Democratic Formalism
and the Problem of Representation
in the Post-Modern World

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A dispassionate analysis of the collapse of the Soviet Empire and the emergence of a New World Order requires us to see this as the outcome of an analyzable process. Whatever the undoubted shortcomings of Soviet-style regimes, their rapid spread in post-War Europe and the post-colonial Third World must owe something to their promise as regimes of economic reconstruction. That they failed to deliver on this promise in catastrophic instances like the Great Leap Forward obscures their modest degree of success in promoting literacy, equality, and a minimum standard of living – the necessary economic threshold for political normalcy.

Europe too in its past after devastating imperial wars invented systems of economic reconstruction to which no democrat would subscribe, notably feudalism. Democracy and rule of law represent political normalcy and recent archaeological evidence suggests that codified law, bicameral legislatures, an independent judiciary, and free and fair elections were characteristic of regimes as old as the Mesopotamian city states of 1500 BC. There are only so many ways to handle political representation, essential for long-term stability, and under normal conditions regimes make more or less appropriate choices. The post-World War II bipolar system, whose strength was the prevention of global war, but whose weakness was an incapacity to stem the proliferation of regional wars, succeeded, mostly for economic reasons, in creating conditions for the restoration of political normalcy, at the same time making obsolete unrepresentative one-party regimes of national reconstruction.

It is an occupational hazard of democracy to overdramatize normality and make ideological icons of regime attributes. Dispassionate analysis suggests that we desist from tossing around the labels socialism, communism, fascism, which serve only to obscure the function of historically situated institutional arrangements. The dance of the 'isms' should cease to dictate the beat of post-modern politics. Ideological polarization, created as a function of the face-off between competing empires, East and West, may now concede to a more scientific

understanding of the effects of different institutional arrangements, about which so much is now known. Democracy, a portmanteau term for forms of representative government, must then come in for scientific scrutiny as well.

It is merely symptomatic of the outcome of the post-War struggle between clashing empires that from the Western and trans-Atlantic democracies of Europe and the Americas, to the Newly Independent States and former People's Republics of Eastern Europe, Libya, Algeria, Cuba and South-east Asia, democracy should have won universal approbation as a privileged form of regime. But what in fact does democracy mean beyond 'free elections', its banner cry? Did democracy, as some critics suggest, lose something in the translation from Greek city-republics to the modern representative democracy? What structural and institutional differences might account for this imperfect translation? Has the theory and practice of classical democracy been so mythologized, as to make serious comparison of participatory forms between ancient and modern, Western and non-Western systems difficult?

This essay will examine the salience of elections against widely endorsed assumptions about the evolution of state forms. Described in terms of a progression from primordialism to the *polis*, and thence from the early modern nation state to the secular republic, this schema places Western parliamentary democracy at the highest point in the evolutionary chain. But such a neat linear schema is upset by ancient anticipations of democracy in Greece and Rome and the appearance much earlier, in the East, of institutional forms of voting and representation we now associate with democracy. We will further explore the thesis that democracy, far from being 'natural' or intrinsically privileged, is an institutional form that developed under the pressure of historical exigencies. This requires a brief sketch of Mesopotamian political forms, Athenian democratic and Roman republican institutional history to show the development of democracy as a response to peculiar demands made on the state in terms that could not be ignored. It follows that, whatever we may have to say about the felicitousness of democracy and the efficacy of elections as democratic mechanisms, we cannot rule out alternative indigenous duty-worthy forms of consultation and representation, brought about in response to different system demands.

Democracy might be characterized then as the outcome of a series of political deals. Some of its most percipient early analysts described it in just this way. The outsider, and manumitted Greek slave, Polybius, reflecting on the might of the Roman Republic, asked the question how

Rome came by such great power, and if that was justified? His answer took the form of a sketch of those crises from which Roman leaderships extricated themselves by experimenting with different mechanisms for representation, gradually widening the franchise and expanding the notion of citizenship to include, eventually, all free male inhabitants of the empire. Machiavelli, whose famous *Discourses on Livy* owes almost as much to Byzantine reports of Polybius's lost books as to Livy, follows the same analysis of republican experimentation as a form of crisis management. For the Greeks he has little good to say, believing, like Augustine, that Athens and its philosophers had been vastly overrated. Democracy, however, was another matter. As an idea with no fixed boundaries, the Romans had mobilized it to pacify the East – the West being sparcely populated and politically and economically backward enough to be held by garrisons.

