Enlightenment, Revolution and Democracy

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Introduction

Modern conceptions of democracy are for the most part static. Very often they are ideologically programmatic too. There is a connection between these two aspects of democratic theory. Static conceptions can serve the purpose of ideological definition by the very fact of their agreeable simplicity: they offer a snapshot – a frozen analysis – shorn of disagreeable complications. This kind of static analysis is a reversion to the earliest modes of political description in the Western tradition. Pindar offers an example of this style of presentation. In his second Pythian ode, he sets out a brief typology of constitutions. His characterisation is explicitly tendentious – the common people are described as a "turbulent band."[1] More interestingly, it is rigidly synchronic. It presents an ideal assessment of rival forms of government abstracted from the historical conditions in which they existed. Within a century such typological or static evaluation had given way to diachronic analysis in Greek thought. However, in the twentieth century this development was reversed. This reversal has affected the way we understand democracy, which tends to be viewed in the abstract as a 'type' of government. It tends in fact to be viewed simply as a type to be applauded. The aim of this article is to restore the current abstract notion of democracy to the concrete context in which it was originally identified and debated.

It was the French Revolution that occasioned a revival of debate about democracy. Edmund Burke was a key protagonist in this revival. In the course of developing the argument below, it will become clear that Burke's indictment of Revolutionary democracy was indebted to enlightenment analyses of ancient systems of democratic government. By recovering the substance of Burke's indictment, this article provides in effect a genealogical sketch of the terms of debate about democracy as they emerged at the outset of the revolutionary crisis in France. Its purpose is to offer a historical perspective on our inherited understanding of democracy. Post-War American political science and political theory converge in their treatment of democracy as a trans-historical norm distinguishable from its contingent political content. I begin by developing a critical perspective on the normative assumptions of these two styles of inquiry before proceeding to the business of historical reconstruction.

The dominant tradition of political science since 1945 set itself the task of accounting for the stability of democratic government, together with the threats posed to that stability from outside. But a vicious circularity beset the procedures of this investigation. Western political culture – Anglo-American politics in particular – was explained in terms of the normative attractions of democracy. As a result, democracy was purged of any controversial content, above all of the potential for fomenting conflict. The word

itself became a pretext for ideological endorsement rather than a term for a historically rooted political process. But the fact is that democracy is a child of controversy whose original ingredients have only recently been expunged from debate, as illustrated in the next section of this article. The effort to retrieve the basic elements of this controversy brings us back in the following sections to the enlightenment response to the French Revolution, and to the struggle over the meaning of equality that defined its progress.

I. Democratic Doctrine and Polemical Pretext: Thucydides to Robert Dahl

It is a well-known fact that democracy gives way to tyranny in Plato's account of the cycle of constitutions in the eighth book of the *Republic*. What should strike us about this formulation coming after Pindar's cursory analysis is not the framework of value implied by the verdict Plato offers so much as the fact that it amounts to an historical judgement: a characteristic feature of democracy, in this analysis, is that it changes over time into something else.[2] The historical understanding of politics developed in ancient Greece exactly in the period between Pindar and Plato. While Plato registered this development in his doctrine of a cycle of constitutions, he promptly abandoned the historical method for a philosophical investigation of the moral principles underlying political justice. The key point is that the historical awareness on which Plato was at least able to trade disappeared from twentieth-century political science. In its place was substituted the typological analysis of political systems that persists as the dominant model down to this day.[3]

The resort to abstract typologies in this vein might originally have seemed to put moral clarity at the disposal of practitioners of comparative political science. But the price of this delusive clarity was the loss of any proper means of causal explanation. Political analysis fails in its purpose if it simply aims to typify a given set of arrangements. It must also offer historical explanation: it must explain how the particular set-up under investigation transforms itself, or how it is changed from outside. The post-1945 American text-book typology of regimes treated Anglo-American democracy as normative, juxtaposed this against the "fragmented" democracies of continental Europe, and contrasted both with developing nations and Soviet dictatorship.[4] Gabriel Almond formulated this scheme with the aid of static "social theory." The limitations of the resulting framework did not stem from intellectual parochialism. The underlying sociology was an elaboration of Weber, Parsons and Shils; the political analysis drew on Neumann, Arendt and Carl Friedrich.[5] The problem was the absence of any historical sense. Democratic crises were explained in terms of sociological abstractions rather than in terms of the elements that had been historically constitutive of democracy.[6] Historical narrative was excised from attempts at political explanation; causal analysis was replaced by the conjunction of patterns; political outcomes were explained in terms of generalities like "modernization".

The impact of Talcott Parsons on the field of comparative politics accounts for many of the specific judgments that accompanied this tendency. Already in 1942 Parsons was drawing on Weberian categories of analysis as providing what seemed the best method

of diagnosing the contemporary crisis of democracy.[7] The successive collapse of liberal democratic parliamentarism across a range of European states in the 1920s and 1930s was accordingly ascribed to uneven patterns of social and political "rationalisation" in the countries affected. The result was an alleged recourse to the communal comforts of *Gesinnungsethik* (ethic of conviction) as providing traditional solace amid the challenges of modernity.[8] As is evident from even this brief description of Parsonian sociological analysis, the adoption of Weberian terminology was not matched by an observance of the master's methods. Weber's procedure had been historical in conception and design, identifying forms of action and types of value from inside the dynamic processes of social and political struggle, while Parsons' approach was abstractly philosophical. The study of history was supplanted by the examination of categories that had lost any connection with the historical realities to be explained. Parsons provided a commentary on Weberian schemes and models – offering an analysis of analysis, as it were – without so much as pretending to original empirical research.

To reverse the negative consequences of this habit of abstraction it is necessary to reconstruct the features of democratic regimes as these were historically understood before democracy became the name for an achievement rather than an object of description. The characterisation of democracy in the eighteenth and nineteenth centuries was politically motivated, but it still had some determinate empirical purchase. Analysis was applied to a political process instead of to weightless sociological categories. Some of the historical elements of what had been an enlightenment and post-enlightenment perspective do in fact survive in Almond, as transmitted to him from Weber, who himself looked back to French developments between 1789 and 1851. But, as in the case of Parsons, these elements were sundered from supporting contextual explanation in the process of transmission from their original sources. The strength of Anglo-American democracy was taken by Almond to lie in its comparative immunity from "'Caesaristic' breakthrough." [9] But the specific causal factors behind Caesarism disappeared in Almond's hands under a parade of terminology that was somehow expected to do the work of explanation. Accordingly, vague and unhistorical categories like "traditionalism" and "ethnic solidarity" were supposed to help elucidate the collapse of democratic politics, or even the historical failure of such a system to develop.[10]

Surveying the landscape of post war American political science, it is clear that the disappearance of causal analysis was never total. Robert Dahl's 1948 study of the democratic roots of revolutionary socialism and Soviet Marxism was acutely conscious of the historical predicament of contemporary politics.[11] He later recorded how modern history "posed an extraordinarily sharp challenge" to the assumptions about popular government that prevailed in the United States around mid-century. The fate of the Weimar Republic helped guide his commitment to "polyarchy" as the safest means of advancing toward the goal of democracy, while the USSR, Italy and Spain together offered a crucial reminder of how polyarchal procedures had been challenged and then abolished in many parts of early twentieth-century Europe.[12] Corresponding to this range of historical experience, Dahl understood democracy to consist of a process

of adjustment between a normative principle of equality and more or less successful approximations to that principle depending on the provisions of the political process.[13]

In this scheme, the democratic process is capable of betraying its own ideal. To that extent Dahl perfectly appreciates that democratic government is a historically contingent institution. He takes democracy to be driven by the passion for equality, and treats attempts to realise this passion as historically variable. But the passion itself, which drives the history, is represented as having a fixed content.[14] Political equality thus acquires a durable identity liberated from the process of historical change. However, missing from this analysis is the crucial consideration that equality is itself an historical component of democracy.

Democracy can therefore only be understood as historical in all its dimensions, subject at once to institutional change and to changes in ideological perspective. This process has involved both conceptual and rhetorical shifts. It has been observed of political language in general that such processes of transformation can force a disjunction between the term we apply to a constitutional order and the actual political reality it purports to describe.[15] "Democracy" in particular has been subjected to this disjunction, as is evident from the variety of purposes which the word has served from antiquity to the twenty-first century.

