

## *Political Parties as Corruption Hazards. The Republican Case for Sortition*

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*In this paper, I do several things. First, I present a definition of ‘corruption’ as ‘abuse of power that builds or maintains the abuser’s power’, arguing that this definition is more generally applicable than other definitions offered in the literature and that it highlights a crucial property of corruption, namely its tendency to metastasise, presenting a more and more serious danger to society. To defend the emphasis I place on this tendency, I then argue that corruption (as commonly understood) frequently produces three mechanisms pushing it to reproduce: self-perpetuation by the corrupt actors to protect themselves, formation of networks between corrupt actors which ensnare new participants, and normalisation of specific kinds of abuse of power in the corrupt actors’ social environments. From here, I turn to political parties, arguing that they present fertile soil for the mechanisms just described. In their stead, I argue for sortition—a system whereby legislators are randomly selected from the population at large. I make the case that each of the three metastatic mechanisms I have described would have much more difficulty taking root in a sortitional-democratic system than in an electoral-democratic one, before concluding by responding to a major potential objection to such a proposal’s feasibility—namely, that sortitional juries would be less competent than elected legislatures—and presenting a sketch of a sortitional-democratic system setting out how it could discharge the government’s executive functions, in addition to the legislative functions already covered. The paper as a whole, in addition to its explicit arguments, may be considered to make an implicit case for non-ideal over ideal theory, in that it attempts to show the importance of that quintessentially non-ideal factor, corruption, to the nature of any political order.*

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What is corruption? We tend to think we know it when we see it, but how should we conceptualise it? In this paper, I argue that it is—as the classical Greeks and Romans thought—something dangerous, destructive, and insidious, that threatens the very foundations of democracy; that political parties are by their very nature structurally inclined to foster it; and that, as a result, democrats should replace electoral systems with sortitional ones—meaning systems in which both legislative power and the power to appoint and dismiss the executive are held by randomly-selected juries of ordinary citizens serving fixed terms.

The first thing I want to do to make this argument is to put forward a very simple definition of corruption that helps bring its inherent peril into focus. The definition I propose is this: Corruption is abuse of power that builds or maintains the power of the abuser, or of some group, entity, or cause on whose behalf they act. This isn't meant to be a re-definition, but a formalisation that captures the essence of the word's common usages in a way that highlights what's important about the phenomenon thereby identified.

Now this is an umbrella definition—in fact, in the remainder of this paper I refer to it as such—and this is one of its major advantages. The two big questions that obviously follow in its wake—'what kinds of power are there?' and 'what constitutes their abuse?'—are huge, open fields of research and public contestation. Other conceptions of corruption, in particular fields such as political institutions, can very often be used (with minimal adaptation) as partial specifications of their answers. Emanuela Ceva's (2018) account of political corruption as the use of a publicly entrusted power of office (the relevant kind of power) for a publicly unaccountable reason (which constitutes its abuse), for example, can fit snugly under this framework in just this way. In fact, the restriction the umbrella definition places on the contents of the 'publicly unaccountable reason'—namely, that either it or the actor's use of their entrusted power must involve getting or keeping power of some sort—helps address the criticism that Ceva's conception is too broad: outside the umbrella, her definition encompasses every abuse of public office not demonstrably due to negligence.

Lawrence Lessig's (Lessig 2011) account of dependence corruption, wherein politicians become psychologically dependent on the generosity of benefactors and as a result are more open to their lobbying, can be similarly incorporated. The lobbyists abuse the wealth at their disposal to create a psychological dependence in the politicians that gives them (the lobbyists) greater power to influence public policy; the politicians abuse their power by using it only in ways that keep them getting the perks to which they've become accustomed. Whether this abuse is conscious or unconscious is beside the point: another advantage of the umbrella definition is that it's not so much concerned with actors' inner attitudes as with the impacts of their actions, which are generally more empirically observable.

Dennis Thompson's tripartite definition of institutional corruption sits even more easily within this framework. This is a special case of corruption as 'abuse of public office for private gain' in which

- (a) the gain an official receives is more institutional than personal,
  - (b) the advantage the official provides takes the form of access more than action, and
  - (c) the connection between the gain and the advantage manifests a tendency to subvert legitimate procedures of the institution, regardless of whether an improper motive is present.
- (Thompson 2018: 11–12)

The 'institutional gain' referred to here has to do with the operations of power: the core cases Thompson has in mind are U.S. congressional campaign contributions. Condition (c), meanwhile, is a definition of a certain kind of abuse of power.

