

Review Article: In Riker's Footsteps

*Iain McLean**

I.

William H. Riker (1920-93) was a 'once-in-a-century man'¹. His work was cited in leading social science journals 243 times in 2005 and the first seven months of 2006.² His work has already been evaluated twice in this *Journal*³. In the first review, Albert Weale pointed out that Riker's '[c]onstancy of method is matched by variability of political interpretation'.⁴ He began as a friend of federalism and of a strong two-party system. In the 1970s and 1980s he apparently lost interest in federalism. In *Liberalism against Populism* (1982; the target of all three books under review here⁵), he argued forcefully that democracy did not and could not mean the will of the people, but should mean the opportunity to throw the rascals out, even if it means replacing them by another set of rascals. The paradoxes of social choice ruled out any more inclusive conception of democracy.

By the end of his life, Riker had returned to federalism, and retreated from some of the more extreme claims he had made about the nature of democracy. His method was not entirely constant, either – by the end of his life it was less mechanical and more

* Nuffield College, Oxford. Thanks to Gerry Mackie, Anthony McGann and Norman Schofield for numerous discussions of their work, jointly and severally, at assorted conference watering holes and seminars. We do not agree about Riker; but we probably agree about James K. Polk and Abraham Lincoln.

interpretative than, for instance, in his *Positive Political Theory*, a textbook written with Peter Ordeshook in 1973.⁶

Robin Farquharson introduced his *Theory of Voting* with the following advice from the mathematician C. A. Coulson:

The use of applied mathematics in its relation to a physical problem involves three steps:

- i) a dive from the world of reality into the world of mathematics;
- ii) a swim in the world of mathematics;
- iii) a climb from the world of mathematics back into the world of reality, carrying the prediction in our teeth.⁷

‘The third step is indispensable’, Farquharson added drily. Riker took all three.

Unlike most political scientists in the 1950s, he was always fascinated by the possibility of exact, mathematical reasoning about politics. His most eminent forebear was Duncan Black, who might have remained an unknown economics professor in North Wales but for Riker’s promotion of his work. He has had so many descendants that some who feel threatened by him started an insurgent movement called ‘Perestroika’ in the American Political Science Association. However, the Perestroikans’ criticisms are properly directed against those who dive and swim, but fail to climb back with predictions in their teeth.

Riker’s ‘size principle’, contained in his still frequently cited *Theory of Political Coalitions*⁸, predicted that governing coalitions will contain just the minimum number of parties to form a legislative majority, so that the spoils of office will be distributed among as few parties as possible. The size principle apparently sits

awkwardly with Riker's other work on federalism, history, and heresthetics⁹. The one resolutely ignores ideology; the other revels in it. Riker used the chaos theorems of Norman Schofield and others to conclude that politics was in chronic disequilibrium, from which any policy outcome might follow. Herestheticians were the few people who could turn this chaos and disequilibrium to advantage by imposing a new structure on politics. The supreme heresthetician of American politics was Abraham Lincoln. The victory of Lincoln, with less than 40% of the popular vote, in the Presidential election of 1860 was important and improbable. So was the very existence of the United States, due to the highly improbable ratification of the Constitution by twelve of the thirteen original states – all bar Rhode Island. These were big events surrounded by big ideologies: federalism, democracy; human rights; states' rights; territorial expansion; slavery.

However, both the size principle and Riker's late work on heresthetics were about building, destroying, and rebuilding governing coalitions. He is interested in ideology not so much for its importance as for its capacity to generate paradoxical and improbable political coalitions. Not so much *Is slavery morally wrong?* as *How did the compromise between slavers and anti-slavers come into existence in 1787, and why did it last until 1860?* His detached quizzical approach seriously annoys Gerry Mackie.

II

Three important books have recently been published in the long shadow of Riker Norman Schofield declares himself a friend; Gerry Mackie an enemy; Anthony McGann, a nodding acquaintance. However, Riker's legacy gives shape to all three.

Schofield has mellowed. The firebrand expatriate British mathematician, of distinctly Old Labour views, whose discussion with then-Minister Norman Tebbit at the European Public Choice Society in Oxford in 1981 will be long remembered, now writes

In Britain in 1979, the electorate chose Thatcher, and this led directly to a restructuring of the economy: inefficient public industries were privatized and the labor market was made much more free. This strategy did have extreme costs for some, particularly in coal mining and shipbuilding, but it did make Britain's economy more efficient.¹⁰

For some years, he has had a Rikerian interest in taking the theorems of social choice, including his own, into mainstream comparative government and using them to illuminate extraordinary events. In the series of papers that culminate in *Architects of Political Change* he takes them into British and American history. He thereby makes himself part of what might be called the heresthetic turn in political history.

In the 1970s, Schofield and Richard McKelvey proved the 'chaos theorems' that may be read as a generalisation of Arrow's impossibility theorem of 1951. Arrow proved that no system of aggregating from individuals' preferences to a social ordering could simultaneously satisfy five minimal conditions of fairness and rationality. In particular, any system that satisfies the conditions of **Universal domain**, the weak **Pareto principle**, **Independence of irrelevant alternatives**, and **non-Dictatorship** fails the condition of transitivity¹¹. That is, such a system may report, for some $\{a, b, c\}$, the social ordering $a > b > c > a$, where the symbol $>$ is to be read as "ranks socially

ahead of”. This possibility is known as ‘cycling’ or the ‘Condorcet effect’ after its discoverer the Marquis de Condorcet (1743-94).

