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Game Theory and Democracy

27 November 2017

The Case for Sortition

The search for the perfect democracy in America will forever continue. Achieving the purest form of democracy is impossible, but maximizing democratic accuracy is the next best goal. Yet, what is democracy? It isn't solely defined by voting. Rather, democracy is representing a population's opinions through a person or group. This definition is accurate as opposed to a similar misunderstanding that democracy is most effective when the outcome is most beneficial to the voters. This misconception stems from the idea that voters know exactly what they want which assumes that voters have perfect information. Rather, neither of these statements are true at least today. Instead, absent-minded voting is still democracy at its best¹.

Genuine efforts to improve democracy focus on making sure representatives represent their populations. Little has been done recently to directly change how democracy is conducted, yet much research and activism is currently centered around new voting methods that promise to select a more representative candidate from a group. The promise of this is alluring; its practice is relatively effective, and although some voting methods have significant flaws, others are practically flawless. Yet, these voting methods only answer the question 'who is the single most representative candidate' not the bigger question 'how can we select a group that is representative of the population.' Often, advocates for new voting methods promise that their

¹ Copp, D. (2002, January). Goldman on the Goals of Democracy. *Philosophy and Phenomenological Research*, LXIV(1), 207-214.

methods will do this exact thing: choose a group that represents a population. But in fact, take one look at Congress, elected through the most random voting procedure, plurality, and see that voting cannot allow for a representative body. Unless America consists almost solely of white males, the Congress is highly unrepresentative of the population. Instead of searching for a method that will elect people who are the least **un**representative, this paper advocates sortition, selection by lottery, a method that promises representative bodies. In addition, it solves a varied of other problems that voting methods cannot solve.

1 | *A brief history of sortition*

In Biblical times, sortition, or casting lots, was commonplace in Hebrew customs. The Jews cast lots to select leaders, distribute land, and identify a guilty party². In fact, the casting of lots was believed to reveal the will of God in many instances, although the use of this custom by the ungodly like Saul in the Old Testament and Haman suggests that it may have commonplace among many populations³.

Yet not until the Greeks was sortition more formally used to inform democracy. The Greeks developed quite a sophisticated system of sortition based on their two core principles: *Isonomia*, “equal right of all citizens to exercise their political rights” and *Isegoria*, right to share opinions in their assembly⁴. Sortition in conjunction with separation of powers made their government highly effective, representative, and safe from corruption. Some aspects of Athenian

² 1 Chronicles 24:5; Number 23:55; Jonah 1:7

³ Proverbs 16:33; Esther 3:7

⁴ Bouricius, T. G. (2013, April 30). Democracy Through Multi-Body Sortition: Athenian Lessons for the Modern Day. *Journal of Public Deliberation*, IX(1).

democracy are simply astonishing. The Athenians has so little trust in a single person that the role of head of the state was rotated every 24 hours. Imagine having a new president every 24 hours. It seems impossible but much more representative than a single person can be over four years. Although the extremity of Athenian democracy would be nearly impossible to implement in the US, the relative success of the Athenian government show that more direct democracy has its benefits.

During the time of the Athenians, the philosopher Aristotle wrote a profound book, *Politics*, which identifies the most ideal form of government in the eyes of Aristotle, along the way explaining the benefits and drawbacks of sortition. Namely, he is concerned with the ability of the poor to rule a sortition. For this reason, he discredits sortition because it does not cultivate a healthy economy although it does create an effective democracy. Instead, Aristotle favored the most ideal yet nearly impossibly effective form of government, a benevolent monarchy. As fascinating as the idea sounds, they are beyond rare: they are virtually impossible. Even when a benevolent monarch rises to power, shortly after, he is shot down because either he doesn't support the rich enough or he doesn't please the poor enough⁵. Instead, given a monarchy, a power-hungry ruler will be the most effective ruler. He will please the rich and poor just enough, but he will also have the power to do things against the country's will. Although Aristotle supports an almost impossible idea, he simply cannot support the better idea, sortition, in his time. Sortition would destroy the economy, but in the modern US, sortition would be effective because poverty is a minority belief that is still sympathized with. The poor would remain

⁵ Machiavelli, N., & Wootton, D. (1995). *The prince*. Indianapolis: Hackett Pub. Co.

supported but would not gain the power to destroy the economy. Through the beliefs of Aristotle and successes of Athens, the past of sortition well informs the future of sortition in America.

