

THE LIFE, THE IMAGE AND THE PROBLEMS
OF DEMOCRACY



ANCIENT AND MODERN DEMOCRACY
A SHORT REAPPRAISAL

BY
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Ancient and Modern Democracy: A Short Reappraisal¹

Dino Piovan

I

Ancient and modern democracy: only different in size?

The word ‘democracy’ reminds us unavoidably to ancient Greece. Its etymological meaning is *kratos* of the *demos*, i.e. ‘power of the people’, as all school texts say. It is very frequent that they pay homage to the ancient origin of democracy, but they normally add immediately afterwards that classical Athens was a direct democracy, which is impossible to achieve today. Our political systems – so they pretend – are necessarily representative governments. These are an adaptation of the democratic concept

¹ An earlier version of this paper was published into Italian as *Il ritorno dell'agorà. Una riflessione sulla democrazia, antica e moderna*, in *Classici contro*. Edited by A. Camerotto and F. Pontani, Milano-Udine: Mimesis 2012: 67-79. I thank Grey Musser for helping me to revise this English version.

to the nation-state dimensions, too large to be governed as the classical *polis*.²

In fact it was not the question of the territorial size that drove the founders of modern representative systems to reject the Athenian model of direct democracy. This is proven by two arguments, a logical one and an historical one. First of all if the size had been so decisive, they would have constituted smaller communities just like classical Athens, whose size covered the whole region of Attica and was inhabited by a few thousands of people. It would not have been so difficult in the XVIII century England, when the enfranchised people were only 280,000 in a population of 8 million.

However what is probably most important is the historical argument. The Fathers of US Constitution e.g. did not want at all to found a democracy like the ancient one; on the contrary that is exactly what they wanted to avoid by instituting a representation. It is enough to quote the words of James Madison, the great architect of the 1787 US Constitutional Charter; his goal was:

To refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations (Hamilton, Jay, Madison 1787).

In short what Madison and others did not want was a system in which a common man, whose wisdom was unproved, could influence decisions involving public interest directly, even by

² Cf. e.g. Sartori 1962, 251. Against the argument of the dimensions cf. Castoriadis 2010.

standing up in a lively assembly to say his' piece, as was done in ancient Athens.³ Governance must be done by those with wisdom (today one might say the technicians).⁴

II

The classical democracy: participation, equality and lot

In fact the Fathers were afraid that the ignorant persons could decide on the public life without adequate thought, as the many ancient critics of democracy were⁵. Just to mention one name for all, Plato. In the *Protagoras* e.g. he portrays Socrates as clearly skeptical of the mechanisms of Athenian democracy. How is it possible – he wonders⁶ – that when Athenians need to build they seek an architect, and if they need to fit out a navy they look for a ship owner, but when the point is to decide what is better for the city they stand up to advice smiths and cobblers, merchants and ship owners, rich ones and poor ones, nobles and plebeians? It is an evident critique against the popular government, and we could find it elsewhere too in the Platonic works; it is directed both against the *isegoria* (the equal right to speech publicly) and the choice of officers by lot without selection.

Indeed the Athenian people consulted the technicians about technical questions, listened to them but then it was themselves, met in assembly, to give the final word. The people did not give to

³ About the reinvention of democracy in the 18th century United States cf. Cartledge 2018, 293-298.

⁴ A very recent proposal of the wisdom government is Jason Brennan's epistocracy: cf. Brennan 2016.

⁵ For a larger review of ancient and modern critics to Athenian democracy cf. Piovan 2008.

⁶ Cf. Plato, *Protagoras*, 319 c-d.

anyone else – to any representatives, to any experts – the right to declare war or peace, to maintain or to change the law in force, or how and where to spend its financial resources and so on. But they were not those irrational and ignorant people so labeled by the critics; otherwise we could not explain the extraordinary success gained by this city in the democratic period (not *despite of* democracy but *because of* it). As a matter of fact the average Athenian citizen was provided with much higher discernment about public affairs than the inhabitants of modern states. For, on the contrary to Plato, they were a people that got a continuous political *paideia* ('education'), surely not in the Platonic Academy but in the daily institutional and administrative activity. As Protagoras says in the homonymous dialog, the effective teacher of Athenian citizen is the *polis* itself and its educational work lasts throughout their lifetime: by attending assemblies and tribunals as well as by carrying out various public services as a city councilor, juryman or officer.

