Introduction

Liberty, Inequality, and Popular Government

The desires of free peoples are rarely pernicious to freedom.

Machiavelli, Discourses I.4

The few always behave in the mode of the few.

Machiavelli, Discourses I.7

The political impact of economic inequality is an increasingly vexing problem in contemporary democracies, especially the United States.¹ The expectation that government will be accessible and responsive to all citizens on a relatively equal basis is an enduring hallmark of popular government. Yet democratic theorists and policy analysts today seem incapable of answering a question that was central to the life of pre-eighteenth-century republics: what institutions will prevent wealthy citizens from dominating a government that is supposed to serve the entire citizenry? Before modern democracy, the motivations and resources of the wealthy were considered among the chief threats - often, the greatest domestic threat - to the stability and liberty of popular governments.² Unless formally restrained, the richest citizens tended to use their power and privilege to molest the vulnerable with impunity and manipulate the workings of government for their own benefit rather than that of the general citizenry. In pursuit of these ends, wealthy individuals and families frequently subverted republican governments, maneuvering them in more narrowly oligarchic or autocratic directions, even, on occasion, going so far as to deliver them to foreign powers.3

On the contrary, the constitutional framers of modern republics conceptualize control of elites in politically narrow and sociologically anonymous terms: they concentrate almost exclusively on the power and influence that public officials, not wealthy citizens, might wield inappropriately. These constitutions seldom if ever explicitly guard against the likelihood that the wealthy will fill the ranks of elected magistrates disproportionately or the possibility that the former will dictate the behavior of less-wealthy citizens who do ascend to office.⁴

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Consequently, it is fair to ponder whether the institutional arrangements of modern republics better realize the policy preferences of the few than those of the many. When the constitutional architects of modern republics, especially in the United States, did look beyond officeholders to consider potentially pernicious social groups, they most frequently identified citizens with less or no property – the masses, the mob, the multitude – as the principal threat to the stability of government and the liberty of fellow citizens.⁵ On this view, the preeminent danger facing republics is an avariciously or fanatically motivated popular majority bent on expropriating or persecuting vulnerable minorities.⁶ Although the American Framers sometimes entertained the notion that wealthy citizens could threaten liberty, they explicitly designed the U.S. Constitution to "control the government and the governed," that is, the magistrates and the majority of the people.⁷

I contend that the socioeconomic disposition of modern republicanism and the institutional choices that followed from it have deleterious implications for the workings of contemporary democracy. After all, modern popular governments are no less vulnerable than their historical antecedents to corruption, subversion, and usurpation by the wealthy.⁸ Moreover, an increasing number of scholars depict election, the institutional centerpiece of modern democracy, as a less than robust means of keeping public officials accountable.9 This state of affairs suggests that democratic accountability requires citizenries to exercise more formal, direct, and vigorous control of political and socioeconomic elites than has been the norm, traditionally and especially in recent decades.¹⁰ How can average citizens deter the wealthy from exercising disproportionate influence over the common weal, and how can they dissuade public officials from behaving in ways that persistently defy the will of their constituencies and adversely affect the latter's interest? How can they effectively punish socioeconomic and political elites when both act - often collusively - in ways that threaten the liberty of citizens and the stability of popular governments?¹¹ Reflections on the social, intellectual, and institutional history of earlier republics suggest that the accountability crisis plaguing contemporary democracies is structural and, therefore, calls for substantive constitutional reforms.12

In this book, I excavate the techniques besides elections by which common citizens attempted to restrain wealthy citizens and public magistrates in prominent ancient, medieval, and Renaissance republics, and I imagine how they might be reconstructed within contemporary democracies. The political writings of Niccolò Machiavelli (1469–1527) provide the portal through which I retrieve the following forgotten or abandoned practices of elite accountability:

- Offices or assemblies empowered with veto or legislative authority that exclude the wealthiest citizens from eligibility (Chapters 3 and 4)
- Magistrate appointment procedures that combine lottery and election (Chapter 4)
- Political trials in which the entire citizenry acts as ultimate judge over prosecutions and appeals (Chapter 5)

