**Contemporary Democracy and the Mixed-Constitution Concept**

**Introduction: Aims and method**

A “mixed constitution” is a polity or a form of government which encompasses elements of various political regimes and can therefore hardly be defined by a single term without encountering the danger of radical simplification or reductionism. Despite its importance in the political thought of classical antiquity, particularly as a factor promoting resilience and stability when the composing ingredients in the blending were considered to be in harmonious proportions, nowadays the concept of the mixed constitution (or mixed government) has fallen into oblivion as an analytical tool and, with extremely rare exceptions, survived only as a subject of studies in classical antiquity, political philosophy and the history of ideas.In this paper I propose to examine thepresent day relevance of this concept and assess the possibility of resuscitating and reactivating it as an analytical tool (not as a prescriptive model for political stability). The methodology is based on a comparative and multi-disciplinary approach, combining *inter alia* aspects of humanities and social sciences − history, philosophy, political science, sociology and cultural studies*.* Exemplification is largely based on the Israeli political experience.

**Findings and implications**

The theory of the mixed constitution, which had been advanced in its preliminary stages in ancient Greece among others by Plato and Aristotle, reached its ripest version in the Hellenistic age in the work of the historian Polybius (second century BCE). Polybius developed a determinist approach to history asserting that any non-composite regime, be it based on the rule of the one, the few or the many, was bound to decline into its vicious form, whereby power was no longer exercised for the benefit of the community, only for that of the ruler(s): monarchy (or kingship) is bound to degenerate into tyranny, aristocracy into oligarchy, and democracy into ochlocracy (mob rule: based on the Greek word *ochlos −* mob) or anarchy.[[1]](#endnote-1) In their turn, conversely, vicious regimes necessarily bring about their own downfall and the temporary rise of better polities: tyranny leaves way to aristocracy, oligarchy to democracy, while the anarchy generated by the lawless mob rule inevitably leads to the aspiration of finding a strong leader, an enlightened monarch capable of restoring social and political order. This is the full circle of constitutions (*anakyklosis*) in Polybius’s view − typical of a cyclical perspective of history. The above theory is also typical of a nomothetic approach to this discipline – the attempt at discovering *laws,* similar to those of natural sciences or physics, which underlie socio-economic, political processes. Polybius argues that the only way to break out of this pathological circle of polities, prevent decay and enjoy a remarkably long period of political resilience and stability − as historically demonstrated in his view by the example of Sparta and, later and even better, by that of the Roman Republic − is to lay the foundation of a properly mixed constitution, with elements of the above three regimes (in their *original*, *non-vicious* form) blended in harmonious proportions.[[2]](#endnote-2) Polybius’s theory, similarly to some preliminary arguments of high significance in the works of his eminent precursors Plato and Aristotle (i.e., *Laws* and *Politics* respectively), had a profound influence on the development of political thought in later classical antiquity and early-modern Europe.[[3]](#endnote-3) In deeper cultural terms, the concept may be linked to the classical Greek mentality of moderation, as expressed by the maxim “nothing in excess” (*meden agan*).

 Nowadays, however, the concept of the mixed constitution has become obsolete in the vocabulary of political analysts; it is seldom, if ever, referred to, with the obvious exception of scholars interested in classical antiquity and/or the history of ideas. One of the reasons seems to be a the emergence of a different approach to polities sanctifying democracy, which is no longer perceived as a dynamic form of government, subject of perpetual alterations, including its deterioration and transformation into different forms of polity. Nor it is perceived as a political system suffering from its own inconsistencies and contradictions, but as a static polity – apparently the last stage of a teleological and linear development, totally different from the ancient concept. Moreover, this form of government has come to be regarded as the only legitimate one, since it is based on the currently sacrosanct principle of popular sovereignty.[[4]](#endnote-4) Therefore it has also been adopted as a decent and necessary façade, one would say even as a sort of camouflage, by many authoritarian and autocratic polities. Occasionally it is accompanied by a modifying label meant either to explain (or rather to obscure) the genuine nature of a specific regime. Euphemisms, such as the confusing terms “directed democracy” (meant to be misleadingly reminiscent, by way of association, of “direct democracy,” so radically different), or the tautological “popular democracy” (used particularly in the Eastern European States, the former vassals to the Soviet Union, commonly called its “satellites”) came to disguise various versions of populist and authoritarian regimes or dictatorships, which have been unofficially and sarcastically labelled by the ingenious neologism half-Latin, half Greek − *democratura*.

