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Machiavellian Democracy: Controlling Elites with Ferocious Populism

JOHN P. MCCORMICK *Yale University*

This essay demonstrates that Niccolò Machiavelli's political thought addresses the deficiencies of two opposite poles of contemporary democratic theory: As do formal or minimalist approaches, he specifies electoral mechanisms for elite control; and similar to substantive or civic culture approaches, he encourages more direct and robust modes of popular participation. On these grounds, I cull from Machiavelli's Discourses a theory of democracy in which the populace selects the elites who will hold office but also constantly patrols them through extraelectoral institutions and practices, such as the tribunes of the people, public accusations, and popular appeals. Machiavelli adds to these institutional features of popular government an important cultural dimension: The people should despise and mistrust elites, and they should actively confront the injustice that elite governing inevitably entails. Finally, I explore the ramifications of this theory for debates over elite accountability in contemporary democratic theory.

The control of elites by the general populace is an overlooked aspect of Niccolò Machiavelli's ([1531] 1997) greatest work, *The Discourses*.¹ Even scholars who understand Machiavelli as an advocate of popular government—as a “republican”—largely confine popular control in his theory to the selection of magistrates from among elite candidates. This essay shows that Machiavelli theorized more extensive, constant, and, especially, animated modes by which the people might control elites. To this extent, his theory combines the strengths of two opposite poles of contemporary democratic theory: As do formal or minimalist approaches (e.g., Dahl 1971; Przeworski 1991; Schumpeter 1942), he specifies and justifies electoral mechanisms for elite control; and similar to recent civic culture and participatory approaches (e.g., Gutmann and Thompson 1996; Putnam 2000; Sandel 1996), he encourages more direct and robust modes of popular engagement with politics. What is more important, by combining the strengths of each approach Machiavelli overcomes their respective weaknesses.

In minimalist theories of popular government periodic elections are the primary and often exclusive methods for assessing the performance of elites and rewarding or punishing them accordingly. But because Machiavelli argues that elites are motivated by a will to dominate, a position that I suggest contemporary democratic theory should adopt as fact or heuristic device,

elections are not enough. Machiavelli adds procedures for the popular indictment of officials, popular judgment on many kinds of legal cases, and, generally, interprets the social and political institutions of republican Rome in more direct rather than representative ways. But this does not situate Machiavelli neatly in the camp of substantive or participatory democracy today. Contemporary democrats who focus on civic culture render the minimalist model more substantive by promoting political participation characterized by civility, trustworthiness, deliberation, and reciprocity. Yet I show that Machiavelli's preferred sociopolitical milieu is one of intense socioeconomic animosity and political contestation between elites and the people. According to Machiavelli, elites cannot be made responsive to or held accountable by the people through elections alone; auxiliary governmental institutions that facilitate direct political action and an antagonistic political culture are required as well.

In the first section of this essay I lay out Machiavelli's understanding of the elite-populace relationship in the Roman republic and evaluate his description of Roman political institutions. I then sketch specific aspects of that relationship and the institutions that correspond with, and may perhaps further inform, contemporary democratic theory, in particular the way that the Roman plebs rendered the senate and nobility responsive and accountable. Next, I consider Machiavelli's assessment of the drawbacks inherent in this model: Did the people become too aggressive in their attempt to control elites, such that they brought about Caesarism and ultimately the end of the republic? Finally, I offer some preliminary conclusions on the place of Machiavellian republicanism in the evolution of popular government, its advantages and disadvantages relative to minimalist and substantive conceptions of democracy, and its potential as a resource for contemporary democracy.

MACHIAVELLI, ELITES, AND THE ROMAN REPUBLICAN MODEL

Machiavelli is notorious for advising how to manipulate the people. Indeed, many consider this the main point of his most famous work, *The Prince*. But evi-

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¹ This work is henceforth cited with book and chapter references within parentheses in the body of the text. Any emendations to the cited translation are based on the version of the *Discorsi* in Machiavelli 1997.

dence suggests that he considered his most important and most original piece of advice to be something quite different: how to control elites. Readers of *The Prince* know that Machiavelli advises princes to base their power on the people rather than the elite, the nobles, the "great" (*grandi*) ([1532] 1998, Book IX). He cautions against employing the elite as a base of power because they perceive a prince as merely one among themselves. Consequently, they will dispose of him very readily should he displease them. The people, however, will support the prince as long as he protects them from the elite. They want only not to be oppressed, whereas elites have an appetite to dominate, to oppress, an appetite that is insatiable. The people's desire not to be dominated can be satisfied. Thus, a prince should build his state on those whose demands he can meet.²

Machiavelli gives the same advice in *The Discourses* but is more specific about how a prince should treat the elite and secure himself with the people. Machiavelli provides the ancient Greek example of Clearchus (I.16): He came to power through the influence of the nobles, who hoped he could serve their desire to oppress the people. But once secure, Clearchus switched his allegiance to the people and disposed of the nobles by hacking them all to pieces. This imagery is used repeatedly and seems to be Machiavelli's favorite recourse against elites. In at least two other places, in both *The Prince* and *The Discourses*, he recounts with approval how a group of elites is explicitly hacked to pieces ([1532] 1998, XIII) or implies that they should have been (I.27). If a group of so-called nobles or best do not live up to that name, they need to be un-membered, dis-membered, from that association. Since the elite are so consumed with distinguishing themselves from "the multitude," Machiavelli suggests that when they do not justify such a distinction they must be rendered multitudinous—physically. The word with which Machiavelli refers to the nobles, *grandi*, means the great or, literally, the big. When they become too big for themselves, they need to be cut down to size—literally. This gives us an idea of Machiavelli's general attitude toward elites. He resents, despises, and distrusts them.³

² There are at least two persuasive interpretations of these desires, appetites, demands, or what Machiavelli calls humors (*umori*). Parel (1992) interprets them in terms of the effect of cosmological forces on physiological or natural phenomena, and Coby (1999) views them in terms of class motivations. The two interpretations are not necessarily incompatible: Parel privileges the supposed cosmological origins of the appetites that separate segments of society, whereas Coby privileges the actual effects of these appetites, namely, inequalities of wealth and political power. Because I am interested in applying Machiavelli's theory to contemporary debates in democratic theory, I follow Coby in focusing on the political ramifications of the class divisions rather than their origins, which may be more firmly bound to Machiavelli's context. Consult Parel (2000) for the drawbacks inherent in ignoring the relationship of Machiavelli's theory to Renaissance astrophysics or cosmology.

³ This interpretation of Machiavelli's account of Clearchus and attitude toward elites is justified when we consider how much Machiavelli resented his inferior status in the Florentine republic and, of course, his imprisonment and torture under the Medici oligarchy. Although he was eligible to hold office in the republic that he served faithfully in ministerial, diplomatic, and military capacities

Nevertheless, the vivid example above is only a last resort for rendering elites accountable in Machiavelli's theory. Much as Machiavelli may delight in the fate of such elites, the causes and consequences of this kind of outcome are precisely what need to be avoided. After all, the principal actor in this case is a prince, and the incident concerns elites who have become irredeemably corrupt. How should elites be controlled, or made accountable, in a republic? What is their place in a regime in which their power is both shared with and perhaps better responsive to the general populace? How should elites be treated when they have yet to become so corrupt? Indeed, a unitary-executive actor who subjugates or eliminates the nobility in the name of the people spells the failure and abolition of republican politics. As an outcome it is advantageous for neither the nobility nor the people, and it is reminiscent of the very development that destroyed the Roman republic: Caesarism. In Machiavelli's analysis, how did the Roman republic manage to distribute power between the people and elites in a manner that, in particular, controlled the latter? And how did the republic do so while staving off the emergence of Caesarism for as long as it did?

Popular Primacy and Machiavelli's Methods

Machiavelli's analysis of Rome is both sociological and institutional. As such, it prompts us to consider that an adequate analysis of popular government must be both. When discussing social class in *The Discourses*, Machiavelli asserts that the nobility ought to hold a diminished, not preeminent, role in a republic (I.5). Ancient wisdom recommended that the nobles be given the upper hand in a republic or mixed regime, a regime in which power is shared between aristocratic and popular elements (see Nippel 1980). Aristotle (1997, 190–1, 94) may have longed for a regime with a middle strata so wide that one could not discern the line between rich and poor, noble and popular, but absent that development, he assigns the lion's share of power to aristocrats in his best regime or *politeia* (1997, Book IV). For most observers, Machiavelli included, Sparta and Venice were the ancient and modern paradigms of this kind of noble-dominated republican arrangement.⁴

But Machiavelli promotes Rome as a model because he understands it to be a popularly dominated republic. Unlike other republics, Rome assigned a special role to the general populace: "the guardians of liberty" (I.5).

for thirteen years, he was of insufficiently high birth or great wealth to vote on, or stand for, the very best offices in the regime. Consult the excellent political biography by Viroli (2000). As can be seen from Machiavelli's reports to his supposed superiors in the republican government, he often found it difficult to contain his contempt for their arrogance and incompetence. As he writes in a letter from 1506: "Everyone knows that anyone who speaks of empire, kingdom, principate, [or] republic—anyone who speaks of men who command, beginning at the top and going all the way down to the leader of a gang—speaks of justice and arms. You, as regards justice, have very little, and of arms, none at all." Cited in Najemy 1990, 117.

