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**MIKE LIVERMORE:** Welcome to the *Free Range* podcast. I'm your host, Mike Livermore. This episode is sponsored by the Program on Law, Communities, and the Environment at the University of Virginia School of Law.

With me today is Alex Guerrero who is a philosophy professor at Rutgers. He writes in moral and political philosophy. And today, we're going to talk about a project that he's been working on for the past several years on a system of governance that's sometimes referred to as lottocracy. Hi Alex, thanks for joining me.

**ALEX GUERRERO:** Hi. Happy to be here.

**MIKE LIVERMORE:** So last season on the podcast, we had Jed Purdy who's a law professor at Duke as a guest. And we talked for a few minutes about lottocracy. He's not a very big fan of the idea and I'm not really an expert on it, of course. So I thought the two of us might do a deeper dive on the subject, especially as it relates to environmental policy.

So just to get a situated for folks who aren't familiar with the idea, what's the thumbnail description of the project that you've been working on and maybe lottocracy more generally?

**ALEX GUERRERO:** Sure. Well, I mean, I guess there's really two big parts. The first part is trying to offer a diagnosis of some kind of what I think of as deep problems with electoral representative systems of government, particularly operating under modern political conditions. Kind of massive size and scale. Real worries about voter ignorance and the ability to hold elected officials meaningfully accountable. Worries about a kind of tainted epistemic environment regarding information and the news and misinformation.

And thinking about how if we take seriously that elections are at the center of some of our significant problems, things regarding partisanship and kind of polarization, worries about short-term bias, worries about unrepresentative, representatives coming to have power. If we're worried about elections, well, where do we go next?

And so the project is really trying to think about the use of random selection to choose our political representatives. So this is an idea that goes all the way back to Athens but has never really been tried at scale. And so I've got a book coming out next year that really tries to build enough system around the use of random selection so that we might actually get something like an attractive political system but that uses randomly selected political representatives rather than elected ones.

And so in the book and in my work, I try to go through what all you would need to support that kind of institution. And so one of the big things that I focus on is this idea of rather than having a generalist legislature like Congress that covers lots of different topical areas, instead considering the idea of having single-issue legislative bodies that focus on a particular policy area. So agriculture, immigration, health care, education, energy policy. And having those single-issue bodies be composed of people who've been randomly selected from the political community. And having as a kind of central element the use of learning phases where members of these single-issue legislatures hear from experts and advocates and stakeholders on the topic and develop the agenda and come up with policy ideas in light of what they encounter.

I also try to build in substantial elements of community consultation and community engagement. And then the idea would have these randomly selected citizens in these single-issue legislatures be able to directly enact policy. Lots of questions about the details of how the single-issue legislatures work with each other to create kind of coherent policy. Lots of questions about whether individual randomly chosen people will be up to the task of making good policy. And lots of questions about the role of experts and bringing people in to speak to these randomly chosen citizens and the influence that they might have. And so I try to go through lots of that in the book. But yeah, I look forward to talking more about that with you today.

**MIKE**  
**LIVERMORE:** Yeah, great. So maybe we could start with the diagnosis. It's like a big chunk of the book project is oriented towards kind of diagnosing failures in electoral systems or especially kind of with the big case study being the US contemporary political situation. And of course, the proposal to move away from elections is pretty radical. So in some ways, it makes sense, that the case has to start with why the system's so broken.

So what do you see as the major limitations or liabilities of elections as a way of selecting let's say like, political decision makers. That's what we're talking about, right? It's like we have presidential elections, we have legislative elections, we have judicial elections in some states in some contexts. There's elections at local levels. The dog catchers are elected in some places. Elections are kind of built into the American system of governance at every level, so it's a big change.

And so what are the problems-- and I guess part of the story of the book is that you see this as kind of inherent to the notion of electoral elections and the electoral process, not kind of something that we could easily fix through campaign, finance, reform or some other less radical change of our political system.

**ALEX**  
**GUERRERO:** Yeah. No, that's right, I mean, and I think I got interested in using lotteries by being in law school, and working with faculty, and talking to faculty who are working on election reform and campaign finance reform. And basically, feeling like a lot of those paths were really treacherous and hard to address the kind of fundamental issues. So I see there being four big kind of fundamental problems. And I think they all go to yeah, something like intrinsic or inherent features of electoral representative systems. So they're not things that are easy to fix through redesign, although we could make things better in various ways. And of course, we should do that in the short-term at least.

So the four big things I see, one is really a breakdown in the mechanism of electoral accountability. So elections set up a principal agent problem. We, the principals are trying to pick somebody who's going to act on our behalf. Our agent, the elected official. The way we're supposed to have this work is by kind of knowing enough about what they're doing so that if they are doing a bad job or looking out just for special interests and ignoring our interests, we can vote them out of office.

A big central problem that many people have talked about, Ilya Somin and Jason Brin and Bryan Kaplan and many others is that ordinary voters don't very much about what is going on with politics. Most people can't answer very basic questions about the political system, and they certainly can't answer more detailed questions about what their representatives are actually doing with their time in office, what they're trying to do, what legislation they're supporting, what legislation would be good.

