



Review in Advance first posted online
on December 7, 2015. (Changes may
still occur before final publication
online and in print.)

Representation and Consent: Why They Arose in Europe and Not Elsewhere

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Annu. Rev. Polit. Sci. 2016. 19:2.1–2.18

The *Annual Review of Political Science* is online at
polisci.annualreviews.org

This article's doi:
[10.1146/annurev-polisci-043014-105648](https://doi.org/10.1146/annurev-polisci-043014-105648)

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Keywords

democracy, assemblies, state formation, war

Abstract

Medieval Western Europeans developed two practices that are the bedrock of modern democracy: representative government and the consent of the governed. Why did this happen in Europe and not elsewhere? I ask what the literature has to say about this question, focusing on the role of political ideas, on economic development, and on warfare. I consider Europe in comparison with the Byzantine Empire, the Abbasid Caliphate, and Song Dynasty China. I argue that ultimately Europe's different path may have been an accident. It was produced by Western Europe's experience of outside invasion that replaced the Western Roman Empire with a set of small, fragmented polities in which rulers were relatively weak. Small size meant low transaction costs for maintaining assemblies. The relatively weak position of rulers meant that consent of the governed was necessary. I also suggest how these conclusions should influence our understanding of democracy today.

INTRODUCTION

Medieval Western Europe was witness to two important and long-lasting political innovations, the practice of political representation and the tradition that rulers should obtain consent from these representatives when governing. Societies in other regions sometimes developed practices similar to these, but there is little doubt that they reached their fullest extent on the European continent. Important scholarly work in political science has acknowledged and emphasized the European origins of consent and representation (Pitkin 1967, Pocock 1975, Finer 1997, Manin 1997, Skinner 2002, Urbinati & Warren 2008, Schwartzberg 2014). Further work has analyzed when and where representative institutions developed in medieval Europe, and what the consequences were (North & Thomas 1973; Bates & Lien 1985; Levi 1988; North & Weingast 1989; Kiser & Barzel 1991; Downing 1992; Ertman 1997; Acemoglu et al. 2005; Stasavage 2010, 2011; Abramson & Boix 2014; Boucoyannis 2015a,b). But why did all of this happen in Europe at this time and not elsewhere? This is a fundamental question about which both of these strands of scholarship have little to say.

In this review, I use recent scholarship to consider three answers to the “Why Europe?” question. These involve the causal role of political ideas, the influence of economic development, and the constraints of warfare.¹ Each of these explanations turns out to have something to offer, and from them we can draw lessons for democratization in other places at other times. In the end, though, the best answer to the question may lie elsewhere. A historical accident may have helped pave the way for representation and consent to develop. This accident involved the political collapse and fragmentation that Western Europe faced as a result of Germanic invasions and the fall of the Western Roman Empire. In a curious way, then, we might say, “No barbarian invasions, no democracy.”

How should we think about testing the different explanations? Practices of representation and consent began to develop in Europe relatively soon after the first millennium. We can compare Europe then with, for example, China under the Song Dynasty, the eastern Mediterranean under the Byzantine Empire, or the Middle East under the Abbasid Caliphate. When we do so, however, we face very large inferential problems. There are a multitude of factors that differed between these four regions at this time, and isolating a single one as the explanation for democratization seems a hopeless task. This is, no doubt, why relatively few recent scholars have ventured in this direction. Three of the best efforts are Hui’s (2005) comparison of China and early modern Europe, Kuran’s (2011) comparison of Europe and the Islamic world, and work by Blaydes & Chaney (2013) that also compares the latter two regions. This scholarship has provided important inferences about comparative political development across regions, and I refer to them below.

Perhaps because cross-regional comparisons are so difficult, most recent scholars who work on early democratization have restricted their attention to Europe itself. There is a long tradition of work of this style in the social sciences and humanities. In recent years, political scientists and economic historians have amassed new systematic evidence to approach the problem (Abramson & Boix 2014; Boucoyannis 2015a,b; Stasavage 2010, 2011, 2014; van Zanden et al. 2012). This adds to the earlier important work of other scholars (Bates & Lien 1985, Downing 1992, Ertman 1997, Levi 1988). The advantage of this new scholarship is that by comparing numerous European polities over time, we can have a better hope of isolating the individual causal factor or factors that explain why representation and consent emerged. The disadvantage of this focus is that we

¹A more complete assessment might also consider a fourth explanation that has been offered in the past: the idea that the practice of consent was inherent to the culture of the Germanic invaders who established new kingdoms that replaced the Western Roman Empire.

are in a sense looking under the lamppost. Looking only at Europe may cause us to fail to realize why it differed from other regions.

Ultimately, a convincing explanation for why representation and consent first emerged in Europe ought to have two properties. It must first be consistent with cross-regional evidence. Second, because cross-regional comparisons have their pitfalls, the explanation must hold up when we make within-Europe comparisons. In other words, those areas of Europe that are best typified by the explanation should be those where practices of representation and consent were strongest.

In what follows, I first present a very brief survey of what is to be explained—the early development of practices of representation and consent in Europe and their failure to develop in other regions. This is followed by an examination of the causal role of ideas, economic development, and warfare. Finally, I consider the possibility that European governance outcomes derived from a historical accident. Even if China, Byzantium, and the Middle East also suffered “barbarian” invasions, Western Europe was unique in experiencing invasions that not only toppled the existing unified political order but also replaced it with a set of fragmented polities in which the balance of power between rulers and ruled favored the subsequent development of representation and consent.

