

Measuring Democratic Antecedents, 1650-1789

Matthew Draper[‡]

March 31, 2022

Introduction

Attempts to measure democracy have focused principally on the post-1945 period. However, it is widely acknowledged that this narrow focus on what has been called a “biased sample” undermines the quality of our inferences about democracy (Capoccia and Ziblatt 2010, Knutsen et al. 2016). Efforts have been made to lengthen the time series. Recent attempts, such as the Varieties of Democracy project (Coppedge et al. 2021a; hereinafter V-Dem), have extended their start date to the late eighteenth century, when the modern era of democracy is often said to have begun (e.g. Knutsen et al. 2019).

Although this extension of the time series has improved the quality of our inferences about democracy, it has imposed severe stress on the concept itself. Comparison of “democratic” states across such a great expanse of time complicates operationalization. Our modern concept of democracy includes several features (universal suffrage, for example) that are not found in the historical record prior to 1945. We might simply withhold the label “democracy” from regimes that do not meet modern standards, but

[‡]Ph.D. candidate in political science, University of California San Diego.
Contact: mdraper@ucsd.edu Website: www.matthewdraper.com.

we often want to talk about a state’s position along some of the dimensions of variation involved in democracy.

Instead, a common approach has been to stipulate that although regime x may not be a modern (liberal, mass) democracy, it may nevertheless vary in its “democraticness” along several dimensions (Knutsen et al. 2016). There is a general movement in democracy studies away from the binary measures characteristic of an earlier generation of scholars (e.g. Przeworski et al. 2000), towards graded measures that disaggregate democracy into a number of sub-components (e.g. Boix et al. 2012; see also Paxton 2000). While some scholars argue that unless certain necessary conditions are met, discussion of the “degree” of democracy is meaningless (Collier and Adcock 1999), others argue that whether a state “is” a democracy and whether it exhibits democratic attributes are distinct questions (Munck 2016).

Contemporary indices of democracy, such as the Varieties of Democracy project (V-Dem) and Polity V, derive their definitions of democracy from the work of the political theorist Robert Dahl (1971, 1989, see V-Dem Codebook:36). Dahl reserves the term “democracy” for an ideal political system that is completely responsive to all its citizens (1971:2). As he puts it, “it is important to maintain the distinction between democracy as an ideal system and the institutional arrangements that have come to be regarded as a kind of imperfect approximation of an ideal” (ibid:9). Dahl calls this imperfect approximation of the democratic ideal “polyarchy”, which he says exhibits seven characteristics, or “institutions”:

1. Control over governmental decisions about policy is constitutionally vested in elected officials.
2. Elected officials are chosen and peacefully removed in relatively frequent, fair, and free elections in which coercion is quite limited.
3. Practically all adults have the right to vote in these elections.
4. Most adults also have the right to run for the public offices for which candidates run in these elections.

5. Citizens have an effectively enforced right to freedom of expression, particularly political expression, including criticism of the officials, the conduct of the government, the prevailing political, economic, and social system, and the dominant ideology.
6. They also have access to alternative sources of information that are not monopolized by the government or any other single group.
7. Finally they have an effectively enforced right to form and join autonomous associations, including political associations, such as political parties and interest groups, that attempt to influence the government by competing in elections and by other peaceful means (Dahl 1989:233).

Dahl's institutions of polyarchy ground the operationalization of democracy in most modern indices. For example, these seven institutions are operationalized by V-Dem into five "components" of an electoral democracy index.¹ These are: freedom of association, suffrage, clean elections, elected executive, and freedom of expression and alternative sources of information (V-Dem Codebook:37).

Because Dahl situated democracy as an ideal, he was comfortable assessing the democratic status of non-democratic states (1989:220-221). If we wish to measure democratic antecedents prior to 1789, Dahl's work (as interpreted by V-Dem) provides us with a plausible starting point. Dahl argues that the modern story of democracy begins with the transition to representative rather than direct institutions during the late Roman Empire (1989:28).² Interestingly, Dahl explains that political representation "was not invented by democrats," but rather developed "as a medieval institution of monarchical and aristocratic government" (ibid:29). It was the subsequent connection of this idea of representation to an emerging concept of popular sovereignty that laid the foundations for modern representative democracy (ibid). Dahl situates the Levellers (c. 1642-1651) as the first to articulate this novel combination, which would finally make

¹Although V-Dem provides several alternative democracy indices (liberal, participatory, deliberative, egalitarian), each of these is partially based on the electoral democracy index (v2x_polyarchy), which is itself an arbitrary aggregation of additive and multiplicative indexing of the five components (V-Dem Codebook:43). The approach also mingles a logic of necessary conditions with one of family resemblances (V-Dem Codebook:5).

²On this transition, see Manin 1997.

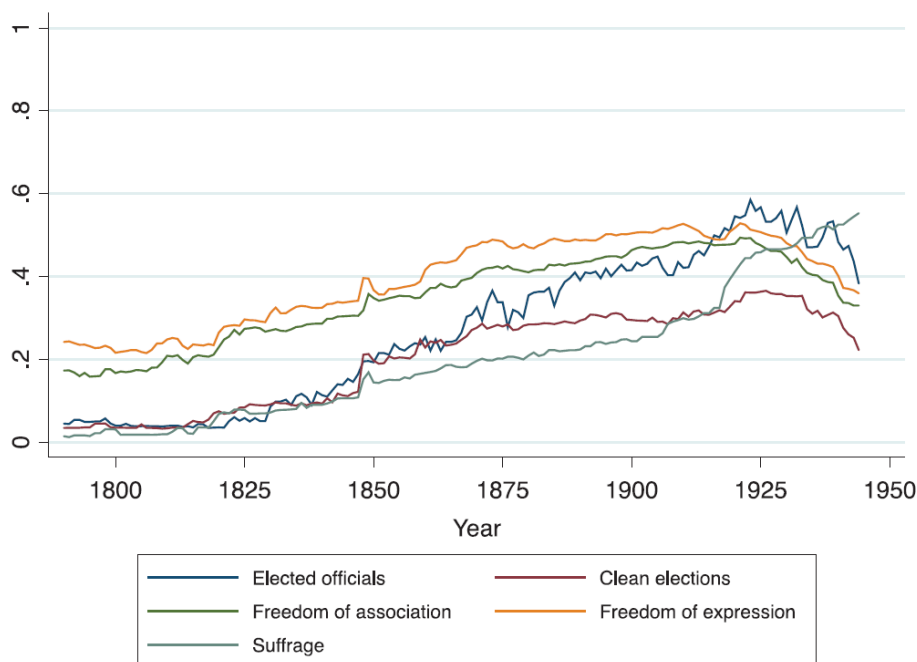


Figure 1: V-Dem Polyarchy Components 1789-1944 (Knutsen et al. 2019:445)

its way into political theory a century later with Montesquieu’s celebrated *The Spirit of the Laws* (1748).

Dahl contends that political institutions like representation ultimately made democracy more likely in the societies where they developed, even if they developed for reasons exogenous to democracy. Some scholars extend this argument to the complex of institutions known as “medieval constitutionalism” (Myers 1975, Downing 1992), arguing that social institutions such as parliaments, a decentralized military and peasant property rights played a similar role in enabling later democratization, despite their exogenous origins. Other scholars go further, arguing that these medieval-constitutional institutions actually *constitute* an incipient democracy, because “[d]emocracy comes into being...when institutional safeguards of dissent are realized in governmental structures” (Carstens 1975:8).³

³This disagreement offers an illustration of the type of semantic dispute about “democracy” to which these discussions are unfortunately prone. Gallie (1958) may have been right in labelling democ-

We need not resolve this debate here, because both sides offer us a basis for proceeding. Whether we are actually measuring “democracy” before 1789, or merely measuring “democratic antecedents” will be a semantic matter, driven by our definitions rather than by facts about the world. It is sufficient for our purposes to show that the complex of institutions that has been called “medieval constitutionalism” is deeply implicated in Dahl’s definition of polyarchy, and by extension is implicated in contemporary indices of democracy. This task will occupy the next section.

Constitutionalism

The complex of institutions found in many Western European states by 1650 has been usefully called “medieval constitutionalism” (Carstens 1975, Downing 1992). This is a cluster of institutions characterized by parliaments, citizenship, decentralized power, and the rule of law (Downing 1992:54). Several aspects of this institutional complex have been argued to provide a “predisposition to democracy” for states that possessed them: “a rough balance between crown and nobility, decentralized military systems, and peasant property rights [involving] reciprocal ties to the landlord” (Downing 1992:19).⁴ These quasi-constitutional, proto-democratic institutions were fundamentally local, and “the rule of law grew from this soil” (ibid:27).

A Rough Balance Between Crown and Nobility

The “rough balance” of power between the monarch and the nobility was the most important factor in forestalling the growth of absolutist institutions in many European states (Moore 1966, Downing 1992). This balance finds expression in the elective representative assemblies (parliaments, estates general, cortes) that flourished in Europe

racy an “essentially contested concept.”

⁴Downing claims that “the combination of all three, as well as the strength of each, was unique to Western Europe,” (Downing 1992:19), but see Stasavage 2020.

from the twelfth to the eighteenth centuries. These “institutional checks on political monopoly” varied widely in their effectiveness and in the frequency of their meetings, but they imposed a crucial check on the development of absolutism.⁵

Far from representative institutions being rare in Europe before 1789, they flourished at one time or another in every realm of Latin Christendom. They first emerge clearly towards the end of the twelfth century in the Spanish kingdom of Leon, in the thirteenth century in Castile, Aragon (and also Catalonia and Valencia), Portugal, Sicily, the Empire and some of its constituent states such as Brandenburg and Austria, and in England and Ireland. In the fourteenth century parliaments developed in France (in many of the provinces and for a large part of the realm), the Netherlands, Scotland, more of the German and Italian states, and Hungary; in the fifteenth century representative Estates appeared in Denmark, Sweden, and Poland... Nearly all of them survived until the seventeenth or the early eighteenth century, and many were still meeting frequently when they were overwhelmed by the French Revolution (Myers 1975:23).

