Notes on inaugural meeting of 'Re-imagining Democracy' project, April 05
Theme: Authority and Obedience

Proceedings on first day

Mark Philp introduced 'Re-imagining democracy¨1750-1850' as a joint initiative between History and Politics in Oxford University and researchers in the CNRS and in Paris 1 in France. Its core concern is the ways in which thinking about democracy and democratic institutions were transformed in the period, so that what had been classically and subsequently thought of as close to the worst form of government, became increasingly accepted as an inevitable if qualified component of most western political systems.

There are a variety of ways in which this topic might be approached. It is in part a project about the history of ideas and about the theoretical and conceptual changes that take place in the period as democracy is, depending on your position, re-imagined, re-negotiated, or resisted. So it is also a story about the changing conceptual apparatus brought to bear on government, with conceptual innovations (as in demands for transparency, accountability, representation and citizenship), initiating a new language of governance that, in many respects, continues to shape public political discourse. But it also encourages a more practical set of orientations – looking at the way in which practices and institutions associated with the government of states changed in response to the rise of democratic ideas and pressures, and the way broader aspects of public policy undergo associated developments as concerns about the support and management of the populations lead to extensive initiatives in social policy, education and welfare more generally. It is also a story about social change, both imagined and experienced, with, on the one hand, 'equalisation of condition' in some dimensions being coupled with concerns about the rise of mass public opinion and the associated threats to individuality and innovation and, on the other, a growing sense of a deepening of class divisions, extremes of wealth and poverty, and, with urbanisation and industrialisation, the creation of a workforce that was not disciplined within traditional patterns of deference. The intellectual resources people brought to bear on conceptualising their situation and theorising their experience of change were very diverse, but those resources were not, for the most part friendly to democracy. Indeed, many sources were profoundly concerned about the potential impact of popular involvement in government, and one dimension of the project is to examine how far such concerns informed debates and discussions as well as the designs of schemes in public policy. But it is also, finally, a project in modern political thought, being concerned with the formation of political ideas, political ideologies, institutions and practices, that in many cases retain their impact on the way in which contemporary political theory and institutions operate. So one interest is the idea that we can learn something about modern democratic culture from improving and extending our understanding of this period.

A further impetus for the project that concerns the way in which disciplinary boundaries and the posing of intellectual questions in France and Britain diverge. Given the importance of France in this period – both through the revolution and through the work of its political theorists, which of course cover America also – the project is interested in exploring the insights gained from working together and

raising conceptual and historical questions in ways that might not be exactly natural to either side.
He listed some of the constellations of issues and concepts that were initially developed in thinking about the project: the result is basically an initial lexicon of terms that have particular significance in this period, applied in this case (for the opening workshop) primarily to the ways in which the relationship between authority and obedience was re-conceptualised during the revolutionary period, especially by those who hoped to bring into being forms of government more accountable to the people, but also, if to a lesser extent, by those who opposed such changes. What was conceived to be a sufficient basis for the exercise of authority? On what terms should obedience be accorded? How could illegitimate claims to authority or abuses of power be checked or controlled? Moreover, how should we understand the shift from 18th century political theories emphasising the social contract as the basis for obedience and legitimacy, to more sociological accounts of the sources of obedience, and disobedience, within states. How did this or other changes affect the design of institutions, or ways in which the practical exercise of authority was described and debated?

In discussing his own work, Mark Philp said that his interest grew out of a sense of a basic shift in the way in which people conceived of the problem of government and its relationship to the people. Crudely, theories of government in the eighteenth century were increasingly concerned with ways of limiting the power of government, often through doctrines of mixed government or the separation of powers, with the basic concern being the protection of those subordinate to power from their superiors, and a growing attention to the details of government organisation, the organisation of its powers, and the role of representation in the maintenance of good government. In contrast, from Burke's response to Price in his *Reflections* onwards, we see the development of a position in which the major threat to the security of the state and to the peace and tranquillity of its social order, is the people. Government became something to be protected from the influence of the people, something that should frame their expectations and the order in which they live, rather than being the outcome of those expectations. The question became, how can we have government in the interests of the people, in ways which yet protect the institutions of government and protect those subject to government from arbitrary rule by the people. This issue remains a pertinent one within political theory – how to ensure that the rules, procedures and institutions by which people are governed retain their impartiality and neutrality, rather than becoming the tools of factions or majority interests within the polity.

