

## **The Coda V.1**

Falling real wages and rising hours, a crumbling middle class and depressed workers. Yet the richest are richer than ever before, and get ever richer still. Endless wars of greed, environmental destruction, and loss of human freedoms. How did we come to this point? ‘Capitalism’, or ‘the free market’, has not created this outcome. As an economic model to promote innovation and wealth generation, we have none better than capitalism at present.

One significant reason why we face this outcome is that a small but powerful proportion of citizens game our system. They sell dreams, but prevent a free market. They sell fear, yet create conflicts. They are powerful, and grow ever more powerful as they suck up a disproportionate and obscene level of wealth. They have gamed the system by securing both indirect and direct control of our political and socio-economic systems. We now live in the age of ‘crony capitalism’. At a distance we citizens appear to enjoy a free economic and political market place, but this is a daily illusion.

Crony capitalism describes the distortion of government and its structures by a small proportion of citizens, who use wealth to gain undue influence upon the laws of the nation, for their own benefit and not for that of ordinary tax-paying citizens as whole.

We now see a vast aggregation of wealth concentrated in the hands of a very small proportion of our populations. That small proportion naturally desire to increase their own benefit, but our systems have failed to prevent the resulting cronyism. That natural desire cannot be permitted to warp and pervert the neutrality of the citizens’ government. The citizens’ government operates for the whole nation, not only the wealthiest.

Communism, fascism, and crony capitalism are all equally dangerous. Each ultimately result in control by one dominant group over the vast majority of citizens. The latter do not enjoy the fruits and freedoms created by their work; instead they pass them up to the top of the pyramid. Is this the path to slavery?

Cronyism is the enemy of best progress, best wealth creation, and social freedom. A new and democratic way to prevent cronyism, as well as communism and fascism, is proposed in this essay: the *Coda*.

***‘coda’, a noun***

**- a piece at the end of a longer piece, usually separate from the basic structure**

This essay aims to promote and strengthen existing democracy, and not to undermine or replace institutions. By a series of principles, the essay articulates the creation of interlocking ‘add-ons’ or ‘firewalls’ for democratic systems, to insulate from the damaging effects of corruption.

These are called the Coda principles, for they are applied to our hard-won and precious democratic systems, in response to our current needs. These principles do not promote one ideology over another, except to the extent that they are a bulwark against any ideology which could establish slavery.

## **An Introduction**

1. Imagine the world in which you would want to live. A world in which you would want your children to live. Would that world be led by the same types of political leadership we endure now? Or would it be led only by the *most* brilliant, wise, and loyal servants? Do we want leaders who plant trees which they can never sit under?
2. Great political leadership leads to great national outcomes. Corruption always creates gross inequality, social decay, anger, and loss of freedom. Our democracies are affected by two main problems:
  1. The brightest and best of us rarely become our government leaders.
  2. Government leadership is extremely vulnerable to corruption, or is corrupt.
3. Disillusionment with government is treated as a fundamental characteristic of society. But, if we wish for great leadership we must instead set higher standards. Every nation has had bright, honest, courageous visionary leaders. Great leadership should not be the citizens' occasional good fortune; instead it should be a regular consequence of the design of the democratic system.
4. So, what is a great government leader? They must be pure and correct. A great leader is an excellent servant, selfless, and accountable only to their constituent citizens and to no other master. Excellence and total loyalty are essential characteristics for those worthy of wielding the sovereign power.
5. Yet, our current systems promote political careerists with short-term outlooks. Leaders are compromised or limited in their duty towards their constituents, by competing allegiances to a political party, donors, and wealthy interests. Leaders are subject to temptation by offers of personal and familial financial betterment, to the detriment of the citizens as a whole. We have leaders with good intentions made ineffective by a corrupted system. We have leaders unable to compete intellectually with the wealthiest parts of the private sector.
6. Remember that it is the citizens who give government leaders sovereign power, which is the highest power in the land. Sovereign power provides authority to make laws which bind us, or which promote our freedom. Each citizen understands that use of this power may result in their own benefit or harm. Sovereign power is therefore supremely precious, and those who wield it occupy the highest office in any nation. This power has always been coveted by special interest groups which seek to gain an advantage by corruption of government leaders. It will always be coveted.
7. It is citizens who have the responsibility to protect their systems of governmental leadership from corruption, and it cannot remain only the corporately owned media and governments' responsibility.