So a lot of different accounts of corruption play nicely with the umbrella definition. But one immediate objection might be that, regardless of its intertheoretic merits, it doesn't seem to capture the most low-level, everyday kinds of corruption: if I'm an underpaid traffic cop, and I shake down motorists so I can pay my rent, what 'power' am I maintaining? Calling my ability to live under a roof 'power' seems *technically* accurate, but a little odd in its emphasis. But this is exactly why such a general umbrella definition is useful: it's a shift of emphasis—from petty corruption to grand corruption, but also from individual instances to the dynamics of corruption over time, and the ways petty and grand corruption can connect. It frames corruption as an investment of power that yields a return.

A second objection (for which I am obliged to Enes Kulenović) can be drawn out by use of a real-world example. In Croatia, ownership of property must be officially registered in order for the owner to sell the property, obtain a mortgage on it, and so forth. A number of years ago, officials in the Zagreb property-registration office cooked up a scheme for extracting bribes from people wishing to register property in a timely manner, by slowing down the registration process unless a 'fee' was paid for a 'legal memo' to speed it up. When this scheme was uncovered by the police, it emerged that some of the conspirators had avoided promotion within the office in order to keep taking bribes. Isn't this, the objection goes, a counterexample to the umbrella definition—a case of corrupt agents *avoiding* power for the sake of corruption?

This objection is instructive because it highlights the question of how we measure power. The typical post-Foucauldian approach, often taken in, for example, gender studies, is to consider power in terms of the damage it does. To put it crudely, on this approach, more damage equals greater power. This lends itself to what might be termed intersectional analysis, looking at how multiple different types of power act together on one object—a discourse, institution, or particular group of people—to provide a comprehensive understanding of the harms that object suffers. The approach implicit in the umbrella definition

of corruption is different. Because the umbrella definition hinges on the corrupt agent, rather than the injured parties, the appropriate understanding of power has to begin with what that power enables that agent to do: from the agent's perspective, power is measured not by the damage it can do but by the degree to which it can help them achieve their ends. This is power in the sense of ability rather than power in the sense of domination. The kinds of analysis *this* approach works best for—of which this paper is an example—have to do with the motivations of, and pressures upon, power's wielders.

This way of measuring power allows us to answer Kulenović's objection. Higher positions in the bureaucratic hierarchy would doubtless have given the corrupt officials greater control over, and potential to dominate, their coworkers; but the accompanying effective pay cut would have reduced their ability to send their children to private schools, buy new cars, or whatever else they might have done with their ill-gotten gains. From the officials' perspective, a promotion would have tied their hands with regard to the things they actually cared about doing. The money, therefore, represented more power for them than the promotion.

A third potential criticism of this definition, from the opposite angle to the first two, is that it captures too much, specifically in the personal sphere. An abusive husband who emotionally manipulates his wife to prevent her from leaving him is abusing his power over her in order to keep it, but nobody would describe this as 'corruption'. Against this criticism, I take a rather different line: this is actually a useful and illuminating extension of the meaning of the term, because it helps highlight the links between power in the personal sphere and power in society at large.

Suppose, for example, our abusive husband is a gangster, or an investment banker of the old school. His wife's position at his side helps him retain the status he needs amongst his colleagues to be taken seriously, which in turn helps him to make deals, make money, and avoid getting screwed over and tossed to the wolves by his chums. That money and status, in turn, make it easier for him to prevent his wife from running away, both because they allow him to more lavishly gild her cage and because they would (he would like her to believe) enable him to hunt her down more easily. The two kinds of power, from the husband's perspective, are both simply tools in the same toolbox. This is not to say that every instance of spousal abuse enhances the abuser's power in other fields—the motives of domestic abusers are far beyond the scope of this article. The point is that it can sometimes be so used.