It was already known, from Duncan Black’s median voter theorem¹², that if opinion is single-peaked, no cycling arises. If there is but a single dimension of political controversy (and no strategic voting), single-peakedness holds, and therefore any ordering rule that satisfies **U**, **P**, **I**, and **D** will give a transitive ordering. When there are two or more dimensions, however, cycling is always possible. When Black discovered in the late 1940s that the median voter theorem does not hold in more than one issue dimension, ‘my stomach revolted in something akin to physical sickness’.¹³

Schofield and McKelvey showed that, if all individual rank orderings are equally likely, then the probability of cycling increases rapidly with the number of options and the number of voters. And there is no theoretical bound to where a cycle may go. In multidimensional space with a large number of heterogeneous voters, there is likely to be a global cycle – that is, for *any* $\{x, y\}$, there is a sequence of majority votes such that $x > \dots > y > \dots > x$. Global cycling means global chaos.¹⁴

This inspired Riker’s late work and all three of these responses to it. The first reaction was *Why so much stability?*¹⁵ Political outcomes do not cycle all over the place. In some polities, most notably the US Congress, we observe a stable pattern of distributional and ideological politics that is very rarely upset. Keith Poole and Howard Rosenthal analysed every rollcall in every Congress since the First (1789) using their NOMINATE family of spatial voting analysis packages. They argue that

on only ‘two occasions – both before the Civil War – stable voting patterns break down entirely, and “chaos” results’.¹⁶ The two chaotic occasions are:

- the ‘Era of Good Feelings’ in the 1820s, associated with the collapse of the Federalist Party of Alexander Hamilton and John Adams and the triumph of the Democratic-Republicans of Thomas Jefferson and Andrew Jackson;
- and the 1850s, when an alignment based on slavery overtook the earlier economic interest-based alignments in the years leading up to the Civil War, splitting the party of Jefferson and Jackson into its northern and southern wings.

Another response to chaos was to argue that, although US Congressional politics did indeed seem to be single-peaked, this was the result of a *structure-induced equilibrium*¹⁷. The House and the Senate have various procedural rules that suppress cycles. One is to assign bills to single-subject committees, so that opinion is structured in a way that is single-peaked on one subject at a time. Each house then has ‘closed rules’ which state that a committee’s report must either be accepted or rejected but cannot be amended. Finally, the house needs to impose a budget constraint, or else there will be too much public spending. These three sets of procedural rules induce equilibrium in the roll-call votes analysed by Poole and Rosenthal – but it is structure-induced equilibrium.

Riker was interested in herestheticians – those few politicians who can manipulate the inherent instability of multidimensional politics to produce a surprising outcome. His stories involve turning-points in American political history. Some involve well-known politicians such as James Madison and Abraham Lincoln; others, now-forgotten figures such as Gouverneur Morris (who is, however, enjoying a minor revival¹⁸);

David Wilmot, and Chauncey DePew. All relate to the great cross-cutting issue in American politics – race.

In *Architects*, Schofield first defines a constitutional quandary as ‘a situation of great uncertainty in the electorate’ (p. 16) – uncertainty about fundamental constitutional or existential matters. Can our state survive? Is it time to break away and form a new state – or to prevent other people from doing so? Those who can frame such decisions are the *architects of political change* of Schofield’s title – a superset of Riker’s herestheticians. Brooding over them all, in the cover picture, is Abraham Lincoln. Schofield discusses the founding of the United States, from the Quebec Act 1774 to the victory of Thomas Jefferson in the election of 1800. He also considers Lincoln and the origins of the Civil War; Lyndon B. Johnson and the critical alignment of 1964; and J. M. Keynes and the ‘Atlantic Constitution’: i.e., ‘the set of political, economic, and social beliefs common to ... the polities on the Atlantic littoral’.¹⁹

According to the Declaration of Independence, George III had

giv[en] his assent to their [the UK Parliament’s] acts of pretended legislation for ... abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government and enlarging it’s boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these [United] states.²⁰

The Quebec Act (14 Geo. III, c. 83) extended the territory of ‘Quebec’ (modern Quebec and southern Ontario, as won by the British from France after Wolfe’s fatal victory at the Heights of Abraham in 1759). The new boundary ran through Niagara

Falls, round the western edge of Pennsylvania, and down the Ohio River valley to its confluence with the Mississippi, where the enlarged 'Quebec' met the Hudson's Bay Territory, another British possession. The 'arbitrary government' was the restoration of French civil law and recognition of Roman Catholicism in this enlarged 'Quebec'.

The Quebec Act is surprising. Why should the British put extra territory under the laws, customs, and religion of the nation they had just defeated? According to Schofield, it was a device to keep the Anglophone colonists of the thirteen mutinous colonies in their place – a place limited by the Appalachians and the Ohio River to the west, and Spanish and French territory to the south. With the Ohio in British hands and New Orleans in French or Spanish, land west of the Appalachians would be of little value to the colonists (because their trade could not freely move up or downriver, and there were no roads). Land west of the Ohio, in which George Washington and Benjamin Franklin had freely traded, would be entirely worthless to them.

Although Schofield does not make the connection, the Quebec Act bears the stamp of Adam Smith, whom his friends described as 'very zealous in American Affairs' at this time. A confidant of several British government ministers, Smith thought that the colonists were free-riding on defence of their western frontier against the French and the Native Americans, provided for them at no cost by the British army. He may have suggested the Quebec Act to one of these confidants, Lord Shelburne. It is consistent with his startling advice to another, Alexander Wedderburn: Britain should 'restore Canada to France and the two Floridas to Spain; we should render our colonies the

natural enemies of those two monarchies and consequently the natural allies of Great Britain'.²¹

The Quebec Act threatened all the colonists' hopes of expansion. But how did they dare challenge the world's leading military power? Was not the Declaration of Independence a hopelessly risky venture? Not if the colonists were promised external support. The only possible supporter was France. Schofield therefore believes that Benjamin Franklin received a secret signal *before* July 4 1776 that the French would come to America's aid, as they first did by shipping arms to the West Indies in charge of P.-A de Beaumarchais, the author of *Figaro* and French government spy, in the fall of that year.²²

Perhaps; but the evidence is thin. Schofield can be accused of backwards reasoning: "The odds against American success in a war were so overwhelming that no rational person would have taken them on; the delegates to the Continental Congress were rational; therefore they must have received a secret signal of French help". The signal is inferred from Congress's behaviour.²³ A more economical hypothesis is that Franklin and a few other delegates were like Winston Churchill in 1940: they believed in the chances of winning against all the objective evidence. That may have sufficed to induce the belief cascade that Schofield plausibly sees as a tipping mechanism leading to 4 July.