From the beginning the term has played at least two roles. On the one hand it has been used as a means of identifying a regime form, but on the other it has been employed as an ideological slogan. These roles, however, are not easily distinguished. John Dunn recently noted how the slogan has corresponded to very different arrangements and expectations since its inception. It has been invoked in order to commend distinct and opposing political programmes since the French Revolution. In the twentieth century the word was shared by the two great powers that divided the world – a bearer at once of consensus and division.[16] But if the term has really been nothing more than a rhetorical means of ideological struggle, what sense can there be in striving to secure its coherent application?

One reason for this indeterminacy derives from the character of political language itself. In 1973 Quentin Skinner drew attention to the extent to which even dispassionate attempts to outline the features of democracy were subject to distortions endemic to political description. Political terms are moral terms of abuse and commendation, and as such they are used as means of rhetorical persuasion. It is a fact about the prevailing use of the word democracy, as Skinner argued, that its deployment is normally intended as a form of positive endorsement. However, the most diverse political situations are invoked by this single figure of approbation. As a result, the chorus of commendation points to completely discordant meanings.[17] But are attempts to understand democracy therefore doomed to failure?

It is of course a fact that political terms are forged through conflict and are consequently armed with polemical purpose. But their polemical content is relative to the intensity of the conflict in which they are deployed. Their powers of depiction correspondingly increase as conflict subsides. Thucydides famously captured the implications of this reality. Reflecting on the catastrophic fall-out from the revolutionary

upheavals that afflicted Corcyra in the early stages of the Peloponnesian War, he observed how even the meanings of names were changed to fit the shifting states of affairs. The usual disjunction between motives and the language used to describe them grows critical under pressure of desperation and violence.[18]

As Thucydides relates this transition, the progress of the war between Athens and Sparta exacerbated divisions among the citizens of Corcyra. Soon the opposing parties were caught in the grip of a cycle of revenge. An affront committed on one side was rewarded with an outrage from the other. Revolutionary contests were soon triggered across Greece. As they advanced, rival political programmes founded on the desire for power were justified with noble sounding slogans. One side championed "the political equality of the multitude" ($\iota\sigma o\nu o\mu\iota\alpha$); the other supported "the moderation of the best rulers" ($\sigma\omega\varphi\varrho o\sigma\upsilon\nu\eta$).[19] But in each case the edifying idealism of the phraseology disguised the reality of base ambition. If history too closely followed this pattern of radical duplicity, then the attempt to analyse political doctrines would collapse in the face of a trail of endless pretexts. But war, as Thucydides puts it in this context, "is a forceful teacher" ($\beta\iota\alpha\iota o\varsigma\ \delta\iota\delta\alpha\sigma\kappa\alpha\lambda o\varsigma$), not least because it can be contrasted with peace. It is the contrast between war and peace that demonstrates how doctrines cannot simply be reduced to pretexts since the relationship between doctrine and pretext varies in accordance with the level of conflict.

This article seeks to recover the significance of democracy in eighteenth-century political argument by reconstructing the contexts in which what it stood for was disputed. Given the limited space available, its aim is to outline a pattern of debate rather than to provide a comprehensive analysis. Its focus is on the deployment of democracy as a slogan in the charged atmosphere of crisis that followed the abolition of the Estates General in France in June 1789. Developments in France between the Tennis Court Oath and the first anniversary of the Fall of the Bastille have been variously described as amounting to an assertion of liberty, a declaration of national sovereignty, and an attempt to reform the monarchy. But as early as the autumn of 1790, Edmund Burke was presenting these events as manifestations of a conspiracy to install a democracy across the Channel. In the pages that follow, I try to piece together what he meant by this construction.

Burke set out his case in the *Reflections on the Revolution in France* in a state of alarm about the condition of British and European politics. The alarm was caused by the sense of impeding catastrophe generated by the revolutionary proceedings in Paris. It is important to remember that Burke's diagnosis, delivered under what he took to be exigent circumstances, was intended as both a challenge and a manoeuvre. He was challenging the British allies of figures like Mirabeau, Sieyès and Rabaud de Saint-Étienne, whom he took to be typical architects of the Revolution, to declare their principles openly so that the disastrous consequences which Burke himself ascribed to the pursuit of those principles could be pinned on revolutionary activists in France and their supporters in Britain. But Burke was also trying to associate their project with the historical failures of democracy. Toward this end he drew on a common enlightenment perception of the nature of democratic government. I examine relevant components of

the thought of Montesquieu and Adam Smith in order to isolate the defining features of democracy as enlightenment commentators such as these understood them.

The interest of Montesquieu and Smith in democracy was a product of their commitment to the comparative historical method of political science: the pertinence of democracy to contemporary discussion derived from its centrality to the dynamics of ancient politics as these were set alongside modern historical development. As with Rousseau, Mably or Madison, their understanding was therefore drawn from the interpretation of ancient sources. This article consequently brings a wider enlightenment perspective to bear on the emergence of disputes over democracy after 1789, but it also brings a classical perspective to enlightenment histories of forms of government.

II. Democratic Persecution and the Rights of Man

"You are terrifying yourselves with ghosts and apparitions, whilst your house is the haunt of robbers," Burke complained to the proponents of democracy in France in November 1790. In striving to eliminate these phantom-forces of oppression, they made as if they were targeting heredity and hierarchy. However, the truth was that their assaults upon "prerogatives" and "privileges" were covers for a campaign to secure the dominance of a party. Burke's claim here is that the exaggerated abuses of the monarchy of France were being deployed as "*pretexts*" for a politics of civil faction. The factious element was none other than the party of democracy. Burke predicted that although they were keen to posture as deliverers from the accumulated corruptions of the French monarchy, the democrats would not actually introduce improvements. Instead, they would vitiate remediable problems and hide the damage beneath new "names." [20]

The great classical precedent for Burke's account of democratic self-deception culminating in persecution appears in Thucydides' account of popular vengeance in the third book of his *History of the Peloponnesian War*: it is here that Thucydides sets out his vision of the viciousness of popular party rage, the disingenuousness of declared principles, and the resulting confusion of ideological terms. These were the insights and principles that guided the *Reflections on the Revolution in France*. Burke hoped to outmanoeuvre his opponents by exposing their professed commitment to political rights as divisive democratic ambition. Just three years before the publication of the *Reflections*, James Madison had remarked on how the reputation of republicanism had been damaged by its association with "the turbulent democracies of ancient Greece." The comparison had been insinuated by "the artifice of celebrated authors" keen to influence public opinion regarding the advantages of monarchical forms of government. Madison described how the strategy had been put to work: "Under the confusion of names, it has been an easy task to transfer to a republic, observations applicable to a democracy only." [21]

Burke presented himself as endeavouring to correct the revolutionary "confusion of names" which had originally been set in motion by the men of letters of the French Enlightenment and had then been accelerated after the issuing of instructions to the deputies to the Estates General in 1789. His opponents would later charge that any

confusion had been a direct result of his own excessive rhetorical zeal. It is certainly clear that he strove to condemn proceedings in France by indiscriminately grouping under the generic name of "democracy" each and every reform that had been pursued by his opponents. The aim was to identify revolutionary developments with the notorious turbulence of popular regimes – adopting the tactic that, as Madison alleged, had been used by anti-republican campaigners. However, Burke's resort to this tactic was not simply opportunistic: it was a product of his opposition to what he believed to be the democratic foundations of popular persecution.

To the extent that Burke sought to reverse the progress made by the advocates of the "rights of man" by conflating their designs with democratic oppression, his project utterly failed. As history would have it, both Burke and Madison's term of abuse became the twentieth century's means of approval. But this normative and semantic reorientation was accompanied by a steadily mounting disinclination to scrutinise the basic principle of democratic organisation – political equality itself. To understand how such scrutiny can still advance the cause of political understanding, we are forced to return to the controversies of the 1790s.

Burke applied himself repeatedly to the task of anatomising the notion of political equality in the 1790s. He understood the doctrine of the "rights of man" to be a theory of political right. Specifically, he saw the theory as promoting the idea that fundamental, pre-political rights could be carried over and exercised in political society. Moreover, these pre-political rights were held to count as criteria in terms of which political practise ought to be justified. The fundamental normative content of these pre-political rights was egalitarian. Civil political relations justified in terms of such normative content was therefore taken to entail an equal right to rule. In the *Reflections*, Burke focussed on three fundamental problems that attended this idea of an equality of political right. His conclusions reverberated through political debate over the course of the next century and a half. But they also shared a basic frame of reference with widely held enlightenment perceptions. This common framework of thought is a result of the impact of ancient political argument on post-classical understanding.