 In fact, however, even our contemporary representative and liberal democracies are not “pure” and “simple” forms of government. They are more accurately described as varieties of a mixed constitution, as has rightly been suggested by certain scholars, including Professor Herman Mogens Hansen. Following the political philosophy of the historian Polybius, Hansen and other scholars regard the mixed-constitution concept based on the above-mentioned ancient trichotomy of regimes (monarchy, aristocracy, democracy) as an appropriate tool for the analysis of “Western liberal democracies” as well as a normative, prescriptive model of political stability.[[5]](#endnote-5) Hansen goes one step further when proclaiming that the paradigm of the mixed constitution should supersede the commonly accepted principle known as the separation of powers as far as contemporary democracies are concerned, since he considers the separation concept as anachronistic – no longer relevant: “My conclusion is that the separation of powers is an outdated theory…riddled with so many exceptions…There is no longer any separation of powers.”[[6]](#endnote-6)

 This statement contains a gross exaggeration and may therefore be misleading. Indeed, the separation of powers – a modern principle laid down by Montesquieu’ *Spirit of the Laws* (*Esprit des Lois*) and applied for the first time by the “Founding Fathers” to the constitution of the United States of America − is not (and cannot be) absolute: members of the executive often work in close cooperation with members of parliament for the promotion (or obstruction) of law motions, and usually ministers are themselves members of parliament (in fact, the Norwegian law forbidding that marks an obvious exception). Moreover, normally a government enjoys the majority of votes in the parliament, thereby controlling the legislative. Occasionally Superior Courts of Justice or Constitutional Courts get involved in the legislation process, usually in order to prevent violations of basic legal or constitutional principles by the executive and the legislative bodies. For all their significance, these and other cases in which the various branches of the State apparatus are not strictly separated cannot build a convincing argument against the basic validity of the separation of powers as a *working* *principle* of modern and contemporary democracy. This, in fact, is one of the important differences between the modern, representative, type of democracy and its ancient (direct) counterpart – in which the principle of power separation was not existent, though its roots appear to be associated with the checks and balances system (between various political institutions) that operated in one form or another to various extents in some ancient polities, especially in Sparta and in the Roman Republic (the models of Polybius’s theory). Even if one admits that a strict separation of powers is utopian, it is impossible to deny that a system of checks and balances between the three branches of power is vital for a liberal democracy (particularly a proper balance between the executive and legislative on the one hand and the judiciary on the other hand).

 However, I do agree with the argument that the concept of the mixed constitution may serve as a significant corrective to the flawed (yet widespread) view regarding a large group of contemporary regimes as simple and pure democracies – democracies *tout court*. I also share the view that in addition to the democratic elements it is possible to find monarchical and aristocratic traits practically in all modern democracies, irrespective of significant differences between their types. However, one has to consider also the possibility that the mixture between the three conventional forms of government in certain contemporary regimes may also be based on their vicious versions: tyranny, oligarchy and ochlocracy. Moreover, as this paper tries to demonstrate, particularly on the basis of the Israeli political experience, there are many other substantial ingredients in modern democracies which do not integrate in any of the above categories and therefore necessitate a different terminology and taxonomy. Yet it is important, first of all, to discuss the contemporary features belonging to the ancient tripartite paradigm, which is based on the quantitative criterion (typically Greek), i.e. the *number* of the rulers – rule by the *one*, by the *few* or by the *many*.

 A president (in a presidential system like the American or the French) and a prime minister seem to be in many ways strikingly similar to an elected monarch: they are limited only in their term of office (the republican *potestas ad tempus* in Roman terms), though not significantly limited in the wide range of their powers. In many systems (like the German and Israeli)[[7]](#endnote-7) there is no limit on the reelection of a prime minister – a stark un-republican trait. It is true that even in the radical Athenian democracy the annual magistrates who were elected by vote (unlike most magistrates, who were selected by lot – sortition) could be reelected time and again without any restrictions. However, *all* Athenian magistrates were constantly subject to the principle of accountability to the *demos*: they could be (and indeed often *were*) removed from office by a popular vote and brought to justice *at any time*, not only at the end of their term of office. In other words, in that democratic system there was no *political immunity*. Power was strictly associated with permanent *accountability –* the greater the power, the greater the accountability. Both election and deposition implemented the principle of popular sovereignty, the ideological foundation of the system – the *hegemony* of the *demos*. Nowadays, impeachment of Heads of State is an extremely rare phenomenon taking place only in cases where heavy suspicion of violating the law is at stake (as in the case of President Richard Nixon and the Watergate scandal).[[8]](#endnote-8)