⁴ Machiavelli's relationship to the republican tradition both generally and in the Renaissance specifically continues to be a puzzling issue. See Viroli 1990, Nederman 2000, and Rahe 2000.

They are the ultimate arbiters on the freedom of the regime. According to Machiavelli, the people deserve this position simply because they are more trustworthy than the nobility or the great. In accord with the distinction between elite and popular appetites mentioned above, the people will not use such a power to dominate, but only to defend themselves from domination (I.5; I.46). Moreover, since they are less capable of usurping the liberty of a republic than the nobles, they will be more watchful of those who are apt to do so.

I address below more specifically Machiavelli's understanding of how the people exercised the guardianship of liberty in Rome, namely, the manner in which they contained noble ambition. It must be emphasized here, however, that his view is rather different from the evaluations rendered in the very accounts of Roman history that were Machiavelli's sources, as well as from the findings of most contemporary historical research. Polybius (1979, 314–5) emphasizes an equilibrium among social and political forces in Rome; depending on how you look at it, any of the social groups or political institutions in Rome could be considered dominant. Livy's account (1971, 1987) suggests that the Roman senate had the ultimate say, that they were more likely to manipulate the people into doing what the nobility wanted than the people were able to affect the behavior of the nobility. Moreover, historical research emphasizes the oligarchic and timocratic quality of the Roman republic, the dominance of the older and better propertied families (Jolowicz 1967; Nicolet 1980).

Machiavelli was intimately familiar with the ancient accounts and certainly could have anticipated contemporary assessments of power relations in Rome. In light of this, *The Discourses* should be read as something other than straightforward historical-institutional analysis. Rather, it is a combination of historical analysis of what was, in Machiavelli's estimation, the best republic in empirical reality, on the one hand, and a theoretical consideration on what arrangements might improve this particular model, on the other. As a merger of is (or was) and ought, Machiavelli's republicanism should not be read as a mere recapitulation of classical sources, or sloppy history, or an entirely metaphorical exercise. Defying a more recent social scientific imperative to distinguish descriptive from normative aspects of analysis—an imperative whose origin is often credited to Machiavelli—*The Discourses* intertwines the two in a generally suggestive but often analytically frustrating manner.⁵

⁵ Coby (1999) impressively details Machiavelli's faithfulness to Roman history in *The Discourses*, whereas Sullivan (1996) treats the discrepancies in great detail and with considerable care. I do not follow Sullivan, who herself follows Strauss (1958), in attributing these differences almost exclusively to Machiavelli's purported strategy of promoting grand-scale epochal change, that is, the invention of "modernity." I interpret Machiavelli to be engaged in "applied" political philosophy addressed at more mundane practical problems, such as control of elites.

Popular Docility or Ferocity?

Machiavelli wants to show that the people are capable of lively and active defense of their liberty, even if their motivations are fundamentally passive or negative: They want only not to be dominated. But this passive or negative disposition corresponds rather well with the reactive role that classical authors (Polybius 1979, 314) and contemporary historians (Nicolet 1980, 318, 320, 387, 393) ascribe to popular participation in the Roman political process. Moreover, the people's power to ratify policy and select officials but not initiate or formulate policy also conforms well with arbitration theories of popular government (Manin 1997, 47; Wantchekon and Simon 1999). But Machiavelli wants to go farther. Consequently, the passive/reactive versus active/spirited quality of the people becomes somewhat problematic in his account of Rome's development as a republic early in *The Discourses*. How can the people be active guardians of republican liberty but not exhibit the aggressively dominating appetite that is supposedly the exclusive disposition of the nobles?

In Machiavelli's account, the people had to earn their place of prominence in the Roman republic. Neither political founders nor political philosophers had ever granted the general populace such a place. By "people" Machiavelli generally means the plebs, that is, Roman citizens who were not of the patrician class, and excluding such noncitizens as women, slaves, and resident aliens. The interaction of chance and the plebs' own actions—fortune and virtue, one might say—gained the people their prominent position in the republic. Rome was founded as a monarchy by Romulus and the early kings (I.1–2), and it only developed into a republic through the accidents that resulted from the disunion of the plebs and the senate, the people and the nobles (see McCormick 1993). Machiavelli recounts how together the plebs and the senate expelled the kings, but when the senate began to abuse the plebs, the people instituted the tribunes to act in their interest. Machiavelli does not acknowledge that the tribunes were likely selected from the nobles as well as the plebeians.

The tribunes functioned as intermediaries between the plebs and the senate and, most important for Machiavelli, they held back the insolence of the nobles, thus preserving the free life of the republic (I.3, III.11). The creation of the tribunes is important for Machiavelli institutionally and historically. Unlike the general populace in the Spartan or Venetian model, the Roman people actually participated in the emergence and development of a mixed regime by actively helping to eliminate the monarchy and create the tribunate (I.6). They were not assigned their positions by the elites or circumstances, before or after the fact. Popular participation in the development of the republic itself ensured that the nobles did not have an unhealthy predominance of power in Rome.

Livy's accounts of how the tribunes were created and later restored after suspension give credence to the passive, negative, or reactive quality of popular behavior that Machiavelli initially contrasts with aggressive

proactive noble behavior. Machiavelli discusses only the second reinstatement of the tribunes (I.40, I.44), perhaps because the first is considered in Livy merely an allegorical foreshadowing of the second. But both incidents bear mentioning since they confirm Machiavelli's early distinction between the motivations and behaviors of the nobles and the people. In 494 BCE, after suffering the abuse of the nobles upon the expulsion of the kings, the plebs reportedly left Rome en masse (Livy 1971, 141–2). The nobles, fearing for the defense of the city, called them back and agreed to establish the tribunes. In 450, toward the conclusion of the crisis involving the Ten, discussed below, the plebs again repaired to the outskirts and demanded reinstitution of the tribunes (pp. 240–2). On the basis of these examples, we might conclude that, when threatened, the people did not lash out or seek to dominate those who threatened them. Rather, they sought the best way of avoiding domination—they fled or seceded from the city.

In this spirit, the powers of the tribunes, created and restored as a result of these episodes, were, in many ways, reactive or preemptive rather than constructive. The tribunes could veto most official acts through the *intercessio*; invoke the *auxilium*, a form of habeas corpus, on behalf of individual plebs; and could not be touched physically, since their bodily integrity was declared inviolable (*sacrosanctitas*). All these are protections against, or recourse from, aggressive action or encroachment on the part of the nobility or the magistrates.⁶ Machiavelli certainly assumes familiarity with these facts on the part of his readers. In particular, he uses the second episode of “secession” to emphasize the distinctive character of the Roman people. But this character transforms from one of initial passivity to one of indignant aggression once the people have suffered abuse by the nobility or other elites.

From the “sacred mount” to which they retired the plebs demanded of the senate not only the restoration of the tribunes but also the execution of those who had offended them (I.44). Machiavelli restates the assessment of the plebs conveyed by observers at the time: The plebs resorted to cruelty in response to cruelty (I.44). Moreover, they freely expressed their violent intentions when threatened, rather than keep them hidden (I.44). But the plebs were advised by friendly nobles to conceal their intentions until these were more readily achievable. Thus, the episode confirms that popular ferocity, in contrast to noble aggressiveness, is reluctant or provoked. Moreover, it also demonstrates that the plebs are guileless: They are incapable of the deception and treachery advised and practiced by the nobility. We will observe below how Machiavelli lauds increasingly aggressive manifesta-

tions of the people's “negative” desire not to be dominated.

The Roman Constitution

Like Polybius, Machiavelli identifies the maturation of the Roman republic with the establishment of its three principal parts: a tamed princely power in the consuls, a somewhat chastised aristocratic power in the senate, and a virtuous popular power in the tribunes. Unlike classical sources, however, Machiavelli understands the most beneficial result of Rome's republican structure primarily in terms of the containment of noble ambition (I.5). But, since Machiavelli is not specific about the functioning of these Roman institutions, some explanation may be necessary. The two consuls were elected annually by noble-dominated assemblies and initially could only be members of the nobility. The consuls were executive magistrates charged with administrative and military duties and might be swayed by either noble or popular influence. The possibility of popular leverage against the consuls increased when the prohibition on class intermarriage was lifted (445 BCE) and when plebs were finally permitted to serve as consuls (300 BCE).

The senate functioned as the more or less direct institutional expression of the nobility. It was ostensibly just an advisory body, although it had substantial fiscal control. Senatorial influence on the election of the consuls, plus the prospect of former consuls joining the ranks of the senate, meant that this body held great sway over the magistrates. The two (and eventually more) tribunes were charged with popular advocacy. They reflected popular preferences but not always directly; Machiavelli notes how they often attempted to act in the interest of the populace against the people's immediately expressed wishes. Thus, even though the tribunes were not always directly or immediately responsive to the people's wishes, in delegative terms they were largely “representative” of them. As Machiavelli asserts, the most important function of the tribunes was to keep noble elites accountable. As bearers of the veto, and chief agents of accusations, the tribunes had the means to block proposals and sanction the actions of consuls or senators. Unlike later versions of republicanism, or more specifically the contract-legitimated arrangements of liberal democracies, the Romans also allowed for the participation of the people in their collective capacity through the council of the plebs (*concilium plebis*). All citizens minus the noble class attended the council, where they decided appeals and accusations, elected tribunes, and eventually made law. This formal assembly grew in importance during the life of the republic. Together with the informally convened deliberating assemblies of the plebs, the *contiones*, these councils presumably constitute what Machiavelli means by “the people” (Adcock 1964; Millar 1998; Taylor 1990).

