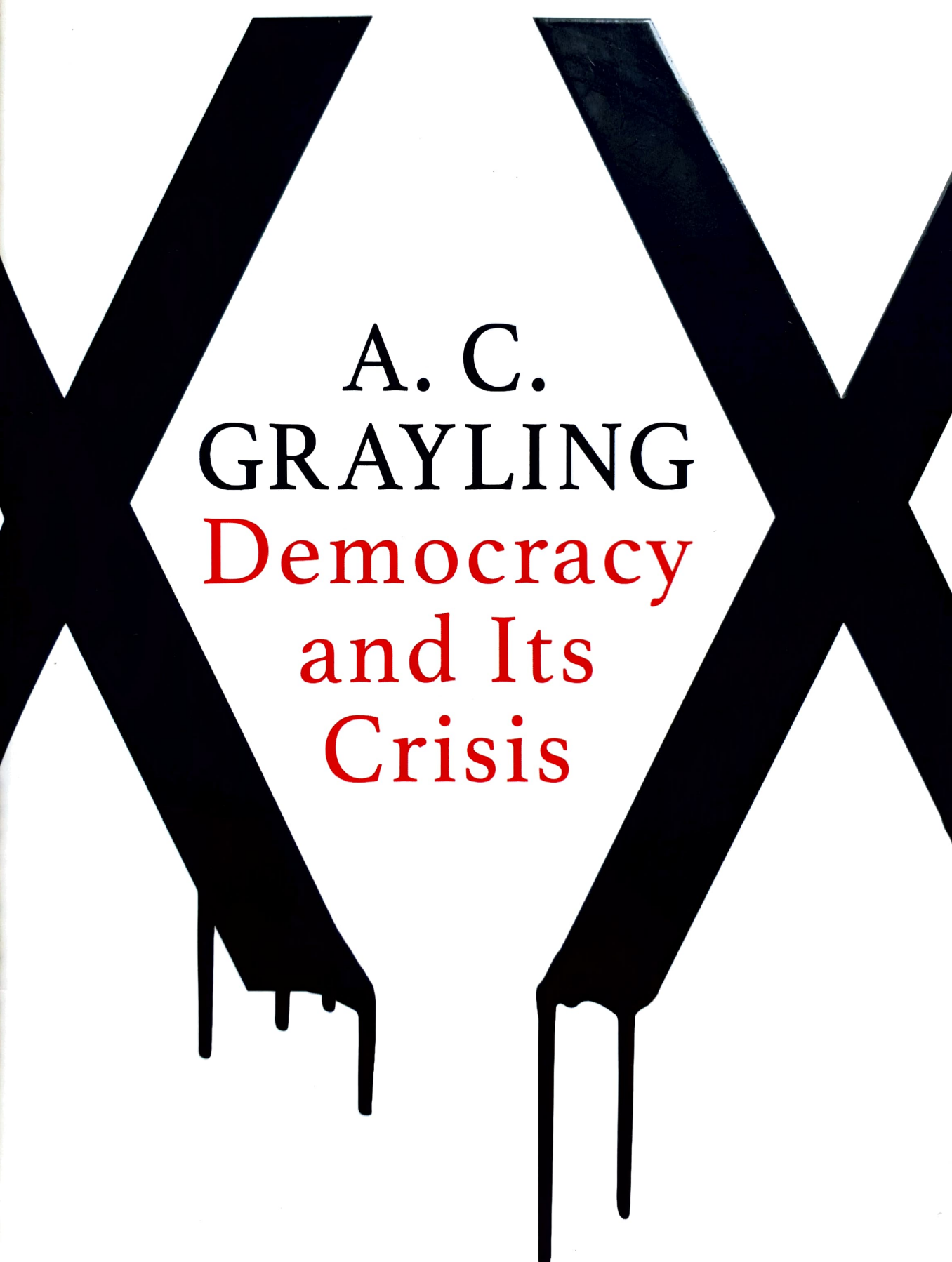


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A. C.
GRAYLING
**Democracy
and Its
Crisis**

1

THE HISTORY OF THE DILEMMA PART I

Plato, Aristotle, Machiavelli

It is customary to begin discussions of democracy with Plato's attack on it. This is appropriate, because one side of the dilemma of democracy is identified by him: the danger – in his view, the inevitability – of democracy in fact being, or at least rapidly collapsing into, rule by the least well-equipped to rule; as Plato put it on the basis of how such a process could occur in an ancient Greek city state, mob rule or rather mob anarchy – the situation for which the term *ochlocracy* was coined. That would be undesirable enough in its own right, but he took it that because democracy thus conceived is unsustainable it will, he says, with further inevitability eventuate in the restoration of order by a strongman ruler – a tyrant.