If Polybius, Livy, Tacitus, and Machiavelli are right and democracy was the outcome of a series of deals, what is the deal right now that would make democracy a realistic choice for regimes in transition? The shape of regimes is always a combination of endogamous and exogamous factors. Analysis of the intimate connection between 'democratization' (a new synonym for 'modernization'), free elections and foreign aid packages, and the recently introduced series of international performances known as 'election monitoring', may go some distance in explaining the attractiveness of democracy under the New World Order.

Formal continuities in the history of democracy are remarkable. This is due in part to the particular role that the model of the Athenian *polis* has played in the formation of the modern nation state. Early modern European nation states extricated themselves from the amorphous empire of united (or frequently disunited) Christendom by competing for the mantle of the *polis* (see Springborg, 1986, 1987a, 1987b, 1990, 1992). Reformation rejectionists and anti-clericalists became secular by default, as they came to appreciate the virtues of civic religion from a reason-of-state perspective. Antiquity came as a package, transmitted, ironically, by the very Church reformation nationalists were rejecting, along with the philosophy of Plato and Aristotle, and it turned out to comprise a rich fund of exempla for political purposes. Democratic ideals, at first a fringe benefit, gradually found a role at centre stage, as civil society tried to extricate itself from the state, and the state transmogrified itself from the personalistic 'estate of the prince' to its early modern professional and increasingly bureaucratic form. No amount of distortion in the processes of transmission could hide the fact

that much of the literature of antiquity focussed on the problem of state forms, experiments in representation, and the relation between economic success and specific democratic forms.

Democracy has a trump card over its alternatives in the centrality it assigns to voting. It is not that voting is such a complicated social form, or that other civilizations could not have discovered it. We know, for instance, that sortition, or voting by lot, was used in Southern Mesopotamia in the Old Babylonian period as a mechanism to decide on the precise distribution of shares to the parental estate in legal systems where sons inherited in full shares and daughters in half shares, but where the estate comprised parcels of real estate, capital, equipment, and certain indivisible goods (Oppenheim, 1969, pp. 9-10). In Assyria the annually elected magistrate after whom the year was named was elected by lot. Ancient Mesopotamian civilizations were characterized by the rotation of magistracies among an isonomous elite, achieved undoubtedly by voting. But it was the Athenians who made the linkage between democracy and voting constitutive. They voted in all sorts of ways and for all sorts of purposes. To elect magistrates and decide matters in the assembly they voted by show of hands (*cheirotonia*). On matters concerning individuals and juries passing sentence, the voting was by secret ballot (*psephisma*, from *psephos*, voting stone) (Ehrenberg, 1970, p. 11-32).

Literary evidence confirms the centrality of voting to ancient Greek democracy. In the earliest recorded usage of the elements of the word in Aeschylus's *Suppliants* (601-21, cited Ehrenberg, 1950, pp. 519-22) in the fifth century BC, democracy was associated with voting. The play concerns the supplications for religious sanctuary of the fifty daughters of Danaus, fleeing Egypt rather than marry their kin, the fifty sons of Aegyptus, made to the king of Argos in the Peloponnese. This poses a dilemma for the Greek king: if he accedes to their wishes he risks war with Egypt, but if he denies it he forfeits his claim to the priestly role of just king, 'saviour' and 'benefactor'. Pelasgus succeeds in having the assembly decide the matter. Danaus reports the will of the people (*demos kratousa*) as it was decided by a vote of the assembly – the women are to stay. When asked to describe how the will of the people was decided (604), he answers, 'The air was moved by the whole people with favourable hands' (607) – voting by show of hands, although Aeschylus (601) uses the term *psephisma*, 'secret ballot'. It is interesting that Aeschylus's *Suppliants* is a play about the fifty daughters of Danaus and the fifty sons of Aegyptus, the legendary eponymous colonizers of the Peloponnese from the East, as recorded by Hesiod and Homer. Hesiod's term for 'suppliant', *hikes(ios)*, is a pun on

Hyksos, that legendary east Mediterranean people, much of whose history is recorded in Egypt (Bernal, 1987, pp. 22-3). Maybe they brought voting with them, among the stock of items Egypt was believed to have imparted to ancient Greece, as recorded by Herodotus and Diodorus Siculus.