8. It is time for the citizens to strengthen their democratic systems via four interlocking changes.
9. First, change the system of payment of government leaders to attract the very best leaders, and to insulate leaders from corruption. To achieve these two things, government leaders' only income shall be their state salary, and their pension upon exit from office. Governmental leaders' state salary and pension will need to be very high, to compete with the lure of private industry. The main reasons why this is necessary are (i) to reduce temptation to be corrupt; (ii) to access to the widest possible range of talented candidates; (iii) to compensate for the surrender of significant private rights; and (iv) to reflect the status of the exercise of sovereign power. Simultaneously, there shall be devastating penalties for income received privately. A paradise for loyal excellent service, a desert for dishonesty.
10. Second, prohibit government leaders from holding allegiances to any other organisation or body of people, to ensure that their constituent citizens are secure in their elected leaders' protection of their rights and dignity. A limit on leaders' private life rights to associate with external organisations in preference for total service and loyalty to their constituent citizens is controversial only to a leader who would prefer private interests and to those who seek to gain, or benefit from, undue influence over our leaders.
11. Third, the prohibition of funding for leadership candidates by private sources. This will free candidates from future obligations to large private funders to favour their duties to their constituent citizens. Election campaign spending shall be funded by civic society as a whole, in tranches, for campaign costs to candidates with the required signatories of support within their constituency. The tranche mechanism would minimise funding abuse and state involvement, and encourage greater local civic involvement by candidates.
12. Fourth, these three systemic changes shall be overseen by a new fourth branch of state, wholly independent of the government branches (the first being the legislature, the second the executive, and the third the judiciary).
13. The fourth branch shall be the 'Citizenry and Commons' (hereafter the 'CC'). The CC shall be fully empowered to safeguard the instruments of democracy against corruption. The CC shall not make law, but will instead empanel citizen juries to determine credible allegation of corruption in any branch of government, and to enforce the Coda principles. The CC shall be overseen by citizens, chosen at random and similarly to the appointment of jurors, to administer funding for election campaign costs. This fourth branch of state shall promote democracy by the creation and maintenance of a neutral digital and legacy media 'commons', where candidates will be provided media platforms for advocacy, in addition to those available in the privately owned media.

14. The Coda principles ‘hardwire’ integrity into government. Trust is no longer subjective. It is a structural change, which elevates the power of citizenry to prevent the risk of democracy’s corruption. When government leaders do not or cannot secure the primacy of their constituent citizens, the democratic voice is silenced. Let us remodel our structures, to provide citizens with well-founded knowledge that their leaders are uncorrupt servants.

### **The Coda Principles**

15. The following principles are made as constitutional law:

**1. All heads of state, and those elected to the national legislature and national executive shall:**

- 1. Be prohibited from directorship, shareholdings, membership of, allegiance to, or any financial benefit from any other organisation or person.**
- 2. Shall disclose and divest all previous directorships, shareholdings, assets, membership of, allegiance to, or any financial benefit from any other organisation or person.**
- 3. Be prohibited from claiming expenses for their office.**
- 4. Be prohibited from taking action or influence in a matter by which their family may distinctly benefit in a financially material sense.**
- 5. Be remunerated solely by state salary at ‘N’<sup>1</sup> multiple to the national median salary.**
- 6. Upon conclusion of their term of office, be prohibited from receiving any material financial benefit from any source other than state salary and pension.**
- 7. Upon conclusion of their term of office, shall be remunerated by pension at ‘N’ multiple to the median salary, unless they have been placed on ‘special measures’.**
- 8. A candidate for leadership shall be prohibited from receipt of funding other than from the state fund, and shall be prohibited from acting in concert with a third party to receive a material benefit in furtherance of an election campaign.**

**2. ‘Special measures’:**

- 1. Where Coda §1.1, §1.2 or §1.4, or §1.8 are breached, or where an elected leader is convicted of a criminal offence attracting a potential sentence of at least 12 weeks’ imprisonment, that elected leader shall be deselected from office.**
- 2. Where a leader is deselected under §2.1 or breaches §1.6, punishment shall include (i) confiscation of all assets from all direct recipients of a material benefit; (ii) confiscation of all assets from any individual facilitating a material benefit to a leader; and (iii) thereafter remuneration to be at a subsistence level indefinitely for the former leader, and for five years for direct recipients of the material benefit and for facilitators of the breach.**

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<sup>1</sup> ‘N’: a numbered amount, applied as a multiple to the median income, which is adequate to be wholly competitive to the earnings of the leading executives in private industry in a nation state.