 Furthermore, “Heads of the State,” whether presidents or prime ministers, are usually entitled to appoint ministers, depose them, interfere with the areas of their responsibilities, as well as to take decisions of far-reaching consequences without being accountable even for catastrophic results. This monarchic trait is true *a fortiori* when referring to a group of semi-liberal or illiberal autocracies claiming to be democracies.[[9]](#endnote-9) The most prominent contemporary example is that of Vladimir Putin, the authoritarian president of the Russian Federation, who enjoys the privileges of an autocratic position practically not limited in time. Most recently, the atrocities committed in the war against Ukraine, and his threat to use unconventional weapons, can demonstrate the problematic implications of such monarchic rule. The authoritarian trait of illiberal “democracies” usually goes hand in hand with the subjugation of the judiciary and the media to the autocratic power, which inevitably has a significant bearing also on the cultural environment. Hence, one may consider the possibility that the monarchic element in a modern polity may become tyrannical.

 Hansen and other scholars use the invasion of Iraq in 2003 as an example of a “monarchy” within Western liberal democracies: without a U.N. mandate and despite public opinion polls and strong opposition in their own countries, George W. Bush and Tony Blair initiated a war against Iraq (claimed to be morally justifiable on the grounds of what later proved to be totally false evidence – the possession of unconventional weapons arsenals). There were disastrous results: *inter alia* an immense number of casualties, destruction of infrastructure and cultural heritage on a colossal scale and a striking boost of mega-terrorist activities culminating in the Islamic State. However, none of the above leaders was held legally accountable for those catastrophic consequences. This would have been extremely hard to imagine, if not totally impossible, in the Classical Athenian democracy, where politicians were always held accountable for their initiatives and actions before the people in its Assembly or in its extremely large (usually 500 juries) popular courts of justice (*dikasteria*), the members of which were selected by lot from among volunteering candidates (who received a fee for their service).[[10]](#endnote-10)

 Another example of a typically monarchic conduct belongs to Israel’s history: some time before the Yom Kippur War, when convened to a meeting with President Richard Nixon and Secretary of State Henry Kissinger (acting in this case as mediators), to discuss a surprising peace offer of President Sadat, based mainly on the condition that the Sinai peninsula (conquered by Israel in the Six Day War) be restituted to Egypt, Golda Meir as prime minister rejected the proposal without further consultations, her reason being that “Sinai without peace was better than peace without Sinai” (a destructive aphorism originally formulated by the security minister Moshe Dayan and later metamorphosed into a political mantra). Besides, she claimed at the time that the very readiness of negotiating over such a proposal would bring about predictable failure in the general election (which was due to take place before the end of that year − 1973). [[11]](#endnote-11) Six years later a peace treaty was signed between Israel and Egypt roughly on the same terms initially proposed by President Sadat, but after more than 2,500 Israeli soldiers had paid for it with their lives and another 7,000 had been wounded. Golda Meir’s attitude was typical of the arrogant monarchic mentality reflected by the notorious royal dictum “*L’état c’est moi”* (“I am the State”).[[12]](#endnote-12) In this case, as in many others, this monarchic hubris proved to be disastrous. However, she was no legally accountable for her capricious levity in dealing with that peace proposal and the catastrophic consequences of that attitude. Moreover, she even succeeded in winning the subsequent general election (which, by the way, had to be postponed because of the war), only to be pressed into resigning slightly later on by massive political demonstrations and a feeling in her own political party that they were confronted with the danger of losing power (which indeed occurred four years later). However, Golda Meir’s subsequent resignation from the function of prime minister under the pressure of street demonstrations was a significant symptom of the power held at times by the civil society in a parliamentary and liberal democracy. This power is also exemplified by the ongoing protest movement in Israel against the so-called reform of the judiciary system promoted by Benjamin Netanyahu’s government, that is interpreted by a large section of the citizen-body as arevolutionary attempt of the executive to get rid of any control over its power – an orchestrated *coup d’état* disguised as a judiciary reform. In default of a constitution, a limitation of terms of office and other elements of a system based on checks and balances (like two parliament chambers or a federal system of government), this attempt is widely considered as extremely dangerous by various sectors of the civil society (quite independent of political parties), with huge demonstrations practically every week, at times even more than once per week, and other civic acts of protest.