Another controversial claim comes in the next chapter. Previous work has investigated whether Condorcet's work was known in America, and whether it played any role in the design of the Constitution.²⁴ Schofield seizes on a phrase of James

Madison's in *Federalist* No. 10. Arguing that an 'extended republic' is the best place in which to try out representative government, Madison says:

If the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option, and consequently a greater probability of a fit choice.²⁵

Madison sounds Condorcetian. So does his co-author Alexander Hamilton, extolling the Electoral College in *Federalist* No. 68: 'This process of election affords a moral certainty that the office of President will seldom fall to the lot of any man who is not in an eminent degree endowed with the requisite qualifications'.²⁶ For Condorcet, the task of constitution-writers was to design institutions that would maximise the probability of coming to the correct decision. Did either Madison or Hamilton get the idea from him? Schofield thinks that Madison did. Madison probably saw Condorcet's voting theory only after writing the *Federalist*; and he disapproved of Condorcet's unicameralism²⁷. However, although much of *Federalist* 10 is in Madison's earlier 'Vices of the Political System of the United States', written in spring 1787 as an aide-memoire to the Virginia delegation at the Constitutional Convention, the section on 'the probability of a fit choice' is not. 'Vices' ends with the 'desideratum' of 'such a process of elections as will most certainly extract from the mass of the Society the purest and noblest characters which it contains'.²⁸ Schofield supposes that, in between the two versions of his argument, Madison may have learnt about Condorcet's probabilism from Franklin, who would have heard about it in Paris between 1776 and 1785. Armed with probabilistic reasoning, he was able to show that the proportion of fit characters in the legislature would be higher in a large country than in a small one. Maybe so; but, again, maybe not. The fact that

similar arguments appear in Hamilton, who later violently disagreed with Madison and Jefferson, suggest that probabilism was simply in the air.

Unlike Riker, Schofield does not think Abraham Lincoln forced Stephen Douglas into an impossible choice in their famous Debates of 1858. Nor does he believe in the cycle which Riker thought he had detected in the four-candidate election of 1860. But that election was in two dimensions – and it is in two dimensions that herestheticians come out to play. Schofield's Lincoln was a heresthetician, because of the belief cascade that he triggered, beginning when he won the Republican nomination in 1860. Actually, there were at least two belief cascades. One in the North, to the effect that Lincoln was more moderate than other potential Republican nominees, and therefore capable of winning the election. The other in the South, where he was viewed as an implacable opponent of slavery, so that secession suddenly seemed attractive. As a result, the new alignment that even Poole and Rosenthal find in their Congressional data for the 1850s²⁹ was set in stone, and blood. After Lincoln, Republicans hid the diversity of their coalition by 'waving the bloody flag' to remind all their supporters about the Civil War. When the Southern rebels regained the franchise in 1876, the Democratic Party became the strange coalition of southern racists and agrarians from the rest of the country that endured until Lyndon Johnson and Richard Nixon.

Schofield next reports a profound trivium. Take the notable Presidential elections of 1896, 1960, and 2000. Knowing which party carried a state in 1896 does not predict its choice in 1960; nor does that knowledge for 1960 predict its choice in 2000.

However, *If you predict that a Republican state in 1896 would be Democratic in 2000, and vice-versa, you get all but 6 states correct.*³⁰ For this reversal to be

possible, US national politics must have been truly two-dimensional all the time. The dimensions were economic and social. He defines economic ‘liberalism’ in the confusing American sense to mean support for transfers and redistribution, and economic conservatism as the opposite. Social liberalism means support for civil rights, and the galaxy of other rights (gender rights, abortion rights...) that have joined civil rights since the 1960s. Social conservatism is the converse. Now we can see how states that supported (opposed) the bible-bashing Kansas Populist Democrat, William Jennings Bryan, in 1896³¹, are states that supported (opposed) Republican George W. Bush in 2000. The Riker-Schofield account of American national politics is more parsimonious than the Poole-Rosenthal account. It explains everything they explain (Congressional one-dimensionality being the result of structure-induced equilibrium) plus some things that they do not explain, such as this inversion from 1896 to 2000.

Chapters 7 and 8 of Schofield’s book involve a giddy tour d’horizon of 20th-century mathematics and physics. J. M. Keynes believed that, whereas commodity markets operate under risk, asset markets operate under uncertainty. Under risk, an agent can calculate the odds of each of the possible outcomes and act (‘hedge’) so as to minimise risks. Under uncertainty, the set of possible outcomes is unknowable, because it depends on the interaction of all rational agents in the world in an N -person game, where N is the adult population of the world. Schofield traces Keynes’ thought from his *Treatise on Probability* (1921), where he makes this distinction, to the *General Theory* (1936), with its famous remark that the stock market was a sort of meta-beauty contest in which everyone tries to guess what everyone else thinks (everyone else thinks ...) makes the most beautiful woman in the world. Finally,

Keynes was involved in the creation of the ‘Bretton Woods institutions’ in 1944 – the World Bank, the International Monetary Fund and what has more recently become the World Trade Organisation. In Schofield’s view, these organisations have failed to move the global economy from a world of uncertainty to a world of risk. If social scientists can be divided into prophets of equilibrium (neoclassical economists; Downsian political scientists; Poole and Rosenthal) and prophets of chaos (Arrow; Riker; Keynes), then Schofield is for chaos.

III

Mackie’s provocative book has already been widely reviewed³². It jointly won the American Political Science Association’s Gladys M. Kammerer Award in 2004 (‘for the best political science publication in the previous calendar year in the field of U.S. national policy’). In part, this was because it brought comfort and joy to the Perestroikans:

Imagine that students in the humanities were told that a new book showed that Newton and Leibniz had made colossal and never-corrected errors in formulating the calculus. The book’s author would be an instant hero if only because a large part of this audience suffers from math anxiety and would like nothing more than to be told that some of the basic assumptions of calculus could not withstand a bit of pressure. Some of Mackie’s audience will take to his arguments with comparable enthusiasm....³³

But a book should be neither damned nor praised by association. What matters is not who likes Mackie’s book but whether his arguments work. Some of them do; some, I think, do not. I deal with only two of Mackie’s arguments: the reasonability of

Arrow's Independence of Irrelevant Alternatives axiom and the status of Riker's 'canonical' stories.

In *Liberalism against Populism*, there are 'liberal' and 'populist' democratic theorists. Populists say: *Find out the will of the people, and follow it*. The classic populist was Rousseau, but he has many modern followers. What Riker means by liberalism is less clear. I think that he has in mind Schumpeter's remark: 'democracy does not mean and cannot mean that the people actually rule in any obvious sense of "people" and "rule". Democracy means only that the people have the opportunity of accepting or refusing the men who are to rule them'.³⁴ Populism, says Riker, is incoherent. Arrow's theorem proves that the 'will of the people' doesn't exist. Therefore, by elimination, only a Schumpeterian theory of democracy is viable.