3. A leader may also be deselected by an extraordinary vote by the constituent citizens, as may be provided in ordinary domestic electoral laws.
  4. Where a candidate for leadership has breached §1.8, punishment shall include (i) confiscation of all assets held by the candidate or leader; (ii) confiscation of all assets from any individual who acted in furtherance of the breach; (iii) remuneration to be at a subsistence level indefinitely for a former leader or candidate, and for five years for any individual who facilitated the breach.
  5. Where a candidate has breached §1.8, they shall be disqualified from future candidacy for public office thereafter. Where another person has facilitated a breach of §1.8 they shall also be subject to a term of imprisonment, in addition to §2.4 financial penalties.
3. Elections to the national legislature and national executive shall be funded by the public purse only.
  4. Election media reporting shall require that any media output during the 12 weeks prior to election must describe:
    1. Where that media company may have more than 50% of its ownership held by non-national citizens;
    2. Where any media output has been paid for by a third party, the identification of that third party, and the source of their funding; and
    3. Breaches of §4.1 or §4.2 shall result in a fine of not less than 5% of annual global turnover for the media company.
  5. A fourth branch of state shall be created and maintained, the CC, by which citizens as selected by ballot shall:
    1. Investigate and prosecute any breach of these Coda principles without hindrance;
    2. Protect whistleblowers as to corruption of the state offices and elections;
    3. Oversee election integrity and the funding thereof;
    4. Create and maintain a 'commons', by which effective platforms shall be provided for use by citizens to exercise free speech and association rights; and
    5. Only be selected by ballot where that citizen has completed the fourth branch's civic competence qualification.

**The Ideology of The Coda, is pro-democracy**

16. The Coda principles promote 'democracy', i.e. rule by the people, and not rule by some of the people. Democracy at its most fundamental level is an expression of dignity in self-determination by individuals,

gathered together as a society. Democracy is a rejection of slavery and of tyranny, both of which oppose individual self-determination.

17. Citizens, as divided into groups called constituencies, freely elect fellow citizens as leaders to better protect and promote those citizens' self-determination. Elected leaders govern by making law as 'legislators' or by executing and enforcing the law as the 'executive'. Legislators and the executive are two branches of government. A third branch is the 'judiciary and courts', by which disputes over breaches of the ordinary law are decided.
18. Government is not inherently 'evil' or 'good', as, like a machine, building, or family, it is the operators, inhabitants or members that determine its nature. Government is simply a structure to order the protection and promotion of citizens' freedom and safety, in a society of individuals acting according to their own self-determination.
19. The citizens, in whose inherent right to self-determination sovereignty originates, must be able to resist or check their exploitation and domination by the government. Traditional thought suggests that this is properly done by free elections, and by the rule of law (which dictates that all citizens, including those in government, abide equally by the rules). The ability to resist or check government exploitation or domination is also founded in the right to freely hold, debate, and exercise a plurality of views. Free elections, the rule of law, and freedom of speech protect the very essence of self-determination in society.
20. But what happens if the systems of election and the branches of government are corruptible or have become corrupted? Can, or will, a corrupt or corruptible organisation effectively police itself?
21. Existing political parties and privately owned media will rarely try to change our system to make it incorruptible. Such a change will not obviously benefit them or their paymasters and donors. He who pays the piper calls the tune.
22. Citizens may choose to be hopeful that our current democratic structures serve us rather than wealthier interest groups. Knowing, as we do, that sovereign power is dangerous in the wrong hands, is 'hope' a proper strategy? Hope will not protect the citizens from the cynical, corrupt, and relentlessly greedy.
23. The structure of the political system should be of a design to make it nearly impossible for leaders to be corrupt, to free them to only lead according to their own good conscience and duty.

