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Why elections are bad for democracy

Our voting system worked well for decades, but now it is broken. There is a better way to give voice to the people

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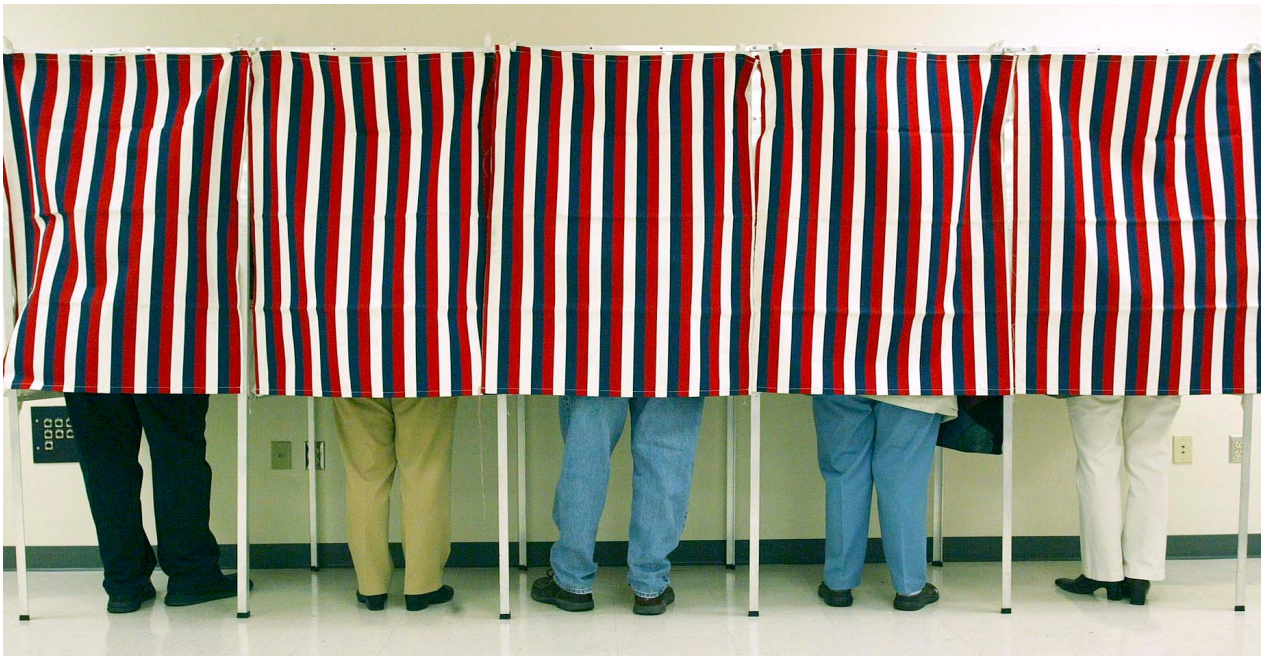

Brexit is a turning point in the history of western democracy. Never before has such a drastic decision been taken through so primitive a procedure - a one-round referendum based on a simple majority. Never before has the fate of a country - of an entire continent, in fact - been changed by the single swing of such a blunt axe, wielded by disenchanted and poorly informed citizens.

But this is just the latest in a series of worrying blows to the health of democracy. On the surface, everything still seems fine. A few years ago, the World Values Survey, a large-scale international research project, asked more than 73,000 people in 57 countries if they believed

democracy was a good way to govern a country - and nearly 92% said yes. But that same survey found that in the past 10 years, around the world, there has been a considerable increase in calls for a strong leader "who does not have to bother with parliament and elections" - and that trust in governments and political parties has reached a historical low. It would appear that people like the idea of democracy but loathe the reality.

Trust in the institutions of democracy is also visibly declining. In the past five years, the European Union's official research bureau found that less than 30% of Europeans had faith in their national parliaments and governments - some of the lowest figures in years, and an indication that almost three-quarters of people distrust their countries' most important political institutions. Everywhere in the west, political parties - the key players in our democracies - are among the least trusted institutions in society. Although a certain scepticism is an essential component of citizenship in a free society, we are justified in asking how widespread this distrust might be and at what point healthy scepticism tips over into outright aversion.