Representative assemblies also served to counteract centripetal forces pushing for independence, and their absence is associated with state fragmentation (Downing 1992:31, Van Zanden et al. 2012). Monarchs faced a choice between not governing at all or governing with the cooperation of the nobility, and as representative assemblies became established, they gained an increased share in the legislative power in exchange for their financial support.

In addition to representative assemblies, the evolution of towns from ecclesiastical and administrative centers into commercial hubs promoted their autonomous development. The concept of town citizenship flourished during the late Middle Ages, as towns and village communes exploited the antagonism between nobility and monarch to create a sphere of “negative freedom” for their citizens (Downing 1992:28). The charters and other *modi vivendi* negotiated between the nobility and monarch further abetted decentralized constitutional development.⁶ The notion that not even the king was above the

⁵Compare the requirement for “non-absolute” initial institutions in Acemoglu et al. 2005.

⁶c.f. Magna Carta (1215), the Diet of Worms (1225) and Sweden’s *Landslag* (1350).

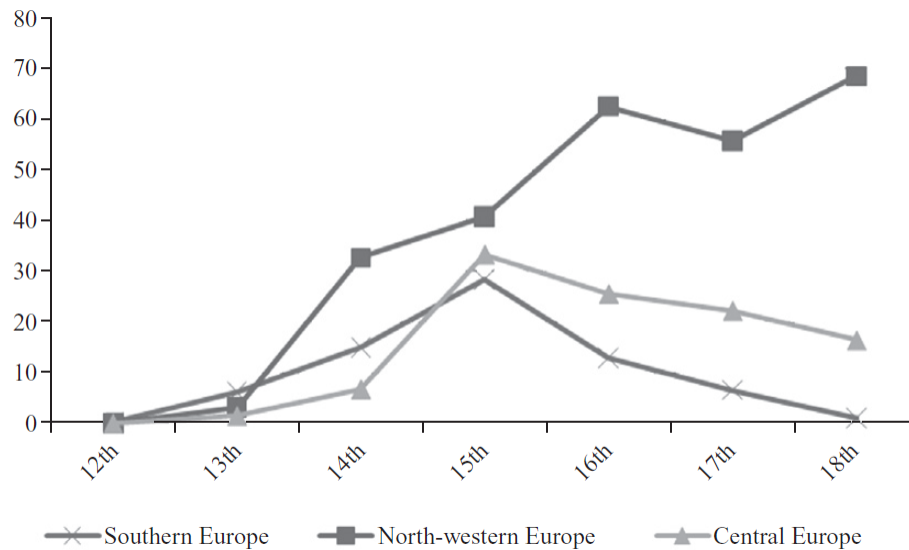


Figure 2: Activity index of parliaments in three parts of Europe, twelfth to eighteenth centuries (Van Zanden et al. 2012:843)

law provided a basis for the development of independent legal interpretation, leading to a rudimentary form of the rule of law.

Decentralized Military Systems

The states of feudal Europe featured decentralized military systems, where troops were raised and paid locally, rather than centrally. The landholdings of Europe’s nobility were originally not heritable, but were benefices conferred for service in war (Downing 1992:22, 30). These benefices were gradually converted into heritable property rights between the thirteenth and fifteenth centuries.

“If the central authority was weak, the nobles began at once to encroach; usurpations were in a few years translated into rights, and it was difficult, if not impossible, for the king to recover what had been lost” (Bromley 1971).

This process of renegotiation threw into question the duty of vassals to support the local lord with military service, and to extract such service from them, nobles were often required to provide their troops with a voice in popular assemblies (Downing

1992:24). Military finance was also local, and the historical record is replete with monarchs' frustration at the haphazard and short-lived levies that they were able to elicit (Myers 1975, Downing 1992:57). When mercenaries were used, their pay too was typically financed locally. There was also a shift in the proportion of the military burden borne by peasants, as against the nobility. Changing military technology began to favor massed infantry, and by 1500, infantry formations were decisive. This relegated the cavalry (armed knights, often from the nobility) to a supporting role, and as the role of infantry in battle increased, so too did their political influence.⁷

Peasant Property Rights

The demographic catastrophes of the fourteenth century turned labor into a scarce factor of production in Europe, increasing peasant bargaining power and resulting in the consolidation of custom into law (Myers 1975). This relative scarcity forced local lords to mollify their peasants in order to keep them from deserting to another fief. This often meant giving peasants property rights to their own land and the fruits thereof (Downing 1992:26). In addition, many peasants (and most towns) managed to escape the feudal system entirely, holding tracts either allodially or without conditions imposed by feudal authority (Downing 1992:25). Finally, the settlement of frontier or marginal regions often required nobles (or *locatores*) to attract peasants by promising them rights to their property, rights of mobility, and a voice in local assemblies (Downing 1992:29).

These institutional elements make up the institutional complex known as medieval constitutionalism. Of these institutional elements, the balance between crown and nobility appears to be the most important, particularly where it was expressed through representative institutions such as parliaments. However, there is a great deal of variation in the effectiveness and the frequency of these parliaments. While the parliaments of northwestern Europe steadily increased in importance throughout the seventeenth

⁷The towns of northern Italy and Flanders (as well as the Swiss cantons) led this transition.

and eighteenth centuries, those in southern and central Europe met less often (Figure 2). Scholars have tried to explain this divergence by appealing to differential responses to a series of shocks that struck Eurasia during the first half of the seventeenth century. It is argued that the cumulative effect of these shocks rendered the middle ground between constitutional and absolutist institutions unviable, forcing a choice between institutional forms.⁸

Systemic Shocks

European states in the mid-seventeenth century were subject to several profound systemic shocks, each of which stressed the capacity of the participant states.⁹ Three shocks in particular deserve mention: climate change, economic recession, and military innovation.

The most obviously exogenous of these shocks was a period of severe climate change, possibly triggered by increased volcanic activity, known as the Little Ice Age. A variety of dates have been proposed for the Little Ice Age, but most accounts agree that the most severe “climatic minimum” occurred in the mid-seventeenth century (Parker 2013). This period of dramatic cooling meant longer winters, crop failures, and increased circulation of infectious diseases, all of which led to a spike in death rates throughout the northern hemisphere, leading to an absolute decline in population (Devries 2005:160). The Little Ice Age is also correlated with crashing commodity prices, plague epidemics, and a “prolonged stagnation” in economic activity (Devries 2005). These economic stresses continued throughout the 1650-1789 period. The first half

⁸“In the early modern period an institutional divergence occurred within Europe...parliaments declined in central and southern Europe, but gained in importance in the British Isles, the northern Netherlands, and Sweden... The medieval ‘peaceful coexistence’ of sovereign and parliament disappeared, and there was a tendency for states to converge towards either the ‘despotic’ or the ‘parliamentary’ side of the spectrum” (Van Zanden et al. 2012:860).

⁹This period has often been referred to by historians of Europe as one of “crisis” (e.g. Hobsbawm 1954a, b, Trevor-Roper 1960, 1967, Mousnier et al. 1967), though the applicability of this term has been debated (see Dewald 2008 for a review).

of the seventeenth century saw the abrupt reversal of a centuries-long trend of rising prices, which did not begin rising again until 1750 (Devries 2005:156-158).

Existing political institutions had difficulty coping. The population of cities collapsed in a process known as ruralization (or refeudalization), and by 1650 this flight to the countryside often exceeded 40% of the urban population (Devries 2005:169-170). However, capital cities, fortified by tax revenue, seem to have been immune to this general trend, and grew in size and prosperity throughout the period. In addition, developments in shipbuilding technology and maritime exploration led by a handful of Atlantic port cities decisively shifted the balance of European commerce. Where European trade had once relied on overland routes and Mediterranean middlemen, the Atlantic cities pioneered direct access to Asia, generating outsized profits (Black 1990).

In addition to these economic and climate crises, the costs and frequency of interstate war also rose dramatically by 1650. Scholars have long noted a correlation between changes in the frequency and modality of warfare and changes to the political organization of European states (Bean 1973, Tilly 1975, McNeil 1982). The period from 1650-1789 is bracketed by dramatic changes in the nature of warfare, including rapid changes in military technology and a shift from “volunteer” to professional armies (Black 1999:204).¹⁰ Briefly, it is argued that military developments such as the introduction of massed infantry, standing armies, gunpowder and fortification technology necessitated an expansion of state capacity. The institutional innovation spurred by the need to finance increasingly-costly wars led to greater centralization and bureaucratization (Parker 1979).

Europe in 1650 was faced with profound challenges, but certain well-placed cities found themselves presented with new commercial opportunities. Capital cities, by

¹⁰Although some scholars have characterized these changes as a “military revolution” (Roberts 1975, Parker 1996) or as a “revolution in military affairs,” others have questioned both the applicability of the concept to the period in question (Duffy 1980, Black 1995, Childs 2001) and its usefulness more generally (Biddle 2004).

means of taxation, and Atlantic ports, by means of trade, were able to generate considerable surpluses. Such surpluses allowed the states that held them to cope with relatively more severe shocks without resorting to constitutional change. Some scholars contend that the scale of the profits that could be achieved “encouraged significant reform in political institutions,” by providing a strong incentive for the protection of property rights (Acemoglu et al. 2005:181).¹¹ In states where the medieval-constitutional complex of institutions prevailed, these gains (from taxation and trade) could not simply be deployed to entrench the position of an absolute ruler, and became the subject of intense political dispute. Concentration of trade and of tax revenue intensified demands for institutional reform, and that constitutional institutions gave some states an edge over others (Devries 2005:184).