Burke cited an observation of Montesquieu's in the *Reflections* to the effect that "in their classification of citizens the great legislators of antiquity made the greatest display of their powers."[22] However, in the purest of democracies there could be no classification. Livy's account of the constitutional reforms of Servius Tullius relate how the great lawgiver intended that posterity should recognise how he had introduced all the "distinctions (*discriminis*) in the state" together with the divisions by which "standing and opulence" (*dignitatis fortunaeque*) were ranked.[23] Burke invoked the Servian achievement in the *Reflections* deliberately to highlight the basic problem that any democratic constitution must encounter: how can it accommodate political distinctions, since no political distinctions can in principle be acknowledged? This global democratic problem raised a series of specific but related difficulties.

First there arose the problem of how equality could be represented. Burke took note in the first edition of the *Reflections* of the way in which the resolution of the Committee of the Constitution presented to the National Assembly on 29 September 1789

contradicted the underlying principle of revolutionary democracy in an effort to reconcile political equality with a sustainable division of political labour. Divisions, gradations and qualifications were introduced into the framework of the proposed constitution in an attempt to reconcile the popular principle of equality with the principle of election. Since the aristocratic tendency of an electoral process tied to a property qualification was not acceptable, further qualifications were introduced to counteract this tendency. However these qualifications, on Burke's analysis, were themselves incoherent when considered in the light of the need for a balanced constitution. But they supported what Burke took to be the underlying goal of the Revolutionary programme in liberating the democratic leadership from political restraint.[24]

This lack of accountability reinforced the results of what Burke took to be the second flaw integral to the design of a purely democratic constitution – namely, the indivisibility of popular power understood in accordance with democratic principles. The arguments supporting the legitimacy of a democratic polity ruled out a division of the power of the state into distinct branches of government: the unity of the popular will demanded unity of expression. Actual experience of the consequences of such an arrangement in the ancient world had inclined many classical authorities to the view that, as Burke himself put it, "an absolute democracy," like an "absolute monarchy," was not one of the "legitimate forms of government." "If I recollect rightly," he went on, "Aristotle observes that a democracy has many striking points of resemblance with a tyranny."[25] Democratic tyranny resulted from the absence of any constitutional obstacle impeding the execution of popular will.

This absolute freedom was disturbing because the egalitarian basis of the claim to popular legitimacy made its political expression prone to divisiveness and antagonism, culminating in domination. For Burke this constituted the most fundamental problem affecting democratic politics: the driving principle of democracy was itself factious, and therefore given to "popular persecution."[26] Burke was well aware that the corruption of constitutional government, which he associated with a pure or unmixed democratic state, had been dramatised by Thucydides in his account of revolution at Corcyra in his *History*. Each of the organs of the Corcyran city-state – the assembly ($\varepsilon \varkappa \lambda \eta \sigma \acute{\iota} \alpha$), the council ($\beta o \upsilon \lambda \hat{\eta}$) and the law courts ($\delta \iota \varkappa \alpha \sigma \tau \acute{\eta} \varrho \iota \alpha$) –was coveted as an instrument of party. With the ascendancy of the democratic faction in the city, they were deployed as vehicles of popular rage. Faction, envy and greed ($\pi \lambda \varepsilon o \nu \varepsilon \xi \acute{\iota} \alpha$) propelled the multitude ($\pi \lambda \hat{\eta} \theta o \varsigma$) to indulge ambition in the name of political equality ($\acute{\iota} \sigma o \nu o \mu \acute{\iota} \alpha \pi o \lambda \iota \tau \iota \varkappa \hat{\eta}$).[27] Unmitigated popular sovereignty had been made a tool of civil war. Burke's point was that the violence of republican democracy had been resurrected from the graveyard of ancient politics and gratuitously inflicted on the modern world.

Burke was happy to concede that circumstances could be found in which a "purely democratic form" of government might be "necessary."[28] In *An Account of the European Settlements in America,* on which he collaborated with William Burke in the late 1750s, the original charters of Connecticut and Rhode Island were described as virtually pure or "mere" democracies. This arrangement was "precarious" in a dependent colonial settlement, but it could only spell disaster in a modern commercial monarchy.[29]

Burke had already been taken with Montesquieu by the time he became involved in the composition of the *Account*.[30] In *The Spirit of the Laws* he would have found this intuition confirmed: if equality was to be made the basis of a polity, it would have to be constantly disciplined by patriotic virtue; without this, it would unsettle social order and aggravate political relations. But, as Burke knew, modern states lacked both the means and the inclination to generate civic virtue in the classical sense, and so the idea of equality unleashed upon Revolutionary France would begin by fomenting civil war and end by attempting to recompose its factions under the tyranny of a military commander.

III. Greece and Rome: Montesquieu, Hume and Smith

In the author's foreword to *The Spirit of the Laws* that appeared in the first posthumous edition of that work in 1757, Montesquieu devoted the whole of his discussion to elucidating what he had meant by "political virtue" in the first edition. The clarification that he offered bears importantly on the topic of ancient and modern democracy, since the political virtue in question was described as the "principle" of republics, while republics were themselves categorised as either aristocracies or democracies. Because Montesquieu dealt with the principle governing aristocratic government separately under the heading of "moderation," his treatment of political virtue should be seen as relating to democratic republics in particular. In this connection Montesquieu emphasised: "*J'ai donc appelé* vertu politique *l'amour de la patrie et de l'égalité*."[31] Montesquieu's favoured example of a democracy was the Athens of Solon, as contrasted with the Rome of Servius Tullius a generation later, which he describes as an aristocracy. Solon's reforms, Montesquieu tells us, had been introduced in accordance with "*l'esprit de la démocratie*."[32] But what was this democratic "spirit" in Montesquieu's view? The answer lies in the contrast with Servius Tullius.

In his essay on the "Populousness of Ancient Nations" which he prepared for the 1754 edition of his *Political Discourses*, Hume recalled how the laws of Servius Tullius established in the sixth century BC had fixed the power of the city of Rome in proportion to the distribution of its property. In this way, he had tried to found an aristocracy, but it was not destined to stand secure. Moreover, according to Hume, Solon's Athens shared not only the same form, but the same fate too.[33] In the surviving "Report" of his 1766 Lectures on Jurisprudence, Smith's analysis agreed with Hume's in characterising the Solonic constitution as aristocratic. But the detail that he brought to his description both adds to Hume and helps to explain Montesquieu's position. Smith relays the Plutarchan account, presented in his *Life of Solon*, of how the great legislator divided the Athenians into classes, distinguishing those entitled to election from the mass of the democratic electorate. These reforms, however, proved impermanent, and the relevant distinctions in due course gave way under pressure from the aspiring Athenian *dêmos*.[34]

Smith saw the republican aristocracy of early Rome as similarly assailed by a rising order of plebeians whose members had been liberated from dependence on their noble masters: "they got it enacted that there should be in authority an equal number

of patricians and plebeians."[35] It is a matter of emphasis whether one describes an aristocratic republic primed to fall into the hands of the people as a failing aristocracy or a democracy in the making. Hume declared with reference to Servius Tullius that in "those days" there existed no middle way between aristocratic domination and "a turbulent, factious, tyrannical Democracy." [36] This was equally Smith's verdict on the history of Athens and Rome. Montesquieu took the measures of Servius Tullius to have established an aristocracy that later fell, while he understood the reforms of Solon as a preparation for something new: they were animated with a "spirit" by which they were subsequently overwhelmed.

Despite the fine points of difference between Montesquieu, Hume and Smith regarding the character of the Athenian and Roman constitutions, Montesquieu's grasp of the "spirit of democracy" is in fundamental agreement with standard eighteenth-century accounts of the nature of democratic regimes. Hume argued that the absence of primogeniture among ancient polities rendered their monarchies insecure since, for this very reason, the populations of these regimes lacked a sense of the legitimacy of regular succession. But at the same time they failed to establish any durable form of aristocracy since social rank and political privilege were never harmonised. Equality was pleaded against every newfound political settlement – as befell, according to Hume, the laws of Solon: "SOLON'S laws excluded no freeman from votes or elections, but confined some magistracies to a particular *census*; yet were the people never satisfied till those laws were repealed." [37] For precisely this reason Montesquieu concluded that Solon's work had been guided by the spirit of democracy.

