

THE LIFE, THE IMAGE AND THE PROBLEMS  
OF DEMOCRACY



THE FOUNDATIONS OF DEMOCRACY:  
CITIZENSHIP, EQUALITY AND THE  
COMMON GOOD

BY

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# The Foundations of Democracy: Citizenship, Equality and the Common Good

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## Introduction

**P**aul Cartledge's *Democracy. A Life* (2016) is a landmark work in the history and interpretation of democracy as well as the culmination of the author's investigations of this political regime. Considering the ultra-bimillennial history of this form of government, the debate about when and where it originally started, the quarrel about the genuine meaning of the word itself, the very idea of embarking on such an enterprise is *nur fur die Schwindelfreie* and requires competence in many intellectual fields.<sup>1</sup> Cartledge shows that he not only knows Greek history to the minutest detail but also that he is at home with theories and concepts and with different historical periods beside the classic age. In addition, he possesses a style that renders reading the book not only easy but also intriguing and riveting: one is

<sup>1</sup> On problems of definition and origins see Ober 2008.

always looking for what is going to happen next in the history of this regime. Surely, the fact that the author taught courses on democracy for the previous 4 years helped shaping the colloquial tone which he was able to retain in the book, including puns and impromptu comments which keep the reader's attention high. Briefly, this book displays all the qualities which make a work have a long-lasting impact on classical scholarship as well as on different lay audiences.

The fact that Cartledge's prose stands out for its clarity, his arguments are always sensible, and the organization of the book is intuitive should not lead us to think that this is only an historical account of what democracy is and of its instantiations in various epochs. For the book has a strong, and therefore debatable, thesis which the author spells out right from the beginning: we should take democracy to mean what the Greeks -who invented it- took it to mean. Literally. Democracy is the *kratos* of the *demos*, which means that the people effectively exercise power through certain institutions, such as the assembly and the courts. This is a strong definition of democracy because it identifies democracy with a specific way of organizing power and expunges from this definition regimes which recently have been so labelled, or proto-democracy, quasi-democracy, and so on. If we take democracy to mean literally that the people exercise power, through their public arguments on the market-square and through their votes, we cannot include under this heading, say, regimes where an emperor granted free speech to his citizens or tolerated religious diversity. Free speech and toleration are ingredients of democracy, as well as general elections and majority rule, but in order to have democracy proper you must empower the people. The people must be able to make decisions about peace, war, diplomacy, taxation and other such vital political issues; in addition, as Cartledge repeatedly reminds us, in ancient democracies the people exercised their power also by sitting in people's courts. Cartledge is fond to quote

President Lincoln's Gettysburg address and his famous definition of democracy as "power of the people by the people and for the people"; and he is right in doing so, because that description encapsulates the essence of democracy. By 'people' Lincoln meant the entire American population, adopting and expressing an 'inclusivist' view of the *demos*; the people as in the opening sentence of the Preamble to the American constitution (1788): "We the People of the United States." Not the 'people,' the commoners as opposed to the aristocrats or the poor as opposed to the wealthy, the 'stasiastic' concept of democracy.

By adopting this strong definition of democracy, Cartledge rules out the likely existence of a "democracy of others", or the possibility to track and write a "hidden history of democracy".<sup>2</sup> In addition, he rightly insists that it is more correct to speak of ancient democracies, in the plural, because there were different democratic experiences, and even Athens, the city about which we know most, experienced different types of democracy (which Cartledge duly examines). But this does not mean that we should adopt a loose standard in judging political experiences and in describing them as 'democratic.' I happen to be fully in agreement with this position. I also believe that it is only if we take 'democracy' in its strong and original sense that we can hope to learn something that we can import into our contemporary battered liberal democracies. Starting, for instance, by questioning whether they are actual democracies or are, or have become, some other sort of regime.