2 | *A spectrum or a sum*

The goal of democracy is to represent the people, but there are many ways to represent a group. Take, for instance, a sample of data. Mean, median, and mode are equally valuable ways to represent a group of data, yet they each represent the data uniquely. Another way to represent the data is to take a slice of it, to randomly select data units to maintain the same character of the data without the hassle of the large amount of data. Additionally, what if there are multiple units of data per object? How is it possible to determine which object is the most representative of the entire population? Sortition solves these issues. Instead of determining which method best represents the people, it is best to take a small sample of the voters to get a more representative pool across all data fields.

For the sake of argument, let us assume that Cordorcet voting chooses the most representative candidate across all demographics and political temperatures, and an entire Congress is elected based on this system. The Congress would be largely homogenous, maybe not across demographics⁶ but most definitely across the political spectrum. Nearly every candidate would have the same agenda. Of course, this sounds promising, a Congress that can get things done, but considering minority representation and freedom of speech, this could be concerning. Extremists would most likely lose their ability to express their opinions or practice

⁶ although it probably would be

their beliefs at the expense of centrism⁷. It could be argued that because each state has a different centrism, there would still exist a spectrum of beliefs expressed in Congress, yet a large amount of beliefs/opinions would be completely lost. Of course, one may wonder if an efficient Congress is worth the death of ideas. If one's goal is to uphold the principles of democracy, the answer is most definitely no. Depriving a large group of people of their representation through a democracy is absurd and completely against the fundamental belief of democracy that all people⁸ deserve equal representation in the government. To ignore this is to destroy democracy at the expense of centrism.

Furthermore, to ignore this is to silent under-represented populations. Consistently, whites have been over-represented in Congress by more than a marginal gap. The main reason for this is silent prejudice. Numerous studies show that racial prejudice alters the decisions of all races. Although the number of white people continues to decrease in Congress, the percent of over-representation increases. Likewise, across other demographics, especially religious demographics, some populations are completely unrepresented. Under Condorcet voting methods, these problems would not become particularly better. In fact, they would become worse. Under a centrist democratic system, candidates wish to appear the most centrist of all other candidates to gain the most votes. Thus, the differences between candidates would decrease, and so would the need for the population to stay informed. The effect of two different candidates near to the center would have such negligible effects on the voter that the difference wouldn't matter as much. When political differences do not exist, racial pretense and other discriminating factors have a greater effect on elections. Condorcet methods fail to provide a

⁷ Centrism is defined here as the over-empowerment of the most tolerable opinion.

⁸ and all ideas that those people have

means of diverse representation and would perpetuate the current state of misrepresentation in the Congress. Rather, sortition would select a group that is representative of the population.

A concern of sortition is the possibility of an extremist group representing the population for a time. Although these chances are extremely small, this is a real possibility. An argument can be made that although this is a real possibility, it would have very marginal effects in an effective sortition. An effective sortition consistently creates representative bodies that contain a range of perspective via checks. A group could evaluate each sortition to ensure equal representation and elect to have a 're-draw' for certain groups in event of a misrepresentative body. Opponents may assert that such a practice opens sortition to the same corruption that plagues our current system, but the level of corruption possible in such a system is negligible compared to that of the current system. Efforts to ensure demographic representation across populations has led to gerrymandering, a common tool of political parties to maximize their representation in states where they have control over districting. This is a simple example that when people are able to maximize their profit and power, they will. The problem is that this happens at the expense of minority representation. Sortition is free of such issues because no matter how district lines are drawn⁹, representative bodies will be representative.

3 | *No longer politics*

One of the greatest issues with the current political system is the separation of political life and civil life. Instead of merging the two into cohesive body exchanging information and power, voters are the audience and the Congress the dancing monkeys. Yet, Congress only

⁹ so long as they proportionally represent populations

dances for the voters when it's election time. Other times, they are appealing the more appealing audience: lobbyists. Instead, sortition advocates for a system that promotes voter education, increases political trust, and destroys the influence of political parties and lobbyists.

The key to an effective democracy is a democracy that knows what it wants, an educated democracy to the extent that voters know what is in their best interest and what is not. Under the influence of the internet and the current democratic system, voter education is surface-level focusing solely on personal issues of key political figures and away from understanding why certain policies would benefit or detriment voters¹⁰. This stems from mass media's focus on issues that gain views: news that gains attention and can be quickly understood and shared. Of course, this is only in the best interest of mass media networks, moreover, voters do not attempt to learn beyond what they can easily consume because there is no need to understand politics¹¹. Voters know how little their vote contributes to the election. Surprisingly, the voters with this knowledge cause distorted election results and an ineffective democracy. In a system of democratic sortition, citizens of the sort (CS)¹² become more politically aware because of their increased potential effect on political decisions.