Rome did not rely extensively on one of the chief mechanisms of elite control in contemporary liberal democracies: the incentive of reelection (Manin, Przeworski, and Stokes 1999, 34). The consuls and tribunes,

⁶ I rely upon Jolowicz (1967) for legal and institutional details of the Roman republic not laid out explicitly in Polybius, Livy, or Machiavelli (1967, 52–3). There is considerable scholarly dispute among historians regarding these facts, and valuable details have simply been lost to history. Elster (1999, 253, n. 1) discusses the dilemmas of analyzing the accountability institutions of Athenian democracy given the lack of clarity over specifics.

like most magistrates, were initially elected for one-year, nonrenewable terms. They could stand for reelection only ten years after the end of their term. What incentives did this provide for magistrates to be responsive to the people, and what account-rendering sanctions could be invoked, if reelection was not an immediate possibility? The public accusation and subsequent punishment of officials, discussed below, were the most powerful institutional means in this regard. Through the power of *coertio* the tribunes could attempt to punish consuls for their conduct in office once their term was over, but this was only an *ex post* punishment. In fact, the consuls could not be removed during their tenure; except by the dictator under the most dire circumstances. Generally, the expectation that former magistrates would become senators induced a certain degree of good behavior, but good behavior presumably assessed according to the criteria of the nobility. The promise of being accepted by and the hope of getting along with prospective colleagues must be expected to incline a magistrate toward pleasing that set of actors. This is no doubt why the Roman people considered the consuls to be the agents of the nobility and sought to have plebs elect and serve as consuls.

The case of the tribunes is more complicated and more important for Machiavelli. Since they were not officially magistrates, there was no guarantee that they would enter the senate when their terms were over. One might argue that this tended to discourage collusion with the nobles. The opening of the senate to former tribunes roughly coincided with the growing power of the concilium, an assembly in which former tribunes likely had considerable influence. Again, we might speculate that these developments offset each other, such that the tribunes were not coopted by the nobility. In addition, reputation for good behavior in office was important if former magistrates wanted to be considered for special positions in the future, such as the dictatorship. In any case, in the general absence of eligibility for reelection, incentives for good behavior in the republic were largely informal. We should note that Machiavelli never mentions the term limits of the consuls or the tribunes with respect to the inducement of magistrate responsiveness. Perhaps by omitting this fact Machiavelli leaves open the possibility of reelectable and hence more controllable officials in the ideal model that he derives from Roman reality. After all, reeligibility for office was not ruled out necessarily in the republics of his own time.

When Machiavelli does mention term lengths, he condemns their indefinite extension. In his estimation, the prolongation of offices, such as the tribunate and the consulate, contributed to the eventual demise of the republic. He considers the extension of terms to be one of the two causes of the downfall of the republic, along with the crises associated with the agrarian laws, discussed below (III.24). The senate and the people both wanted to prolong office tenure when they thought a person particularly advantageous to their own interests held the position. Generals-cum-tyrants would later use extended tenure to cultivate personal loyalty from increasingly proletarianized soldiers.

Moreover, fewer and fewer people gained experience in governing, which undermined the overall civic culture of the republic (III.24). These conflicts raise a possible solution to the omission of any discussion by Machiavelli of eligibility for reelection in the republic: It was not so important that a particular individual retain an office, but it was desirable that another member of the same class take his place. This emphasizes the primacy of class over individual interest in republican Rome and in Machiavelli's theory.

The Advantages of Social Discord

The combination of extensive participation by the people in Roman political life, on the one hand, and the nobility's need to dominate them, on the other, necessarily resulted in class discord and social tumult. According to Machiavelli, this tension was the principal cause of Rome's greatness: Class rivalry resulted in the active preservation of liberty at home and territorial expansion abroad (I.6). To be sure, he concedes that military expertise and good fortune contributed to Rome's unprecedented, and still unsurpassed, success. But Machiavelli attributes these factors to Rome's order itself, which was "almost savage" (I.4). He recounts with approval how the people protested against the senate, the senate closed down shops, the people called for the exile of certain senators and even evacuated the city. Machiavelli never fully concedes that the senate initiated, and the consuls performed, most of the day-to-day governing of the city, but he does accentuate how the people compelled the creation of favorable laws through public demonstrations and by withholding military service.⁷

Machiavelli argues that Venice and Sparta were successful noble-dominated and domestically tranquil republics because of their size (I.6). Small republics can be sustained without the extensive inclusion of the people; presumably, the proportion of nobles to commoners is so large as to keep the latter pacified. Machiavelli notes how Venice formed its aristocracy before a populace had developed there in any real sense of the term. Thus, the people never had a hand in the formation of the regime as they did in Rome. Sparta neutralized class conflict by maintaining economic equality and tolerating only inequality of status.

⁷ The ferocious populism of Machiavelli's republicanism is underestimated in most contemporary interpretations, especially in the reigning Cambridge and Straussian schools. Skinner (1981, 65–6; 1990, 130, 136) acknowledges the originality of Machiavelli's republicanism with respect to social discord, but he interprets this discord in terms of an "equilibrium" between equally dangerous motivations, those of the rich and those of the people. He normatively equates noble and popular motivations in a very un-Machiavellian way, and he renders closed and docile the open-ended, dynamic, and "wild" quality of social discord described by Machiavelli in *The Discourses*. Socioeconomic discord brings salutary results, but these cannot be predicted and certainly are too volatile to be adequately captured by the notion of equilibrium. Skinner is much closer to the Polybian view (Polybius 1979, 317–8) that Machiavelli is attempting to radicalize. In a suggestive interpretation that unfortunately defies standards of falsifiability, Mansfield (1979, 45–8, 152–5) argues that Machiavelli does not really mean what he says with respect to the superior political virtue of the Roman people.

Moreover, the people there had no cause to defend themselves actively against the nobles because the kings took it upon themselves to protect them. Sparta also inhibited the development of a diverse populace by excluding foreigners. Venice undermined social dynamism by prohibiting popular participation in military matters (I.6).

In total, Machiavelli's endorsement of Rome over Sparta or Venice does not disparage the accomplishments of noble-dominated republics. He acknowledges that the latter model may ensure even greater longevity than that enjoyed by Rome (I.2). Sparta lasted 800 years as a republic; Rome lasted only 300. (Indeed, Machiavelli could not have known that the Venetian republic would ultimately last twice as long as Rome.) For Machiavelli, whatever longevity might be gained by the noble-dominated and socially harmonious model is lost in the substance of political culture, the quality of public policy, and the extent of military expansion. These can only be achieved as a result of an antagonistic relationship between elites and populace. Sparta, no matter how successful, was not as great as Rome because it did not have as rich a civic life, and it did not acquire as much empire (I.6). The active civic life enjoyed by Machiavelli's (perhaps romanticized) popularly based Rome is not—contemporary neorepublicans and communitarians take note—a peaceful, bucolic, or tranquil arrangement of social interaction.⁸ Although Machiavelli never makes the distinction, discord seems to be good for two reasons—as a preferred way of conducting public life and as a means to better policy and military success.

Machiavelli's emphasis on antagonism or discord does not mean there was no place for political cooperation in Rome. The tribunes and the senate could act together: For instance, Machiavelli admires the way they could compel the two consuls to agree when in discord (I.50). He views intrainstitutional conflict as harmful, unlike cross-institutional discord, which is beneficial. He asserts that one institution should never possess the sole authority to perform a function in case it should try to be obstructionist. There should always be other means, perhaps more arduous, of performing a task, such as distributing honors and rewards, or creating a dictator. According to Machiavelli's account, Rome practiced not only what would come to be called a separation of powers but also a rudimentary form of checks and balances (I.50) (Manin 1994).

The possibility of institutional cooperation apparently motivated by the common good, as illustrated by many accounts of positive interaction between the people and the nobles discussed below, casts doubt on the sustainability of Machiavelli's distinction between the motivations of the two classes. Machiavelli draws the distinction so sharply that his subsequent examples

raise a series of questions: What would make elites who rise from the ranks of the plebs interact with those who come from the nobility? Or do plebs become "elites" once they ascend to power, such that they develop an appetite to dominate, a will to power, that makes them part of the nobility? If this is so, then the distinction between classes would revert to an argument about the opportunity to rule, rather than a question of disposition to rule. On this basis, Machiavelli would be suggesting that the people are virtuous only when they are not ruling, or only when they merely aspire to rule, not when they actually participate in governing. Once they gain power, we might presume that they behave like nobles.

One way to avoid or minimize such difficulties would be to distinguish between socioeconomic and political elites in the following way: Nobles who hold office behave like socioeconomic elites who seek to lord their privilege over others and pursue a particular class agenda. Plebs might be conceived merely as political elites who exercise the power of their office to protect their class and the overall good of the regime. But, as I suggest below, a distinction between socioeconomic and political elites is not sustainable: In republican Rome, and in our own time as well, the former always exert excessive influence on the latter. Therefore, political elites need to be treated with the same distrust as socioeconomic ones, no matter the class from which they emerge.

