

## Abstract - Open Source Democracy 2.0

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### *Internet / Democracy Dilemma*

Why hasn't the Internet transformed our democracy and governance the way it has transformed every other transactional activity in modern society?

This riddle has been addressed in academic circles for years now. One oft-cited theory is that the Internet *has* transformed our democracy – but rather than improving it, the transformation has been negative. On this view, the fake news and cheap speech spawned by social media and other Web technologies have diminished the control that political parties wield over their elected members, disrupting compromise and other mechanisms of bi-partisan governance.

This essay proposes a simpler, alternative explanation: the Internet hasn't transformed democracy because the right application hasn't been created.

The following essay describes, and demonstrates at a beta website, an innovative voting application that offers a practical solution to the problem of partisan politics in democratic governance. This application empowers democratic majorities by allowing them to commit their vote in future elections to candidates who support specific issues. As innocuous as this proposed Future No Vote (FNV) application may seem at first, when properly deployed it can bring any democracy (not just the U.S.) into the age of the Internet.

This new voting platform doesn't compete with established political parties as much as render them irrelevant. Following a classic Internet disruption pattern, the FNV application dis-intermediates the democracy marketplace by bypassing middlemen (political parties) and giving consumers (voters) direct access to their elected representatives.

The FNV app is versatile and scalable. It empowers majorities at the local, state and national levels, and overlays existing democratic institutions without requiring any change in, or authorization from, such institutions.

Link to this essay can be found at: <https://www.american-majority.org/learn/origins>

## Open Source Democracy 2.0

Various prophets of cyberspace have predicted that the World Wide Web will at some point transform our democracy the way it has transformed every other transactional activity in modern society. They foresee the emergence of some type of Web-based mechanism or venue that will fundamentally alter our democracy as we know it today.

One thinker in this realm is Doug Rushkoff, whose book *Open Source Democracy* (Demos, London, U.K., 2003) posits an analogy between computer software and the mechanics of democracy. He describes a computer program as a set of rules that defines how a computer processes input (data entry), and invites us to compare this to a democracy, where a set of rules (election laws) defines how the system will process input (votes). He then extends the analogy further by citing the advantages of open source computing, i.e. software written through the interaction and participation of many people works better than proprietary software created in a central planning environment. In this context, Rushkoff asserts, our democracy should be able to benefit from a similar open source renaissance – courtesy of the “emergent and participatory” properties of the Internet. This transformed democracy will result in the “redesign of political institutions in a way that enables new solutions to social problems to emerge as the result of millions of interactions. In this way, online communication may indeed be able to change offline politics.” (Foreword to *Open Source Democracy* by Douglas Alexander, MP)

What Rushkoff does not offer in *Open Source Democracy* is a description of these redesigned institutions. What will this new-and-improved democracy look like? How would it work? What would its impact be? How would it remedy the numerous flaws that are so debilitating, and yet so entrenched in our existing closed-source institutions?

Picking up where Rushkoff leaves off, this essay describes an innovative Web application called a "Future No Vote" (FNV) that has the potential to bring any democracy into the age of the Internet. Following a classic Internet disruption pattern, this new application dis-intermediates the existing democracy marketplace by cutting out the middlemen (political parties) and reconnecting voters directly to their elected representatives.

### Future No Vote

A Future No Vote is a voter's good-faith commitment to not vote for any candidate who doesn't support a clearly defined political option. A FNV Campaign is a website dedicated to soliciting FNVs for a specific (perhaps even local) issue. For example such a website might solicit on-line "signatures" in support of this proposition:

"I'm an Ohio voter and I don't plan to vote for any candidate in the next election, from any party, who doesn't support legislation requiring the State to provide compensation to individuals wrongly convicted and imprisoned by the Ohio criminal justice system."

Each voter's private Future No Vote is added (anonymously) to the totals displayed at the FNV Campaign's website. Appendix A (p.12 below) is a *pro forma* display of the aggregate results of a nationwide FNV campaign focused on women's reproductive rights. Appendix B (p.14) is a *pro forma* display of the aggregate results of a statewide (Texas) FNV campaign dedicated to gun control.