Modern historians do not go so far as to follow Montesquieu in describing the Solonic reforms as democratic in character. In place of that anachronism they substitute another whereby democracy is supposed to have been introduced two generations later by Kleisthenes.[38] However, Aristotle did present the historical development of the Athenian constitution in such way as to help us make sense of Montesquieu's interpretation. The short but tantalising genealogy of Athenian government presented in the *Athênaiôn Politeia* was not available to Montesquieu as he set to work on his great masterpiece, *The Spirit of the Laws*. It is here that Aristotle referred to Solon's redesign of the constitutional powers of the Athenian populace as comprising the "democratic" ($\delta\eta\mu o\tau\iota\varkappa\acute{\omega}\tau\alpha\tau\alpha$) aspects of his legislation.[39] But while Montesquieu clearly could not have studied an Aristotelian document that was not rediscovered until the end of the nineteenth century, he did examine the text of the *Politics* with meticulous attention.

In the second book of the *Politics* Montesquieu would have read that while Solon must have retained both the Areopagus council and the elected magistracies from the pre-Solonic constitutional set-up, at the same time he introduced selection to the law courts ($\delta\iota\varkappa\alpha\sigma\tau\acute{\eta}\varrho\iota\alpha$) by lot. Over time, Aristotle alleges, the power of the popular courts upset the balance of Solon's mixed constitution. He goes on to observe how Ephialtes, and then Pericles, deliberately finished what Solon had accidentally begun in planting the seeds of tyrannical power in the democratic component that he himself introduced into the constitution. To understand Aristotle's point, which will at the same

time conveniently throw light on Montesquieu's analysis, we need to be clear about the significance of Solon's reform of the courts. The argument of the *Politics* seems to suggest that the people's courts turned out to be the vehicle by which the *dêmos* rose to power. As the courts themselves grew in strength, the principle on which their legitimacy had been founded was transferred to the other components of the constitution.[40]

The steady triumph of democracy was a result of the appeal of its core principle, which acquired momentum once it had been hitched to an expanding branch of the power of the state. With the decline of the Areopagus, followed by the provision under Pericles of payment for juries, the populace increasingly fell under the sway of demagogues (δημαγωγούς) disposed to capitalise on the appeal of the basic egalitarian principle of democracy.[41] A clear grasp of the nature of this inner principle is essential for understanding both Aristotle's analysis and subsequent enlightenment assumptions about the character of democracy. Aristotle sets out to explain the dynamic element in popular struggle in the fifth book of the *Politics*: "For democracy," he writes, "arose out of the notion that those equal (ἴσους) in some respect are equal without qualification; because free men are altogether the same (ὁμοίως), they believe that they are equal (ἴσοι) without qualification."[42] Demotic politics are driven by an egalitarian impulse, but the impulse is neither levelling nor equalising in the strict sense; instead, it is ambitious, proud and assertive: it is such as to seek the edge in any comparison.

Hume adopted the same perspective as he strove to explain the discontents and seditions that disturbed the various systems of government among the ancients: "The very quality of *freemen* gave such a rank, being opposed to that of slave, that it seemed to entitle the possessor to every power and privilege of the commonwealth."[43] Hume's formulation closely resembles Aristotle's description of competitive popular struggle in the fifth book of the *Politics*. In any case it was this restless, egalitarian impulse that Aristotle placed at the centre of democratic aspiration. But it was also in terms of this aspirant impulse that Montesquieu later framed his assessment of democracy among the ancients. In the republican constitution of Servius Tullius, Montesquieu commented, "means and wealth had the vote rather than persons." But with Solon the effect of constitutional reform was to enfranchise an assertive *dêmos* that grew to impose its will on all public organs and magistracies. Egalitarian competition thus came to prevail over aristocratic privileges and distinctions.[44]

At this point it becomes apparent what Montesquieu meant by his familiar statement that the principle underlying democratic republics is "virtue": virtue has two components in Montesquieu's avowedly "political" sense of the term. It involves a principle of cohesion, best described as patriotism, and a principle of action, which we have learned to call equality. Because equality was agonistic and competitive in spirit, it stirred social mobility and dynamism. As a consequence, patriotism was required to stabilise equality since it would otherwise prove unmanageably factious and destabilizing. But there was a limit to patriotism's ability to contain the turbulent energies unleashed by democratic ambition: party strife, or "equalising" struggle, plunged each temporary balance secured by ancient governments into crisis. Popular aspiration and political distinctions were thrown into antagonistic tension with one another.

That tension had its admirers and detractors alike in both the ancient and the modern world. For Burke, something like the equalising vengeance characteristic of ancient democracy had inexplicably returned to undermine the viability of political order in France. He further assumed that this enthusiasm for equality would turn out to be more divisive in its modern form than anything seen at Athens or Rome. Modern equality would prove destructive because, as Smith had also shown, there was nothing left resembling republican patriotism capable of constraining its expansive zeal.

IV. National and Political Democracies: The Jurisprudence of Adam Smith

In the surviving account of his Lectures on Jurisprudence for 1762–1763, Smith is reported to have observed that in the "age of hunters" there can be very little government of any sort, but what there is will be "democratical" in nature.[45] Smith's remark was apparently uttered in February 1762 in the context of a wider discussion of the principal "forms of government," and their various possible combinations – a traditional *topos* in the philosophical analysis of the science of legislation. It is a feature of Smith's treatment that his focus is historical: distinct types of government are shown to relate to corresponding forms of society whose development is explained in terms of definite causal relations. In the case being discussed here, the form of government is said to be democratic in its operation – to the extent that a form of government is in operation at all. But, wherever the government of a hunting society is found in operational existence, it is applied under social conditions to which it, in a rough sense, is properly suited. That is to say, in Smith's analysis, the location of political power, together with the basic rights in terms of which that power is exercised and legitimised, is conditioned by the relevant mode of social organisation.[46]

Smith divided his analysis of government in the Lectures into an account of the composition of sovereignty on the one hand, and an investigation of the constitution of sovereign power on the other. Sovereignty over a community could belong either to a democracy, an aristocracy or a monarchy. But the various forms of sovereignty could also be exercised in a number of ways: the functions of government could be divided into different branches, or retained as an undifferentiated capacity vested in the sovereign power. The different parts of government could be distinguished in terms of executive, judicial and legislative functions. In tracing the history of political organisation from its rudimentary state to its more complex forms, Smith also identified two distinct types of political community. These might be distinguished along the lines of "national" and "civil" communities – in the sense that political decisions can either be arrived at nationally, by agreement among an assembly of family heads under the guidance of leading figures; or by civil convention, where obedience is elicited by the authority of laws.[47]

National communities, being transient, require neither patriotism nor legislation – as can be seen in the case of a "nation of hunters," or of a "nation of shepherds." In these mobile national communities property was either held in common or in sufficiently simple distributions so as not to require elaborate regulation in the form of

written laws. Government under these conditions was thus confined to its executive and judicial functions. Yet these roles grew increasingly complex as authority in national communities became more concentrated in the hands of the leading men.[48] As the size of the community expanded, and the dependence of the poor upon the wealthy grew, so the authority of the chief persons in the community was extended, ultimately to the point of their securing a virtual monopoly on the conduct of war and justice. By comparison, hunter nations barely enjoyed a national existence. When they did come together as a body, at the point when communal decisions were required among the heads of the families composing the larger group, both judicial and executive decisions were arrived at democratically: there was *equal* participation in any national resolution.

Although sovereign decisions in hunting nations are made on the basis of equal participation, some degree of leadership is still observable in these democracies. But as we have seen, political pre-eminence is most conspicuous in pastoral democracies. These democracies are communities in which social reproduction is based on the appropriation of flocks and herds. With appropriation comes stratification, and with pastoral stratification comes personal dependence. In this "period of society," as Smith put it, the inequality of property exercised an exorbitant influence on the power differential between rich and poor.[49] But while the ascendancy of leaders was remarkable in pastoral nations, power "in the last resort" was still retained by the assembled nation. The Hebrew patriarchs, in Smith's account, acquired substantial judicial pre-eminence; with the federation of pastoral nations under great military leaders like Tamerlane and Ghengis Khan, the executive authority of such "chiefs of chiefs" was extensive; both arbitration and counsel developed into something resembling a "senatoriall power" among Arab and Tartar nations; but despite this gradual increase in authority, and the incremental entrenchment of a political division of labour, the fundamental democratic sovereignty of shepherd nations persisted at every stage of their progress.[50]

The crucial fact about national democracies, and about pastoral democracies in particular, is that political equality is circumstantially imposed in the midst of great social inequality. In an advanced "society of shepherds," social hierarchy and gradations in wealth are marked, and the authority of great families based on opulence and descent entails considerable political influence; but still communal decisions can only be made by assembling the whole nation. Democratic sovereignty thus survives in a society where differences in personal and ancestral standing count for more than in any other kind of political community in history. But while political equality can be combined with an aristocracy of wealth and influence in a national community, this conjunction is more problematic in a civil community. With the fortification of settlements and the establishment of cities, civil government begins, subjecting populations to permanent regulations in the form of written laws transmitted from generation to generation.[51] The impact of civil governments on the daily life of communities is tangible, and so the tenure of sovereignty is more prone to contention.