There is something explosive about an era in which interest in politics grows while faith in politics declines. What does it mean for the stability of a country if more and more people warily keep track of the activities of an authority that they increasingly distrust? How much derision can a system endure, especially now that everyone can share their deeply felt opinions online?

Fifty years ago, we lived in a world of greater political apathy and yet greater trust in politics. Now there is both passion and distrust. These are turbulent times, as the events of the past week demonstrate all too clearly. And yet, for all this turbulence, there has been little reflection on the tools that our democracies use. It is still a heresy to ask whether elections, in their current form, are a badly outmoded technology for converting the collective will of the people into governments and policies.

We discuss and debate the outcome of a referendum without discussing its principles. This should be surprising. In a referendum, we ask people directly what they think when they have not been obliged to think - although they have certainly been bombarded by every conceivable form of manipulation in the months leading up to the vote. But the problem is not confined to referendums: in an election, you may cast your vote, but you are also casting it away for the next few years. This system of delegation to an elected representative may have been necessary in the past - when communication was slow and information was limited - but it is completely out of touch with the way citizens interact with each other today. Even in the 18th century, Jean-Jacques Rousseau had already observed that elections alone were no guarantee of liberty: "The people of England deceive themselves when they fancy they are free; they are so, in fact, only during the election of members of parliament: for, as soon as a new one is elected, they are again in chains, and are nothing."

Referendums and elections are both arcane instruments of public deliberation. If we refuse to update our democratic technology, we may find the system is beyond repair; 2016 already risks becoming the worst year for democracy since 1933. We may find, even after the folly of Brexit, that Donald Trump wins the American presidency later this year. But this may have less to do with Trump himself, or the oddities of the American political system, than with a dangerous road that all western democracies have taken: reducing democracy to voting.

Isn't it bizarre that voting, our highest civic duty, boils down to an individual action performed in the silence of the voting booth? Is this really the place where we turn individual gut feelings into shared priorities? Is it really where the common good and the long term are best served?

By refusing to change procedures, we have made political turmoil and instability defining features of western democracy. Last weekend Spain had to hold its second general election in six months, after the first run did not deliver a government. A few weeks ago, Austria almost elected its first extreme rightwing president, while a Dutch referendum in April voted down a trade agreement between Ukraine and the EU. My country, Belgium, became the laughing stock of Europe a few years earlier, when it failed to form a government for 541 days. But nobody is laughing now that it seems that many western democracies are in the process of turning "Belgian".

Two women enter a polling station to vote in the EU referendum in London. Photograph: Hannah Mckay/EPA

Countless western societies are currently afflicted by what we might call "democratic fatigue syndrome". Symptoms may include referendum fever, declining party membership, and low voter turnout. Or government impotence and political paralysis - under relentless media scrutiny, widespread public distrust, and populist upheavals.

But democratic fatigue syndrome is not so much caused by the people, the politicians or the parties - it is caused by the procedure. Democracy is not the problem. Voting is the problem. Where is the reasoned voice of the people in all this? Where do citizens get the chance to obtain the best possible information, engage with each other and decide collectively upon their future? Where do citizens get a chance to shape the fate of their communities? Not in the voting booth, for sure.

The words "election" and "democracy" have become synonymous. We have convinced ourselves that the only way to choose a representative is through the ballot box. After all, the Universal Declaration of Human Rights of 1948 states as much: "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

The words "this will shall be expressed" are typical of our way of thinking about democracy: when we say "democracy", we only mean "elections". But isn't it remarkable that the Universal

Declaration of Human Rights contains such a precise definition of how the will of the people must be expressed? Why should such a concise text about basic rights, which is fewer than 2,000 words long, pay particular attention to the practical execution of one of these rights? It is as if the people who compiled the declaration back in 1948 had come to see the specific method as a basic right, as if the procedure was in itself sacred.

It would appear that the fundamental cause of democratic fatigue syndrome lies in the fact that we have all become electoral fundamentalists, venerating elections but despising the people who are elected.