## **On Democratic Corruption**

24. Citizens understand what ‘corruption’ is in an everyday sense. To be specific though, it is the departure from what is ‘pure and correct’. Democratic corruption is the departure from pure and correct democracy; it is the relegation of the best interests of constituent citizens. To aspire to be pure and correct is a high standard, and justified by the serious responsibility of sovereign power, which must not be subverted. To secure a pure and correct democracy requires the rejection of both actual corruption and its possibility.
25. A democratic leadership system is corrupt or corruptible, or appears to be either, where any of the three following conditions exist:
1. Citizens’ leaders are unprotected from exploitative effects of capital, where there is an opportunity for abuse and funnelling of payments, to favour a private interest rather than the constituency citizens’ interest. For example, where that leader is remunerated from private sources during or after the time of leadership;
  2. Leadership loyalty is divided or shared, where a leader is loyal or allegiant to another organisation or body of people, in addition to their duty to their constituent citizens;
  3. Leadership lacks transparency and is resistant to criticism where a leader is not proactive, or is unaccountable, in evidencing integrity and anti-corruption measures.
26. The purchase of government influence is rarely achieved by crude quid-pro-quo methods. Instead a variety of channels exist, including but not limited to: lucrative directorships during and/or after office, donations to leaders and ex-leaders’ charities, engagements, special deals and options, and access to offshore financial products. Leaders with significant business investments and interests, or with designs upon investments, are inevitably affected or vulnerable in their decision-making.

### **Buying leaders - let the citizens own their servants**

27. If the citizens fail to buy their government leadership, then someone else wealthy will. By paying government leaders a salary which is competitive with the private sector and adequate for a life, with no other income source (a ‘life wage’), the citizens will enjoy the power of being an owner not a renter. The life wage is supported by a simultaneous threat of massive punishment for breach of the Coda, by which a disgraced leader would lose all assets and live on subsistence payments thereafter: a life on subsistence.
28. Faced with the reward of substantial lifetime wealth for their honesty or a punishment of total lifetime loss for dishonesty, the personal self-interest of leaders shall then instead deter corruption and not enable it. There can be no middle ground here. Government leadership will be regarded as a role of integrity and worth. The citizens will attract the most talented candidates, and shall deter the dishonest and inept.

29. The idea of paying our leaders a wage competitive with the private sector may provoke initial rejection. Common sentiments are likely to include *“Corruption is not a problem”*; *“Government leaders should not be concerned with riches, they should be noble anyway”*; *“they don’t deserve to be paid that well”*; and *“not with my taxes”*.
30. Whether or not you believe that governmental leaders are in fact targeted and corrupted, by business interests or by any other special interest groups with significant capital, the simple risk of it happening is real where political leaders can be paid from private sources. The magnitude of harm if corruption happens is sufficiently grave to require strong protective measures. Political corruption is not simply a parasitic threat: it perverts and changes the very nature of government into a foreign creature, which feeds on law-abiding citizens. Corruption turns government into an instrument of exploitation. Government becomes a subsidiser of business owners and corporate wealth, at a high cost to tax-paying citizens.
31. Modern government is a regulator of the economy and business, setter and collector of taxes, typically one of the largest employers in the nation state, and a creator and awarder of the most valuable contracts. Government does business with business, to govern. Government uses sovereign power to control businesses, to ensure that they do not harm citizens in the pursuit of profit. Frequently (though not advocated here), government acts to stimulate business growth and profits using various methods. Business, in turn, driven by an appetite for the highest-possible profit, seeks to influence government in its favour.
32. When political leaders take uncompetitive wages, it creates a structural weakness for exploitation by private wealthy interests that wish to gain undue influence. Receipt of an uncompetitive wage is irrelevant to a leader who uses political power for personal gain or the gain of friends. Uncompetitive leadership wages stimulate a political culture of mutual back-scratching with wealthy non-government groupings, which either tempt leaders, or handicap the progress of pure leaders who operate among the corrupt.
33. Are we not surprised or fatigued by politicians who after leaving their public role show or amass huge earnings from business? Are we citizens secure, when forced to rely upon their indignant promises that their government decision-making is or was wholly unaffected by the promise or expectation of personal benefit?
34. The Coda principles establish a very positive incentive (a life wage) and a very negative disincentive (a life of subsistence upon breach) against corruption.
35. The *Coda* wage for life extinguishes the opportunity for government leaders to receive private earnings during and after their terms of office. Rarely is old-fashioned ‘graft’ (a direct payment for a vote or decision) detected. Instead, material benefits are secreted to the corrupt leader by less clumsy and more

subtle methods: promises; nods and winks; hidden offshore accounts; charitable donations; preferential deals; discounts; directorships; paid-for speeches; inside information; and the list goes on and on, and on.