Being in agreement with so much, conceptually and historically, of what Cartledge writes, I prefer to focus on some loci of dissent and, even more, to explore the implications of some moments in the history of democracy that he narrates. The timespan of the book is so wide that it would be a fruitless exercise to spot

<sup>2</sup> I am here referring to the provocative but, in the end, unpersuasive works of Sen 1999 and 2006; Isakhan and Stockwell (eds) 2011.

historical experiences or authors that have been neglected in the narrative. Instead, I intend to focus on the circumstances of the first democratic experiment in Western civilization to argue three theses. First, ‘democracy’ was the response to a crisis generated by an immediate problem which Cleisthenes, after due consideration and initial neglect, decided to tackle in an innovative way, clearly foreseeing the consequences in the near future, though obviously only dimly those in the far future. The very fact that the word *demokratia* appears only many decades after Cleisthenes’ reforms indicates that it took time for people to conceptualize the result of his actions as having established a regime which effectively gave the power to the *demos*. Democracy was the result of Cleisthenes’ actions in specific circumstances but not of a long-term project he devised in the year 508/7 BCE. Second, Cleisthenes’ great innovation consisted in extending *isonomia*, “equality before the law,” originally an aristocratic value and catchword, to all Athenian (free, adult, male) citizens, to the *demos*. Coined as an aristocratic value, *isonomia* became a civic value in Athens and acquired the meaning of “equality before the law and implemented through the law”: equality was one of the basic values of the new regime and new laws were made to render it effective and not only nominal. Third, the new course in politics was ideologically founded upon the overthrow of tyranny and thus the secrecy, privacy and whimsical will of the tyrant was replaced by publicity, law and the common good. Citizenship, equality and the common good are the foundational values of democracy.

## I

### **What Cleisthenes saw and Isagoras missed**

I wish to start right at the beginning (which is usually a good thing to do), namely when democracy was first established in

Athens by Cleisthenes in the year 508/7 BCE. Cartledge swiftly but aptly summarizes thus the circumstances in which Cleisthenes operated:

Herodotus' Cleisthenes engaged in what is represented as being at first nothing more elevated than a head-to-head struggle for honour and power with rival aristocrat Isagoras [...] Their forces were evenly matched, indeed so much so that each felt obliged to turn for extra support to highly unconventional sources (Cartledge 2016, 65).

This is quite correct, but it is worth exploring the matter more deeply because the problem at hand, from which 'democracy' originated, is still one of the hottest issues for contemporary democracies: citizenship. I will have to proceed slowly and in a detailed manner, but I hope that the result will justify my decision.

The broader political issue after the expulsion of the Pisistratid tyrants from Athens (511 BCE) was what content to give to the word 'freedom': Athens was now free from the tyrants and had to envisage what kind of political community to be in the future. We must bear in mind that the political scenery had changed dramatically after the experience of tyranny. One of the hottest issues was the admission of non 'genuine' people into the citizenship effected for their purposes by the tyrants; these people and their families, however, had been dwelling in Athens for decades when tyranny was terminated. The pace of the years 511-508 BCE was frantic. Herodotus V, 66 writes that Cleisthenes, "finding himself in a condition of inferiority, enlisted the people into his comradeship." I prefer to translate literally Herodotus' statement, who uses the puzzling expression *ton demon prosetairizetai*; a unique verb, which was already incomprehensible to Aristotle one century later. In fact, in the *Constitution of the Athenians* Aristotle (or one of his pupils), who evidently used Herodotus as a source

for Cleisthenes' reforms, made an identical statement but was forced to change the phrasing to make himself understood to his readers. He wrote that: "Cleisthenes, having got the worst of it in the comradeships, enlisted the people on his side, offering to hand over the citizenship to the multitude" (*AP* 20.1). The phrasing of Herodotus' and Aristotle's narratives disclose a situation of struggle between opposed factions (*stasis*), which saw involved aristocratic political clubs, comradeships (*hetairiai*). Cleisthenes' decision to enrol the common people into his political club should be interpreted as a move to gain the support of the people, which then turned into the decision to extend to all Athenian citizens the same privileges and access to political power that solely the aristocrats previously held. This act extends to the common people the equality among peers of the aristocracy and signals the 'ennobling' of the Athenian *demos*, which will become a *topos* in 5<sup>th</sup> century BCE Athenian democratic propaganda. By enlisting the people in his comradeship Cleisthenes means to transform the *demos* into a politically active agent.

