

# Postscript to Gastil and Wright: The Anticapitalist Argument for Sortition\*

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## Abstract

The author makes the case for sortition from a Marxist perspective, explaining how sortition could become part of an anticapitalist political strategy.

## Keywords

anticapitalism, capitalist development, electoral reform, Marxism, radical politics, sortition

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\*This special issue of *Politics & Society* titled “Legislature by Lot: Transformative Designs for Deliberative Governance” features a preface, an introductory anchor essay and postscript, and six articles that were presented as part of a workshop held at the University of Wisconsin–Madison, September 2017, organized by John Gastil and Erik Olin Wright.

In our introductory essay, John Gastil and I make a case for sortition that addresses mainstream political concerns with the institutions of democratic governance. Our argument fits well within both progressive and conservative political ideologies, in that it aims to reinforce the liberal democratic regimes in which those dueling philosophies operate.

The case for sortition can also be made in terms of its relationship to more radical social, political, and economic transformation. In this postscript, I make the case for sortition from a Marxist perspective. Many readers may harbor misconceptions about the modern Marxist theory of the state and democracy, so I review this theory briefly before explaining how sortition could become part of an anticapitalist political strategy.

## **A Marxist Theory of the State**

Marxist theory describes the operation of capitalism as a specific kind of economic system organized through a particular structure of class relations. Marxism describes the social processes through which capitalism develops, is sustained, and could eventually be transcended. At the center of each of these processes lies “the state,” a term that encompasses formal government institutions, laws and regulations, and less tangible social processes of governance within a society.

### *Development*

Wherever capitalism exists, the state has played a critical role, initially in consolidating the conditions for capitalist property relations and capital accumulation and subsequently in surmounting periodic obstacles to continued capitalist development. There was never a smooth, harmonious process of the state’s simply doing what was best for capitalism. State actions have been contested by both elites and popular social forces, and sometimes the actions of the state contributed to disruptions of capitalist development and even to catastrophic system failures. Fostering capitalism often requires dramatic—and contentious—changes in the fundamental structure of the state itself. Examples include the Meiji Restoration in Japan and the various episodes of revolutionary destruction of premodern state structures in Europe and elsewhere. At other times, more modest reforms of state institutions have been necessary to resolve crises effectively, such as when the Great Depression spurred the New Deal in the United States.

### *Sustaining Capitalism*

The state plays a pivotal role in maintaining (or “reproducing”) capitalism, particularly its class relations. Theoretical debates within (and over) Marxist approaches to the state focus on this “function” of the state, with some arguing that the very *form* of the state helps reproduce capitalist class relations.<sup>1</sup> Marxist state theorists have generally argued that the specific form of democracy in the capitalist state—pejoratively called “bourgeois democracy,” or more descriptively simply “capitalist democracy”—is designed to protect capitalism.<sup>2</sup> In particular, Marxist theorists argue that electing

political officials through competitive elections stabilizes capitalism by containing and deflecting class struggles.<sup>3</sup> The democratic deficiencies of elections play a positive role in reproducing capitalist class relations. Private campaign finance, for example, reduces the likelihood of anticapitalist parties prevailing in elections.

### *Transcending Capitalism*

Perhaps the politically most contentious debate within Marxist theory concerns the role electoral institutions can play in transcending capitalism. The destination beyond capitalism traditionally has been called “socialism,” but regardless of the label, the substantive aim is an economic structure with a relatively egalitarian distribution of income and democratic distribution of power.<sup>4</sup> Revolutionaries argue that electoral politics might aid political mobilization and consciousness raising and thus strengthen anticapitalist political parties, but robust socialist policies cannot occur within a capitalist democratic state. In this view, transforming class relations requires a rupture and transformation of the state itself through political revolution.

Reformists, by contrast, argue that even the rigged political system in a capitalist democracy can be used to transform capitalism. Campaigning for anticapitalist public policies can gradually tame the economy to counteract the most harmful aspects of capitalism. The challenge for reformists is using the machinery of the capitalist state to weaken the reproduction of capitalism and secure anticapitalist initiatives.

There is a third position in debates within the Marxist tradition over the problem of transcending capitalism. This third approach, which is neither strictly revolutionary nor reformist, advocates what has been referred to as “non-reformist reforms.”<sup>5</sup> Here, the idea is to struggle for reforms in the institutions of the state that have three kinds of simultaneous effects: they solve some pressing problem in the system as it exists; they enlarge, rather than close down, the space for future transformations; and they enhance the capacity of popular social forces to fill that space. The central argument is that the capitalist state is an internally contradictory configuration of principles and mechanisms, and thus it is possible, under appropriate historical conditions, to achieve such nonreformist reforms of the capitalist state itself. Simple reformists do not worry about the second and third effects; revolutionaries deny their possibility.

### **Sortition’s Radical Potential**

The question, then, is whether a sortition legislature would be receptive to laws challenging the dominance of capitalism. Relative to a conventional electoral body, would a sortition process be more likely to support or oppose popular mobilizations with egalitarian objectives, such as income and wealth redistribution? Would a sortition legislature be more likely to expand state provision of public goods and services and exert more control over the power of finance capital?

Answers to these questions depend on the political, economic, and cultural context of sortition reforms. That said, a more deeply democratic state structure should be more likely to raise issues of social justice. Ordinary citizens wielding legislative

power—with the opportunity to access sound information and to deliberate together—will be more open to reform and more skeptical about self-serving arguments for inequality preferred by elites. Citizen legislators should also prove more interested in finding policy solutions that push in egalitarian directions. Thus a sortition legislature should prove more capable than an elected one at reforming capitalism, as well as pursuing a trajectory that moves beyond capitalism.

If this prediction is correct, however, the likelihood that a capitalist state would permit the creation of a sortition citizen assembly is reduced. For the same reason that wealthy elites have supported political reforms that undermine electoral democracy, especially in the United States, they are likely to oppose reforming the representational mechanisms of the capitalist democracy, lest it become more receptive to egalitarian policies. The implication is not that sortition is impossible but that it will require significant political mobilization and struggle if it is to be instituted in a way that truly deepens the democratic quality of the state.

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### Notes

1. This was the crux of a famous debate between Ralph Miliband and Nicos Poulantzas in the 1970s over whether the state should be viewed as *a state within capitalist society* or as a *capitalist state*.
2. Thus Lenin described bourgeois democracy as the “best possible shell” for capitalism. Others, more modestly, see democratic institutions in the capitalist state as creating obstacles for anticapitalist policies rather than necessarily producing optimal policies for capitalism. This is Claus Offe’s view, e.g., in his arguments about the class biases of negative selectivity in the design of state institutions and, using slightly different terms, Goran Therborn’s argument about the class character of the organizational properties of state apparatuses.
3. There is a vast Marxist-influenced literature that makes this argument. For an analytically rigorous version of the argument, see Adam Przeworski, *Capitalism and Social Democracy* (New York: Cambridge University Press, 1986). For an extended discussion of the specific ways in which capitalist democracy impedes anticapitalist possibilities, see Joshua Cohen and Joel Rogers, *On Democracy* (New York: Penguin, 1983).

4. For a discussion of socialism as a radically democratic and egalitarian economic structure, see Erik Olin Wright, "The Social Compass," in *Envisioning Real Utopias* (New York: Verso: 2010).
5. The expression was coined by André Gorz, *Strategy for Labor: A Radical Proposal* (Boston: Beacon Press, 1976).

### **Author Biography**

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