The Athenian classical democracy was indeed distinguished not only by the assembly of all citizens, which is of course its central organ; this system is more complex and more sophisticated than it may appear.⁷ There is a Counsel, of 500 members divided into branches of 50, drawn by lot among the volunteers; so it has nothing to do with the Roman Senate, whose members were chosen depending on the wealth and stayed in office for life. The tasks of the Counsel were of fundamental importance because it organized the assembly agenda and also presented the decrees to approve. Not to mention the popular court, which especially in the 4th century BCE judged very political questions as well as legislative ones: e.g. whether a bill of law or even an already approved decree are legitimate or not (in modern words we would

⁷ For a systematic description of Athenian democratic institutions cf. Hansen 1999; for its historical development Cartledge 2018.

say: whether it is constitutional or unconstitutional). Completing the system there were 600 officers with executive or administrative functions filled every year by different people according to the basic principle of the officer turnover. So annually the system required at least 1,100 citizens willing to be drawn by lot from a total of about 20,000 enfranchised ones to function. It was a very high percentage of population involvement, when compared to those of 20th and 21th centuries. We may conclude that the possibility for everyone to be active part of the system was much more than a rhetorical slogan.

The choice of lot might seem strange to us, but it may be important to note that was not caused by a religious factor, as it was sometimes explained in the past. It was instead a way to support equality among the citizens, to put all people on the same level; together with the principle of officer turnover (they were in office a year on average) it involved a large number of people regardless of their social, economic or cultural condition. The possibility of abuses by officers was impeded both by the duration and by the duty of account at the term of office. It was not a formal examination but everyone could present a charge and if the accusation was considered justified was thereafter judged by a popular court. Transparency and responsibility were not simply formal principles, but consciously pursued and concretely applied by the Athenian political system.

III

Elections and leaders in Athens

One should add that the lot was not the only method to nominate the officers; also the Athenians used the elective method for the rough 100 offices with financial and military tasks. It was

thought that for these offices a greater experience was necessary, like for the *strategoí*, ‘generals.’ We would not deny that to be elected to these offices were the most prominent personalities; at least in the first period of democracy they mainly came from rich and noble families, like Cimon and Pericles, Nicias and Alcibiades. Not accidentally Aristotle said that lot was democratic while election was aristocratic⁸. However they were not representative in the modern meaning: they were influential leaders in the assembly – that is true – but continuously checked by the people. Their suggestions should always get through the popular assembly, their influence could be put up for discussion at any time, as it happened even to Pericles. The status of being a political leader in classical Athens is not comparable to that of contemporary democracies; those politicians were not supported by parties⁹ and they had to share their power with other colleagues according to the principle of collegiality. The job of demagogue, as at a certain point they were labeled, often with contempt, by the critics of the system, was a tiring and very stressing role just because it was based essentially on the personal credibility, the charisma, on the ability to convince the others without the help of machine politics or by means of mass media. It was an informal power but not an institutional one. It was a fragile leadership and that explains how even prestigious personalities such as Miltiades, the winner of Marathon, or Themistocles, the winner of Salamina, were subjected to the ostracism, i.e. the exile decreed by a secret ballot through the pots.

The ostracism was not the product of the popular envy towards the best, as it is sometimes presented by the ancient writers who were against popular government; it was an extreme measure that was devised to prevent an over rich, powerful, or strong person

⁸ Cf. Aristotle, *Politics*, 4.9, 1294 b.

⁹ For the question whether or not parties existed in ancient Athens cf. Piovan 2015.

from restoring tyranny, which was eliminated at the end of 6th century by much effort. It was not a very liberal method, admittedly, and the Athenians dismissed it themselves before the end of V century BCE.