In Herodotus's *Histories* (3.80-82) we have the abstract noun *democratia* recorded for the first time. It makes its appearance in the context of a debate about the relative merits of the three, very self-consciously articulated, basic types of regime: monarchy, oligarchy, and democracy. It is significant that Herodotus, like Plato later in the *Laws* (693), should consider monarchy and democracy as 'mother constitutions', and aristocracy or oligarchy as derivatives. When it comes to the characteristics of democracy, Herodotus gives them both in conceptual terms and in terms of institutional characteristics. Democracy has 'the most beautiful name of all, equality (*isonomia*)' (Herodotus, 3.82, 6); moreover, offices are distributed by lot and decisions are taken with respect to interests of the community as a whole (Ehrenberg, 1950, pp. 526-8). The precise meaning of the concept of equality in antiquity, *isonomia*, has been much debated (Ehrenberg, 1950; Vlastos, 1953). It seems to have been a relative term, so that when the tyrannicides, Harmodius and Aristogeiton are celebrated in the famous drinking song (Diehl, 10-13, cited Ehrenberg, 1950, p. 530) for having slain the tyrant and made Athens *isonomous*, this did not mean that democracy ensued, but rather that the oligarchy which followed allowed relatively greater freedom and equality than what went before. As the word passed into more general usage after this early period, it came to mean at the very least 'equality before the law'. That it ever meant 'equality of distribution', or economic equality, as Vlastos (1953) tries to argue on a philological basis, is doubtful; its usage was rarely if ever accompanied by demands for redistribution of land, for instance.

Athenian democracy came about in some senses inadvertantly, as a side effect of crisis management by Solon, Cleisthenes, Ephialtes, and Pericles, those reformers who came to power on the backs of the common people. The reforms of Solon, designed to alleviate the impoverishment of the small holders and tenant farmers who had suffered most from aggrandizing oligarchs, involved an amnesty on private debts, the abolition of debt bondage, and the institution of new socio-economic categories to which military and political functions were attached, designed to cut horizontally across the ties of family, clan, and tribe that divided Greek aristocratic society vertically. What was radical

about Solon's reforms, and progressive in his day, was the institution of
political privilege on the basis of social class rather than lineage, so that,
for instance, the highest offices of archon and treasurer were recruited
from the highest socio-economic category only, the '500 bushelmen',
who reaped this measure, liquid or dry, from their landholdings annually.
The second highest socio-economic category, the 300 bushelmen,
supplied the knights or cavalry, since they had the means to maintain a
horse. The 200 hundred bushelmen furnished the cavalry, and the
fourth and lowest enjoyed as political rights only the right to membership
of the *ekklesia*, that assembly of all male warriors which ratified decisions
of war and peace, and the right of trial by jury to circumvent clan justice.
The right of trial by jury was adjudged by Aristotle in his comments on
Solon's reforms (*The Constitution of Athens* 9.1-2, 1974 edn, p. 77) the most
important for democracy: 'for when the people have a right to vote in the
courts, they become master of the state'. However, it was not Solon's
intention to bring the people to power as such. Rather, as we know from
his poems, he hoped to steer a middle path between aggrandizing
oligarchy and levelling democracy (see Aristotle, *The Constitution of
Athens*, 12.1-5, 1974 edn, pp. 78-80).

The incremental, and almost inadvertant, development of democracy
in ancient Greece is demonstrated by the case of Cleisthenes. Ties of
family, clan, and tribe had proven intractible and when, after a lapse into
tyranny, Cleisthenes came to power, he tried another tack. The Pisistratid
tyrants had won a political contest based primarily on clan ties, or ties of
locality, the regions of the mountains, the coast and the plains furnishing
different factions. Cleisthenes, of whom it was said that, lacking the
resources to put together a clientele in the political clubs (*hetaireiai*), 'he
made the demos his *Hetairos* (club)' (Hesiod, 3.66), decided to use the
very principle of locality to revamp the system of political entitlements.
To begin with he changed the tribal structure itself, replacing the four
traditional tribes of Attica, subdivided into trittyes to yield twelve units
that lay at the basis of Solon's system, with ten new tribes. As Aristotle
comments, this reform, which created a new artificial tribal structure
serviceable for his purposes was designed to strike at the traditional tribal
system and to allow the wider distribution of offices (*The Constitution of
Athens*, 22.1, 1974 edn, p. 91). At the same time Cleisthenes divided the
country-side into 30 demes or provinces, based on pre-existing village
communities (Roussel, 1976), ten each from the shore, the plain, and the
mountains, assigned by lot to the ten tribes. It was stipulated that
henceforth citizens would be known by their demes names and not their

clan names, and Cleisthenes made the accompanying radical shift from a solar to a lunar calendar to permit the customary system of a tribal rotation to man the magistracies. Cleisthenes' reforms included making the military posts of supreme commander, polemarch, and ten generals, strategoi, elective – one from each tribe and open to talent.