WESTERN EUROPE IN A GLOBAL CONTEXT

Before evaluating potential answers to the “Why Europe?” question, we need to clarify what needs to be explained. During the two centuries after the first millennium, Europeans developed practices of representation and consent that would spread to varying degrees throughout the continent. These practices were unique in comparison with developments in Song China, the Byzantine Empire, or the Abbasid Caliphate. In Western Europe the idea developed that whether one was in an autonomous city republic or a territorial monarchy, those who governed ought to somehow obtain the consent of citizens or subjects. The Latin phrase most frequently used to express this was *quod omnes tangit, ab omnibus tractari et approbari debet*, or “What touches all should be considered and approved by all.” We can find variants of this expression in an early city constitution of Florence from the late 13th century (Najemy 1979), just as we can find it in Edward I’s convocation of the Model Parliament in England in 1295. The origins of *quod omnes tangit*, which first appeared in medieval usage in the 12th century, are discussed in the next section. Several recent political theorists have emphasized the importance of this concept for the development of democratic theory (Pitkin 1967, Manin 1997, Schwartzberg 2014).

Along with the principle of consent, medieval Western Europeans also developed the closely related idea of political representation, and this too was present to varying degrees in both urban republics and territorial monarchies. The chief means of seeking consent came to be the summoning of an assembly at which representatives from different parts of a society would be able to express themselves. Practices of representation and consent were most highly evolved in the many autonomous cities of Europe, but they also were frequently found in larger territorial states.

Professed adherence to the practices of representation and consent was widespread across the European continent throughout the medieval and early modern eras. In some cases this resulted in very real constraints on rulers. In other instances rulers may have paid lip service to *quod omnes tangit* without doing much to implement it. In these cases “consent” would have amounted to being called to an assembly to agree to something that had already been decided. One, admittedly imperfect, way to judge how widespread the practice of consent became is to consider the frequency with which representative assemblies met. A second way is to ask what prerogatives they enjoyed in practice. Several recent studies present quantitative evidence to consider this question (Stasavage 2010, 2011; van Zanden et al. 2012; Abramson & Boix 2014).



There was no equivalent to the European pattern of representation and consent in the other three world regions to which I have referred. This does not imply any judgment about European superiority or about which region's citizens tended to have the highest levels of welfare. It is a simple observation that nothing looking like European representative institutions developed elsewhere.

In China under the Song Dynasty, as argued in the recent survey by Kuhn (2009), rulers professed to uphold the ideal of a Confucian state, where they would be guided by certain principles of righteousness. To aid in this objective, and more simply in maintaining their rule, the emperors had an elaborate system for locally based officials to transmit information to the center. Chinese thinkers also subscribed to the idea of a mandate of heaven that implied certain obligations for a ruler. The following excerpt was written by the Song councilor Lü Gongzhu in the year 1085, just about the same time that the idea of *quod omnes tangit* was first being applied to government in medieval Europe.

Although Heaven is high and far away, Heaven inspects the empire daily. Heaven responds to the deeds of the ruler. If he continuously cultivates himself and treats his people justly, then Heaven sends prosperity, and the Son of Heaven receives the realm for all times. There will be no misfortune and nobody will create trouble. If he, however, neglects the deities, ill-treats the people, and does not fear the Mandate of Heaven, there will be misfortune (quoted in Kuhn 2009, p. 10).

This statement clearly reflects a theory of government in which those who rule have obligations to those they govern. The principle of the Mandate of Heaven had been invoked by emperors of prior dynasties and would continue to be invoked subsequently. However, the concept of a Mandate of Heaven never extended to obtaining consent, nor did it involve assembling representatives to achieve this goal.

A priori, the institutions of rule in the Byzantine Empire might have presented a greater opportunity than did those in China for the development of consent. From the fourth century, the empire actually had a senate based in Constantinople composed of a hereditary class of individuals who had originally been enticed to migrate from Rome. The senate was an advisory body that had no formal role of consent over imperial policy, nor were senators specified as representing anyone among the diverse constituencies across the empire. The senate did, however, have some role in consenting to new emperors and when succession to the throne was uncertain or contested. In the centuries to follow, rather than evolving into a true representative body, the Byzantine senate did just the opposite. Emperors found it expedient to grant royal officials and others senatorial privileges, and the size of the body quickly swelled to more than 2,000. The senate lost any real influence, and although it continued to survive and have some formal prerogatives, even these were revoked by Emperor Leo VI. This happened about a century before *quod omnes tangit* would first be used as a principle of government in the western part of the European continent. In the words of the renowned Byzantine historian George Ostrogorsky (1969, p. 245), "The Legislation of Leo VI marks the culmination of an important historical process which had united the total power of the state in the hands of the ruler and placed all affairs of state in the care of the imperial bureaucracy." This was obviously not a fertile ground for the development of representation and consent.

While ideas about consent were developing in Western Europe, the Abbasid Caliphate ruled most of the lands around the Mediterranean from its capital of Baghdad. This was a high point of cultural and economic development. One feature distinguishing the caliphate was that, many centuries before any Western European state would have a professional bureaucracy or a professional military, the caliphate had both (Kennedy 2006). The Abbasids therefore often thought of



their operations as divided between “the people of the pen” and the “people of the sword” (van Berkel 2013). What the caliphate did not develop, however, was any systematic idea that consent should be obtained from those who were ruled, even though there was in practice something of a split between temporal and spiritual authority in the caliphate that might have opened up this possibility.