Diverging Trajectories

The period from 1650 to 1700 was a critical juncture, during which the shocks of climate change, economic collapse and military revolution fell on a variety of institutional forms, in Europe and beyond. These shocks induced some degree of centralization in all the states that experienced them. However, in many of the states possessing the medieval-constitutional complex of institutions, those institutions palliated the impulse towards bureaucratization and absolutism (Downing 1992:36). We observe homologous shocks giving rise to heterogeneous behavior, indicating that it is some feature of the units themselves driving the outcome. For example, during the seventeenth century, parliaments were called less often in southern and central Europe, but more often in the Atlantic states (Van Zanden et al. 2012:859-860). In effect, we can situate the medieval-constitutional institutional complex as a multiplier, allowing for a higher level of (military and economic) output at a given level of bureaucratization. States possess-

¹¹See also the theory of polycentric sovereignty advanced by Salter and Young (2019).

Warfare, Resource Mobilization, and Political Change			
<i>Country</i>	<i>Level of Warfare</i>	<i>Domestic Mobilization</i>	<i>Political Outcome</i>
Brandenburg Prussia	High	High	Military-bureaucratic absolutism
France	High	High	Military-bureaucratic absolutism (collapses 1789)
Poland	High	Low (state paralysis)	Loss of sovereignty
England to 1648	Low	Low	Preservation of constitutionalism
England, 1688–1713	High	Medium (wealth, alliances, geography)	Preservation of constitutionalism
Sweden	High	Low (foreign resources)	Preservation of constitutionalism
Netherlands	High	Medium (wealth, alliances, geography)	Preservation of constitutionalism

Figure 3: Trajectories of European States (Downing 1992:242).

ing the institutional complex faced a different (and Pareto-superior) set of options than those which did not.

The upshot is that states exhibiting the complex of institutions scholars have called “medieval constitutionalism” were propelled by the shocks of the early seventeenth century onto a distinct trajectory, both economically (Acemoglu et al. 2005) and politically (Downing 1992). They called parliaments more often, established the rule of law more fully, and distributed political power more widely (Myers 1975, Ertman 1997). Moreover, cities with the outside profits possible through maritime commerce or through efficient taxation were propelled down this trajectory with particular force.

As scholars have argued, each of the components of medieval constitutionalism foreshadows aspects of modern democracy (Downing 1992:36).

Among the aspects of modern liberal democracy that obtained in late medieval Europe are citizenship rights, representative institutions, the rule of law, and a decentralized institutional basis for what could later become checks and balances on central authority...While this was by no means

democracy, there were nonetheless substantial amounts of representation and participation in government, across a wide range of social levels, from peasant to duke. Although participation was not equally distributed, this should not obscure the fact that there was a measure of popular participation in local, and in some places national, politics (Downing 1992:36-37).

I suggest that we are justified in viewing states with proto-constitutional institutions as more “democratic” than those that lacked them, *ceteris paribus*. This is not to say that such states were democracies by modern standards, but simply that they exhibit at least some degree of recognizable democratic institutions. There are two reasons why such a claim is justified. First, it is clear that Dahl’s institutional basis for polyarchy and the medieval-constitutional set of institutions overlap considerably. Second, the set of European states that possessed medieval-constitutional institutions was propelled down a trajectory that (we now know) ended with modern democracy, while states that lacked them ended up on a more bureaucratic and absolutist pathway. Focusing on medieval constitutionalism is justified both because medieval-constitutional institutions are somewhat “democratic” in their own right, and because these institutions are known to have provided the unique historical conditions for the actual emergence of modern representative democracy. The mechanisms behind this democratic transition are the subject of the next section.

Mechanisms

Although a traditional story situates modern democracy as the outcome of revolutions in the late eighteenth century, decentralized, responsive political structures are found in traditional societies all over the world. Such structures give ordinary people a voice in the collective action of their communities, and can be usefully characterized as democratic (e.g. Ostrom 1990, Stasavage 2020). We can imagine two extreme possibilities - a state with universal participation, and an absolute autocracy of a single ruler. His-

torical evidence for either of these arrangements is scarce, and actual regimes appear to span the continuum between these conceptual possibilities. The democracy - autocracy binary is imposed by the analyst for convenience on a chaotic and dynamic political world.

The process by which those who rule seek consent from those they govern has taken a variety of forms in human societies, but the need for such negotiation is constant, for reasons set out vividly by Thomas Hobbes.

...though there be found one man sometimes manifestly stronger in body, or of quicker mind than another; yet when all is reckoned together, the difference between man, and man, is not so considerable...For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others...And as to the faculties of the mind...I find yet a greater equality amongst men, than that of strength (Leviathan, xiii.1-2).

In a setting of intergroup competition, group survival depends on successful cooperative behavior, and cooperative behavior is fostered by consultation and consent (Wilson 1980). It is therefore no surprise that consultation and consent were common in traditional societies, indeed so common as to be “a naturally occurring condition” (Stasavage 2020). Robert Dahl argues that this type of emergent democracy occurs naturally in human societies under the following conditions:

In some times and places...three circumstances occur that favor beliefs in the democratic process. Certain persons constitute a fairly well-defined group or association. The group is, or its members believe it will become, relatively independent of control by outsiders. Finally, the members of the group perceive themselves as about equally qualified to govern, at least in a rough and ready sort of fashion (Dahl 1989:31).

Dahl calls the last of these requirements the Strong Principle of Equality, but he notes that it need not be, and historically has not been, applied very broadly. This is the type of “democracy” we are likely to find prior to 1789: a democracy that fails to embrace the whole demos.

...whenever members of a group or association come to believe that the Strong Principle pretty much applies *to themselves*, then the imperatives of logic and practical knowledge will strongly tend to lead them to the adoption of a more or less democratic process *among themselves*. We might describe the “democracy” that results as democratic with respect to its own demos, but not necessarily democratic with respect to all persons subject to the collective decisions of the demos (Dahl 1989:32-33).

It will of course be noted that many societies, contemporary and historical, fail to display these features. Scholars argue that technological innovation enables a bureaucratic-absolutist alternative to consent-based governance (Stasavage 2020). For example, early technologies like writing and agriculture may have destabilized what has been called a “democratic equilibrium” by allowing rulers to deploy the resulting surplus in order to govern without popular consent.¹² As we have already seen, technological change in the early seventeenth century imposed considerable stress on Europe’s constitutional institutions. In addition, the need to operate at scale in order to repel existential threats placed considerable stress on political institutions mediating consultation and consent, whose effectiveness often varied inversely with the size of the polity. However, the efficiency gains of consultation and consent remained, and groups that found a way to realize these gains while continuing to operate at scale had a survival advantage over those that did not. Political consent loomed larger as leads in technology were eroded by strategic competitors, even as steadily-increasing size made such consent elusive.

This is a dynamic story, where the need to compete with other states drives kings and emperors to convene parliaments, althings and estates-general, and even to bind themselves with commitments that, over time, elicit further citizen involvement and cooperation (North and Weingast 1989, see also Barzel 1997).¹³ We should therefore

¹²“...the advance of civilization often acted to undermine early democracy. It did so whenever new or improved technologies reduced the information advantage that members of society had over rulers. It did so further when agricultural improvements led to people living closer together in a more fixed manner so that they could be more easily monitored by bureaucrats. It did so finally when rulers acquired systems of writing that could help underpin a bureaucracy” (Stasavage 2020:97).

¹³“...dictatorial kings encountered difficulties in securing the cooperation of their subjects because they could not commit not to confiscate subjects’ gains. Where the gain from cooperation increased

not expect a state’s propensity towards consultation and consent to increase steadily over time, terminating in some kind of democratic “modern era.” The extent to which rulers need to elicit the free cooperation of at least some of the ruled is given by the strategic context, particularly the presence (or absence) of peer competitors, and by the availability of resources to compensate for the withdrawal of consent. Moreover, the size of the polity itself imposes limits on the type of representative assemblies that can be deployed to elicit consultation and consent, because large size made participation in assemblies more difficult, and monitoring representative(s) more costly (Stasavage 2010).¹⁴ Viewed this way, democracy is an endogenous development of political competition, both within states and among them (North and Weingast 1989:828).¹⁵

The seventeenth and eighteenth centuries in Eurasia exhibit these dynamics. By modern standards, no state in this period was a democracy, but all relied to some degree on consultation and consent. We can usefully discuss the extent to which particular states exhibited these democratic tendencies, but it will be important to specify the forms that consent and consultation took in these societies. A major theme is that even as intergroup competition required states to expand, mechanisms for eliciting consultation and consent remained fundamentally, stubbornly local (Ostrom 1989, 1990; Sabetti 2004).

Measurement

As we have seen, the V-Dem project has adapted Dahl’s seven institutions of polyarchy into a set of five indicators that collectively comprise V-Dem’s Electoral Democracy

and kings were more secure, they deliberately gave up some of their power to be able to commit themselves to keep their promises” (Barzel 1997:455).

¹⁴Intriguingly, technological change in the eighteenth century may have reduced both travel and monitoring costs, rendering “democratic” institutional arrangements more viable (Stasavage 2010:642).

