Technology and Political Design

(From a book written by Dick Pratt, Yongseok Seo, and Jim Dator)

As we have said repeatedly, the American Constitution was a brilliant solution that enabled the Founding Fathers to overcome many of the design problems facing them. For example, even though many citizens of the time preferred to participate in formal political decision-making directly themselves--and did so when this was possible (they recognized that this was not possible for the citizens of the vast new nation as a whole) *given the communication and transportation technologies of the time*.

As Gordon Wood puts it, quoting from political pamphlets of the time:

> Whenever the inhabitants of a state grew numerous, it became 'not only inconvenient, but impracticable for all to meet in One Assembly'. Out of the impossibility of convening the whole people, it was commonly believed, arose the great English discovery of representation. Through this device of representation, 'substituting the few in the room of the many,' the people 'in an extensive Country' could still express their voice in the making of law and the management of government….The elected members would be…'an exact epitome of the whole people,' 'an exact miniature of their constituents,' men whom the people could trust to represent their interest….[1]

Thus representative democracy (citizen's participating indirectly in decision-making by designating "men they could trust to represent their interest") was seen as a satisfactory solution to the physical impossibility of participating directly. If there had been a technological option (if, for example, modern electric and electronic communication networks had existed) would they have settled for indirect participation through their elected representatives instead? It seems highly unlikely, or at least highly unlikely that they would have made election of representatives their primary much less sole mode of participation in national politics as it was then, and still is now in the United States.

However, since the affairs of state are so numerous and complex, it is highly likely that even if these technologies had existed

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[1] Ibid., p.172.

then that the Founders would have invented a hybrid system, perhaps similar to that suggested in the Aanivalta proposal in Finland.[2] This system assumes that on many and perhaps most issues, citizens are more than happy to choose someone to act on their behalf. But they want to be able to instruct that person directly if they choose to do so, and to bestow their mandate on some other delegate at any time (every day, or every issue) if they are dissatisfied with a person they previously designated to act on their behalf. However, knowing that there are some issues on which each citizen might have the knowledge and desire to participate directly, the Annivalta proposal allows citizens such direct participation in legislation via electronic means whenever they wish, otherwise leaving the details of day-to-day governance to their appointed delegates.

At the very least, direct citizen discussion, debate, involvement and impact on policy decision-making in the way Gastil, Becker and Slaton propose is possible now in ways it simply was not possible in 1789. So we believe that whenever there is an opportunity or necessity to create new governance systems, or even just to improve old ones, these and future communication technologies should be brought to the front and center of discussions about inventing new processes of governance.

And not only in legislative decision-making. If "direct democracy" means allowing citizens to participate directly in policy-making, then it also means citizens should be allowed, and expected, to participate directly in all aspects of governance including "administration" and "judication", to restrict ourselves only to the conventional three branches for now.

There has been much more discussion over the years related to direct democracy, and much less to "direct administration" and "direct adjudication", but there has been some. Indeed, in some ways, there has been much more actual movement, as well as theoretical discussion, in citizen direct involvement in adjudication. It has been so from the start, with the use of the jury system in the US and elsewhere. But the entire alternative dispute resolution movement (ADR) is premised on the belief that it is better to enable citizens to settle their own disputes in ways that make sense to them, with the help of skilled mediators, than it is to "go to court" and have an authoritarian (even if compassionate and wise) judge decide the matter for them on the basis of the state's arbitrary and one-size-fits-all "law". Moreover advances in computer hardware and software,

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[2] Jiri Rasanen, "The platform of Aanivalta (The Finnish Citizens' Power Movement)" (Unpublished) Contact: <jiri.rasanen@nic.fi>.

expert systems, online services, and artificial intelligence also are rapidly facilitating this transition.[3]

Do People Want to Participate?

At the outset of this chapter we said, "We all want to be able to participate in matters affecting us. We want to have a fair hand in carrying out group tasks. We want to participate in settling conflicts among our companions." At that point we also said that "libertarians" who insist on absolute individualism, would object to that statement. But there are others who would object to it as well.