From the above survey, it seems clear that medieval Western Europeans developed a new and unique form of governance. All four societies I have considered had institutions and principles for the relationship between rulers and ruled, some of which involved the idea that rulers should somehow be constrained. Yet medieval Western Europeans were unique in having institutions that provided such extensive requirements for rulers to obtain direct consent from those they governed. The next question to ask is why this was the case.

THE CAUSAL ROLE OF IDEAS ABOUT GOVERNMENT

The most direct answer may simply be that Europeans had different ideas about government. Someone had to invent the practices of representation and consent to begin with, and if we look at this process of invention, then we may better understand why it happened in Europe and not elsewhere. Individuals who invent ideas are often rediscovering things that were suggested previously, and scholars have proposed two ways in which this may have happened in medieval Europe. The first possibility involves the rediscovery of the theory of the classical Greek polis, and in particular the works of Aristotle. The second involves the influence of Roman law. (As it turns out, the second claim is more plausible than the first.) However, rather than suggesting how old ideas place constraints on societies, this story instead shows how people can be very inventive in adapting old ideas to pursue new goals.

There is a long tradition suggesting that medieval innovations in government depended on the rediscovery of classical Greek texts and those of Aristotle in particular. Aristotle’s *Politics* did not describe a system of political representation because the Greek polis was based on direct participation, but it certainly did offer much food for thought to those who sought to establish an independent city republic. The most prominent modern advocate of this idea is J.G.A. Pocock, who in his tremendously influential work, *The Machiavellian Moment* (1975 pp. 74–75), made the following statement.

The theory of the polis—which is, in a certain sense, political theory in its purest original form—was cardinal to the constitutional theory of Italian cities and Italian humanists. It offered a paradigm of how a body politic might be held together when it was conceived, as an Italian commune must be, as a city composed of interacting persons rather than of universal norms and traditional institutions; and its value in this capacity did not end when it had depicted the polity as a moral community, since a city like Florence, whose normal institutional structure was that of a complex of interlocking assemblies, boards, and committees, could learn much about the theory of such a structure from Aristotelian analysis and Athenian history.

Pocock’s claim may well apply to the development of Renaissance humanism in Florence and elsewhere. However, it cannot be used to explain the initial development of city republics in Italy. Aristotle’s works did not appear in Western Europe in Latin translation until around 1260, long after ideas about consent were developed and long after independent city republics had emerged. [This point is also emphasized by Monahan (1987) and Skinner (2002).] To consider this issue, I drew on data from Stasavage (2014) to consider the date at which European cities became autonomous (if they ever did) in relation to the date when Aristotle’s *Politics* first appeared in Latin



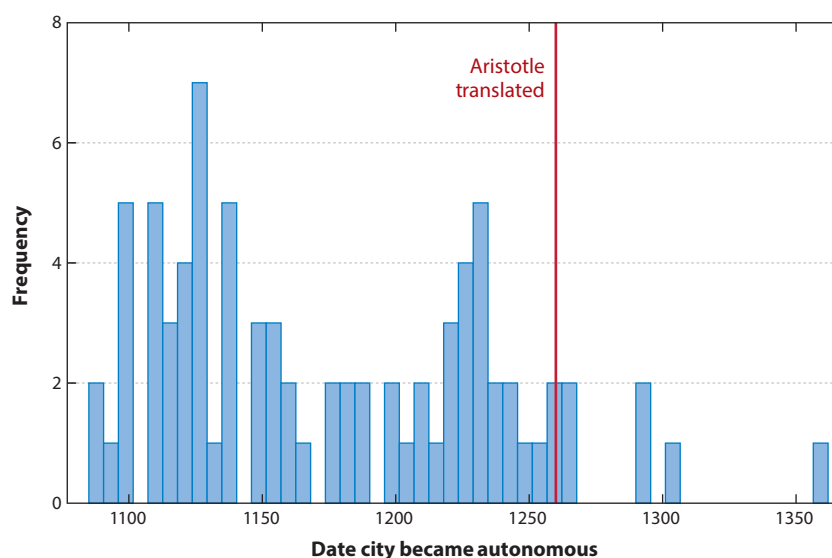


Figure 1

Rediscovering Aristotle did not lead to city republics. The figure shows the number of European cities becoming politically autonomous in each time period (data are from Stasavage 2014). The vertical line marks the approximate date (1260) at which Aristotle's *Politics* first appeared in translation to Latin.

translation (**Figure 1**). In this dataset, half of the autonomous cities that emerged across Europe did so more than a century before the initial translation of Aristotle into Latin. Within Italy itself, fully 80% of the cities that became autonomous achieved this status more than a century before Aristotle appeared in Latin.

The within-Europe evidence fails to support the idea that the rediscovery of the classical Greek polis led to the development of consent and representation. Again, this is not to say that Aristotelian ideas had no influence on subsequent thinkers. It simply means that they did not precede the development of representation and consent. What about cross-regional evidence? This doesn't work very well either because Aristotle's works were known in Byzantium and the Islamic world long before they reappeared in Western Europe. In fact, during the period when Western Europeans rediscovered Aristotle, in many cases the first translations they produced were from Arabic. People in Byzantium or the Abbasid Caliphate could have drawn upon Aristotle's work to develop ideas about governance, but they did not.

The influence of Roman law presents a much more plausible explanation for the emergence of representation and consent than does reference to Aristotle. What is fascinating about this story, however, is that rather than simply rediscovering and applying Roman ideas, medieval Europeans used Roman legal concepts in a fundamentally new way to suit new purposes. We can see this with respect to both consent and representation.