We should interpret Herodotus' statement in a vague and generic sense. Cleisthenes probably promised to defend the interests of the *demos*, to become their mouthpiece; he meant to let out of the political limbo in which it was confined a presence in the Athenian political life which was still publicly and politically unacknowledged. Our sources speak of two phases in the post-tyrannical political contest: the first is a confrontation between Cleisthenes and Isagoras which still takes place in an aristocratic dimension; the second goes beyond a simple struggle between clans and sees the *demos* as an active protagonist on the political scene. What was at stake was the archonship for the year 508/7 and initially neither of the two competitors had identified the real issue in the political match nor the way to prevail. Subsequently Cleisthenes, finding himself in a weaker position among the aristocrats, tried to find allies outside his class, enlarging the basis



of support of his clan. And here is the real change. By making this move, the Alcmeonids adopted a political programme which aimed not at solving private disputes which became public and impinged upon the *demos* regardless of its motives and needs; with this turn the Alcmeonids made the reasons of the *demos* their own. The ideology of *isonomia* was thus substantiated with new content and there was no reversal of the post-tyrannical civic conquests. Cleisthenes rejected the policies of the tyrants, which benefited the *demos* in order to make it an instrument of their plans; he identified in the *demos* one of the components of the political community and redesigned accordingly the administrative and political offices. Cleisthenes' attitude is very different from Pisistratus', whom Aristotle describes as "an extreme lover of the people" (*demotikotatos*: *AP* 13.4) and whose programme is summarized in the invitation he gave to his fellow-countrymen after disarming them with a stratagem:

He, when he had finished the rest of his speech, told his audience not to be surprised at what had happened about their arms, and not to be dismayed, but to go away and occupy themselves with their private affairs, while he would attend to all public business (*AP* 15.5).

A little later Aristotle reiterates that Pisistratus wanted his citizens to "be engaged in their private affairs, so as not to desire nor to have time to attend to public business" (*AP* 16.3). Pisistratus' "love for the people" is a personal thing, the result of his mild and liberal nature, to which he added political calculation, since the *demos* was his innovative basis of support. Pisistratus did not want the people to meddle with public affairs, he wanted to keep them in a private dimension. Cleisthenes, on the contrary, wanted the *demos* to enter the public dimension and to have an active decisional role in public matters (*ta koina*). This is confirmed

by Isocrates' judgment, which reflects the subsequent interpretation of Cleisthenes' reforms current in the 4<sup>th</sup> century BCE: "Cleisthenes expelled the tyrants and brought the people back to power".<sup>3</sup>

Let's now have a look at the political programmes of the two contenders. Isagoras' proposal to ban the Alcmeonids and other 700 families, dissolve the Assembly and establish himself and 300 "friends" as "sovereign (*kyrious*) of the city," with the support of Sparta, is a clear attempt at creating a strict oligarchy at Athens. We may debate to what extent these were Isagoras' own proposals or the price he had to pay for Spartan support; but this is not relevant here. Aristotle informs us that Cleisthenes' reforms were passed under the archonship of Isagoras (508/7 BCE). If Isagoras was elected archon for that year he must have been in a stronger position than Cleisthenes and the Alcmeonids were evidently somehow isolated among the Athenian aristocratic families: probably Isagoras' initial programme was somewhat generic and polarized the hostility against the Alcmeonids. On the other hand, if Cleisthenes succeeded in having his reforms passed under Isagoras' archonship, these clearly had a conspicuous popular support: they were not overtly partisan, and in any case Isagoras was not able to come up with a convincing counter-proposal. Cleisthenes and Isagoras initially offered solutions which were still anchored in an aristocratic dimension, full of regionalism, particularism, clientelism and selfishness. Cleisthenes, however, had a clearer vision of the political reality: he was aware of the changes that Pisistratus' tyranny had brought about in Athens and realized that it was not possible to keep the *demos* out of public