Riker's argument commits the fallacy of the excluded middle. The failure of Rousseau's argument does not of itself validate Schumpeter's. There are other conceptions of democracy than Schumpeter's that do not fall foul of Arrow. Mackie's attack does not take this easy line, however. He takes aim squarely at two of the conditions of Arrow: unrestricted domain and independences of irrelevant alternatives (**U** and **I** in the notation introduced earlier). Condition **U** is unnecessarily restrictive because if there are no cycles the median voter theorem ensures that majority rule is well-behaved. This argument occupies chapters 5 and 9-15 of Mackie's long book. Condition **I** is normatively unjustified and has been frequently (including by Arrow himself) confused with a different condition, namely expansion- and contraction-consistency. This argument occupies chapter 6 of Mackie's book and I deal with it first.

Riker claims that Condition **I** ‘seems a fundamental requirement of consistency and fairness to prevent the rigging of elections and the unequal treatment of voters’.³⁵ Mackie insists that it is nothing of the sort. Many of the stories that are made up to justify Riker’s claim depend on confusing Condition **I** with a consistency condition known as IIA (RM) in the literature.³⁶ IIA (RM) insists that, for all $\{i, j, k\}$, if an alternative i wins in the set $\{i, j, k\}$, it must still win if the set is contracted to $\{i, j\}$. Also, if i beats j in the set $\{i, j\}$, it must still rank ahead of j if the choice set is expanded to $\{i, j, k\}$. Riker shows that a popular choice rule, the Borda count, violates IIA(RM). The Borda count is used in the Eurovision Song Contest and in US sporting halls of fame. Each voter ranks each option, giving from $n - 1$ points to the best out of the n options down to 0 to the worst. Adding up the scores gives a winner. If we can ignore the Borda count’s violation of IIA (RM), then maybe we avoid Arrow’s impasse.³⁷

However, that is too easy. The Borda count, characterised differently, *does* violate Condition **I**, and Condition **I** is a reasonable one to impose. When the Borda and Condorcet rules lead to different results Mackie, like other scholars such as Michael Dummett and Donald Saari, seems to prefer the Borda rule on the ground that it takes intensity of preference into account³⁸. But this is dangerous. It violates the economist’s rule that you can’t strictly measure interpersonal comparisons of utility. from what people say or do. You have to use a cumbersome workaround such as ‘von Neumann-Morgenstern (VNM) cardinalisation’. I say I like spaghetti sauce with garlic 100 times more than spaghetti sauce without garlic. My wife says she prefers spaghetti sauce without garlic 1000 times more than spaghetti sauce with garlic. No

voting mechanism which gave her 1001 votes to my 101 would be stable, or free from manipulation. The Borda rule is a bad surrogate for true revelation of intensity of preference. Even if one can measure intensity of preference via VNM means, Borda still does not measure it. And furthermore, precisely because it is the most open and straightforward of all voting rules, it is the most manipulable.

Mackie discusses the manipulability results of social choice in four places³⁹, but he does not bring out their full force because they are damaging for his attack on Condition **I**. The manipulability results apply to all *determinate* social choice rules (i.e., not to lotteries or similar ways of making a choice). In 1975, Mark Satterthwaite asked what was required to make a determinate choice rule non-manipulable. The answer turns out to be that it must respect transitivity and Arrow's Conditions **U**, **P**, and **I**. But then, by direct application of Arrow, it must violate Condition **D** – must, in other words, be dictatorial⁴⁰. Condorcet rules satisfy **U**, **P**, **I** and **D** but violate transitivity. Therefore they are manipulable by herestheticians. Borda rules satisfy transitivity, **U**, **P**, and **D** but violate **I**. Therefore anybody can manipulate them. Ask the Greek and Turkish jurors in the Eurovision Song Contest. They do not have to be herestheticians to see how to do one another down. Therefore, Condition **I** really is a basic condition of fairness and non-manipulability.

In his two books about heresthetic, Riker produced a dozen stories about cycling in American politics, and Mackie sets out with gusto to demolish most of them.⁴¹ Like other critics,⁴² I find this the most impressive part of the book. His demolitions mostly succeed; and yet there are some rugged foundations sticking out among the rubble. None of Riker's stories, as reinterpreted from the primary sources by Mackie, reveals

an actual voting cycle: yet the main run of them reveals disequilibrium, confirming Riker's original intuition. That main run is all about the second dimension in American politics.

It begins in the Constitutional Convention of 1787, in a story that Mackie does not discuss. On slavery, the delegates were divided three ways. The Deep South (Georgia and the Carolinas) wanted to continue importing slaves. Virginian planters had enough slaves already. They did not want to get rid of those they had, but importing more would reduce their value. Northern states were against slaves. How then did the Constitution, as reported out from the Convention, contain an article allowing slave imports to continue until 1808 and one requiring fugitive slaves to be returned to the state from which they had escaped – a position preferred by only three of the 12 states at the Convention?⁴³ Because of an explicit log-roll, attested by the assiduous James Madison, and by the South Carolina delegates when speaking in their own ratification assembly. In return for New England support for these two clauses, the Deep South offered support for a navigation act to protect the commercial interests of New England. Both were carried. Heresthetics, or what?⁴⁴

Two of Riker's stories, a century apart, concern amendments that forced the second dimension under the noses of Congress. They are the Wilmot Proviso (1846-7) and the Powell Amendment (1956-7). In 1846, President Polk (southern Democrat) proposed to bribe the Mexican army to make peace with the USA and hand over northern Mexico at the same time. David Wilmot (D-PA) proposed the addition:

Provided that, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of

any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted⁴⁵.

The Wilmot Proviso would have destroyed the Missouri Compromise, whereby slave and free states were admitted to the Union in pairs, so that the Senate remained balanced between them and no anti-slavery constitutional amendment could be carried there.

In 1956 President Eisenhower (Republican) proposed a bill for federal aid to schools to the Democratic-controlled Congress. The most prominent of the (only) three African-American House members at the time, Adam Clayton Powell (D-NY), proposed an amendment to the appropriation bill to restrict the federal aid to unsegregated schools. In both the Wilmot and the Powell cases, the House voted to add the amendment to the bill; and the amended bill then failed. In both cases, there was strategic voting, wrongly characterised by Riker and (I believe) correctly by Mackie. In both cases, politics was seriously two-dimensional. That is what gave herestheticians their purchase for strategic voting.