We have long argued that there are two kinds of "alienation." One kind, most frequently remarked upon, results when you cannot participate in decisions when you want to. The other, less frequently mentioned, results in being required, or strongly urged, to participate in decisions when you *don't* want to. The extraordinary depth and extent of the second form of alienation, in the United States at least, has recently been very well documented in a very important book by John Hibbing and Elizabeth Theiss-Morse, titled *Stealth democracy: Americans' beliefs about how government should work*. (Cambridge University Press, 2002). It is the product of some excellent empirical work and not simply of speculation, and must give pause to anyone who believes citizen participation in politics is good and feasible.

The authors' state their conclusions very clearly in the introduction to their book:

> "The last thing people want is to be more involved in political decision making: They do not want to make political decisions themselves; they do not want to provide much input to those who are assigned to make these decisions; and they would rather not know all the details of the decision-making process. Most people have strong feelings on few if any of the issues the government needs to address and would much prefer to spend their time in nonpolitical pursuits. Rather than wanting a more active, participatory democracy, a remarkable number of people want what we call stealth democracy…. The people want democratic procedures to exist but not to be visible on a routine basis."[4]

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[3] for more on this see, Jim Dator, "When courts are overgrown with grass: Futures of courts and law," *Futures*, Vol. 32, No. 1 February 2000.

[4] p. 1f

However, "the people want to be able to make democracy visible and accountable on those rare occasions whey they are motivated to be involved. They want to know that the opportunity will be there for them even though they probably have no current intention of getting involved in government or even of paying attention to it."[5]

"Participation in politics is low not because of the difficulty of registration requirements or the dearth of places for citizens to discuss politics, not because of the sometimes unseemly nature of debate in Congress or displeasure with a particular public policy. Participation in politics is low because people do not like politics even in the best of circumstances; in other words, they simply do not like the process of openly arriving at a decision in the face of diverse opinions."[6] The rest of their book documents these conclusions.

It is very important that we keep these facts in mind whenever we turn our attention to political design. However, we believe the evidence clearly shows that structure does matter, and that more Americans would participate in political decision making if that participation were made easier, more interesting, and more effective. The Finnish proposal called "Annivalta", among many others, specifically demonstrates how representative and democratic processes can be effectively and satisfactorily combined in ways that address the concerns of "stealth democracy".

Moreover, Americans do participate in activities that matter to them and if they believe they can influence outcomes by their participation. And they certainly do not shrink from engaging in argument and disputation either, as anyone who has observed parents at their children's soccer practices and games knows very well. But it truly is a strange American indeed who bothers to participate in formal politics, even at the local level, when she is entirely incapable of influencing national decisions (which also have local consequences) at all. Thus the findings of "stealth democracy" should be read as a design challenge to be addressed rather than an eternal verity that must be accepted. Just as we do not want to create alienation by thwarting desired participation, neither do we wish to cause alienation by requiring it when people prefer to be left alone.

So even though most of mainstream political science and administration ignores (when it does not actively ridicule) attempts at electronic democracy,[7] there is a huge and growing body of literature

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[7] For example, even though the titles suggest innovative and unconventional ideas of governance, the authors dismiss the idea of direct democracy, without showing any familiarity with the literature on it: Ted Halstead and Michael Lind, *The radical center:*

that discusses not just the various proposals and the theories behind them but also features careful evaluations of numerous actual experiments. And it is a worldwide movement which is helping people learn from each other more rapidly.

Much of this literature was collected and discussed in a book by Ted Becker and Christa Slaton titled *The Future of Teledemocracy*. It, and several other sources, are required reading for anyone interested (even if initially opposed) in understanding how modern communication technologies might be purposely included in new governance designs. It has the additional feature of being based on principles of quantum politics, including the emerging interest in random politics.[8] The Institute for Alternative Futures, in Alexandria, Virginia recently conducted an extensive survey of the use of information and communications technologies (ICT) to support governance. The report determined that currently ICT is used to support governance in five areas:

Cyber Administration – Or E-government. The use of the Internet and other information and communications technology to enhance government services. The Internet is helping to expedite a wide range of such services.

Cyber Voting – Internet voting for candidates as well as for policies via initiatives and referenda.

Cyber Participation – ICT-enhanced citizen interaction and input on policy issues or policy development apart from voting. This would include petitioning legislatures, electronic town meetings, polling and electronically mediated policy dialogues.