And so there's a kind of fundamental worry that if we don't know enough, we're just kind of blindly lashing out in various ways through elections and cycling through people, none of whom maybe are going to actually address the real problems that we face. Where it's very easy for us to be manipulated in various ways, very easy for the press to kind of have a huge influence in shaping our views about what are the serious problems.

And I think this isn't an easy problem to solve. This fundamental issue of the breakdown of meaningful electoral accountability. We can try to give people more information but on some fundamental level, they don't have time, it's not in their interests to spend a ton of time getting good information. People are motivated by kind of entertainment to follow politics and spend time on it but not so much kind of as if they were making the serious decisions they are.

It's hard to supply good information from something like a non-market system because we worry then about it being insufficiently critical of the government if the government's funding it. So anyway, I think there's deep problems there.

A second big source of problems, I think, at least in a system like the United States where you get two dominant political parties partly as the result of the design of the electoral system. So Duverger's law in political science suggests with single-member districts chosen by a plurality vote rules, you're going to get two dominant political parties. Combine that with what social psychologists call social identity theory, which suggests we're very easily primed to in-group and out-group thinking. And I think over time, we're going to get a lot of social segmentation leading to kind of extreme polarization.

So we get a kind of vicious partisanship where we're in-groups and out-groups, and we fight with each other but we don't actually work well together through political institutions to solve our problems. Various modern things have made this worse. So we increasingly have different epistemic worlds that we occupy, where we're in our own epistemic bubbles or echo chambers only encountering views and people who are sort of on our side or only encountering the worst views on the other side.

All of that sort of creates this kind of impossible situation of not really being able to work with people. And it means that through elections, what we get is kind of dominating some other group of people every two or four years. We hope our side wins so we get to be in the dominant position, but it's not a kind of stable, broad, political coalition. And I think elections really are at the center of that. So that's a second problem.

A third problem, just the short-term bias you get from elections. So elected officials have every incentive to stress what's going to be to the significant benefit of people in the short term and to discount or disregard anything that might have a longer time horizon. So if they can't get credit for addressing it in the next two or four years, if it seems to make people's lives worse in the short-term, so implementing a gas tax or anything like that, elected officials aren't going to be well-positioned to do that.

And then a final worry is just the way in which people get elected, we end up having a really unrepresentative group of people in power. So they overwhelmingly are White and male and wealthy. They come from a small number of selective educational institutions. In many cases, they have backgrounds as lawyers or in business. We get very few people who occupy more marginalized social positions. And this is all old news in a way. Aristotle says if you want an oligarchy, you go to elections. If you want democracy, you use lottery selection.

And I think having unrepresentative representatives results in all kinds of distortion in our system. So we don't focus on certain political problems and we focus too much on others. And I think in general, there's worries about capture by special interests.

And so I think those four issues, none of them are easy to solve. And I think elections are kind of at the heart of all of them.

**MIKE LIVERMORE:** So yeah, so this is like it's a serious indictment against the system. And all of those things, it's almost impossible to argue against that these problems exist.

At this point in the conversation, I think some folks will be inclined to say what you referred to in the book as the Churchillian shrug, which is the famous quote, Winston Churchill, democracy is a terrible system. More or less to paraphrase, democracy is a terrible system, but it's better than all the other ones we've tried.

And you grapple with this a little bit because in a sense, it's defeatist and it's kind of unattractive in certain respects. But on the other hand, liberal democratic societies like we have, things are relatively good for a lot of people, especially in historical context. Now, there's a huge amount of inequality in say US society, but even folks who are at the lower end of material welfare in the states are still doing better than a lot of folks elsewhere in the world who live under alternative systems.

Maybe we could think of liberal democracy as a fragile thing that it might be dangerous to tamper with. I think that's part of Churchill's observation. As you note, there have been alternatives presented to the liberal democracies, market-based liberal democracies. And in the 20th century, those didn't go-- 20th century that those didn't go all that well. So it might be possible for us to imagine something better. But imagination is a tricky thing. You can also imagine traveling faster than the speed of light, and that's not going to happen.

So we could be kind of hallucinating or it's difficult to really fully understand what the consequences of a system are until you implement it. So nevertheless, you think this is a project that's worth pursuing. So what's the general response to that? That you could call it a kind of conservatism, but this basic idea that when you look at the long scope of history and you look at alternatives that have been tried to the current system that we have and then other kind of advanced economies have, many of them in the world these days, the alternatives just don't look all that good even given the shortcomings of our system.

**ALEX GUERRERO:** Yeah, I mean, I think it's a very sensible wariness that motivates the kind of Churchillian shrug, especially looking at the 20th century where a lot of bold political experiments ended up looking horrifying, I mean, in terms of the actual results. And I think part of that is those ideas often weren't very well thought out. They often were brought into existence by people who had been completely taken by some idea and were sort of unconcerned to continue evaluating that idea over time.