The first Greek and Roman cities, like the fortified settlement at Troy as depicted by Homer, were slave-based monarchies. Within two hundred years of the Trojan War, Greek monarchies of this kind were already transforming themselves into

aristocracies.[52] But among the slave owning populations that founded the cities of Athens and Rome, the popular sovereignty of national assemblies was kept alive from the earliest days of transition when, having been shepherding democracies by the Aegean and along the Tiber, they came together to establish stable settlements. The relegation of manufactures to a class of slaves meant that citizens had the leisure to engage in the politics of the assemblies. At the same time, as Hume observed, the difference in status between freeman and slave was so conspicuous that a sense of relative proximity between regular citizenship and nobility was maintained.[53]

This proximity fed the feeling of equality in ancient polities. Leisure for politics meant that popular assemblies could give expression to this feeling. On account of the combination of ongoing political activism with an enduring idea of comparative equality, a nascent democracy lurked beneath both the monarchical and aristocratic governments of antiquity, ultimately bringing them under its control. Accordingly, there seemed to Smith to have been a "considerable degree of the democraticall form under what were generally reckoned monarchies"; in the same vein, Smith noted that the aristocratic governments of Athens and Rome were obliged in the final instance to democratic assemblies. Because of this persistence of basic political equality, the history of ancient republics records "the gradual advance of . . . democracy."[54] This advance ultimately spelt the undoing of ancient commonwealths at the hands of military monarchs like Philip of Macedon and Gaius Marius. But while the turbulence of democracy culminated in the absolute monarchies of antiquity, it was Smith's view that the modern system of liberty made more durable and robust political arrangements at least possible.

Smith's history of ancient government was intended to illustrate the distinct trajectory followed by modern states in forming what Istvan Hont has called "Europe's second coming."[55] Sharing Smith's basic assumption that modern constitutional liberty provided a sounder basis for social and political relations than the egalitarian zeal on display in classical republics, Burke marvelled at the deployment in Revolutionary France of ideologies and slogans that were the property of a world that had by then long departed. Modern Britain had managed fortuitously to combine a regulated constitution with an independent judiciary. The French monarchy lacked appropriate constitutional restraints, but it had nonetheless secured the impartial administration of its justice. Burke saw developments in the spring of 1789 as having provided an opportunity to underwrite the security of justice in France by restoring the balance of its constitution. Instead, the Revolution threatened what neither Nero, Domitian, nor even Cromwell had presumed to undermine: an independent system of justice, secured from party rage.[56]

V. Democratic Dictatorship: The Legacy of Revolutionary France

Burke predicted that the main achievement of the Revolution would be the introduction of a comprehensive despotism in the place of an imagined tyranny. This outcome would result from the peculiar combination of characteristics driving the dynamics of

reform after 1789: a pretence linked to a contradiction lay at the heart of the Revolution-ary project. The conspiratorial agents of the Revolution were pretending to introduce democracy, whereas in reality they were struggling to secure their own advantage. At the same time, the democracy they were affecting to establish would unleash such a concatenation of divisive passions as could only be reduced to social order under military command.

Burke retrospectively took the August Decrees of 1789 declaring the abolition of feudalism as a proposal for the conquest of France by its own people. Smith had pre-sented national conquest as the standard method of establishing military monarchy.[57] But in modern France, as Burke observed, conquest had been inaugurated by the doc-trinal machinations of the National Assembly rather that the ambitions of a Marius or a Cromwell.[58] Nonetheless, by an astounding acceleration of political process, Revolu-tionary France could be expected to progress through stages of development in a matter of years, which the ancient world had traversed over a period of centuries: beginning with democracy and passing through oligarchy, it would soon end in military monarchy.

The Revolution's very point of departure was a sham pretence: "It affects to be a pure democracy," Burke commented, "though I think it in a direct train of becoming shortly a mischievous and ignoble oligarchy."[59] On Burke's analysis, proceedings in France were being orchestrated by a combination of literary propaganda and capitalist insur-gency. While propaganda assumed responsibility for the dissemination of ideologies of disestablishment and equality, those members who took the lead in legislation in the National Assembly engineered the revolt of credit against landed property. Disaffected men of letters, in combination with the representatives of the monied interest, "became a sort of demagogues," as Burke put it. Their chief weapon was the favoured instrument of popular persuasion – namely, the appeal of equal rights. However, their goal was never truly a levelling redistribution, but revenge against property held independently of the French king – hence, Burke surmised, "the care which, contrary to their pretended principles, has been taken of the monied interest originating from the authority of the crown."[60]

The "democratists" assumed they would be able to control the expectations they had awoken in the population at large, but Burke was sure they were wrong. All the "envy" against wealth and power, he claimed, was directed against the landed interest and ecclesiastical corporations. In contrast, those "descriptions of riches" in the pos-session of the fomenters of popular rights were spared all abuse.[61] But the new monied oligarchs of France would never be able to soothe the aggravation they had caused. They had managed to "embitter . . . real inequality," and would not now be able to sat-isfy its demands.[62] As Burke contemplated the collapse of the French monarchy under pressure from directionless egalitarian strife, he imagined the population of the country fragmenting into anti-social "colonies of the rights of men," signalling the final death throes of the state.[63]

Burke had specific colonies in mind. In the *Annals* Tacitus drew attention to the dissolution of social and political bonds of union among the new military settlements that began to establish themselves across the Roman empire under Nero – at places like

Antium, Puteoli and Tarentum. In the old days, such colonies had been characterised by discipline, collaboration and loyalty. But now, as Tacitus complained, they resembled a disaffected horde – leaderless, lacking in mutual trust, "an aggregate rather than a settlement (*numerus magis quam colonia*)."[64] Burke's gloss on Tacitus is revealing: these Roman aggregates, he suggested, had been founded on the basis of "the equality of men" and therefore lacked any principle of cohesion.[65] It is part of the larger argument of the *Reflections* that, since all means of cohesion had been disposed of in Revolutionary France, discipline would have to be imposed. This would be provided by the only means available to supply it –by a citizen army, enthralled to its general.

By the end of 1790 Burke had come to believe that the best hope for France was that it would end its days as the "sovereign democratic republic" of Rome did under the despotism of the emperors. But the security of the emperors, whose authority had been founded on the demotic conquests of military monarchs, depended on the acclamation of the *populus*. So, just as had been the case in imperial Rome, France would be forced "to submit to the vices of popularity." [66] The likely cooptation of democratic sentiments in support of populist dictatorships became a widespread subject of political discussion in Europe after the triumph of Napoleon in 1799. After the victory of Napoleon III in 1851, what might have seemed like an aberration at the beginning of the nineteenth century now looked like a common pattern of development, and so the future prospects for military monarchy became a serious topic of debate.

Burke's despairing predictions about the future of France were partly guided by a Christian expectation that morality would not survive the atheistical proselytism that accompanied the Revolution. There are good reasons to doubt the efficacy of Burke's belief in the liberalising influence of Christian morals on political relations. But his inquisitive scepticism about the meaning of equality under modern conditions should still have a place in our political conversation – not because there are reasons to abandon it as a value, but because it is still not clear what this value is supposed to mean. In an era of ideological consensus this kind of inquiry might be indifferent. But in an age of conflict, when "democracy" is expected to bridge all variety of gaps in understanding, specifying what we mean assumes real importance.

Conclusion

It is a difficult and potentially divisive problem to decide how the value of equality should be politically represented. Burke expected that the first great modern attempt to realise this ambition would end in a form of populist Caesarism. After 1851, concerns about "Caesaro-populism" – or "imperialism," as it was first called – became pervasive. Much political thought between Alexis de Tocqueville and Max Weber was devoted to the attempt to fathom its place in modern politics.[67] It was assumed that its appeal was based on its egalitarian credentials – especially in comparison with bureaucratic and parliamentary representation. Clearly this debate has trailed off since the 1930s, and for good reason. But with the disappearance of serious inquiry into the nature of popular representation, reflection on the character of political equality has likewise declined.

