

## **Election in the *Ancien Régime***

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The history of the vote reveals that election was not born with modern representative government, but that elections were held in the Middle Ages. It also reveals that designation by election is not the end of history in our democracies but that other methods may be considered.

For those who have an interest in political history, or simply wish to achieve a better understanding of the present by comparing it with the past Olivier Christin's latest book is a must-read. The book is full of colourful anecdotes and affords pleasant reading, which is unfortunately only too rare at a time when social and human sciences tend to use a lot of jargon. The book plunges the reader in a fascinating world that is both similar to his and deeply different from it: it explores voting practises in Western Europe in the period between the Middle Ages and the revolutions that took place at the end of the 18<sup>th</sup> century. The sources the author draws on are rich and varied, forming a suggestive mosaic. In addition, Olivier Christin does not confine himself to a single theoretical school but explores the works of various authors that are often set in opposition to each other, which allows him to construct an original argumentation and a four-step demonstration.

### **Voting and election before the time of representative government**

The author sheds light on practices about which today's cultivated public know little. Instinctively, we tend to think that the absolute novelty of modern revolutions ensured the triumph of voting and election over the absolute power held by the Prince and over the system of arbitrary appointments that had prevailed after the decline of the medieval communes. And yet, voting practises and election techniques are not specific to the modern age; they were in use before representative governments were introduced. Christin's book contains four case studies: chapter one is devoted to the urban institutions that guaranteed the autonomy of the communes. These institutions varied in strength depending on the region but they all had a voting system that gave them a legitimacy and enabled the communes to resist external powers. Chapter two highlights the role played by intermediate bodies such as guilds, charities and religious confraternities, who relied on an election process to appoint their members. The same applied to universities and academies, who claimed independence from the State and, just like today, had to deal with conflicts of power and personal rivalries among faculty members, which they solved by voting. Chapter three takes a close look at religious institutions and in particular at the Catholic Church in which some forms of elections were held both at higher and lower scales in the hierarchy: in the regular clergy as well as in the lay confraternities, and even among Christian communities. Chapter four evokes the deliberative practises of institutions such as the Imperial diets or the Estates-General who represented the various parts of the country. Along the way, Christin minutely analyzes a whole series of practises so that the reader understands that things did not begin with the French and the

American Revolutions, and that the world of the past can on some occasions be strikingly similar to the present world.

This is however not systematic, and this is the second teaching of the book. Indeed, Olivier Christin debunks the widespread opinion according to which medieval or modern election processes might actually have been the prolegomena of contemporary elections, as if they were a logical step in the slow process towards electoral democracy, however imperfect and faltering these trials may have been. To this continuist vision, with its anachronistic approach of the past as a forerunner of the present, the author opposes the contingencies and abrupt changes history is made of. In medieval and modern societies, votes and elections did not have completely the meaning as they have under contemporary representative governments. Voting was not based on the sum of individual opinions; it was not carried out under secret ballot, allowing voters to choose among several options or people seeking power. Now, the way an election is conceived and organized says a lot about the society in which this election is held. Analysing the way the halls of the Estates-General and the Imperial diets were arranged (chapter 4), Christin shows how different these assemblies were from ours. Indeed, they acted out a social order that was strongly hierarchical, with multiple subdivisions and statutory hierarchies. Room layout, speaking time allotment, and ballot counting required that each person be seated according to their rank and statutory group. It is only when the Enlightenment ideals became prevalent that the principle of a society conceived of as comprising individuals with equal rights imposed a new architecture of parliaments.

For centuries, the clerics debated the question of collective decision-making in the absence of unanimity. The portion of the electorate that was considered the healthiest or wisest (*sanior pars*) was for a long time given more weight than the largest portion (*maior pars*), although ideally they were supposed to be equivalent. Votes were then not so much *counted* as *weighed*. Majority rule imposed itself gradually over time and with a fair share of hybridization and compromises. Although Papal Conclave as a form of qualified majority voting started very early (11<sup>th</sup>-12<sup>th</sup> centuries), only cardinal electors were thought fit to vote: the body of the faithful was not involved in the election nor were the other members of the clergy, which is still the case today (Along Christin's lines, it might be added that in so far as it leaves decision-making to those who are supposed to be the "best", socially and individually, while allowing the rest of the citizens to decide who the "best" are, today's representative government appears to be a secularized combination of *sanior* and *maior pars*). For centuries, majority rule was considered as far from ideal by the Church as well as by the confraternities and the communes since it was likely to divide the community for a long time and to encourage the formation of factions that would exert pressure from the outside and be a threat to the community. Up until the 18<sup>th</sup> century and probably beyond this period, Catholic textbooks explained that election could be carried out in three different ways: through divine "inspiration", "compromise" or by entrusting it to a small group of wise men. The vote could also be done by secret ballot under the majority rule, but this was not considered as the best solution, and Christin points out that there were many ways to compensate for the potentially disruptive character of this voting system, such as being able to take one's ballot back in order to rally the opinion of the majority for instance. In any case, the legitimacy of the result rested less on the choice of the majority than on the recognition of the person who had first and foremost been elected by God – a vision that, in its secularized way and to a certain extent, echoes the way charisma has been theorized from Max Weber to today. In the communes as well as among the confraternities and the universities, consensus was held as a crucial objective so that an impressive number of voting techniques were implemented to reach it.