 Most contemporary democracies have also aristocratic (or rather meritocratic) traits, which are prominent especially in judicial systems (with the clear exception of juries selected by lot, e.g. in Great Britain and USA) as well as in the election of certain members of parliaments or in some ministerial appointments (though, regrettably, this is far from being the rule).[[13]](#endnote-13) Frequently one may rather find traits of “mediocracy” – a neologism designating a system in which mediocrity (instead of excellence) appears to be rewarded, not least as a means of avoiding competition for power. Thus, it is claimed that many parliament members could easily be replaced by average citizens selected by lot among volunteers fulfilling certain basic prerequisites, without all the plagues of elections: the total lack of responsibility for proposals, the intrigues, the animosity, the propaganda manipulation and its systematic mendacity, and the inherent brainwashing, factors which have led to extremist proposals of abolishing elections in favor of sortition.[[14]](#endnote-14) A moderate way of coping with these flaws may be achieved by mingling the two systems in the composition of the legislative body – using sortition among volunteering citizens in addition to the party-based system of elections (or creating two different chambers on two different principles).[[15]](#endnote-15) Meritocracy holds true particularly as far as High Courts of Justice or constitutional courts in certain democracies are concerned.[[16]](#endnote-16)

 As to oligarchy, it appears to be embodied in the governments’ cabinets, mini-cabinets, small executive committees, party bosses, informal cliques in the party centers and all sorts of “strategic” advisors or *éminences grises*. Again, to take Golda Meir as an example, her “queen-makers” were Pinchas Sapir, at the time the strongman (or “boss”) of the Labor ruling party (*Mapai*), and his close associates in the party apparatus, who picked her as a candidate in order to prevent the rise of a more prominent leader − Moshe Dayan or Yigal Alon (both considered by the party clique at the time not only too strong for their taste but also dangerous outsiders because they happened to belong to two different parties, not to the hegemonic *Mapai*). Later, under Golda Meir’s government, the decision making process was normally based on preliminary (or exclusive) deliberation within an extremely small group, figuratively labelled as Golda’s “kitchenette” (*mitbachon*) – a term which expresses the exceptional development of having a woman as prime minister for the first time in the country’s history (and one of the first cases in global history). Unsurprisingly, those giving the tone in that oligarchic clique were Golda’s former “queen-makers” though, to their surprise, she eventually proved to be an “Iron lady” (as *mutatis mutandis*, was earlier the case with Indira Gandhi, and later with Margaret Thatcher and Angela Merkel). All this is corroborative of Robert Michels’ attempt to establish in political sociology the “*Iron law of oligarchy*,” according to which behind the façade of each regime, irrespective of its label and formal contours, *de facto* lurks an oligarchy.[[17]](#endnote-17)

 Incidentally, this line of thought has significantly boosted the value of prosopography as a research tool for historians and political sociologists over and above its importance for the research of the classical world, especially the Roman Republic, to which it had initially been applied. This tool may provide extremely fruitful information on the personal (familial, amical, intimate, financial and cultural) relations within the ruling elite, which frequently happen to cross party lines and ideologies in utterly surprising ways.

