Direct Democracy, Ancient and Modern

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Until Alexis de Tocqueville published his *De la démocratie en Amérique* in 1835–40, democracy was almost invariably taken to be direct democracy practiced in a small community, such as ancient Athens or eighteenth-century Basle, and democracy and representation were seen as opposed forms of government. In the wake of de Tocqueville’s book, the concept of democracy became rapidly connected with the concept of representation, and in 1842 – before the abolition of slavery – the United States were praised as the ‘most perfect example of democracy’. Democracy without further qualification came to mean representative democracy, and direct democracy was increasingly linked with other negative connotations, such as corruption and disorder.

1 Encyclopædia Britannica, 1st edn. (1771): 2, 415, s.v. ‘Democracy: the same with a popular government, wherein the supreme power is lodged in the hands of the people: such were Rome and Athens; but as to our modern republics, Basil only excepted, their government comes nearer to aristocracy than democracy’.

2 As late as 1848, the new Swiss Federal Constitution treated democracy and representation as direct opposites: the *Constitution de la confédération Suisse du 12 Septembre 1848* prescribes: ‘l’exercice des droits politiques d’après des formes républicaines – représentatives ou démocratiques’. The distinction is between cantons governed by an elected Kantonsrat, and cantons governed by a Landsgemeinde. The first really important political movement launched under the banner of (representative) democracy was Andrew Jackson’s Democratic Party, set up in 1828 (see Roper 1989, 54–5).

3 The concept of representative democracy appears in Blackstone’s *Commentaries on the Laws of England* (1765–69). Another early occurrence is in a letter from Alexander Hamilton of 1777 (to Gouverneur Morris, 19 May 1777). In the short-lived constitution of the Helvetic Republic of 1798, Article 2 proclaimed that the government shall at all times be a ‘démocratie représentative’, but in the early nineteenth century, the idea of representative democracy lapsed into oblivion and it took a long time ‘for the concept of representation to be ingrafted upon the concept of democracy’; see Thomas Paine, *Rights of Man* (1792 [1986]), 170. That happened in consequence of A. de Tocqueville, *De la démocratie en Amérique*, vols. I–II (Paris 1835–1840), echoed in Encyclopædia Britannica, 7th edn (1842), s.v. Democracy: ‘the most perfect example of democracy is afforded by the United States of North America at the present day.’
The case for replacing representative by direct democracy is based on a combination of four propositions: The first is the almost universal belief that democracy is a ‘good thing’ (Rousseau 1762 [1964], Book III, xv). The second is the proposition – often presented as a corollary of the first proposition – that maximum democracy equals optimum democracy (Barber 1984, esp. 117–20, 131–2, 151). The third is the very plausible axiom that direct democracy is more democratic than representative democracy, and thus constitutes maximum democracy (Budge 1996, 190–92). The fourth is the claim that modern technology has made a return to direct democracy possible (McLean 1989, 108–34, 171–2).

These propositions are, again, based on a number of beliefs which are invoked as justifications for direct democracy, ancient or modern. In my opinion, at least five basic beliefs are involved, which I suggest here to call the five pillars of direct democracy (see Budge 1996; Burnheim 1985; Cronin 1989; Fishkin 1997; Gallagher 1996; Schmidt 1993). They are:

1. the belief that ordinary citizens are intelligent people who are capable of making sound decisions about themselves and their fellow citizens;
2. the belief that ordinary citizens are prepared to disregard their self-interest in case of conflict with the national interest;
3. the belief that ordinary citizens can be kept sufficiently informed about the issues at stake;
4. the belief that ordinary citizens are interested in participating in political decision-making instead of delegating politics to professional representatives;
5. the belief that rational decision-making can be conducted on an amateur basis if one distinguishes between the expert knowledge required to prepare and formulate the measures, and the common sense required to make a political choice between formulated alternatives.

In the ongoing discussion of direct versus representative democracy, a major problem is that today, direct democracy is attested only at municipal level, for example in the New England town meetings (Sly 1932; Mansbridge 1980) and in village assemblies in Bhutan (Vinding 1998). It is also attested in federations at member state level, for example in some of the smaller Swiss cantons. But it does not exist any longer anywhere as a form of government of a state. Admittedly, referendums are widely used in Switzerland, in Italy and in 26 of the states of the US (Gallagher and Uleri 1996; Budge 1996, 84–104), but even democratic states...

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4 Kellenberger (1965); Carlen (1976). Until recently, the cantonal popular assembly, the Landsgemeinde, existed in five cantons and half-cantons: Obwalden, Nidwalden, Appenzell Ausserrhoden, Appenzell Innerrhoden, and Glarus. During the last decade, however, the citizens have voted their assembly out of existence in Obwalden, Appenzell Innerrhoden, and Appenzell Ausserrhoden.
which allow some political decisions to be made by referendum are far removed from direct democracy in which every major political decision automatically has to be debated and voted on by the people (Gallagher and Uleri 1996; Budge 1996, 84–104).

