

DEMARCHY:

It's not Anarchy

Nils Connor offers a critique of the concept of Demarchy, and offers some thoughts towards developing the notion of a Social Contract.

by Nils R. Connor

Demarchy is a system of government proposed by Australian philosopher John Burnheim (and discussed in an article by Brian Martin in *KIO* #30). Whatever its comparative merits may be over the current system of representative party "democracy," closer examination of the specifics reveals that it is certainly not anarchy, or even anarchistic. As such, as will be shown, as a system of government demarchy would suffer from the same basic problems that afflict any other system.

By popular definition (as stated in Mr. Martin's article), "democracy" means "rule by the people." Because the term has been so badly abused as to be nearly meaningless (a problem that "anarchy" is feeling as well), however, Burnheim coined the term "demarchy" for his new system. A brief etymological examination of the relevant terms here will serve as a starting point to illuminate the thesis of this article. The popular definition of "democracy" as described above is, in fact, not etymologically accurate. More properly,

"democracy" (coming from *demos*, people and *kratos*, power) means "power in the people." On the other hand, "demarchy" (coming from *demos* and *archos*, ruler) means "rule by the people." Finally, "anarchy" (from *ana*, no or not, and *archos*) means "no rule."

Leaving aside "democracy," then, and comparing the meanings of "demarchy" and "anarchy," the one meaning "rule by the people" and the other meaning "no rule," it will be seen that the two are definitionally incompatible. Rule, whether by the people or otherwise, is still Rule, and as such is the essential element which anarchy (as a political philosophy), if it means anything, would remove from society. Indeed, the root of anarchist thinking is that any system purporting to allow (an)other(s) to dictate to the individual (ie.- Rule) stands on moral quick-

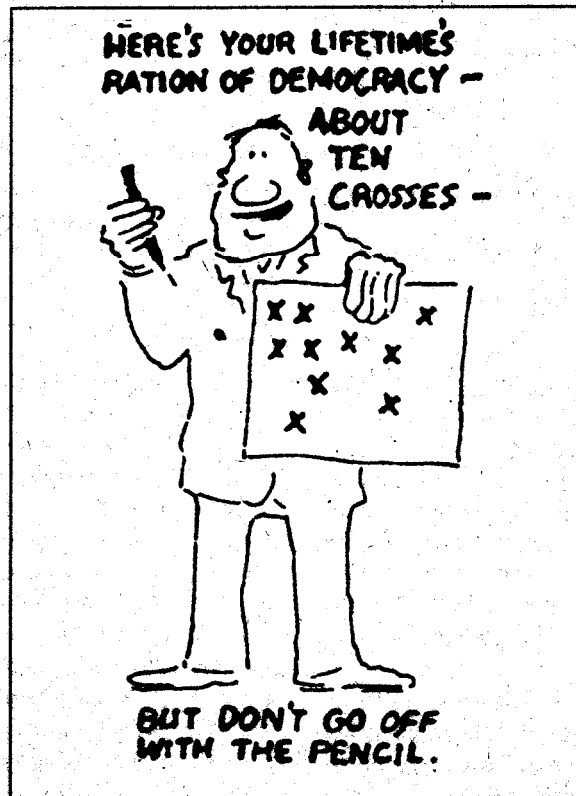
sand. This leads inexorably to the suggestion that "rule by the people" in the form of demarchy is open to the same anarchist critique as any other system.

Demarchy

For those unfortunates who have not read *KIO* #30, a brief description of the essentials of demarchy is provided:

Under our current system of "democracy," Rule is exercised by a government which administrates its multifarious tasks through various agencies and departments. Despite their separate bailiwicks, the authority under which these agencies act nevertheless springs from the same "central" source (ostensibly the will of the people expressed through their representatives). Demarchy would divide the authority *at its source* along lines of function. For example: the education authority, the public sanitation authority, the public safety authority, etc. These various authorities are separate from one another, and do not rely for their legitimacy on the existence of a "central" government.

Having divided the authorities, in an effort to avoid the pitfalls of electoral politics (ie.- the tendency for voting to become meaningless exchanges of one set of governors for another, essentially indistinguishable from those preceding them, the resulting alienation of the people from the process except at election time, concentration of power in incumbents, the tendency for elections to result in the choice of only certain types of personalities, etc.) demarchy proposes that oversight/management of these separate authorities be done by committees of citizens randomly selected from among the body politic who are willing to volunteer themselves for possible duty. Persons content with the way



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things are managed, or uninterested in a given area of authority, simply need not volunteer.