The simple act of collecting and displaying FNV data for specific issues has far-reaching implications for all stakeholders in the democratic process – voters, current officeholders, aspiring candidates, and issue advocates:

(1) When a FNV campaign succeeds in attracting a majority of voters in a given jurisdiction, it puts elected representatives on notice: they can either join with their constituents on this issue, or prepare to leave office at the next election (voters have committed in advance to remove them).

(2) The existence of a quantified, public majority provides "cover" for elected officials to vote (legislatively) with their constituents when the FNV issue is opposed by lobbyists and other money sources.

(3) Voters can express their preferences on issues of importance to them whenever they want, in real time, from their smartphone or computer, without having to wait for a candidate election to present them with options which may or may not produce the desired issue outcome.

(4) Voter concern about not tying their candidate vote to a single issue is counter-balanced by the prospect of the voter leveraging his/her candidate vote to effect change in multiple issues, not just one. When this key point is understood, many voters may conclude that FNV voting actually magnifies the power of their one candidate vote when it comes to election day.

(5) Sponsors of FNV campaigns can use real-time FNV results to assess which jurisdictions are competitive and can benefit from targeted campaign resources, and which districts are not competitive and don't warrant extensive campaign investment.

(6) In competitive districts where a FNV Campaign's results indicate a plausible chance of achieving a majority, the effort to solicit additional votes needn't rely on a strategy of convincing partisan opponents to change their minds. FNV Campaigns in many cases (depending on the issue) may be designed to appeal to citizens who are motivated by the issue but not currently registered to vote.

These (and other) unique characteristics of the FNV paradigm are explored further below, however before proceeding it is first necessary to acknowledge that this scheme will operate only if FNV voters go to the polls on election day and vote for candidates who support the FNV issues they've committed their vote to.

In theory this might appear to be a daunting hurdle. In practice the FNV application makes things easy: it supplies each FNV voter with all the needed information on or

before election day. FNV voters can request an email, or open their personalized AMP democracy dashboard app to learn which candidates on their ballot support the FNV campaigns they've subscribed to (each FNV campaign sponsor is responsible for monitoring and reporting the policy positions of the relevant elected officials and candidates). If more than one candidate qualifies, voters can use any secondary criteria they wish -- candidate bio, party affiliation, coin toss -- to sway their decision, knowing that whomever they choose will do what they want done.

Because FNV campaigns provide an alternative, non-partisan basis for deciding who to vote for, citizens who embrace this new voting venue may now ignore, if they wish, all candidate ads, party pronouncements, polling reports and media talking-heads. FNV voters no longer even need to know the names or party affiliations of the candidates they vote for -- a feature that may have particular appeal for those who have become disenchanted with the choices offered and outcomes produced by the two-party system. It may also attract the attention of citizens who aren't currently engaged in democratic governance, because FNV campaigns make it possible for them to vote for what they want without requiring any engagement with the partisan political theater (other than voting mechanically for an app-approved slate of candidates on election day).

To illustrate how this new voting paradigm might work in a real-world environment, the author has created a prototype multi-issue FNV platform at [www.american-majority.org](http://www.american-majority.org). Utilizing this beta site as a reference point, the remainder of this essay will address the following aspects of the FNV concept.

#### FNV vs. Petitions

#### Issue Vetting & Selection

#### FNV Campaign Governance

#### Issue Resolution & Disposition

#### Data Integrity & Validation

#### Potential Impact

#### Origin

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#### FNV Campaigns vs. Petitions

Petitions are the traditional way for citizens to approach their elected officials with problems they want addressed. Petitioners approach officials from a position of weakness: they are pleading with the authority to do something they otherwise cannot do themselves.

FNV Campaigns appear to be similar to petitions because their formats are similar -- they both approach authority about an issue with some quantified level of support from X number of citizens. In practice FNV campaigns are different from petitions because they approach officials from a position of strength. A Future No Vote campaign is not a plea, it's an ultimatum with a specific penalty for non-compliance: removal from office at the next election.