To these reforms Pericles, who came to power on the strength of the longshoremen, added payment for jury service, opening up participation in the judicial system to that very constituency that brought him to power. Pericles was thus another case of the nobleman who could not afford a traditional clientele, as Aristotle (*The Constitution of Athens*, 27.4, 1974 edn, pp. 97-8) remarks, and decided instead to 'offer the people what was their own'. The net yield of these reforms, then, was to redress immediate grievances on the part of the disenfranchised, those small farmers who served Athens so well in wars as a civil militia, or in the navy, and who demanded as the *quid pro quo* for the willingness to lay down their lives for their country, a right to political participation. Not only were subsequent reformers able to alleviate pressing discontents in this way, but at the same time they provided themselves with political constituencies that were relatively durable, and a system for manning the magistracies in a state run on a shoe string.

Surely the greatest difference between ancient democracy and modern representative democracies lies in the ancient definition of a citizen as one who both rules and is ruled. It was not for the honour of voting every now and then that the Athenian public had clamoured – something, we know from Aeschylus, they already enjoyed under kings – but rather the right, quite literally, to rule. In terms of formal political institutions, the city (*polis*) had co-opted items from the tribes: the archonship, the council of elders (*gerontes*) and the *ekklesia*, all originally tribal forms. The genius of the system, which established entitlement on other than tribal principles – mainly socio-economic – was nevertheless to incorporate the networks of family, tribe and clan associations in the roster of magistracies. So, for instance, the typical fifth century *boule*, that agenda-setting council or steering committee of the *ekklesia*, or assembly, wielded great executive power. It was constituted in the following elaborate way.

By no means a small body, the *boule*, which began life as the council of nobles, or Areopagus, under Solon was reconstituted as the Council of 400, 100 members elected by lot from each tribe, and under Cleisthenes was expanded to 500 to accommodate the new tribal system which supplied now 50 members from each of the ten tribes (Cadoux & Gomme, 1970, pp. 178-9). All citizens over the age of 30 were entitled to

membership, chosen by lot from their tribes for a year. Day to day business and the supervision of the boule's daily meetings was handled by ten prytaneis, those ten tribal councils out of which the *boule* was constituted and which acted, each taking a turn, as its standing committee (MacDowell, 1970, pp. 893-4). Each of the ten prytaneis held office for a month of the lunar year, convened the *boule* which met each day, as well as the *ekklesia*, which met four times a month, and selected an executive officer by lot, who held office for a day. The administrative duties of the prytaneis were onerous, they included not only supervision of the two assemblies in which policy was debated, but the receiving and sending of envoys and diplomatic missions, and the overseeing of select committees of the *boule* constituted in memberships of ten to handle maintenance of the fleet, the letting out of state contracts for tax and rent collection, the supervision of treasury and temple receipts, care of public buildings and state festivals and cults, preservation of the state archives, the scrutinizing of magistrates, and bringing those charged with malfeasance to trial in the occasional sittings of the *boule* as a court. In the fourth century, due to the sheer volume of business, the chairman of the prytaneis was replaced by a council of nine proedroi, one from each tribe except the prytanizing tribe.

Commentators remark on the degree to which day-to-day business in Athens, under this elaborate tribal-cum-political voting system, involved ordinary citizens. Family, clan and tribal networks supplied the membership not only of assemblies as debating societies which legislated, but executive and judicial committees of the state which transacted its business and which turned over their memberships at a rapid rate. Such a system was highly appropriate to small-scale urban, littoral or riverine communities based on business, trade and commerce in which a high volume of economic transactions took place requiring market supervision and procedures for the arbitration of disputes.