To avoid the problem of too many of the same type of person volunteering (and thus skewing the representativeness of the committees), Burnheim proposes that the random selection could be managed in order that this be avoided. The example used in Mr. Martin's article is: if 100 men and only 50 women volunteer for a group, then selection of one in 20 men and one in 10 women would result in equal representation, and thus, in the case of the sexes, in statistical representation of the community.

To resolve questions of overlapping authority, age restrictions on committee membership, number of committee members, and the like, Burnheim proposed that there should be "second order groups" composed of people who had al-

with "democracy," such as forming groups, petitioning, and promoting their views. (Tellingly, Mr. Martin notes that, "Actually, this is not so very different from present society.") Further, it is stated in the article that, on intensely debated issues (the example offered is abortion), proponents of each side would be inspired to mobilize supporters to express their views, and presumably to stand for office at selection time.

Criticisms

Given this description of demarchy, certain problems, both practical and philosophical, become obvious:

Loss Of Efficiency:

The first practical drawback is that (assuming -- as anarchy does not -- anyone, even the people, should Rule) the random selection process will not result in efficient use of the capabilities available among the citizens. There may be a person eminently suited to overseeing the tasks of a certain committee, but by random chance s/he is not selected. It can hardly be beneficial to exclude the best candidates on the grounds of pure chance. A demarchic society in effect ensures that it will have to sacrifice the best leadership (as distinct from Rulership) a large portion of the time.

Compounding the problem of randomness resulting in poorer quality leadership is the fact that a determined person, excluded from a committee position but recognized by the majority as the best choice, could (with a little charisma) essentially force the committee to act in accordance with her/his directions, regardless of the official selection structures, by use of the "democratic" methods described above. Indeed, historical examples of this occurring in "democracies" are numerous (Pericles, Hitler). Demarchy offers no better defence against the demagogue than does "democracy," because both have in place a structure of Rulership which can be assumed by anyone with enough power.

Minority Hegemony:

Another glaring problem with demarchy is the notion of statistical representation. Two problems are apparent. First, it is internally inconsistent. If indeed selection is to be completely random from among volunteers, and if indeed citizens are free to volunteer for committees that they feel need work and would not feel called upon to volunteer where they feel the job is being done satisfactorily, then should not a volunteer rate below the statistical representation level indicate that the citizens, of whatever demographic profile, feel adequately served? In other words, if demarchy is working, statistical representation should be unnecessary, and conversely, if it is necessary, demarchy is *not* working.

Second (and this relates closely to the first), a system of statistical representation as proposed would invite tyranny. For example (*just* an example; change the groups and num-



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ready served on first order groups. Members of these "metacommittees" (as I like to call them) could be selected randomly or by consensus among their peers.

It is also noted in Mr. Martin's article that, because this system would be based on local control and on decentred authority, there would be no military, though "there might be local police," and it is contended on the basis of this notion that the demarchy committees could not Rule coercively. Rather, they would have to rely on the persuasiveness and reason of their actions.

The committees would make their decisions in open processes after allowing the opportunity for the community at large to voice their opinions and make submissions. Moreover, anyone unhappy with the decisions between selection Days would be free to take any actions we now associate

bers as you see fit): the community has 100 persons, 50 male and 50 female. Of them, on an ongoing basis, only ten men and five women have an interest in or feel competent to serve on the Committee of Education, which has four members. Under the system of statistical representation, each term two men and two women are chosen to serve. It is clear that the five women who feel interested/competent have, as a group, more individual power to influence the course of the committee over time than do the ten men. Furthermore, a system of statistical representation creates two constituencies (in this example, men and women). A smaller constituency is easier to keep satisfied. The two male committee members must consider the objectives and opinions of eight non-members to keep them disinterested in seeking sElection. However, by keeping only three non-members happy the two women on the committee are able to avoid the possibility of being removed from their positions. Creating diverse constituencies, and systematically creating real disparities between the strength of incumbents, promotes hegemony.