Interest in the delusive or even treacherous promise held out by the idea of founding a political order on equality was transmitted from Ostrogorski and Robert Michels to Joseph Schumpeter.[68] But since the 1940s the original purpose that guided that debate has dwindled into a sparring match between "progressives" and "elitists."[69] There is no reason to keep a political debate alive beyond the point at which it can serve a useful purpose. But the fact is that modern political conflicts have centred on attempts to realise rival egalitarian expectations, and so it seems wise to try to understand what these expectations have meant. This article has set about reconstructing some of the key ingredients that went into the formation of democratic politics at the point where enlightenment political thought encountered the French Revolution. Such an exercise in recovery cannot pretend to explain what has happened in politics since. But it does provide a base from which explanation becomes possible by substituting historical study for the kind of sociological investigation that guided political analysis in the last half of the twentieth century.

Before the United States had entered the Second World War, Schumpeter had to remind his American audience that the name for the political society which it treasured had come to predominate in the West at the expense of a rival connotation, rampant until the Russian Revolution: "Until about 1916," he wrote, "the relation between socialism and democracy would have seemed quite obvious to most people."[70] Socialism, after all, had recommended itself as an exemplification of "true democracy." The record of Stalinism in the 1930s helped put an end to this emerging moral monopoly. But equally, by 1942, the association between socialist moral aspiration and democratic organisation had been powerfully challenged by the existence of rival types of regime – in Great Britain, the United States and elsewhere – which equally described themselves as democracies. Yet despite the wider political significance that the term democracy had by this time grown to embrace, it nonetheless remained in American parlance, as it had in earlier socialist and Marxist political thinking, a morally charged term of analysis. To the extent that it was ideologically burdened in this way, it inhibited the scientific treatment of politics altogether in Schumpeter's view. Schumpeter wrote his classic study, *Capitalism, Socialism and Democracy*, at least in part to save political analysis from the kind of dogmatic self-congratulation that had come to dominate the uses of democracy as a slogan.

One of the key strategic moves in this endeavour was to reserve the term democracy for a set of political procedures, unshackling it from unhelpful moral connotations. But while this has been a gain for the project of describing the operation of modern governmental processes, it has not helped us to explain the emergence of conflict in democratic or democratising regimes. In providing an assessment of what lay in store for western politics following the fall of democratic dictatorship in Eastern Europe after 1989, Adam Przeworski characterised one possible future path for the former satellites of the USSR, the path of electoral democracy, as "a system in which parties lose elections."[71] An exploration of how such a system sustains the compliance of its participants is necessary if we are to understand how equality can be successfully represented in politics. But we also need to analyse why political compliance fails. It

has become an ingrained habit on the part of political science to reach for sociological abstractions like "nationalism" and "ethnic conflict" to explain this failure.[72] I suggest that more progress can be made if we begin with the career of democracy and attempt to analyse its frustrations.

This article has examined how democracy was born in conflict yet subsequently cleansed of association with civil discord. As we saw, the cleansing operation was affected after the Second World War by a historically disconnected sociology in the name of political science. In the process of erecting democracy into an abstract ideal, its basic egalitarian content was divested of the potential for generating antagonism, leaving the persistence of conflict to be explained by theoretical constructs like ethnic hostility with no connection to the genuine causes behind animosity and struggle. The impact of constructions of this kind has been so extensive that it is almost no longer possible to access the reality of the egalitarian strife in evidence from the 1990s to the present day across the Balkans, in Northern Ireland, in the Russian Federation and in Kashmir. In recovering the impact of the enlightenment debate about ancient democracy on the French Revolution, I have sought to restore the politically complex and controversial aspects of democratic aspiration to the forefront of our understanding of how modern politics works. Burke recognised that an injection of egalitarian competitiveness into the life-blood of eighteenth-century politics would be an explosive and divisive undertaking. Like Montesquieu, Hume and Smith before him, he appreciated that equality was not a static value but a comparative relation. The attempt to establish a new politics on its foundations risked arousing hostilities that would only be pacified by the savage method of civil war, and then reduced to unhappy order under the command of military authority. This vision may not correspond to a perfect picture of politics in the nineteenth and twentieth centuries, but neither is it such a distortion as to merit being prematurely disregarded.

NOTES

1. Pindar, "Pythia II" in *Pindari Carmina cum Fragmentis*, ed. Maurice Bowra (Oxford: Oxford University Press, 1961), line 87: "ὁ λὰβρος στρατός." For an interpretation of these lines in Pindar with reference to the history of constitutional theory, see Jochen Bleicken, "Zur Entstehung der Verfassungstypologie im 5. Jahrhundert v. Chr. (Monarchie, Aristokratie, Demokratie)," *Historia*, 28 (1979): 148–72, 150. For critical commentary on Bleicken, see Christian Meier, "Zum Aufkommen des Demokratie-Begriffs: Eine Nachlese," in *Gegenwärtige Antike – Antike Gegenwart: Kolloquium zum 60. Geburtstag von Rolf Rilinger,* eds. T. Schmitt, W. Schmitz and A. Winterling (Munich: R. Oldenbourg, 2005), 50–51.

2. Plato, *Respublica* 562c9–5625 in *Platonis Opera* IV ed. John Burnet (Oxford: Oxford University Press, 1907).

3. My complaint here against abstract typology is not meant as a challenge to historical typification but as a criticism of the unhistorical analysis of political types. For discussion of the relationship between the study of social types and historical understanding, see Max Weber, "Soziologische Grundbegriffe" (1921) in *Gesammelte Aufsätze zur Wissenschaftslehre* (Tübingen: J. C. B. Mohr, 1988 [1922]).

4. See Gabriel A. Almond, "Comparative Political Systems," *The Journal of Politics* 18, no. 3 (1956): 391–409, and Gabriel A. Almond and G. Bingham Powell, Jr., *Comparative Politics: A Developmental Approach* (Boston: Little Brown, 1966).

5. Gabriel A. Almond, "Comparative Political Systems," 393n, 404.

6. This point is pursued in more detail in Guillermo O'Donnell, "Democracy, Law, and Comparative Politics," Working Paper, (April 2000).

7. Talcott Parsons, "Max Weber and the Contemporary Political Crisis" (1942) in *Talcott Parsons on National Socialism*, ed. Uta Gerhardt (New York: Aldine De Gruyter, 1993).

8. Talcott Parsons, "Democracy and Social Structure in Pre-Nazi Germany" (1942) in ibid. I am grateful to Martin Geyer for this reference.

9. Gabriel A. Almond, "Comparative Political Systems," 408. The debt to Weber and Parsons is again evident.

10. Ibid., 401; "The impact of the Western rational system on the traditional system or systems often creates a large potential for violence." On the supposed connection between traditionalism and ethnic solidarity, see Talcott Parsons, "Some Theoretical Considerations on the Nature and Trends of Change of Ethnicity" (1975) in *Social Systems and the Evolution of Society* (New York: Macmillan, 1977). For the impact of these sociological arguments on comparative political analysis, see the final paragraph of this article.

11. Robert Dahl, "Marxism and Free Parties," *The Journal of Politics* 10, no. 4 (1948): 787–813, 790.

12. Robert Dahl, "Further Reflections on 'The Elitist Theory of Democracy'," *The American Political Science Review* 60 no. 2 (1966): 296–305, 297, 301, 301n. For an early discussion of polyarchy as the "main sociopolitical process for approximating (although not achieving) democracy," see Robert Dahl and Charles E. Lindblom, *Politics, Economics and Welfare* (New York: Harper, 1953), 42.

13. See, for instance, Robert Dahl, *Democracy and Its Critics* (New Haven and London: Yale University Press, 1989).

14. On this, see Robert Dahl, *Political Equality* (New Haven and London: Yale University Press, 2006), 35–39.

15. On this, see Reinhart Koselleck, "Erfahrungswandel und Methodenwechsel: Eine historisch-anthropologische Skizze" in *Zeitschichten* (Frankfurt am Main: Suhrkamp, 2003). For a much earlier and more general treatment of the problems attending the determination of the meaning of moral terms, see W. G. Runciman, "Describing," *Mind* 81 (1972): 372–88.