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While Machiavelli's most famous book, The Prince,13 appears to instruct rulers how they might best manipulate the people, I will demonstrate, on the contrary, that his most important and perhaps most original piece of political advice is something quite different: how common people might control elites. Machiavelli's greatest work, Discourses on Titus Livy's First Ten Books, 14 illustrates that Machiavelli posed the question of elite accountability more sharply than any major figure in the Western political canon, including more recent and supposedly more radically egalitarian political theorists. Furthermore, I contend that even scholars, such as those affiliated with the "Cambridge School" of intellectual history, who understand Machiavelli as a "republican" (and not as a notorious enabler of tyrants), severely underestimate his efforts to establish extensive, constant, and animated modes empowering common citizens to resist domination by wealthy citizens and to discourage corruption among magistrates. Indeed, besides underestimating the place of institutions that secure elite accountability in Machiavelli's political thought, they overlook Machiavelli's insistence that republics afford common citizens the opportunity to discuss and vote directly on legislation, since widely inclusive rather than elite-dominated fora, he argued, will produce better policies for regimes characterized by a "civil way of life." Put simply, Machiavelli's political theory was more popularly participatory and empowering than was republicanism, generally, and, for that matter, than is democracy as generally conceptualized and practiced today.15

Machiavelli's Class Politics

Machiavelli was especially attuned to the motives and behavior of the most privileged and powerful members of republics; prominent citizens he called, interchangeably, nobles (*nobili*), aristocrats (*ottimati*), and, most generally, the great (*grandi*).¹⁶ Machiavelli derived his opinion of society's elite from exhaustive reading of both ancient and recent histories of Mediterranean republics, as well as from his firsthand experience as a relatively lowborn public servant in the early-sixteenth-century Florentine Republic. As clearly demonstrated by the *Discourses*, Machiavelli was particularly impressed by Livy's account of social conflict, originally and continually instigated by the nobility, in the young Roman Republic.¹⁷ More immediately, Machiavelli personally endured the especially cruel and condescending treatment of Florence's ottimati while carrying out his duties as an administrative secretary, diplomatic emissary, and militia organizer.¹⁸

Machiavelli frequently suffered scorn and derision due to his father's debts and alleged illegitimate birth.¹⁹ Despite a family tradition of service in the republic's highest offices, his own relative poverty and ill-repute rendered Machiavelli ineligible for the city's chief magistracies.²⁰ Indeed, he owed almost entirely to the patronage of the republic's chief executive, Piero Soderini, his tenure in diplomatic, secretarial, and military posts that were usually inaccessible to individuals of low social station. The ottimati, feeling entitled to a lion's share of such positions, often lashed out at Machiavelli and frequently

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interfered with the effective performance of his duties: in particular, they watered down his plans to establish a citizen militia in the republic, blocked his appointments to the highest emissarial posts, and smeared him as a descendant of a bastard, as a tax debtor, and as a sexual deviant.²¹

Generalizing from his studies and experiences, Machiavelli argues that an unquenchable appetite for oppression drives the grandi's efforts to accumulate wealth, monopolize offices, and gain renown within republics (D I.5; P 9). Machiavelli suggests that wealthy and prominent citizens who are reluctant to share military command, elected office, and tenure in senatorial bodies (consultative committees, upper houses, and high courts) with average citizens are more consumed by an appetite to dominate others than they are by any desire to further the common good. Despite pretensions of noblesse oblige (D I.37) – pretensions disingenuously validated throughout history by obsequious writers (*scrittori*) (D I.58) – Machiavelli is adamant: captains, magistrates, senators, and judges desire to make others bend to their will, seek to gain elevated status within their polities, and, especially, endeavor to enrich themselves materially at the expense of the commonweal.

It must be noted that Machiavelli did not define the grandi or ottimati as a formally closed, narrowly hereditary class – his elite is not a feudal aristocracy, even if he refers to them with words such as "nobles" or "aristocrats." For instance, Machiavelli explicitly distinguishes the grandi of cities and republics from the idly rich "gentlemen" who oppress the inhabitants of countrysides from the safety of their castles (D I.55). On the contrary, Machiavelli understands the great as a class into which many newly wealthy and politically entrepreneurial commoners were constantly integrating themselves, as was the case in the Florentine Republic and the mid- to late-Roman Republic. While not as fixed as a hereditary caste of elites and despite the rather fluid upward or downward mobility of particular individuals or families, the socioeconomic class "grandi" serves as a reliable snapshot at any particular moment of those members of society who Machiavelli believes to be motivated by a desire to oppress.