Electoral fundamentalism is an unshakeable belief in the idea that democracy is inconceivable without elections and elections are a necessary and fundamental precondition when speaking of democracy. Electoral fundamentalists refuse to regard elections as a means of taking part in democracy, seeing them instead as an end in themselves, as a doctrine with an intrinsic, inalienable value.

This blind faith in the ballot box as the ultimate base on which popular sovereignty rests can be seen most vividly of all in international diplomacy. When western donor countries hope that countries ravaged by conflict - such as Congo, Iraq or Afghanistan - will become democracies, what they really mean is this: they must hold elections, preferably on the western model, with voting booths, ballot papers and ballot boxes; with parties, campaigns and coalitions; with lists of candidates, polling stations and sealing wax, just like we do. And then they will receive money from us.

Local democratic and proto-democratic institutions (village meetings, traditional conflict mediation or ancient jurisprudence) stand no chance. These things may have their value in encouraging a peaceful and collective discussion, but the money will be shut off unless our own tried-and-tested recipe is adhered to.

If you look at the recommendations of western donors, it is as if democracy is a kind of export product, off the peg, in handy packaging, ready for dispatch. “Free and fair elections” become an Ikea kit for democracy - to be assembled by the recipient, with or without the help of the instructions enclosed. And if the resulting piece of furniture is lopsided, uncomfortable to sit on or falls apart? Then it’s the fault of the customer.

That elections can have all kinds of outcomes in states that are fragile, including violence, ethnic tensions, criminality and corruption, seems of secondary importance. That elections do not automatically foster democracy, but may instead prevent or destroy it, is conveniently forgotten. We insist that in every country in the world people must traipse off to the polling stations. Our electoral fundamentalism really does take the form of a new, global evangelism. Elections are the sacraments of that new faith, a ritual regarded as a vital necessity in which the form is more important than the content.

This single-minded focus on elections is actually rather odd. During the past 3,000 years, people have been experimenting with democracy and only in the last 200 have they practised it exclusively by holding elections. Yet we regard elections as the only valid method. Why? Force of habit is at play here, of course, but there is a more simple cause, based on the fact that elections have worked pretty well over the past two centuries. Despite a number of notoriously

However, elections originated in a completely different context from the one that they function in today. When the supporters of the American and French revolutions proposed elections as a way of learning “the will of the people”, there were no political parties, no laws regarding universal franchise, no commercial mass media, and no internet. The forerunners of our representative democracy had no idea that any of these things would come into existence.

Elections are the fossil fuel of politics. Whereas once they gave democracy a huge boost, much as oil did for our economies, it now turns out they cause colossal problems of their own. If we don’t urgently reconsider the nature of our democratic fuel, a systemic crisis awaits. If we obstinately hold on to a notion of democracy that reduces its meaning to voting in elections and referendums, at a time of economic malaise, we will undermine the democratic process.

In the years after the second world war, western democracies were dominated by large mass parties, and they held the structures of the state in their hands. Through a network of intermediary organizations, such as unions, corporations and party media, they succeeded in being close to the lives of individual citizens. This resulted in an extremely stable system, with great party loyalty and predictable voting behaviour.

This changed in the 1980s and 1990s, when discourse was increasingly shaped by the free market. Party newspapers disappeared or were bought up by media concerns, commercial broadcasters entered the field and even public broadcasters increasingly adopted market thinking. Viewing, reading and listening figures became hugely important – they were the daily share price index of public opinion. Commercial mass media emerged as the most important builders of social consensus, and organized civil society lost ground. The consequences were predictable, as citizens became consumers and elections hazardous.

Donald Trump at a campaign rally in Phoenix, Arizona. Photograph: Ralph Freso/Getty Images

Parties began to see themselves less as intermediaries between people and power, and instead settled into the fringes of the state apparatus. To retain their places there, they had to turn to the voter every few years to top up their legitimacy. Elections became a battle fought out in the media for the favour of voters. The passions aroused among the populace diverted attention from a far more fundamental emotion, an increasing irritation with anything and everything pertaining to politics.