## Issue Vetting & Selection

By definition a FNV campaign can only achieve success by attracting a quantified majority of voters in a given jurisdiction, so the universe of prospective FNV issues is inherently limited to those that (a) are known (via polling or other quantitative methods) to have potential for passionate majority support; (b) are easily recognizable and understood by people who are new to the issue; and (c) can be expressed succinctly in the required double-negative FNV format. The initial example provided above (criminal justice reform in Ohio) is illustrative of the type of proposition that fulfills these three criteria. Ohio is one of 13 states that provides no statutory compensation to persons wrongfully convicted and imprisoned under state criminal law. In states that have recently enacted wrongful conviction compensation laws (e.g. Texas), the legislation was passed with overwhelming voter support.

The American Majority Party (AMP) beta website hosts [three nationwide \(federal\) FNV campaigns](#), each of which meets the criteria specified above. The first two are issue-specific, relating to women's reproductive rights and gun control:

"I'm a registered voter and I don't plan to vote for any candidate for Congress in 2024, from any party, who doesn't support passage of the Women's Health Protection Act."

I'm a registered voter and I don't plan to vote for any candidate for Congress in 2024, from any party, who doesn't support legislation requiring states to register and license firearms in a manner comparable to their regulation of cars and trucks."

In the real-world political climate of 2023, most polls show these two issues enjoy 60%+ majority support (depending upon how the question is framed).

The third FNV campaign on the AMP website employs the same future no-vote format but operates differently, by seizing control of a constitutional apparatus:

"I'm a registered voter and I don't plan to vote for any candidate for Congress in 2024, from any party, who does not support the immediate impeachment and conviction of Supreme Court Justice Clarence Thomas."

Because this third campaign is not an "issue" in the classic sense, there is no pre-existing polling data that indicates how this FNV Campaign would fare. It is not unreasonable to infer, however, that the passionate majorities supporting the first two issues would also support this (or a similar) initiative.

In its generic form . . .

"I don't plan to vote for any candidate in the next election who does not support the immediate impeachment and conviction of [name of elected official]."

. . . this variation on the FNV campaign produces the equivalent of the "vote of no confidence" that is a defining feature of parliamentary democracies. Should Americans elect an executive (governor or president) and it becomes readily apparent the officeholder is not performing responsibly, the above-referenced FNV campaign offers voters a way to force removal of the executive before the end of his/her term if elected representatives, constrained by partisan politics, decline to initiate impeachment on their own.

In this form it becomes self-evident how FNV campaigns have the ability to supersede the partisan gridlock that paralyzes our democratic institutions, by using the mechanisms of democracy itself to impose the will of the majority. Note that this approach requires no change in, or authorization from, existing institutions. By way of analogy, FNV campaigns can be seen as a new operating system for our democracy, one that allows users (voters) to continue working with the same applications they're used to, but gives them access to new features that work better than the old ones.

On a much smaller scale the FNV platform could be utilized by a passionate local (municipal) majority that is opposed, for example, to a specific real estate development that they believe threatens the character of their jurisdiction. As envisioned at the AMP website, each FNV voter would have log-in access to a personalized "democracy dashboard" that provides tools for initiating and participating in FNV campaigns at the local, state and federal levels.

The origination, vetting and selection of new (national) issues on the AMP website is organized along open-source lines. Registered voters who have pledged their future candidate vote in at least one FNV campaign can volunteer to participate in one or more AMP issues subcommittees. These issue subcommittees are led by volunteer moderators. Moderators will have access to innovative survey tools that will enable them to consolidate similar propositions and maximize the consensus of the subcommittee members (who may number in the thousands).

When a subcommittee achieves consensus on the wording of a new FNV Campaign, the moderator will submit it to the AMP's Issues Committee, which maintains a queue of vetted, pending campaigns. The Issues Committee ultimately decides which issues get promoted to the top, and when.

The AMP platform is currently configured to display only three national FNV campaigns at any given time. When a successful campaign is removed, the Issues Committee



would decide which of the [pending FNV Campaigns](#) to activate. The pending campaigns on the AMP beta website should be considered placeholders, i.e. examples of issues that might fulfill the FNV qualifying criteria described above.