36. Under The Coda, a harsh penalty for receipt of any private sources of income is not limited to the leader. Other persons who facilitate democratic corruption, or who knowingly benefit in addition to the government leader, are also caught by the terms.
37. To truly prevent corruption, it must be easy to audit the target of investigation. The life wage as a single source of income is extremely simple to audit. This will secure public confidence that leaders' actions have only been in service of their constituent citizens. Making the discovery of political corruption simpler will have other powerful repercussions. It will make corruption easier to stamp out, and preserve the best interests of constituents. It will alter the current culture of politics, where leaders have little motivation to act against fellow peers who are corrupt, for fear of harming corrupt allies or themselves. A culture change in political leadership can elevate its profile to that of a noble profession. In turn, this would raise internal and external expectations and make the job more attractive to a wider pool of talented candidates.
38. The life wage allows the citizens to attract the best candidates to the highest office, with respect to the material benefit. To ensure that democracy is protected, and citizens' freedoms best protected, leadership of government must be at a minimum equivalent in intellectual ability to those it does business with and against. Business and finance typically offer massive salaries and pensions for the brightest and most-capable citizens. In a free capitalist society, generally speaking, if you want the best you have to be prepared to pay for it, or at least you have to be prepared to compete against those who are prepared to pay for it. Political leadership salaries currently provide no significant attraction for many talented potential leaders, who must choose between large salaries or public service, and so opt against the latter. This limitation denies the citizens the widest range of leadership candidates.
39. Wealth, or lack of wealth, of a leadership candidate also ought to be neither an impediment nor a disincentive to apply for leadership. A life wage must thus satisfactorily attract and compensate leaders who are required to divest themselves of all pre-existing wealth, to ensure that they receive no private income, upon commencement of a tenure of leadership.
40. Many current political leaders do not deserve to be paid a life wage. Our current leaders have often ascended to power not because they are the best, but because they have navigated the party political system to secure nomination, and secured the consequent package of campaign support. The Coda proposal of new funding routes to elect leaders will remove the vice-like grip of political parties upon which leaders we get.

41. It is tempting to cry “Not with my taxes!” at the prospect of paying a life wage to leaders. This is a false economy, because the alternative cost is far greater. When leadership is bought by the few, the many end up paying. Subsidies, tax-breaks, and bail-outs for banks and businesses are all paid for by the taxpayer. Stagnant wages, job insecurity, and spiralling living costs are all suffered by the ordinary consumer. The citizens can pay a little more up front to pay a lot less later.
42. The stakes of this game are so high, the riches to be made from corrupting government so immense, that wealthier groups do pay forward in the expectation of securing themselves that advantage. Knowing this to be human nature, let the citizens use their unrivalled strength in numbers to guard their turf. It is simply short-sighted to complain about the use of citizens’ taxes to secure citizen rights, when the alternative is higher living costs, lower wages, and lost freedoms.
43. When people say that they want government leaders who are unconcerned with personal wealth, what they really mean is that they want their leaders to be unswayed by personal greed from prioritising constituents. In principle, earning wealth in return for doing a difficult and valuable job cannot be inherently objectionable. By everyday experience we see that earning wealth as a result of excellent ability and effort has been an efficient and dynamic driver of social progress. It is also a fantasy to suggest that a person interested in material wealth cannot also be noble, compassionate, wise, intelligent, and decisive. Many public sector workers in challenging and valuable jobs in service would themselves enjoy greater wealth. If they received it, in return for that work, would that suddenly erase their integrity?
44. Wanting government leaders who are unconcerned with personal wealth is, in reality, a call for leaders who make personal sacrifice for the public benefit, to demonstrate integrity to constituents. To sacrifice is to give up something personally valued, for the gratification of something else more important or worthy. Sacrifice is useful in its tendency to show loyalty and commitment, as a relegation of the personal for the benefit of the other people. Under the Coda principles, sacrifice is made not by receiving uncompetitive wages, but instead by a surrender of all personal wealth earned before becoming a leader, and of all future opportunities for private earnings. Sacrifice is also made by the limitation of leaders’ freedom of association rights while in office, where they shall be prohibited from membership of or allegiance to any other organisation. Sacrifice is made by leaders and ex-leaders’ submission to permanent transparency for life, to allow for the monitoring by audit of all wealth enjoyed by them.

### **Buying elections - let the citizens secure fair and open elections**

45. The citizens’ exercise of free speech and their organisation by association, in the advocacy of their views on how we operate as a society and who leads us, is called ‘Civic Discourse’. Free speech and the freedom of association are two sides of the same coin, and are essential to democracy and self-determination.