So in the final chapter of the book, I talk about the ethics and epistemic responsibility of revolution. So how do we move from where we are to something else in a sort of appropriate way both ethically and epistemically? And I think for me, a big part of that is going to be incrementalism, experimentalism, trying out things at a very small scale, seeing what works and what doesn't, and then thinking about what are going to be some of the worries about the external validity of these experiments as we imagine scaling up. But always needing to have in place lots of thought and reflection on what are we doing? What's working well? What are some of the problems we're noticing?

And I, in the book, contemplate making this change at the level of the US Congress. That's an absurd place to start. Of course, we should try out these kinds of institutions at smaller scale, at municipal and county and maybe state level governments, see how they work, see what people are comfortable with. And that's already happening all around the world. So citizens assemblies have been used to address all kinds of issues all over the world. In some places, very centrally, and others just as a kind of peripheral thing on the side of other legislative action. I have some issues with some of the details of those, how they've been set up and run. But they're great as a way of seeing what's possible.

And I think my basic idea is that, look, political systems are a kind of technology. Over time, people have invented new and different ways of creating political institutions, organizing political life. None of it's magical. I think like other kinds of technology, we might think about, well, what are some of its limitations? What are conditions in which the technology doesn't work very well?

A car might be great when you're on land and driving around but then the water rises and you're underwater and you've got to get out of the car and figure out something new. And I think that's where we are with electoral representative democracy. I think it's obviously a massive improvement over other systems that have been in place.

And there's been a lot of refinement in it over time. Like moving from single-member districts to proportional representation systems, introducing constitutional limitations, adding in administrative agencies to supplement the work of legislative officials. I mean, there's been a lot of behind the scenes change in electoral representative democracy. And so in some ways, what I'm suggesting is just let's continue to be open in that way and think about alternatives to elections that still meet the very important requirements of democracy.

So one of the things I argue in the book is that some of the experiments that have been tried weren't even pretending to satisfy kind of basic norms of political morality. I think that often will lead to disaster. And so I try to make the case in the book that we can design lottocratic systems that really would do well by ideas of political equality, participation, self-government, accountability, respect for individual rights, political legitimacy. So we needn't see ourselves as giving up on those values, we can just think more creatively about how we're institutionalizing them.

**MIKE**  
**LIVERMORE:** So this is a-- I mean it's two questions that I kind of have just following up directly on that, what you were just saying. So one is, I was curious if there are-- can the state play with respect to what's been tried in other places? I mean, what I take it is that it hasn't really been implemented in a way that certainly in the fulsome way that you describe in the book but also just more generally, maybe the state of experimentation is such that we haven't been able to learn much. But I would be curious your thoughts on that.

And then the other question, I don't know if it's really fully related but it's kind of again, following up on the car and water hypo where the idea is that we had some that worked and conditions have changed. So is it the case that you think that that's just the situation in the US historically that electoral democracy or an electoral system, let's say, was kind of appropriate at a different historical time and that things have changed? Or if the founders had decided that the selection through some kind of pottery was a good idea, that that would have potentially worked at that time as well?

**ALEX  
GUERRERO:**

Yeah, great. I mean in terms of what's been tried, I would say there have now been quite a few examples where people have been chosen at random from the political community, brought together. They hear about some issue and then they come up with some recommendation. Usually, those recommendations have then just been kind of written up in a report and handed over to elected officials, a legislature. And it's a way of informing their decision making.

In a few cases, they've been given more power where they can create a proposal that's then put on a ballot as a kind of referendum measure and then has to be sort of supported by the broader political community through a vote. In both those cases, there's still kind of, I think, there's been some sort of limitation in their power in terms of what they can do directly. But I think they're useful to see, how does getting random people together in a room to talk about a political issue, to learn about a political issue sort of change the views of those people over time?

So some of the most powerful experiments I think have been the ones looking at constitutional reform say in Ireland, looking at abortion and same sex marriage. Hard issues that the political community is really struggling with and bringing people together who really represent the full range of views of the political community and having them talk to each other for an extended period of time. And I think it really did change people's views.

There's a lot of excellent reporting on some of those experiments and hearing from people and the way in which it really did affect them. And you get people like Jim Fishkin at Stanford who've been doing work on deliberative polling and thinking about how the results of these kind of deliberative, randomly chosen experiments can then be made better known to the whole political community and maybe affect how people think about an issue or how they vote.

I still worry for the four reasons I set out, that if we still have elections somewhere, we're going to have a lot of the same problems. It'll be hard for these institutions to serve as information supplements to the process in the right way. It's pretty easy to disregard them, so they've had various ones time to do with climate change, that have made pretty strong recommendations that then just get ignored by the elected officials. And so I think those are significant limitations.

But you look around the world, you see things happening. In Belgium and France and Iceland and Ireland and Mongolia and South Korea, you see all kinds of interesting developments. And I think that's great. That's the way forward to thinking about these institutions.