<sup>3</sup> Isocrates, *Areopagiticus* 16; this statement is repeated in *Antidosis* 232 and 306; De *bigis* 26-27. Isocrates believed – anachronistically but with a very interesting interpretation of the events – that Solon had already admitted the people to power: see *Antidosis* 231-232; *Areopagiticus* 16.

affairs anymore. When he was defeated for the archonship, he immediately realized what the cause of his failure was and acted accordingly. Perhaps Cleisthenes previously thought that he could win his contest with Isagoras even without making this dramatic turn in Athenian political practice; his defeat persuaded him that it was impossible to successfully operate in politics at Athens without tackling the problem of the *demos*. In admitting the *demos* to the management of *ta pragmata* Cleisthenes acted as an excellent, non-partisan, statesman: his reforms stemmed from a realistic evaluation of the political circumstances; they were not a mere attempt to overturn the balance of power with Isagoras through an alliance with the people, which could then easily be dissolved. The important political point here is that the *demos*, which is absent from Herodotus' and Aristotle's account of the expulsion of the tyrants, revolts against Spartan occupation: the people siege and chase the Spartans out of the city while at the same time calling back the Alcmeonids and the other exiled families. The *demos* has become a politically active agent and will remain so in the future, to eventually become the arbiter of Athenian politics.

We are now in a better position to examine the heart of the matter, the most profound issue in the contest between the two Athenian leaders: citizenship. Or, more specifically, the revision of citizens' list and the prospective disenfranchisement of many people who were not "of pure descent" (*katharoi*). Aristotle informs us that "after the deposition of the tyrants the Athenians enacted a revision of the roll, because many people shared the citizenship who had no right to it" (*AP* 13.5). The *diapsephismos* must have been a measure on which all leaders were agreed. Our sources do not indicate that Isagoras promoted it and Cleisthenes opposed it, so it would be rash to postulate that Cleisthenes did not approve of this proposal. This measure was in line with other post-tyrannical policies: it aimed at restoring a situation altered by the previous regime, which had introduced several foreign people

into the tribes, thereby sapping the homogeneity of the *ghene*. I can't see how Cleisthenes could have opposed such anti-tyrannical measure. In addition, if he had done so in the first place, all the new families introduced by the Pisistratids would have supported him right from the start; it would then be difficult to explain his initial defeat in the contest with Isagoras.

A passage from Aristotle can help us here. Aristotle writes that “Cleisthenes, after the expulsion of the tyrants, enrolled in his tribes many resident aliens who had been foreigners or slaves”.<sup>4</sup> I believe that in proposing his reforms Cleisthenes could then count on the support of Athenian citizens of dubious origin, probably slaves sold abroad because of debt or citizens who had emigrated and then returned to Athens after Solon's reforms; these were Pisistratus' supporters and felt threaten by the revision of the roll and possible disenfranchisement. Herodotus V, 72-73 uses the word *epistia* to describe these families, which is a unique occurrence in his text. Aristotle (*AP* 20.3) translates the Herodotean expression with *oikias*, “households”, which is an interpretation and not an explanation, and subsequently speaks of “newly enfranchised citizens” (*neopolitai*: *AP* 21.4). Herodotus' choice of word refers to non-legalized family groups, namely not inserted in the ordinary structure of Athenian citizenship: these were probably those people who received citizenship from Pisistratus and included craftsmen, tradesmen, peasants attracted to Athens by the great economic expansion under the tyrants. It was not a negligible part of the population and the prospective disenfranchisement impacted heavily upon the population. Aristotle speaks of 700 families; moreover, the revision was implemented quite effectively if we trust Andocides, who writes that after the expulsion of the tyrants “some were killed, some exiled, some were allowed to

<sup>4</sup> Aristotle, *Politics* III 2, 1275 b 36-38.

remain in the city disenfranchised”.<sup>5</sup> In response, Cleisthenes proposed to extend citizen rights to all the families living in Attic territory, thereby re-integrating all the ‘spurious’ families in a different civic framework: the new tribes, the demes, the tritties, the use of the demotic instead of the patronymic were all measures conceived to further this plan. All of Cleisthenes’ reforms reveal a well-devised plan to give a complete and consistent answer to the problem at hand and the requests of the *demos*.