46. Money is currently spent on democratic election campaigns in the following ways: spending by a candidate from a personal fortune; private donations to a candidate or an organisation; and buying media influence. Money is spent by citizens and by wealthy groups and businesses to advocate their interests. It has been said that free speech includes the right to spend private money on elections.
47. All fundamental rights have been established and preserved by the right to speak freely. The right to free speech is powerful and essential, but also nuanced. The right to free speech is not absolute, it can be sensibly limited to prevent serious social harms, such as incitements to criminal offences, harassment, libel, or contractual misrepresentations. Public servants and military leaders often, by convention, limit their speech to prevent politicisation of necessarily neutral public institutions. Foreign states and non-citizens may be reasonably prohibited from domestic election campaigning.
48. The crucial role of free speech requires that we accept only narrow limits upon it, particularly so in political expression for and against government and vested interests. Protection of space for the expression of a plurality of views is essential for a free humanity's progress. By encouraging the expression of different views, we test and develop new and old ideas, and we enhance intellectual and material wealth for the whole of society.
49. Where the civic discourse can be controlled by one body (such as government), one ideology (such as communism or fascism, exercised by one or more bodies), or one *modus operandi* (such as crony capitalism, and exercised through more than one body), then the civic discourse will almost inevitably lose its ability to meaningfully represent the plurality of views inherent in democratic society. That loss of plurality will lead to a stunted or illusory form of self-determination, and wealth creation will be restricted to the controllers of the discourse.
50. In our free democratic societies, currently there is a tension: on one hand, the civic discourse belongs to the citizens, and government ought not prescribe the means used to conduct it, for danger that government would prevent the citizens effectively advocating against government. Citizens must be able to freely advocate for a change of leadership. On the other hand, we also have now reached a point where the civic discourse is at risk of control by groups of people with immense aggregations of wealth, who may in some instances not even be citizens of that nation state.
51. How do we maintain and protect diversity of civic discourse, to exclude government from controlling civic discourse but also to recognise that the corporate sector has sufficient mass and ideological cohesion to threaten free speech and elections? We must change how we buttress free speech rights, and maintain the unfettered interchange of ideas between citizens, so that informed choice between candidates can be best made.

52. The Coda principles propose, first, that election campaign spending be funded by civic society as a whole, without financial input from individuals or groupings. A fourth branch of the state (the CC), independent of the three branches of government, shall administer campaign funding. This funding is provided in stages or tranches, for campaign costs, to candidates who have the required signatories of support within their constituency for each tranche/stage. Once a candidate can demonstrate a certain level of support, then funds are released to support their campaign. Each time they wish to gain further funding, they will need to provide evidence of additional support at a prescribed level.
53. Secondly, the fourth branch of state shall maintain a digital and media ‘commons’, i.e. a common space, which is free from private ownership, in which candidates are provided with platforms for their advocacy. This platform is in addition to those existing platforms available on privately owned media.
54. In modern societies there are various routes to control the narrative, to dominate civic discourse, using money: direct, open and hidden donations to leaders and candidates; direct and indirect donations to political parties; donations to open political organisations, such as political parties and political action committees; donations to closed political organisations, such as think-tanks and foundations; opponent research and direct action; purchase of advertising space in a media organisation; and purchase of media organisations, wholly or partly.
55. There exist a thousand points of entry for money to influence civic discourse. The wealthiest in society share with each other an interest in further wealth generation for themselves, rather than wealth generation for everyone. This self-interest is not inherently unacceptable, they are free private citizens. What is unacceptable, to right-minded citizens, is the ability of the wealthiest to ‘place their finger on the scales’ of civic discourse to gain control.
56. Most meaningful political communications in modern society involve expenditure. The principal argument advanced in support of private money in election campaigns is that free speech means the right to spend money freely in its exercise.
57. The Coda preserves the right of private citizens to spend private money, as an exercise of their free speech, upon open and closed political organisations. These organisations can still use both non-media advocacy and media advocacy, but only within the Coda principles. The heavy and far-reaching penalties which result from a breach of the Coda, enforced by the non-politicised and unfettered investigatory power of the CC, will create a panopticon within which honest free civic discourse can flourish. Private citizens will still be able to spend private money on advocating their views in support of ideas and/or candidates, safe in the knowledge that the integrity of their leadership is protected.