Consequently, the five pillars of direct democracy have to be tested against historical evidence, and the only major well-attested historical example of direct democracy is the type of democracy practiced in the ancient Greek city-states from c. 500 BC down to the end of the Hellenistic period.

It is commonly, but erroneously, believed that the many hundred polis democracies were all direct (Meier 1990, 85, 165, 218), and in this respect different from modern indirect or representative democracy. We know that there was a type of Greek democracy in which the principal function of the popular assembly was to choose the magistrates and call them to account for their conduct in office, while all political decisions were taken by the elected magistrates. This is, if not necessarily representative, then at least indirect democracy (Aristotle, Politics, 1318b21–2, 28ff.; 1274a15–18; 1281b32–4; see Hansen 1999, 3).

Most Greek democracies, however, were direct, and so was Athenian democracy, which, furthermore, is the only historical democracy for which we have sources enough to reconstruct its political institutions and democratic ideology (Hansen 1999, 1–2). Among modern champions of direct democracy, there are two opposed assessments of Athenian democracy and its merits.

According to some theorists, ancient assembly democracy is essentially different from modern models of electronic democracy. Admittedly, both are forms of direct democracy. But they are so different that next to nothing can been learned from studying the ancient form. These theorists usually take a negative view of Athenian democracy as, in fact, a disguised oligarchy (Budge 1996, 26–7; Arterton 1987; Gallagher 1996, 234). Modern direct democracy is not a return to something which once was, but rather, the introduction of something completely new.

Other theorists, however, hold that the Athenian example is a highly relevant historical example, and that the methods to be used in modern direct democracy are adaptations to new technology of a political system which, essentially, was practiced by the Athenians. There are, admittedly, major differences between ancient and modern direct democracy, both in the form of debate and the way the vote is taken; nevertheless, some of the basic aspects of direct democracy are common to both forms (McLean 1989; Fishkin 1991, 1997; Carson and Martin 1999). Proponents of this more historical view of direct democracy tend to focus on the institutional and ideological aspects of Athenian democracy. The fact that the Athenians excluded women and had slaves is, largely, irrelevant in this context – an obvious parallel is the American Declaration of Independence of 1776 and the American Constitution.

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5 An important nineteenth-century evaluation of Athenian democracy can be found in J.S. Mill, Considerations on Representative Government: ‘Notwithstanding the defects of the social system and moral idea of antiquity, the practice of the dicastery and the ecclesia raised the intellectual standard of an average Athenian citizen far beyond anything of which there is yet an example in any other mass of men, ancient or modern’ (1861 [1958], 53–4).
of 1787–89. We can appreciate the ideas and ideals advocated in these documents in spite of the fact that US women had no political rights before 1920, and that there was a large population of black slaves who were held neither to have been created equal, nor endowed by their Creator with inalienable rights such as life, liberty and the pursuit of happiness.

Thus, in spite of all the important differences between a small ancient city-state and a large, modern, so-called territorial state, one important way of testing merits or drawbacks connected with direct democracy is to study the political system of ancient Athens from 507 BC, when Kleisthenes introduced *demokratia* in Athens, and 322 BC, when this democracy was abolished in consequence of the Macedonian conquest of Athens. The first thing to note is that what I call the five pillars of direct democracy were explicitly recognized by the Athenians as foundations of their political system.

First, the Athenians did believe in the intelligence and sound judgment of the ordinary citizen, and they put their belief to the test by letting all major political decisions be made by ordinary citizens, either in the assembly (in which every citizen was entitled to speak and to vote) or in law courts and legislative committees made up of ordinary citizens (selected by lot for one day from a panel of 6,000 citizens selected by lot for one year).6

Second, ancient critics of Athenian democracy, in particular Plato and Aristotle, claimed that the poor, always being in the majority in any political assembly, would avail themselves of any opportunity to soak the rich, especially by confiscation of property. That may have happened occasionally, but Athenian democrats took pride in stating that although the jurors in the democratic courts were sometimes tempted by irresponsible prosecutors to have a rich man convicted and his fortune confiscated, they almost always resisted the temptation and acquitted the defendant.7

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6 Demosthenes 3.15: ‘You have among you, Athenians, men competent to say the right thing, and you are the sharpest of all men to grasp the meaning of what is said, and you will at once be able to translate it into action, if only you do your duty’ (trans. J.H. Vince). Cf. Euripides, *Orestes* 917–22; Plato, *Protagoras* 319b–d, 322c–d, 323b–c. See also Ober (1989), 158–60. On the degree of participation in Athens, see Hansen (1999), 313.