¹⁵“the fundamental institutions of representative government—an explicit set of multiple veto points along with the primacy of the common law courts over economic affairs—are intimately related to the struggle for control over governmental power” (North and Weingast 1989:829)

Index. These are: freedom of association, suffrage, clean elections, elected executive, and freedom of expression and alternative sources of information (V-Dem Codebook:37). The institutions of medieval constitutionalism touch on all five of these indicators. To measure democracy in the 1650-1789 interval, we will need to establish a correspondence between particular indicators in the two sets of models. Correspondence will not be exact, but as argued above, the institutions of medieval constitutionalism trace the antecedents of modern democracy, so we should expect to find some connection between the values expressed in the medieval-constitutional institutions and the values given by Dahl's model.

Freedom of association is addressed by the medieval-constitutional institutions of town citizenship and peasant migration, as well as receiving some formal protection in charters. Suffrage is addressed by the institutions of participation in assemblies (by the nobility, peasants and soldiers, respectively). We should note that this representation was imperfect, sporadic and generally restricted to men. This is in keeping with the view that while medieval-constitutional understandings of suffrage are not exactly democratic by modern standards, they do sketch out the antecedents of principles that would be more fully adumbrated in the modern era.

Clean elections are somewhat addressed by the provisions for representative assemblies, participated in by nobles, soldiers and (in some cases) peasants. Such representative assemblies were only sometimes elective (Myers 1975), but always involved direct representation. Clean elections are also supported by the rule of law, particularly by the provision that the law applies to and is enforceable against the monarch.

Although some executives were elected (the Italian *Podestà*, for example, or many German princes), suffrage was often extremely minimal, restricted to formal "electors" who were typically already present in representative assemblies. As with other elements, it is important to recall that we are identifying democratic antecedents, and the mere presence of checks on the executive, even if imposed by nobles, differentiated

<i>High-Level Construct</i>	<i>Mid-Level Construct</i>	<i>Indicator</i>	<i>Tag</i>
Medieval Constitutionalism Index			dax_constitutionalism
	Rough balance between crown and nobility		dax_balance
		charter between nobility and monarch	da_charter
		representative assembly exists	da_assembly
		town citizenship exists	da_towncit
		law applies to monarch	da_ruleoflaw
	Decentralized military systems		dax_decentmil
		troops levied locally	da_locallevy
		wars financed locally	da_localfinance
		troops participate in assemblies	da_massemb
	Peasant property rights / landlord reciprocal rights		dax_property
		peasants own their land	da_pprop
		peasants can migrate legally	da_pmig
		peasants participate in assemblies	da_passemb

Figure 4: Democratic Antecedents Coding Criteria

such systems greatly from those that practiced hereditary transfer of power. Finally, freedom of expression finds its strongest support in the medieval-constitutional representative institutions, where the pronouncements of members were protected from royal prosecution (Myers 1975).

On the basis of these correspondences, we can identify constructs that support each of the three main institutions of medieval constitutionalism: a rough balance between crown and nobility, a decentralized military, and some degree of peasant property rights and corresponding obligations on landlords. These are the mid-level constructs in our analysis. Each of these is further decomposed into 3-4 observable indicators.

This exercise yields a set of ten indicator variables. Aggregating these indicators additively should provide a first approximation of a given state's level of constitutionalism, on a unit scale. For example, a country-year in which a state exhibits all ten of the indicator variables would result in a coding of 1, which would indicate a high degree of medieval constitutionalism. This conceptual scheme will become less applicable in the era of mass democracy, where a different (related) set of institutions begin to discharge many of the functions performed by constitutionalism.

As a robustness check, we might imagine how well a bureaucratic-absolutist regime would fare on these standards. We should expect that in such a system, the relation-

ship between crown and nobility would be imbalanced. In addition, highly bureaucratic states tend to have centralized militaries. Property rights are an intermediate case, and all we can say is that an absolutist state would subordinate the enumeration of rights to the maintenance of absolute rule. Taken together, it seems that a bureaucratic-absolutist state would do poorly on the constitutionalism index, which tracks our intuitions that such a state would be less “democratic” than one featuring at least some of the medieval-constitutional institutional complex.

Conclusion

This article has described a process for determining the democratic status of states prior to 1789, which is to say prior to the era of mass democracy. The conceptual continuity issues that beset democracy research on the twentieth century have already been dramatically compounded by extending our existing indices back to 1789, and extending them farther back in time would make these conceptual problems insuperable. A new approach was needed, true to the substance of the problem, one that would acknowledge that what we are measuring in the seventeenth century is not quite what we are measuring in the twenty-first century. This article supplies a new approach by noting the correspondence between contemporary democracy indices (based on the work of Robert Dahl) and the complex of institutions known by scholars as medieval constitutionalism. In addition to a degree of homologous correspondence in institutional form, the institutions of medieval constitutionalism appear to forward the same values that inspire Dahl’s institutions of polyarchy.

What we observe in the 1650-1789 period is democracy in embryo. We find a cluster of institutions that developed over the long medieval period, institutions that were, crucially, non-absolutist (Acemoglu et al. 2005), and that distributed political power fairly widely within their host societies. The catastrophes of the early seventeenth cen-

ture fell on all states alike, but those with constitutional institutions were not forced by these circumstances to abandon parliamentary and representative structures. Instead, they retained and deepened them, leading ultimately to what we would recognize as modern representative democracy. The intimate relationship between constitutional institutions and later democratization is an important indicator that these institutions are bound up with democracy, and required for its organic achievement.

References

- Acemoglu, Daron, Simon Johnson and James Robinson. 2005. "The Rise of Europe: Atlantic Trade, Institutional Change, and Economic Growth." *The American Economic Review* 95(3):546-579.
- Alexander, Larry. 2009. "Constitutionalism" in Christiano, Thomas and John Christman (eds.), *Contemporary Debates in Political Philosophy*. New York: Blackwell.
- Bachteler, Tobias. 1997. "Explaining the Democratic Peace: The Evidence from Ancient Greece Reviewed." *Journal of Peace Research*, 34(3):315-323.
- Barzel, Yoram . 1997. "Parliament as a Wealth-Maximizing Institution: The Right to the Residual and the Right to Vote." *International Review of Law and Economics*, 17:455-474.
- Biddle, Stephen. 2004. *Military Power: Explaining Victory and Defeat in Modern Battle*. Princeton University Press.
- Black, Jeremy. 1990. *Eighteenth Century Europe 1700–1789*. New York: St. Martin's Press.
- Black, Jeremy. 1994. *European Warfare: 1660-1815*. London: UCL Press.
- Black, Jeremy. 1995. "A Military Revolution? A 1660–1792 Perspective," pp. 95–115, in Clifford J. Rogers, ed., *The Military Revolution Debate: Readings on the Military Transformation of Early Modern Europe*. Boulder: Westview Press.
- Black, Jeremy. 1999. *Warfare in the Eighteenth Century*. London: Cassell Co.
- Boix, Carles, Michael Miller and Sebastian Rosato. 2012. "A Complete Dataset of Political Regimes, 1800-2007." *Comparative Political Studies*, 46(12):1523-1554.
- Bromley, J.S. (ed.). 1971. *The New Cambridge Modern History, Volume VI: The Rise of Great Britain and Russia 1688-1715/25*. Cambridge University Press.
- Burns, J.H. 1990. "The Idea of Absolutism," in *Absolutism in Seventeenth Century Europe (Problems in Focus)*. London: Macmillan Press.
- Capoccia, Giovanni and Daniel Ziblatt. 2010. "The Historical Turn in Democratization Studies: A New Research Agenda for Europe and Beyond." *Comparative Political Studies*, 43(8/9):931-968.
- Carsten, F.L. (ed.). 1961. *The New Cambridge Modern History, Volume V: The Ascendancy of France 1648-88*. Cambridge University Press.
- Carstens, R.W. 1992. *The Medieval Antecedents of Constitutionalism*. New York: Peter Lang.
- Collier, David and Robert Adcock. 1999. "Democracy and Dichotomies." *Annual*

- Review of Political Science* 2:537–565.
- Coppedge, Michael, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, Jan Teorell, David Altman, Michael Bernhard, Agnes Cornell, M. Steven Fish, Lisa Gastaldi, Haakon Gjerløw, Adam Glynn, Allen Hicken, Anna Lührmann, Seraphine F. Maerz, Kyle L. Marquardt, Kelly McMann, Valeriya Mechkova, Pamela Paxton, Daniel Pemstein, Johannes von Römer, Brigitte Seim, Rachel Sigman, Svend-Erik Skaaning, Jeffrey Staton, Aksel Sundtröm, Eitan Tzelgov, Luca Uberti, Yi-ting Wang, Tore Wig, and Daniel Ziblatt. 2021. "V-Dem Codebook v11.1" *Varieties of Democracy (V-Dem) Project*.
- Coppedge, Michael, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, Jan Teorell, Kyle L. Marquardt, Juraj Medzihorsky, Daniel Pemstein, Nazifa Alizada, Lisa Gastaldi, Garry Hindle, Josefina Pernes, Johannes von Römer, Eitan Tzelgov, Yi-ting Wang, and Steven Wilson. 2021. "V-Dem Methodology v11.1". *Varieties of Democracy (V-Dem) Project*.
- Coppedge, Michael, John Gerring, Carl Henrik Knutsen, Staffan I. Lindberg, Jan Teorell, Kyle L. Marquardt, Juraj Medzihorsky, Daniel Pemstein, Nazifa Alizada, Lisa Gastaldi, Garry Hindle, Josefina Pernes, Johannes von Römer, Eitan Tzelgov, Yi-ting Wang, and Steven Wilson. 2021. "Structure of V-Dem Indices, Components, and Indicators". *Varieties of Democracy (V-Dem) Project*.
- Croxtan, Derek. 2013. *Westphalia: The Last Christian Peace*. London: Palgrave Macmillan.
- Cuttica, Cesare and Glenn Burgess (eds). 2015. *Monarchism and Absolutism in Early Modern Europe*. London: Routledge.
- Dahl, Robert. 1989. *Democracy and its Critics*. New Haven: Yale University Press.
- DeVries, Jan. 2009. "The Economic Crisis of the Seventeenth Century after Fifty Years." *Journal of Interdisciplinary History*, 60(2):151-194.
- Dewald, Jonathan. 2008. "Crisis, Chronology and the Shape of European Social History." *The American Historical Review*, 113(4):1031-1052.
- Doorenspleet, Renske. 2000. "Reassessing the Three Waves of Democratization." *World Politics* 52(3):384-406.
- Downing, Brian. 1992. *The Military Revolution and Political Change: Origins of Democracy and Autocracy in Early Modern Europe*. Princeton University Press.
- Duffy, Michael. 1980. *The Military Revolution and the State, 1500–1800*. Exeter: University of Exeter Press.
- Elkins, Zachary, Tom Ginsburg and James Melton. 2009. *The Endurance of National Constitutions*. Cambridge University Press.