Moreover, if Machiavelli's initial distinction is to have any teeth, then there should not be any displays of good behavior on the part of the nobility. His distinction gives no account of the appearance of populace-friendly nobles throughout the history of the republic—not only those who would exploit the people in Caesarist schemes, but also those who apparently have the people's best interest at heart. Why do the nobles sometimes exhibit a capacity for moderation and compromise (as shown below)? Why do tribunes faithfully protect the people if they themselves are members of the nobility or once they become political elites? We must conclude that some nobles are capable of resisting their desire to dominate the people.

Machiavelli may be exaggerating rhetorically when distinguishing between the people and the nobles in a way that even his own account cannot sustain. His intention may be to obliterate any vestige of the classical legacy that attributes good motives to the nobility *a priori*. There is no categorical distinction in Machiavelli's work between aristocrats and oligarchs, such that the latter may take refuge behind the illusion of being the former. His approach seems to assume that all elites are bad. By starting from there, Machiavelli justifies three things: the populace's unqualified preeminence over the nobility in his model; the rather nasty relationship between the two classes; and greater vigilance over the nobles than might otherwise be required. If the nobles rise above Machiavelli's negative description of them—that is, if it turns out there are good and bad nobles, or aristocrats and oligarchs—so be it. But republicans will no longer be put

⁸ I do not mean to imply that there is no emphasis on conflict, contestation, or "agonism" in contemporary, especially poststructuralist, critiques of liberal democracy (see, e.g., Connolly 1995; Honig 1993; Mouffe 2000; Young 1990). While largely unconcerned with control of elites, this literature promotes conflict over identity "recognition" rather than economic "redistribution." For critical evaluations, see Barry 2001; Benhabib 1996; Fraser 1997.

at a disadvantage by claims on the part of "the best" to have better insight into the common good.

Whatever the contradictions within his "class analysis," which are still to be sorted out, Machiavelli claims that the ambition of the nobility would have corrupted the republic long before the people themselves were corrupted, or long before the regime as a whole corrupted itself. In other words, elites left to their own devices cannot manage themselves and thus are a danger to themselves and their regime. Contrary to conservative "wisdom" on the nature of the "masses," Machiavelli asserts that it is not the people who have base and unlimited desires. He interprets Roman history to suggest that the people are more keenly aware of their own deficiencies than are the nobles and are more inclined to the common good of the regime. Contrary to later republican practice, and especially the practice of liberal democracy, Machiavelli suggests that a direct manifestation of the people within government, alongside a representation of them, is necessary to carry out successfully an appropriate patrolling of elites. Whereas most classical political science, conservative and liberal, is concerned with controlling the people—either first and foremost, or with equal vigilance devoted to elites—Machiavelli gives highest priority to the control of elites.

In short, Machiavelli's theory may omit the criteria by which we might distinguish, on the one hand, elites who exert power with the motivation to dominate and, on the other hand, those, whether tribunes or well-meaning nobles, who do so only to participate in the people's effort not to be dominated. But whatever the origins of his theory of the respective appetites of the elites and the people—whether it be cosmology, capabilities, or something else—and whatever the difficulties in demonstrating how the dominating appetite obtains in reality—that is, how to explain good nobles and ferocious plebs—I argue that the theory is nevertheless an excellent "as if" proposition for contemporary democratic theory. Ascribing to the people a desire not to be dominated prioritizes as more just their desire to be free, that is, undominated. At the same time it facilitates the people's active contestation of elites lest their own liberty be threatened or eliminated. We might say that Machiavelli's theory legitimizes the people's "natural" disposition of passivity and also justifies an "unnatural" active political posture. Conversely, the assumption that the elite appetite to dominate is insatiable, whether this can be demonstrated as true in every case, necessitates extraelectoral safeguards against them, such as accusations and plebiscites, and beyond these, it promotes participation that is not only active but also antagonistic.

Before proceeding any farther, however, it might be asked: Should we understand "elites" as the same thing in Machiavelli's context and in our own? Is it appropriate to think of them as having anything in common, such that we can draw insight from Machiavelli for our contemporary circumstances? After all, in Rome there was little or no distinction between political and socioeconomic elites: The senate was effectively the nobility. Contemporary liberal democracies exhibit a more dif-

ferentiated socioeconomic circumstance in which political elites are functionally and often socially distinct from economic ones. Theoretically, these political elites, seeking votes, may serve the poorer or, more likely, middle classes against the wealthy classes. Yet, one need not invoke Marx to observe that socioeconomic elites very often still are the political elites or, in any case, control the latter to such an extent as to render the distinction problematic (see Domhoff 1998; Lindblom 1977; Mills [1956] 1999).

Machiavelli would have considered the institutions of contemporary liberal democracy elective oligarchy and would have found its social bases insufficiently antagonistic along class lines to make up for these institutional deficiencies. Whether contemporary political elites act on their own motivations to dominate or merely carry out those of the economic elite (again, they are quite often one and the same), Machiavelli shows us that elections are an inadequate means to direct, control, and curtail their behavior. Indeed, as we will see, as far as Machiavelli is concerned, public accusations and popular appeals are inadequate as well; agents of will to domination, such as the Roman nobility in the past, or corporate magnates, entrenched bureaucrats, and government officials today will generally find ways to circumvent them. Therefore, widespread antielitist antagonism is necessary as well.⁹

Exactly how do Machiavelli's injunctions to subordinate elites through popular means obtain in Roman reality and/or in Machiavelli's prescriptions? The next section critically catalogs the many specific qualities attributed by Machiavelli to the people that contribute positively to a republic, such as their fairness in distributing offices (I.47), their justice in deciding cases of public accusations (I.7), and their ability to recognize the best argument from among public speeches (I.58). Generally, he identifies in the Roman people a peculiar capacity that corresponds neatly with the function of the electorate in minimalist theories of democracy. What he adds to these theories is a more animated and participatory quality in the selection and control of elites. Concretely, this means ensuring some active governing role for the people in their collective capacity, even if most popular control of the nobles is exercised through the more representative and reactive institution of the tribunes.

INDIRECT AND DIRECT POPULAR MECHANISMS FOR CONTROLLING ELITES

Consider again the differences between actual Roman practices as we know them and Machiavelli's somewhat

⁹ Although Machiavelli shares Marx's indignation over elite power and class subordination, he does not think that elites as a group can be eliminated or classes in general overcome (Marx [1848] 1996). In this sense, Machiavelli anticipates his fellow Italian theorists of the "iron law of oligarchy" (Michels [1911] 1990; Mosca [1896] 1980; Pareto 1987). But unlike them, and the Schumpeterian democrats with whom they have so much in common, Machiavelli does not provide elites the expansive space within which to carry out their domination of the rest of the people by celebrating their supposedly inevitable and irresistible ascendance. For critiques of elitist democracy, see Bachrach 1967, Skinner 1973, and Shapiro n.d.

free interpretation of them. A few general issues demonstrate Machiavelli's normative preference for a republic more extensively inclusive of the populace, a republic that allows greater direct popular control of policy formation, lawmaking, and magistrate activity. His republic fosters the expression of a popular will not always mediated through representatives or curtailed by exclusionary procedures. In this regard, Machiavelli never mentions the Roman practices of weighing and ordering votes in ways that favored the better properties in such assemblies as the *comitia centuriata* and *comitia tributa*. In addition, he fails to acknowledge how difficult it was for plebs to gain office. Instead, he consistently expresses his admiration for their desire to hold an increasing number of offices and for eventually winning the privilege to do so. Although the nobility held vast agenda-setting power over issues that were presented to the people, Machiavelli emphasizes the way that the people could influence what elites initiated.

Machiavelli has a habit of speaking of the populace at large when describing the functioning of specific popular assemblies. He remarks that the tribunes proposed laws before "the people," who could speak out one by one for or against them (I.18). More accurately, the tribunes conducted wide-open popular deliberations in bodies known as *contiones*, which could not enact law. The republic maintained a strict separation between deliberative and legislative bodies. The plebs eventually obtained lawmaking power for their assembly, the *concilium plebis*, but this is a much more complicated story than Machiavelli lets on. The *concilium* excluded the nobles, began life outside the boundaries of official politics, and gained parity with and ascendancy over other institutions only with great difficulty and only very late in the history of the republic. Machiavelli speaks as if the law produced by the *concilium*, the *plebiscita*, was always generally applicable throughout Rome. Actually, the *plebiscita* originally applied only to the plebs, may in fact have required senatorial confirmation, and was extended over the whole population rather late, in 287 BCE.

Machiavelli devotes most specific attention to the institution of public accusations, presumably because it was most democratic. Any citizen could level a public accusation against another, especially a magistrate. But for reasons discussed below, this may have been the least attractive popular institution in the Roman republic by contemporary standards. Finally, I will observe that Machiavelli's mode of interpreting Roman history places him in a particularly awkward position: By demonstrating what he sometimes calls the many "sins" of the nobles, he often reveals how successful they were at manipulating the very people whose virtue and talents he generally extols. Yet, when he focuses on the spirit of the people, he is forced to raise the specter of the "popularly legitimated" way that the republic was eventually destroyed.

