareness in the community through a self-reinforcing process, but there are good grounds for embracing it without putting any store by such hopes. It is offered primarily as a solution to present problems, a way of averting very great evils, starting with small practical steps.

Meanwhile, the lack of any clear and plausible view of how a democratic socialist society might work is, I believe, the main obstacle to significant radical activity. State socialism in all its forms has been discredited. It has become increasingly difficult to put all the failures down to exogenous causes. The kinds of changes that *can* be produced by the use of centralized power are not the changes most socialists had hoped for. Moreover, popular spontaneous action is clearly no remedy. At best it is haphazard, ill-coordinated, often foolish and shortlived. At worst, it is terror manipulated by leaders engaged in power struggles. The fond hopes of the anarchists, which Marx himself and so many Marxists have shared, that the solutions to how future society is to be governed will emerge in the process of struggle have proved illusory. Organized struggle to control the state calls for military and political organization of a centralized and authoritarian kind. It reproduces state power transferring it into the hands of different people. Unorganized struggle merely forces the existing power structure to adapt. It cannot replace that structure.

Still it will appear absurd to many to offer a few changes in procedure as a solution to the great problems of our time. It smacks of panaceas and monomanias, like Berkeley's faith in tar water. Blanket scepticism, however, is no more rational than credulity. Procedures are very important, especially where it is a question of producing decisions from a mass of disparate inputs that can be interrelated in a variety of ways. In order to produce reliably good quality output a sound procedure is needed both to select good quality input and to process it properly. In social decision-making the crucial questions are, What kinds of information about the situation can the decision process handle? What desires and aspirations does it respond to? How good is it at coming up with the most practical and appropriate decisions in the circumstances?

Decisions are made by people. Good people may arrive at good decisions in spite of poor institutionalized procedures, when they are not wholly constrained by those procedures. Conversely, the best procedures in the world can be misused by people who are determined to do so. But the more complex the society and the longer our time-span the less likely it is that these divergences from the norm will be significant. This is not just a matter of probabilities sorting themselves out in the long term. Procedures have a constraining effect on what is registered and what is made of it, and the constraints tend to grow tighter the more deeply entrenched the procedures become. If the success of a business enterprise is entirely a matter of its relative profitability, then it becomes increasingly difficult for a manager under the pressure of competition to take account of factors that produce no profit, even if there are other good reasons for doing so and the cost is not

great. The manager becomes typecast in the role of profit producer. There may even be a suggestion of impropriety, at least in the eyes of accountants and shareholders, in stepping out of that role. It is not the manager's money that is involved. Similarly, judges are increasingly held to the letter of the law, bureaucrats to regulations and politicians to what generates the most favourable balance of power, whatever their personal preferences.

The crucial problem is that our present procedures of public decision-making are incapable of registering reliably a number of aspects of the situation that are of great concern to those who understand them, and incapable of drawing reliably the appropriate conclusions even from the information they do register. Because they deal with vital questions they must be changed. The change will not be an improvement unless certain other conditions are present. Above all, there must be enough people who in their own interests are willing and able to make the changed procedures work. I shall argue that it is not unrealistic to suppose that there are enough such people, and that there are practical strategies of change available. A major point is that nobody is required to participate in the political process, but just to trust those who do.

Similarly, I shall have to argue that it would be rational for people to accept the decision procedures I am advocating. My argument will be that it is much less risky to hand over control of public goods to a variety of very limited agencies than to one omnicompetent agency. The risk of irresponsible action is dispersed. Total disaster is less likely. However, the problem of control becomes more complicated. It is, superficially at least, much easier to keep a watch over a single authority than over very many. But the watch one can keep over an omnicompetent authority cannot be very effective. In any case, on most things that affect me I have no particular view, certainly no well-founded basis of assessment. I should be reasonably content to have those matters looked after by people who are competent, sensitive to my interests and are watched by others who share my needs. At the same time, I should like to have the opportunity of playing a substantive role in those few areas in which I have some stronger interest and knowledge, provided the benefits of doing so outweigh the costs.