Institutional continuity suggests an adequate fit of function to form. In fact the democratic institutions of classical Greece had precursors in Mesopotamian city-states that preceded those of Greece by at least a millennium (Kramer, 1963; Oppenheim, 1969). They took the form of bicameral assemblies whose membership was determined by citizenship and property qualifications; voting by lot; a well developed judicial system; and the circulation of magistracies among an isonomous elite. Documentary evidence, to the extent of thousands of cuneiform inscribed clay tablets, record law codes, and judicial proceedings for the Mesopotamian basin cultures, regarding 'marriage contracts, divorces,

inheritance, slaves, hiring of boats, claims of all sorts, pledges and such miscellaneous items as pre-trial investigations, subpoenas, theft, damage to property, and malfeasance in office' (Kramer, 1963, pp. 84-5). In c. 2350 BC the Urukugina reform document of the Sumerian city of Lagash recorded the term 'freedom' for the first time, in terms strikingly reminiscent of Solon's *seisachtheia* almost a thousand years later (Kramer, 1963, p. 79). The citizens of Babylon, whose city and subject cities boasted an array of autonomous corporate municipal institutions, in a letter to King Ashurbannipal declared that 'even a dog becomes free and privileged when he enters their city' (Oppenheim, 1969, p. 7).

Modern commentators do not believe that city-republics of the Greek type necessarily spread economic benefits any more evenly, or literally represented the power of the demos, the common people, or the poor, more than their enemies the Assyrians, Persians, and the Medes. One recent study has shown that for a three hundred year period in Athens an identifiable group of wealthy families, whose constitution changed very little, controlled the state (Davies, 1981). And others have shown that networking at an intense level, which was the very stuff of political participation, produced predictable distortions in the distribution of power (Cornor, 1971; Bourriot, 1976; Roussel, 1976, Veyne, 1976). The very vehicles of participation – clans, tribes, phratries brotherhoods, and political clubs of various sorts – ensured that the *polis* would be the sum total of a plethora of little societies working the system for their own ends. It was indeed a fraternal society, as Aristotle pointed out, in which the city ensured that people in their families and tribes, their clans and their brotherhoods, were 'living well' (Aristotle, *Politics*, 1280b35-1281a5). This meant that those who by reason of gender, race, slavery, or lower-class status, were excluded from the gymnasiums, symposiums (wrestling and drinking societies), dining societies, debating societies and other locales in which politicians were recruited, were denied representation in what was a highly factious and self-assertive society. Women and slaves did not fare well. The works of the orators and dramatics suggest that the freedom that was valued above all was freedom of speech, and it is fair to say that when Titus Quinctius Flamininus, Roman proconsul of Asia, at the Isthmian games in 196 BC promised the conquered cities of Philip and the Macedonians 'the freedom of the Greeks', what he had in mind was the right to freedom of speech; some sort of representative assembly that stopped short of the *ekklesia*, however, with its right of free access; and freedom from military occupation and any punitive tribute (Polybius, *Histories*, 18.46, 1979 edn, p. 516). He was not promising them direct

democracy, if for no other reason than that by the second century BC democracy had ceased to mean rule of the *demos*, if it ever did, and was associated rather with civil rights rather as we understand them: freedom of speech and some form of representative council.

Voting is the necessary but not sufficient condition for elections, something that is sometimes forgotton. With the Greeks democracy involved a lot of voting, but their elections involved complicated schedules of nomination, scrutineering, renomination, rescrutineering, and finally voting by lot among a very circumscribed pool of candidates. Plato is believed to give, in the *Laws*, a fair account of contemporary Athenian election practices, and they are to us quite unrecognizable. We may guess that a lot of their electioneering behaviour would not be considered too exemplary today. The institution of the *hetaireiai*, male militias, or clubs growing out of shared military service, involved notions of fraternity and solidarity such that club brothers defended one another in the courts, and even in the streets, to the point where justice was very much a secondary consideration (as Aristotle remarked in the *Politics*).