## II

### ***Isonomia*: the most beautiful name of all**

About the effect of Cleisthenes’ reforms Aristotle writes:

These reforms made the constitution much more democratic than that of Solon; for it had come about that the tyranny had obliterated the laws of Solon by disuse, and Cleisthenes aiming at the multitude had instituted other new ones, including the enactment of the law about ostracism (*AP* 22.1).

There are several interesting pieces of information in this passage. Aristotle follows the 4<sup>th</sup> century interpretation of Solon as the creator of democracy in Athens; his statement that Cleisthenes “aimed (*stochazein*) at the multitude” renders well Cleisthenes’ original intention, to put the multitude at the centre of his concerns and make it an active political agent. But the most interesting piece of information for my purposes is the attribution to Cleisthenes of the law about ostracism. Historians disagree about this attribution because it appears strange that a law used for the first time in the year 488/7 BCE (ostracism of Hipparchus) had been passed 20

<sup>5</sup> Andocides, *De mysteriis* 106.

years before; the confusion in the ancient sources only complicates the matter but this question of attribution needs not interest us here. The instrument itself – the possibility to exile someone while allowing him to retain his property and civil rights – is perfectly in line with the general purpose of Cleisthenes' reforms: creating equality before the law at Athens and avoiding that some aristocrat should imitate Pisistratus and become tyrant. It is the counterpart of *isonomia* because it aims at preventing that someone uses one's excessive power to fulfil one's anti-democratic ambitions.<sup>6</sup> Perhaps the most interesting fact is that the receiver of an ostracism procedure needed not have been accused, or convicted, of a crime; someone can disrupt democratic equality and be a concern for the city simply by being who and what one is; their very being is an 'objective' threat to democratic equality.

Moreover, I find very interesting the explanation given by Plutarch for the existence of this instrument of democracy. In his *Life of Aristides* he writes that after the victory in the Persian wars the Athenian *demos* was elated and, at the same time, "vexed with those who towered above the multitude in name and reputation". He adds this reflection:

Now the sentence of ostracism was not a chastisement of base practices, nay, it was speciously called a humbling and docking of oppressive (*baruteras*) prestige and power; but it was really a merciful exorcism of the spirit of jealous hate, which thus vented its malignant desire to injure, not in some irreparable evil, but in a mere change of residence for ten years (*Aristides* 7.2).

<sup>6</sup> In addition, Sara Forsdyke persuasively argued that ostracism was a ritual through which the people, consisting of ordinary Athenian citizens, reminded aristocrats of the power of the *demos* to intervene when conflicts among the elite threatened the entire polis. See Forsdyke 2005.

A similar judgement can be found in his *Life of Themistocles*, where Plutarch speaks of the ostracism incurred by Themistocles and explains that the Athenians wanted thus to curtail “his dignity and pre-eminence, as they were wont to do in the case of all whom they thought to have oppressive power (*dynamei bareis*), and to be incommensurate (*asymmetrous*) with true democratic equality (*isoteta demokratiken*).” He adds this consideration:

For ostracism was not a penalty, but a way of pacifying and alleviating that jealousy which delights to humble the eminent, breathing out its malice into this disfranchisement (*Themistocles* 22.3).

There are certain people in a democratic arrangement who are excessive, literally too “heavy”, for democratic equality; these people do not violate a specific law but are deemed “disproportionate, outsized” for the democratic standards simply because of what they objectively are.