In this account, something dramatic changes between the eighteenth and the nineteenth centuries: the problem of ensuring the rule of government procedures, practices and institutions over the wishes and inclinations of the people whose interests may be represented through these mechanisms but which must not come to dominate the institutions themselves, is one that is barely conceived of in the eighteenth century, yet becomes central to much intellectual anxiety and political debate in the early nineteenth century. This change is accompanied by other changes.

i. An increasing focus on institutional design, not just at the level of government, but in the creation of a range of institutions that in some way or another have a role in 'governing' some subordinate population – hospitals, prisons, mad-houses, soup kitchens, schools, and so on. Acompanying this is a rather odd piece of

blindness – if the eighteenth century was anxious about the question of who guards the guardians, the nineteenth century has a problem with explaining the role, motives and authority of those who design the institutions – e.g., why assume that the motives attributed to those subject to the institutions we design, are not manifest in those who tackle institutional design?

ii. An increasing lack of interest in the issue of consent and in representing the relationship of authority and obedience as one explained by originating acts of consent. Indeed, a growing lack of interest, or 'historicising' of the question of the origin of government.

iii. An increasingly sociological orientation in the examination of the question of why men and women obey – and a consequent shift from a focus on juridical concepts of rights and duties to more explanatory sociological concepts of interests, opinion, habit, socialisation, and so on.

iv. Finally, and coupled with this aspect, and the problem of what motivates the designers, there is a growing concern about the way in which opinion operates in modern societies – inheriting some of Rousseau's concerns, but extending these, as in the work of Mill and Tocqueville, to worry about preference suppression, preference falsification, and adaptive preference change – all ways in which the social force of popular opinion can suppress or deform the interests and capacity for judgment, on the part of the people.

Participants then briefly described their own research interests.

Joanna Innes moved from describing her research interests to reflecting on the theme for the workshop: authority and obedience. She said that on reflection she thought that these terms presented a difficult and oblique, though perhaps suggestive way into the thought of the period, inasmuch as they had a more obvious part in older traditions of thought, in which the duty to obey legitimate authority was stressed – whether that authority was taken to descend by inheritance or to arise from contract. Although such notions had some role in British 'loyalist' thought of the revolutionary period, provided a reference point in terms of which 'theories of disobedience' could be formulated, and sometimes surfaced elsewhere (note thus emphasis on oaths within secret societies), arguably re-imagining democracy involved side-stepping such preoccupations.

Bertrand Binoche read a paper in which he presented a typology of ways of thinking about obedience: (i) axiology – obedience is understood as an act of the will, due to legitimate authority, but at the same time crucial to constituting it; (ii) technology – emphasises the central role of systems of power which define the identities and capacities of subjects; obedience emerges as an effect of the system; (iii) synaesthesia – it is accepted that subjects normally encounter political systems as givens, yet the nature and extent of their assent to them is taken to be underdetermined and worthy of investigation.

Genevieve Fraisse explored ambiguities in understandings of consent in the context especially of power relationships between men and women, as reflected both in later eighteenth-century and in modern writings. Consent was and is sometimes taken to confer legitimacy even when given in circumstances where choices are narrowly circumscribed.

Proceedings on second day

Joanna Innes launched discussion with some reflections on themes that had emerged thus far, and with reference to certain texts from the period that she had picked out rather randomly: William Bruce and Henry Joy, *Belfast Politics* ; the James Mill/Thomas Macaulay debate on 'government'; Benjamin Constant, *Political writings*; Simon Bolivar, *Writings*..

She reiterated and developed remarks she had made the previous day, suggesting that, whereas authority and obedience had been crucial themes in seventeenth-century thought, in eighteenth-century British thought (and *pari passu* in other European contexts) they were substantially (though not entirely) displaced by other conceptualisations. Thus (i) by a civic humanist tradition of thought, in which the primary concern was to prevent the corruption of the whole social and political body, and ill-effects that would inevitably spring from that; (ii) by emphasis on the virtues of a mixed constitution, taken to represent a safeguard against the excessive concentration or oppressive abuse of power, and (iii) by the notion that governments inevitably rest on opinion -- and more particularly that modern governments, operating within commercial societies, must recognise that these societies are substantially self-regulating, and that their role is to nurture, monitor and correct, but not to control. Against that background, perhaps it would be to conceptualise debate of the period as in terms of compliance, rather than obedience.

She then re-emphasised a theme from Mark Philp's remarks the previous day. He had suggested that the French Revolution shifted the key political problematic. Whereas much eighteenth-century thought had focussed on preventing governments from abusing power, the Revolution focussed concern on possible abuses of power by the people. Insofar as a shift in the locus of power towards the people was taken to be not wholly resistible, even conservative thinkers had to consider how the power of the people could be harnessed, and made a benign rather than malign force.