7 Hypereides 3.33–4: ‘There is not in the world a single democracy or monarch or race more magnanimous than the Athenian people, and that it does not forsake those citizens who are maligned by others, whether singly or in numbers, but supports them. Let me give an instance. When Tisis of Agryle brought in an inventory of the estate of Euthykrates, amounting to more than sixty talents, on the grounds of its being public property, and again later promised to bring in an inventory of the estate of Philip and Nausikles saying that they had made their money from unregistered mines, this jury was so far from approving such a suggestion or coveting the property of others that they immediately disfranchised the man who tried to slander the accused and did not award him a fifth of the votes’ (trans. J.O. Burrt). One more example is adduced at 35–6. Plato and Aristotle hold that, in a democracy, the majority of poor will inevitably vote according to class interests and soak the minority of rich (Plato, *Republic* 565A; Aristotle, *Politics* 1304b20–24;1320a4–6).
Third, the Athenians believed that regular participation in the political institutions made the citizens sufficiently knowledgeable to make well-informed political decisions; and the democratic government at Athens was accompanied by publicity to a degree otherwise unheard of in past societies. Everything had to be publicized, either orally or in writing: assemblies were not only decision-making organs, they were the forum where many matters were brought to the notice of as many citizens as possible. It was a hallmark of democracy to have a written code of laws available to the public for inspection; and again and again in the inscriptions the formula is repeated that a proposal or decision is to be published so that it can be read by anyone who wishes.⁸

Fourth, for many Greeks and most Athenians, political activity was a positive value, and participation in the decision-making process an end in itself, and not just a means to self-advancement or to obtain some other advantage. According to Aristotle, man was a ‘political animal’ – that is, the very stuff of human life at its most basic was involvement in social and political organization. It seems that the Athenians derived actual enjoyment from the formal play with complicated procedures like sortition, voting and debates in political assemblies. Accordingly, the citizens’ participation in the running of the political institutions was astonishing and unmatched in world history.⁹

Fifth, although the Athenians supposed that every citizen would take an active part in the running of the democratic institutions, they also insisted that no citizen should be forced to engage in political activity at the top level. Political activity was divided into passive participation – listening and voting – and active participation, which included preparing proposals and taking an active part in political argument by speaking in the assembly and council and being an advocate in the popular courts. What the Athenians expected of the ordinary citizen was passive participation only,

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⁸ Aristotle, *Politics* 1281b3ff: ‘For each individual among the many has a share of excellence and practical wisdom, and when they meet together, just as they become in a manner one man who has many feet and hands and senses, so too with regard to their character and thought. Hence the many are better judges than a single man of music and poetry; for some understand one part and some another, and among them they understand the whole’ (trans. B. Jowett), cf. 1282a14–17; Demosthenes 23.109. Political information brought to the attention of all citizens: Aeschines 3.25, 32; Aristotle, *Constitution of the Athenians* 43.4; Euripides, *Supplices* 433–4.

⁹ Thucydides 2.40.2: ‘Here each individual is interested not only in his own affairs but in the affairs of the state as well: even those who are mostly occupied with their own business are extremely well-informed on general politics – this is a peculiarity of ours: we do not say that a man who takes no interest in politics is a man who minds his own business; we say he has no business here at all’ (trans. Rex Warner). According to Aristotle, man is a ‘political animal’ (*zoon politikon*, *Politics* 1253a3). His purpose in life is to live an active political life (*bios politikos*, *Nicomachean Ethics* 1095b18ff; *Politics* 1325b16ff), which is identical with being a citizen (*polites*) in a *polis*, and ‘citizens in the common sense of that term, are all who share in the civil life of ruling and being ruled in turn … and under an ideal constitution they must be those who are able and willing to rule and be ruled with a view to attaining a way of life according to goodness’ (*Politics* 1283b42–84a2); cf. *Nicomachean Ethics* 1177b4–20.
which demanded enough common sense to choose wisely between the proposals on offer, whereas active participation was left to those who might feel called to it.

Democracy consisted in every citizen having the right to speak, *isegoria*, the genuine possibility to stand up and advise his fellow citizens; but the Athenians did not require or expect everyone to do so. Indeed, if every citizen had insisted on making use of his right to address his fellow citizens, assembly democracy would have broken down there and then. The Athenians presupposed a fundamental divide between leaders and followers, and in this respect there is no distinction between ancient Athenian and modern representative democracy. And this divide is connected with the distinction between those who possess expert knowledge – the leaders – and those who possess enough common sense to listen to a debate and choose between the proposals submitted by the leaders.10

The difference between the Athenians and us is that in direct democracy, the choice is between the proposals, and has to be made every other day, whereas, in a representative democracy, the only choice left to ordinary citizens is between the leaders, and the choice is offered to the citizens only once every third or fourth or fifth year. The British House of Commons is an obvious example, both historically and today. At this point, I find it relevant to quote what Jean-Jacques Rousseau had to say about the British Parliament: ‘Le peuple anglois pense être libre; il se trompe fort, il ne l’est que durant l’élection des membres du parlement: sitôt qu’ils sont élus, il est esclave, il n’est rien. Dans les courts momens de sa liberté, l’usage qu’il en fait mérite bien qu’il la perde’11 (Rousseau 1762 [1964], Book III, xv, 430).