As to the question of what would the founders have thought? So I guess there was some discussion of this, like very fringy kind of discussion of using random selection at various places. I think even then, there might have been some merit to the idea. But I also think lottery selection becomes more attractive as we start to worry about elections as size and scale increase.

So I think elections work really well and voting procedures in general when we expect the members of the community to kind of know the issues, to know each other, to be able to really observe what the elected official ends up doing. It becomes much harder as we scale up and become huge political territories and communities. And also as we start to see, a lot of our decisions within a political community are affected by global issues, kind of global interconnection. And once that becomes maybe the most significant thing that we're encountering, it's just much harder for people to become well informed about all the issues and about what's actually being done.

And people like Walter Lippmann were worried about this in the 1920s with the advent of radio and air travel and kind of interconnection in geopolitical realms. And I think there's been no real solution to this fundamental problem with electoral representative democracy. It's just we've kind of carried on as best we can. And I think it does pretty well by a lot of measures. The suggestion that I try to make is we could do a lot better still.

And I think the big issues we're still doing quite poorly with affect those who are really unrepresented at the legislative level. People working as single parents or in several jobs. I think people in working class conditions in general, their problems are not well addressed. We have a lot of rhetoric around making things better but we don't actually take concrete steps similarly with environmental issues. I think failure to address climate change can be put pretty directly at the door of electoral politics. But I'll have more to say about that, certainly.

**MIKE  
LIVERMORE:**

Yeah, and I would agree. I mean, I think that as you noted, there's this kind of long-term, short-term issue with electoral democracy that does seem just extremely difficult to get around. Just to get a look, we have one more piece of the puzzle on the table and then I think we could probably start to think-- kind of meander around a little bit.

But in terms of the-- in your proposal, there's kind of some specific features of how you envision this type of governance working. And they are probably relevant for thinking about environmental issues, for example. So as you mentioned earlier, you have the single-issue legislature. So it's unlike the US Congress which is a generalist legislature, you would focus in kind of maybe mapping the committee structure of Congress. So you would have a bunch of legislatures that would operate with these committees, they'd be selected through lottery.

You go to some lengths to think about how regular folks are going to get up to speed. And of course, in environmental issues and in other social issues there are just an enormous amount of complexity, scientific complexity, engineering complexity, economic complexity that goes into the successful management of these issues. And so you do think about that through how consultation would work. There's going to be a learning phase.

And then you also have important features of the system that you describe. There would be special assemblies that would-- you call structural assemblies that part of what they would do is deal with the issue allocation issue. Because of course, again, just to take the environmental context, environmental issues often overlap with other issues. Energy and environment are obviously very closely entangled, so it can be a little difficult to figure out how to draw jurisdictional boundaries.

And then the other one, which I'm particularly interested in, is this notion of executive assemblies. Because in your system that you're describing, we're doing away with elections in general. So it's not just the legislature, also there would be, I take it no precedence under your system or even prime ministers. And so the whole question of executive oversight comes up.

And so I guess I just-- well maybe just turn it back to you, did I characterize the structural features accurately? And maybe just thinking about regulating in a domain like climate change or the environment or any other complex area where you have these days most of the action is done by administrative agencies, what features of this system that you describe kind of are most salient for those issue areas?

**ALEX**  
**GUERRERO:**

Yeah, no, it's a big question. I think so let's just focus on environmental policy or something like that. So there would be a designated single-issue body focusing on the environment. And so how would it decide what to do? So first of all, you'd have these people chosen to serve three-year terms. So 450 people would be the total number, and there'd be 150 new people each year serving a three-year term.

And at the beginning of the first term, there would be a kind of agenda setting phase. And during that agenda setting phase, you'd get advocates and stakeholders and experts of various kinds coming forward and putting up proposals for things that ought to be done. So maybe introducing a certain kind of carbon tax or limiting a certain kind of-- changing a certain kind of regulation that governs some very specific issue of water supply.

And so some of those would be very micro scale, some of them would be broader. And the randomly chosen citizens would kind of hear about these different possibilities. And the ones that had already been serving for a year would put some of these on the agenda, basically decide we're going to focus on these three.

And then for those three, for each of them, there'd be a learning phase where you'd hear yet more about that particular issue. Again, from experts but also from advocates and stakeholders. Now, the hard question of like, which experts? Which advocates? Which stakeholders? There's got to be a lot of process there. And I talk about that in a lot of details, sort of who would count as an expert? Who would count as an advocate? How would certain advocates get to speak?

Some of that could be through ordinary channels of political participation. So you get enough signatures or you show enough kind of support for your kind of advocacy organization, and that would give you 15 minutes to speak in front of the group. For experts, you could have various methods of defining expertise in that domain coming up with credentials and entering people into a database of experts on that topic, and then having those experts be randomly chosen.

So I try to talk through a lot of possible structure there. And I think a lot of that would be try out certain things, see how those work. And maybe need to modify them, think about where capture might happen. So that's all on the kind of-- then people learn more about the issue, and there would eventually be a time to come up with proposals.