In a democratic landscape where a FNV platform like the American Majority Party has proven its ability to influence candidate elections and is in full-fledged competition with existing political parties, its Issues Committee could wield considerable influence by virtue of its control of this roster of active FNV campaigns.

### Issue Committee Governance

The core innovation of the FNV campaign is that it empowers democratic majorities by establishing a transparent, public link between voters and their elected representatives with respect to specific issues. If FNV campaigns can in fact override the democratic and partisan institutions that serve to protect the interests of minorities, the question of who controls the FNV campaigns becomes significant (cf. the French Revolution and other instances of abusive majority rule). For example, in the voluntary open-source environment envisioned, would it not be possible for an issue subcommittee to be commandeered by a demagogue who could turn a FNV campaign into an instrument of mob rule?

The hypothetical American Majority Party has no legal organizational structure, however the integrity of the proposed issues subcommittees could be addressed and assured in a two-step process:

- (1) At the subcommittee level, In order for any issue to be considered for a FNV campaign, it must meet the three qualifying criteria (a), (b), and (c) defined above (under [Issues Vetting & Selection](#)). The subjective application of these criteria will be controlled by each subcommittee's peer-elected leaders, however their ideological perspectives are irrelevant because by charter the subcommittees are mandated to consider only FNV campaign proposals that have demonstrable majority potential. A majority of the subcommittee's members is not enough: the subcommittee must present concrete evidence (from polling or other quantitative methods) that a clear majority of all voters would passionately support the proposed FNV campaign.
- (2) After passing through the subcommittee vetting process, all proposed FNV campaigns must then be approved by a separate executive Issues Committee, which operates under the same charter constraints as the subcommittees.

### Issue Resolution / Disposition

Once an issue with passionate majority potential has been vetted, approved and listed as an active FNV campaign, supporters of the effort will still face the same challenges that every other political initiative faces: building public recognition and awareness for the issue, lobbying for official endorsement and support, fundraising to support these efforts, etc. While these barriers are certainly present for all such efforts, FNV

campaigns are custom-made to benefit from the "emergent and participatory" (i.e. viral) properties of the Internet. As has been demonstrated in numerous democratic uprisings around the world, social media and messaging technologies can generate issue-specific majorities very quickly. It's also reasonable to anticipate that within a given jurisdiction the first successful FNV campaigns will gain the electorate's attention and make it easier to achieve majority critical-mass in later efforts.

Once the legislative or policy change called for in a FNV campaign has been enacted, that campaign is closed down and all citizens who pledged their vote in support of the campaign are notified via email that the objective has been achieved.

### Data Integrity and Validation

The effectiveness of FNV campaigns will depend (among other things) on a perception by voters and politicians that the vote tallies displayed at FNV campaign websites are real: that the people who have signed up and pledged their votes in FNV campaigns are actual registered voters and not robots or fraudsters or accidental duplicates.

The AMP beta site is currently functioning on a partial honor system (this framework can be adjusted if experience suggests a different approach is required.) On-line visitors who state that they are registered to vote and provide their voter registration address can pledge their future candidate vote to one or more issues-specific FNV campaigns hosted at the AMP website. Standard CAPTCHA methods and email confirmation protocols are used to prevent fraudulent or robotic registrations.

In actual operation, to assure the integrity of its reported FNV pledges, AMP would organize a regimen of regular sampling verification, in which one of every X number of registered users would be manually validated by comparison with public voter registration rolls. Using consistent and transparent sampling techniques, the integrity of the user base can be assured within a relatively small margin of error. Should the sampling reveal a higher rate of fraudulent participation than desired, the frequency of sampling can be increased until the desired standard is met.

In the aftermath of the 2020 presidential election, the integrity of the voting process itself came under direct attack from the losing candidate. Although no evidence of voting irregularity has been uncovered on any scale, the allegations have given rise to a widespread distrust in democratic processes.