 On the opposite pole of oligarchy stands radical democracy. Hansen mentions on the one hand the hope of staunch believers in direct and deliberative democracy that innovative technology might make it a viable polity again (though in a form starkly different from its classical version)[[18]](#endnote-18) and, on the other hand, the fears in certain corners that democracy may degenerate into a sort of dangerous ochlocracy as a result of the growing technical potential for a more participatory polity − the increasing importance of opinion polls and referenda (a significant example is the case of the highly controversial *Brexit*). One should add the cultural environment of the social networks and their growing influence on matters of policy in general and on the strategy of election campaigns in particular. However, in this respect we should be aware of the possibility that contemporary democracies might also be capable of degenerating into parliamentary ochlocracies through rude majority rule (or majoritarian “tyranny”),[[19]](#endnote-19) pretending to express the *vox populi* *via* the promotion (by a temporary majority in parliaments) of populist legislation, at times irresponsible in the extreme and contrary to constitutional principles, without any accountability of the individual *demagogues* – the promoters. There are various ways by which ministers and members of parliament try to find methods of getting rid of the control exercised by the Supreme Court of Justice or Constitutional courts under the pretext (or abuse) of a democratic principle − the separation of powers. As already noted, recently we have been experiencing in Israel such an attempt, orchestrated by monarchic, oligarchic, populist, ultra-nationalists and clerical elements disguised as “the defenders of a true democracy” – allegedly based on the results of a general elections, with a narrow majority of 64 of the 120 members of parliament which, according to series of professional opinion polls, is no longer valid. To cope with populist and irresponsible initiatives of legislation, one may go as far as to imagine a remedy similar to that of the Athenian *graphe paranomon* (suits against unlawful or harming proposals and their promoters) in order to make individuals accountable for their motions, even if formally ratified by a majority of the legislative body.[[20]](#endnote-20) Another possible measure of radicalizing and galvanizing democracy by means of an active participation of average citizens consists of the recent trend of a partial return to the ancient model of selection by lot (sortition, instead of elections), particularly with respect to parliaments, *ad hoc* councils (or mini-publics) and other large-scale deliberative institutions.[[21]](#endnote-21)

 Thus far I have discussed the relevance of the ancient tripartite taxonomy when applied to modern democracies with special emphasis on the possible process of degeneration of every species into its vicious form. Even more important in this argument with Hansen’s views on the mixed constitution as an interpretive tool is a matter of principle: a return to the ancient tripartite taxonomy encounters the danger of reductionism by limiting the concept of the mixture to its strictly formal-institutional pattern (very close to Polybius’s approach). This line of thought is typical of Hansen’s prominent interest as a historian in the research of political institutions and his constitutionalist-legal orientation.[[22]](#endnote-22) In line with Plato’s method of overcrossing the border of the common taxonomy (rule by one/ by few/ by many) and classifying polities through some substantial traits and principles (as he had done in the eighth book of the *Republic* with respect to timocracy/*timokratia*),[[23]](#endnote-23) one may add to the above regimes other significant elements and criteria of classification.

 First, traits of plutocracy are found in all liberal (as well as illiberal) democracies. They are expressed by the close connection between wealth and power, as can be seen *inter alia* in the huge influence of financial tycoons in matters of politics, particularly in the economic sphere, and their contribution to the brainwashing manipulation of propaganda in election campaigns, which too often have become a target of capital investment with an obvious prospect of profiting from the rewards thereafter. Since the tycoons’ number normally tends to be very small, they are frequently labeled as “oligarchs” (based on *oligoi* – “few” in Greek).

 In certain cases theocratic elements are obviously part of democracy (as they are part of other regimes), particularly when religious groups are organized in parties whose support is essential in order to found a government based on a parliamentary coalition. Israel again provides a case of prominent theocratic elements within its polity. To bring just a few examples: ultra-orthodox youths are exempt from military service, in flagrant contradiction with the democratic principle of equality before the law (*isonomia* in the Greek original, derived from *nomos* − law), one of the fundamental aspects of civic equality. There is no possibility to have an official civil marriage, only a religious one, nor is it possible to have a strictly secular divorce − in stark contradiction with the principles of civic freedom, freedom of choice and liberalism. In many cities there is no public transport on Saturdays (not to violate the sanctity of the Shabbat) − another clerical dictate that flagrantly discriminates the poor. However, the deficit of secularism in Israel is only one among many global examples, with different degrees on a broad spectrum; in fact, it is difficult to find parallels to the strict secularism of the French Republic, which may be viewed in stark contrast to extreme theocracies (like that prevalent in the Islamic Republic of Iran).

 In addition to the above mentioned elements, one may find in contemporary democracies and their political culture traits of other polities as well: theatrocracy[[24]](#endnote-24) (embodied, for example, by the dominance of the rating factor in the media); kleptocracy (“rule by thieves” from the Greek verb *klepto* – “I steal”) – a system in which those in power make abuse of their positions to enrich themselves from public resources or bribery; and, horror of horrors, even some germs of mafiocracy (i.e., the involvement of organized crime in politics).[[25]](#endnote-25) However, the traits of kleptocracy and mafiocracy are prominent in autocratic, authoritarian and oligarchic forms of government more than in liberal democracies.