Consider first the case of *quod omnes tangit*. This phrase had been part of Roman law and was incorporated in the law code compiled by advisors to the Byzantine Emperor Justinian around 530 AD. The curiosity is that in the Justinian code, *quod omnes tangit* referred strictly to private affairs between individuals and not to affairs of state. As described by Post (1964, p. 169), the Justinian code stated that if several people had common stewardship (*tutores*) over something, then that stewardship could not be ended, altered, or otherwise exercised without the consent of all. To take an example, if several people had common rights over a stream, then the principle of

quod omnes tangit must apply to the exercise of those rights. To re-emphasize, there was nothing in Roman law or Roman practice to suggest that this same principle could or should apply to affairs of state or to rulers obtaining consent from those they governed.

Beginning some time in the 12th century, medieval Europeans applied the concept of *quod omnes tangit* in an entirely new way. The exact date for the concept's reappearance is unclear, but it is certain that scholars associated with the newly founded University of Bologna were responsible for the development. The principle of *quod omnes tangit* in its new formulation was referred to by Gratian in his *Decretum* (ca. 1140), and it soon would be applied in both ecclesiastical and secular assemblies (Monahan 1987, Manin 1997). It was used by Pope Innocent III (1198–1216) for ecclesiastical assemblies (Congar 1958). It was used by Emperor Frederick II when summoning representatives from Italian cities to an assembly on two separate occasions in 1231 (Monahan 1987). We also know that Edward I invoked the *quod omnes tangit* when convening the Model Parliament in 1295, and some 19th-century English scholars, in particular William Stubbs, erroneously took this to be the origin of its use in affairs of state. The more accurate view is to say that *quod omnes tangit* did indeed take root in England, but in its medieval version it was first developed in Bologna and then subsequently spread throughout Europe.

As they did with the development of theories of political consent, when developing ideas about political representation, medieval Europeans adapted Roman terminology and Roman law to a new purpose. A first step was the development of the concept that one person could act for another, or for a group of individuals. The European political landscape circa 1200 was one where numerous autonomous towns, church groups, and other corporate entities all had some claim of self-governance. Both ecclesiastical and secular rulers faced the thorny question of how to interact with these entities. The solution adopted was to have one individual act for the corporate group, and once again it was scholars trained at Bologna who were critical in spreading this idea (Post 1964). In the Spanish kingdoms of León and Aragón, individual towns sent *procuradores* to royal assemblies. In ecclesiastical assemblies, corporate groups sent *procurators*. This was a Latin term that had been used by the Romans in a totally different sense; for them, a *procurator* was a person charged with governing a province, not an individual acting for or expressing the views of the inhabitants of that province. (For example, Pontius Pilate was the *procurator* of Judea.) Such individuals also existed in Song China, where the closest analogue was a prefect or *cishi*. In China, however, there was no shift toward these individuals acting on behalf of the population they administered or obtaining their consent.

The experience of medieval *procurators* or *procuradores* shows how once again medieval Europeans had adapted Roman law to suit a new objective. The causal sequence seems to have been that cities and towns became autonomous first, creating a need to readapt Roman legal concepts. Post (1964, p. 69), one of the foremost historians who worked on this question, describes the process:

It is as if the lawyers and judges had suddenly realized that there were numerous communes with their institutions and officers, and numerous merchant and craft guilds, and that they must at once apply the newly discovered principles of Roman law to them. Once more the rise of Bologna and the new Roman law are of the utmost importance in the civilization of the twelfth century.

The final step was to develop an explicit idea of political representation. As observed by Pitkin (1967) in her classic study on the subject, the Romans made use of the word *repraesentare*, from which our word representation derives. However, like *quod omnes tangit*, the term *repraesentare* had nothing to do with politics. The Romans used it strictly in the sense of making something that was absent present, or depicting something through a work of art. They never used it in



the sense of one human being acting for others. Medieval Europeans took the Roman concept of representation and adapted it to a new circumstance. Georges de Lagarde (1937) suggests that the new use of “representation” spread widely during the first decades of the 14th century as part of an attempt to justify the rights of assemblies across Europe, assemblies that were taken as representing the social groups from which they were drawn.

So why didn’t regions other than Western Europe adopt principles similar to *quod omnes tangit*, or representation in the sense of one individual acting for others? Likewise, why didn’t they independently invent a system of political representation? Consider the example of the Abbasid Caliphate. For the Abbasids, if we followed what Kuran (2011) calls the “essentialist thesis,” we might suggest that something in Islamic tradition made it fundamentally incompatible with the principle of consent. However, in his work on the parallel question of why corporations developed in Western Europe but not under Islam, Kuran (2011, 2005) presents numerous reasons to reject the essentialist thesis. Islamic tradition could in fact have been used in creative ways to support the development of corporations. It is possible that one might say the same thing about the practice of consent. After all, Roman tradition was not necessarily favorable to the full development of consent in Western Europe either, yet medieval Europeans were able to draw on Roman tradition in creative ways to greatly expand the idea.

The example of Roman law shows that ideas did play some role in the development of representation and consent. However, rather than seeing ideas only as constraints, or as the weight of the past, we see in this story that old ideas can be adapted to suit new purposes. This provides an important lesson when we think about obstacles to democratization today. When people assume that a society’s traditions are incompatible with democracy, they ignore the fact that local traditions and concepts can be reshaped to suit new goals.