Therefore, the Athenians acknowledged that leaders were important but they avoided raising them above the common citizens. They used them without idolizing them and by ensuring that they did not become too powerful. It was a system that willfully avoided an excessive personal power; there was no room for what in modern history is labeled Bonapartism. That should not be taken for granted: e.g., many people today speak too often about the “Pericles’ government,” a label that bears out the idea that Athenian democracy was only a formal fiction but behind it there was hidden the real supremacy of rich and educated elites. This idea is supported by the famous opinion of Thucydides: Athens would be a democracy by name, in fact the prime citizen would rule. But he softens this authoritative statement a bit later himself by saying that Pericles dominated the people not more than the people dominated him; and we should not forget that according to other writers like Plato, Pericles deserved to be convicted as a demagogue who simply would have restricted himself to indulge the popular passions.¹⁰

Certainly the Athenian system did not conceive of the principle of power separation, which already Locke and then more completely Montesquieu formulated in the 18th century to limit the power of absolute monarchies. Yet classical democracy contained its rationale, mechanisms to check power by splintering it and dispersing it. Of course it was not a perfect system, but which system is? It is possible to bring up the errors and horrors of 200 years of democratic history, of which the most quoted examples

¹⁰ Cf. Thucydides 2.65 and Plato, *Gorgias*, 515 d-516 d. About the so-called Periclean monarchy cf. Azoulay 2016.

are the death sentence for the victorious generals at Arginusae (406 BCE), which was illegal because passed for all the accused together and not separately as required by law,¹¹ and the death sentence for Socrates (399 BCE), who became a martyr for freedom of conscience as is portrayed by the writings of Plato. It is critical to understand that Socrates had been living undisturbed for 30 years while criticizing the principles of popular rule in the public square, and it was the charge of *asebeia*, ('impiety') which would determine the conviction¹². This was a religious offence that in modern times would be called heresy. As everybody knows, heresy has always been an offence with dangerous consequences. To make an irreverent comparison: it seems that after these two sentences the Athenians regretted them bitterly. Conversely four centuries were needed before listening to some apologies for the trial of Galileo, charged with heresy by the catholic Inquisition (and we are still waiting for Giordano Bruno).

The dissent of Socrates reminds us that Athenian democracy was a more pluralist system than it is often said: pluralist in a cultural, social and economic meaning. The legal equality indeed did not entail an economic one and hence the distribution of wealth was not homogenous at all; however the rich were obliged to contribute to the public expenditure by the *liturgies*, 'public services,' e.g. to set up a fleet or also the theater shows. The wealth was not persecuted but Athenians attempted to channel it towards broader social benefits.

In conclusion, it was a system not exempt from mistakes; it is evident that who thinks as Plato that politics must be *episteme*, 'exact science,' cannot help being unsatisfied with democracy; but the point is that politics is not *episteme* but *doxa*, 'opinion'; in it differing

¹¹ About the trial of these generals cf. Cartledge 2018, 120-121.

¹² The trial of Socrates is still very controversial: cf. Stone 1988; Bonazzi 2018; Cartledge 2018, 175-180; Pelloso 2019.

opinions confront themselves and this is the *raison* that makes the majority government legitimate. At least on that Athenians saw more clearly than Plato.

IV

The modern democracy: the triumph of representative system

If compared with ancient democracy, it is immediately obvious that the modern version is indirect or representative in nature. Where does this come from? The Parliament is in fact a fruit of Middle Ages, it comes from those intermediate corps (named general states or assembly) that the king consulted when he needed to raise taxes. The delegates were representatives for some social classes to a sovereign body such as an absolute monarchy. Because of this, Rousseau claimed that the representatives were a feudal organism and the people should not have representatives (Rousseau 1762, book III, chap. 15).

Earlier I quoted James Madison, the great architect of the 1787 American constitution who apparently did not want to found a democracy. But we could say the same on the representative systems born in the same period in Europe, e. g. in France. Let us look at the famous lecture by Benjamin Constant, *The liberty of ancient compared to that of modern*, that he held in Paris in 1819 and contained moderate and antijacobinical ideas. He refuted ancient democracy as in it “the individual, almost always sovereign in public affairs, was a slave in all his private relations”; the modern freedom “must consist of peaceful enjoyment and private independence”; the representative system is necessary because it “is nothing but an organization by means of which a nation

charges a few individuals to do what it cannot or does not wish to do herself” (Constant 1988, 311, 316 and 325).

I would attract your attention to the fact that the modern citizens Constant thinks of are not common men: they are a minority group of the society, the rich owners; only these, according to him and the liberals of 19th century, have the right to vote. The antithesis between politics and private life does not concern all people, only those who accumulated wealth. The others – that is implicit – have neither the possibility to take part in the public life nor wealth to enjoy.