In an effort to counter such perceptions, FNV campaigns (and the AMP website) would employ Electronic Receipt Voting and Blockchain technologies to provide maximum transparency in the platform's operations. Eventually voters could restore similar confidence to candidate elections, by supporting an NVP campaign that requires all candidate elections to utilize similarly transparent voting technologies and protocols.

### Potential Impact

If FNV campaigns succeeded in empowering the electorate to assert direct control over



specific issues and became a mainstream feature of the American political landscape, what impact might it have on our democracy?

While acknowledging there may also be unintended consequences, the following potential trends/outcomes seem plausible if not likely.

### **\*\*Increased Voter Participation\*\***

According to the US Election Project at the University of Florida, about 108 million voting-age citizens stayed away from the polls in the 2016 US election (46.9% of 231 million eligible voters).

There are multiple reasons people choose not to vote. Some citizens don't want any involvement in civic life (e.g. they don't want to be called to serve on juries) and so don't register to vote. Others might be willing to become involved, but don't want to have to learn about the various candidates in order to make an informed voting decision. Others are driven away by the torrents of attack advertising that blanket the media during election season. A common perception among many non-voters is that politicians say what they have to say to get elected and then proceed to do what their major campaign donors want. There's no trust, and no accountability, so why bother?

FNV voting may appeal to individuals who have not voted in the past because it doesn't require any ongoing awareness of, or involvement in, partisan politics. On election day the FNV application identifies for FNV voters which candidates they can vote for based on the issue(s) they've pledged their vote to.

FNV voting also offers accountability: when an issue-specific FNV campaign is successful (i.e. the legislative proposition has been enacted), the FNV voter knows his/her vote has been counted and has made a difference. There is measurable progress. The AMP website provides a [side-by-side analysis](#) of the relative merits of FNV voting compared to traditional candidate voting.

If the availability of FNV voting produces even a modest uptick in voter participation, the political landscape could shift in various ways. One example: increased enfranchisement in congressional districts that have been gerrymandered for decades could shift the balance of voting power enough to make elections competitive again.

### **\*\*Overcome Special Interests\*\***

Elected officials (in Congress and elsewhere) are cautious about offending their money sources, so in legislative battles they sometimes vote "with the money" even when their conscience or their constituents suggest otherwise. If a sitting politician can show via the AMP website that a majority of his constituents support a certain issue, it provides "cover" for legislative votes that are unpopular with his/her money sources.

### **\*\*Alternative to Two-Party System\*\***

The two-party system has dominated American democracy since the republic's founding, but it doesn't exist by virtue of any constitutional prescription or other

mandate. Partisan politics was in fact a subject of concern to the nation's founders. John Adams, prior to becoming the nation's second president, said:

"There is nothing which I dread so much as a division of the republic into two great parties, each arranged under its leader, and concerting measures in opposition to each other. This, in my humble apprehension, is to be dreaded as the greatest political evil under our Constitution."

George Washington echoed these sentiments, with considerable detail and elaboration, in his 1796 [farewell presidential address](#). In his classic 1834 treatise *Democracy in America*, Alexis de Tocqueville dedicated an entire chapter to the corrosive effect of partisan politics on democratic governance.

Yet with all its flaws the two-party system continues to dominate our political landscape -- possibly because the electorate has never been presented with any other alternative. FNV campaigns offer the equivalent of a new operating system for our democracy: they don't compete directly with political parties as much as render them irrelevant. FNV voters are concerned primarily with what they want their government to do; who's doing the legislative work, and what party they belong to, is of secondary (or lesser) concern.

Whenever a new competitor enters an old market with a product that's easier to use and delivers better results, the established players are forced to change. Traditional political parties will either come up with something that competes effectively with FNV campaigns, or they will fade in influence and appeal.

### Origin

Neal Rechtman is an American writer and an amateur scholar of Louis D. Brandeis, the Supreme Court justice of the last century. Rechtman credits author Doug Rushkoff ([Open Source Democracy](#), 2003) for posing the question: why has the Internet not had the same transformative effect on democracy as it has had on everything else? He then credits Louis Brandeis for leading him to the answer.