There is another danger implicit in Plato's conception of democracy, which is that of a hidden oligarchy (in our contemporary sense of rule by a group, clique or cabal) or perhaps even a hidden tyranny, capturing the reins of government under cover of democracy, by exploiting and directing sentiment

through demagoguery and manipulation to achieve its own ends. This might happen even in benign ways, as was arguably the case under Pericles in the democracy of fifth century BCE Athens; but if we make the assumption, as we do in contemporary systems predicated on the idea that political authority lies with whoever counts as the enfranchised among the *demos*, hidden oligarchy would not be legitimate because it would not be democracy.

Aristotle did not see eye to eye with his teacher Plato in matters of politics. The interest in Aristotle's thought for present purposes is that he believed there to be a form of political order, which he called *polity* (in Greek *politeia*), intermediate between oligarchy and democracy, which could be described as a good or positive form of democracy if the label 'democracy' had not been placed in such bad odour by Plato that few were prepared to defend a political system under that name, not only among Plato's successors but until very recently in history. Yet the demand for wider participation in matters political that has grown in modern times in fact has considerable affinity, whether unconsciously or accidentally, with the Aristotelian notion of *polity*.

In the eighth book of the *Republic* Plato describes a set of political regimes arranged in descending order of merit, beginning with the kind he advocates – aristocracy, 'rule by the best' – and proceeding downhill to the worst kind, which is tyranny, rule by a single individual. 'Worst' here does not necessarily mean despotic or cruel; parts of the Greek world of Plato's time were ruled by individuals whom the nomenclature of the time designated *tyrannos*, though they might equally well have been called princes, kings, rulers, or dictators – in the neutral sense of this latter term, as used by Romans to denote the plenipotentiary leader they appointed in times of national emergency. But with the evidence before him of the actualities of tyranny, in

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which the licence to cruelty, murder and injustice is unrestrained either by inner virtue or outer constitutional forms, Plato viewed tyranny as the worst form of government, because, as Lord Acton long after him noted, 'Power tends to corrupt, and absolute power corrupts absolutely.' And thus the word 'tyrant' came to have a thoroughly bad connotation.

Between aristocracy and tyranny lie three intermediary forms, each a degeneration from the better form above it. *Aristocracy*, as noted, is rule by the 'best', understood not as an hereditary nobility – that was a much later misappropriation of the term – but as the most knowledgeable, virtuous and wise among the citizens, who rule disinterestedly because they have no vested interests in anything but the welfare of the state. A related form of government is *epistocracy*, rule by those who know, in other words by experts, people who are knowledgeable, experienced and educated. But the term *aristoi* means people who are not only knowledgeable and smart but highly moral. Aristocrats were Plato's 'philosopher kings', whose knowledge and virtue – which, as a subtlety of his ethical theory, are the same thing in effect – arise from grasping the nature of the eternal Good. In contemporary terms one might describe Plato's aristocrat as a kind of meritocrat, a highly intelligent and educated man, raised and trained to rule, whose dedication to his task excludes any interest in the trappings of wealth and power and even of a personal life. Indeed Plato required that the philosopher kings should have neither property nor family, but should live as, in later times, monks chose to do.

The austerity and high-mindedness of this conception explains why Plato thought there was a risk of aristocracy degenerating into *timocracy*. In modern parlance timocracy is rule by those whose qualification for government is the possession of a certain minimum of property, but in Plato's usage it denotes rule

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by those who seek honour, status and military glory. Unlike aristocrats, whom they somewhat resemble in being intelligent and educated, they nevertheless have an incomplete grasp of the Good, and mistake it for its outer shows – the wealth and reputation that people seek in the erroneous idea that these things are the greatest goods worth having. Whereas aristocracy would ensure stable and enduring government because no inner divisions threaten it, from timocracy downwards rivalry enters the picture, and with rivalry a greater chance of instability.