- Ertman, Thomas. 1997. *Birth of the Leviathan: Building States and Regimes in Early Modern Europe*. Cambridge University Press.
- Ferejohn, John. 2008. "Warlike Democracies." *Journal of Conflict Resolution*, 52(1):3-38.
- Fukuyama, Francis. 2010. "Democracy's Past and Future: Transitions to the Rule of Law." *Journal of Democracy*, 21(3):33-44.
- Fukuyama, Francis. 2011. *The Origins of Political Order: From Prehuman Times to the French Revolution*. New York: Farrar, Straus and Giroux.
- Goldsmith, Jack. 2016. *Revolution and Rebellion in the Early Modern World*. New York: Routledge.
- Harding, Richard. 1999. *Seapower and Naval Warfare: 1650-1830*. London: UCL Press.
- Hobsbawm, E. J. 1954. "The Crisis of the 17th Century—II." *Past Present*, 6:44-65.
- Hobsbawm, E. J. 1954. "The General Crisis of the European Economy in the 17th Century." *Past Present*, 5:33-53.
- Inglehart, Ronald and Christian Welzel. 2005. *Modernization, Cultural Change and Democracy: The Human Development Sequence*. Cambridge University Press.
- Knutsen, Carl Henrik, Jan Teorell, Tore Wig, Agnes Cornell, John Gerring, Haakon Gjerløw, Svend-Erik Skaaning, Daniel Ziblatt, Kyle L Marquardt, Daniel Pemstein, and Brigitte Seim. 2019. "Introducing the Historical Varieties of Democracy dataset: Political institutions in the long 19th century." *Journal of Peace Research*, 56(3):440-451.
- Knutsen, Carl Henrik, Jørgen Møller and Svend-Erik Skaaning. 2016. "Going historical: measuring democraticness before the age of mass democracy." *International Political Science Review* 37(5):679-689.
- Knutsen, Carl Henrik. 2010. "Measuring Effective Democracy." *International Political Science Review*, 31(2):109-128.
- Lambert, Andrew. 2000. *War at Sea in the Age of Sail*. London: Cassell Co.
- Lang, Anthony F. and Antje Wiener. 2017. "A constitutionalizing global order: an introduction," in Lang, Anthony F. and Antje Wiener (eds.), *The Handbook of Global Constitutionalism*, London: Elgar.
- Lindsay, J.O. (ed.). 1966. *The New Cambridge Modern History, Volume VII: The Old Regime 1713-63*. Cambridge University Press.
- Manin, Bernard. 1997. *The Principles of Representative Government*. Cambridge University Press.

- Mazucca, Sebastian. 2010. "Macrofoundations of Regime Change: Democracy, State Formation and Capitalist Development." *Comparative Politics* 43(1):1-19.
- Mazucca, Sebastian. 2021. *Latecomer State Formation*. New Haven: Yale University Press.
- Miller, John. 1990. "Introduction," in Miller, John (ed.) *Absolutism in Seventeenth Century Europe (Problems in Focus)*. London: Macmillan Press.
- Møller, Jørgen and Svend-Erik Skaaning. 2012. *Democracy and Democratization in Comparative Perspective: Conceptions, Conjunctures, Causes, and Consequences*. London: Routledge.
- Møller, Jørgen. 2015. "The Medieval Roots of Democracy." *Journal of Democracy*, 26(3):110-123.
- Moore, Barrington. 1966. *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World*. Boston: Beacon Press.
- Mousnier, Roland, J. H. Elliott, Lawrence Stone, H. R. Trevor-Roper, E. H. Kossmann, E. J. Hobsbawm and J. H. Hexter. 1960. "Discussion of H. R. Trevor-Roper: "The General Crisis of the Seventeenth Century."" *Past Present*, 18:8-42.
- Munck, Gerardo L. 2016. "What is democracy? A reconceptualization of the quality of democracy." *Democratization*, 23(1):1-26.
- Myers, A.R. 1975. *Parliaments and Estates in Europe to 1789*. London: Thames and Hudson.
- North, Douglass C. and Barry R. Weingast. 1989. "Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in Seventeenth-Century England." *The Journal of Economic History*, 49(4):803-832.
- Onnekink, David. 2009. *War and Religion after Westphalia, 1648-1713*. Burlington, VT: Ashgate.
- Ostrom, Elinor. 1989. "Microconstitutional change in multiconstitutional political systems." *Rationality and Society*, I (July): 11-50.
- Ostrom, Elinor. 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. New York: Cambridge University Press.
- Parker, Geoffrey and Lesley M. Smith. 1978. *The General Crisis of the Seventeenth Century*. New York: Routledge.
- Parker, Geoffrey. 1984. *The Thirty Years' War*. London: Routledge.
- Parker, Geoffrey. 2013. *Global Crisis: War, Climate Change and Catastrophe in the Seventeenth Century*. New Haven: Yale University Press.

- Paxton, Pamela. 2000. "Women's Suffrage in the Measurement of Democracy." *Studies in Comparative International Development*, 35(3):92-111.
- Posada-Carbó, Eduardo (ed.). 1996. *Elections Before Democracy: The History of Elections in Europe and Latin America*. London: Palgrave Macmillan.
- Przeworski, Adam, Michael Alvarez, Jose Antonio Cheibub, and Fernando Limongi. 2000. "Democracies and Dictatorships." in *Democracy and Development*, Przeworski, Alvarez, Cheibub and Limongi, eds. Cambridge: Cambridge University Press.
- Rabb, Theodore K. 1975. *The Struggle for Stability in Early Modern Europe*. New York: Oxford University Press.
- Ramsay, Kristopher W. 2008. "Settling It on the Field: Battlefield Events and War Termination." *Journal of Conflict Resolution* 52(6):850-879.
- Robinson, Eric. 2001. "Reading and Misreading the Ancient Evidence for Democratic Peace." *Journal of Peace Research*, 38(5):593-608.
- Rogers, Clifford (ed.). 1995. *The Military Revolution Debate: Readings on the Transformation of Early Modern Europe*.
- Rose, Richard and Chul Shin. 2001. "Democratization Backwards: The Problem of Third-Wave Democracies". *British Journal of Political Science*, 31(2):331-354.
- Russett, Bruce. 2006. "Thucydides, Ancient Greece, and the Democratic Peace." *Journal of Military Ethics*, 5(4):254-269.
- Sabetti, Filippo. 2004. "Local Roots of Constitutionalism." *Perspectives on Political Science*, 33(2):70-78.
- Salter, Alexander W. and Andrew T. Young. 2019. "Polycentric Sovereignty: The Medieval Constitution, Governance Quality, and the Wealth of Nations." *Social Science Quarterly*, 100(4):1241-1252.
- Schwartzwald, Jack L. 2017. *The Rise of the Nation-State in Europe: Absolutism, Enlightenment and Revolution, 1603:1815*. Jefferson, NC: McFarland Co.
- Scott, H.M. 1990. "Introduction" in Scott, H.M. (ed.) *Enlightened Absolutism: Reform and Reformers in Later Eighteenth-Century Europe (Problems in Focus)*. London: Macmillan.
- Sobek, David. 2003. "Regime Type, Preferences and War in Renaissance Italy." *Journal of Conflict Resolution*, 47(2):204-225.
- Spruyt, Hendrik. 2011. "War, Trade and State Formation," in Goodin, Robert E. (ed.), *The Oxford Handbook of Political Science*. Oxford University Press.
- Stasavage, David. 2010. "When Distance Mattered: Geographic Scale and the Development of European Representative Assemblies." *American Political Science*

- Review*, 104(4):625-643.
- Stasavage, David. 2020. *The Decline and Rise of Democracy: a global history from antiquity to today*. Princeton, NJ: Princeton University Press.
- Tierney, Brian. 1982. *Religion, law and the growth of constitutional thought: 1150-1650*. Cambridge University Press.
- Trevor-Roper, Hugh R. 1959. "The General Crisis of the 17th Century." *Past Present*, 16:31-64.
- Trevor-Roper, Hugh R. 1967. *The Crisis of the Seventeenth Century: Religion, the Reformation and Social Change*. Indianapolis: Liberty Fund, Inc.
- Turchetti, Mario. 2008. "'Despotism' and 'Tyranny': Unmasking a Tenacious Confusion." *European Journal of Political Theory*, 7(2):159-182.
- Van Zanden, Jan Luiten, Eltjo Buringh and Maarten Bosker. 2012. "The rise and decline of European parliaments, 1188-1789." *The Economic History Review*, 65(3):835-861.
- Waldron, Jeremy. 2009. "Constitutionalism: A Skeptical View" in Christiano, Thomas and John Christman (eds.), *Contemporary Debates in Political Philosophy*. New York: Blackwell.
- Wilson, Edward O. 1980. *Sociobiology: The Abridged Edition*. Cambridge, MA: Belknap.
- Wedgwood, C.V. 1938. *The Thirty Years' War*. New York: The New York Review of Books.