And one of those might be for a large enough scale issue to create some kind of administrative agency that would be overseen then by the single-issue legislative body. And so part of the role for the single-issue legislative body would be kind of administrative oversight of a certain kind, much as we have with executive and legislative agencies now. And lots of options there, but that's the idea.

So I think there might be some cases where you have some broad environmental aim, but the way to actually carry it out is going to be pretty detailed and not the kind of thing you want legislative officials of any kind trying to work out. And you could keep some of the same administrative agency, kind of notice and rulemaking process. But all of that is sort of up in the air.

I definitely don't want to have an elected executive sitting in the background because I think currently elections, particularly around the president in the United States, really just totally set and dominate the political agenda and really distort the process, create a lot of the hyperpartisanship and focus us away from actual problem solving and just on individual personalities. And so I think a lot of that would need to be replaced or supplemented in various ways. But I think lots of details as how to do that.



In this book, I really focus on the legislative side of things. They have maybe 10 pages on the executive but most of it's just to say, here's one possible way of disaggregating what's currently being done under the heading of the presidency and thinking about how we might do it using randomly selected citizens combined with some appointed officials, thinking about foreign policy and diplomacy and oversight of the armed forces and judicial appointments and oversight of federal law and all kinds of things that we might want to see on the executive side. So yeah--

**MIKE** Yeah, sorry, go ahead.

**LIVERMORE:**

**ALEX GUERRERO:** Oh, no, just on the issue of overlap and jurisdiction and domain. Yeah, I think it's to me an exciting challenge to think about moving to single-issue legislative bodies. The reason for it is I think it really allows focus on particular issues in a way that makes learning about them more manageable. We already see a lot of this with congressional committees and subcommittees. And I think part of it's just making that structure kind of more transparent and overt.

But yeah, there are questions about if there's overlap, if there's one issue bleeding into another, what do we do? And so I do talk about methods for bringing two different of these single-issue legislative bodies together to work on some problem. Over time, maybe we'd want to change the definition of the area. If we always have energy and environment interacting in complex ways, maybe we create one assembly that's dealing with both of them. In the limit case, you might recreate the General Assembly in some way.

But I think wouldn't. I think there's a lot of issues that there's some overlap but it's not complete. And there's real reason that we already see a lot of issue specificity within the generalist legislature. So--

**MIKE** Yeah. So I'm really interested in-- it's of course the executive just in part because that's what I think about.

**LIVERMORE:** Administrative law and the environmental context is just really a regulatory domain. So that was a part of the project that particularly interested me is just thinking about how to operationalize this in this kind of context.

And so one issue that we have, I should just note in the US, is in part because of the electoral dynamics and the partisanship and polarization. We probably don't have as much-- I think it's almost certainly the case, that we don't have as much legislation in the environmental domain as would be optimal. It would be much better to have regular environmental legislation happening. And basically, the situation in the states is the major environmental statutes in the late 60s and through the 70s, Clean Water Act, Clean Air Act, National Environmental Policy Act.

And then you have a couple of drips and drabs, the last major legislation is in 1990, Clean Air Act amendments. And then nothing happens until very recently, we had the Inflation Reduction Act, which is a very peculiar kind of legislation, which essentially had almost no regulatory element to it. It's just essentially a big spending measure that's related to environmental issues.

So I think one really interesting potential advantage of a system that you describe is that the legislature could be more productive, could actually get more done. And that might be a good thing. But just thinking about the interaction of the administrative state and this kind of legislature and how would that work. So partly, it's just like, how are the people going to get hired? EPA has thousands and thousands of employees. There's regional offices. And there's a whole system that we have for that, where we have in the administrative state more generally, there are several thousand people who turn over as political appointees. So presidents and with the Senate. Presidents and then for some of the people with Senate consultation and approval.

You have just a very large number of folks who are politically accountable to the president and to a political party. And those folks turn over with elections. And then you have this really massive millions of folks, depending on how you define it, if you include the military in there certainly huge numbers who are employees at the federal government. And they have some career protection of various levels of sorts and so on.

And I think one of the interesting features of the current system is there is this chief executive person who stands for elections, and they're associated with political parties. And we have this system where what I've talked about in this other context, you have these partisan technocrats who are essentially each party has a kind of cadre of experts who knows something about administrative domain, environment, energy, education, labor, or whatever. And they spend their time kind of following these issues but also working with others, kind of members of the political coalition. They kind of know how to operate within their respective political coalitions. There's kind of Democratic folks and Republican folks, and they're familiar with the regulated actors, they're familiar with the interest groups.

And all of this creates the potential for capture, but it also creates the kind of background knowledge that allow them to do their jobs. And so yeah, so this is just kind of-- but then there's this chief executive at the top and the whole thing failed during the Trump administration because he was so far outside of the norm.