It is an easy slide from timocracy to *oligarchy*. Today this term means rule by the few – by a group, class, cabal or junta; Plato meant rule by the rich over the more numerous poor. Today an alternative label is used for this latter type of regime, viz. *plutocracy*. Timocracy degenerates into oligarchy because timocrats are permitted to accumulate private wealth, from which follow the vices that wealth encourages: pursuit of pleasure and luxury, making the possession of money seem desirable as an end in itself, and its accumulation as more important than virtue or honour. Timocrats still cared about honour, said Plato, but oligarchs only care about money.

The oligarchies of Plato's own day gave him examples of what there is to deprecate in them. If wealth is the qualification for rule, wise but poor men will be excluded from government. Class distinctions arise from the differentials in wealth, destabilizing society. Military weakness will follow, because the effete rich, denying arms to the poor for fear of insurrection, are not guaranteed to be good soldiers.

The rich enjoy a large measure of freedom because their wealth buys it for them. They have choices and personal autonomy. Envy of such freedom causes oligarchy to be overcome by *democracy*. The populace rises against the oligarchs in order to dispossess them, generally with violence and turmoil; or at best

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the oligarchs capitulate without a revolution, for fear of one. One way or another democracy supervenes because the many want what the few enjoyed without rival for so long. In democracy everyone claims and possesses freedom and the right to make and break laws, and that, said Plato, very soon means anarchy, for such freedom is not freedom but merely licence.

Implicit in the idea of degeneration from the best form of government, the aristocratic, is Plato's claim that the members of the *demos* lack the knowledge and virtue of the *aristoi*, which is what make the latter fit to govern. He thinks that the collapse of the democratic state is inevitable given the supposed opposite characteristics of the *polloi* or general public: ignorance, self-interest, prejudice, envy, and rivalry.

'In such a state of society', Plato writes,

the master fears and flatters his scholars, and the scholars despise their masters and tutors; young and old are all alike; and the young man is on a level with the old, and is ready to compete with him in word or deed . . . And above all, and as the result of all, see how sensitive the citizens become; they chafe impatiently at the least touch of authority and at length, as you know, they cease to care even for the laws, written or unwritten; they will have no one over them.¹

Accordingly democracy is no different from anarchy, or at the very least rapidly collapses into it, a situation which soon invites the intervention of a strongman to restore order. Once a strongman is in power, getting rid of him can prove difficult, and the people will be in the worst situation of all: they will live under tyranny. Thus, said Plato, do tyranny and slavery arise out of extreme forms of liberty.

Aristotle thought that Plato's version of aristocracy was impractical because it ignored human nature. Can there really be philosopher kings remote from the normal human desire for affection and the amenities that make life pleasant? His own idea of what would be the best kind of political order is one in which every citizen – where 'citizen' is a restricted notion meaning someone qualified to engage in the state's political life – is virtuous, equipped to attain excellence of character, and therefore able to live a life of *eudaimonia* or happiness. Such a society is in practice unlikely to exist, however, so a more modest ambition is the aforementioned *polity*. This is a mixed constitution in which no single order of citizens, whether rich, aristocratic or poor, can override the interests of the others.

In the *Nichomachean Ethics* Aristotle had defined virtue as the middle path between opposing vices – courage as the mean between cowardice and rashness, generosity as the mean between miserliness and profligacy, and so on – and he applied this philosophy of the middle ground to his idea of the best *practicable* state. Such a state will be one in which there is a large middle class, itself neither rich nor poor but occupying the territory in between, whose members will be more inclined to be fair and just than either of the other two classes because, he says, those who are moderately well off find it 'easiest to obey the rule of reason' and will be least inclined to faction.

'Large' in 'large middle class' here is a relative term. Like the Athenian democrats before him, Aristotle believed that *polity* is possible only in a city state small enough for the voice of the public crier, the *stentor*, to be heard all over town. In such a setting all citizens could know everything that was going on, and could know personally the men who took office as magistrates, generals or jurymen; such a society is a 'face-to-face' society.