These are not corner cases, either. The entire practice of mediaeval-style political marriage—whether to secure inheritance of an empire or of an acre of cropland, as still happened in Ireland well into the 20<sup>th</sup> century—is this connection writ large. Less dramatic continuities between these kinds of power are still widespread today. As essayist Laurie Penny puts it:

One of the ways men bond is by demonstrating collective power over women. This is why business deals are still done in strip clubs, even in Silicon Valley, and why tech conferences are famous for their “booth babes.” It creates an atmosphere of complicity and privilege. It makes rich men partners in crime. (Penny 2018)

To extend our concept of corruption to incorporate these kinds of abuses of power, we may conclude, enriches our understanding of both the concept and the abuses.

To see the case against political parties is likewise a matter of following the umbrella definition’s lead, and investigating the dynamics of the corrupt accumulation of power we thereby unearth. So let’s consider another example.

If I’m a mayor and I make a chunk of money throwing city contracts to businesspeople who give me backhanders, I’m thereby building up power in at least two ways. First, and most obviously, I can spend all that money on, say, my re-election campaign. But alongside that, those contractors are now my cronies. We have a relationship. We each have reason to be confident that the other can keep a secret and may be interested in further underhanded dealings. And our shared secret gives us certain common interests—such as keeping prying eyes away from it—that encourage us to cooperate with each other.

What this second kind of power does is allow us to use one another’s power to get things done. It acts as a force multiplier for every other kind of power: wealth, office, popularity, violence, further connections—all of these powers become available not merely to their holder but to their holder’s friends and business partners, and the basis of this is the relationship of trust and mutual interest between them. (I say ‘trust’ here, but I should emphasise that this is a limited form of trust—if I’m a crooked mayor and you’re a shady businessman, I might know very well that you’d stab me in the back to make a profit, but I can trust you’re not going to call the cops if I offer you a mutually beneficial trade that just so happens to fall outside the law. And your attitude to me might be very similar.)

Talking about these different kinds of power also illustrates a reason it’s worthwhile to think about multifarious varieties of corruption under the same heading: power is fungible. One kind of power can be used to gain another, which can be used to gain another still, and so on. If you’re smart, ambitious, and unscrupulous, you’ll use every tool in the box to advance your interests—and if we want to stop that from happening, or control how it can happen, we have to think about all those tools operating together as a system, rather than restricting our interest to some subset of them. Corruption as ‘abuse of power that bolsters the abuser’s power’ is a conceptual frame within which to do that.

So these kinds of dynamics are all very familiar to us from popular media—I’m talking about things like *The Wire*, or *Game of Thrones*, or *Boardwalk Empire*, or the news. The point I want to make is that this frame captures what’s distinctively, fascinatingly disturbing about it

all: in each case, the players are building up their power, or trying to hold on to it. That's the ongoing transformation that propels the narrative arc and gives corruption its dramatic interest, and it's also what makes it distinctively dangerous in real life. An agent willing to engage in corrupt activities can thereby become capable of carrying off more audacious misdeeds—and, in fact, may have to, to avoid getting caught. That's one way that the little stuff turns into the big stuff: to stop his past shakedown coming back to haunt him, perhaps the newly-promoted police captain will have to offer something to—or menace—a local journalist. And thus the corruption spirals—and the plot of your story about it gains momentum.

So already we can see two really important facets of corruption:

1. Corruption tends to perpetuate itself, not only because it builds power for the corrupt actor, but because it gives them a pressing reason to avoid losing that power—namely, to avoid suffering the consequences of their abuse of power.
2. Corruption tends to form networks: since most corrupt actors aren't wizards or superheroes, they mainly accumulate their power by forming connections that allow them to reliably make use of others' power—connections that often compromise the recipient in some way, inducing them to engage in corruption themselves.

There's one more significant facet of corruption I want to touch on, and that's its tendency to normalise itself. This is where an institution or milieu has a culture in which corrupt activities are commonplace, even celebrated, reducing the risk to corrupt actors and reducing their dependency on secretive trust relationships with other individual corrupt actors. So, for example, both our traffic cop shaking down motorists and our corrupt mayor have a pretty pressing interest in making sure their respective co-workers turn a blind eye to their activities. And if everyone's on the take, who's going to rat them out? So they foster a culture that tolerates it—through jokes, casual comments, mockery of 'holier-than-thou' attitudes, and so on. Non-corrupt actors participate in these, and it thereby becomes psychologically easier for them to ignore signs of actual corruption, and to conceive of and yield to the temptation to behave corruptly themselves. A problem endemic to the Croatian healthcare system, namely that everyone likes the bureaucrats who help their friends jump to the front of waiting lists, illustrates exactly this<sup>1</sup>. It also bears similarities to the way a culture of sexism can shield serial sexual predators—the formation of that kind of culture is for that very reason a form of corruption in the sense we're talking about here.