Another clarification on the nature of Machiavelli's elites: Many interpreters, when addressing the issue, downplay or dismiss the material and economic aspects of Machiavelli's descriptions of the grandi's motivations and conduct.²² The desire to oppress that Machiavelli ascribes to the grandi, they suggest, corresponds most closely with a pursuit of honor, glory, and fame. Supposedly, it has much less to do, if anything, with the acquisition of wealth or the use of material privilege to maximize political advantage. However, Machiavelli consistently emphasizes the grandi's wealth and points out the oppressive ends to which they invariably put it. For instance, the wealthiest Romans, he notes, constituted "the greater part of the nobility" (D I.37); Machiavelli identifies the ruling class of the Syracusan Republic as the senators and the rich (P 8); early in the *Discourses*, Machiavelli characterizes the grandi as those who "possess much" and who use their largesse "incorrectly and ambitiously," specifically, to oppress common citizens and undermine popular goverments (D I.5). Later

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in that work, he speaks in tandem of the nobility's "great ambition" and their "great avarice" (D I.40).

Most decisive, I believe, is the following judgment that Machiavelli levels in his chapter on Rome's Agrarian Laws: Machiavelli notes that, over the course of the republic's history, the nobles "always conceded honors or offices to the plebs without extraordinary scandals, but they defended property with the utmost obstinance" (D I.37). This is an earsplitting understatement. Here Machiavelli elliptically references the fateful instance when Rome's senators, seeking to protect their ever-expanding economic privilege, murdered the reformer Tiberius Gracchus in the open air of the republic's civic space. Clearly, Machiavelli understands the nobles, the aristocrats, "the great" to value material goods much more highly than they do their reputation and prestige, their honor and dignity. Indeed, they themselves openly demonstrate this fact on occasions when they are pressed vigorously with redistributive demands.

Machiavelli sharply distinguished the grandi from the rest of the citizens within republics; from the *popolo*, the plebeians or "the people."²³ Rather than desiring to oppress others, as do the grandi, the people desire primarily to avoid being oppressed by the great (D I.5; P 9). On this view, average people are inclined to seek security in their persons and for their families, to be content with whatever material goods they already possess, to avoid diminutions of relatively modest material well-being or demotions in already humble social status. The people are naturally inclined to avoid oppression, whether by suffering it themselves or inflicting it on others: in response to oligarchic oppression, the Roman plebeians peaceably secede from the city (D I.4, D I.40); in response to legislation that challenged their socioeconomic ascendance within the republic, the Roman nobles resort to electoral corruption or murder (D I.5, D I.37).

Machiavelli's notoriously cynical generalizations on the nature of "men" induce many interpreters to conclude that he attributes to all people the same passions, especially the appetites for political oppression and material acquisition.²⁴ However, Machiavelli's distinction between the grandi and the popolo suggests that the few and the many, respectively, are motivated by two qualitatively different appetites. As Machiavelli elaborates further: "The incorrect and ambitious conduct of those who possess much inflames in the breasts of those who do not possess so much the desire to possess more, either to avenge themselves against the former by despoiling them, or to make it possible for the latter to gain the riches and honors that they see being so badly used by the others" (D I.5). In other words, the rich do not use their largesse primarily for their own private enjoyment (let alone for public benefit) but rather to oppress poorer citizens. Moreover, the people do not naturally resent the great for possessing material advantages but rather for using such advantages against themselves, that is, to abuse less wealthy citizens.

The interaction of these two appetites – embodied by the grandi who possess much and the popolo who possess little – sets in motion the dynamics of domestic politics within popular governments. According to Machiavelli,

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the people, otherwise disinclined to desire material abundance, develop such a desire as a direct result of the bad example set by the grandi. The people often seek vengeance against the great by attempting to deprive them of their material advantage, or they look to defend themselves by striving to gain and deploy the wealth and power that the rich hitherto wielded inappropriately. On Machiavelli's view then, while the people certainly can be incited or provoked by oligarchic mistreatment into behavior that the grandi self-servingly characterize as "oppressive," they are, in fact, fundamentally disinclined toward domination. The people act in such a manner either to protect themselves or to exact vengeance on the grandi. Given this stark contrast between the respective appetites of the people and the grandi, Machiavelli observes that "the judgment of free peoples is rarely pernicious to liberty" (D I.4), while "the few always behave in the mode of the few" (D I.7).