It was the Romans, however, who pioneered electioneering and representative democratic forms as we know them. Voting took place in the *curiae*, centuries, and tribes. It became a formality in the curiate assembly early on, and the centuries and tribes followed suite. Their procedures are reminiscent of parliamentary or congressional divisions: delegates were appointed, the issues were debated in public sessions, and when the presiding magistrate ordered voting was to begin, non-citizens were summoned to withdraw, ropes being drawn across the assembly to divide it into as many enclosures as there were tribes or centuries. Prior to 139 BC the voting was by roll call, but from 139 to 107 BC voting was by secret ballot. When the voting was over, the presiding magistrate announced the results. Group voting was the rule in all Roman assemblies, the majority of votes within a century determining the vote of the century, and the majority of centuries determining the will of the assembly. The Romans used extension of the franchise as a political strategy, which ultimately reached its limit in universal manhood suffrage among the free of the Empire. However, citizens had to come to the assembly in Rome to vote, although the Emperor Augustus did experiment with a postal vote (Treves & Staveley, 1970, p. 11-32). Notwithstanding these restrictions the Romans seem to have practised electioneering with considerable gusto, so that eventually campaign laws were introduced forbidding the transportation by candidates of voters to the election, for instance, and setting limits on campaign funds. Knowing, as they did,

how conspicuous display works to create constituencies, the Romans, in sumptuary laws, even set limits to how much one could spend on funerals, and how much jewellery women could wear. Party politics in the age of Caesar gave elections a bad name, and it was with this in mind, I believe, combined with the experience of party politics in Georgian England, that the Federalists so assiduously avoided mention of party in the American Constitution.

The career of democracy as a concept in Western European thought and its relation to voting and elections is an interesting one. Although the term entered the English language early, for instance, already to be found in the sixteenth century of our era with the meaning of popular rule, and explicitly identified as belonging to classical Greece, it was not widely endorsed as a form of government suited to the early modern European nation states. Important exceptions to this generalization were medieval theories of popular sovereignty, the democracy of the Levellers and radical protestant sects of the English Revolutionary period in the seventeenth century, their continental European counterparts and early Enlightenment thinkers such as Jean-Jacques Rousseau. The latter is an important figure for his insistence on direct, rather than representative, democracy and his insistence on participation as lying at the heart of citizenship. Nevertheless, it is true to say that prior to the American and French revolutions, classical republicanism based on the notion of a regime mixed between democratic, monarchical, and aristocratic elements with an emphasis on 'balance', and the capacity of such a regime to hold centrifugal forces in check, far outshone democracy as a political ideal (Pocock, 1975). One might say that democracy was the demonstration effect of eighteenth century revolutions, rather than being the ideal to which they aspired.

In fact, America would seem to have a special claim, often advanced by its political theorists, on democracy as a modern phenomenon. De Tocqueville's *Democracy in America* signalled a new age, as the analysis of a phenomenon that had outstripped its theorization. So in nineteenth-century France, England, and Germany, early socialists generalizing from the experience of the great revolutions advanced notions of democracy that went far beyond the Athenian experiment, stipulating economic equality and goods held in common or the absence of property that only the radical Cynics and Stoics of antiquity had dared to hope for, along with their counterparts in the Christian monastic orders. It is worth noting, for instance, that in the writings of Karl Marx, in particular the *Contribution to the Critique of Hegel's Philosophy of Right* (Marx,

1970 edn.), unpublished in his own lifetime, democracy holds for him at this stage the privileged position later reserved for socialism. Democracy it is which expresses the human essence, the all-round development of characteristic human powers; moreover, Marx does not believe that it has to be 'participatory' or direct democracy, or even to require the universal franchise; it is sufficient in a democratic society that everyone performs his/her function, since all roles are equally a creation of society, and equally democratic if society is democratically constituted.

The realization of democracy as a form of regime involving free and fair elections and the universal franchise is very much a twentieth century phenomenon. With the exception of New Zealand and a few other former colonies of England, universal suffrage was only introduced after World War I, and then it was justified by the same rationale by which it was justified in Athens: as the *quid pro quo* of the willingness to serve the state in war. Women had proven that they were capable of running the state while men were away at the front and they were rewarded for this capacity with citizenship. (In some democratic republics, for instance, a few Swiss cantons, the definition of the franchise is more narrowly classical – it is predicated on service in the citizen militia, as it was for the hoplite soldier of Athens, and women are still therefore excluded.) Max Weber (1968, vol. 3, ch. 16, pp. 1353-4), the German sociologist, made more explicit than perhaps any other theorist, the degree to which democracy in antiquity was a manifestation of the warrior state in which the hoplite soldier succeeded in extracting rights in exchange for military service. It is worth noting that modern democracies share some of the heritage of those fascist regimes bent on recapturing the toughness, honour, and might that the battlefield forges. Whatever theoretical basis German fascism may have had, for instance, harks back to a glorification of militaristic Athens and Rome as representing the essential values of civilization.