But if you kind of go back prior to Trump, you have this system where the two parties kind of alternate. There's norms about how governance is going to work. There's really substantial amount of expertise that's built up within constellation around both political parties. They go in, they manage the administrative state the way they want again, within certain boundaries. And then there's some feedback with elections.

And so yeah, so the question is, how does this system-- would it radically look different? Are we talking about a much stripped down administrative state or if not, what do the mechanisms of feedback and oversight look like given the vastness of the operation that we're talking about?

**ALEX GUERRERO:** Yeah, great. I mean, I think the short answer is it could look very similar with just a different structure at the top. Sort of how is it that the people running agencies, administrators end up having the power that they do? And how are they going to be evaluated and held accountable over time? And I think those things might change significantly but in ways that to my mind would produce more responsive, kind of more outcome, good government oriented attention rather than what I think of as kind of hyperpartisan action on the part of the top level.

So the very first thing you said was that one nice thing about going to the single-issue focus is there's at least the possibility of the legislature getting more done. And I think that's right. So rather than having all our attention focused on issues where we're highly divided as elections encourage us to do, we could in many cases notice, well, here's a lot of overlap in the broad political community. We all think we should be doing more about this issue. Let's come together and figure out what exactly we ought to do. And so I think there'd be more potential for that.

I think one of the things that might happen is that then people realize, oh, there's kind of a big problem here. We can't handle it in detail, but we do think it needs to be handled. We're going to have an agency that's going to be in charge of this. There'll be people who are running the agency. We'll need to think about, what are the proper aims and outcomes for this agency? What are the metrics that we're going to use to evaluate success or failure of this agency?

And the single-issue legislative body could be responsible for creating and monitoring a lot of those kinds of things and would have the power to say, appoint somebody to head such an agency or appoint a Committee of people depending on the details. And then those people would do what we currently see in terms of overseeing and employing a large bureaucracy with a lot of internal structure.

And many of those people might be pretty permanent technocrats working in their jobs to the extent they weren't actually achieving the outcomes or metrics that the single-issue legislative body was setting out. That would be reasoned for future single-issue legislative bodies to take a step back and say, well, why aren't they? What are the problems? Is it structure at the head? Is it the details of what they're trying to do?

So I think you'd get a lot of the same kind of outcome focus or you get more outcome-focused accountability. And I think you'd get technocrats but not hyperpartisan ones. So they would be taking their marching orders not from an entirely political electoral kind of background context but thinking in a problem solving way. Like for the single-issue legislative topic, what are the big issues that led the randomly chosen citizens to create this agency? What's it supposed to be doing? And is it actually achieving those ends?

And so the hope, anyway, would be to keep the good technocracy but have it overseen by ordinary, genuinely accountable-- sorry, ordinary citizens who aren't captured by special interests and who aren't just looking out for their political careers.

And at least on the optimistic take, this would work better than what we currently have. I think it also would allow for more stability of mission over time. So rather than every two or four or six or eight years getting a dramatic reversal in course, you would get people who had been randomly chosen, who I think over time if they were responding to reality and to the actual problem would have some more stability. At least that's also part of the hope that you wouldn't get this kind of radical swings in direction of administrative aims resulting from shifts in which 51% won out this time.

**MIKE** So I think that that's a big issue in the administrative state these days, is that have this problem of oscillation.  
**LIVERMORE:** The parties change, they take radically-- climate change is a great example. Other administrative areas like internet governance, it just basically oscillates back and forth with these huge policy reversals, which doesn't seem like an ideal way to make policy.

Just kind of thinking out, as you're talking about this, thinking out over the long-term, it seems that there is, especially with respect to the administrative agencies, certain kinds of risks of-- I don't if capture is the right term but essentially where the administrative, it would be governance-- one concern might be governance by an administrator without really serious checks.

If you imagine these citizen juries-- sorry, not citizen juries, the citizen legislatures, they have real power. So they could retract the mandate for an agency. Presumably this is how the budget is going to happen. Presumably they could hire and fire. I think the hiring process is interesting to imagine how would an EPA administrator be selected.

But you can imagine something almost like what happens in the British system, where you have this really, really seriously consistent civil service, essentially, that is overseen politically. But then what happens is that the senior leadership of the civil service, especially if you imagine how is an EPA administrator going to be selected, well, probably the associate administrators are going to be the candidates. In the initial years of an agency, it might be that there's kind of a broad potential search.

But over time, one would think that it would be kind of an internal bureaucratic civil service would develop. And there's lots of advantages of that. Expertise and getting good people who have obviously promised people career security in order to attract them and that kind of thing.

And what happens is at the high levels, people just kind of become experts at-- I don't know if manipulating is the right word, that sounds kind of nefarious. But working with these legislators. And that's a good thing to a certain extent because that's about responsiveness and so on. But you could also just imagine, it's going to be very hard for these people to sort. As you do a lot within the book, sort good information from bad information, which experts to trust and the like. And there's going to be a tendency, I think a natural tendency to defer to the government in a lot of ways because administrative agencies just have an enormous amount of expertise and information at their disposal. But they can be fairly conservative in certain respects.