Surely since Madison’s and Constant’s ages there were important changes; in a very gradual manner we passed from a restricted suffrage, exclusively reserved for the richest ranks, to the universal one, first only for men and then, eventually, for women too. The representative system has nevertheless been kept intact to characterize the modern democracy. This shares with the ancient one some basic assumptions: first of all the legal equality among citizens, then the idea that everyone has the right to contribute to the public life; but it distinguishes itself from that on essential points. The people do not normally decide anything directly but instead elect representatives who are unbounded by promises made to the electors (there is the so called “prohibition to imperative mandate”), but provided with an almost total autonomy. At no time during their mandate can the representatives be removed, even when their political actions are unequivocally disapproved of by their electors. So they form a separate body from the rest of the citizens, without a proper accountability. Hence the famous joke of Rousseau, who spoke about the English system so: Englishmen are free once every five years, then for the rest time they are slaves!

As a matter of fact there was and still is a democratic element: periodically there are free elections, in which the voting people can

distrust their representatives retrospectively. This is the reason why Bernard Manin (Manin 1997), a French political scientist living in the USA, defines the representative government (he prefers to avoid using the word ‘democracy’) as a mixed system, that amalgamates two elements: an oligarchic one (the few that govern) and a democratic one (the many that elect the few, confirm them or disapprove of).

V

The triumph of Neoliberalism and the crisis of representative democracy

Coming to more recent years, after 1989 we have often heard the proclamation of the end of history and the triumph of western liberal democracy, which according to its bards would be bound to stay as the only form of government. In fact the number of countries that present themselves as democratic has reached its zenith: most of the UNO members would be so classifiable. So for the first time in history democracies are the majority in the world. All this emphasis however cannot conceal that there is a serious and deep crisis, not only in Europe but all over the world; we cannot be content with an empty and triumphalist rhetoric. The causes are different, some are old and others newer.

First, there is the separation between the rulers and the ruled; this was a rift already present at the beginning of representative government and has remained even after the transition from liberal state to mass democracy, which has been, at least until recently, a party system. So has arisen a class of professional politicians. To paraphrase a joke of Gaetano Mosca, a conservative, Italian political observer of early 20th century, they make themselves elected more than are elected; in liberal states of 18-19th centuries

there were rich and notable persons to be elected while in mass democracy we have party leaders and party officials. This point gets a theoretical legitimization by most political scientists: according to them participation should be limited and oriented. As Joseph Schumpeter, one of most influent political scholar in XX century, asserted:

The voters outside of parliament must respect the division of labor between themselves and the politicians they elect. They must not withdraw confidence too easily between elections and they must understand that, once they have elected an individual, political action is his business and not theirs.¹³

Or as wrote Samuel Huntington, the theorist of “the clash of civilizations”:

The effective operation of a democratic political system usually requires some measure of apathy and non-involvement on the part of some individuals and groups.¹⁴

In sum, in the mainstream political scientists’ opinion, we must not disturb the bus driver!

Yet while the rift between citizens and professional politicians is no recent event, in the last decades other phenomena have worsened the quality crisis of contemporary democracy. First of all there is the tendency to weaken the national state in favor of economic globalization. Hence if one nation-state ruled and controlled the trades with other states by establishing limits, since

¹³ Schumpeter 1942, 147.

¹⁴ Huntington 1975, 36-37, quoted in Barber 1984, 95. About Hungtinton's idea of democracy cf. Miller 2018, 217-226.

roughly 1980 it has given up the control over economy more and more and the concept that democracy has to serve market has prevailed. This process has come to favor economic and financial oligarchies so that they are able to influence single governments without accounting for their deeds to anyone. This hegemony¹⁵ of Neoliberalism has entailed a series of consequences: privatizations, deregulations, drastic cuts to the welfare state (education, health, pensions), the collapse of mass parties (reduced to electoral and personalized organizations), switch of important parts of produced wealth from wages and salaries to profit, i. e. from working and middle classes to the upper-class. The contemporary state is no longer able to resolve actual disparity through public services.¹⁶