Appendix A: List of States for Coding

NAVBATTLE¹⁶ records ships associated with the following states, 1650-1789:

- Algiers
- Britain
- Egypt
- France
- Netherlands
- Ottoman Empire
- Russia
- Spain
- Sweden
- USA
- Venice

In addition, the following states had navies during the 1650-1789 period:

- Denmark-Norway
- Poland
- Portugal
- Prussia
- Tunis

¹⁶Biddle et al. forthcoming.

Appendix B: Coding Notes

17

Algiers

Ottoman colony; quasi-autonomous after 1659. Ruled by a monarch (*Dey*), selected for life by the army (1659-1710); subsequently by an assembly of nobles (*diwan*) 1711-1789). Assembly (*diwan*) governs domestic affairs. Reformed dramatically 1710-1718, becomes quasi-representative. Peasants are tenant farmers, land is owned by rich urbanites. Elective monarchy from 1710.

Britain

England until 1707 Act of Union with Scotland, Britain thereafter. “Petition of Right” (charter between crown and nobility) 1628 (see also Magna Carta 1215). Civil war 1642-1651, commonwealth 1649-1653, protectorate under Cromwell (the “interregnum”) 1653-1658, second commonwealth 1658-1660. Restoration of the monarchy 1660, “Glorious Revolution” inviting Dutch monarch William of Orange (William II) in 1688. Bill of Rights enacted 1689. Act of Settlement (monarch must be Protestant) 1701. “Septennial Act” (limiting duration of Parliaments) 1716. Constitutional institutions were well established in England by 1600. Monarch and parliament existed in a mutually-dependent relationship set out in customary and contractual arrangements. The military was not the tool of the crown, but rather was raised and paid locally in the form of decentralized militias (*fyrds*) deployed regionally and officered by local gentry. Some central military did exist (mostly mercenaries), paid for by knights’ traditional payments to escape military duty (*scutage*). Because the Normans had established a relatively strong central state, towns did not develop the same degree of independence in England as elsewhere in Europe, but they did manage to obtain charters setting out local control (especially over courts and juries) and limiting royal interference (Downing 1992:160). Peasants enjoyed legal protection of property rights, including inheritances. In the Elizabethan period (1588-1609), monarch and gentry allied against the higher nobility and (especially) the Catholic church. The one-time conversion of church lands into ready cash helped finance limited wars prior to 1688 without requiring heavy domestic taxation, and spared the

¹⁷The V-Dem project records honoraria of between €1,250 and €2,000 for each country coded (Knutsen et al. 2019:442). The present coding scheme, along with yearly data for sixteen countries over a period of 140 years (as set out by the NAVBATTLE dataset (Biddle et al. forthcoming)) was developed with only a fraction of these resources. As a result, it was impossible to code indicators with the level of detail provided by V-Dem. Although this project has identified indicators supporting various mid-level constructs (as does V-Dem), in practice resource constraints required measurement to take place at the mid-level and higher. The project output is a dataset of the high-level construct (constitutionalism). V-Dem’s standards were also followed for country-year coding (some degree of *de facto* independence).

monarchy the need of creating a military bureaucracy. The use of privateers allowed England to forestall conflict with more powerful land armies, further reducing the need for military reform. Throughout this period, the monarch was bound by the laws, though able to bend them in cases where this would not cause a public outcry. The first sustained push against the balance between crown and nobility came during the civil war (1642-1651), and it came from the parliamentary side. During the course of the civil war, Parliament was forced to resort to many of the expedients that they had decried the monarch for using, violating the Petition of Right. During Cromwell's Protectorate (1653-1658), much local autonomy was retained, and the Protectorate Parliament (1653-1660) was a (limited) elective, representative assembly. The upper house of Parliament (the "House of Lords") was abolished in 1648, and restored in 1660. England was lucky to be spared costly wars during this period of revolution and its aftermath, fighting briefly with Tangier (1664), and with the Dutch twice (1665-1667; 1672-1674). Parliament forced the monarch to abandon the second of these wars, and then drove out the king entirely in 1688, inviting the more pliant William of Orange to take over. The last Stuart kings (James II, Charles II) had attempted to build an absolutist state without the threat of war, and Parliament reacted aggressively to this infringement of its privileges, imposing oversight committees and working to select the monarch (Downing 1992:178). After 1688, England was often at war with France, first in the Nine Years' War (1688-1697) and then in the War of the Spanish Succession (1701-1713). However, the costs of these wars were defrayed through cooperation with allies, modest commitments of troops, and most importantly, stronger domestic resource mobilization. The ability to finance wars using the Bank of England (founded 1694) gave England (and the Netherlands) an unprecedented ability to draw on future revenues to fund present military action (the "fiscal-military" state). Exploitation of the Atlantic colonies inaugurated an economic boom in England between 1650 and 1700, and this wealth, coupled with convenient situation on an island, enabled England to participate in the continent's wars without the need to overhaul a sometimes inefficient balance of constitutional power between monarch and nobility.¹⁸ The emergence of the party system in parliament abetted this process, as parliament became more organized, more national in orientation, and more inclined to serve as its own executive. War of Jenkins' Ear (1739-1748), War of Austrian Succession (1740-1748), Seven Years' War (1756-1763).

Denmark-Norway

Kingdom of Denmark-Norway (1524-1814). The High Council (*Rigsraad*) of Denmark was abolished in 1660, as power became increasingly concentrated in the monarch.

¹⁸ "Effective guarantees to bankers meant convoking the estates. In a largely static agrarian economy, estates will find financing a modern army exorbitant and intolerable (leading to the decisions of the Great Elector and Richelieu to rule without the estates), whereas estates in a dynamic, commercial economy will find the same level of military finance less onerous, perhaps markedly so" (Downing 1992:181).

The so-called King's Law (*Kongeloven*; *leges regiae*) passed in 1665 set out an absolutist conception of the monarch's role, providing that the king cannot be bound by commitments and that only the king may legislate. Feudal customs and statutes restricted peasants to the land of their birth, and property ownership was held at the sufferance of the local nobility. The accession of a mentally ill monarch in 1766 (Christian VII) posed problems for Danish royal absolutism, but this arrangement persisted until 1849. By 1755, agitation was beginning for peasant rights, and the enclosures that began in 1759 accentuated these demands. The Great Agricultural Commission of 1784 recommended many reforms to peasant status, some of which were implemented by 1789.

Egypt

The autonomy of Egypt from the Ottoman Empire is disputed by scholars. What is clear is that from the time of Ottoman conquest in 1516, the native Mamluks resisted foreign rule. The province *eyalet* of Egypt was under Ottoman rule from 1517 to 1867, with an interruption during the French occupation (1798-1801). The closest to genuine independence that Egypt came during this period was the revolt of Ali Bey al-Kabir (1768-1773), which seems to have been the only time that Egypt was substantially independent from the Sublime Porte.

France

Kingdom of France (987-1792). Louis XIV (r. 1643-1715) dismantled constitutional institutions in order to finance wars and territorial expansion. France had many regional parliaments in 1650, but regionalism prevented the national estates from being an effective supporter of constitutionalism. The decline of constitutionalism can be traced to the military exigencies of the Thirty Years' War (1618-1648), though representative institutions survived (mostly regional parliaments) until 1789. Towns elected their own officials (*Prud'hommes*), and autonomous village government and peasant rights were well established by 1600. Despite the foundations of a central judicial system, which were laid during the Thirty Years' War, judicial principles were typically derived from local custom, with only minor influence from centralized or Roman law. Commonners were allowed to sit on juries, and judicial institutions (*parlements*) achieved practical independence by 1650 despite their central founding. The need for *parlements* to register royal decrees locally to make them effective was a major institutional check on the monarchy. All this, however, began to erode during the 1630s, with the introduction of royal *intendants* to rationalize administration and replace local officials. These were followed by royal *commissaires* who took over police functions. The defeat of Sweden at Nordlingen in 1634 left France vulnerable, and led to rapid military mobilization and a massive increase in taxation. Military expenditures increased by two-thirds in just the following year, and continued to increase thereafter. Because most constitutional institutions were inclined to resist