So yeah, so again, I guess that's maybe just a-- I don't if that's a further prod back to you just to think to hear more about your thoughts on this interaction of the bureaucracy with the citizen legislatures and concern about the administrators. Basically the administrative state being in a really powerful position vis-a-vis these legislatures and their control over information and other ways that they're going to be able to protect themselves and their interests over the long-term.

**ALEX GUERRERO:** Yeah, no, I think it's a very important question that I don't how it all will play out if we could overnight implement these kinds of institutions. There is a real worry that these randomly selected people coming from all different kinds of occupational backgrounds and professional backgrounds, that they might not have some necessary kind of knowledge or expertise to really adequately check the bureaucratic structure. If there are people on that side who've been in these roles for a really long time and they know how to juke the stats to keep their job, and they can sell the randomly chosen citizens. I'm like, well, we're trying to do this or that but it's not working out, and this is why. And the ordinary citizens won't be able to tell whether that's an adequate explanation for the results or not. So I think definitely, there are worries in that vicinity.

The comparative question for me is always the important one. I think what we get with elected officials is we get some of that same stuff. But then also we get elected officials who are just basically captured by special interests, and they figure out how to shape the bureaucracy to advance the interests of those individuals rather than the whole political community. And so we get pretty highly captured policy in these areas, and the ordinary voter is then in the position of not being able to tell what's going on or why aren't we doing more? Why is there so much lead in the drinking water still? We're in a hard place to really challenge or police the combined elected official plus bureaucratic structure.

So I don't think in the comparative assessment things are obviously worse for the lottocratic body. And one reason to think they might be better is they really could employ some best practices around the initial selection of high level administrators. So how would we choose the EPA administrator? Well, solicit applications and have some subcommittee that looks at those and looks at the qualifications of people and then eventually, have those people kind of bubble up to the top. And then they would be chosen based on their work experience and competency and maybe having heard from experts and advocates about the various advantages or disadvantages of these particular administrators.

And I think there would be a lot more transparency around that process, and it might be much harder to see special interests just advancing their favored person. Not impossible, of course, but I think there'd be more potential checks like oh, well, this person worked in this energy industry for 30 years. That's their experience. Well, what have they done to actually reduce lead levels in the water? It's like, well, they've never worked on that problem. That's like a thing they're not focused on. It's like, well, that's the thing we want to hire someone to do. So if that's our aim, we're not going to want this person.

And I think there would be ways of pushing back against capture that are currently quite difficult under electoral accountability mechanisms. And so anyway, so there's some hope in that direction. And I don't think it would be perfect, but I also think the people that would end up being in the technocratic bureaucracy might be excited to actually get to address the problems and not just work as kind of highly constrained sub level political operatives. And so if you can get the right kinds of people in those jobs selecting to those occupations because they're excited to work on those problems, I think all of that, you might get a less politicized but better able to address the actual problem kind of bureaucratic structure.

But again, maybe it'll all go disastrously. And special interests would immediately capture the bureaucracy and the ordinary people would just kind of stare blankly as reports come back and they're sort of-- so that could happen. I think every political system now has to grapple with this kind of deep issue of we need highly technical, highly complex regulatory policymaking apparatus. But in a democracy, most of us don't anything about any of that. So it's very hard to have ordinary people involved in overseeing anything about that at any remove.

So there's the democratic legitimacy kind of worry, but there's also just the how will we ever come up with a system that won't be just really vulnerable to capture by special interests who know in a lot of detail what they want to happen in these domains? So yeah, I see it as a kind of open question, whether we could design something that works not via electoral accountability, but I take it that is working so poorly in some of these areas that it's at least worth considering what might work better.

**MIKE** Right, yeah. And in a way, maybe it's not totally fair to lay this. This has to be a problem that you're going to be able to solve. As you said, it's really built into the kind of nature of contemporary governance, this just really difficult dilemma of expertise and kind of bureaucratic-- really, the need for these powerful bureaucracies professionalization and so on. But the real kind of difficult inconsistency of that with certain democratic principles.

**ALEX GUERRERO:** Yeah, you imagine the founders looking at the EPA it's like, what would they say? They would just be like, oh, my gosh, what is this thing? There's like a million people now working in-- it's like-- anyway, so I think those-- yeah, these are problems of size and scale and complexity that that's where we are. But it's also hard to envision systems that are going to work very well while also being kind of thoroughly democratic in various ways.

**MIKE** Yeah, it's a tough one. So part of-- this I think that part of the linchpin of this too, is the folks in the legislatures, the selected citizens, I guess. And part of it, I think different people's attractiveness or how the lottocracy idea lands with different people maybe partially depends on how they envision what those people look like.

And so it sounds to me to a certain extent that when you think of this group of people, they're fairly thoughtful, they're responsible, they are diligent, they want to do their best, they want to do what's right by the country, and they're kind of reasonable, and they're responding to the needs and kind of circumstances of their lives and their family and their experiences.