But this doesn't just apply to things like graft and sexual violence—typically thought of as bad things done by people who know, or could reasonably be expected to know, that they're bad things to do. Normali-

<sup>1</sup> My thanks to Ana Matan for this example.

sation of corruption also encompasses the generation of more ambitious political or ideological justifications for it—justifications that are supposed to persuade the public, or the members of the relevant institution, that the corrupt activities in question are in fact totally fine and nothing to be ashamed of.

Suppose, for example, you're a *sans-culotte* in the French Revolution, who has just chopped off the head of an 'enemy of the people'. It's super important for you, now, that this be the kind of thing it's OK to do, because you've just done it. You've just become heavily invested in ideologically justifying the shedding of your political opponents' blood 'for the good of the nation'—both for your own psychological wellbeing, and in order that nobody decides you yourself should go to the guillotine for it. But of course, if you have this ideological justification floating around the public sphere, not only is it going to make it easier for you to do the same thing again, but other people are going to be influenced by it, too. More heads are going to come off in 1790s Paris, just as in a police department developing a culture of venality, more cops are going to start taking bribes. And the disparity of these examples shows off another advantage of the definition of corruption as 'the abuse of power that builds or maintains power': it encompasses both the word's common uses—graft on the one hand, and the corruption of ideals and idealistic movements on the other.

So here's the bulletpoint version of the third aspect of corruption:

3. Corruption propagates itself from one actor to another, not only through the networks it forms, but through the normalisation or even ideological legitimisation of corrupt activities, both of which are important strategies corrupt actors can use to protect themselves.

Now none of these points is likely to be a huge revelation to anybody. But taken together, there's a clear conclusion to be drawn from them: corruption produces mechanisms that allow it to spread and worsen. Corruption metastasises. This is visible in all sorts of different historical and contemporary political situations, from the collapse of the democratic hopes of the French Revolution into the autocracy of the Directorate and then the Napoleonic Empire, to the situation in Hungary over the past couple of decades. This isn't a manageable chronic illness; it's a life-threatening condition that threatens the entire nature of a society.

This extraordinary peril inherent to corruption loomed large in the minds of the American Founding Fathers. Their thought was shaped by the conflict in Britain between the so-called 'Court' and 'Country' parties, in particular as expressed through Trenchard and Gordon's 'Cato's Letters'. Written under a pseudonym derived from a famously incorruptible conservative opponent of Caesar, these were described by historian Clinton Rossiter as 'the most popular, quotable, esteemed source of political ideas in the colonial period' (Rossiter 1953: 141). The

political clash in which they intervened centred around the London-based political elite's—that is, the 'Court party's'—alleged use of patronage to build up its power and undermine Parliament to the benefit of the Prime Minister's office, threatening the liberties of the landowning public in England and Scotland, a.k.a. the 'Country party'. This is about as clear-cut a case as you can get of corruption as the abuse of power to build power, and Trenchard and Gordon's presentation of it was, for the revolutionaries, a vivid illustration of the connection between graft and tyranny. It was with a view to avoiding this kind of scenario that the leading lights of the American Revolution designed their constitution's separation of powers, and on those grounds that they publicly defended it, notably in the *Federalist Papers* (Hamilton et al. 1788). In other words, corruption's status as an existential threat to society's freedom has a long and distinguished pedigree.

Now one of the crucial factors in each of the three aspects of corruption I've highlighted is their dependence on relationships that persist over time. A corrupt actor has to keep hold of their power in order for it to grow. A network of relationships has to persist for it to be useful—if the relationships dissolve, or the people in them lose their other powers, the network is no longer effective. And an institutional culture has to propagate itself, enmeshing new recruits to the institution and keeping existing members behaving according to its patterns, in order to survive. So we can ask the question: what keeps these elements going over time? What mechanisms preserve them? What are the infection vectors in which they hide and grow? And how can these processes be disrupted?