Insulation Of Real Rulers:

The emplacement of the "metacommittees" in the way described is problematic. The justification for having members of the metacommittees be only former members of first level committees is unclear. It suggests a merit consideration which is inconsistent with the notion of randomness. Logically, if the society can rely on random (not even "average") citizens to successfully see to the education of children, the maintenance of public safety and the management of resources, what is so qualitatively different about deciding how many members of a committee there should be, and which committee should do which job? Moreover, the necessity of first having served on a first level committee alienates the whole segment of the community who have not been lucky enough to win a random sElection. This particularly emiserates the young, whose opportunities for sElection have been fewer than those of the elders. Two classes of citizens are created -- a recipe for injustice.

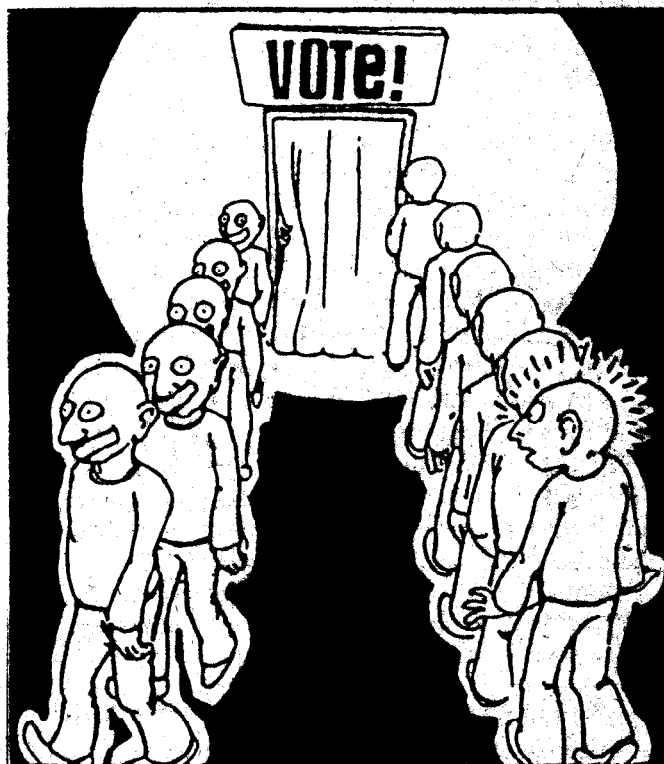
Worse, the possibility that the members would be selected by consensus among their peers begs the question, Who are these peers? Presumably, those already sitting on first level committees. Thus, the points made in the previous paragraph are all exacerbated as the metacommittees become oligarchies.

Leftover Problems:

The suggestion that, because they would be small, demarchic communities would have no military is somewhat specious. (By way of an aside, there is no real necessity that the communities be small.) The size of a community historically has had little bearing on whether there is a military. In the Dark Ages, every little manor (maybe 100 people) had a military force/authority in the form of the lord and his armmen. The Greek city states had armies. Smallness is no guarantee of peaceability. Additionally, if Mr. Martin's con-

tention is accepted that there would be no military force, but only "local police," the idea that therefore the committees would have no means of coercing the citizenship is fallacious. Much more than the military, police forces are used in the capacity of controlling the citizenry. The point is, the potential for oppression exists in the idea that someone has the right (however derived) to direct the actions of individuals and it doesn't matter what you call the gang (army, police, or *Tonton Macoute*) that cracks the heads.

Finally, the idea that "(o)n intensely debated issues, such as abortion" there is incentive on the various sides to mobilize in favour of their own position does not inspire confidence in demarchy as a way to individual freedom. To a pregnant woman struggling with such a personal decision



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there must be little comfort in the idea that the committee preventing her free choice was sElected rather than elected.

Further, this mention of mobilizing the partisans strips bare the raw fact that voting (whether by ballot or by volunteering) for the privilege of directing the lives of others survives quite handily in demarchy, as in any system where Rule is permitted to exist.

Rule Out Rule

The foregoing brings us back to the simple anarchist analysis that any system of Rule can be turned into a system of oppression, not because the system is flawed, but because the idea of Rule is flawed. Where Rule is permitted, an elite (of some kind, be they the strong, the persuasive, the nice,

the attractive, the rich, *ad infinitum*) will Rule, practically by default. To be free from oppression, Rule itself must be ruled out.