The weakening of national state has allowed the enhancement of such IGOs as the World Bank, the International Monetary Fund and the World Trade Organization, none of which are elected organs; moreover they lack transparency and are able to deeply influence countries with crippling debt. An emblematic example is the Greek government of G. Papandreou, which in December 2011 was compelled to revoke the early decision to submit the severe austerity agreements with EU to popular referendum. This process has run parallel with the reduction of citizens to passive political consumers, who are only bound to choose which prepackaged product they can buy, while their representatives are unable to affect the big economic and financial problems. As in the USA: not even President Obama in his two terms could curb the excessive power of financial oligarchies in spite of his electoral

¹⁵ I am using the word 'hegemony' in the meaning of Antonio Gramsci 1992-2011.

¹⁶ There is a massive bibliography about Neoliberalism and its effects; I would suggest as amongst the more important and synthetic books Harvey 2005 and Judt 2010.

promises, and the race to presidency has been for decades influenced by wealth.

VI

Back to Agora?

How to respond to this crisis? For years some people have longed for a technocratic model, which would consist in trusting to experts in order to reach consensual aims such as steady economic growth. In fact this solution is only an illusion: in politics there are no technical decisions and decisions are always political, whether or not they are technically grounded. Cutting social expenditures or defense, e.g., is no technical question at all, although it is an old rhetorical strategy to pretend that it is. As a matter of fact we need to return to participation if we want to step out of illegitimate and ineffective polity; but participation has to be understood as not limited to electoral moments, i. e. as mere assent to rulers of the day, but as a public sphere in which collective needs are articulated. On the other hand we were only able to pass the barriers of wealth and sex and gain universal suffrage in the course of a long and hard struggle over more than a century; this was the result of social movements mobilization and definitely no gracious courtesy from the top.

Yet if we look beyond institutional politics, we realize that the idea and practice of democracy are not in decline at all. There are many expressions of an alternative, spontaneous and unguided democracy that is distinctly at odds with the model of the passive consumer citizen; I am talking about the mobilizations from the bottom of society, which confront institutional power without the

aim replace it.¹⁷ As examples, we can think of district committees in local areas, which claim the right to voice their own opinions about critical questions concerning their community, and of social forums on a global scale. In the last ten years the movement of Spanish *Indignados*, the American *Occupy Wall Street*, the so-called Arab Springs and the Hong Kong popular protest just this year have attempted (and are still attempting, at least in the last case) to occupy the modern *agora* in a more than metaphorical sense.

Even if we cannot enter into details here, it is also worth touching on the different institutional experiments, performed in Europe, North America and in the rest of the world and named as deliberative democracy and participative democracy.¹⁸ Examples of the first one are citizen juries, Consensus conference, deliberative polls, etc., in which are formed committees with a few citizens, often casually chosen. For some days they explore a question of public interest with which they are informed accurately by experts and at the end they voice their opinion. This is a model that focuses on discussion and argument, yet it has some weak points: it has little force in its effects (committee's opinions are only consultative), is occasional and involves a very limited number of citizens.

The participative model is instead grounded on the “open door,” i.e. on the non-selective and non-occasional participation of all interested citizens. The most famous example is the Porto Alegre shared budget, a very studied case both because of its longevity and its effective success. While in the first years were involved roughly 3,000 people, over the years this figure has

¹⁷ Cf. especially Rosanvallon 2006; about the dangers of the so-called populism cf. Mounk 2018.

¹⁸ Also here the bibliography is massive. Amongst many important things one can see: Sintomer 2007; Florida 2012 and 2017.

reached up to 30,000, in the assemblies that are due to decide a not irrelevant portion of the city budget.

It is not that I am hoping for a full-time citizen model, for an all-absorbing democracy that does not leave space for anything else, but for a model in which spending one's own week-end in a shopping center is not considered more pleasant, more interesting, more stimulating than being involved or at least interested in public affairs and participating to public life. It is more that to overcome a hegemonic paradigm, that of consumption and consumer (I am still using the word "hegemonic" in a Gramscian meaning), which seems to most people the only possible and suitable life style.

J. S. Mill said that men believe as natural what they are used to and as impossible what they do not know. If studying Athenian democracy can teach us that contemporary democracy is not the only possible one, then indeed it will not have been useless.

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