Considered from this angle, one obvious answer jumps out at us: political parties. These are autonomous organisations in whose success their members are invested, making them less likely to blow the whistle on corrupt behaviour among their own ranks. Within parties, influential members can pursue careers lasting decades, so their power persists. The intake of new members is effectively vetted by their internal power structures, allowing them to filter out people who might pose a threat to corrupt activities. And, of course, successful parties have a great deal of power: they influence the opinions and actions of their members and supporters, and control access to high political office, whether that be through their reserves of electoral campaign funds and volunteers, or through a non-democratic hold on state institutions.

In principle, then, it looks like political parties ought to be hotbeds of corruption. And, in fact, the evidence bears that hypothesis out. Political parties and elected officials consistently come top in Transparency International's Global Corruption Barometer reports (Hardoon and Heinrich 2013; Pring 2017; Riaño et al. 2009). Now I should qualify this by saying those reports are based on survey data, and competing political parties do have an interest in making one another out to be corrupt, so we would expect them to be a little overrepresented. But if we look



at contemporary cases of democratic backsliding, political parties are right at the heart of them, whether we're talking about Fidesz in Hungary, Law and Justice in Poland, the Republicans in the United States, or Mongolia's bipartisan decline into autocracy under President Khaltmaa Battulga (Tumurtoogoo 2019). In each of these cases, the persistent power structure and culture of the party or parties involved have enabled their slide into corruption, simultaneously solidifying their hold on the levers of power and driving them to become progressively more unscrupulous and rapaciously venal.

A particularly striking demonstration of this tendency on the other end of the political spectrum can be found in Rojava, the autonomous territory in northern Syria. The official ideology of the ruling Democratic Union Party, or PYD (*Partiya Yekitiya Dîmokratik*), is based on the work of green-anarchist theorist Murray Bookchin, and emphasises direct democracy and civil rights. But a 2016 report by Rana Khalaf for the thinktank Chatham House (Khalaf, 2016) claims that the PYD's efforts to consolidate power have put its actions at odds with its words: it restricts independent journalists and civil society organisations, and packs supposedly democratic councils and committees with its own placemen. It seems more likely than not that the party's need and desire for power will overwhelm their ideological goal of democracy, rendering that goal moot.

So political parties of all stripes are liable to corruption. What are we supposed to do with this shocking news? If there were no alternative, this analysis would be nothing but a reason for pessimism. But I want to make the case that there *is* a viable alternative, one that shares electoral democracy's merits while avoiding its vulnerability to corruption.

That alternative, I claim, is sortitional democracy—that is, government by randomly-selected juries. Under such a system, ordinary citizens would be selected by lot to serve as parliamentarians for terms of several years, and paid for their service. A similar system worked in classical Athens for more than two centuries, until it was curtailed by Macedonian imperialism (Raaflaub et al. 2007). More recently, proposals for sortitional systems of government have been put forward over the past decade by scholars including Alexander Guerrero and Terrill Bouricius (Bouricius 2013; Guerrero 2014), as well as appearing in public life in the form of citizens' assemblies, which feature prominently in the demands of the Extinction Rebellion climate protest movement, and one of which has actually been implemented as an official governmental advisory body in Ireland.

A sortitional system is resistant to all three of the aspects of corruption I've detailed. First and foremost, whereas under electoral democracy political parties can hold on to offices for decades, office-holders in a sortitional system are swept out of office every term and replaced with people who have—this is crucial—no prior connection to them.

The office-holders have neither the need nor the ability to try and hold on to power. They don't have any elections to win or patrons to appease. Even if their station goes to their heads, the public will be under no illusions about their special suitability for office—they were chosen literally at random. To try and maintain power based on an instance of governing jury service would be a Herculean task.

This disconnect between each successive cohort of office-holders also makes it harder for wrongdoers in office to get away with it. Elected members of political parties can call on their comrades in office to protect them and put them back in power later, even if they as individuals run up against term limits or otherwise lose their position in the formal state hierarchy. But jurors selected by lot are very unlikely to have any sense of obligation to protect corrupt strangers from the consequences of their own misdeeds. Indeed, the more corruptly the system behaves in one sitting, the more the random citizens selected to the next are likely to resent the corrupt actors.