Moving from basic ideas to institutions, there is a noticeable difference in how modern proponents of direct democracy use the Athenian example. Those who ignore Athenian democracy, or even take a fairly unfavorable view of it, tend to focus on the idea that all the people all the time must vote on all important political issues, and on how this can be done by electronic voting after the watching of political debates transmitted on TV.12 In a historical context, the problems discussed

10 Thucydides 6.39.1: ‘I say, on the contrary, first that the word *demos*, or people, includes the whole state, oligarchy only a part; next, that if the best guardians of property are the rich, and the best counsellors the wise, none can hear and decide so well as the many; and that all these talents, severally and collectively, have their just place in a democracy’ (trans. R. Crawley). Active participation not expected of ordinary citizens: Demosthenes 18.308; 19.99; 10.70–74; 22.30; Aeschines 3.233; Euripides, *Supplices* 438–41. A philosophical formulation of the different levels of knowledge is found in Aristotle’s *Politics*, where he states that there are two forms of knowledge: one concerns how to make a thing, the other how to make use of a thing. It requires expert knowledge to build a house, but it requires common sense to choose a house that fits one’s need. And it is not the cook but the guest who decides the quality of a meal (Aristotle, *Politics* 1282a16–23).

11 ‘The English people believe they are free. They are grossly mistaken. They are free only on the day they elect the members of parliament. As soon as the members are elected, the people are slaves. They are nothing. During the short moments of liberty they enjoy, the use they make of it shows that they deserve to lose it.’

12 The first one to suggest a high number of electronically conducted referendums was Fuller (1971). A recent champion of this form of direct democracy is Budge (1996, 188),
are whether such a debate can replace a proper face-to-face debate in a public assembly like the Athenian, and whether electronic voting by millions of citizens can replace the direct voting by a show of hands taken among those who have listened to the debate (Budge 1996, 24–33).

These problems are certainly relevant, but we must not forget that direct decision-making in a popular assembly was only one aspect of ancient Athenian democracy. Other important aspects were: (a) the appointment of magistrates, jurors and legislators by the drawing of lots instead of by election; (b) a short term of office (usually a year) combined with a ban on iteration to ensure maximum rotation, (c) payment for political participation to make it possible for even poor citizens to exercise their political rights, and (d) the separation of initiative and decision, so that initiative and preparation of all bills was left to highly active and sometimes even semi-professional citizens in collaboration with a council which prepared all business for the popular assembly, whereas decision by vote was what was expected from the ordinary citizens (Hansen 1999).

Those who really find inspiration by studying the Athenian political institutions are less interested in the face-to-face assembly democracy for which they have contemporary institutions to study, such as the New England town meeting or the Swiss Landsgemeinde. They focus instead on the other aspects, particularly selection by lot, for which the only modern parallel is the completely different modern jury.

The extensive use of the lottery in democratic Athens is completely unknown today (Elster 1989, 78–93; Carson and Martin 1999), and if transformed to fit contemporary states and modern technology, the analogy would be to have a small panel of citizens randomly selected from all citizens, but so few that they can carry on a debate, at least by telecommunication, and that they can be sufficiently informed about the political issues at hand. The idea is, then, to transform parliaments into preparatory and problem-formulating institutions whose proposals are to be voted on by deliberative and decision-making opinion poll panels, selected by lot from among all citizens. This form of popular rule is often called ‘demarchy’ instead of ‘democracy’, a term invented by John Burnheim (Burnheim 1985, 9, 156–87; Carson and Martin 1999, 102–14; McLean uses ‘demarchy’ synonymously with what he calls ‘statistical democracy’: 1989, 157–61).

So sortition instead of election, rotation to ensure maximum participation, payment to stimulate participation, and the acknowledged distinction between active and passive participation are aspects of direct Athenian democracy which have recently been drawn into the debate about a return to direct democracy. In Democracy and Its Critics, Robert A. Dahl suggested one model democracy which incorporated such institutions:

*Suppose an advanced democratic country were to create a ‘minipopulus’ consisting of perhaps a thousand citizens randomly selected out of the entire who imagines a total of c. 50 such referendums per year. See also Gallagher (1996), 240–50.*
demos. Its task would be to deliberate, for a year perhaps, on an issue and then to announce its choices. The members of a ‘minipopulus’ could ‘meet’ by telecommunications. … The judgment of a minipopulus would ‘represent’ the judgment of the demos. Its verdict would be the verdict of the demos itself. (Dahl 1989, 340)

By far the most sophisticated and best-tested version of this form of direct democracy, however, is the deliberative opinion poll as developed by, especially, James Fishkin: a couple of weeks before an election or a referendum, some 300–500 randomly selected citizens are first provided with information about the issue at stake, then they are brought together to participate in a weekend of deliberation on the issue. During this session, they debate with one another and listen to experts and political leaders to whom they can put questions and ask for further information. Both before and after the weekend, a vote is taken.