By contrast with existing democratic practice, demarchy does not assume that most of the population is in a position to make soundly based assessments of all the major issues of government policy or even to assess the merits of rival elites competing for votes. What it assumes is that most people, if they are faced with limited concrete questions about matters that affect them directly, are capable of gaining enough understanding of the issues to make sensible choices about them. Moreover, it is not too difficult to arrange things so that they have sufficient inducements to act responsibly in these matters, to

seek the best advice, open up discussion of the possibilities and attempt to find optimal solutions. Where more difficult, higher-level functions are involved, it is more likely that people with suitable competence and motivation can be found and chosen by and among those who have worked together on more limited problems than by any other selection process.

My pessimism about our present political structures is accompanied by a similar pessimism about our economic structures. I shall have to show how these too can be changed for the better. Again I shall argue that, granted reasonably realistic conditions, the crucial factor is the practices that constitute decision procedures in these matters. I make no pretensions to solve the problems of economic theory, nor do I draw very much on the many extensions of economic theory to matters of public choice. All of this work achieves a certain rigour at the cost of working with very limited and abstract models. These models can be applied to real situations only with a good deal of caution, which is often missing in their advocates.

By contrast, the considerations I shall offer are of a looser, but more practical kind, suggestive and exploratory rather than theoretical and explanatory. Ultimately, the only solid ground for asserting that something is possible is that it exists. Conceptual analysis can show that a state of affairs is conceivable, but it cannot pretend to show that the conception encompasses everything that is needed for it to be realized. So it cannot even assure us that a state of affairs is not impossible, much less that it is possible in some stronger sense, for example possible under certain given conditions. The strength of conceptual analysis lies in bringing out the contradictory characteristics of conceptions that at first sight appear quite reasonable. So I make no sweeping claims about the arguments offered in this book. They are designed to induce readers to give practical consideration to certain possibilities in the light of their own needs and experience. My justification for asking people to read this book is that if what I have to say is right it is very important, and it has not been said before. It is intended to provoke and challenge readers of every sort to say where it is wrong.

V The argument

Chapter 1 confronts the usual arguments for the necessity of the state in an attempt to undermine them, and underlines the dangers in the state system and the precariousness of attempts to control it. It is argued that the system of states generates rigidities and absurdities that are impossible to control democratically. In chapter 2 the problem of bureaucracy, control from the top through large permanent administrative organizations, is examined and the reasons for it criticized. The possibility of organizations being answerable

directly to those affected by their decisions is explored and the problems of such a system clarified.

Chapter 3 undertakes a sustained critique of voting, emphasizing the paucity of the information a vote can convey, the futility of the individual vote in mass assemblies and the impossibility of voters becoming well informed. The defects of party politics and the incapacity of reforms in systems of voting to remedy them are detailed. This critique is followed by an argument that statistically representative decision making bodies would provide a means of meeting all the major objections to electoral politics, as well as providing a means of breaking bureaucracies down into small units under the direct control of those they affect.

Chapter 4, having briefly surveyed the inadequacy of a pure market economy to provide public goods and reasonable access for all to the means of production, outlines a proposal for a market society in which various productive resources are vested in different trustee bodies. These trustees would be independent of each other and not subject to any central policy-making or executive body. They would lease productive resources to firms at prices that would cover the need for public goods, and safeguard other community requirements. The argument is that demarchy would constitute an adequate social control of production in a market economy and provide satisfactory security for all.

In chapter 5 various features of and objections to this system of public decision-making that I call “demarchy” are examined, and the hopes that might reasonably be placed in it are detailed.

A reader who is anxious to get to the heart of the matter might start at chapter 3, or even at the third section of that chapter, where the working principles of demarchy are outlined, and proceed to chapters 4 and 5.