The Beneficial Collective Action of the Populace

Recall that Machiavelli claims the people have less desire to usurp freedom than do the elites and adds the

qualification that they also have less "hope" of doing so (I.5). The populace has neither the inclination nor the ability to threaten a regime. Devoid of elite direction, in fact, the people are "headless" and thus harmless left to themselves (I.44). They are weak and cowardly when isolated, thinking only about their own individual fears, but they are mighty when united under leaders (I.57). The ideal arrangement is one in which elites govern but are prevented from manipulating the people into helping them carry out their more sinister designs. The tribunate is the institution that generally serves as a "head" for the people; it is responsive to popular concerns except when the people seem unreasonable. It also serves as a direct check on noble machinations to enlist the latter in uncivil schemes.

Machiavelli also observes that the people recognize the truth in assemblies (I.4). This implies that they are able to choose the better arguments among elite proposals, whether submitted by the consuls in the noble-dominated *comitia* or by the tribunes in the *concilium* and those aired on their own in the *contiones*. Machiavelli understands the popular ability to discern better policies in terms of their desire not to be dominated. An elite proposing a policy may have a hidden and self-serving agenda, but the populace evaluates it to see if it conforms with the common good. A cynic might wonder whether this aptitude resulted from their legal exclusion from full participation in government: They developed a capacity to select policy precisely because they were cut off from making it. This may be largely true, but we can think of the popular element within mixed government in Machiavelli's formulation as itself a mixture of direct participation and popular representation, such that the people do make policy. Machiavelli seems to read back into the early republic a more general directly popular element from its middle and late periods. In this way, he may exaggerate the policymaking powers of the plebs. The fact that he seldom specifies whether the assemblies of which he speaks are the wealthy-dominated *comitia* or the exclusively plebeian *concilium* further blurs the issue.

Popular Distribution of Offices

Machiavelli argues that the people are better than elites at distributing offices: "A prudent man ought to never depart from the popular judgments especially concerning the distribution of ranks and dignities, for in this only does the people not deceive itself. If it does deceive itself at some time, it is so rare that the few [i.e., the nobles] who make such distributions will deceive themselves more often" (I.47). The Roman populace did not fully govern itself as do the people in a simple democracy, but it did select the officers who ruled better than the candidates for those offices would have if left to choose among themselves. As we will see, Machiavelli's Roman examples show that the nobles could be confident that they would be given offices by the people when they were qualified, and even when plebs themselves were eligible for the same offices (I.47). According to Machiavelli's account, the people chose to let nobles serve as magistrates; they were not,

as empirical evidence generally suggests, compelled legally to do so.

Machiavelli explains that elites have no humility regarding their governing abilities, and they seldom defer to other elites and never to the populace when it comes to officeholding. They must be forced to do so by placing the distribution of offices in the hands of an arbitrating general populace. The *comitia* selected magistrates, such as the consuls, and the *concilium* chose such officers as the tribunes. Machiavelli notes that the tribunes mediated relations not only between the nobles and the people but also among the nobles themselves (I.50). When senators or consuls could not reach agreement they were known to consult with the tribunes. Thus, the people arbitrated among elites at two levels: not only by selecting officers but also by having their own officers actively mediate conflict among the elites while in office.

Machiavelli acknowledges that when disputes over offices between the nobility and the people become especially intense, autocratic means of distribution have an allure of efficiency. It is important to emphasize here that he specifically rules out empowering one, purportedly neutral, person to split the difference between the nobility and the plebs in such disputes (III.34). Selection of officers by a unitary executive is as bad as, or worse than, the selection of magistrates by nobles themselves, and it is certainly inferior to popularly inclusive methods. Machiavelli claims that the people are a better distributor of offices than a prince, because they base decisions upon a candidate's good reputation until they learn otherwise from his deeds. Unitary executives, in contrast, tend to fear a man of good reputation as a rival. Furthermore, they are inclined to remain stubborn about their decisions on such matters, but when the people lean toward an inappropriate choice they can be dissuaded by good arguments and a trustworthy speaker (III.34).

Machiavelli adds that a good populace does not allow officials to get away with bad behavior just because they have performed their duties well in the past. This prevents certain figures from becoming excessively insolent. The best method for preventing such insolence is the subject of the next section. Finally, Machiavelli insists that the people are inclined to give rewards, even if from meager resources, for good service (I.24). Thus, magistrates, even without the promise of reelection, may be induced to good behavior by the expectation of monetary or honorific rewards from the people.

Accusations, Calumnies, and Capital Appeals

Machiavelli treats the institution of public accusations as a direct form of popular participation, one that renders all citizens, but especially elites, accountable (I.7). He identifies this as the best instrument for guarding freedom in a republic. In Rome, anyone, but most often the tribunes, could accuse citizens before the general populace or before a diverse institutional body. In Rome, as in democratic Athens, accusations

could be leveled for political plans or proposals as well as concrete actions and on grounds of malfeasance as well as treachery (see Elster 1999). Fear of public exposure was as much a deterrent as exile, imprisonment, and fines. In particular, Machiavelli admires the way that accusations crushed uncivil action instantly and "without respect" (I.7). Since the threat of electoral sanction has much less force when reelection is not likely, accusations are an efficient and relatively immediate way of holding elites to account. Most of the nobility could be targeted at any time, and magistrates, such as the consuls, had immunity for only a year or less.

In Athens, direct democracy and the practice of lot rendered class divisions relatively less salient in government. But in the mixed Roman regime, magistrates might not be inclined to express the interest of the general or poorer portion of the populace, which necessitated additional and immediate means of compelling them to do so. Along these lines, Machiavelli believed that accusations have a benefit beyond deterrence and punishment; they provide an outlet for the ordinary venting of social "humors" generated by class antagonism (I.7). If such conflicts are expressed extraordinarily, that is, extralegally, they bring republics to ruin. Machiavelli is adamant that the "alternating humors" of the people and the nobles should be ordered through laws, such as those providing for public accusation (I.7). We again observe the entwinement of social conflict and institutional design in Machiavelli's theory.

The importance of accusations is illustrated by Coriolanus, who was compelled by the tribunes to reveal and explain publicly his plan to starve the plebs into submitting to the nobility (I.7). Were it not for this display, Machiavelli suggests, the plebs would have killed him immediately outside the senate, which would have set in motion a disastrous chain of events resulting in excessively violent class warfare. Machiavelli complains that in his own republic of Florence there was no way for the multitude to "vent its animus ordinarily" against a citizen (I.7). He claims that the Florentines should have been able legally to check an ambitious, audacious, and spirited would-be usurper such as Francesco Valori, but they were forced to deal with him extraordinarily. That led to the development of factions on both the popular and noble sides and the elimination of many nobles rather than just Valori, who was the guilty one (I.7).

The specific case of accusations raises the general issue of the requisite size and diversity of an effective political arbitration body. Machiavelli points to a Florentine example to show that an appellate body must be sufficiently large and diverse, even if it cannot encompass the whole populace: Piero Soderini was accused before a body of only eight citizens, an insufficient number in a republic (I.7). The judges need to be many because "the few always behave in the mode of the few" (I.7). An insufficient number will reflect only the interest of some elite group and cannot arbitrate fairly, that is, outside their own interest. Machiavelli asserts that if the Florentines had been

able to judge Soderini institutionally, the Spanish army need not have been brought into Italy to settle matters definitively. This event led to the restoration of the Medici family and the demise of the republic in 1512.

There is, for Machiavelli, an inverse relationship between the ability to appeal to a sufficiently large and preferably diverse domestic body and the necessity to appeal to foreign arbitration. Unlike the Florentine parties, who had imperfect internal institutional recourse, neither the senate nor the plebs in Rome ever availed themselves of foreign forces (I.7). Machiavelli adds that there is no need to worry that accusations will be made casually so long as accusers fear being indicted themselves should the charges be revealed as frivolous. Thus, Soderini's accusers would not have acted casually for fear of being accused themselves.

Later designers of popular government dispense with the practice of accusations because of the demagogic or factional excesses to which they believe it tends. Whatever retribution may await someone who levels a frivolous charge, accusations could be leveled strategically at certain times to prevent particular policies from taking shape and/or being enforced. Moreover, charges that may never be definitively proven might still smear or damage a public official. Machiavelli distinguishes between accusations and calumnies, which are frivolous charges leveled anonymously and unconfirmed factually by witnesses (I.8). He focuses on the example of Marcus Manlius, who was jealous of the glory that Camillus gained by defeating the Gauls (I.8). Manlius spread rumors that Camillus hoarded war booty for himself rather than use it to alleviate the economic burden of the plebs. The senate was forced to appoint a dictator and confront Manlius. Had his charges been made through official channels, publicly, and supported by witnesses, the senate would not have needed to resort to more drastic measures to address them. Thus, high standards for evidence and widespread publicity are antidotes for calumnies.

Machiavelli asserts that calumnies only cause anger rather than punish citizens legitimately. They often enable demagogues to exploit the people's prejudices against the nobles in an illegitimate and unhealthy way, whereas accusations always serve the republic as a whole. Machiavelli refers to the contemporary Florentine example of Giovanni Guicciardini, who was accused of accepting bribes from the Lucchese to refrain from attacking their city. If Guicciardini could have appealed to the people, instead of the chief executive of Florence alone, Machiavelli argues, he would not have mobilized the impassioned partisanship of the nobles in his cause (I.8). This suggests that, despite class animosity, the general public will give a noble a more fair hearing than a magistrate acting in the name of the people. The Florentine republic, which Machiavelli served as citizen and official, is consistently criticized in *The Discourses* as insufficiently equipped to accommodate popular necessities and is the constant foil for Rome's greatness. In these examples, Florence is guilty of being susceptible to calumnies, not allowing popular arbitration of accusations, and inviting foreign powers to settle domestic disputes.