In 2004, the British sociologist Colin Crouch came up with the term “post-democracy” to describe this new order:

Under this model, while elections certainly exist and can change governments, public electoral debate is a tightly controlled spectacle, managed by rival teams of professionals expert in the techniques of persuasion, and considering a small range of issues selected by those teams. The mass of citizens plays a passive, quiescent part, responding only to the signals given them.

The Italy of Silvio Berlusconi came closest to fitting this definition of the post-democratic state but elsewhere too we have seen processes that tend in that direction. Since the end of the 20th century, citizens have started looking like their 19th-century predecessors. Because civil society has become weaker, a gulf has opened up again between the state and the individual.

After the rise of the political parties, the introduction of universal suffrage, the rise and fall of organised civil society and the dominance of commercial media, another factor has now been added: social media.

At the beginning of the 21st century, citizens could follow the political theatre, minute by minute, on radio, television or the internet, but today they can respond to it from second to second and mobilise others. The culture of immediate reporting now has instant feedback, resulting in even more of a cacophony. The work of the public figure, and especially the elected politician, is not made easier by any of this. He or she can immediately see whether new proposals appeal to the citizen, and indeed just how many people the citizen can whip up. New technology gives people a voice, but the nature of this new political involvement makes the electoral system creak at the joints all the more.

Commercial and social media also reinforce one another – picking up each other’s news and bouncing it back to create an atmosphere of perpetual mudslinging. Tough competition, loss of advertising revenue and falling sales prompt the media to produce increasingly vehement reports about increasingly exaggerated conflicts. For radio and television, national politics has become a daily soap opera, and while editors determine to some extent the framing, the script and the typecasting, politicians, with varying degrees of success, try to slant things this way or that. The most popular politicians are those who succeed in altering the script and reframing the debate – in other words, those who can bend the media to their will.

This collective hysteria has made election fever permanent and has serious consequences for the workings of democracy. Efficiency suffers under the electoral calculus, legitimacy under the continual need to distinguish oneself, while time and again, the electoral system ensures that the long term and the common interest lose out to the short term and party interests. Elections were once invented to make democracy possible, but in these circumstances they seem to be a hindrance.

Since we have reduced democracy to selecting representatives, and reduced representative democracy to mean simply voting, a valuable system is now mired in deep difficulties. Winning the next election has become more important than fulfilling the promises made in the last. Making the best of the system we have is becoming increasingly difficult.

What kind of democracy is appropriate to an era of fast, decentralised communication? How should the government deal with all those articulate citizens who stand shouting from the sidelines?

Imagine having to develop a system today that would express the will of the people. Would it really be a good idea to have them all queue up at polling stations every four or five years with a bit of card in their hands and go into a dark booth to put a mark next to names on a list, names of people about whom restless reporting had been going on for months in a commercial environment that profits from restlessness?

People care deeply about their communities and want to be heard. But a much better way to let the people speak than through a referendum is to return to the central principle of Athenian democracy: drafting by lot, or sortition as it is presently called. In ancient Athens, the large majority of public functions were assigned by lot. Renaissance states such as Venice and Florence worked on the same basis and experienced centuries of political stability. With sortition, you do not ask everyone to vote on an issue few people really understand, but you draft a random sample of the population and make sure they come to the grips with the subject matter in order to take a sensible decision. A cross-section of society that is informed can act more coherently than an entire society that is uninformed.

Experiments with sortition have been successfully applied in the US, Australia, and the Netherlands. The most innovative country so far is certainly Ireland. In December 2012, a constitutional convention began work in order to revise several articles of the constitution of Ireland. Its members were not just a committee of MPs working behind closed doors, but a mixture of elected politicians and ordinary people: 33 elected politicians and 66 citizens, drafted by lot, from both Ireland and Northern Ireland. This group met one weekend per month for more than a year.

An independent research bureau put together the random group of 66 citizens, taking account of age, sex and place of birth. The diversity this produced was helpful when it came to discussing such subjects as same-sex marriage, the rights of women or the ban on blasphemy in the current constitution. However, they did not do all this alone: participants listened to experts and received input from other citizens (more than a thousand contributions came in on the subject of gay marriage). The decisions made by the convention did not have the force of law; the recommendations first had to be passed by the two chambers of the Irish parliament, then by the government and then in a referendum.