Mackie demonstrates that the election of 1860 did not feature the cycle among three of the four candidates that Riker says it did. But under most electoral systems (including the Borda count that Mackie likes), not Abraham Lincoln but Stephen Douglas, who was the Condorcet winner, would have become President in 1860.⁴⁶ How then did Lincoln win?

The superficial answer is that the Electoral College worked as well as it could have done for him, and as badly as it could have done for Douglas. But the Electoral College was a known institution with known effects. Rikerian historiography explains how and why two more candidates entered in spite of these effects. The Constitutional Union Party, whose Presidential candidate was John Bell, was created, according to Mackie⁴⁷, in the expectation that the Republicans would nominate the 'extreme' anti-slavery William Seward rather than the 'moderate' Lincoln. Bell was the first candidate in the field. Bell and Douglas would then slug it out for the median voter, leaving the extreme Republicans and splintered Southern Democrats on the fringe. If Bell could not win, he could at least expect to deny anybody a majority of Electors and hence throw the election into the House of Representatives. (This was a reasonable hope, at least until the Southern Democrats put forward a fourth candidate.)

The Democrats had earlier changed the rules of their nominating convention, at southern insistence, so that the nominee must win 2/3 of the votes. In 1860 that was impossible, and the delegates from the Deep South left the convention to nominate the sitting Vice-President, John Breckinridge. Breckinridge, according to Riker (Mackie agrees), was a Condorcet loser. In pairwise comparisons he would have lost to each of the other three candidates. So why did he stand?

An easy (and possibly true) explanation is that some politicians in the nascent Confederacy had come to the end of the road: already anticipating secession, they wanted to make a gesture and, if that gesture led to the hated Lincoln becoming President, so much the better. But, on the latest calculations, Breckinridge's

intervention interacted with the constitutional rules for selecting a President in a dramatic and unpredictable way. If no candidate for President won an *absolute* majority of the votes in the Electoral College, then the top three candidates would go to the second stage, in which the House of Representatives would vote, with each state having one vote; again, an absolute majority of states is required. Lincoln was bound to be one of the top three; and the Poole-Rosenthal NOMINATE program makes it possible to locate each member of the 36th House (and each Senator, to whom the choice would go if the House was deadlocked) on slavery, and assign his vote to the nearest candidate. The results are truly chaotic. In the House, either Douglas would have won, or the House would have been deadlocked. Bell would have won almost no states with sincere voting, but might have been elected President with strategic voting. The single Representative from Oregon might well have been in a position to elect the President of the USA. The Senate fall-back makes prediction even tougher⁴⁸.

IV

Thus, to exaggerate only a little, the US Constitution caused the Civil War. Would a different constitution, perhaps one with fewer veto groups and more proportional representation, have held the country together? Anthony McGann, like Mackie, disputes Riker's claim that cycling makes strong claims to democracy meaningless. His own strong claim is that 'Political equality logically implies ... proportional representation at the electoral stage, and simple majority rule without checks and balances at the ... parliamentary stage.'⁴⁹ Furthermore, deliberation cannot be expected to lead to consensus.

This is bold indeed. ‘Seat allocation rules are used to choose representatives, who subsequently make social decisions.’⁵⁰ This may seem to beg the question. The proponent of first-past-the-post need only say “Oh no they’re not”. Fortunately, McGann has a second argument for PR: viz., that equality between voters entails and is entailed by the social choice criteria of *anonymity* and *neutrality*, first defined by Kenneth May in 1952 and applied to binary choice.⁵¹ A series of May-like theorems then proves that only pure list PR satisfies these criteria. Later in the book, McGann specifies that he means *closed-list* PR⁵². This seems perverse – it puts elected politicians at the mercy not only of their constituents (good) but of their party whips (not good). McGann here loses sight of the citizen. The fundamental argument for open-list systems is that they put the citizen, not the politician, in control. It is true, as McGann says⁵³, that open-list can help to cause factionalism and worse. In the Italian First Republic, the Mafia used it to check that each of its clients had actually voted the requested ticket. But this only helps to show that the best voting system is one that citizens control as far as possible, and politicians control as little as possible. Some actual systems, including mixed-member and Single Transferable Vote, fit that description, but McGann has little to say about them.

McGann, unlike Mackie, believes that binary independence of irrelevant alternatives is a reasonable condition to impose on voting rules, because a rule that violates binary independence is open to flagrant manipulation by introducing new alternatives. He goes on to argue that a legislature (itself selected by PR) should decide by simple majority rule, because requiring qualified majorities violates neutrality. This comes at a price. Majority rule among more than two alternatives violates transitivity and can produce cyclical outcomes. But McGann argues that this is good: rather have losers

expect to overturn the outcome than have them resort to secession or civil war. He contrasts his position to Riker's; but actually Riker the historian celebrates this very possibility. It is Riker the democratic theorist, the butt of McGann's as well as Mackie's attacks, who says that disequilibrium invalidates all strong theories of democracy.

McGann attacks the 'tyranny of the supermajority'. If each citizen is in the majority for about the same proportion of the time, it is elementary to show (as McGann does) that simple majority rule protects minority rights better than any system of qualified majority (supermajority) rule. But the hard case is that of permanent minorities. US history shows many examples. The (misnamed) Madisonian system of checks and balances, including supermajorities, failed to protect slaves. However, the super- and anti-majoritarian provisions in the original US Constitution protected Southern *whites*, and when (culminating in Lincoln's election) they saw those protections being swept away, they felt that the only option was Breckinridge, followed by secession. Likewise, a Northern Ireland Catholic might doubt whether majority rule outlaws the tyranny of the majority.

But that *is* the true Madisonian message. McGann is absolutely right to insist that the true Madison is the author of *Federalist* 10, whereas the author of *Federalist* 51 is a strategist propounding arguments in which he does not believe himself. The purpose of publishing 85 arguments for ratifying the Constitution in the New York newspapers was to persuade sceptical New Yorkers to vote that way.⁵⁴ No. 10 (reworked in a hurry from Madison's earlier 'Vices') states that 'an extended republic' is the best antidote to the tyranny of the majority. It is no. 51 which recommends both horizontal

and vertical checks and balances – e.g., those states’ rights that would have prevented a legislature dominated by Virginia and Pennsylvania from imposing their will on small, weak, New York State.