More recent theorists have found interesting Aristotle's view

that although democracy is not as good as polity because it gives an unbalancing amount of influence to the poor, who would be likely to constitute the majority, it is nevertheless the least bad of bad systems, and could be defended on the grounds that the pooled wisdom of the many might sometimes be better than the individual wisdom of the few.

Aristotle's view of democracy is not, however, as friendly to direct democracy as its invokers would like, because – like Plato before him – he anticipated most later thinking about the question of who can be a participant in political life, and gave the answer almost everyone gives, which is: 'not everyone'. The restriction is introduced through the idea of citizenship. Aristotle defined a citizen as a man who has the right to take part in the assembly, to hold office as a magistrate, and to sit on juries. Even poor men can be citizens of a state, but women, slaves and foreigners are again excluded. This in effect is the same problem, in early form, of who 'the people' are in the standard rhetoric about democracy in modern thought. I examine this crucial term in more detail later.

For Aristotle a key point was that any constitution has to be one that embodies the rule of law. The kind of democracy he most disapproved of 'is where the mass is sovereign and not the law. This kind arises when dictats are sovereign instead of the law, which happens because of demagogues. In law-abiding democracies demagogues do not arise; on the contrary, the best citizens guide. This is because the demos becomes a monarch, one person composed of many; for the many are sovereign not as individuals but collectively.'²

Aristotle's views on politics have not been as influential as those of Plato largely because his empirical study of constitutions, and the political theory he based on it, related to the Greek city states that were then on their way out of history. It is hard

not to find compelling, though, his idea that as more citizens become educated and better off, so a democracy evolves into a polity, defined as that political order in which the pooled wisdom of reasonable and informed citizens might result in a dispensation only one notch below the ideal state *all* of whose citizens are *aristoi*, the best. The practical difficulty of achieving even this lesser ideal is one that remains a challenge for democracy today.

Herodotus makes clear that the Greeks' resistance to the Persian invasion of the early fifth century BCE was premised on the idea of freedom – *eleutheria* – which they regarded as applying peculiarly to themselves. Persians might be richer and grander, but they were slaves to their imperial overlord. In fifth century BCE Athens the goddess who personified democracy, *Demokratia*, was honoured alongside the city's tutelary deity, *Athena*. In his famous Funeral Oration delivered early in the succeeding Peloponnesian War Pericles is reported by Thucydides as saying:

Our form of government does not enter into rivalry with the institutions of others. Our government does not copy our neighbours', but is an example to them. It is true that we are called a democracy, for the administration is in the hands of the many and not of the few. But while there exists equal justice to all and alike in their private disputes, the claim of excellence is also recognized; and when a citizen is in any way distinguished, he is preferred to the public service, not as a matter of privilege, but as the reward of merit. Neither is poverty an obstacle, but a man may benefit his country whatever the obscurity of his condition. There is no exclusiveness in our public life, and in our private business we are not suspicious of one another, nor angry with our neighbour if he does what he likes . . . While we are

thus unconstrained in our private business, a spirit of reverence pervades our public acts; we are prevented from doing wrong by respect for the authorities and for the laws, having a particular regard to those which are ordained for the protection of the injured as well as those unwritten laws which bring upon the transgressor of them the reprobation of the general sentiment.³

These are stirring words, so long as we forget that the 'citizens' referred to constituted less than 20% of the total population. But they can be taken to embody an aspiration which is implicitly realizable in Aristotle's idea of polity enlarging itself as more and more of the population become citizens. It is possible to read Pericles as describing an ideal for an inclusive democratic order in the contemporary world, but the actualization of a Periclean democracy today would require at least what Plato thought the *polloi* (the ordinary people) lacked – namely education, information, and a high moral sense – and what Aristotle said the middle class of a polity should exemplify: namely wisdom, pragmatism, and civic-mindedness. The practical difficulty of achieving this at the scale at which contemporary political orders exist, in large countries with populations in the tens of millions, is an intensification of the dilemma of democracy itself.

And history demonstrates that the dangers identified by Plato are genuine ones. It is a speaking fact that the dangers exist even in what are arguably the best conditions for democracy – the small city state where citizens know one another and can gather together and debate. In more populous and diverse states the same risks are much magnified. The test case for the purest form of direct democracy, namely what happens in the power vacuum following a revolution – think of the French Revolution of 1789 or the Russian Revolution of 1917 – almost always bears him out.