She noted that James Mill, in his *Essay on Government*, asserted that it was inevitable that people should strive for power, citing the practice of slavery as evidence of this. The problem is to check that striving. In a manner that recalled Genevieve Fraisse's emphasis on the interrelationship between political discourses and discourses of interpersonal relations, Macaulay, by contrast, argued that not all power relationships rested on force and fear: relations between husbands and wives were, as he saw it, ones in which the husband had superior power, but the wife's consent was freely and affectionately given. Against that background, Macaulay argued that government by the middle ranks was best because they were best placed to nurture the affective response of the people, by offering guidance and sympathy and exciting emulation.

She raised as possible topics for discussion how the language of rights operated in a context in which formal legitimacy was (it had been argued) being downplayed. She also asked to what extent and in what ways developments in French political conceptualisations echoed or differed from British ones.

General discussion

Mariana Saad – Lanthenas had been interested in both slavery and male-female relationships, and in the ways in which sensibility was affected by the experience of subjection to power.

Jim Livesey – it may be useful to ask, To what problem is democracy the answer? He proposed that the critique of privilege made it impossible to defend any non-universalisable laws or norms: democracy was then a necessity. As contemporaries saw it, this posed a challenge: how to reconcile democracy with civilisation.

Bertrand Binoche – in 1793, Godwin, Fichte and Condorcet were all developing a notion of perfectibility, though each was unaware of the others' work. He suggested that this reflected the fact that nature was no longer taken to provide a stable reference point. If the reference point was taken to be utopia, new challenges arose.

Chris Brooke -- the element of the Mill/Macaulay exchange reported echoed Montesquieu's reponse to Hobbes. It may be fear that gets society started, but attraction between the sexes is crucial to its subsequent structuring.

Mariana Saad – democracy was seen to pose many technical problems, such as What sorts of buildings should one have in a democratic society? What form should voting take?

Mark Philp – the eighteenth-century saw a shift in the critique of arbitrary power. Initially, it was criticised chiefly in terms of its problematic effects. Later, the problem was taken to be more fundamentally one of grounding: no secure system could be established on an arbitrary basis. That logic extended to a critique of lot as a voting method: it too was seen as arbitrary, when the need to ground required that authority rest on popular will or reason.

Jim Livesey – or sentiment (thus Sophie de Gruchy). He noted that in the discussion of where voting should take place, emotion entered into the analysis. Was it better to vote in the peace of one's home, or in emotion-filled rooms?

Rachel Hammersley – the French democrats she had studied were keen on lot.

Robert Poole – lot retained value in the context of sharing burdens – such as Militia ballots. Suggested that the middle classes disliked lot because it was blind to merit.

John Robertson – much Enlightenment though said that in a commercial society traditional rulers need to adjust their expectations of what they can do. But entrenched privilege can't just be modified, it needs to be broken. Insofar as the absolute rulers early political economists were happy to imagine holding power proved unwilling or unable to achieve this, revolution was necessary. In Britain, things unfolded differently, partly because the British upper classes got religion; also, they started taking political economy very seriously. Boyd Hilton suggests that the two worked together in powerful combination. The government of Lord Liverpool had apparently made more successful use of political economy than might have been expected. They accepted that it was important to understand the cycles of society; also that in some

sense government would be held responsible for the state of the economy, and that these things were crucial to securing compliance.

Jim Livesey – Diderot drew from the Maupeou coup the lesson that absolute monarchies undermine themselves when they attempt reforms.

Tadgh O'Sullivan – Irish Catholics saw the Protestant ascendancy as belonging to an ancien regime world, subject to critique in the terms of political economy.

Michael Drolet – religion and political economy both provided bases for self-regulation – a point which surfaced in the Malthus-Ricardo debate. In France, a more traditional vision of political economy persisted throughout the nineteenth century, as represented for example by Bastiat. 'Libre échange' didn't acquire the political weight it came to have in Britain.

Robert Poole – John Aikin, in his book on the country 40 miles around Manchester (1795) provides a vivid picture of a society flourishing with minimal government. In that context, how could one cope with popular unrest? Need for middle classes to accept positions of responsibility eg as magistrates; in postwar period, argued that this requires their active presence in towns.

Jim Livesey – of central importance in discussions of democracy to think about how people conceptualised labour. Productive work was commonly seen to be a determining characteristic of membership in a commercial society.

Mark Philp – Richard Price, in his *Discourse on the Love of our Country* (1789) says that we must submit to the officers of executive government, but should not do so slavishly; the tendency of all governments is to despotism. JS Mill, in his *Discourses and Dissertations*, says that we can limit force, but what is harder to limit is fraud. The fundamental problem is accountability, which is best achieved when the people are enlightened. The hope is that it will be possible to dispense with deceit as an instrument of government. For Mill, the issue was not one of rulers vs people: he looked to a class of administrators to conduct the work of government.