All experiments so far conducted in accordance with this method show that some panelists have changed their mind in the course of the debates, and especially, that a number of ‘don’t knows’ have made up their mind. If the group of citizens is randomly selected and really represents a cross-section of the citizenry, the experiment indicates both how the people would decide the issue if they had to vote offhand without any information and interactive debate, and how they would vote if all citizens had access to the same amount of information and exchange of views in a prolonged debate (Fishkin 1991, 81–96; 1997, 161–228; Carson and Martin 1999, 87; for a critical view, see Merkle 1996). The difference between the first and the second vote reveals the importance of information and debate as key aspects of democracy. By contrast with other models of demarchy, Fishkin does not envisage that it is left to the panel to decide the issue. The deliberative poll is intended to be a guideline for the electorate when, a few weeks later, all citizens have to vote.

Today, the champions of modern direct democracy are in fact split between two models: one is the referendum model – to allow all citizens, not only to elect their political leaders but also to decide a large number of key issues by direct vote, which can be conducted electronically. The other is the demarchy model – to replace, or rather supplement, the elected legislators and their government with small panels of randomly selected citizens who can meet and debate the issues before they vote.

In both cases, the decision is ‘the voice of the people’. If a panel is enlarged from the c. 500 citizens used in most test polls to c. 3000, there is a very high probability that the panel will normally arrive at the same decision as that of a referendum with millions of voters (who had the same information). The panel is, in fact, representative of the people in the true sense that the elected legislators hardly ever

13 I am pretty sure that if Rousseau had experienced the deliberative polls, he would say that the difference between the vote before and after represents the difference between ‘la volonté de tous’ and ‘la volonté générale’; see Du contrat social, Book II, ch. iii.
are, especially if they take the view that they have been selected for their personal qualities and judgment and are not bound to vote as constituents think.

The advantage of referendums over deliberative opinion polls is that all citizens can participate in a referendum. The drawbacks are the absence of a face-to-face debate among all citizens, as well as the difficulty in keeping all citizens sufficiently informed about all the issues that have to be debated and voted on. Conversely, the advantage of deliberative opinion polls over referendums is that a ‘minipopulus’ of at most 1000 citizens can get access to all the necessary information, they can meet and debate, and they can devote the time and energy necessary to arrive at a rational decision. The drawback, on the other hand, is that only a minute fraction of the population gets an opportunity to be directly involved in the decision-making process. Even in small nations, the possibility of being selected to serve on a panel is minimal.

A possible compromise is, of course, to combine the two procedures, as has in fact been practiced in British Columbia in 2004–2005 (for a short description, see Milner 2005). Like people in other member states of the Canadian Federation, many citizens have long wanted to get rid of the ‘first past the post’ system for electing their representatives in the legislature and to introduce some form of proportional representation instead. The ruling party – which was against any reform – was ousted in the 2001 election, and the winning Liberal Party decided to implement the reform, as they had promised to do if they won the election. What was unusual and truly innovative was that the Liberals decided to bypass the legislature and leave the whole matter to a ‘Citizens’ Assembly’ composed of 160 ordinary citizens, one man and one woman selected by lot from each district.

The assembly met in weekends, was briefed by experts, arranged public hearings and – in response to its public call – it worked through over 1000 public submissions. In the course of the year during which the assembly prepared the reform, its members became almost experts in the merits and defects of electoral systems. In the end, the assembly opted for a ‘single transferable voting system’, in which voters rank candidates in order of preference. The assembly’s proposal was submitted to a referendum, which took place in May 2005. The reform obtained a majority of 57 per cent of the voters, but that was not enough, since the law about referendums requires a qualified majority of 60 per cent. Almost all experts and political commentators have expressed their admiration for the way British Columbia handled the reform and the remarkable high quality of the performance by the Citizens’ Assembly.

A combination of a small randomized panel of citizens with a full-scale referendum about a matter is an obvious solution when the issue is a major reform of the constitution or the electoral system. To have a three-digit or perhaps even four-digit number of referendums every year is, I think, out of the question.