### III

#### **Tyranny, secrecy and the beauty of the public sphere**

When Herodotus staged his debate on the forms of government, he had the supporter of the “rule of the many”, Otanes, argue two complementary theses. First, to put it in Lord Acton’s words, that “power tends to corrupt and absolute power corrupts absolutely.” Otanes is adamant in arguing that the monarch, simply because he is a sole ruler and is unaccountable to anyone, will inevitably transform into a tyrant. Tyranny brings about secrecy, killing without due trial, rape, overthrow of ancestral customs and laws. This is because government is predicated upon the whimsical will of the tyrant, which is unpredictable. Second, he

describes the rule of the many as “doing nothing of what the tyrant does”: democracy is from the beginning the opposite of tyranny because it is based on something predictable -the rule of law. Democracy is characterized by publicity, by “putting everything into the middle” -to use Herodotus’ beautiful metaphor.

Subsequent authors reinforced this idea which became the main ideological pillar of democracy: the power of the people is inherently the opposite of tyranny.<sup>7</sup> One of the major point on which all authors insist is that tyranny brings about a ‘privatization’ of politics, which is by definition public and common: even if a tyrant were ‘good’, he would not benefit his city or State because he is interested only in his and his family’s fortune. The tyrant signals the entrance of the private into the public dimension and the inevitable transformation of the *res publica* into a *res privata*. From Herodotus, through Machiavelli and Tocqueville, up to Leo Strauss and Hannah Arendt, the tyrant has been characterized as the exponent of ‘the private’.

The new kind of tyranny we should fear inside our liberal democracies has two different faces. There is, on one hand, the intrusion of the private into politics: this is when private interest succeeds in entering the political decision-making process; for instance, when big corporation executives work side by side with lawmakers in designing laws. The rules to prevent this from happening should be strict and strictly enforced. There is, on the other hand, a growing tyranny of conformism, which subtly spreads an ideology of material happiness and consumerism antithetical to political participation and involvement: politics is a corrupt and dirty matter; no-one expects any happiness to come from the political dimension. This new kind of tyranny cannot be

<sup>7</sup> I have argued for this and for the complementary view, to the extent that tyranny becomes the mirror opposite of democracy when democratic ideology starts to form in the age of Cleisthenes. See Giorgini 1993.



opposed only by political and legal means; it requires an accompanying new ideology of political participation, a new ‘republicanism’.

## Conclusion

### Democracy, an unfinished project

I believe that the Greek democratic experience can teach us some fruitful lessons. Cleisthenes’ reforms, I have argued, aimed at resolving in a revolutionary way, as required by the circumstances, a specific problem: what content to give to Athenian liberty after the rule of the tyrants came to an end. This included the prickly problem of deciding who was going to be included into the citizenship. Cleisthenes’ inclusion of new and ‘spurious’ elements, united in their support of “equality before the law and through the law,” paved the way to a new regime – democracy. It is my persuasion that contemporary liberal, democratic States should wake up from their torpor and face the question with an audacity similar to Cleisthenes’: who is to be considered citizen in this time of migrations? The pressure at the borders, the concerns of the present citizens must be faced and require a visionary answer: I mean an answer which encapsulates a vision of what contemporary liberal democracies want to be or to become. It is true that ancient Athenian democracy provides us with a twofold answer. Cleisthenes’ decision to include into Athenian citizenship all integrated people in the territory of Attica, underpinned by the ideology of *isonomia* and other measures, laid the foundations for a new regime -democracy. On the other hand, at the peak of Athenian democracy (451/0 BCE), Pericles’ law to limit citizenship only to people having both Athenian parents marked a formidable restriction;<sup>8</sup> its approval by the Athenian

<sup>8</sup> Plutarch, *Pericles* 37.2, the law “on bastards”. See Kamen 2013.

*demos* reveals that a political entity senses that it cannot expand indefinitely and, at some point, prefers to limit the access to what it considers a privilege. Where should we take our bearings? Are culture and integration in a community the requirements for citizenship, or is it lineage and blood? If we wish to opt for Cleisthenes, we should remember that citizenship is accompanied by law-abidingness, the other side of *isonomia*.