Machiavelli also admires the Roman practice of placing the final decision over capital execution in the hands of the people. Again, he makes no distinction between the people as a whole and their assemblies, or among the very different kinds of assemblies in Rome. It appears that capital cases were tried at various points before the more oligarchic *comitia centuriata* and eventually the more popular *concilium plebis*. It is not clear to which of these assemblies the "appeal to the people," or *provocatio*, was directed specifically. In any case, capital cases are especially important in a mixed regime: The people are inclined to interpret a death sentence against one of their own as an act of class oppression by the nobility. They need the opportunity to overturn or reduce such sentences, and in Rome they could do so in a variety of ways. Capital sentences pursued or rendered by consuls, the *comitia centuriata*, and even, after the fact, the dictator might be overridden or commuted to exile by invocation of the *provocatio* and/or the decision of the *concilium*.

Finally, for Machiavelli, the imperative of efficiency is no argument against these kinds of popular arbitration mechanisms. In Rome, if the hearing of popular accusations or the appeal process in capital cases proved to be too slow for especially pressing cases, the consuls and senate appointed a dictator to handle the matter.¹⁰ But never did they enlist a foreign power. Thus, for Machiavelli, time constraints may be factored into the deployment of popular arbitration mechanisms: Neither adhere to them so firmly that the general security of the republic is put at risk, nor use expediency as a pretext for invoking foreign intervention (Wantcheken and Nickerson n.d.). Whatever the institutional specifics of the Roman practice, Machiavelli laments the fact that Florence put accusations in the hands of the elite and capital appeal in the hands of purportedly objective foreigners (e.g., the pope, the king of France). In reality, elites and foreigners are easily influenced and corrupted by particular interests in the city (I.49).

Elite Persuasion or Manipulation of the People?

Machiavelli does not suggest that the people's ability to discern political reality is always clear and prudent or that the nobility's inclination to show them what is in their best interest is in all cases malicious. The Roman nobility often misled or manipulated the people in Machiavelli's account. In one instance, fear of the gods was used to frighten the people into electing nobles as tribunes (I.13). On another occasion, when the nobles

¹⁰ The Roman dictatorship was a temporary emergency measure to preserve the republic, not a permanent authoritarian opposition to institutional diversity and turnover of offices. On the distinction see Rossiter 1948 and McCormick 1998. Twentieth-century analysts of Roman dictatorship emphasize that it was a device by which the senate and consuls brought the plebs back into order (Fraenkel 1969, 10, 213; Kirchheimer 1969, 42). This charge must be taken seriously, since the dictator was appointed without the consultation of popular institutions and in practice temporarily revoked the popular right of appeal.

were forced to give the plebs a stipend to march far afield and besiege towns for long periods, they made this appear to be a result of their own magnanimity rather than sheer necessity (I.51). The people rejoiced with gratitude for the nobles, even though the tribunes argued that it would mean higher taxes. Machiavelli recounts how the senate often manipulated the people into letting nobles keep positions that the plebs wanted (I.48), usually by putting first-rate nobles or second-rate plebs on the slate. The plebs would defer to the excellence of the former or would be too ashamed of the incompetence of the latter to select them. This example betrays a certain gullibility on the part of the people but confirms their virtue: They do not see through the nomination strategy but cannot bear to elect inferior magistrates—especially if they will reflect poorly on their own class.

Yet, the nobles do not have the monopoly on unfair or dangerous intentions. Machiavelli notes that the people sometimes desire their own ruin when they are deceived by false conceptions of the good (I.53). For instance, the plebs wanted to move half the population of Rome to Veii as a way to maximize the city's wealth in their favor (I.53). Machiavelli reports that the nobles would rather have suffered death than accept this alternative. He does not say why, but presumably this eventually would have created a city to rival Rome. But the people were so enthusiastic about the idea that they would have obliged the nobles with death had the latter not used "as a shield" some old and esteemed citizens for whom the people had deep respect. Despite their animosity for the nobility as a whole, they had faith in and reverence for some of them. We only learn these serious qualifications of Machiavelli's initial characterization of noble malice and intransigent class hatred in the course of his narrative.

Machiavelli maintains that the people can be misled not only by false notions of material gain but also by an overly active spirit (I.53). For instance, they decried as cowardice Fabius's moderate strategy during the Punic Wars, a strategy that Machiavelli endorses. Consequently, they risked a crushing Roman defeat at Cannae under the more reckless leadership of Varro. The senate acquiesced to a similar overly aggressive policy proposed by Penula because it feared an uprising by the people, who were always suspicious of weakness in the face of Hannibal (I.53). In other words, the people could coerce the senate into conforming its agenda to the popular will. The senate could not dismiss Scipio's ambitious appeal to the people for an invasion of Africa for similar reasons (I.53). Machiavelli adds the contemporary example of the Florentines, who were mistaken about the conquests of Pisa by Ercole and Soderini (I.53).

All these examples illustrate how the people can be misled in dangerous ways by the seductions of grand enterprises. This, in and of itself, is less unsettling for Machiavelli than the popular response to the resulting failures: He notes that when such enterprises collapse, the people do not blame fortune or incompetence but the purported malice of their leaders. They may imprison or kill them, irrespective of past success, as did

the populace in Carthage and Athens (I.53). It is nevertheless unsatisfying that Machiavelli makes no attempt to reconcile these tendencies toward excess with the passivity and benevolence, or even the provoked or defensive ferocity, that he attributes to the people earlier in *The Discourses*.

Machiavelli also cites numerous episodes in which both the people and the nobles demonstrate their virtue in the midst of crises: Esteemed senators often persuade the people not to follow a course ruinous for them and the republic (e.g., I.53). During the Punic Wars, the plebs of Capua weighed the option of killing their entire senate and restaffing it from their own ranks (I.47), but they demurred when presented the concrete opportunity to do so by Pacuvius Calanus (Calavius). They even laughed at the prospect of filling senatorial roles themselves (I.47). In the same chapter, Machiavelli describes how the Roman plebs wanted to seize consular power for themselves on the grounds that they were greater in number, fought the wars, and protected freedom. But when it came time to supply individuals for these positions, they selected nobles because they were better qualified (I.47).

In other words, the people have a sense of their own limitations and their need for the governing expertise of their class antagonists. As Livy (1971, 277) notes, the people really wanted the opportunity to stand for office, even if they ultimately decided to choose nobles. In one sense, this conforms with modern liberal democracy—everyone is nominally eligible to run but few are interested in doing so, and the "best" of those so inclined are selected. In another sense, in contrast to contemporary representative democracy, the Roman citizenry at large may have been eager to hold office. Unlike later consent or contract models, Machiavelli's model seems to suggest that class antagonisms and the genuine possibility of direct participation inspired enthusiasm among the people.

Machiavelli reinforces the argument concerning the populace's good judgment with ancient and contemporary examples of a change of mind for the better. The people of Rome and Florence eliminate certain institutions after wrongly blaming them for mismanaged war efforts (I.39), but both groups demonstrate the ability to learn by later restoring these very institutions. Machiavelli also notes that the plebs ultimately refused Spurious Cassius's attempt to gain their allegiance by distributing enemy property among them (III.8). They were not yet corruptible and susceptible to such "Caesarist" temptation. They also condemned Manlius Capitolinus to death for similar reasons; in fact, the people, the tribunes, and the senate all resisted powerful inducements to help him (III.8).

There is an obvious danger that great citizens in a republic will put their skills to less than republican ends. Nevertheless, "a republic without reputed citizens cannot stand, nor can it be governed well in any mode" (III.8). But such reputation can serve as the genesis of tyranny. Machiavelli's proposed solution is to favor reputation earned for public goods over those earned for private goods (III.28). Yet, it is not clear how this criterion rules out, for instance, a Julius

Caesar, who gained a reputation precisely for “public” goods, such as military glory and economic redistribution.

DRAWBACKS OF POPULAR MECHANISMS FOR CONTROLLING ELITES

Machiavelli understands appropriate popular ferocity to be any animosity toward elites that stops short of enlisting either a Caesar or a foreign power to subjugate or dispose of them. The Roman people never resorted to the latter but ultimately succumbed to the former. This section is devoted to moments in Machiavelli's *Discourses* when the people of Rome flirt with abandoning their methods for controlling elites or seem to go too far in pursuing class conflict against them. The crisis associated with the Ten raises institutional questions, and that of the agrarian laws raises issues of political culture. Both episodes draw attention to the circumstances that established the precedent for the collapse of the republic and the emergence of Julius Caesar. It is important to note that the Roman populace undermined its methods of elite control because of animosity for the nobility. Contemporary civic-culture or neorepublican critics of minimalist democracy complain about the apathy toward public matters that might eventually corrode and corrupt popular institutions and perhaps lead to unfree results (e.g., Barber 2000; Putnam 2000). In any case, the issue of Caesarism continues to be a serious one. Tocqueville, most notably, pointed out the danger of modern populaces that become so ferocious in their quest for equality that they endorse militarily or plebiscitarily legitimated tyrants (de Tocqueville [1848] 2000). Tocqueville had in mind a Bonaparte, but we could imagine worse (see Baehr and Richter n.d.).