I know of only one model of direct democracy which avoids the dilemma. Inspired by the Athenian example, and explicitly acknowledging his debt to ancient Athens, Marcus Schmidt, a Danish university teacher, has constructed a
very interesting model of modern direct democracy which combines all the features mentioned above.14

His model democracy is organized along the following lines. Denmark has a resident population of five million, of whom four million have political rights. Danes are full citizens for, on average, 57 years, namely from when they come of age at 18 and till they die at, on average, 75; 4,000,000 divided by 57 makes 70,000. Now, the idea is, on 1 January every year, to have 70,000 Danes selected by lot from among all the 4,000,000 adult Danes. These 70,000 constitute an Electronic Second Chamber, and using push-button phones with PIN codes, they have to vote some 1000 times a year on all major political decisions debated in the Danish Parliament. The following year, another 70,000 electors are chosen by lot, and so on.

The result is that almost every Danish citizen will be directly involved in the political decision-making process for one year by being a member of the Electronic Second Chamber; 70,000 Danes chosen at random is such a large number that the risk of their voting differently from what 4,000,000 would have done is insignificant. All proposals debated in parliament have to be submitted to the Electronic Second Chamber, both those passed and those rejected by the parliament. Every political decision presupposes agreement between the parliament and the Electronic Second Chamber. In the relatively few cases of disagreement between the parliament and the Electronic Second Chamber, the issue has to be decided by a referendum involving the whole electorate of 4,000,000 persons. The parliament will continue to prepare all bills and will be elected on a party-political basis just as before, so that there will be a division between initiative and preparation, left to professional elected politicians, and decision, shared by the parliament and the Electronic Second Chamber.

Of the 70,000 members of the Electronic Second Chamber, those who have a job will have a paid day off every week to study and debate the proposals on which they have to vote; all 70,000 will be sent the relevant material, and they will receive some compensation for their political participation. Every time they vote, they will obtain a reduction in direct taxation amounting to the equivalent of 2 Danish kroner, which means that the reduction in income tax comes to 2000 DKr. in the course of the year they are members of the Electronic Second Chamber. The total costs of such a political system would come to 5 billion DKr per year, or 2.5 per cent of the state budget (in 1993).

Here, direct popular vote on all major issues is combined with sortition, rotation, political pay and the cooperation between professional policy-makers in the parliament and amateur decision-makers in the Electronic Second Chamber. Thus, all the five most prominent aspects of Athenian democracy are involved, and the result is a model which, in my opinion, is a much improved version of the traditional forms of teledemocracy. Rotation and sortition, combined with a ban on iteration, ensure that all citizens for one year are actively involved in

14 Schmidt (1993). Marcus Schmidt is Lecturer in Marketing at the University of Southern Denmark, and he runs the largest Danish opinion poll institution with a carefully randomized panel of 1500 persons (GfK Observa).
political decision-making. For the rest of their lives, they have all the political rights they have today under representative democracy. On the other hand, it is feasible and not too expensive to give 70,000 persons sufficient time to keep themselves politically informed; political pay is an extra incitement, and it is possible to have a political debate, thereby precluding direct democracy from degenerating into a vulgar push-button democracy.

If such a kind of direct democracy is workable, it is supposed to have the following beneficial effects: (a) As a result of the increased importance of the decisions left to citizens, there will be increased participation. (b) Direct democracy will counteract corruption. (c) Lobbyism will have to come out in the open, and can no longer be confined to the corridors. (d) The focus of politics will be issues, instead of persons. (e) Political parties will play a less prominent role in politics. If, on the other hand, one of the pillars collapses, the whole building collapses too. If, for example, only c. 20,000 out of the 70,000 members of Marcus Schmidt’s minipopulus are prepared to take their obligations seriously, it will thwart the whole idea of the reform.

Today, when information technology has brushed away the technical objections to having a more direct form of democracy, the two principal objections are the ignorance and the apathy of the ordinary citizen (cf. pillars 2 and 4 in the list at the beginning of this chapter).

The ignorance of the common citizen has become proverbial, and even among people who believe in democracy as the only acceptable form of government there is an outspoken criticism of the intellectual capacity of ordinary people. An apocryphal saying of Winston Churchill’s is repeated over and over again: ‘The best argument against democracy is a five-minute conversation with the average voter.’ This line of thought testifies to what I would describe as ‘doublethink’. Many democracies have jury courts as an essential element of their administration of justice. Members of juries are drawn by lot from among the citizens. The problems which a jury court has to understand and on which the members of the jury have to form an opinion are often very complicated, and certainly not less thought-demanding than the issues which are discussed and voted on in parliaments. If it is true that an ordinary citizen does not possess the intellectual capacity and does not have sufficient knowledge to take a position on the political issues which are decided by governments and parliaments, jury courts ought to be abolished in the countries where they exist, and the administration of justice should be left to professional judges. Conversely, if jury courts are a valuable aspect of the administration of justice in a democracy, then we cannot uphold the view that citizens at large are not intellectually fit to make political decisions.