Philosophers, historians, and statesmen such as Aristotle, Livy, and Cicero, whom Machiavelli deems "the writers," tended to disparage the people's capacities to deliberate and decide policy within popular governments and to exaggerate the frequency and intensity of outbursts of popular rage (e.g., D I.58).²⁵ These views, of course, would decisively influence the often ochlophobic constitutional prescriptions of later republican theorists such as Harrington, Montesquieu, Rousseau, and Publius, to name just the most prominent. Machiavelli, however, treats cases of popular unruliness so appalling to "the writers" as merely isolated instances – instances almost invariably justified as responses to egregious acts of oppression or usurpation on the part of the grandi (D I.28, D I.45). In fact, to Machiavelli's mind, popular indignation is an almost unequivocal good: republics best realize liberty precisely when the people respond spiritedly to domination by the grandi – especially, he suggests, when such responses become instantiated in new laws (D I.4) or result in the public execution of prominent but dangerous citizens (D III.1). Republics are doomed, Machiavelli insists, unless the people, in addition to participating substantively and directly in lawmaking (D I.18), also vigorously check the insolence of the grandi through accountability institutions such as Rome's tribunes of the plebs and popularly decided political trials (D I.5, D I.37, D III.1).²⁶ While the people's judgment is not always perfectly exercised in such capacities, Machiavelli argues that the people, when operating within constitutional bounds, act more wisely than do either princes or the few, when similarly constrained (D I.58). Moreover, Machiavelli will help us understand that utter "perfection" is an unrealizable standard unfairly deployed by previous writers to discredit democracies and to legitimate oligarchies.

Republics Oligarchic and Democratic

A striking exception in the long history of republican social and constitutional theory, Machiavelli's political thought was no less out of step in the Florence of his day. By advocating popularly inclusive institutional checks on the grandi, Machiavelli flouted the Venetian pretensions and aristocratic preferences of

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prominent Florentine republicans. Two individuals in particular typify this disposition: Bernardo Rucellai (1448–1514), the powerful patron of Machiavelli's literary circle, the Orti Oricellari, and the grandfather of one of the two young ottimati to whom Machiavelli dedicates the *Discourses*; and Machiavelli's young patrician interlocutor, the historian, diplomat, and eventual minister for Medici popes, Francesco Guicciardini (1483–1540). Rucellai and Guicciardini were (in differing degrees of intensity) critics and opponents of the democratic republic, or *governo largo*, founded by Friar Girolamo Savonarola after the expulsion of the Medici in 1494, a regime whose institutional centerpiece was a widely inclusive popular assembly, the Great Council. Machiavelli's patron, Soderini, eventually presided over this republic as Gonfalonier (standard-bearer) of Justice, while Machiavelli himself, as noted previously, tirelessly served it in several official capacities until its demise in 1512.

These statesmen cum humanist *literati*, Rucellai and Guicciardini, aspired to reorder Florence along the lines of Venice's oligarchic republic, or *governo stretto*, in which a senate, and the members of the upper class who invariably fill it, hold sway over the polity. In their estimation, family prominence and political experience – functional approximations for "wisdom" and "prudence" – should determine membership in the senate; and elections, tempered neither by random selection among all citizens nor by affirmative action for less privileged citizens, should determine appointments to major magistracies. Whereas ancient democracies widely distributed most public offices through lottery and medieval republics often guaranteed political positions for poorer citizens should decide through general elections who among the "best citizens" would hold office, but generally ought not to hold office themselves.²⁸

In this "electoral" and "senatorial" model of republicanism, exemplified by the kind of governo stretto preferred by Rucellai and Guicciardini, ordinary citizens possess only a limited capacity to affect the behavior or challenge the decisions of the republic's elective magistracies and chief deliberative body, the senate, both of which are dominated by a few wealthy and notable citizens. On the contrary, Machiavelli championed a reconstructed and in significant ways democratized Roman constitutional model wherein common citizens freely indict public officials and powerful citizens, exert veto power over policy, discuss and vote directly on legislation, and formally judge citizens and officials accused of political crimes. In this "tribunate" and "assembly" model of popular government – what I call Machiavellian Democracy – civic contestation is institutionalized through offices such as the tribunes of the plebs, for which the very wealthiest and most prominent citizens are ineligible, and citizen participation is facilitated in plebeian assemblies, which either exclude the most prominent citizens or at least minimize their influence.²⁹