The Temptation to Forsake Institutions for Controlling Elites

Machiavelli recounts an alarming instance when the people of Rome temporarily abandoned key mechanisms by which they kept elites responsive and accountable. Because of the “disputes and contentions” between the nobles and the people, Rome tried to imitate Athenian law, and created the Ten (the *decemvirate*) to codify Roman law (I.40). Livy explains that the institution of the Ten and the legal reforms that they set out to enact were motivated by the popular desire for greater participation and equality: The people wanted a system of laws “which every individual citizen could feel he had not only *consented* to accept, but had actually himself *proposed*” (1971, 221, emphasis added). The people no longer wished merely to acclaim or consent to law that was presented to them but wanted to take part in its formulation. Machiavelli never impugns their motivations but does express concern over the attempted means for realizing them. The Ten diminished the power of both the tribunes and the consuls and abandoned direct appeals to the people (I.40). This streamlining of institutions appears to be a historical regression from the perspective of republi-

canism, for it undermines the institutional diversity of mixed regimes that had developed over time in the ancient world and Rome in particular. The results hearken back to the kind of political corruption inherent in the regime types famously described by Polybius, and they anticipate the simple people = one-man arrangement of Caesar's tyranny.

Machiavelli describes how Appius Claudius became the leader of the Ten through popular consent, even though formerly he had been quite cruel to the people (I.40). The nobles tried to curb his growing power but to no avail. Eventually war and Appius's crimes restored the authority of the nobles, who initially would not eliminate the Ten. They preserved the institution in the hope of forestalling indefinitely the reestablishment of the tribunes. It is noteworthy that Machiavelli focuses on the bad behavior of the nobility in this instance, although there is quite a bit of unruly behavior on the part of the people to consider (Livy 1971, 236–49). After the second evacuation of the plebs from the city, Appius is arrested and commits suicide, the Ten step down, and both the consuls and tribunes are restored.

Machiavelli finally concedes, on the basis of these events, that the people are a better support for tyranny such as Appius's than the nobles because they provide the potential for more violence (I.40). But for Machiavelli, despite its dangerous implications, the episode illustrates how the mechanisms of popular participation in Rome worked well in both containing the nobles and preventing the rise of demagogues (I.40). He argues that a magistrate created by the people needs some institutional cause for hesitation about becoming a criminal; there needs to be recourse to modes of accountability such as the consuls, tribunes, accusations, or the popular appeal. But these are precisely the institutions that were suspended with the consent of the people. With these out of the way, there was no effective way to check someone like Appius, who would exploit the people's animosity toward the nobility. Short of war and Appius's excessive behavior, the nobility themselves could not touch him. Machiavelli suggests that everyone realized these institutions ought not to be suspended or abandoned so readily in the future. Because the nobles and the people wanted so badly to remove the institutional agents of their rivals, they were tempted to eliminate the very buffers that prevent tyranny (I.40). Machiavelli presents the episode as an anomaly in the history of Rome, even as it foreshadows the republic's ultimate demise. But it is hardly an isolated case, as we will see.

The Agrarian Laws

Early in *The Discourses*, Machiavelli remarks that “every city should have modes by which the people can vent its ambitions” (I.4). Neither are the people always so passive nor are their desires so inherently benign as a superficial reading of his account might suggest. He admits that one advantage of noble-dominated republics like Sparta and Venice is that they keep authority away from “the restlessness of the plebs that causes

infinite dissensions and scandals" and that wears down the nobles and makes them "desperate" (I.5). Once the plebs were granted the tribunes, they wanted one and then both of the consuls, as well as all kinds of other magistrates.

Is this a repudiation of Machiavelli's ascription of a benignly passive disposition to the people? Or are these merely manifestations of the defensively ferocious posture of the people? Machiavelli later describes how difficult it is to distinguish aggressive behavior that is appropriately defensive from that which is dangerously offensive (I.5). In either case, the people's appetite not to be dominated by the nobles, combined with their attempt to seize institutional guarantees against the latter, eventually leads to Caesarism and the downfall of the republic. Machiavelli recounts how the plebs "furiously" began to adore men such as Marcus Marius, who could beat down the nobility, and thereby hastened the ruin of the republic (I.5). He notes that the two Marcuses were made, respectively, dictator and master of the horse by the people to surveil ambitious nobles (I.5). Thus, the people were not satisfied with simple freedom from oppression; or rather, it is not easy to guarantee "negative" freedom from noble domination without the "positive" freedom exercised by securing legislation and offices against the nobles. Machiavelli points out that the establishment of the tribunes and accession to the consulate were not enough for the plebs; they also wanted to share in the honors and spoils of the nobility (I.37).

In particular, the agrarian laws of the fifth century threatened the nobles by limiting the amount of land one could own and by distributing among the plebs land seized from vanquished enemies (I.37, III.24–5). This legislation enraged the nobles, for it sought to take what they already had and denied them access to the means of getting more. Machiavelli claims that the senate responded by sending armies farther afield to places the plebs would not covet, thus ensuring that these spoils were the exclusive pleasure of the nobility. Machiavelli need not point out that this practice leads to Caesarism as steadily as does the popular worship of "one man" who will beat down the nobles. As the armies were sent farther and farther from Rome, generals and not the republic began to take responsibility and credit for the army's material sustenance and hence commanded its ultimate loyalty. According to Machiavelli, were the nobles or the plebs more responsible for laying the groundwork of Caesarism?

Machiavelli emphasizes that the agrarian laws led to a cycle of excessive disorder: civil conflicts, recourse to "private remedies" by individuals, the establishment of party heads (e.g., Marius for the people, Sulla for the nobles), and ultimately more blood and violence than is healthy for a well-ordered republic (I.37). The nobles initially gained the upper hand, but the way was established for a popular party leader such as Caesar to emerge as tyrant. Yet, Machiavelli does not condemn the people through these examples; he concludes that the nobility caused the agrarian law crisis and the 300-year decline that it set in motion (I.37). The

ambition of the nobles needed to be checked and would have brought Rome down much sooner if the people had not sought to halt them. According to Machiavelli, it was the nature of elites to behave in such a way as to provoke the people to undertake harmful measures like the agrarian laws. Therefore, we must understand popular ferocity as the righteous indignation of a normally passive inclination not to be dominated that has been violated, abused, and threatened. The people's aggressive behavior is revealed to be a legitimate response to the nature of elites and their inevitable behavior.¹¹

MACHIAVELLI'S HISTORICAL PLACE AND RELEVANT LESSONS

Does my reading of *The Discourses* alter our assessment of how Machiavelli fits into the history of reflections on popular government? Clearly, he is neither an epigone of classical republicanism nor a pioneer of modern antimoralism, unconcerned with institutional form. Machiavelli may pose the question of elite control and popular government as forcefully as any other political philosopher, yet contemporary democratic theory generally looks to the contract tradition as a resource for holding elites accountable. Why? One reason is that Machiavelli's answers seem imprecise analytically: The combination of normative prescription, historical description, and textual commentary renders his conclusions less than readily transparent. Moreover, his conclusions, when specified, do not seem immediately transferable to contemporary circumstances in an obvious way. Consider the example of public accusation. The institution of "special prosecutors," for instance, seems to serve elite as much as popular interests.

If we think about these issues historically, in the classical age there were the socially specific institutions of the simple regimes: monarchies, democracies, and oligarchies, or rule by the one, the poor, or the rich. Today there are the completely agnostic socioinstitutional arrangements of modern liberal democracy. In between reside the socially reflective institutions of Rome and Machiavelli's interpretation of them. In his model, the popular element is represented by the tribunes and the largely timocratic popular assemblies. But it is also embodied by the concilium, which is composed of all nonnoble citizens and directly expressed through such practices as the accusation and the provocatio. In general, most Roman institutions were socially specific in a way that is intolerable by modern representative standards. Those institutions,

¹¹ In an excellent recent work, Baehr (1998, 287ff) details the socioeconomic changes that made Julius Caesar a successful usurper of the republic, whereas the earlier attempts of Cassius, Marius, Appius, and others were failures. The increasing debt and diminishing property shares of the urban and especially rural plebs encouraged them to seek sustenance in military ventures alone. Consistent with Machiavelli, Baehr demonstrates that the ensuing corruption could have been minimized or forestalled by the senate had it adopted programs of debt relief and land distribution, which they considered but dismissed (p. 289). The senators, after all, were the primary lenders and landowners.

whether representative or direct, were identified with particular social classes. Liberal democracies, in contrast, presume that all citizens are "equal" and assume the general influence of all on the institutions of government.

In a sense, Machiavelli's reinterpretation of Rome combines some of the more direct elements of classical politics and the nascent representative quality of Roman practice. It is important for Machiavelli that the popular element be both mediated and expressed institutionally. His republic is a mixed regime that holds within the popular element a further mixing—a mixing between representation and direct expression. The modern republican cum liberal-democratic blueprint, *The Federalist Papers* (Madison, Hamilton, and Jay [1788] 1998), eschews such an arrangement for two possible reasons. The first is a postfeudal/preindustrial faith in the emergence of a variegated social pluralism that presumably would outstrip categories of two, or even three, opposing classes. The second is a Hobbesian distrust of any kind of socially specific claims upon institutions of government. The Federalists likely were aware of exactly what Machiavelli knew and celebrated: Institutional class specificity encourages political class conflict.