these exactions, the monarchy used the *intendants* to simply bypass these intransigent institutions, and by circumventing freedoms, exemptions and privileges extended in an era where national survival had not seemed quite so threatened. By 1650, the corps of *intendants* was using the military to collect forced loans, and took over the tax administration of many core provinces (*pays d'élections*). *intendants* also arrogated to themselves many of the judicial duties heretofore exercised by the *parlements*, and they even began to influence ostensibly independent municipal elections. The *parlements*, estates and provincial nobility bridled under these reforms, eventually rebelling in 1647, in an event known as the Fronde. This revolt was crushed by 1653, "clearing the way for further state expansion" (Downing 1992:125). Many elected officials were reduced to ceremonial figures by 1660, and the regional estates and judiciaries lost influence rapidly. *intendants* began to supervise conscription, enrolling troops in a genuinely national army, far from their villages. The upshot of all of this is a massive expansion of absolutism between 1643 and (say) 1665. However, constitutional institutions were mostly circumvented or hobbled, not destroyed. The network of *intendants*, which was hierarchical and bureaucratic, reached only as far as reasons of state required, and *parlements* still had jurisdiction over genuinely local disputes throughout the period. After Colbert's appointment in 1661, France became involved in many new wars: the War of Devolution (1667-1668), the Dutch War (1672-1679), the War of the League of Augsburg (1689-1697) and the War of Spanish Succession (1701-1714). All of these required even greater military expenditures, secured through further penetration of *intendants* into French provincial society. Conscription into the national army was a heavy burden throughout the period. Colbert himself directed the expansion of administrative control over the economy, building economic structures (ports, naval installations, shipyards, foundries) to support the military, and *intendants* were charged with mobilizing labor on a national scale. These developments, coupled with the consequent growth of a middle class of traders and skilled officials, entrenched the independence of the aristocracy and promoted a unity of interest between middle class and monarchy that would not be shaken until the mid-eighteenth century. The fiscal crisis following the Seven Years' War (1756-1763) shook this relationship, and encouraged further regionalism and economic entrepreneurialism by aristocrats. *parlements* began to voice their opposition to additional taxation, and autonomous peasant organizations began to form and to agitate for change. Scholars argue that the French monarchs were too preoccupied with their many wars to ever fully bring the aristocracy under their control (because traditional institutions were necessary to the prosecution of those wars; see Downing 1992:133).

The Netherlands

Dutch Republic (The United Provinces of the Netherlands) 1588-1795.

The Dutch Republic was a confederation of seven provinces represented in the States General (*Staten-Generaal*), which met in Den Haag. The provinces themselves were

ruled by a semi-permeable merchants' oligarchy. The many towns provided an economic base that far outstripped other European states of the period. For example, the seven Dutch provinces in the mid-sixteenth century provided more income to Spain than all its new world colonies. In addition, the region's intractable geography made it difficult to coerce militarily, as the Spanish learned to their cost during the Eighty Years' War (1568-1648), through which the Dutch finally gained their independence. The territory of the Dutch Republic expanded by about 20% after the Peace of Westphalia (1648), and these so-called "Generality Lands" territory was ruled directly by the States General. Although a tradition of strong peasant property rights had existed for centuries, there was no comparable representation of the peasantry in the States General or in the parliaments (*States*) of the individual provinces. The aristocracy was highly cohesive, and monopolized provincial governorships (statholderates), but courts were controlled by royal appointees. A charter existed between the monarch and the upper nobility. Many towns also possessed charters of independence, and were governed by elected boards (*vroedschap*) of *burgomasters*, advised by a *pensionary*. Like the *States*, town councils were highly oligarchic. Spain's attempt to rationalize administration and increase taxation in the Netherlands precipitated the Eighty Years' War, and made the Dutch wary of administrative centralization. Wars with England (1652-1654, 1665-1667, 1672-1674) and with France (1689-1697, 1701-1713) built state capacity, though the Dutch Republic was able to deploy the profits of its fabulously lucrative Baltic trade to obviate the heavy burden of taxation, sparing the country what might have been a constitutional crisis (Downing 1992:225 et seq.). In addition, the ability to issue public debt meant that the Dutch could finance their wars without the corruption and inefficiency inherent in the tax-farming and pillaging practices common in the period. The province of Holland provided more than half of the state's revenue, and used this preeminence to assert supremacy over the other provinces. Tight alignment of interests among elites across provinces, particularly over measures that would enable them to continue increasing their wealth, produced sufficient political consensus to enable the Dutch Republic to fight many wars in the late seventeenth and early eighteenth century. Military units were provided by the separate provinces, allowing Holland to dominate the army but precluding control by the statholderate. The oligarchy inherent in the Dutch Republic's political arrangements allowed it to prosecute these wars with vigor, but compromised the constitutional character of its institutions. The powers of the *statholder* were greatly expanded in 1747 with the enactment of the *regeringsreglementen*, which allowed him to overturn local elections. In the 1780s, democratic representation finally penetrated local and provincial government (the so-called *patriottentijd*), but these democrats were defeated by an invading Prussian army in 1787.

The Ottoman Empire

The economic and military revolutions of the early seventeenth century forced the Ottoman Empire to begin several important transformations. After 1656, power shifted from the king (*sultan*) to his Grand Viziers, drawn from the Köprülü family. Viziers were responsible for convening an advisory council (the *diwan*), which reported its opinion to the sultan. Over time, these Köprülü viziers were able to establish an independent power base. However, defeat at the Battle of Vienna (1683) led to a reassertion of power by the sultan. The subsequent War of the Holy League, or Great Turkish War (1683-1699) marked the end of the Ottoman Empire as a great power in Europe, and the Treaty of Karlowitz (1699) confirmed this dramatic shift in the balance of power. Profound defeat led to a revision of many imperial practices, including military reforms (a shift from cavalry (*sipahi*) to infantry formations (*Janissaries*)), and a renewed emphasis on fortifying the revenue base. This was accomplished mainly through tax farming (*iltizām*), which was shifted from an annual contract to a lifetime monopoly (it is estimated that four fifths of the revenues so collected were lost to corruption, but this was still an improvement on the prior practice of direct collection (*emānet*)). Discontent with the defeat at Karlowitz and the onerous system of tax farming (by 1695) led to a mutiny in the Janissary Corps (the Edirne incident), mediated by the magistrates of local religious courts (*kadis*). The revolt led to the deposition of the sultan, and his replacement by a sultan chosen by the Janissaries and ratified by the *kadis*. During this period, important power centers began to emerge among the nobility (*kapi*), who began to imitate the sultan's lavish lifestyle and enormous household. In addition, the Ottoman bureaucracy began to expand rapidly in the seventeenth century, and attained a degree of independence (symbolized by its departure from the sultan's household). The Ottoman standing army (*apukulu*) was greatly expanded, at the expense of the provincial army (which had been recruited locally), to the point that the standing army occupied more than half of the imperial budget. By 1730 (with the accession of Mahmud I), the system of *malikāne* had become firmly established, and began to permit those outside the warrior-elite class to participate in politics by buying shares. This development has been called a co-optation of local elites by the central government, at the expense of local interests. The political system became further decentralized after 1730, and provincial figures began to take on much more influence (empowered by their involvement in *malikāne*). The wealth of Egypt led to budget surpluses throughout this period. Several wars with Russia in the late eighteenth century would provide the spur to further reforms conducted after 1789.

Poland

Polish-Lithuanian Commonwealth (1569-1795). The Polish gentry (*szlachta*) were very powerful and cohesive, and via the Pact of Koszyce (1374) achieved a charter with the monarch, who was to be elected thereafter (with breaks). The died (*Seym*)

had to approve new taxes, but it was large and unwieldy. In addition, a device known as the *Liberum veto* allowed a single delegate to veto not only the motion being considered, but the entire session's proceedings. Apart from the *Seym*, ad hoc regional assemblies called *rokosz* were often called among troops being called up. The village *solti*, or headman, administered justice independently, and in some towns aldermen governed, though town citizenship seems to have been rare. Poland seems to have been unable to build a modern army with its existing institutions, but to have been saved from disaster by virtue of its position of the international system. The *szlachta* often cooperated with invaders to obtain sectional advantages or frustrate political change at home, and national interests were not prominent on the agenda of the *Seym*. In addition, Poland lacked "a political economy of centripetal interest," and had "no parallel community of interest" to demand reforms in protection of their profits (Downing 1992:146). The *slachta* refused to raise a modern infantry, both for reasons of prestige and expense. When infantry conscription was established after losses in the Northern War (1655-1660), the *szlachta* undermined it by refusing to allocate enough funds for equipment. By 1700, Poland was surviving on foreign subsidies, and even the career of its famous king Jan Sobieski was subsidized and abetted by states anxious to maintain their own position in central Europe. But the Great Northern War (1700-1721) resulted in substantial losses of territory. Drives for reform in the following decades were frustrated by *szlachta* "cliques" which prevented state and military reforms (Downing 1992:152). The three partitions of Poland, beginning in 1772, were the natural result.

Portugal

Kingdom of Portugal (1139-1580; 1640-1910). During the Iberian Union (1580-1640), Portugal was part of the Kingdom of Spain. Although Portugal obtained *de facto* independence in 1640, Spain did not recognize it until the end of the Restoration War in 1668. This rebellion against Spanish rule was instigated by the nobility and prosecuted by a royal council embracing the upper nobility, though there was no explicit compact between them. A more representative parliament (*cortes*) met during the Restoration War due to the monarch's need for funds, but was not summoned thereafter. Peasant rights throughout this period seems to have been sparse, possibly because emigration to the colonies lessened the pressure for reform. The monarchs of the late seventeenth century pursued absolute rule, though several powerful noblemen such as the Marquis of Pombal were able to wield significant power through the office of Prime Minister. Pombal's reforms (late 1750s) streamlined the state's administrative apparatus and increased tax revenue, but at the cost of further centralization. The pursuit of absolute rule was facilitated in the early eighteenth century by a tax on the large imports of Brazilian gold. Pombal was able to rule as a near-dictator because the monarch (José I) took little interest in government. The catastrophic Lisbon earthquake (1755) spurred further centralization, and a failed assassination attempt in 1758 gave Pombal a pretext to arrest over a thousand nobles

and confiscate significant Jesuit property, further centralizing power. These extreme measures were largely reversed by José's successor Maria I (1777-1816), though further reform would not come until the nineteenth century.