It is borne out even when ruling elites can no longer obstruct the masses' chance of a share in political processes by denying them education, information, mobility, and the ability to assemble with others, as was the case for example in feudal times when most people lived in conditions of serfdom. The revolutionary movements of 1789, 1848, 1917, 1949, 1956, 1968 and thereafter, in various parts of the world, were led by literate vanguards, yet few of these revolutions escaped collapse into mob rule, followed by hijacking or reprisal by tyranny.

But Plato's point does not have to be so dramatically realized in order to need addressing. It can be shown that there is a good answer to the question of how to apply the consent of the people (whoever counts as 'the people') to government of a state, by means or in structures that ensure government will be sound and stable. This answer is given in the debate about democracy from Locke to Mill, as discussed in later chapters. If Plato has done a service, it is to make the recent history of thought about politics and government at last seek to work out that answer. Looking back through the lens of hindsight, we see Aristotle as indicating the beginnings of that answer: that the participation of many, or even 'the many', is not by itself yet sufficient. It took more than two millennia to identify what the extra might be that would enable the consent of the many to be stably given, if the specified means were properly applied.

Outbursts of democratic feeling, or indeed ochlocracy with the kind of results Plato said were closely associated, are a commonplace of history. Look at a list of the uprisings and revolutions known to history, and though those identified for the period from Egypt's Second Dynasty in the third millennium BCE to around the fifth century BCE seem relatively few, no doubt because of our lack of records, from the latter date onwards

scarcely a decade, and in modern times (from the sixteenth century CE) scarcely a half-decade, passes without an uprising or revolution somewhere in the world.⁴ The causes might be highly various and specific, and some might be coups by elites within elites, but at least many are likely to have been expressions of the frustration of voicelessness in matters of significance, perhaps even of life and death, to those who rose up against oppression or exclusion, variously seeking to force change or at the very least demanding to be heard. The means by which ruling elites countered these movements have been less various: suppression by force, or less frequently by just enough in the way of concessions to deflate the uprising.

Of course, some rulers were overthrown and regimes or dynasties changed as a result. The succession of dynasties in China offers an example of regime change occasioned by withdrawal of consent to be governed even by voiceless and voteless masses. The so-called *Chaodai Xunhuan* (dynastic cycles) theory of Chinese history turns on an idea devised by Mencius during the Warring States period in the fifth century BCE, that of the 'Mandate of Heaven' (*Tian Ming*),⁵ as what legitimizes imperial rule. Earthquakes, plagues, floods, the emperor suffering defeat in battle, suggested to his subjects that the emperor had lost *Tian Ming*. Bluntly put, it just meant that his luck had run out, and that it was therefore appropriate he should go. By one of those self-validating justifications, if a rebellion was successful it was proof that the Mandate of Heaven was on the rebels' side.

It was not always the case that popular uprisings displaced a dynasty. The Yuan Dynasty established by the Mongol leader Kublai Khan was a conquest. It was in its own turn overthrown by rebels of the Red Turban movement in the mid-fourteenth century CE. The overthrow of the Ming in 1644 was effected by a Manchu invasion, but the Ming had been weakened by an

earlier peasant uprising led by Li Zicheng, who led the short-lived Shun Dynasty which the Manchus quickly swept aside in capturing the empire and establishing Qing rule. Neither the last Ming emperor, who hanged himself from a tree in the Forbidden City, nor Li himself evidently had *Tian Ming*. The Lulin rebellion against the Xin Dynasty in 17 CE was a classic peasant revolt, which followed and was followed by many such, successful and otherwise; when successful, invasions and uprisings were always regarded as having heaven's approval.⁶

At times therefore the choice of heaven was cited variously as a justification or an inducement for popular movements to turn against an imperial dynasty, as well as a *post facto* explanation for its fall. The point of mentioning this is that it is an example of the way expressions of popular consent or its absence frequently manifest themselves when other means are lacking, and of course not only in China. In practice Chinese imperial administration was not without resource in understanding how the populace was faring and how it felt; rather the contrary. But even in the best-regulated empires government is never infallible or unfeeling. China's history, as affording just one example of history's frequent upsurges of popular sentiment, shows that the roots of what eventually gives rise to forms of democracy in some places are long and deep everywhere.