Apathy and lack of interest for political issues constitute a different but, in my opinion, more serious problem. To have a direct democracy presupposes a population of citizens who feel that political participation is an indispensable and valuable aspect of human life. The citizens must, at least to some extent, be

15 In Google, there are 24,500 matches for the quotation.
16 But that was nevertheless the view taken by Thomas Jefferson in his letter to DuPont de Nemours, 24 April 1816.
‘political animals’ in the Aristotelian sense. But in many Western democracies there is a small and diminishing willingness to be actively engaged in politics. In the US, less than 70 per cent of citizens are registered as voters. Not only poor citizens but many middle-class citizens do not register, and according to an investigation conducted some years ago, the reason is that jury members are selected by lot from among registered citizens, and service on a jury is often time-consuming and in any case poorly paid (Knack 2000). In Denmark in 1992, when the general public showed some interest for direct democracy, opinion polls revealed that only a third of all Danes would vote for a democracy in which a number of political decisions were made directly by the whole people (Schmidt 1993, 166). And those opinion polls were conducted in a much more democratic atmosphere than we witness today all over the Western world. Since the early 1990s, three of the five Swiss Landsgemeinden have voted themselves out of existence. It is simply unlikely that the majority of 70,000 randomly selected Danes during their year of service in the Electronic Second Chamber would devote the required time and energy to the civic duty to which they had been selected by lot.

On the other hand, the history of democracy reveals alternating periods of progression and regression, from the late eighteenth century to the present day. We do not know what the world will look like in a hundred years’ time. In the early nineteenth century, universal suffrage was considered an utopian idea never to be implemented, and if implemented, disastrous for the state in question. Since the mid-twentieth century, universal suffrage has become universally accepted as an indispensable aspect of democracy. Perhaps in a hundred years’ time, deliberative opinion polls and decisions made electronically by the whole of the people will be as natural an aspect of a democracy as universal suffrage is today. But as the world is now, there are few signs only of such a development.

So whether this form of democracy is inferior or superior to the prevailing form of representative democracy remains to be seen. It presupposes the veracity of the five propositions here called the five pillars of direct democracy. What matters in this specific context is that this and similar model democracies are indisputably based on institutions and principles borrowed from ancient Athens, and – as long as such a system is just a model – one important way to assess its merits is an investigation of the merits or defects of the Athenian political system from Kleisthenes to Demosthenes. I shall round off this investigation by discussing one positive and one negative observation in connection with Athenian direct democracy.

First, it is a common belief that it must be impossible to conduct a consistent line of policy in a state in which all major decisions are made directly by the people. Such decisions will be made on the spur of the moment, and the state will follow a zig-zag course in domestic as well as in foreign policy. This critique of Athenian direct democracy goes back a long way: see, for example, Lord Acton (1877 [1986]) and Beloch (1884, 18–19). Among the orators, it is Demosthenes in particular who repeatedly complains that the Athenian democracy is an inefficient form of government compared with the Macedonian monarchy under Philip II; cf.
direct popular rule might be feasible, but a direct democracy will always be unable to assert itself against its much more efficiently governed neighbors in which power rests with a single ruler or a government.

In classical Hellas, about half the city-states were monarchies or oligarchies, and half were democracies, most of them direct democracies of the Athenian type (Hansen and Nielsen 2004, 80–86). If it were true that a direct democracy is an unwise and inefficient form of government compared with oligarchies ruled by an elite, or monarchies ruled by a strong leader, it follows that the many hundred ancient Greek democracies would soon have succumbed to the oligarchies and monarchies, and they would have been eliminated from the political map in the course of the many centuries the city-states existed. But that did not happen. On the contrary, if we judge the Athenian democracy by the consistency and efficacy of its policy, we have to note that democratic Athens was much more efficient and much stronger than its oligarchic neighbors, though these neighbors were as populous as Athens. Like Athens, Thebes was strongest, in fact the strongest city-state in Hellas, in the fourth century when the polis was democratically governed (Buckler 1980, 20). So direct democracy can be a highly efficient form of government, and again, both in the fifth and in the fourth century there is little evidence, if any at all, that the Athenians followed a zig-zag course in their foreign policy (Harding 1995).

It is true that the alliance of Greek poleis led by Athens lost the war against Philip of Macedon in 340–338 and that Greece in the following period was dominated by Macedon. But that says more about the polis as a type of state than about democracy as a form of state. The alliance formed against Philip consisted of oligarchies as well as democracies, and was, first of all, an alliance of poleis. It has always been difficult for a city-state culture to hold out against a strong and aggressive neighboring macro-state, and that has been the case irrespective of whether the city-states were monarchies, oligarchies or democracies (Hansen 2000b). The Hellenic city-state culture prevailed in the war against the Persian Empire in the early fifth century, but it lost the draw in the struggle against Philip of Macedon in the mid-fourth century.