Madison’s argument in favour of an extended republic began life in an argument about religion between David Hume and Adam Smith. Hume and Smith, close friends and religious sceptics, both wanted to preclude the sort of religious despotism that had terrorised Scotland until the generation before their birth. Hume’s remedy is a state church, where the state monitors dangerous theology. Smith’s remedy is to let society be ‘divided into two or three hundred, or perhaps into as many thousand small sects, of which no one could be considerable enough to disturb the publick tranquillity’.⁵⁵ Madison adapted Smith’s argument, first in the Virginia legislature, then in his notes for the Virginia delegation to the Constitutional Convention (‘Vices’), and finally in *Federalist* 10, to apply to both religious and political factions. Meanwhile, together with his best friend Thomas Jefferson, he wrote and piloted through Congress what became the ‘Establishment Clause’ of the First Amendment to the US Constitution: *Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.*

But any such constitutional guarantee is anti-majoritarian. It would take more than a simple majority of both houses of Congress to repeal the First Amendment. No doubt some Congresses wanted to – for instance during the anti-French panic of 1798, or the McCarthyite panic of the early 1950s. McGann is sceptical about supermajoritarian rules in constitutions as a form of rights protection. But I think he goes too far. He wants to protect PR for legislative elections. The Irish Constitution guarantees the

Single Transferable Vote (STV), which is sort-of PR. Twice, the hegemonic party in Ireland, *Fianna Fail*, has tried to repeal that clause in its partisan interest. Twice, it has failed. I assume McGann is glad that STV is sufficiently embedded in the Irish Constitution to be immune from majoritarian tinkering.

McGann next takes a potshot at deliberative democrats. The claim that deliberation provides a way out of Arrow's theorem is vacuous. Nothing *a priori* says that deliberation will make cycles less likely to happen. It may equally make them more likely to happen. If and when deliberation fails to result in consensus, there has to be a vote; and all the paradoxes of social choice apply with undimmed force. Habermas's 'ideal speech situation', McGann rather overheatedly proclaims, is a 'logical impossibility'⁵⁶. I don't think it is that; but I do think it is rosily unrealistic. However, McGann makes some of the deliberative democrats (including Dryzek, List, and their coauthors) sound more naïve than they really are. This discussion should continue.

McGann's pinup countries are the 'consensual democracies' of western Europe. These have been widely studied since the Dutch political scientist Arend Lijphart drew attention to their kinder, gentler, properties.⁵⁷ However, McGann argues, Lijphartian consensualism needs to be split into its two dimensions. The first dimension – the degree of proportionality in the electoral system – does not, he argues, lead to Tsebelian 'veto points'⁵⁸, because parties in a majority coalition are not really veto players. The second dimension (federal/unitary), however, does create true veto players. When there is more than one elected chamber (say, a chamber of the people, and a chamber of the territories), a supermajority is required to enact legislation. Likewise when lower-tier bodies, such as states or provinces, have

concurrent powers with the centre. McGann's set of consensual democracies without supermajority rule is therefore Austria, Belgium (that poster-boy for consensual democracy), Ireland, and the Nordic countries.

If McGann's argument is right, there must be something especially kind and gentle about the consensual democracies. What is that? On the one hand, they are redistributive and respectful of minority rights (though Belgium achieves that only by being all-but split into three countries, a situation McGann does not discuss); on the other hand, they are not over-stable, and therefore do not arbitrarily protect some minorities at the expense of other minorities, or of the majority.

Stability is not an unambiguously good thing. A regime may be too stable in at least two different ways. One is supermajoritarianism; but another is protected by the kinder gentler proportionality that Lijphart and now McGann celebrate. Recent work by two eminent pairs of political economists⁵⁹ contrasts the stability of PR regimes with the decisiveness of plurality (miscalled majoritarian) regimes such as those of the 'Westminster model'. On the one hand, plurality regimes spend less and have smaller budget deficits – presumably because it is easier for them to take tough decisions, as McGann notes in passing⁶⁰. On the other, PR regimes have a larger welfare state and are more redistributive. Plurality regimes are generally run by the centre-right, and PR regimes by the centre-left. Which is better? *Contra* McGann, the political scientist cannot say, because any answer makes a normative tradeoff between budget discipline and social security.

Therefore, McGann's Rikerian conclusion ('the beauty of cycling') is overdone. His small-cap conclusions include.

1. POLITICAL EQUALITY IMPLIES MAJORITY RULE AND PROPORTIONAL REPRESENTATION....
2. MAJORITY RULE IS THE DECISION RULE OFFERING MOST PROTECTION TO MINORITIES....
4. THERE IS NO EVIDENCE OF A TRADE-OFF BETWEEN POLITICAL EQUALITY AND ECONOMIC EFFICIENCY, AND ECONOMIC EQUALITY....
7. CYCLING IS ESSENTIAL TO THE UNDERSTANDING OF DEMOCRACY.

Up to a point, Professor McGann. It is the most inward-looking and technical of these, number 7, which is both the most profound and the truest.

The second of the two reviews of Riker's work in this *Journal* ended by asking rather dubiously whether the Riker agenda had a future⁶¹. The work reviewed here shows that it does. Now, if it were only possible to persuade academic historians that social science had something to show them, all would be sweetness and light.