Rome struck a balance in the relationship between patricians and plebeians – the Senate and the people: *Senatus populusque Romanus* – which Cicero described as 'power in the people, authority in the Senate'. In the republican period of Rome's history the senators were sensible enough to know that the consent of the people was essential to their own position, and securing it was achieved both by constitutional means and by bread and circuses. The constitutional means was the tribunate,

and it was a key feature in the republic's long endurance. Although the effective chief officers of state were the consuls, two men chosen each year as joint prime ministers or presidents, the populace had their own representatives with considerable powers. These were the tribunes (more accurately, the *tribuni plebis*; there were other tribunes with other functions) who were magistrates elected by the people. They were able to propose laws and had the power of veto over Senate-initiated legislation, and in general their duty was to represent the interests of the ordinary citizens. Polybius wrote: 'The tribunes are bound to do what the people resolve and chiefly to focus on their wishes.'⁷ There were as many as ten in the third century BCE, though the number varied. When Augustus became emperor he absorbed the powers of the tribunate in his own person, and thereafter Roman emperors were omnipotent – unless or until assassinated.

Popular feeling did occasionally express itself more forcibly than through the filter of the tribunate. When the tribunes became too closely identified with the Senate, for example by being appointed senators after holding tribunal office, and having their powers limited during the dictatorship of Sulla, the people came out on the streets to object. The most effective form of popular activism was the *secessio plebis*, in which the ordinary citizens protested by quitting the city *en masse* – a comprehensive general strike – thereby closing all shops and facilities, and leaving the patricians to fend for themselves. Between the beginning of the fifth century BCE and 287 BCE there were about half a dozen secessions. The last of them was the celebrated occasion on which the citizens forced the Senate to accept the *lex Hortensia* giving plebiscites legal force.

One could not describe Rome's political arrangements as a democracy in the republican period, but it was a compromise

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which gave the people a voice that could be heard with effect. Even more important, perhaps, was the fact that Roman law secured the liberties of citizens in significantly worthwhile ways. It is no wonder that acquiring Roman citizenship was considered a great and desirable prize for those not born Roman. The privileges and protections of citizenship survived the transition from republic to empire, and lasted for several centuries more; that is a testament to the robustness and common sense of Roman institutions. In large part this was owing to the inclusiveness and tolerance of Rome; differences of ethnicity, language and religion were of no importance from the law's point of view. The laws of the city operated alongside the 'law of peoples' (*ius gentium*), that is, the laws and customs of the other peoples of the empire.

Long after Rome had become an empire not just in extent but in being ruled by an emperor, legal authorities still paid lip service to the idea of popular consent to imperial rule. Writing in the third century CE the Roman jurist Ulpianus, when stating the principle that became a cornerstone of law for centuries afterwards because it was incorporated in the *Codex Justinianus* (the Justinian Code, promulgated in the sixth century CE), namely *quod principi placuit legis habet vigorem*, 'what pleases the prince has the force of law', felt obliged to add 'because the Roman people have conferred on him their authority and power'.⁸

It was not, however, the masses that brought the firstlings of democratic thought to life in Europe and through Europe eventually to other parts of the world. The parliaments that existed in medieval England and France were assemblies of nobles and divines, not bodies representing the interest of plebeians. Kings were *primus inter pares*, first among equals; Crown and nobility

were like Mafia families that held power because they were powerful (might is right), owned the land, and divided and held in subjugation the rest of the populace. Political activity was confined to the internecine quarrels of one group of barons against another, usually over which of them could get hold of the crown for one of their own members, as for example in England's Wars of the Roses in the fifteenth century.

With larger wars, larger armies, and greater need for taxation to pay for both, power became more centralized and kings therefore more powerful, to the detriment of the barons. When that happened a new justification for kingly power was needed in place of election by the baronage. It was provided by the doctrine of 'the divine right of kings'. This was a doctrine that John Locke felt he had to refute in the 1680s by unpicking the arguments of Sir Robert Filmer, in order to provide a defence of the power of parliament to replace the power of a deity in saying who shall be king. Locke's views, in turn, were made possible by the emergence of ideas predicated on Renaissance recovery and adaptation of lessons learned from classical antiquity. The thinker chiefly responsible for this was Niccolo Machiavelli.