THE INFLUENCE OF ECONOMIC DEVELOPMENT

Economic development is a second possible explanation for why Western Europe developed practices of representation and consent while other societies did not. Scholars who work on the contemporary period are divided over the claim lodged by Lipset (1959) that political regime type depends on a country’s level of economic development. My goal here is not to adjudicate on this question, to which Boix & Stokes (2003) and Boix (2011) respond in the affirmative, Acemoglu et al. (2008) respond negatively, and Przeworski et al. (2000) respond somewhere in between. Although these studies examine democracy and development over recent time periods, the same underlying logic can also be applied to the initial emergence of the practices that would one day become characteristic of modern democracy. Just as many people today suggest that economic development favors democracy, the same may have been true for practices of representation and consent in earlier times. There is a venerable tradition suggesting that urban growth, and with it the development of an urban bourgeoisie, was important for the spread of representative government in Europe. In his *General History of Civilization of Europe*, Guizot (1838) described a process whereby the emergence of commerce and towns led to towns seeking self-government and then establishing relations with princes. Abramson & Boix (2014) and Boix (2015) find empirical support for precisely this idea. It also fits closely with Tilly’s (1992) ideas about the role of capital and coercion in European history, as well as Rokkan’s (1973, 1975) observations about European state formation.

If we try to assess the role of economic development by looking within Europe itself, then there is a decent case to be made that the practices of representation and consent developed earlier and to a greater extent in richer regions. This will not come as a surprise to those familiar with the city republics of northern Italy, nor those who know the history of representative government

in the Low Countries. The real questions are whether we can say something more systematic about the role of economic development and just how important it was. One approach is to consider recent work in which scholars chart the development of representative assemblies across the European continent. Stasavage (2010) offers a dataset covering 24 European polities between 1250 and 1750 recording whether there was an assembly, how frequently it met, and what its prerogatives were. Van Zanden et al. (2012) independently provided a dataset covering a broad swath of European states over roughly the same time period, recording whether there was an assembly and how frequently it met. Finally, Abramson & Boix (2014) also consider systematic data, drawn principally from these earlier studies on European representative institutions. Each of these three sets of authors combine their data on representative institutions with data on urbanization from Bairoch et al. (1988). Urbanization is used as a reasonable, though certainly not perfect, proxy for economic growth at this time.

It turns out that drawing precise conclusions about the effect of urbanization on representation is bedeviled by a problem of reverse causality—representation may also cause urbanization. Van Zanden et al. (2012) show that the level of assembly activity in the preceding century is positively correlated with urbanization in the current century, suggesting a causal effect of the former on the latter. Abramson & Boix (2014) report the opposite finding. They show that lagged representation does not cause urbanization but lagged urbanization causes representation. They take this as supporting the economic development hypothesis. Finally, while Stasavage (2010) investigates urbanization only as a control variable, we can nonetheless use his dataset to examine these same questions. When doing so, we see evidence that lagged urbanization may have caused representation and that lagged representation also may have caused urbanization. The former result is robust to the inclusion of both polity fixed effects and time-period fixed effects in the estimation. The implied magnitude of the effect is also relatively large. Based on this estimation, a one-standard-deviation increase in urbanization would result in an increase in assembly activity by one half of a standard deviation.

If the within-Europe evidence suggests that more urbanized areas had more intensive representation, the next question is what the cross-regional evidence says. Here we face a thorny measurement problem. It is difficult enough to compare levels of economic development within medieval Europe. It is even more challenging to make cross-regional comparisons for such early times. Even so, there seems little doubt that if economic development alone were driving things, we would not expect representation and consent to have first developed in Europe.

The best-known source for very early gross domestic product (GDP) data is that compiled by Maddison (2007), which gives us no reason to believe Western Europe had a higher level of development than many other regions around the turn of the first millennium. However, Maddison's figures for this early period were by his own admission essentially guesses. Subsequent data reported by Bolt & van Zanden (2014) and Broadberry et al. (2014) have given us (relatively) more precise estimates for real GDP per capita at this time in each of the four regions I have considered. In Western Europe, England just after the Norman Conquest is the one country for which we have a decent per capita GDP estimate, and so I have used that for purposes of comparison in **Figure 2**. The clear picture that emerges is that England was not in the lead, and based on level of development alone, one would expect representation and consent to have developed first in China.

In any investigation of economic development, we might also want to look to other measures that are often correlated with it. Literacy provides one possibility to the extent one thinks that more literate populations are more likely to demand that rulers seek their consent when governing. Buringh & van Zanden's (2013) data on manuscript and book production in Western Europe from the 6th through 18th centuries show that although book production was initially driven



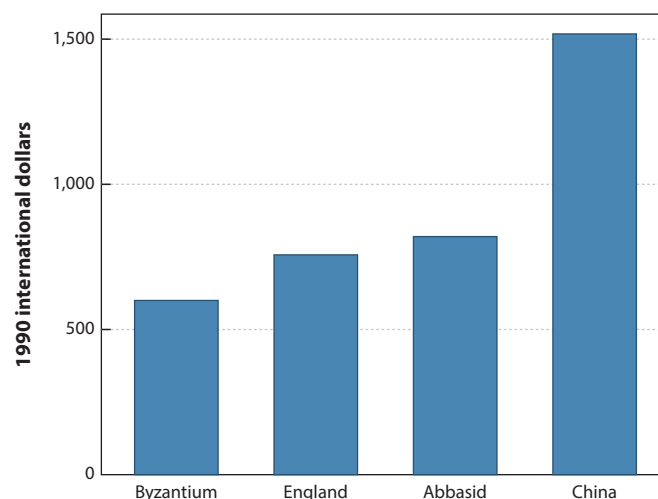


Figure 2

Estimates of real per capita GDP around 1000 AD for four regions. Data are from Bolt & van Zanden (2014) and Broadberry et al. (2014).

by the monastic order, over time the growth of the urban population was more responsible for its development. This provides a further reason to believe there was a link between European urbanization and the spread of representative institutions, even though Buringh & van Zanden do not themselves speculate about this possibility. The problem is that once again, cross-regional evidence poses a problem for the development hypothesis. In China, woodblock printing became widespread around the turn of the millennium, and moveable type was also invented around this time, although it was less frequently used because of the greater complexity of the Chinese script (Angeles 2014). Unlike in Europe, where books circulated widely and arguably strengthened civil society, in China the Song Dynasty succeeded in actively controlling book production to promote stability of the regime (Wei Ze 1995, Kuhn 2009). It was as if Facebook or Twitter were under direct state control. The fundamental causal factor, then, seems not to have been technology for printing books but rather absence of central state control.