 Thus, despite the significant differences between the modern, representative democracy and its classical precursor, it is still possible to apply to our contemporary regime Plato’s sarcastic depiction of the classical prototype as “a garment of many colors, embroidered in all kinds of hues…decked and diversified with every type of character….a bazaar of polities.”[[26]](#endnote-26) To judge by the above ingredients of polities, the number of colors and characters has significantly increased. Moreover, the way a polity finds the balance between the interests of the rich and those of the poor and the methods of preventing a gap between excessive riches and abject poverty should be an integral part of the mixed-constitution construct – in line with its spirit of moderation. One should also take into account the possibility of judging a polity by its socio-economic dimension in its broadest sense: accessibility to education (including academic studies), the measure of social solidarity, collective mentalities of political cultures (e.g. the extent of liberal thinking and of tolerance to diversity in general, including diversity in sexual preferences, styles of life, etiquette and ideology), gender opportunities, the attitude towards the elderly, and many other ingredients.

 Thus, when speaking about Sparta and its polity as a mixed constitution, Aristotle already referred to some of these elements, especially education and life-style.[[27]](#endnote-27) In modern terms, one may also refer to various types of socialist or socio-democratic elements on the one hand and free-market or capitalist elements on the other as frequent ingredients of the mixture (in various proportions). This holds true, *mutatis mutandis*, also with respect to the cultural aspect: the blending between elements of elite and of popular cultures.

**Conclusion**

 It would be worth trying to revisit and reactivate the mixed-constitution concept as an analytical tool in quantitative as well as qualitative research. This does not imply going back to Polybius’s dogmatic trichotomy (monarchy, aristocracy, democracy), which is outdated and encounters the danger of simplification and institutional reductionism. We should utilize a different methodology and taxonomy, with broader perspectives in mind, referring not only to political institutions but also to social, economic, mental and cultural aspects. This different approach does not consider the mixed constitution as an ideal regime blessed with the ultimate virtue of preventing political decay and providing resilience and stability. Nor does it consider it as an alternative model to the “separation of powers” principle – which should be more accurately described as a balance between powers or as a “balanced government.” The two concepts may well coexist, some of the above traits crossing over the various “powers,” especially the executive and the legislative.

 Moreover, when reactivated as an analytical and empirical tool, with those broader perspectives in mind, it may well apply not only to the analysis of polities (whatever their size, structures and basic principles) but also to other types of organizations and cultural environments, such as municipal government, political parties, business companies, even academic institutions – e.g., universities, colleges, seminars, and the methods of their administration.