Cyber Infrastructure – In addition to connectivity, more specific cyber tools used to enhance participation, deliberation, and community building. These tools include groupware and online community development tools, games and simulations, as well as polling and surveys.

Cyber Agenda-Setting – The use of the Internet and other ICTs to enhance or redirect the political or policy

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The future of American politics. New York: Random House, 2001, 126ff; Cass Sunstein, *Designing democracy: What constitutions do*. Oxford University Press, 2001, p. 7; and John Haskell, *Direct democracy or representative government? Dispelling the populist myth*. Boulder CO: Westview Press, 2001.

[8] Lyn Carson and Brian Martin, *Random selection in politics*. Wesport, CT: Praeger, 1999.

agenda by established groups such as political parties and non-governmental organizations....[9]

The report also stated that "more than half the US population and three-quarters of European citizens surveyed believe information technology will spark a renewal of democracy and civil society" but at the same time, "with the enhanced connectivity made possible by ICTs come potential privacy violations by 'big brother' governments, corporations, or terrorists; employment discrimination; loss of civic rituals and community; and isolation into one's own political community."[10]

It seems clear to us that electronic communications technologies already are transforming governance in many ways, largely unforeseen and perhaps undesirable while others appear to be exhilarating and liberating. It is our contention that the conscious, purposeful, and controlled introduction of these and other technologies into the design of future governance systems is an urgent necessity.[11]

In the last chapter of their book, *The future of teledemocracy*, Becker and Slaton present what is to us an inspiring and yet responsible and achievable vision of a "Quantum-corrected New Democratic Paradigm". On the basis of years of research and networking in this field, they believe that a "quantum-corrected new democracy" will be characterized by the following features:

- There will be more community, local, state, provincial, regional, national, transnational, and global direct democratic movements and governance.

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[9] Clement Bezold, et al., *Cyber Democracy 2001: A Global Scan*. Alexandria, VA: Alternative Futures Associates, 2001. Executive Summary

[10] Ibid.

[11] For more discussion, pro and con, on this issue see, Mark A. Abramson and Therese Morin, eds., *E-Government 2003*. Lanham MD: Rowman & Littlefield, 2003; Steve Davis, et al., *Click on democracy: The Internet's power to change political apathy into civic action*. Boulder, Co: Westview, 2002; Elaine Kamarck and Joseph Nye, *Governance.com: Democracy in the information age*. Brookings Institution, 2002; Brian D. Loader, *The governance of cyberspace*. New York: Routledge, 1997; Michael Margolis and David Resnick, *Politics as usual: The cyberspace 'revolution'*. Thousand Oaks CA: Sage Publishers 2000; Abbe Mowshowitz, *Virtual organizations: Toward a theory of societal transformation stimulated by information technology*. Westport CT: Quorum Books, 2002; Harold Myerson, "Democrats campaign online," *Honolulu Advertiser*, June 19, 2002, p. A10; Cass Sunstein, R*epublic.com*. Princeton NJ: Princeton University Press, 2001; and Anthony Wilhelm, *Democracy in the Digital Age*. Routledge, 2000.

● There will be more understanding of the common direct democratic theory that unites them and thus more networking between them.

● These new direct democratic systems will use more scientific, deliberative polling, voting from the home, electronic deliberation, and comprehensive Electronic Town Meeting processes. TV set-computers will become home-based, interactive (lateral and two-way) political information and communications systems, eventually assisted by artificial intelligence.

● Simple majority, win-lose systems will give way to broad-based consensus building as the best way for polities to plan, decide, and administer the public sphere.

● The use of random sampling will become more common in empowering citizens in self-governance and in influencing representative governments.

● New forms of electronically based democratic political organizations will emerge that are here today and gone tomorrow, for example, "cyberparties," "citizens initiative networks," "cyberpressure groups," and "virtual communities of political transformation." These will transform representative government into a system much less responsive to traditionally organized pressure groups and more responsive to a broad base of its citizenry."[12]

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[12] Ted Becker and Christa Daryl Slaton, *The future of teledemocracy*. Westport CT: Prager, 2000, p. 211.