16. John Dunn, *Setting the People Free: The Story of Democracy* (London: Atlantic Books, 2005). See also, John Dunn, *Western Political Theory in the Face of the Future* (Cambridge: Cambridge University Press, 1979), Ch. 1; John Dunn, "Conclusion" in John Dunn ed., *Democracy: The Unfinished Journey* (Oxford: Oxford University Press, 1992). For an attempt at an historical overview of democracy and its critics, see Richard Wolheim, "Democracy," *Journal of the History of Ideas* 19, no. 2 (April 1958): 225–242. For a broad conceptual history with an emphasis on developments in the United States, see Russell L. Hanson, "Democracy" in *Political Innovation and Conceptual Change*, Terence Ball, James Farr and Russell L. Hanson eds. (Cambridge: Cambridge University Press, 1989). R. R. Palmer, "Notes on the Word 'Democracy' 1789–1799," *Political Science Quarterly* 68, no. 2 (June 1953): 203–226, draws attention to the importance of the Marquis d'Argenson for the rebirth of democracy as counter-concept to aristocracy in the eighteenth century. For an early attempt to reconstruct the character of "emergent" democracy in the period of the American and French Revolutions see, again, R. R. Palmer, *The Age of Democratic Revolution: A Political History*

of Europe and America, 1760–1800 (Princeton: Princeton University Press, 1959), 2 vols. Jonathan Israel, *Enlightenment Contested: Philosophy, Modernity, and the Emancipation of Man 1670–1752* (Oxford: Oxford University Press, 2006), 240–49, ascribes the appearance of French democratic commitments in the 1750s to Dutch influence. For examples of the confused relationship between socialism, fascism and democracy in the 1930s, see Harold J. Laski, "The Present Position of Representative Democracy," *American Political Science Review* 26, no. 4 (August 1932): 629–41; Maurice Parmelee, "Liberal Democracy, Fascism and Bolshevism," *Annals of the American Academy of Political and Social Science* 180 (1935): 47–54; Karl Loewenstein, "Militant Democracy and Fundamental Rights II," *American Political Science Review* 31, no. 4 (1937): 638–58; Ernest Barker, "Democracy Since the War and Its Prospects for the Future," *International Affairs* 13, no.6 (1934): 751–71. On the coincidence of political characteristics between National Socialism and Leninist democracy, see Hans Kelsen, "Foundations of Democracy," *Ethics* 66, no. 1 (1955): 1–101. The roots of the Soviet democratic project are traced in J. L. Talmon, *The Rise of Totalitarian Democracy* (Harmondsworth: Penguin, 1952). Barrington More Jr. presses a socio-economic explanation whilst covering the same historical ground in *Social Origins of Dictatorship and Democracy* (Harmondsworth: Penguin, 1966). An overview of post-French Revolutionary developments is supplied by Pierre Ronsavallon, "The History of the Word 'Democracy' in France," *Journal of Democracy* 5, no. 4 (2004): 140–54, For a treatment of the historical tensions between socialism and democratic political procedure, see Adam Przeworski, *Capitalism and Social Democracy* (Cambridge: Cambridge University Press, 1985).

17. Quentin Skinner, "The Empirical Theorists of Democracy and Their Critics: A Plague on Both Their Houses," *Political Theory* 1, no. 3 (1973): 287–306, 298. Cf. M. I. Finley, *Democracy Ancient and Modern* (London: Chatto and Windus, 1973), 9, 12.

18. Thucydides, *History of the Peloponnesian War: Book III*, ed. P. J. Rhodes (Warminster: Aris and Phillips, 1994), 70–85.

19. Thucydides, *History*, 82, viii: "γάρ ἐν ταῖς πόλεσι προστάντες μετά ὀνόματος ἑκάτεροι εὐπρεποῦς, πλήθους τε ισονομίας πολιτικῆς καὶ ἀριστοκρατίας σώφρονος προτιμήσει, τα μὲν κοινὰ λόγω θεραπέυοντες ἆθλα ἐποιοῦντο."

20. Burke, *Reflections on the Revolution in France*, ed. J. C. D. Clark (Stanford, CA: Stanford University Press, 2001), 124–25.

21. Alexander Hamilton, John Jay and James Madison, *The Federalist*, eds. George W. Carey and James McClellan (Indianapolis: Liberty Press, 2001), 63.

22. Burke, *Reflections*, 162.

23. Titius Livius, *Ab urbe condita, I–V*, ed. Robert Maxwell Ogilvy (Oxford: Oxford University Press, 1974), I, xlii: "ita Servium conditorem omnis in civitate discriminis ordinumque quibus inter gradus dignitatis fortunaeque aliquid interlucet."

24. The text of the first edition of Burke's work is presented in Edmund Burke, *Reflections on the Revolution in France*, ed. J. C. D. Clark (Stanford: Stanford University Press, 2001). Burke's treatment of these constitutional proposals appears on 343–58. The proposals of 29 September 1789 were subsequently revised on 22 December 1789. When Burke later updated his text, he took partial account of these changes at the prompting of François-Louis-Thibault de Menonville, as is evident in Burke, *Reflections*, 151–162.

25. Burke, *Reflections*, 109. In a subsequent edition Burke identified Aristotle, *Politics*, IV, 4 as his source for these remarks. He was referring to Aristotle, *Politica*, ed. W. D. Ross (Oxford: Oxford University Press, 1957), 1292^a1–1292^b20.

26. Burke, *Reflections*, 110.

27. Thucydides, *History*, 82, viii.

28. Burke, *Reflections*, 109.

29. Edmund Burke and William Burke, *An Account of the European Settlements in America* (London: Dodsley, 1757; 3rd rev. ed., 1760), 2 vols, II, 300–01.

30. On Burke's critical relationship to Montesquieu, see Richard Bourke, "Edmund Burke and the Politics of Conquest," *Modern Intellectual History* 4, no. 3 (2007): 403–432.

31. Charles Louis Montesquieu, *Oeuvres complètes*, ed. Roger Caillois (Paris: Gallimard, 1951), 2 vols, II, *De L'Esprit des lois*, Advertisement.

32. Ibid., I, 2, ii.

33. David Hume, "Of the Populousness of Ancient Nations" (1754) in *Essays Moral, Political and Literary*, ed. Eugene F. Miller (Indianapolis: Liberty Press, 1987), 416, 415.

34. Adam Smith, "Report of 1766" in *Lectures on Jurisprudence*, eds. R. L. Meek, D. D. Raphael and P. G. Stein (Indianapolis: Liberty Press, 1982), 410; cf. "Report of 1762–3" in ibid., 226–27. For the Plutarchan story, see Plutarch, "Life of Solon" in *Parallel Lives*, ed. B. Perrin (Cambridge: Harvard University Press, 1914), 11 vols., I, xvii-xix.

35. Smith, "Report of 1766" in *Lectures on Jurisprudence*, 410. Cf. "Report of 1762–3" in ibid., 227. For a contemporary comparative study of the Athenian and Roman cases, see Fergus Millar, *The Roman Republic in Political Thought* (Hanover and London: Brandeis University Press, 2002), esp. ch. 2, 7.

36. Hume, "Of the Populousness of Ancient Nations" in *Essays*, 416.

37. Ibid., 415.

38. For the best and most recent statement of the case against this anachronism, see Christian Meier, "Zum Aufkommen des Demokratie-Begriffs." Debate about when *dêmokratia* was established at Athens begins with the interpretation of the *isonomia* associated with the Kleisthenian reforms of 508–07 BC. On the meaning of *isonomia*, see A. W. Gomme, "Review of Essays in Political Theory presented to G. H. Sabine," *Classical Review* 63 (1949): 125; for use of the slogan in Herodotus, Thucydides and Plato, see Gregory Vlastos, "ΙΣΟΝΟΜΙΑ ΠΟΛΙΤΙΚΕ" in *Platonic Studies* (Princeton: Princeton University Press, 1981). For a description of the events surrounding the reforms as amounting to a form of democratic revolution, see Josiah Ober, "The Athenian Revolution of 507/08 BC: Violence, Authority, and the Origins of Democracy" in *The Athenian Revolution: Essays on Ancient Greek Democracy and Political Theory* (Princeton: Princeton University Press, 1999). M. H. Hansen, "The Origin of the Term *Demokratia*," *Liverpool Classical Monthly* 11 (1986): 35–36, argues that Kleisthenes himself introduced the term. But for the claim that both the word and the idea arrived later on the scene, see Martin Ostwald, *Nomos and the Beginnings of the Athenian Democracy* (Oxford: Oxford University Press, 1969); Christian Meier, *Die Entstehung des Politischen bei den Griechen* (Frankfurt am Main: Suhrkamp, 1980); Kurt Raaflaub, "Einleitung und Bilanz: Kleisthenes, Ephialtes und die Begründung der Demokratie" in *Demokratia: Der Weg zur Demokratie bei den Griechen* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995); P. J. Rhodes, *Ancient Democracy and Modern Ideology* (London: Duckworth, 2003).