To sum up, there is strong suggestive evidence that, within Europe, more economically developed areas were more likely to have active representative assemblies. Yet when we remember that Europe at the turn of the millennium was not one of the most advanced areas of the globe, it seems unlikely that economic development was the main reason for Europe's political divergence from other areas. Something else must have been afoot.

THE CONSTRAINTS OF WARFARE

Warfare is a third factor that could have favored the development of representation and consent. We have plausible examples from recent times where social groups have demanded rights in exchange for war participation (Levi 1997, Klinkner & Smith 1999). The same has been suggested for the past. It is said that medieval European rulers sought to fight wars, and in order to obtain the funds necessary to do this, they felt compelled to establish representative institutions that gave taxpayers certain privileges (Bates & Lien 1985, Levi 1988, Blockmans 1998, Stasavage 2011). This same story has been applied to Europe in later centuries (Dincecco 2009, 2011) and more contemporary times (Besley & Persson 2013). Much of the literature focuses on the idea that assemblies were important because if rulers obtained consent, then they could raise more taxes.

This is very plausible. However, there was another critical component to the story. In an era when Western European states lacked effective tax bureaucracies, members of representative assemblies and the groups that they represented also played a direct role in tax administration (Herb 2003).

There is much truth to these arguments, and the within-Europe evidence is supportive. In the medieval era, the demands of war in Western Europe were intimately linked with the development of representative institutions. However, the cross-regional evidence suggests that there must be something else to the story. Byzantine rulers, Abbasid caliphs, and Chinese emperors all fought frequent wars, but they did so while adopting a completely different governance strategy from medieval Western European leaders. Instead of establishing representative assemblies, they taxed without obtaining consent, and they used centralized bureaucracies to achieve this goal. The lesson then is that if we think of representative assemblies as important state institutions, then war did indeed make the state, as Tilly (1992, 1975) and everyone who cites his famous line believes. However, war only had this effect because a more complete state involving a centralized bureaucracy along the Chinese, Byzantine, or Abbasid model did not already exist.

We can use the data compiled by Stasavage (2010) to investigate the within-Europe evidence on warfare and representation. This dataset considers politics in 50-year time periods. In cases where a polity was at war less than half the time, a representative assembly tended to meet about once every four years. In instances where a polity was at war more than half the time, assemblies on average met once every two years. This is a large difference, and it is statistically significant in a regression that includes both polity fixed effects and time-period fixed effects. In this same dataset, we can also see that polities at war were more likely to have representative assemblies that enjoyed prerogatives to review and to oppose new tax measures.

So far, the evidence suggests some causal link between warfare and representative institutions, although of course we do not know in which direction causality runs. War might lead to institutional development, but institutional development would also make it easier to wage war. Ideally we could also establish whether any effect of warfare was temporary or permanent. If the effect of warfare were temporary, its correlation with representation might have reflected the fact that rulers called assemblies when they needed them and dispensed with them afterward. (France during the Hundred Years War provides a good example of this phenomenon. French monarchs during this period called the Estates-General more frequently than they had in the past, but after the war ended they reverted to prior form.) If the effect were instead permanent, then warfare would have led to a lock-in effect. The arrival of peace would not lead to the withering of a representative institution. Perhaps once the fixed cost of maintaining an assembly is spent, the ongoing costs of maintaining it in the future are relatively easy. The statistical evidence drawn from Stasavage (2010) provides no definitive answer. Simple descriptive statistics show that past war incidence is indeed associated with more intensive current political representation. However, the econometric evidence is less robust. The relationship is not statistically significant when controlling for country and time-period fixed effects.

It seems likely that warfare in Western Europe favored the rise of representative institutions, whether this effect was temporary or permanent. Some might suggest that Western Europe was more war prone than other regions, in which case the warfare hypothesis also passes the cross-regional test. The problem is that this simply was not true. Between 1500 and 1799, China was at war 56% of the time, France 52%, England 53%, Spain 81%, and the Austrian dominions 24% (Hoffman 2015). Clearly we cannot simplify and think of a peaceful China and a warlike Europe. Nor would a comparison with the Abbasid Caliphate or Byzantium produce a different result. These two states also were constantly at war, and often with each other.

If we think of war in general, then the within-Europe evidence suggests that it mattered whereas the cross-regional evidence suggests that it did not. These seemingly discordant facts might be



reconciled if we recognize that what mattered was not only whether war was present, but also what types of wars states fought and how states financed them. When addressing the effect of war on political and economic outcomes, recent scholarship has emphasized this point. Hoffman (2015) argues that if we want to understand why it was Europeans who conquered the rest of the world, then we need to examine the specific war technologies present in Western Europe as well as Europe's tendency to have wars resembling a winner-take-all tournament. Likewise, for Scheve & Stasavage (2016, 2012, 2010), when considering the effect of war on taxation it is important to distinguish between wars of mass mobilization and more limited engagements. In work with Massimiliano Onorato, they argue further that the scale of mobilization is itself determined by military technology (Onorato et al. 2014). Boix (2015) also emphasizes the importance of war technology for state formation.