¹⁰ Kitchens, J. T., Powell, L., & Williams, G. (2003). Information, Please? Information Seeking, Mass Media, and the Undecided Voter. *Communication Research Reports*, 20(1), 73-80. This source shows that candidate recognition correlates to opinion formation, but information seeking does not. This implies that opinions are less based on knowledge than recognize candidates. Although this evidence is correlation not causation, the fact that information seeking and opinion formation have little correlation should be shocking.

¹¹ This assertion is simply based on the fact that mass media desires an increase in viewers and that mass media networks will operate so that they will maximize their income.

¹² The term 'citizen of the sort' (or CS) refers to those who elect to participate in a sortition. It is similar to voters in an election in that CS and voters are both democratic contributors.

An effective democracy requires trust in the process, belief that democratic contributors have a substantial effect on political decisions. Such trust lies in the investment of the contributor. In the current system, voters have little effect on the outcomes of elections, and other political decisions. This¹³ contributes to the perception of US government as a bureaucracy. Under the current system, those who have the money pilot the democracy. They can lobby congresswomen and congressmen; they can invest in mass media networks to inform the opinions of ‘plebeian’ voters; they can run for offices or contribute money to other campaigns. Under this system, money equates to power. One could claim that when the people who have money influence the government, the government acts in the best interest of the economy. This is true, but often, the best interest of the economy is not in the best interest of some population. A system of sortition would empower the middle class at the expense of the economy to some degree. After a short time, information available to CS would increase, and thus, decisions would tend to benefit the economy more¹⁴. Although efficiency is not an indicator of democracy, it is an indicator of a desirable government. Sortition would increase trust in the government and thus empower the general population.

Empowering the general population implies decreasing the influence of the two-party system. The two-party system maintains order in US politics. Each of the two parties has a set of beliefs; if you agree with more of the beliefs of one party over the other, you know who to vote for, but in other democratic systems, things become more complicated. In centrist democratic systems, as discussed in Section 1, demographics have more control over elections. Instead of enabling a wide range of political beliefs, centrist democracy creates a single party system.

¹³ and the demographic misrepresentation of governing bodies

¹⁴ although the net increase would favor the middle class

Single party and two-party systems are alarming to anyone who wishing for equal representation, but at least the two-party system allows representation of both sides of issues. Yet, having only two sides to an issue represented is not ideal. Instead, sortition maximizes the benefits of the two-party system while distributing its power.

Additionally, sortition would end lobbying, a main contributor to the bureaucratic image of US Congress. In ideal governments, power is distributed so that no one person has enough power to corrupt, but often those who seek these ideal governments fail to recognize the often corrupting power of money. Current democracy allows the rich to taint the opinions of congresswomen and congressmen. Although, many argue that lobbyists empower minority opinions. For example, a laundry list of ethnic interest groups have lobbying efforts in the US Congress such as the National Association for the Advancement of Colored People , League of United Latin American Citizens, and the National Congress of American Indians. Of course, these groups are helpful in our current democratic system because they allow representation of minority populations despite the disproportionate representation in Congress, but under sortition, these groups would no longer need to advocate, because the Congress would be proportionately representative of the US population. Additionally, the power and corruption of other lobbyist groups would be lost. Under sortition, lobbying efforts would be much more difficult especially under an Athenian-based democracy¹⁵. In such a system, lobbying would have to be initiated at

¹⁵ This discusses a democracy suggested by T. G. Bouricius. The proposal was much influenced by the Athenian democracy. It emphasizes a strong separation of powers into six separate bodies for the legislature alone: an Agenda Council which exists as a “meta-legislative body” and has the role of agenda-setting , Interest Panels which suggest legislation, Review Panels which study and deliberate, Policy Juries which vote on legislation, Rules Council similar the Agenda Council but charged with “setting the rules of the [legislative] process”, and an Oversight Council which enforces rules.

multiple points in the legislative process because of the separation of legislative power alone. Hence, the process would be much more difficult. Additionally, under a system of sortition, passing laws that prohibit lobbying would be much easier because of the less bureaucratic nature of the legislative process.

In sum, the death of the separation of the political and civil affairs would create a more honest democracy, one which listens to its people and responds without bias to the wealthy.

Conclusion

It seems obvious that the current political system is corrupt, but government will always be corrupt. However, compromising the fundamental belief that pure democracy is something that cannot be achieved is detrimental. Instead, we must know that it is something that we will never reach, but at the same time, take steps towards creating a purer form of democracy. The implementation of sortition specifically the form suggested by T. G. Bouricius would be a leap in the right direction. It would create a more informed democracy, one with trust in the government, and one with proportional representation across all spectrums. It would empower the opinions of the middle class and decrease the power of the rich. In all, it would form a more perfect union, one with more accurate representation and purer intentions.

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