My second observation concerns what is called ‘the democratic peace theory’, according to which democracy will put an end to wars. It is claimed that democracies do not fight democracies, and if all states in the world become democracies, there will be peace in the world (Weart 1998). The theory is especially popular among US neoconservative politicians. Since the Western democracies are young and even today constitute a minority of the close to two hundred states in the world, historical investigations have been adduced in support of the theory, and ancient Greek history in particular has been in focus. It is held that in the Greek world there is only one example of a democracy waging war against a democracy, namely the war between Athens and Syracuse in 415–13, and some advocates of the democratic peace theory hold that, after all, Syracuse was not a true democracy.


According to Herodotos 5.78, democratic freedom of speech (isegoria) had made Athens much stronger than she had been under the tyrants.
The theory does not stand up to scrutiny (Russett and Antholis 1993, 43–71; see Hansen and Nielsen 2004, 85 n. 59; Robinson 2001, 593–608). First, like Athens, Syracuse was a democracy in the second half of the fifth century BC. Second, a more careful examination of the historical record reveals that there are in fact numerous examples of wars between democratic city-states. In the second half of the fifth century, Taras, then a democratic polis, had a dedication sent to Delphi in which the Tarantines commemorated a victory over Thourioi, colonized in 444–43 and issued with a democratic constitution allegedly written by Protagoras. In 424, Athens attacked the democratically governed polis of Herakleia Pontica. In 373 democratic Thebes conquered and destroyed democratic Plataiai. In the 360s, Athens made several attempts to re-conquer Amphipolis, probably a democracy at the time. The Social War was fought in 357–55 between Athens and four members of the Second Athenian Naval League: Byzantion, Chios, Kos and Rhodos. Of these Byzantion, Kos and Rhodos were democracies and only Chios had an oligarchic constitution.20

Thus, on the basis of the argument from history, it is not to be expected that democratization of the world will entail peace in the world. Perhaps the converse proposition is more in place: that peace in the world may promote democracy all over the world.

The connection between peace and democracy has been claimed not only by neoconservative hawks, but also by direct democratic doves. Champions of this new form of participatory democracy have argued that the majority of people want peace, and that representative democracies tend to become governed by elites who find it easier to send the citizens to war than the citizens themselves if it had been left to them to make the decision.21

The above examples, however, show that this version of the theory cannot be upheld either. The poleis in question were probably direct democracies, which indicates that, in each case, the war had been voted for by the people in assembly. Other examples can be found, and they show that a whole people can be as militant and bent on war as a ruling elite or a monarch (Samons 2004, 100, 131 and passim), and this in spite of the fact that the people will have to fight in the ranks.22 In Thucydides and Xenophon there are numerous accounts of popular assemblies in which the war has been decided and later upheld by the majority of the people. And in Euripides’s Supplices, this fact is formulated as a general truth:

20 Hansen and Nielsen (2004), no. 47 (Syracuse); no. 71 (Taras) and no. 74 (Thourioi); no. 715 (Herakleia Pontica); no. 674 (Byzantion), no. 840 (Chios), no. 497 (Kos) and no. 1000 (Rhodos). Demosthenes 15.17 mentions numerous wars fought by Athens against democratic poleis.
21 This view goes back to Immanuel Kant’s 1795 essay Zum ewigen Frieden, 2nd section, 2nd article.
22 In November 1914, the pacifist progressivist Walter Weyl wrote that ‘if anything is certain about the war of 1914, it is that the impulse came from the peoples’, and when Italy joined the war in 1915, another progressivist, Charles Edward Russel, wrote: ‘it looks as if the people were forcing a reluctant government’; see Thompson (1987), 92–102, the quotes are on p. 98.
For, when for war a nation casteth votes,
then of his own death no man taketh count
but passeth on to his neighbour this mischance.
But were death full in view when votes were cast
never war-frenzied Greece would rush on ruin.23

In this context, it is pertinent to mention that a somewhat similar hope was crushed in the years after the First World War. War is rooted in masculine aggressiveness, it was said. When women obtain the right to vote, there will be no major wars like the one we have just been through.24 But the only central European state which kept itself out of the Second World War was Switzerland, in which women had no political rights. Historical examples do not support the view that democracies – representative as well as direct – will make our planet a more peaceful place to live in (Layne 1994).

Acknowledgments


References

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Carlen, L. (1976), Die Landsgemeinde in der Schweiz (Sigmaringen: Thorbecke).

24 These views were advanced by, among others, Jane Addams, who in 1915 founded The Women’s Peace Party in the USA; see Degan (1939) and Marchand (1972), ch. 6.


Kant, I. (1795), *Zum ewigen Frieden* (Königsberg: Friedrich Nicolovius).


Further Reading