Michael Drolet – in a French context, some wanted to nurture a professional class, others to revive aristocracy. In that second context, labour colonies had an important part to play in training people to be good citizens.

Jim Livesey – agricultural societies in France start in 1750s. Bertin promoted them as minister 1760s; then got taken over by local notables.

Joanna Innes – managing rural change does constitute an important and sometimes underrated strand within early nineteenth-century concerns.

Jim Livesey -- politicisation suggested by fact that Arthur Young was criticised for 'republican farming'.

Tadgh O'Sullivan – in Ireland in the 1790s a specifically farming society split off from the Dublin Society – but this had more to do with attitudes to allegiance than with republican farming.

later on general themes

There was some general discussion of the role of imagination and belief in encouraging defiance.

John Robertson – in the French context, inasmuch as talk of 'natural rights' continues, what are they seen to be grounded in?

Jim Livesey – suggested that they were taken to be politically constituted – the declaration of the rights of man and citizen was not a declaration of pre-existing rights

Bertrand Binoche -- noted both that the document exists in many somewhat different versions, and that its origins were shrouded in mystery; it was clearly a compromise, however, not the expresssion of any single view.
It was noted that both Bentham and Godwin offered critiques.

John Robertson – (in response to a question about the nature of Paine's idea of natural rights) Paine grounded his natural rights in a moral theology

Bertrand Binoche – in French documents of the 1790s, 'individu' is often a negative term. Godwin by contrast uses it positively. Constant would later talk of the rights of the individual – by that time, 'rights of man' had problematic associations. Interest in what lay within the competence of government on the one hand, the individual on the other provided a theme in the writings of Priestley, Godwin and Constant.

Jim Livesey – an important difference between French and British contexts is that the French lacked a constitutionalist idiom of rights.

participants were invited to identify 'case studies' they had encountered in their own research, that might crystallise on bear on some of the general issues discussed

Ray Lavertue – has been searching for a focus for his research on Anglo-American politico-cultural relations in the early nineteenth century; now looking comparatively at Methodist secessions. In both cases, fuelled by a rejection of the authoritarianism associated with the centralisation of Methodism in the 1820s, though when they achieved their initial goals they tended to become conservative. The journal founded by such Methodists in America, thus, initially talked about natural rights and popular sovereignty, but by the 1840s had become a human interest paper.

Kathryn Gleadle – was interested in issues of domination. Among those she studies was Elizabeth Heyrick, best known as an anti-slavery campaigner, but also the author of over 20 political pamphlets. She brought together some of these themes in quite interesting ways, looking at the rights of children, animals and the poor. In the 1820s, she wrote about the poor especially in the contest of the local framework knitters' strike. She was critical of the vagrancy act inasmuch as it targeted street sellers. She excoriated the establishment for their failure to protect the poor, instead locking them up. She offered an alternative way of imagining democracy, in terms of extended citizenship. She sought a new kind of political economy, a Christian economy, involving especially a minimum wage. Also wanted more recognition for those who

have contact with the poor. Saw parliamentary opinion as clunking and overgrown; what was wanted was direct action. Championed exercise of consumer power, eg in sugar boycotts. In response to a question from Mark Philp about who she addressed as her audience, said the electors of Leicester; context supplied by Leicester election.

Mark Philp – has been working on radical and loyalist societies, in relation to question of audience: how do you address audiences who are not those traditionally addressed. One solution the use of dialogue form. Another to write popular songs. Such practices became more sophisticated.

Joanna Innes – suggested that one reason why social issues come to bulk larger in early nineteenth-century politics is because those trying to reach out to broader audiences think they need to find connections between politics and everyday life.

Robert Poole - is struck by extent to which radicals master loyalist language and use it against the state. Thus in the case of the 'Blanketeers'. They made few references to the French Revolution. Instead, cited Magna Charta, which they claimed gave them a right to imprison the king. They were aware of the constraints imposed by the Tumultuous Petitioning Act (1661), and shaped their strategy accordingly, noting that it authorised the presentation of petitions by groups of up to 10. Jacobite themes were exploited, thus the tune of The King shall enjoy his own again.

Gordon Pentland – in a Scottish context, Jacobite songs were constantly being revived. Changing gear: in relation to his own work, talked about church reform being discussed in similar terms to political reform, The fact that there was an established church in Scotland helped to make the link. The exercise of patronage in the appointment of ministers was seen as being linked with influence on voting; the General Assembly of the Church of Scotland was regarded as a kind of parliament.

Future directions

It was agreed that two themes that had emerged in discussion seemed to offer particularly promising focuses for future, more structured meetings, viz

- the role of 'rights' in the thought of the period;
- discussions about the management of rural change in modernising societies.