58. The Coda preserves the right of the privately held media to continue to report on and contribute to the political discourse; a free press is to be championed. The Coda limits only the ability of media companies to operate without transparency during the national election cycle. Media commentary is pervasive in the lives of many citizens, and to undertake to reveal the source of influential political messaging will only increase the quality of information available to a citizen looking to make a truly informed choice whether to agree with a political message or not.
59. The Coda attempts to significantly reduce the buying of political influence through campaign assistance. Large donations, whether direct or indirect, carry an obvious risk that the spender will expect and receive special favour from an elected leader. To suggest otherwise is a fantasy. Influence is rarely purchased or caught in a clumsy blunt quid-pro-quo event. Instead it is secured by the candidate's reliance on proffered material assistance with a subtle but explicit expectation of privileged access in return. Privileged access leads to the development of special and opaque relationships, and to the leaders' integration into a web of benefit expectation and mutual back-scratching.
60. Some citizens might seek to elect a wealthy leader simply because they are attracted to the suggestion that non-wealthy leaders are at greater risk of corruption once in office. However, an already wealthy leader does not carry an inherent guarantee that they will be free from corruption. If the only choice between a hungry wolf and a well-fed one, one must still choose wolf.
61. Wealth ought to be neither a qualifier nor a barrier for honest democratic participation, for both citizens and leaders. The wealthy and poor have equal right to participate to act in pursuit of their self-determination, as such wealth is irrelevant to political rights. Furthermore, ordinary citizens must be allowed to use their energies and resources freely, except to the extent that they do or may cause significant harm. Wealth, injected into the political processes, will easily warp integrity.
62. The principle that all adult citizens have one vote, and not just land owners, has been said to reflect the notion that wealth ought not qualify the right to participate in the political process. However, this is an articulation of a fundamental and deeper principle: 'one citizen, one vote' is an expression or recognition of the fundamental equality of our right to self-determination.
63. It is argued that citizens' right to real free speech must include their right to spend money freely in aid of their preferred candidate's election, as another expression of our individual equal right to self-determination. However, the freedom to spend money on free speech extends only to the extent that exercise of our self-determination does not itself cause wider harm, or is part of a practice which causes wider harm.

64. The majority of individual citizens who make a small donation to a political election campaign will not cause wider harm by their exercise of free speech by use of money. Neither they nor the prospective candidate expect special treatment. What about the large donation from a super-wealthy individual, who will probably get to spend time in proximity to the candidate, does this not give rise to opportunities for expectation of further special rewards and benefits? To suggest that individual donation spending caps adequately prevent such relationships ignores the capacity of wealthy individuals to spend large amounts through organisations which then spend that money in co-ordinated support of the candidates.
65. An argument used to support free spending of private money in elections is that its prohibition is an attempt to 'equalise', or more accurately to penalise financially, successful citizens in the exercise of their free speech. That prohibition would disqualify political participation on the basis of wealth. However, under the Coda principles, financially successful citizens will still be able to donate to political organisations, which can lobby leaders, candidates and the media, and can promote policies. Financially successful candidates will still be able to purchase media companies and advertising. The only difference is that candidates and leaders will no longer be exposed to any financial bonds, and the citizens will have greater understanding of where and who the political messages come from.
66. Behind the 'equalise' argument is an ultimately ill-founded implication that banning private money in elections to public office is 'anti-freedom'. It is suggested that this ban is a vehicle for an agenda to promote a flat society, i.e. a communist society. But a ban is not a step to take wealth from the wealthy; it is a measure to prevent the manipulation of vulnerable and precious political processes. A society of a vast majority working under a wealthy tiny minority is just as objectionable as the communist 'paradise' of workers and party members. Can citizens regard gross and ever-growing inequality encouraged by current governments as pro-freedom?
67. If massive aggregations of wealth can control or dominate political organisations and the private media, is the inevitable political and socio-economic prejudice against non-wealthy citizens an expression of freedom? How will citizens without enormous amounts of 'free-speech money' participate meaningfully? Disqualification from political participation for possession of wealth is ultimately no different to a disqualification for lack of wealth. If is just money that talks, then what is the only conversation that society is ever going to have? Ultimately, wealth has no place in the election of government leaders.
68. Lastly, citizens will not be prohibited from spending money to advocate their views on candidates, parties, and issues. However, citizens and parties will be prohibited from co-ordinated spending with candidates, and candidates will not be reliant on funds from private sources in order to run an election campaign.
69. A CC, with its unfettered powers of investigation into election corruption, armed with the severe penalties for a breach, will effectively restrict co-ordination between candidates and political organisations. It is best

to avoid creation of delay during elections for legal contests, to the courts, on political campaign statements or events, because this runs the risk of stunting the free speech of citizens. Instead, this method relies upon candidates and citizens to fully understand that the consequences of a breach will be devastating for the breachers. Compliance is thus largely achieved through deterrence, in the fear of being detected later during audit by the independent CC.