It is ironic, but true, that no sooner had the reality of universal franchise come to pass, than theoreticians began to debate the question whether universal representation, or elite representation, constituted the essence of democracy. So, for instance, elite theorists, Vilfredo Pareto, Gaetano Mosca, and Robert Michels have argued, with justice, that 'the iron law of oligarchy' applies to democracy and that behind the façade of universal representation an elite rules. While these sociologists were, for the most part, presenting an empirical analysis of democracy as they found it, their observations were subsequently valorized to produce the recommendation that this is how democracy should be. So, for

instance, Joseph Schumpeter and Robert Dahl in his early work, argued that competition between circulating elites was the best that democracy could hope for. Had they undertaken the kind of nuts and bolts analysis of democracy in antiquity that we have tried to sketch out here, they would have seen that certain institutional obstacles that stand in the way of a more participatory system sharply demarcate modern from ancient democracy.

For, if citizenship involves both ruling and being ruled, then citizenship is very narrowly based in the modern world. Even if one regards party-membership as being formal participation, the involvement of modern publics in the political process simply does not approximate that of ancient democracies. The argument of scale, while it might eliminate direct representation in an assembly, need not exclude citizens from administrative service, service on policy committees, or in the judicial system. The reason why democracy in the modern state seems so thin, the franchise more widely spread but bespeaking more and more restricted political functions, is because it is now confined almost exclusively to the legislative arena, which itself has diminished in importance among state functions. Theorists of democracy have rarely observed the degree to which the ancient citizen was involved in executive and judicial processes, which then as now were responsible for the all-important implementation of policy over and above its legislation. So, while Aristotle (*Politics*, 6.4) could jokingly remark that the Athenian assembly only worked because most of the farmers lived too far away to attend, he would have considered the failure of the system to roster citizens in and out of administrative boards, executive committees and the courts a much more serious matter. Apathy, while tolerable at the level of the assembly, a debating society which also legislated, might be condoned in the interests of efficiency, but lack of participation in the day-to-day administration of the state would not have been.

This is precisely the point at which modern democratic theory differs, some theorists explicitly endorsing apathy as the only mechanism which allows the elite to exercise its right. So the innumerable slogans that behavioural political science has coined, to the effect that leadership is more progressive than followership, and that abstention from participation allows rational allocation of resources into the private sector, are usually predicated on the assumption that the legislative function is the only relevant function for citizen involvement. Recent theorists of participatory democracy (Pateman, 1970; Burnheim, 1987) have argued the contrary however, demonstrating that workers' councils

in Yugoslavia and certain work practices in private industry prove the efficacy of a widespread and active involvement in decision-making.

It is perhaps ironic that elections and election-monitoring are the flagships of democracy for the decolonized third world. In many of these societies indigenous, or at least long-standing, forms of representation – the *masjiid* and *majlis*, tribal assembly, assembly of elders, in their various forms – may provide better access to interest groups constitutive of civil society than modern political parties, most frequently encountered in one-party guise. It is worth remembering that the institutions of classical democratic Athens: the archonship (rotating magistracy), *gerontes* (the council of elders) and the *ekklesia* (assembly), all began life, and continued to function, as tribal institutions that were co-opted by the state. What Athens sacrificed in autonomy it gained in the representativeness of such institutions, in a world, as Max Weber reminds us, in which groups, and not individuals, were candidates for representation. Democracy was born in societies dominated by the so-called primordialisms of family, clan and tribe, precisely to translate their local power to the national level. The question is not whether modern democracy can survive the push and pull of these ancient primordialisms, so much as whether the product of modern elections and election-monitoring is really democracy.

Careful analysis shows that apparent 'primordialisms' are strategies fostered by power-mongers mindful of human susceptibility to identity-formation in easily identifiable groups. Such groups are no less socially constructed and just as open to deconstruction as any other human artifact. They are also open to change, given the right incentive structures. Non-Western decolonizing states, learning from their imperial masters, embraced Western concepts of sovereign territoriality based on ethnic, racial or religious purity in their struggle for self-determination. It is the sheerest irony that the test of modernity for these very old societies, marked by ethnic and religious diversity, should be the adoption of democracy based on 'free elections': a form of political representation associated with small-scale ethnically homogeneous states.