39. Aristotle, "The Athenian Constitution" in *The Athenian Constitution, the Eudemian Ethics and On Virtues and Vices,* ed. H. Rackham (Cambridge: Harvard University Press, 1961), IX–X. For comment, see P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford: Oxford University Press, 1981), 159–70.

40. Aristotle, *Politica*, 1273ᵇ30–1274ᵃ20.

41. Ibid., 1274ᵃ14.

42. Ibid, 1301ᵃ25–1301ᵃ31.

43. Hume, "Of the Populousness of Ancient Nations" in *Essays*, 415. Cf. Smith, "Report of 1762–3," in *Lectures on Jurisprudence*, 226: "the vast difference betwixt a freeman of the lowest rank and a slave was so great that it made that amongst the freemen themselves not perceptible." On this theme, see also Paul Veyne, "Les grecs ont-ils connus la démocratie?," *Diogène*, 123 (1983); Christian Meier, "Bürger-Identität" in Paul Veyne and Christian Meier, *Kannten die Griechen die Demokratie: Zwei Studien* (Berlin: Klaus Wagenbach Verlag, 1988).

44. Montesquieu, *De L'Esprit de lois*, I, 2, ii.

45. Smith, "Report of 1762–3" in *Lectures on Jurisprudence*, 201. For a modern discussion by a classical scholar of the viability of the notion of "tribal democracy," see Viktor Ehrenberg, *Polis und Imperium: Beiträge zur Alter Geschichte* (Zurich and Stuttgart: Artemis Verlag, 1965), 264n.

46. For the history of society in relation to property in Smith, see R. L. Meek, "Smith, Turgot and the 'Four Stages' Theory," *History of Political Economy*, 3 (1971), 9–27; Knud Haakonssen, *The Science of a Legislator: The Natural Jurisprudence of David Hume and Adam Smith* (Cambridge: Cambridge University Press, 1981), Ch. 7. For an overview of Smith's political thought in relation to

his history of society, see Donald Winch, *Adam Smith's Politics: An Essay in Historiographic Revision* (Cambridge: Cambridge University Press, 1978), Ch. 3. See also the further detail in Donald Winch, *Riches and Poverty: An Intellectual History of Political Economy in Britain, 1750–1834* (Cambridge: Cambridge University Press, 1996), Pt. I.

47. Smith, "Report of 1762–3" in *Lectures on Jurisprudence*, 200–215; cf. "Report of 1766" in ibid., 404–09.

48. On the pattern of the "progress" of authority in Smith's history of law and government, see Istvan Hont, "Adam Smith's Political Theory: The History of European Law and Government, Ancient and Modern" in Richard Bourke and Raymond Geuss eds., *Political Judgement* (Forthcoming).

49. Smith, "Report of 1762–3" in *Lectures on Jurisprudence*, 202; cf. ibid., 215.

50. Ibid., 217: "Besides this chieftain who presides in the assembly, the whole power of the government is lodged in the body of the people." See ibid., 212–13, on the development of "senatoriall power"; see ibid., 202–03 on the patriarchs as "Judges."

51. Smith, "Report of 1762–3" in *Lectures on Jurisprudence*, 221–22.

52. Ibid., 225–26. The space of two hundred years between the Trojan War and the establishment of aristocracy in Attica is Smith's own (inaccurate) estimate.

53. See note 35 above. Cf. Smith, "Report of 1762–3" in *Lectures on Jurisprudence*, 226.

54. Ibid., 225–27.

55. Istvan Hont, *Jealousy of Trade: International Competition and the Nation-State in Historical Perspective* (Cambridge: Harvard University Press, 2005), 106–11.

56. The recognition of Cromwell as having maintained judicial independence in the midst of a general subversion of government is recorded in Edmund Burke, *Letter to a Member of the National Assembly* (1791) in *The Writings and Speeches of Edmund Burke VIII: The French Revolution, 1790–1794*, ed. L. G. Mitchell (Oxford: Oxford University Press, 1989). Smith makes much the same point in the "Report of 1766" in *Lectures on Jurisprudence*, 413; he makes the claim about Nero and Domitian in ibid., 414.

57. Smith, "Report of 1766" in *Lectures on Jurisprudence*, 412–13.

58. Burke, *Reflections*, 101.

59. Ibid., 109.

60. Ibid., 98–99.

61. Ibid., 99.

62. Ibid., 32–33.

63. Ibid., 161.

64. Cornelius Tacitus, *Annalium ab excessu Divi Augusti liberi*, ed. H. Furneaux (Oxford: Oxford University Press, 1907), 2 vols., II, XIV, 27.

65. Burke, *Reflections*, 161.

66. Ibid., 214.

67. For Caesarism, see Dieter Groh, "Cäsarismus" in *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland* eds. Otto Brunner, Werner Conze and Reinhart Koselleck (Stuttgart: Ernst Klett Verlag, 1972), I, 726–771.

68. Recognising the promise as delusive was more of a liberation than a tragedy for Schumpeter. See Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (Routledge: London, 1942 1994), 250–83. For Schumpeter's debt to Max Weber in this connection, see Jürgen Osterhammel, "Varieties of Social Economics: Joseph A. Schumpeter and Max Weber" in *Max Weber and His Contemporaries* eds. Wolfgang J. Mommsen and Jürgen Osterhammel (London: Allen and Unwin, 1987). However, it is clear that Schumpeter's historical narrative, like that of Robert Michels, *Zur Soziologie des Parteiwesens in der modernen Demokratie: Untersuchungen über die oligarchischen Tendenzen des Gruppenlebens* (Leipzig: Werner Klinkhar Verlag, 1911) is indebted to Moisei Ostrogorski, *Democracy and the Organisation of Political Parties* (Macmillan: London, 1902). Michels was introduced to the work of Ostrogorski and James Bryce by Max Weber. For Michels' relation to Weber, see Wolfgang J. Mommsen, *Max Weber und die deutsche Politik, 1890–1920* (Tübingen: Mohr Siebeck, 2004), 421. The extent to which Michels drew on Vilfredo Pareto and Gaetano Mosca for his analysis is evident in Robert Michels, "Die oligarchischen Tendenzen der Gesellschaft: Ein

Beitrag zum Problem der Demokratie," *Archiv für Sozialwissenschaft und Sozialpolitik,* 27 (1908): 73–135.

69.   See Kenneth J. Arrow, "Values and Collective Decision Making" in P. Laslett and W. G. Runciman eds. *Philosophy, Politics and Society* (Oxford: Basil Blackwell, 1967); William H. Riker, *Liberalism against Populism: A Confrontation Between the Theory of Democracy and the Theory of Social Choice* (Prospect Heights: Waveland Press, 1982). For a recent discussion, see Garry Mackie, *Democracy Defended* (Cambridge: Cambridge University Press, 2003).

70.   Schumpeter, *Capitalism, Socialism and Democracy*, 235.

71.   Adam Przeworski, *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America* (Cambridge: Cambridge University Press, 1991), 10.

72.   This is the basic category of analysis employed in the explanation of democratic conflict in Arend Lijphart, *The Politics of Accommodation: Pluralism and Democracy in the Netherlands* (Berkeley and Los Angeles: 1968); Arend Lijphart, "Consociational Democracy," *World Politics* 21, no. 2 (1969): 207–225; William T. Blum, *Building an Austrian Nation: The Political Integration of a Western State* (New Haven and London: Yale University Pres, 1973); Val R. Lorwin, "Belgium: Conflict and Compromise" in Kenneth McRae ed., *Consociational Democracy: Political Accommodation in Segmented Societies* (Toronto: The Carelton Library, 1974); J. Steiner, *Amicable Agreement versus Majority Rule: Conflict Resolution in Switzerland* (Chapel Hill: University of North Carolina Press, 1974). Despite his trenchant criticism of the "consociationist" model, "ethnic conflict" nonetheless plays a central role in the thinking of Brian Barry, "Political Accommodation and Consociational Democracy," *British Journal of Political Science* 5, no. 4 (1975): 477–505. For more recent use of the category in explaining conflict, see Donald L. Horowitz, *The Deadly Ethnic Riot* (Berkeley and Los Angeles: University of California Press, 2001). For criticism of the general paradigm, see Richard Bourke, *Peace in Ireland: The War of Ideas* (London: Pimlico, 2003) and, more broadly, Richard Bourke, "*Antigone* and After: 'Ethnic' Conflict in Historical Perspective," *Field Day Review* 2 (2006): 170–196. For an important treatment of political crisis and consolidation among twentieth-century democracies, see Juan J. Linz and Alfred Stepan, *The Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (Baltimore and London: The Johns Hopkins University Press, 1996).

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