Notes

-
- ¹ Bruce Bueno de Mesquita and Kenneth Shepsle, 'William Harrison Riker, September 22, 1920 — June 26, 1993', *Biographical Memoirs of the National Academy of Sciences* online version at <http://newton.nap.edu/html/biomems/wriker.html>.
- ² Source: ISI *Web of Knowledge* consulted 20.07.2006. On the same measure Thomas Hobbes scores 185 hits; John Rawls scores 706; Anthony Downs, 439.
- ³ Albert Weale, 'Social choice versus populism? an interpretation of Riker's political theory', *British Journal of Political Science* 14 (1984), 369-85; Iain McLean, 'William H. Riker and the invention of heresthetic(s)', *British Journal of Political Science* 32 (2002), 535-58.
- ⁴ Weale, 'Social choice versus populism?', p. 370.
- ⁵ W. H. Riker, *Liberalism against Populism* (San Francisco: W. H. Freeman, 1982); Norman Schofield, *Architects of Political Change: constitutional quandaries and social choice theory* (New York: Cambridge University Press, 2006); Gerry Mackie, *Democracy Defended* (Cambridge: Cambridge University Press, 2003); Anthony McGann, *The Logic of Democracy: reconciling equality, deliberation, and minority protection* (Ann Arbor, MI: University of Michigan Press, 2006).
- ⁶ W. H. Riker and P. C. Ordeshook, *An Introduction to Positive Political Theory* (Englewood Cliffs, N.J.: Prentice-Hall, 1973).
- ⁷ C. A. Coulson, *The Spirit of Applied Mathematics* (Oxford: Clarendon Press, 1953), p. 12, as quoted by R. Farquharson, *Theory of Voting* (Oxford: Blackwell 1969), pp. 3-4.
- ⁸ W. H. Riker, *The Theory of Political Coalitions* (New Haven, CT: Yale University Press 1962).
- ⁹ 'The art and science of political manipulation'. Riker coined the word *heresthetic* from a Greek root denoting finding out for oneself (i.e., *heresy*).
- ¹⁰ Schofield, *Architects*, p. 28.
- ¹¹ Dennis C. Mueller, *Public Choice III* (Cambridge: Cambridge University Press), pp. 582-3. Mueller uses the label 'unanimity' for what is here called the 'weak Pareto principle'.
- ¹² D. Black, *The Theory of Committees and Elections* edited from DB's manuscripts by I. McLean, A. McMillan and B. L. Monroe (Dordrecht: Kluwer 1998), chapter 4, pp 19-30. For the history of Black's discovery see pp. ix-xv, 387-405.
- ¹³ Black, *Committees and Elections*, p. 390.

-
- ¹⁴ Schofield's contributions to these proofs are collected in his *Social Choice and Democracy* (Berlin: Springer 1985).
- ¹⁵ G. Tullock: 'Why so much stability?', *Public Choice* 37(2), 1981, 189-202.
- ¹⁶ K. T. Poole and H. Rosenthal, *Congress: a political-economic history of roll call voting* (New York: Oxford University Press, 1997), p. viii. For a critique, see A. Spirling and I. McLean, 'The rights and wrongs of roll calls', *Government and Opposition* 41(4), 561-8, 2006.
- ¹⁷ K. A. Shepsle and B. R. Weingast, 'Uncovered Sets and Sophisticated Voting Outcomes with Implications for Agenda Institutions,' *American Journal of Political Science* 28 (1984):49-74, K. A. Shepsle and B. R. Weingast, *Positive Theories of Congressional Institutions* (Ann Arbor: University of Michigan Press, 1995).
- ¹⁸ R. Brookhiser, *Gentleman Revolutionary: Gouverneur Morris – the rake who wrote the Constitution* (New York: The Free Press, 2003). However, Brookhiser does not mention Riker.
- ¹⁹ Schofield, *Architects*, p. 16 note 9.
- ²⁰ Thomas Jefferson, draft as quoted in his *Autobiography*, in J. Appleby and T. Ball ed, *Jefferson: Political Writings* (Cambridge: Cambridge University Press 1999), pp. 98-9. Congress adopted the whole passage, only changing the word 'states' to 'colonies'.
- ²¹ Document inscribed, in Wedderburn's hand, 'Smiths Thoughts on the State of the Contest with America, February 1778'. In E.C. Mossner and I.S. Ross ed., *The Correspondence of Adam Smith* (Oxford: Oxford University Press 1987), pp. 380-5, quoted at pp. 382-3. See I. McLean, *Adam Smith, Radical and Egalitarian: an interpretation for the 21st century* (Edinburgh: Edinburgh University Press, 2006), pp. 100-13.
- ²² Schofield, *Architects*, pp. 77-80.
- ²³ I have found two possible signals before 4 July 1776. One, mentioned by Schofield, is that in December 1775 the Committee of Secret Correspondence, including Franklin, engaged C. W. F Dumas as their agent in the Netherlands, to sound out in secret the governments of Europe on whether they would support the rebellion against Britain. In May 1776 Dumas reported, partly in cipher (for which the key was explained in the same letter, referring to books that Dumas had sent earlier and therefore resistant to interception), that the French government would help by shipping arms to the West Indies. Also, and not mentioned by Schofield, the French government had sent a spy, de Bonvouloir, to Philadelphia in 1775 with the message that France would trade with them if they became independent.

But there are problems with both ‘signals’. The Bonvouloir signal was noisy as the colonists had no way to check that he was who he said he was. The Dumas signal was not received in Philadelphia until 1 October 1776, or at most a few days earlier. The fact that Dumas’ letter of May itself contains the cipher to be used in secret communications proves that there was no earlier letter. C. Van Doren, *Benjamin Franklin* (New York: Penguin edition 1991; originally published in 1938), p. 538; *The Papers of Benjamin Franklin* (multiple editors, New Haven: Yale University Press, 1959-), vol. 22, BF and others to Dumas 9 Dec. 1775; Dumas to BF and others 30 Apr. – 9 May 1776; Report of Thomas Story to the Committee of Secret Correspondence 1 October 1776.

²⁴ I. McLean and A. Urken, ‘Did Jefferson or Madison understand Condorcet’s theory of social choice?’, *Public Choice* 73 (1992): 445-57.

²⁵ James Madison, *The Federalist* # 10, paragraph 17. Quoted by Schofield, *Architects*, p. 1.

²⁶ Alexander Hamilton, *the Federalist* # 68, paragraph 8. Hamilton would have been disappointed by Warren G. Harding and Richard M. Nixon.

²⁷ Madison certainly read Condorcet’s voting theory in 1788 (after the *Federalist*), when Filippo Mazzei vainly asked him to translate it. I have scanned all Jefferson’s letters from Paris that Madison received between April 1787 (when he wrote *Vices of the Political System*) and November 1787 (when he started writing his numbers of *The Federalist*). None of Jefferson’s letters, nor of Madison’s acknowledgements in this period, discusses either probability or voting theory. However Madison’s to Jefferson of 24 October 1787 acknowledges receipt of work by Condorcet and the Encyclopedists. But the version of ‘Vices’ in that letter does not contain probabilistic arguments. The window for the Schofield hypothesis is reduced to about a fortnight.