The great strength of traditional societies, and their buffer against imperial penetration, was the complexity of confessional relations between autocephalous communities. The outcome was a form of representation that was at its best confederal. If the New World Order, whose cross-border transactions and data-flows elude old territorial boundaries, is to surpass the small nation state, retaining some of these arrangements may be more efficacious than we think. Larger, rather than smaller, aggregations offer better chances for minorities to survive. This is the

logic of federalism. Multi-ethnic communities provide frameworks for self-conceptions and strategies for self-realization that minimize polarities between 'insider' and 'outsider' in a way that ethnically simple communities cannot.

Problems of ethnicity, fundamentalism, and nationalism, as the durable realities with which political representation must deal, are new only in the rubrics under which they are raised. As age-old problems that states and empires faced, the threats which subordinate social groups posed to the stability and longevity of the larger entity are not new. If anything the competence of ancient states to command loyalty against the competition of family, clan, tribe, and 'nation' was inferior to that of the modern state; in part for technological reasons. Communications, and therefore control, were inferior. But strategies for effecting stability and harmony were not necessarily different. They involved concessions by the centre to the locality, the highest level of municipal autonomy consonant with imperial hegemony; confederacy rather than unity. They required the development of ideals of cosmopolitanism and multi-culturalism, the valorization of 'difference' rather than 'sameness'.

If multi-ethnic polities can serve to minimize racism and ethnicity, can the same inference be drawn for religion? Do multi-confessional communities also show more tolerance? The examples of Lebanon and Cambodia on a small scale, India and China on a large scale, show a mixed result. But there is historical evidence to show that in large-scale multi-ethnic and religious communities ethnic checks and balances facilitate 'cosmopolitanism' and tolerance. For many centuries imperial frameworks, and more recently the British Commonwealth, the European and South American Economic Communities, and the United Nations provided institutional settings large enough to offset the tensions between the fractious elements they contained. Values of peace and international cooperation may not be self-enforcing, but incentive structures can be developed to facilitate their enforcement. One can eschew the dismal conclusion that racism and ethnicity are eternally durable primordialisms which will keep erupting from time to time, and see them as socially constructed realities whose power can be unmasked.

Paradoxically, the best hopes for the Newly Independent States in the present round of post-colonial reconstruction might be to settle back into the sort of confederation of small elements that characterized them for millennia. The states of Central Asia, for instance, enjoy one of the longest and most various histories of confederation, under the ancient republics of Sumeria, Assyria, and Babylonia, as well as the Achaemenid,

Parthian, Sasanian, Hellenistic, Roman, Byzantine, Umayyad, Abbasid, Fatimid, Mamluk, and Ottoman empires. A new confederation of 'nationalities' need not look like the empires that have been sloughed off, but might take the form of economic or political union along EC lines. The old empires, due to constraints of distance and communication, necessarily produced a high level of local autonomy, in which the remote *imperium* was hardly more intrusive than the no-name empires of the postmodern world.

Nineteenth and early twentieth century colonial penetration changed all that. But new and more collegial aggregations, promoted by a more representative international system, a real achievement of the United Nations and its supporters, can lay imperialism to rest in the multi-polar world of the future. Now that the great Leviathans have out-paced themselves to a standstill and are ready to retire from the ring, regional groupings may flourish. The present EC's inability to act, in the Yugoslav crisis, for instance, suggests that it might have reached its natural limit as to size, and that some other arrangement would be called for. It is doubtful, anyway, whether it is desirable to keep absorbing more and more of Asia into Europe. Some sort of West Asian, or Central Asian grouping might have much more integrity, and promise much greater stability to the region, than disintegrating member states do now, caught between the remnants of the old European and Soviet empires.

Submitting representatives to the test of the ballot box is the necessary but not sufficient condition then, for political representation. The movement for ethnic, national, and confessional autonomy, whatever its merits, challenges the formalism of modern democracy, demanding state structures decentralized enough to permit them relative autonomy, but centralized enough to be economically and politically viable. Whether this challenge can be met depends both on the probability of new confederal groupings emerging and the possibility that brash new nationalisms are ready to settle for the deal-making and horse-trading that are the stuff of politics, and out of which representational structures are fabricated.

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