And then for folks who are kind of less attracted to the idea, I think what they envision are a bunch of folks who-- there's like whites segregationists and you QAnon supporters. And people were more than happy to take a check from the Russian government in order to influence US policy. And then the occasional reasonable person who's just overwhelmed by others who are just uninterested, happy to collect a paycheck and shirk or have really bonkers ideas. And just people who aren't particularly bright who pound their fists and nevertheless just are totally not in a position to be able to understand complex issues that might come before them.

And so one I guess is the question of, is my characterization of how you envision the folks in the bodies accurate? And just how do you-- what do you say to that skeptic who's envisioning just a madhouse that is unlikely to lead to any productive outcomes?

**ALEX GUERRERO:** Yeah, I mean, so is the question, should we like democracy? No, I'm just kidding. So I think on some level, we've become used to a system where we're basically choosing rich, White men mostly, many of whom have backgrounds as lawyers and just ignoring lots of other people. Teachers and police officers and nurses and construction workers and social workers and scientists and disabled people and community college students.

**MIKE** And also criminals and neo-Nazis.  
**LIVERMORE:**

**ALEX GUERRERO:** Yeah, so it's easy to think of the neo-Nazis but fortunately, we live in a political community where those people are overwhelmingly under outvoted. And we might get a couple, sure, but we also get many, many, many more people who are themselves Black or Hispanic or Muslim-American or first-generation immigrants. We get very few of those people at the moment. And I think we get a pretty distorted set of outcomes and really a distortion in what political problems we take on.

And I am not at all convinced that the-- so there's this question of competence. Like, will people be up to the task of making political decisions and following the discussion? And in my view, I think there's many different kinds of expertise and background occupational knowledge that we don't bring in at all. So very few people with a background in science or technical, medical, anything in politics. So I think we have a lot of statistical illiteracy at the level of Congress people who are currently there. And so it's not clear to me we'd do any worse by random selection. I think we might actually improve on that front.

But even leaving that aside, I think there's a kind of education that gets valued. But I think often, the distorting incentives of the people actually seeking power over others and the reason they want to be in political office is going to swamp any slight advantage they might have in terms of oh, they went to a couple more years of college or they got a law degree whereas these other people didn't. For a lot of the problems that we're actually looking at, it's not obvious to me that increase in education is going to be more valuable than all the distortion that enters in. Both distortion in what people know about but also in what problems they're concerned to actually address.

So if you had people who were themselves welfare recipients or formerly homeless or people struggling as working class truck drivers and farm workers, actually in these political roles, they might be much more motivated to really try to confront some of those problems than the people who actually get elected. So I think the competence worry, we really need to examine, what's the understanding of competence that we're focused on and why is that the one that we think is the right one to focus on?

And of course, there's always worries that if we're in a super racist community and we randomly select people, we're going to get a bunch of super racist people. But I think we're not as bad as we can sometimes seem. And that if you actually bring people together and have them interact and talk to each other, we do a lot better than what we see on TV or what we see online and social media. And I think there's a lot of evidence to that effect.

So I talked some about this in the book about the way in which bringing people together from different kinds of backgrounds and having them talk about actual political problems, you get much better discussion, much better engagement across all kinds of lines than what we see through our electoral system that never really has people bring-- brings people together in those ways.

So I think there's some reason to think that the kind of worst aspects of polarization and partisanship and even things like racism and sexism are sort of exacerbated by elections. And obviously, some of this would go into how do we structure the discussions and deliberation? And as teachers, I think we've had to think about those things in the classroom. Similar kinds of issues come up in context of political deliberation. But at least by my lights, I'd be excited to see a much broader range of people, a much truer microcosm come in to political decision making.

**MIKE**  
**LIVERMORE:** Yeah, it's a really interesting vision. There's so many more things that I would be interested to chat with you about on this subject, but we've already been an hour. So I think we'll probably have to wrap it up here.

Thanks so much for joining me and thanks for all the thought. The project's really interesting, and you've given an incredible amount of thought to the details of how this idea would actually play out. And so it's a really, really super interesting project. And I think at the end of the book, you talk about how we go from here to there. So we're probably not going to see this happen in Congress next year, but I think the idea that it could happen at the local level or at the state or other kinds of institutions is one that is totally-- it doesn't strike me as totally implausible. And then we can learn something and if it's attractive, we could go from there.

**ALEX GUERRERO:** Great. Yeah, no, it's been really fun chatting with you. And yeah, any interested listeners can email me and I could send them a manuscript. The book itself should be out next year with Oxford University Press.

**MIKE LIVERMORE:** Great. Well, something to look forward to. Thanks very much, Alex.

**ALEX GUERRERO:** Thank you.

**MIKE LIVERMORE:** And listeners, if you enjoyed this episode, let us know. You can give us like, a rating, subscribe to the podcast, and follow us on social media. It'd be great to hear from you. Till next time.

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