**N OTES**

1. In Greek history during the archaic period the process was in reverse order: aristocracy was overthrown by tyranny, and later, in the classical period, democracy was often overthrown by oligarchy, and vice versa. [↑](#endnote-ref-1)
2. Polybius, *Histories*, VI.2.3−9.14; cf. von Fritz 1954; Walbank 1957: 643−659; Aalders 1968: 85−106. Hahm 2009: 178-198. For the central role of Sparta in the development of the theory, see David 2019, referring briefly also to the present-day relevance. Ancient sources are quoted throughout by the conventional method (prevalent in the research literature) that makes text references easily accessible in all academic editions, with no need of further bibliographic data. [↑](#endnote-ref-2)
3. See Vlassopoulos 2012: 43-69. [↑](#endnote-ref-3)
4. See, e.g., Vlassopoulos 2010: 37−38. For a rare exception of recent anti-democratic theory, see Brennan 2016 who, in a Platonic spirit, advocates the foundation of an “epistocracy” (rule of experts) − a neologism awkwardly based on *episteme* (“knowledge” in Greek). In his view most voters are ignorant about politics and irrationally motivated − “hobbits” and “hooligans.” [↑](#endnote-ref-4)
5. Hansen 2010: 516−517; 528−530; cf. Bobbio 1990; Telò 2011: 93−113; Telò 2012: 31−49, who adopts the concept of the mixed constitution in order to explain the long-term stability of the European Union as a political entity. Rosen 2006: 271–299 (with bibliography) uses the concept to explain the resilience of the American constitution. Its “Founding Fathers” preferred the model of the Roman Republic and its mixed government over that of the radical Athenian democracy, a preference reflected at the linguistic level by the adoption of Roman terms such as the “Senate” and the “Capitol.” [↑](#endnote-ref-5)
6. Hansen 2010: 509. [↑](#endnote-ref-6)
7. Angela Merkel was 16 years in office as chancellor (2005-2021) in Germany; Benjamin Netanyahu was 12 years in office as Israeli prime minister (2009-2021) in addition to a former term of office (1996-1999) and now he is in office again (since December 2022). [↑](#endnote-ref-7)
8. In the case of Benjamin Netanyahu even the decision to prosecute him for bribery and other criminal offences did not bring to his resignation or deposition as prime minister. He lost power after twelve years in office only as a result of a general election (held the fourth round within less than two years), as he was not able to form a coalition government. Within one year and a half he was in power again, despite his current trial. [↑](#endnote-ref-8)
9. The term “illiberal democracy” was coined by Fareed Zakaria (1997) and formally adopted as State ideology by the Hungarian Prime Minister Viktor Orban. [↑](#endnote-ref-9)
10. Hansen 2010: 524−526; cf. Vlassopoulos 2010: 116. [↑](#endnote-ref-10)
11. This is also an example of the dangers involved at times in the process of general elections in modern democracies, so often associated with propaganda manipulation, irresponsible slogans and populism. For the vicissitudes of elections in our contemporary democracies, see especially Reybrouck 2016, who claims that we have become electoral fundamentalists, despising those elected but still venerating elections. See also below and note 21. [↑](#endnote-ref-11)
12. Ascribed to Louis XIV − the absolute monarch *par excellence*. [↑](#endnote-ref-12)
13. See in this respect Faguet 1910 who, more than a century ago, depicted the division of portfolios in the French government as the embodiment of a “cult of incompetence.” [↑](#endnote-ref-13)
14. See Reybrouck 2016. [↑](#endnote-ref-14)
15. See David 2021 with bibliography. [↑](#endnote-ref-15)
16. See Rosen 2006:289 for “the insight that the Supreme Court is acting as the aristocratic part of a modern mixed government” with respect to the USA. [↑](#endnote-ref-16)
17. Michels 1962. For the inapplicability of this “law” of political sociology to classical Athens, see Ober 1989a. [↑](#endnote-ref-17)
18. Implying *inter alia* the right to vote in an Assembly, being physically present on the spot and equally entitled to participate in its deliberations. [↑](#endnote-ref-18)
19. On the dangers of majoritarian populism in our contemporary democracies, see McCormick 2019, 130−151, with references to further literature. [↑](#endnote-ref-19)
20. For the *graphe paranomon*, i.e. the charge for having proposed an unconstitutional decree or a decree damaging the interests of the Athenian people, see Hansen 1991: 205−212, with evidence. [↑](#endnote-ref-20)
21. Selection by lot was a typical trait of the ancient Greek democracy. For recent proposals (inspired by the Greek model) to reintroduce this method see, e.g., Reybrouck 2016; Courant 2019; David 2021. For deliberative mini-publics and attempts at returning to a participatory type of democracy see, e.g., Mair 2013; Fishkin 2019, with further literature. [↑](#endnote-ref-21)
22. For a detailed criticism of this constitutionalist approach to the Athenian democracy, see Ober 1989b: 107−122. [↑](#endnote-ref-22)
23. Plato, *Republic*, VIII, 547d−548a, with David 1981: 60-61. On the psychological level this regime is based on ambition and pursuit of honor, no longer on wisdom (as it was the case in his ideal and utopian aristocracy of the *Politeia*). [↑](#endnote-ref-23)
24. This term (*theatrokratia* in its Greek original) is Platonic: *Laws*, 701a, initially meaning the rule of the spectators in the theater, which aspires to satisfy their taste. One may find in contemporary democracies also some elements of another neologism −“clownocracy” (a prominent recent example being that of former President Donald Trump). [↑](#endnote-ref-24)
25. See, e.g., Paoli 2003. [↑](#endnote-ref-25)
26. *Republic*, VIII, 557c−d. [↑](#endnote-ref-26)
27. *Politics*, 1265b 34-1266a 1

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