## **The power of historicization**

The third strong point of this demonstration is that it does not essentialize processes, practices and notions and makes it clear that their meaning definitely depends on specific social and historical contexts. Election and majority rule can be resorted to in a variety of contexts and the elections that have been held in the Church, be it in the medieval or in the contemporary period, do not have much in common with the diagrams issued by the rational choice or game theory. The terms themselves make it plain: the semantic field of election was for a long time much more extended than it is today. It did refer to the choice of the people who would represent a given community, but the way this choice was made could vary greatly. Christin's study of the 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> centuries matches the studies on 19<sup>th</sup> century politics carried out from the point of view of historical sociology or conceptual history, which, over the last few decades, have shown why universal suffrage did not impose itself straight away and was much debated on both sides of the political spectrum; how the Enlightenment ideal of an autonomous citizen, mindful of the general interest and detached from any particular social background, combined with structural exclusions that were in great part based on gender difference; and how the advent of universal (male) suffrage did not immediately change long-standing practises – in France, for instance, it took several decades to impose the use of polling booths although they seem to be the materialisation of the principle of secret ballot, reflecting each individual's personal opinion.

*Vox populi* allows the reader to understand how, by highlighting the gradual implementation of majority rule, of election and of the individual expression of personal opinions, long-term history only gives a partial account of a contradictory process which tends to be ambiguous in that it is grounded in a variety of political approaches and a combination of theoretical discussions, social imaginations and all sorts of procedural tricks rivals have performed on one another. In jointly governed Swiss territories (Catholic and Protestant) during the Reformation, for instance, confessional conflicts were settled by way of the « Plus », a process involving a majority vote whereby the citizens decided which religion was going to become official and as such, imposed upon everyone in the canton. It goes without saying that personal convictions had to yield to the unanimity of a community of faith and that calling for a « Plus » involved a fair share of manipulation and ideology.

It might be a matter of some regret however that the author did not follow his own logic to its end and study the notion of representativity, which he often refers to, in the light of historicisation. As we know, in French, the term may refer to the fact that someone has been appointed by a group to represent it, but also to the fact that a group or an individual statistically matches the group they represent. Christin sometimes merges the two meanings as if the notion of representative sample had been available in the period he studies. In the same way, the readers who are familiar with the political and legal history of Germany might have expected the prevailing mode of representation presented by Christin as being typical of the Ancien Régime to be set against what German historians call “identity representation”, a term that could be revived as “incarnation representation”. According to this logic, a representative is not so much the person who is given a mandate as the person embodying the group, turning a multiplicity of people into a unity. This logic is also shared both by French republicanism with its parliamentary sovereignty and by numerous modern global governance institutions.

## **Politics, democracy, elections**

In the fourth chapter, Olivier Christin shows how representation has real performative agency, the election of representatives definitely playing a part in the formation of the community that is going to be represented. The voting process and its underlying concepts as well as the material circumstances that make it possible to hold the election and later host assemblies, conclaves or committees, all depend on the structure of society. Irrespective of the processes used, an election sanctions, stabilizes, dynamizes or transforms the world. However, it cannot be said to embody a political instance that would shape a lifeless social reality: on the contrary, it is pervaded by the social, it is one of its modalities, even if it has its own effectivity and can, in some circumstances, support the emergence of a partially autonomous field. Following Christin's approach, one may go so far as to question the *grand récit* of French political theory according to which the Declaration of Human Rights, legal equality and representative government, all brought about the decisive advent of "the" political, which transcends the social. *Vox populi* clearly shows how the advent of a legal order bringing together individuals who are free and equal in rights around a symbolically empty power, constitutes a complete changeover from the exercise of power under the *Ancien Régime*. However, at the same time, his method highlights the fact that symbolical orders, while carrying a weight of their own, can be perceived only if they are incarnated in processes and apparatuses set up by individual or collective agents. Just like religion, "the" political only gains meaning once it has become material, procedural or social. And the same goes for the symbolical orders of republican or liberal governments, as well as for the Church, the Imperial Diets, the autonomous communes, confraternities and universities and academies.

One may draw a last implicit lesson about the present from *Vox populi*: Christin makes it clear that the triumph of the vote, the way we understand it today, was all but ineluctable. At a time of widespread disillusionment with electoral representation and questioning of the central place of elections in democracy, Christin's historical perspective highlights the fact an elective democracy, resting on party competition, has little in common with the gradually revealed essence of the vote, of politics and of democracy, and that it is not the end of history either. As in the past, the predominance of today's political forms is by no means ineluctable. Alternative modes of representation, of voting and election may be considered and they are likely to develop in the future – for better or for worse, but that is another story.

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