²⁸ James Madison, ‘Vices of the Political System of the United States’, last paragraph. In J. Rakove ed., *James Madison: Writings* (New York: Library of America, 1999), p. 79. The relation between *Vices* and *Federalist* 10 is explained in I. McLean, ‘Before and after Publius’ in S. Kernell, ed, *James Madison: the theory and practice of republican government* (Stanford, CA: Stanford University Press, 2003), pp. 14-40.

²⁹ Poole and Rosenthal, *Congress*, pp. 91-100.

³⁰ Schofield, *Architects*, p. 168. My emphasis.

³¹ Bryan was the Cowardly Lion of the *Wizard of Oz*. His last political appearance was in the ‘monkey trial’ of 1925, when he prosecuted the high-school teacher John Scopes on behalf of the state

of Tennessee for teaching evolution, contrary to a creationist state law. In the cinema version of *Inherit the Wind* (1960 – a commentary on McCarthyism disguised as a re-enactment of the Scopes trial), the Bryan character is played by Fredric March, and his nemesis Clarence Darrow by Spencer Tracy.

³² Saul Levmore, 'Public Choice Defended', *University of Chicago Law Review* 72 (2), 2005, 777-96; Keith Dowding, 'Can populism be defended? William Riker, Gerry Mackie and the interpretation of democracy', *Government and Opposition* 41(3), 2006, 327-46.

³³ Levmore, 'Public Choice Defended', p. 778.

³⁴ J. A. Schumpeter, *Capitalism, Socialism, and Democracy* 4th edn (London: Allen & Unwin 1954), pp. 284-5.

³⁵ Riker, *Liberalism against Populism*, p. 101, quoted by Mackie, *Democracy Defended*, p. 146.

³⁶ P. Ray, 'Independence of irrelevant alternatives', *Econometrica* 41 (1973), 987-93; I. McLean, 'Independence of irrelevant alternatives before Arrow', *Mathematical Social Sciences* 30 (1995), 107-26.

³⁷ Mackie, *Democracy Defended* pp. 56-71; 123-57. Similar arguments are in Michael Dummett, *Voting Procedures* (Oxford: Clarendon Press 1984), pp. 52-6, and in numerous papers by Donald G. Saari, e.g., 'The Borda dictionary', *Social Choice and Welfare* 7 (1990), 279-317.

³⁸ Mackie, *Democracy Defended*, p. 187.

³⁹ Mackie, *Democracy Defended*, pp 155, 161, 410, 439.

⁴⁰ M. A. Satterthwaite, 'Strategy-proofness and Arrow's conditions', *Journal of Economic Theory* 10 (1975), 187-217.

⁴¹ Riker, *Liberalism against Populism* chapter 9; W.H. Riker, *The Art of Political Manipulation* (New Haven, CT: Yale University Press 1986).

⁴² Levmore, 'Public Choice Defended', p. 789; Dowding, 'Can populism be defended?', p. 342; Don Herzog, 'Dragonslaying', *University of Chicago Law Review* 72 (2), 2005, 757-76, at pp. 772-3 ('Mackie's response is so devastating, so mortifying, that I stopped breathing when I read it') – luckily, not permanently.

⁴³ US Constitution I.9.1 and IV.2.3.

⁴⁴ Riker, *Art of Political Manipulation*, pp. 89-102.

⁴⁵ Text at <http://www.mtholyoke.edu/acad/intrel/wilmot.htm>, accessed 22 August 2006.

-
- ⁴⁶ A. Tabarrok and L. Spector, 'Would the Borda Count Have Avoided the Civil War?' *Journal of Theoretical Politics* 11 (1999), 261-288.
- ⁴⁷ Mackie, *Democracy Defended*, p. 267.
- ⁴⁸ J. A. Jenkins and J. L. Morris, 'Running to lose? John C. Breckinridge and the presidential election of 1860', *Electoral Studies* 25 (2006), 306-28, especially Tables 3 and 4.
- ⁴⁹ McGann, *Logic of Democracy*, p.1.
- ⁵⁰ McGann, *Logic of Democracy*, p. 10
- ⁵¹ McGann, *Logic of Democracy*, p. 12; Kenneth O. May, 'A set of independent necessary and sufficient conditions for simple majority decision', *Econometrica* 20 (1952), 680-4.
- ⁵² McGann, *Logic of Democracy*, p. 141.
- ⁵³ McGann, *Logic of Democracy*, p. 147.
- ⁵⁴ McGann, *Logic of Democracy*, pp. 91-2; cf S. Kernell ed., *James Madison: the theory and practice of republican government* (Stanford, CA: Stanford University Press, 2003), chapters by Kernell and McLean.
- ⁵⁵ Adam Smith, *Wealth of Nations* V.i.g., quoting David Hume, *History of England* iii 30-1. Smith's quoted rebuttal of Hume is at V.i.g.8. See further McLean, *Adam Smith*, pp. 105-9.
- ⁵⁶ McGann, *Logic of Democracy*, p. 156.
- ⁵⁷ A. Lijphart, *The Politics of Accommodation* (Berkeley: University of California Press 1968); *Democracies: patterns of majoritarian and consensus government in 21 countries* (New Haven: Yale University Press 1984); *Electoral Systems and Party Systems: a study of 27 democracies 1945-1990* (Oxford: Oxford University Press 1994).
- ⁵⁸ George Tsebelis, *Veto Players: how political institutions work* (New York: Russell Sage 2002).
- ⁵⁹ Team 1 is Torsten Persson and Guido Tabellini (latest: *The Economic Effects of Constitutions* Cambridge, MA: MIT Press 2005). Team 2 is Torben Iversen and David Soskice (latest: 'Electoral Institutions and the Politics of Coalitions: why some democracies redistribute more than others', *American Political Science Review* 100 (2), 2006, 165-81). Cf Mancur Olson, *The Rise and Decline of Nations* (New Haven: Yale University Press 1982). Olson thought that what he called 'institutional sclerosis' was most crippling in such pluralitarian regimes as the UK and Australia. Within a few years

of his writing, both of those had reversed their labour-market policies. That would have been far harder in a consensual regime.

⁶⁰ McGann, *Logic of Democracy*, p. 187, commenting on how Italy could meet the convergence criteria for the European Monetary system only after its electoral system change of 1994.

⁶¹ McLean, 'Riker', pp. 554-7.