Secondly, democracy is founded on equality and cannot work without a certain degree of equality. In the days when Marxism was still a strong ideology, the Italian political philosopher Nicola Matteucci published an essay titled (in translation) “Of the Equality of the Ancients Compared to that of the Moderns” (Matteucci 1989), echoing Benjamin Constant’s famous lecture. Matteucci intended to show that the ancient notion of equality embodied in the ideal of *isonomia* was very different from the contemporary, Marxist notion of egalitarianism: the former was an equality before the law which left inequality of wealth, status and social standing untouched -legal equality. The latter was the ambition to achieve equality in every respect, by forcing unequal to be equal; total (or maybe totalitarian) equality -egalitarianism. The horrors of the 20<sup>th</sup> century make us rightly wary of the ideal of total equality and we should not fall back on ideas which have been disproved by history itself. However, remembering the tyrannical experience, the Athenians took into serious consideration the possibility that someone could exploit his excessive power, of whatever kind, to become tyrant and devised the legal tool of ostracism. Today, in our liberal democracies, we do not fear so much Caesarism and the power of the military, and I am far from arguing for some measure like ostracism; however, there are still two sources of power and great inequality that should worry us, because they tend to transform democracies into oligarchies where there is no common good in sight. They need therefore to be tackled through constitutional measures devised to control the power of elites; and,

even more, we should pose the problem of what kind of elite is acceptable in a true democracy.<sup>9</sup>

The first is the power of money. The earliest document of Western civilization is Hesiod's *Works and Days* (7<sup>th</sup> century BCE): it is the lament of the poet, who has been robbed of his inheritance by his brother Perses; he used the money to bribe the judges who ruled against Hesiod! If there is a lesson to be learnt is that money has been king since the dawn of our civilization. Even in our contemporary democratic societies a few individuals and corporations are so rich to have an overwhelming power as compared to ordinary citizens. A hedge fund which can put 100 million dollars a day in the government bond market can destroy the sovereign debt of a small State. One individual or a corporation who can file a "strategic lawsuit against public participation" (SLAPP) can effectively silence critics who are not willing or cannot afford the cost of a legal defence in a long trial. These are a threat to public speech and, often, a way to cover one's own malfeasance. It is reasonable that stricter regulations should be enforced in both cases in order to curtail not liberty but rather licence, in some cases licence to kill.

The second is the power of information. Already in 1922, the far-sighted journalist Walter Lippmann alerted us to the difficulty of having a true democracy when ordinary people are not able to form a correct opinion on public issues due to lack of information and the complexity of the modern world. He saw that the accuracy (or lack thereof) of news and the unequal access to sources of information were fundamental problems that sapped the foundations of democracy (Lippman 1922 and also 1937). The situation has but worsened with the contemporary social media

<sup>9</sup> See the interesting proposals advocated, in the wake of Machiavelli's *Discourses*, by McCormick 2011.

which can filter and tailor information, making people live in voluntary or involuntary “information cocoons” and “filter bubbles”.<sup>10</sup> Information asymmetry and ‘bubbles’ that hinder fair, productive debate are a threat to democracy. The road is open for a transition from democracy to ‘epistocracy’, but it is always risky to demand the realization of the common good to a selected, albeit competent, few.

The ghost of Plato is always lurking somewhere and haunting democracies of any epoch. It hides in the most unexpected places. From the proposal of plural voting for recognisably competent citizens by the pillar of Victorian liberalism John Stuart Mill and his contemporary epistocratic acolytes,<sup>11</sup> to the soft or “libertarian paternalism” of radical legal theorist Cass Sunstein and economist Richard Thaler.<sup>12</sup> The philosopher-king is the deadliest enemy of democracy for he believes he knows that the others know nothing.

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<sup>10</sup> The two terms have been popularized by Cass Sunstein and Eli Parisier, respectively. See Sunstein 2001 and Parisier 2011.

<sup>11</sup> Mill 1862; see for instance Mulligan 2018.

<sup>12</sup> I am thinking especially of Sunstein & Thaler 2008. Critics of the view of human beings as rational agents, Sunstein and Thaler argue that “choice architects” should nudge people into making better choices for themselves about, say, their diet, health care, retirement plan.

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