It is possible to build on recent work to see how not just the presence but the style of warfare favored the development of representation and consent in Western Europe and not elsewhere. Blaydes & Chaney (2013) apply this approach in their comparison of political evolution in Europe and the Islamic world. If we think of war technology as involving not only how states fight but also how they raise the money to fight, then we immediately see a prime reason why warfare would have led to representation and consent in Western Europe but not elsewhere. Unlike states in some other areas, medieval European states lacked centralized bureaucracies for tax collection. A representative assembly could help. I expand on this idea in the next section.

WAS IT ALL JUST AN ACCIDENT?

So far, I have argued that political ideas, economic growth, and warfare all had something to do with the development of practices of consent and representation in Europe. Yet none of these explanations suffices as an answer to the "Why Europe?" question. In this section, I propose a different approach. We know that the development of state institutions for representation and taxation in Europe depended on the relative bargaining position of different actors and on the transaction costs these actors faced in meeting their goals (Levi 1988). I suggest that the manner in which the Western Roman Empire collapsed created a setting that favored the development of consent and representation. The (relatively) weak bargaining position of rulers made these practices necessary. Low transaction costs also made them feasible to implement. Alone among the four world regions considered in this article, Western Europe suffered not only outside invasion but also a complete takeover whereby a set of fragmented Germanic kingdoms replaced an existing state. Historians of this period, such as Wickham (1984, p. 18), have described this takeover as an "almost contingent" event. More recent evidence provides a hint, though only a hint, that the contingency to which Wickham refers may have been driven by climate change. During the fourth century, one of the worst droughts in the last 2,000 years hit Central Asia. It drove the people who would become known as the Huns westward, pushing other groups in the direction of the Roman Empire. Climatic conditions were also unfavorable in the western half of the Empire itself, but less so in the eastern half (McCormick et al. 2012). This would have aided attempts by the eastern half to defend itself against outside incursions.

To consider the accidental interpretation for the development of representation and consent, we need to include both cross-regional and within-region evidence. The first thing to consider is what actually happened during the Western Roman Empire's collapse and how this differed from events in other world regions. China, the Islamic world, Western Europe, and Byzantium all were subject to what one might call "barbarian" invasions of one sort or another at different times. But in the other three regions the barbarians were less successful, and when they did succeed, they sought to control the existing state apparatus rather than to replace it completely. For example,



in China in the 13th century Kublai Khan proclaimed himself emperor and ruled through much of the existing state apparatus. At the time of the fall of the last Roman emperor in the West in 476 AD, this was not an option. The Germanic invasions that spelled the end of the empire were led by a set of disparate groups under no central control. Also, under the weight of these invasions, the Roman tax system had collapsed (Wickham 1984).

The Germanic kingdoms that replaced the Roman Empire in the West had two key characteristics that would matter for consent and representation: small size and relatively weak rulers. I consider each in turn.

The first characteristic was that these kingdoms were smaller and more fragmented than either the empire that preceded them or the empires that existed in Byzantium, the Abbasid Caliphate, or China. Those who seek to explain Western Europe's development often refer to the fact that it was politically fragmented. This fragmentation is generally thought to have promoted interstate competition and freedom with important developmental effects (Jones 1981, Mokyr 1990, Diamond 1997, Hoffman 2015). The mechanism I have in mind is different. Small size and fragmentation of polities in Western Europe meant that there were lower transaction costs for establishing and maintaining a representative assembly. This would be most true of the autonomous cities in Europe. The medieval historian Wim Blockmans (1998, 1978) has argued that small geographic scale was critical to the development of European representative assemblies because, in an era of difficult transport and communications, the costs of sending representatives to an assembly and of subsequently maintaining contact with them were daunting considerations. It is not hard to see the link between Blockmans and the work of Greif (2006), with his emphasis on the type of institutional adaptations that are feasible in small-scale, community-based settings.

Both the cross-regional and within-Europe evidence support the Blockmans hypothesis. Representation and consent emerged in Western Europe, which had become fragmented, rather than in Byzantium, the Abbasid Caliphate, or China, which were more unified. The within-Europe evidence also supports the hypothesis. Within Europe, smaller polities tended to have representative assemblies that were more active and that had more extensive prerogatives (Stasavage 2010). This relationship is supported by robust statistical estimates, and they point to one important reason why the Germanic invasions helped lead ultimately to the development of consent and representation. Differential polity size also helps explain why Pocock's (1975) "Machiavellian Moment" took place in Florence and not Paris. Finally, we might also refer to small polity size when examining prior episodes of consent-based governance, and in particular that which arose in Classical Greece (Ober 2015). In fact, the Greek parallel may go even further to the extent that the emergence of small polities was itself preceded by the collapse of a prior centralized political order (Ober 2015, ch. 6).