Machiavelli's reputation might rest mainly on his notorious prompt-book for the 'Machiavellian' ruler, *The Prince* (1513, first printed in 1532), but for present purposes the more relevant text is his *Discourses* (1517, first printed in 1531). In the former he had argued that a ruler must be uncompromising to the point of crime in creating a state and defending it in times of emergency, but in the *Discourses* he turns attention to ensuring the durability and stability of a state, which, he argues, is achieved by involving the citizens in the welfare of the city and trusting them to bear arms in defence of it, thus encouraging patriotism. The unreliable practice of hiring mercenary armies

had in part been prompted by fear of arming one's own citizenry lest they rise in revolt, but the lesson of antiquity, said Machiavelli, is that strong republics are those which harness the power of their citizens. 'Every city should provide ways for the people to follow their ambitions', he wrote, 'especially if the city wishes to benefit from their commitment in great undertakings.'⁹

Machiavelli's appeal to antiquity is explicit. The full title of the work is *Discourses upon the First Ten Books of Livy*, and he begins it by saying: 'Those who read what the beginning of the City of Rome was, and of her Lawgivers and how it was organized, do not wonder that so much virtu had been maintained for so many centuries by the city.' *Virtu* is Machiavelli's term for the talent, energy, commitment, and sense of purpose that distinguish a great leader and a vigorous populace. The first lesson he drew from Livy's history is what he saw as the healthy 'disunion' of Rome's plebeians and Senate. Between the expulsion of the Tarquins and the election of tribunes there had been tumults and dissensions between plebeians and patricians, among other things prompting secessions of the former as described above; but, Machiavelli says, 'if the tumults were the cause of creation of Tribunes, they merit the highest praise, for in addition to giving the people a part in administration, they were established for guarding Roman liberty.' Accordingly he argues that lively political participation is a strengthener, not a threat, to a state seeking to grow large and powerful: Rome

gave the Plebs strength and increased power and infinite opportunities for tumults. And if the Roman State had been more tranquil, it would have resulted that she would have become feeble, because there would have been cut off from her the means of being able to attain that greatness which she achieved.

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So that Rome wanting to remove the causes for tumults, would also take away the causes for expansion.

Commentators often point out that Machiavelli's theories were predicated on his familiarity with the Renaissance city state, similar in many respects to the *poleis* of Greek antiquity. And indeed he cites the examples of Sparta, and for a contemporary instance Venice, as small states which, as a result of their organization, were stable while they were content to be small. But:

If anyone sought to establish a new Republic, he should have to consider if he wished to expand in dominion and power as did Rome, or whether it should remain within narrow limits. In the first case, it is necessary to establish it as Rome, and to give place to tumults and general dissensions as best he can; for without a great number of men, and those well armed, no Republic can ever increase, or if it did increase, to maintain itself. In the second case he may establish her as Sparta and Venice: but because expansion is the poison of such Republics, he ought in every way he can prevent her from making acquisitions, for such acquisitions, based on a weak Republic, are entirely their ruin.

For present purposes the implication is that involvement of the populace in the ambitions of the state requires accepting and managing the 'tumults' that will arise. Only in a small state can the people be suppressed. For Machiavelli these considerations related to state ambition, but they were inadvertently prescient from a different point of view: as populations grew, and in the succeeding centuries as literacy, awareness and, later, nationalism grew with them, so the need to involve more of the people in ways that gave a voice to their interests and ambitions grew

too. The Roman model, in Machiavelli's terms, increasingly turned out to be the one from which the relevant lessons were best learned.

Machiavelli's way of putting the point about lively debate, disagreement, and clashes of views and policies, together resulting in the health of the state, is a partial description of what a democratic order needs. Democracy is not just elections, and can sometimes even exist *de facto* without them; but essential to anything worthy of the name is the possibility of debate, freedom of expression and assembly, and a due process of law which protects people from arbitrary arrest and punishment, most especially in connection with matters of opinion.¹⁰ Although Machiavelli saw the participation of the populace as being necessary if a republic is to endure and increase, he did not go so far as to suggest anything resembling enfranchisement of the populace, or part of it, as a way of doing something further and different: conferring power on government by their ballot. It was another century and a half before a demand for a right to do so was explicitly made.