This means that any corrupt political network in a sortitional system must re-corrupt the office-holders from scratch every four or five years. This is a huge ongoing risk for the network's existing members. Approaching an office-holder who's an unknown quantity and trying to embroil them in a network of corruption of whatever kind is inherently hazardous because you don't know how they're going to react. The exchange could easily blow up in your face, endangering you and potentially your allies, too. This is part of why corruption forms networks in the first place: you need trusted people you can deal with.

Now this particular consideration is clearly more applicable to corruption—defined, remember, as abuse of power that builds or maintains power—that isn't operating under an ideological shield. But even with that shield, it's much trickier for your would-be Lenins or Öcalans to enlist the cooperation of randomly-selected jurors in abuses of power than it is to get their loyal cadres to play along. It's also much more difficult for them to install those cadres in power in a sortitional system than it is under an electoral one, even if they don't play fair. The result of a rigged election generally looks at least vaguely like the result of a clean one, but the result of a rigged jury selection is immediately obvious to everyone: in a chamber of several hundred jurors, *any* disproportionate allocation of seats to supporters of one political faction is, statistically, such an unlikely outcome from a fair lottery that it's a sure sign the draw's been fiddled. The need to convince every new batch of office-holders of the total righteousness of your cause and the necessity of liquidating the kulaks (or what have you), and the risk that they won't buy it, is therefore a serious obstacle for a ruthless ideologue operating within a sortitional system. To get around it, they would need to achieve much higher level of public consensus around their ideology than they otherwise would, in order to ensure incoming jurors are sufficiently amenable to their advances.

So that's the case that sortitional democracy would, in principle, be much more resistant to corruption than its electoral cousin. Before I finish, though, I just want to preempt a couple of objections to the proposal's feasibility.

The first objection concerns the competence of the juries. How can such a system ensure a satisfactory minimum level of performance in administration, without the candidate vetting usually performed by parties in electoral democracies? This is too big a topic for me to cover comprehensively here, but there are a couple of things to be said in response.

First of all, a case can be made that sortitional democracy has certain advantages over electoral democracy when it comes to the quality of the decision-making process. First and foremost, the greater diversity of a sortitional chamber gives it an epistemic advantage over a chamber of elected politicians, who are, in most electoral democracies, drawn mainly from the ranks of an educated élite. The variety of perspectives and life experiences present in the room means the sortitional chamber has fewer blind spots than its elected counterpart, and is therefore better able to consider all of a proposal's impacts, all else being equal.

Secondly, the elephant in the elected chamber is the politicians' need to chase votes. Sometimes this imperative coincides with the public interest; frequently it does not. Elected officials' competence benefits the public very little when it is misdirected. The pressure to garner votes means the ignorant, information-poor choices made by voters reverberate through many different policy areas, as elected politicians do not what's best but what's most popular.

And this brings us to the central problem with the competence criticism. The claim is that under government by jury ordinary citizens will be making important decisions on things they're not competent to make important decisions about. But this also happens in electoral democracies, at every election. The difference between sortitional and electoral democracy is that the jurors—who, as a representative sample of the citizenry, have the same baseline level of competence as the voters in an electoral democracy—are not making their decisions from the average voter's (quite rational) position of ignorance, but are paid to consider the issues full-time, able to summon and consult relevant experts one-on-one, and engaged in a deliberative process aimed at producing the best decisions. This improved division of labour means sortitional democracy ought to be much *less* vulnerable to ignorant populism, and better able to make hard-but-necessary decisions, than its electoral cousin.

Over and above these arguments, there are structural measures that can be taken to improve the expected quality of a sortitional legislature's decisions. Rather than aping the general-purpose chambers common to electoral democracies, for instance, a sortitional democracy

could have many different legislative chambers, each focusing on a specific issue, dramatically lessening the jurors' epistemic burdens. Both Guerrero's and Bouricius' proposed models of sortitional democracy are organised along these lines (Bouricius 2013; Guerrero 2014). A sortitional reconciling chamber could then exercise a veto over the specialist chambers' proposals, to act as quality control and hammer them into a coherent policy platform and budget, while being prohibited from making proposals itself.