Prussia

Brandenburg, Pomerania and East Prussia (1650-1701); Kingdom of Prussia (1701-1789). In 1650, the following institutions existed: local and regional parliaments (*landtag*), regional executives *kriesdirektoren*, charters setting out the legal status of peasants *Handfeste*, free peasants with land title (*Kölmer*), village courts (*Landding*) with property owners represented on juries, town militias raised and financed locally. During the Northern War (1655-1660), the Elector's Council (*Kriegsrat*) began to levy taxes and raise troops centrally. See the privileges granted in the Recess of 1653. By 1660, a standing army is established, levied and paid centrally. Involvement in the Franco-Dutch war (1672-1678) led to the establishment of the powerful *Generalkriegskommissariat*, which began as a military bureaucracy able to levy its own taxes, and gradually began to collect taxes and administer towns. In 1733, the *Kantonsystem* was introduced to restrict peasant migration. Seven Years' War (1756-1763): state takes over more of the economy, especially overseas commerce, and monopolizes more of the functions of local government. Frederick the Great dies in 1786; power passes from the monarch to the military bureaucracy.

Russia

Tsardom of Muscovy (1547-1721); Russian Empire (1721-1917). By the time of the promulgation of the Legal Code of 1649, centralized bureaucratic rule prevailed in Russia. Elite factions led by nobles (*boyars*) vied for supremacy, but real power lay with the state bureaucracy. A national parliament (*zemsky sobor*) lost influence to the Romanov dynasty, and last met in the 1680s, though its real loss of power dates to 1654. Nobles were gradually co-opted into a service nobility (*dvoryanstvo*), and serfdom was enforced by royal law. After the accession of Peter the Great in 1696, the monarchy gained tighter control of the boyars, and eliminated many old political allegiances with a re-division of administrative districts in 1708. Peter also co-opted the hitherto-independent Orthodox Church, effectively making it an arm of the state. The election of local and district officials was permitted after 1719. After Peter's death in 1725, his daughter Catherine I empowered the Supreme Privy Council, which held power during the minority of Peter's grandson. The Supreme Privy Council offered the throne to Anna Ivanovna in 1730, and was subsequently dissolved by her. Catherine the Great's *nakaz*, or instruction, issued in 1767, established some basic political rights but on the basis of an absolutist ideology.

Spain

Kingdom of Spain until 1810. Spain lacked many of the features of constitutionalism, particularly within the core province of Castile. Scholars argue that the relative centralization in Castile was a legacy of the war against the Moors (Downing 1992:227). These wars also led to a significant expansion of crown lands in the south, ruled directly by the monarch and providing a revenue base for a dependent service nobility. The Castilian parliament (*Cortes*) had no independent power of legislation, and met at the monarch's bidding to approve new taxes, which the monarch's power of patronage rendered a mere formality. The New World colonies provided additional crown revenue, further reducing the need for constitutional compromise. However, Spain remained highly regionalized, and the royal bureaucracy struggled to bring recalcitrant regions like Catalonia under its administrative control. The Catalan Revolt (1640-1652) shows the limits of the royal patronage model, and Portugal's successful war for independence (1640-1668) suggests that Spain's attempts to (inefficiently) mobilize resources from its provinces to fight its many wars produced centripetal forces that ultimately overwhelmed the central state. After 1650, Castile was ruled centrally, but the regions were permitted a fair degree of autonomy, possessing charters (*fueros*) with the monarch and parliaments of their own. However, beginning in 1707, Philip V issued the *nueva planta* decrees centralizing rule in Madrid. These decrees banned the regional parliaments and abrogated existing charters. Centralized rule continued until the death of Charles III in 1788.

Sweden

Home to a strong tradition of village government and peasant rights, freeholds accounted for over 50% of the land distribution by 1523 (Downing 1992:188). Decisionmaking was institutionalized in representative assemblies (*landsting*), which combined legislative and judicial functions and were presided over by a popularly elected magistrate (*lagman*). The village musters (*hundreds*) were the main source of troops, and the village meeting (*moot*) was by this time a popularly elected standing body at the local level. Monarchs had to grapple with this highly differentiated institutional landscape. By contrast, commerce and the middle class were underdeveloped, and the lower tier of the aristocracy (minor nobility) exchanged military service (*Rusttjänst*) for the types of privileges and immunities enjoyed by aristocrats elsewhere. The upper tier of wealthy landowners (*högadel*) had a charter with the monarch (the Land Law (*landlag*) of 1350), which they twice invoked to depose monarchs (1439, 1600). They had a council (*rad*) which had to approve taxes, wars and other matters of national interest. Finally, the national parliament (*riksdag*) developed into an extremely democratic body featuring peasant representation alongside nobles and clerics. The monarchy was at times elective. The monarch tried to use regional officers (*stathallare*) to supervise local activities, but their linkages with the nobility were stronger than their loyalty to the bureaucracy, restricting the state's

reach. In the absence of a wealthy middle class, the only reliable mechanism by which the crown could aggrandize power at the expense of the aristocracy was by drawing on the lower classes, giving the monarchy an interesting populist edge and explaining the rise of the *riksdag*. However, troops were raised centrally, and a proto-national army was successful against less-organized neighbors in the late sixteenth century. Sweden's successes during the Thirty Years' War was financed by sympathetic allies and by the ability of armies in Germany to live on the produce of the conquered provinces. These self-supporting conditions did not last, and the monarch's council (*krigsratt*) was created to rationalize war production and taxation. However, *riksdag* influence over the *krigsratt* was considerable, and the army so raised seems to have been a genuinely national army. During the rule of Charles XI (1672-1687) and especially Charles XII (1697-1718), Sweden saw a contraction of *riksdag* involvement and a general expansion of the royal bureaucracy. A system of military supply (the *indelningsverk*) reestablished feudal arrangements of troop levying, shifting the cost from the state to localities. The monarch began to influence local administration, but never to a total or absolute extent. Sweden's defeat in the Great Northern War (1700-1721) discredited this absolutist style of rule, and the *riksdag* selected Charles XII's (foreign) successor on the condition that she and her successors accept constitutional monarchy. After thirty years of parliamentary supremacy, King Gustav III began a series of attacks on the *riksdag* that culminated in an institutional coup d'etat in 1772. Gustav went on to rule as despot for fourteen years, eventually recalling the *riksdag* in 1786.

Tunis

Ottoman colony from 1574; revolution 1675-1705; ruled by a Bey (monarch) from 1705. Before this, the council of nobles (*diwan*) and the Ottoman Sultan's representative had exercised considerable power, but a succession struggle resulted by 1705 in the domination of the Bey. The Muradid dynasty of Beys (1613-1702) attempted to detach Tunis from Ottoman control. This required them to confront the power of the Turkish Janissary soldiers, who had their own *diwan*, or council. The Janissaries expelled the Muradid dynasty in 1702, and declared one of their own members Bey in 1705, inaugurating the Husainid dynasty. The Janissaries dominated the profits from trade, forestalling the development of a local merchant class. Peasants appear to have had no representation, and to have been shaken down twice a year in militarized tax raids (*mahalla*) by the central government. A civil war over succession (ending 1756) resulted in further monarchical consolidation. The profitable nature of Mediterranean piracy in this period encouraged the formation of a (largely Corsican) fleet of corsairs with a home base in Tunis. This group appears to have had highly differentiated authority structures and some representative practices, but these did not influence or find uptake by the monarchy, which remained absolutist until the establishment of a French protectorate in the nineteenth century.

The United States of America

Colony of Britain until 1776. Charter (constitution) adopted 1787-1789.

Representative assemblies predate 1776. During the 1776-1789 period: town citizenship exists; no monarch, but law applies to executive; troops levied locally, wars financed locally; peasants own land, can migrate legally, participate in assemblies.

Venice

Republic of Venice (697-1747). Although Venice was among the first European states to manifest constitutional institutions, its parliament (*concio*) never met again after 1423, when a decree was passed consolidating power in certain core aristocratic families (*serrata del maggior consiglio*). The elected monarch (*doge*) ruled in tandem with the great council (*maggior consiglio*), which was composed of 480 members, taken from patrician families. A probouleutic executive body (the Council of Ten) established the political agenda, and by the late fifteenth century this body had absorbed many of the functions of the *doge* and the *maggior consiglio*. A senate (*pregadi*) of 120 members, drawn from the upper nobility, had the power to originate legislation. Troops were recruited locally, but paid centrally. In 1528, the term of the *doge* was reduced from life to two years, and supervision by the Council of Ten increased. By 1650, Venice was in decline. A combination of the *serrata* and a gradual abandonment of military careers by the aristocracy led to a decline in military effectiveness and a collapse in the individual initiative required to support commerce. In addition, many of the proto-democratic elements in the constitution were abandoned in favor of institutions that supported an elite pact, at the expense of non-elites. A Supreme Tribunal was created to supervise state security, and this anti-autocratic body did indeed prevent Venice from falling under the rule of a single *signore*, though it foreclosed the possibility of broader participation in executive power. Constant wars with the Ottoman Empire, combined with a collapse in the eastern spice trade, led to fiscal and administrative problems in the late seventeenth century. The final war with the Ottomans (the seventh; 1714-1718) saw Venice lose most of her remaining possessions in the Mediterranean. In the late eighteenth century, the aristocracy began to admit new members, such as the last *doge* (elected 1789), but these reforms came too late, and Venice was occupied by France and Austria.