The plebeian tribunate, the centerpiece of Machiavelli's prescriptions for popular government, was an intensely controversial institution in assessments of the Roman Republic throughout the history of Western political thought. Yet, inexplicably, scholarship devoted to elaborating Machiavelli's

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"republicanism" virtually ignores it. Aristocratic republicans such as Guicciardini, and many more before and after him, from Cicero to Montesquieu, criticized the tribunate for opening the doors of government to upstarts, who subsequently stir up strife, sedition, and insurrection among the common people.³⁰ Machiavelli, on the contrary, argues that the establishment of the tribunes made the Roman constitution "nearly perfect" by facilitating the plebeians' assertion of their proper role as the "guardian" of Roman liberty (D I.3–5). As we will observe in Chapter 4, when Machiavelli proposes constitutional reforms to restore the Florentine Republic, he creates a tribunician office, the *proposti* or provosts, a magistracy that wields veto and appellate powers and excludes the republic's most prominent citizens.³¹ Even commentators who understand Machiavelli to be an advocate of the people, an antagonist of the grandi, or – albeit more rarely – a democrat pure and simple largely neglect the crucial role that the Roman tribunes play in his political thought and consistently overlook his proposal to establish Florentine tribunes, the provosts, within his native city.³²

Machiavelli against Cambridge School "Republicanism"

In fundamental ways, then, Machiavelli is an outlier in the largely conservative tradition of republican political theory, both in and out of Florence - nay, he may be that tradition's most incisive critic and steadfast adversary. In this light, highly influential scholars associated with the Cambridge School, such as Quentin Skinner and John Pocock, seriously distort Machiavelli's thought and the republican tradition itself when they force him to serve as the spokesman par excellence of "republicanism."33 Skinner consistently speaks of the many positive resemblances" between Machiavelli's theories and traditional Italian republicanism,³⁴ and he emphasizes "the remarkable extent to which Machiavelli continued to present his defence of republican values in traditional terms."35 In particular, Skinner insists, Machiavelli's thought is almost fully consonant with that of Cicero, the paradigmatic aristocratic republican of the ancient world. Skinner duly notes, on the one hand, Machiavelli's preference for public tumult, social discord, and class conflict, and he acknowledges, on the other, Cicero's aspiration for civic tranquility conforming to the ideal of concordia ordinum.³⁶ Yet despite such stark differences, Skinner insists that "the continuities" between Machiavelli and Cicero on issues such as the common good, public interest, and civic greatness "are much more fundamental."37

As I demonstrate in what follows, one cannot so easily demote the issue of class division and conflict to a minor point of divergence when considering Machiavelli's place within the republican tradition. After all, it is Machiavelli's praise of tumults within Roman republican politics that leads him to endorse practices that were anathema to republicans such as Cicero in the past, Guicciardini in his own day, and, among many others, Madison in later centuries.³⁸ The Roman tribunate is central to Machiavelli's politics precisely because it emerged as a consequence of initial class tumult in Rome and served subsequently as a frequent instigator of further social discord.

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Pocock, conversely, carefully distinguishes Machiavelli's preference for a democratic republic from, in particular, Guicciardini's more decidedly patrician predilections.³⁹ Nevertheless, due to a preoccupation with political contingency, with the question of the "temporal finitude" of republics, Pocock conceals the oligarchic character of modern republicanism by recasting it in a distinctly Machiavellian light – that is, by famously distilling the essence of modern, "North Atlantic" republicanism to a "Machiavellian Moment."⁴⁰ If Pocock had been concerned less with "the politics of time" and more with politics as such, he might have more accurately titled his book *The Guicciar-dinian Moment*.⁴¹ After all, Guicciardini's aristocratically inflected republican paradigm wins out historically over Machiavelli's much more democratic one; Guicciardini's electoral and senatorial model and not Machiavelli's assembly-based and tribunician model serves as the constitutional template of modern representative governments.⁴²