In the early 1900s, as a public interest lawyer, Brandeis pursued the insurance industry for its door-to-door sales of term-life policies to urban industrial workers. The policies were of little value and insurance company executives were lining their personal pockets with the huge profits being reaped. Just months after being exposed the insurance companies resumed their corrupt practices, and Brandeis countered by inventing, from scratch, what is still known today as Savings Bank Life Insurance.

In the modern lingo, Brandeis invented a new "app" that gave the working poor a different way to buy life insurance, using a channel that completely bypassed the established industry. Along similar lines, the Future No Vote application gives citizens an alternative channel for communicating with their elected representatives, bypassing completely the established political parties and monied special interests.

## Conclusion

Only future events can prove or disprove the validity of the FNV concept. Will citizens who are accustomed to voting just for candidates be able to embrace a totally new democratic operating system, a form of derivative voting, and use it to effect fundamental changes in democratic governance? Rushkoff for one seems optimistic (*Open Source Democracy* p. 64-65):

“The new transparency offered by the interactive mediaspace makes information available to those who never had access to it before. Access to media technology empowers those same people to discuss how they might want to change the status quo. Finally, networking technologies allow for online collaboration in the implementation of new models. In a sense, the people are becoming a new breed of wonk, capable of engaging with government and power structures in an entirely new fashion.

“This marks a profound shift in our relationship to law and governance. We move from simply following the law to understanding the law, to actually feeling capable of writing the law: adhering to the map, to understanding the map, to drawing our own.”

Appendix A  
National FNV Campaign Status

*Pro Forma* display of the aggregate results of a nationwide FNV campaign focused on women's reproductive rights.

FNV Campaign

"I'm a registered voter and I don't plan to vote for any candidate for Federal office in 2022, from any party, who does not support passage of the Women's Health Protection Act."

	Registered Voters	Majority Threshold	Future No Votes Pledged
Nationwide	166,000,000	83,000,000	62,568,334
US House of Representatives	Registered Voters	Majority Threshold	Future No Votes Pledged
AL - 1st District	328,000	164,000	132,561 *
AL - 2nd	304,000	152,000	101,233 **
AL - 3rd	322,000	161,000	26,558 **
AL - 4th	318,000	159,000	35,512 **
AL - 5th	260,000	130,000	27,221 **
AL - 6th	288,000	144,000	122,121 *
AL - 7th	234,000	117,000	212,156 ***
Etc. to 435			
US Senate	Registered Voters	Majority Threshold	Future No Votes Pledged
AL - Senator X	2,316,000	1,158,000	999,985 *
AK - Senator X	354,000	127,000	144,000 **
Etc. to 34			

\* FNV total is within reach of the majority threshold, suggesting to issue advocates that they can effectively focus campaign resources in this district.

\*\* FNV total is significantly less than the majority threshold in this district, suggesting to issue advocates that they not expend significant campaign resources in this district.

\*\*\* FNV total exceeds the majority threshold, notifying elected representatives they must act on the issue or face removal at the next election.

Appendix B  
Statewide FNV Campaign Status

The following is a *pro forma* display of the aggregate results of a statewide FNV campaign focused on gun control.

FNV Campaign

"I'm a registered Texas voter and I don't plan to vote for any candidate for statewide office in 2022, from any party, who does not support passage of the Sensible Gun Control Act."

	Registered Voters	Majority Threshold	Future No Votes Pledged
Texas House			
District 1	80,250	40,125	36,888 *
District 2	88,488	44,244	25,265 **
District 3	78,980	39,490	43,555 ***
Etc. to 150			
Texas Senate			
District 1	422,100	211,050	199,985 *
District 2	456,202	228,101	163,561 **
District 3	402,318	201,159	285,221 ***
Etc. to 31			

\* FNV total is within reach of the majority threshold, suggesting to issue advocates that they can effectively focus campaign resources in this district.

\*\* FNV total is significantly less than the majority threshold in this district, suggesting to issue advocates that they not expend significant campaign resources in this district.

\*\*\* FNV total exceeds the majority threshold, notifying elected representatives they must act on the issue or face removal at the next election.