By talking to a diverse cross-section of Irish society, politicians could get further than they could have by just talking to each other. By exchanging views with elected officials, citizens could give much more relevant input than they could have in an election or a referendum.

What if this procedure had been applied in the UK last week? What if a random sample of citizens had a chance to learn from experts, listen to proposals, talk to each other and engage with politicians? What if a mixed group of elected and drafted citizens had thought the matter through? What if the rest of society could have had a chance to follow and contribute to their deliberations? What if the proposal this group would have come up with had been subjected to public scrutiny? Do we think a similarly reckless decision would have been taken?

The leaders' debate on ITV before the 2015 general election. Left to right: Ed Miliband, Leanne Wood, Nicola Sturgeon and David Cameron. Photograph: Ken McKay/ ITV / Rex/EPA

Sortition could provide a remedy to the democratic fatigue syndrome that we see everywhere today. The drawing of lots is not a miracle cure any more than elections ever were, but it can help correct a number of the faults in the current system. The risk of corruption is reduced, election fever abates and attention to the common good increases. Voting on the basis of gut feeling is replaced by sensible deliberation, as those who have been drafted are exposed to expert opinion, objective information and public debate. Citizens chosen by lot may not have the expertise of professional politicians, but they add something vital to the process: freedom. After all, they don't need to be elected or re-elected.

Juries for criminal trials that are chosen by lot prove that people generally take their task extremely seriously. The fear of a chamber that behaves recklessly or irresponsibly is unfounded. If we agree that 12 people can decide in good faith about the freedom or imprisonment of a fellow citizen, then we can be confident that a number of them can and will serve the interests of the community in a responsible manner.

If many countries rely on the principle of sortition in the criminal justice system, why not rely on it in the legislative system? We already use a lottery like this every day, but we use it in the worst possible form: public opinion polling. As the American political scientist James Fishkin famously remarked: "In a poll, we ask people what they think when they don't think. It would be more interesting to ask what they think after they had a chance to think."

Democracy is not, by definition, government by the best, elected or not. It flourishes precisely by allowing a diversity of voices to be heard. It is all about having an equal say, an equal right to determine what political action is taken.

In order to keep democracy alive, we will have to learn that democracy cannot be reduced to voting alone. Elections and referendums become dangerously outmoded tools if they are not enriched with more sensible forms of citizens' participation. Structured deliberation with a random sample of citizens promises to generate a more vital, dynamic and inclusive form of democracy. In Utrecht, the fourth city of the Netherlands, the city council now drafts by lot 150 citizens to co-create its sustainable energy plan. These processes may become a permanent feature of any modern democracy.

The most common argument against sortition is the supposed incompetence of the those who have not been elected. A body of elected representatives undoubtedly has more technical competencies than a body chosen by lot. But what is the use of a parliament full of highly educated lawyers if few of them know the price of bread?

Besides, the elected do not know everything. They need staff and researchers to fill the gaps in their expertise. In much the same way, a representative body chosen by lot would not stand alone. It could invite experts, rely on professionals to moderate debates and put questions to citizens. Legislation could arise from the interaction between it and an elected chamber.

The arguments put forward against sortition are often identical to the reasons once put forward for not allowing peasants, workers or women to vote. Then, too, opponents claimed it would mark the end of democracy. Do we think Brexit might still have been possible if citizens had been truly invited to express their grievances and search for solutions together with those they had voted for?

If David Cameron had opted for the genuine participation of citizens, he would have obtained a much clearer view of what people really wanted, a powerful list of shared priorities, an agenda for further negotiations, and created much less distrust between the masses and the ruling class. On top of that, he would have gained global admiration for daring to tackle a complex challenge by an innovative process that values people's voices instead of counting their votes. He could have set a new standard for democracy, rather than serving as its gravedigger.

This is an edited extract from Against Elections: The Case for Democracy (The Bodley Head, 2016, translated by Liz Waters)