This is the etymological and philosophical core of anarchy. Unfortunately, the public imagination continues to equate "no Rule" with "no order," anarchy with chaos; fearing chaos, it tinkers with new notions of how the existence and perceived necessity of Rule can be made tolerable. The anarchist, however, does not believe in the necessity of Rule. (Or perhaps, believes but nevertheless does not accept.) With a certain utopian optimism admitted, I suggest that an organized society can be created which does not rely on Rule to maintain order. It would thus not be susceptible to the ills that afflict systems of Rule (including demarchy). Apart from my not having one at hand, a comprehensive description of such a society would go far beyond the scope of this article. Certain approaches for further consideration do, however, suggest themselves.

The terminology of social contract will be useful (I refer to an older, more accepted usage of "social contract" than that presently used by Premier Rae of Ontario). To some extent, all societies impose limitations on the conduct of their members. In return for this restriction, the members expect (to the extent they turn their minds to it) protection from the vagaries of nature. While in primitive societies the protection was from a club-wielding neighbour or simple starvation, at our relative level of sophistication expectation has expanded to include protection from serious illness or from discrimination. In essence, freedom is traded for safety -- a social contract is created. Given the apparent fact of human existence that we are better able to survive the vagaries of nature when we act in concert rather than separately, I feel that the necessity of a social contract of some kind cannot be evaded.

However, the contract can (and should) preclude the Rule of anyone over another. To specifically eliminate Rule, it should first be identified. I define Rule as whatever coercively prevents a member from withdrawing her/himself from the terms of the social contract. This withdrawal must include *simultaneously* the obligations *and* rights under the contract, since a society that accepted cessation of obligations without cessation of rights could not long continue. Should a citizen find the costs of withdrawal to be too onerous, s/he is free to remain, or rejoin. Should the society find the costs of the citizen's withdrawal too onerous, it is free to make a better offer. The task then for the anarchist is to create a social contract that can accommodate this withdrawal.

What characteristics would such a social contract require? I propose the following two attributes:

Firstly, a No-Rule social contract would have to maintain the individual as the base contracting unit. In essence, each individual does not contract with the society, rather the society is formed by each individual being in contract with *each of all the other individuals* in the society (in the same way, partnerships are contracts between the partners, as opposed to our current "corporate" model of social contract).

This would effectively eliminate the unfortunate notion that the "state" has some existence apart from its members.

Secondly, in order that the option of opting out would have real meaning, contractual procedures must be emplaced to make it possible. Please note that this opting out does not necessarily require that the person leave civilization and live in the wilderness. Flexibility is imperative: for example, a sterile couple might be excused from contributing to the kindergarten program; an individual with special, necessary skills could contract to be free from bridge tolls, assuming there is no pre-existing debt under the contract which s/he must fulfil. The point is that the contract would recognize these different contributions and requirements, and *would be designed to accommodate them*. Naturally, some such requests would be inappropriate and the negotiations might not result in agreement, and though life would be difficult for them, some people might choose to live in the woods. It would at least be their choice.

Taken together, these two attributes would result in a remarkable society. The very idea that one is always free (assuming all previously incurred debts are paid) to quit and go off on one's own would cause the citizens to have a sense of being there because they want to be. They would truly be *members* of the society, not subjects of it. The society would lose its right to coerce participation, because when the individual's bottom line is reached, s/he walks away. Because of this loss of coercive capacity, the social contract(s) would automatically be more fair, and would have to become more rational.

When everything is on the bargaining table, things frequently coerced (eg.- religious belief, sexual orientation, drug use) would take on a more realistic importance. For example, if the next Einstein offered to revolutionize physics, but demanded in return that s/he be permitted peaceable use of cocaine, the relative importance of prohibiting the drug would become sharply clear. And, when large numbers of tool and die makers demanded in return for their work that they be permitted a marijuana plant in their living rooms, or else they walk, the society would quickly cease to cling to irrelevancies in preference for things of true importance. Coercion exists in these matters because coercion is permitted.

In conclusion, then, the need for humanity to form societies does not necessarily require that we submit to being Ruled. The problems of Rulership are not problems with *who* rules, but with Rulership itself. A social contract *between the individuals* in a society, as suggested above, would eliminate Rule, but allow for a rational, co-operative social structure.

ed. note: Brian Martin has sent along a pamphlet describing demarchy and answering some common questions. The pamphlet includes more references, as well as illustrations, some of which are reproduced here. To receive the pamphlet, or to make further suggestions and comments, contact: By Lot, PO Box 492, Wollongong East, NSW 2520, Australia.