By merging with too little qualification Machiavelli's political thought and republicanism generally, Skinner, Pocock, and many scholars inspired by their work blunt the Florentine's historical originality and obscure his value for contemporary reflections on political reform and institutional innovation. It is precisely Machiavelli's departures from the republican tradition (a) that demonstrate how republicanism, unless reconstructed beyond all recognition, tends to reinforce rather than ameliorate the elitist aspects of contemporary representative democracy; and (b) that accentuate overlooked institutional and social alternatives available for correcting this tendency today. In particular, Machiavelli's critique of the tradition demonstrates how republicanism explicitly justified the free hand that the wealthy and public officials enjoy at the expense of the general populace within republics; and his writings advocate class-specific magistracies and popularly inclusive assemblies through which common citizens might make elites more accountable and within which common citizens might effectively deliberate and decide upon laws and policy themselves.

To catalogue criticisms that I have elaborated elsewhere, Cambridge scholars tend to emphasize inppropriately Machiavelli's conformity with traditional republicanism in the following ways: They underemphasize class conflict in Machiavelli's theory such that they generally ignore the institutional means that he prescribed for common people to render elites responsive and accountable; they associate popular agency in Machiavelli's thought exclusively with either military service or elections as opposed to more intensive and extensive participation within domestic politics; they carelessly equate his criticisms of the nobility with those of the plebeians, thereby undermining the prominent role that Machiavelli assigns to the people as "guardians of liberty";⁴³ they fixate on Machiavelli's abstract definitions of liberty at the expense of both his specific policy recommendations for how citizens might best achieve and maintain it, as well as his historical examples that illustrate how civic liberty operates in healthy political practice; they use Machiavelli to formulate a definition of liberty that opposes political oppression such as monarchical and imperial rule

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but that rather meekly addresses forms of social domination aside from slavery; and, finally, they remain largely silent on the kind of domestic domination of the people by socioeconomic and political elites that was fully consonant with republican theory and very often perpetrated in republican practice.

To be sure, Cambridge-associated scholars highlight with considerable skill certain normative advantages that republicanism offers in contrast with contemporary liberal democracy: for example, promotion of nonxenophobic patriotism, attention to the common good, emphasis on duties as opposed to rights, and the formulation of an unusually broad notion of liberty.⁴⁴ However, Cambridge interpretations for the most part overlook Machiavelli's criticisms of social domination, and they permit republicanism to be appropriated uncritically as a progressive, antihierarchical political theory. In this regard, Cambridge interpretations are helpful for neither Machiavelli studies nor democratic theory today. Indeed, such interpretations seriously undermine attempts by Cambridge scholars themselves to address the political deficiencies of contemporary liberalism and representative democracy.⁴⁵

For example, in a rousing new afterword appended to The Machiavellian Moment, Pocock denounces the oligarchic tendencies of contemporary representative government.⁴⁶ Skinner, for his part, has long lamented the fact that decreased popular participation in liberal democracies has encouraged elites to encroach upon the liberty of citizens.⁴⁷ However, the republican frameworks within which the authors operate and through which they interpret Machiavelli permit them to offer very little that might constructively address the very situation that they so decry. Pocock's fixation on political contingency seems to prevent him from frankly acknowledging the institutional form that republicans most consistently recommended for dealing with political finitude: a constitutional model that circumscribes popular participation, and hence political contestation and discord, as much as possible - that is, an aristocratically dominated governo stretto.⁴⁸ Pocock's recent complaints against the woeful state of popular participation and elite accountability in contemporary republics would resonate more authentically if his magnum opus had better specified the attributes of "the Guicciardinian moment" in which the citizens of modern republics still live, and if it had better conceptualized how to render this protracted historical "moment" more genuinely "Machiavellian."

Alternatively, Skinner inadvertently rules out direct popular control of politics as a solution to the problem of elite dominance within contemporary politics precisely as a result of his merging of Machiavelli's political thought with that of aristocratic republicans such as Cicero. Indeed, given the strictly electoral quality of his rendering of the republican tradition, Skinner offers no alternative form of "public participation" to mere voting that can plausibly secure individual liberty and ensure elite accountability. By focusing on elections, on the neutralization of class conflict, and on institutional balance of power, among other themes, Skinner's appropriation of republicanism, despite his intentions, very much reaffirms the status quo of contemporary representative democracy. In Chapter 6, I demonstrate that, much like Skinner, republican