### **Buying loyalty - leaders pledge total loyalty to their citizens**

70. The promotion and preservation of a leader's singular loyalty to their constituent citizens also requires prohibition on leaders holding an allegiance to any other body or organisation. When we elect leaders they ought to act according to their own good judgment rather than according to an explicit or implicit direction or expectation of another body, or a compromised position of divided loyalty.
71. We are familiar with political organisations directing our leaders, organisations which may relegate the interests of constituents in favour of private or narrow interests. It is time to end the chains of allegiance which bind leaders to other bodies. This prohibition includes open and closed political organisations, national and international associations, societies, foreign nations, and religious organisations.
72. Under these principles leaders are not prohibited from contact with members of other organisations, and attendance at organised events. Upon election, however, they shall disclose and disavow all memberships or allegiances for their term of office.
73. A prohibition on election funding from external sources, and a prohibition on private remunerations during and after office, both significantly limit the power of other bodies to unduly influence leaders. A ban on divided loyalty will weaken the mechanisms for non-financial corruption, which have the capacity to be equally insidious.
74. This is not a call to end political parties, citizens can still organise and advocate in favour of an interest or ideology or leader or candidate. Leaders can still meet with any organisations or adopt their ideas. The leader simply will not be subject to any rules, direction, expectation, or obligation from any other organisation.
75. This simple requirement will ensure that leaders must not only in their good conscience be loyal to their constituents only, but that they must also be understood to be loyal both throughout society and abroad, in form and in substance. The highest office must be regarded as bound by principles aimed to keep it pure and correct.

76. This sacrifice of the qualified right to associate, by a leader, is justified by the significant social value of an uncorrupted high office. Candidates, however, shall not be required to disclose or renounce memberships, as befits the narrowest application of a state limitation to fundamental rights.
77. This measure on allegiance, in concert with the prohibition on private money in elections, will necessarily end 'party politics' as currently understood. Parties will not become obsolete, but will have to change in their character and manner of influence. Any individual or organisation which seeks to influence government policy will struggle to control our political leaders as they have done.
78. By denying political parties tools of control over power, including asymmetrical bonds of allegiance and the use of back room deals, political parties will have to engage in more transparent advocacy for the competing interests they represent, in order to remain relevant. Political parties and external lobbyists will need to promote real policies, real solutions, and real plans to persuade leaders to adopt them on the basis of their quality, not on the basis of party allegiance. Lobbying will be more open, and not concealed within political party allegiance.
79. Transparency is healthy in politics, citizens need to see the best performers and the most persuasive arguments. Releasing the political parties' stranglehold upon the leaders will not reduce the variety of ideas available to the governmental leadership, and may lead to a wider range of choices once the parties' control of the narrative is weakened. The alternative is to keep watching a revolving carousel of characters served up by party commanders, saluting the party. Sunlight is the best disinfectant, by revelation of not just dishonesty but weakness too.
80. Political parties provide benefits to the citizens in their capacity to assist the organisation of decision-making in government, and in their provision of a suite of policy targets. However, there is no reason why these two valuable functions cannot continue, despite their lack of control over leaders. Candidates for office may still adopt wholly or partly the suite of policy targets promoted by a party, and leaders may still choose to organise themselves along party lines in government. The important difference is that citizens will know that their leaders will enjoy freedom to not adopt the party policy suite when it does not benefit their constituents, without fear of a punishment meted out by the party.
81. Government operating under the Coda principles will require ever-increasing collaboration between government leaders, it will undercut the familiar divisions of party factionalism. Government in the 21st century and beyond faces massive challenges, it shall pay well to heed ancient wisdom: a house divided is a house weakened. We must not underestimate the ability of a group of honest brilliant leaders to coordinate between themselves to deliver excellent service to their citizens, once freed from those corrupting interests.

## **Conclusion**

82. This essay promotes a design which supports national sovereignty. In that sense it is nationalist, for there is a clear premium in leaders being close to their constituent citizens. These principles aim to frustrate outsized distortions of democracy by super-wealthy transnationalists. In this sense the Coda is avowedly not globalist, to the extent that global capital cannot be sovereign.
83. The Coda Principles brought into law would immediately strike at the heart of corruption in our body politic. National leaders would better placed to root out corruption elsewhere that injures citizens. Those leaders would be secure and free to govern only according to wisdom and good conscience.

**AWGilbert 2019**