The second key characteristic of Western European kingdoms after the fall of Rome was that their rulers were in a weak bargaining position (explained by Wickham 1984, 2005, 2009). They lacked a centralized tax bureaucracy that might have allowed them to raise money without obtaining consent and assistance from representatives. This distinguished Western European rulers from those of Byzantium or the Abbasid Caliphate, which retained a centralized system of tax collection that had originated under Roman rule (Haldon 2015, Kennedy 2015). As Wickham (1984) has observed, the Germanic pattern of funding an army by giving land in exchange for military service, which was in place even before what we now think of as the feudal era, posed a fundamental problem for rulers. Once land was granted, it often proved very difficult to get back, even if one was unhappy with one's vassal. The *de facto* one-way aspect of this transaction placed rulers in a weaker position than if they had alternative means of raising an army. Lacking a centralized tax system or full control over their vassals, medieval European rulers might have had a greater need for a representative assembly to obtain consent. The cross-regional evidence



on this point seems clear. Further research should demonstrate whether within-Europe evidence supports it as well.

Before we assume that there is a straight route from weak rulers to political representation, we need to acknowledge an important twist to the story. Rulers in a weak position might indeed have more need to establish a practice of consent than would rulers who could simply extract what they desired. However, a ruler in too weak a position might fail to get subjects to attend an assembly meeting. Barring times of great external threat to life and property, it might be preferable for a noble in the countryside or for people in a provincial town to simply sit out the party. Boucoyannis (2015a,b) has recently confronted this problem and proposes to stand much of the existing literature on its head. According to her account, European representative assemblies depended on the ability of rulers to compel their subjects to attend, not the weakness of rulers who needed to obtain consent from their subjects. This fits well with a remark in Pitkin's (1967) foundational work on representation: in the early days of the English Parliament, attendance was a responsibility rather than a right. The contrast between the English Parliament (where initial crown power was high) and the French Estates-General (where initial crown power was weak) provides the strongest evidence in favor of the argument made by Boucoyannis. It is also noteworthy that England had a centralized fiscal system much earlier than many other European territorial states. If Boucoyannis is correct, and her argument applies more generally, then we may need to think of a more sophisticated model. In order for representation to develop, a ruler's authority must be sufficiently weak that he cannot simply extract what he wants without consent. However, some degree of ruler authority is necessary in order to get people to show up at all.

In summary, the emergence of the practices of obtaining consent and political representation in Western Europe and not elsewhere may simply reflect the fact that among the four world regions I have considered, Western Europe suffered the most complete collapse of central political and bureaucratic authority. I have not considered here the reasons why this pattern of representation in Europe but not elsewhere persisted for numerous centuries. I see two possible answers that would merit further exploration. The first is efficiency. For society as a whole, establishing consent and representation may not have been much better than the alternative system of the sort characterized by the Mandate of Heaven. An efficiency perspective could help explain why consent and representation did not evolve independently in multiple places or why they did not diffuse more widely and more rapidly from Europe. The second possibility is that both systems with and without consent each had their own "self-reinforcing" logic, to use the term proposed by Greif & Laitin (2004). This could have been the case if they each provided those who governed with the optimal means of securing their rule given the other factors determining their influence over societal actors.

CONCLUSION

When we think about why representation and consent first emerged Europe, there is no doubt we should pay attention to ideas about governance, to economic modernization, and to the demands of warfare. Each of these three factors holds lessons for how we think about democratization today. However, we also need to think about how underlying conditions alter the balance of forces between rulers and the governed. We must also consider how historical accidents can alter this relationship.

The example of Roman law shows that past ideas provide an important repository for people shaping new political regimes. It also shows how, rather than simply acting as a constraint, past ideas can be reshaped and reformed to suit new desires. Transport this idea to today's world and it suggests that we should be skeptical of the notion that the underdevelopment of practices of



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consent in China, for example, is somehow determined by the absence of a long tradition pointing in this direction. I suspect that if such practices do become more firmly anchored in China, then it will result from the adaptation of existing Chinese legal or political concepts to suit new purposes and new desires, just as medieval Europeans did with Roman law.

The example of economic modernization suggests that a developed economy is not a necessary condition for democracy, but it certainly doesn't hurt. Europe became an economic leader far too late in the game for this to explain its unique role in developing practices of representation and consent. All the same, within Europe, and in an era of political fragmentation, the most economically developed regions led the way. One could say then that there is conditional support for the modernization hypothesis—modernization mattered as long as the other enabling conditions were also in place.

As a third factor, the experience of warfare certainly contributed to the development of representation and consent in medieval Europe. A representative assembly turned out to be a useful means of raising money. However, war had this effect only because of underlying conditions. The small size of European states made it possible to actually maintain an active assembly. The absence of a centralized bureaucracy for tax collection meant that European rulers had all the more reason to rely on assemblies for finance and therefore to pay heed to principles such as *quod omnes tangit*.

In the end, the underlying European conditions favorable to the development of consent and representation can best be described as a historical accident. The barbarian invasions that led to the collapse of the Roman Empire in the West produced a set of small and fragmented polities where it was feasible to organize representation and also desirable for rulers to do so. Simultaneously, the alternative route to state development, involving a strong centralized bureaucracy without institutions of consent, was not a possibility. The lesson for democracy in more recent times is that we need to consider how underlying conditions involving geography, technology, or other factors make it both feasible and desirable for both rulers and ruled to maintain a system in which political consent matters.

DISCLOSURE STATEMENT

The author is not aware of any affiliations, memberships, funding, or financial holdings that might be perceived as affecting the objectivity of this review.

ACKNOWLEDGMENTS

I thank Eric Arias, Lisa Blaydes, Carles Boix, Deborah Boucoyannis, Maria Carreri, Emine Deniz, Mark Dincecco, Mike Gilligan, Timur Kuran, David Lake, David Laitin, Margaret Levi, Bernard Manin, Josh Ober, Melissa Schwartzberg, Alessandro Vecchiato, and Chris Wickham for comments on a previous version of this review.

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