Additional measures, such as providing a 'warm-up' period of several months between jury selection and the jurors' taking their seats, to allow them to get up to speed on their subject area, and having experts address the chambers at the start of each legislative session, have also been proposed to ameliorate the jurors' lack of prior training and vetting for competence. The Irish citizens' assembly boasts both of these latter features, and, over the three years since its inauguration, has successfully produced high-quality recommendations on a number of controversial and technical issues, including abortion, climate change, fixed-term parliaments, and the conduct of referenda.

The second major objection to the feasibility of sortition, which was pressed on me by John Dunn, concerns the executive functions of government. How is a sortitionally-based government supposed to carry these functions out, and avoid the onset of executive autocracy? I shall conclude this paper by providing a barebones sketch of a system that might handle this problem adequately.

One of the advantages of having specialist chambers is that each specialist chamber would be well placed to appoint and oversee the executive head of their particular department, for those areas where a department is required. These executive heads would serve at the pleasure of their respective chambers and be subject to term limits. The reconciling chamber could likewise appoint and oversee an executive chairperson, with the right to address any chamber, whose job it would be to coordinate between departments, and who could dismiss department heads with the prior approval of the reconciling chamber. On this model, policy direction as well as law would be devised by the specialist chambers, approved (or vetoed) by the reconciling chamber, and put into practice by the departments, with the executive chair's ability to dismiss department heads being the means by which the reconciling chamber would protect against failures of oversight by the specialist chambers, as well as preventing them from going rogue and unilaterally enforcing non-approved policies.

One more move that might be made would be for all these appointed officials to be politically restricted civil servants in the British mould, forbidden from publicly taking political stands—the point being to prevent them from taking advantage of the 'bully pulpit' to build personal public support, using their superior expertise and political savvy to undermine the public standing of the inexperienced sortitional jurors.

This is also why I strongly advocate against the executive being elected. Their power base—in particular, their legitimacy—needs to be kept in check. These two moves separate executive leadership from what might be called moral leadership of the public. But it's also possible the speech restriction could hamper these officials' effective execution of their duties, or prevent them from doing potentially-vital things like flagging up jurors' underperformance to the public. The question of which consideration is more important can only be answered empirically—a test to which I hope it will one day be put.

## *Bibliography*

- Bouricius, T. G. 2013. "Democracy Through Multi-Body Sortition: Athenian Lessons for the Modern Day." *Journal of Public Deliberation* 9.
- Ceva, E., 2018. "Political corruption as a relational injustice." *Social Philosophy and Policy* 35: 118–137.
- Guerrero, A. A. 2014. "Against Elections: The Lottocratic Alternative." *Philosophy and Public Affairs* 42: 135–179.
- Hamilton, A., Jay, J., and Madison, J. 1788. *The Federalist Papers*, 12/12/2011. ed. Project Gutenberg.
- Hardoon, D. and Heinrich, F. 2013. *Global Corruption Barometer 2013*, *Global Corruption Barometer*. Transparency International.
- Khalaf, R. 2016. "Governing Rojava: Layers of Legitimacy in Syria" (Research Paper). Chatham House, London.
- Lessig, L. 2011. *Republic, Lost*. New York: Twelve.
- Penny, L. 2018. "Four Days Trapped at Sea with Crypto's Nouveau Riche." *Breaker Mag*.
- Pring, C., 2017. "People and Corruption: Citizens' Voices from Around the World." *Global Corruption Barometer*. Transparency International.
- Raaflaub, K.A., Ober, J., and Wallace, R.W. 2007. *Origins of Democracy in Ancient Greece*. Berkeley: University of California Press.
- Riaño, J., Hodess, R., and Evans, A. 2009. *Global Corruption Barometer 2009*, *Global Corruption Barometer*. Transparency International.
- Rossiter, C. 1953. *Seedtime of the Republic: the origin of the American tradition of political liberty*. New York: Harcourt, Brace.
- Thompson, D. F. 2018. "Theories of Institutional Corruption." *Annual Review of Political Science* 21: 495–513.
- Tumurtoogoo, A. 2019. "Mongolia's President Is Slicing Away Its Hard-Won Democracy." *Foreign Policy*.