I have many ideas about the practical details of implementing demarchic principles that are not mentioned in this book. To do so would have been misleading. What I am anxious to produce is a radical reappraisal of the whole problem of public decision-making. Once people accept the possibility of demarchy they rapidly find themselves coming up with an abundance of suggestions about how it might work in practice. It is one of its great strengths that it makes experimentation in thought and practice infinitely easier than in state-governed societies. It thrives on diversity.

Notes

1. For a good critical survey of contemporary theories of democracy see Jack Lively’s *Democracy* (Oxford, Basil Blackwell: 1975). My work

is much indebted to the works of R. A. Dahl, especially *A Preface to Democratic Theory* (Chicago, University of Chicago Press: 1956); *Polyarchy: Participation and Opposition* (New Haven, Yale University Press: 1971) and *Dilemmas of Pluralist Democracy: Autonomy vs. Control* (New Haven, Yale University Press: 1982). Dahl has coined the useful term "polyarchy" to designate the regimes we usually call democratic in Western countries.

2. On ancient democracy see M. J. Finley, *Democracy, Ancient and Modern* (London, Chatto and Windus: 1973) and E. S. Stavely, *Greek and Roman Voting and Elections* (London, Thames and Hudson: 1972). All officials other than generals were appointed by lot in Athens, and the business of the assembly was handled and the agenda set by the council of five hundred, again chosen by lot, working through its smaller executive. Another place where appointment by lot was used extensively was in early renaissance Florence. There, however, the proportion of citizens eligible for office was a good deal smaller than in Athens. The reasoning behind the preference for sortition was simple and sound. If people had to choose they would attempt to elect the best candidates. The candidates with upper-class backgrounds would normally appear superior. The result would be rule by upper-class people who engaged in demagogy rather than democracy. British political history nicely illustrates this point. In other Western countries, where class differences are not so clearly marked and socially respected, the result of elections is a professional stratum of politicians whose class connections are more significant than their origins. Of course, it has usually been taken for granted that democracy is inferior to rule by the best. The dominant verdict in Western political thought is in favour of electoral aristocracy.

3. "Demarchy" is an archaic word which Hayek used to describe the view he advocated in *Law, Legislation and Liberty* (3 vols., London, Routledge and Kegan Paul: 1973, 1976, 1979). How ever, since he did not employ it persistently, it has not passed into current use and I feel justified in attempting to appropriate it.

4. Rousseau still made this assumption about class societies, though not about classless societies, *Social Contract*, Book IV, Chapter 3. To Godwin, however, writing at the end of the eighteenth century, sortition seemed a merely superstitious practice. The point had been lost.

5. The complexities of problems of rational public choice have been studied intensively in recent years. The best survey is that of D. C. Mueller, *Public Choice* (Cambridge Surveys of Economic Literature), (Cambridge, Cambridge University Press: 1979). See also H. Van den Doel, *Democracy and Welfare Economics* (Cambridge, Cambridge University Press: 1978).

6. The great exponent of this doctrine is John Rawls, *A Theory of Justice* (Cambridge, Mass., Harvard University Press: 1971). There is a very large

literature on Rawls's work. See particularly N. Daniels, *Reading Rawls* (New York, Basic Books: 1974) and Brian Barry, *The Liberal Theory of Justice* (Chicago, University of Chicago Press: 1974).

7. Like most nineteenth-century radical democrats, Marx placed his faith in measures designed to ensure that the representatives of the electors acted as their delegates. This assumes that the electors arrive at a well-considered verdict on every important question. I shall argue that this is unrealistic and inappropriate. Not everybody should have an equal say on every question. Moreover, the construction of the common good is a matter of negotiation between different interests, and negotiations can not be carried out effectively in structures of the kind Marx envisaged. In general, Marx underestimated the extent to which political structures were subject to inherent laws quite as constraining as those governing economic structures. He saw clearly enough the economic absurdities of nineteenth-century populist radicalism but failed to criticize its political prescriptions. It is easy to excuse Marx's oversights in these matters. It is less easy to excuse his followers, who use the lamest of anti-utopian arguments to absolve themselves from thinking about politics beyond immediate issues.