The crucial difference between Machiavellian republicanism and contractarian liberalism, however, is not simply a preference for class conflict per se but for a particular kind of institutional facilitation of it. Machiavelli seeks to control elites first and foremost, despite the risk of allowing certain excesses on the part of the populace. His frequent omissions and equivocations regarding their behavior suggest as much. Contractarianism seeks to control both elites and the public through constitutional and electoral arrangements that exclude the populace as such from governance (Holmes 1995). The result of the latter arrangements, civic-culture or participatory-minded critics charge, is a stultification of the populace, a structural encouragement of their disinterest in politics that includes the concern for holding elites to account. How seriously we evaluate this charge will inevitably depend on whether we judge the supposed passivity of the electorate in contemporary representative democracy to be a result of the commercial/private attentions of citizens in capitalist societies, or whether we judge political arrangements to be the principal cause of such economic fixations and political passivity. This is, of course, a recurring debate in democratic theory (see, e.g., Barber 1990; Gutmann 1991; Przeworski 1991; Shapiro 1996).

As an heir to contractarian theories, minimalist democracy certainly appears stunted or sterile by criteria that favor high levels of substantive participation. From such a perspective, the proposition that a populace or electorate should serve merely as an arbitrator among elite actors seems to be a rather stultified framework for popular government. If it has a ready correlate in traditional political theory, the Hobbesian scenario seems the most apt, if normatively unflattering, comparison: Subjects consent to a particular power among others to impose order upon society at large. When we add to that formula merely the periodic

reaggregation of consent through elections, we have a fair approximation of minimalist democracy. Yet, minimalist democracy may be undermined without a diverse and attentive populace, which may, in fact, be homogenized and infantilized by a lack of more substantive and direct participation. Machiavelli's *Discourses* raises serious questions for advocates of minimalist conceptions of democracy along these lines: Does elite control require class conflict in addition to general elections? Is social or liberal democratic politics sufficiently conflict-engendering to sustain vigilant control of elites?

Civic-participatory and neorepublican prescriptions for renewing substantive democracy (e.g., Macedo 1998; Rosenblum 1998; Warren 2000) seem to offer a cultural supplement that would render minimalist democracy more sustainable. But such approaches are rather pacific in comparison with the ferociousness of Machiavellian popular government. It is not merely the fact that Roman citizens belonged to different groups that renders republican politics healthy and dynamic for Machiavelli; rather, they belonged to fiercely competitive groups. In this sense, the constructively participatory and tranquility-inclined disposition of civic-culture approaches may not generate the requisite animosity to encourage better responsiveness and greater accountability among elites. Contentiousness over different conceptions of the common good, over more or less just forms of domination, provides this in Machiavelli's Rome. In his account of the rise and decline of associations in the United States, Putnam (2000), for instance, does not substantially distinguish between the social benefit sort of associations, such as those involved in the civil rights movement, and those devoted to hobbies or sports. Yet, it is precisely attention to or pursuit of social justice, which is often underemphasized in civic-culture approaches, that may promote a more vigilant populace.

As Shapiro (1999, 30) argues, in addition to the practices of collective self-government, which is relatively well served by electoral politics, democracy must be concerned with diminishing the arbitrary exercise of domination and with ameliorating asymmetries of power. The imperfectly just, that is, inevitably unjust exercise of power by political and social elites can only be checked by a populace with a disposition toward distrust, suspicion, and even resentment of them. The Roman people in Machiavelli's account realize that they will never be remotely free from noble domination without remaining suspicious of, and making claims upon, the wealth and political authority of those elites. In this spirit, Shapiro (1996, 10; 1999, 15) argues that democracy is not sustainable if it does not breed democratic habits of interaction and does not reduce injustices of common institutions—interactions and reductions achieved through dissensus, not necessarily consensus.

A Machiavellian paradox perhaps lost on civic-culture theorists of democracy is that socioeconomic and political conflict may breed stronger allegiance than the active pursuit of a consensually derived common good (see Shapiro 1996, 108). Along these lines, how

might our political and perhaps socioeconomic elites be handled more aggressively? How might we begin to fashion Machiavellian mechanisms of participation, responsiveness, and accountability? Manin, Przeworski, and Stokes (1999, 5, 13, 49–50) propose the development of multiple “accountability agencies” that could supplement elections in the effort to control elites more directly; these might take the form of independent campaign, information, and auditing bodies. Pettit (2000) theorizes contestatory practices, such as the veto or better appellate institutions, through which electorates might review or amend decisions of elected elites. These institutions could function in a manner reminiscent of the tribunes, the accusations, the appeal, and the concilium in Machiavelli’s account of Rome. In more general terms, Shapiro (1999) proposes extraelectoral democratic procedures to deal with social issues often considered “private,” such as child rearing; gender, sexual, and marital relations; issues of the workplace; and health care, retirement, and death. If rendered more democratically accessible, these policy spheres might no longer be the free domain of quasi-autonomous elites.

Machiavelli’s *Discourses* raises questions and proposes solutions with respect to the adequacy of minimalist democratic arrangements in achieving one of their most important goals—control of elites. Moreover, it does so without an appeal to consensus over a common good that is voiced or presupposed by contemporary adherents of civic participation and neorepublicanism. In this way, Machiavelli contributes to the prospect of taking advantage of the respective strengths of both formal democratic theory and civic participatory approaches.

CONCLUSION

Minimalist theorists of democracy now concede that elections might not be sufficient to render elites responsive and accountable, in particular, and to make democracy self-sustainable, in general (Przeworski 1999). Although they do not appeal for more substantively participatory practices characteristic of civic culture, civil society, and neorepublican critics of liberal democracy, democratic minimalists do call for more direct “accountability agencies” through which elites might be made more controllable. I have shown that a theorist who mixes representative-electoral institutions with more direct forms of elite control is Niccolò Machiavelli.

Machiavelli’s democratic theory of elite control can be summarized as follows. In some respects the people are confined simply, if not exclusively, to selecting elites for office and choosing among their policy proposals. In other respects, they are active competitors with the established elites for such offices, and they constantly patrol the latter through the institutions of the tribunes and practices such as public accusations and popular appeals. Moreover, the Roman plebs could meet collectively in the contiones and concilium plebis to discuss and make laws, respectively. Machiavelli adds to these institutional features of popular

government an important cultural dimension: The people should despise and mistrust the elites, and they should be wary of and actively confront the injustice that elite governing inevitably entails. This disposition serves to fuel popular efforts to render the elites more fully responsive and accountable. When Machiavelli calls the Roman people the “guardian of liberty,” he has in mind this fuller conception of their control of elites. The merely reactive, ratifying, and manipulable quality of the Roman plebs presented in classical histories and contemporary historical research is not commensurate with the kind of virtue necessary to keep the craven and unscrupulous Roman nobility in check. However much elites may have changed their forms, history does not provide any solid evidence to suggest that their disposition has altered very much since Machiavelli’s time.

Machiavelli confirms for us, quite simply, that elections are not enough. Popular primacy in his republic means more than just choosing elites through elections. Merely electoral standards certainly make it possible to interpret a republic according to the traditional Aristotelian/Polybian criterion: A good republic should appear to be both an oligarchy and a democracy, depending upon how you look at it. Electoral standards of democracy allow us to say that elites rule but that the people choose which elites do the governing. The system is therefore oligarchic and democratic. In Machiavelli’s estimation, the electoral standard, like most of the great standards of political philosophy, traditional or modern, humanistic or formal, only serves to favor the elite. Machiavelli advocates an unambiguously popularly dominated republic. According to the standards of his day, that would not have meant a democracy per se but a democratically tilted mixed regime. By today’s standards we could do worse than call such a regime a democracy.¹²

Ultimately, Machiavellian democracy can be characterized concretely as an institutional mix of popular representation and direct popular participation, as well as a political culture driven by an active rather than passive sociopolitical orientation. At first blush, contemporary liberal democracies seem wanting in comparison. What form might institutions and practices of Machiavellian democracy take today? Strategies focused on democratic justice, accountability agencies, and contestatory republicanism are certainly appropriate starting points for bridging the gap, in a Machiavellian manner, between minimalist democracy and civil society/participatory approaches to popular government.

¹² An important continuity in the metamorphosis of ancient into modern republicanism has been socioeconomic and political elitism. In this light, Pocock’s (1975) otherwise magisterial study of the Renaissance-Florentine conduit of this transformation would have been more appropriately titled *The Guicciardinian Moment*. It perhaps ought to have been named after Machiavelli’s more oligarchically indulgent contemporary and interlocutor, Francesco Guicciardini, and not the populist, elite-despising subject of this essay.

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[Footnotes]

² **Review: [Untitled]**

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⁹ **The Empirical Theorists of Democracy and Their Critics: A Plague on Both Their Houses**

Quentin Skinner

Political Theory, Vol. 1, No. 3. (Aug., 1973), pp. 287-306.

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