

To Kill a Democracy

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Introduction

The fall of the heroic Anakin Skywalker into the most (in)famous villain in science fiction cinema, Darth Vader, is a poignant tragedy, but it is not the only story told in the STAR WARS prequel trilogy, nor should it be the most important one—though George Lucas might beg to differ. The driving story in the STAR WARS prequels is not about a single individual, but rather about a government, a democracy that becomes an empire. It is an interesting study that should be treated as more than just a story, particularly when we recognize its similarities to contemporary times.

Hundreds of books, articles, and theses have been written about the fall of the Roman Empire, the demise of Communism, and though there are many ongoing discussions about the future of democracy, we know nothing of its fate. Or perhaps, we think—we may even like to think—we know nothing. Civilizations have come and gone, empires have risen and fallen, too many times in the course of human history for us not to know the fate of democracy. Is not it a government like any other government, and if so, should not it fall much like any other government?

To answer this question, we will analyze cinema, literature, history, and political science from a legal perspective to synthesize a universal formula for the fall of any government at any time. We will develop a formula by using the STAR WARS prequel trilogy as inspiration and a backbone—assuming we have seen the three films enough times to be intimately knowledgeable about their overarching storyline—while first discussing the fall of Rome as a basic historical model, then analyzing that fall in light of Machiavelli's political theories. Those theories will be the building blocks of our formula, which then will be fleshed out with more history, specifically the American Revolution, when Machiavelli's theories were first brought to life in the American arena, if not consciously at least naturally. Finally, when we at last have our formula for how to fall a government, we will apply it to democracy as defined and analyzed by contemporary political

theorists, with America as our model. Only then will we know something about the fate of democracy.

Before we begin, however, a comment must be made on the format of the presentation of this thesis. Interspersed throughout the writing will be meaningful comparisons and references to the STAR WARS prequels, either by plot summaries or character dialogue. These will be what was referred to above as the backbone of the thesis. Also interspersed will be quotations from Robert Bolt's play *A MAN FOR ALL SEASONS*, which memorializes Thomas More's sagacity on stage but will supplement and elaborate on certain significant points of the thesis here. Finally, there will be a couple quotations from Peter Jackson's film adaptation of J.R.R. Tolkien's *LORD OF THE RINGS: THE FELLOWSHIP OF THE RING*, which has little to do with the thesis except that it fits in nicely at certain points, like a lone soprano that quiets the tumult of a symphony, if only for a moment or two.

In Re Rome

The reason we begin with Rome, rather than plunging headlong into any political theories or legal analysis, is to establish precedent, to prove that what happened in the STAR WARS prequels—the fall of a powerful government—has already happened in the real world. All ancient societies addressed questions that have faced every human individual and every human society ever in existence.¹ To study those societies acquires not only historical factual knowledge, but more significantly, informational resources necessary to make comparisons between our contemporary world and past worlds.² By learning the consequences of our ancestors' actions, we come to understand the human and social dynamics that underlie any historical event; ideally, we are thus

¹ BELLA VIVANTE, *Series Foreward* to JAMES W. ERMATINGER, *THE DECLINE AND FALL OF THE ROMAN EMPIRE* at x-xi (Greenwood Press, Greenwood Guides to Historic Events of the Ancient World, Bella Vivante ed., 2004).

² *Id.*

guided as we seek solutions to our own contemporary issues.³ In the case of Rome, the empire's collapse serves as a warning for other nations and empires; by trying to understand and explain Rome's fall, we might avoid the same "mistakes" and thereby "save" ourselves.⁴

The Facts

Officially, Rome fell after the dismissal of its emperor in 476 A.D., when the German chieftain declared that the western half of the Roman empire, which he controlled, had no need of an emperor dictated by the eastern half, which remained independent of German control and whose capital lay in Byzantine.⁵ Yet this removal is only a perceived fall of Rome, for Rome had in many ways already ceased to exist.⁶ The third century, 235 to 313 A.D., first saw the denigration of traditional Roman society and the collapse of its military frontier.⁷ A series of wars and several assassinations of high-ranking military officials and political leaders created an air of uncertainty and instability, further weakening the empire, psychologically if not physically.⁸ Similarly, in STAR WARS, growing military conflicts weakened and divided the galaxy, first with an invasion of the peaceful planet of Naboo⁹ and second with a series of civil wars called the Clone Wars.¹⁰ Assassinations attempts were also made on the heroine's life, Senator Padmé Amidala, a highly influential political leader¹¹, and Chancellor Palpatine, the leader of the Galactic Republic, though also the primary villain, was kidnapped.¹²

Although a few emperors attempted to "restore" Rome, their restorations failed to amend serious governmental flaws, the most important being the fear—though unrealized until 410 A.D.—

³ *Id.*

⁴ JAMES W. ERMATINGER, *THE DECLINE AND FALL OF THE ROMAN EMPIRE* 70 (Greenwood Press, Greenwood Guides to Historic Events of the Ancient World, Bella Vivante ed., 2004).

⁵ *Id.* at xxii.

⁶ *Id.*

⁷ *Id.* at xxv.

⁸ *See Id.* at xxvi.

⁹ *See* STAR WARS: EPISODE I THE PHANTOM MENACE (Lucasfilm Ltd. 2001).

¹⁰ *See* STAR WARS: EPISODE II ATTACK OF THE CLONES (Lucasfilm Ltd. 2002).

¹¹ *Id.*

¹² *See* STAR WARS: EPISODE III: REVENGE OF THE SITH (Lucasfilm Ltd. 2005).

that Rome itself could be attacked and conquered.¹³ One emperor in particular, Diocletian, carried out a comprehensive government reform by organizing society like a military camp; he saw himself as an almost godlike figure whose job was to watch over society by restoring the economy, simplifying taxes, enhancing the military, and strengthening cities.¹⁴ While his reforms resulted in a renewed Rome, it relied on an emperor as an absolute authority recognized to be in supreme control of all things.¹⁵ This was different from 235 A.D., when Rome's emperor actually had this power but desired to conceal it in order to avoid alienating the old elite, the senators, and the rising new elite, the provincials, a sort of suburban wealthy middle class.¹⁶

In the third STAR WARS prequel, Palpatine subtly gathered his power—which included a vast clone army and regional planetary governors answerable only and directly to him—through numerous but legitimate emergency executive orders to avoid alienating the Senators, though they could not help but notice their own loss of political strength:

MON MOTHMA: ...As a practical matter, the Senate no longer exists.

GIDDEAN DANU: The constitution is in shreds. Amendment after amendment . . . executive directives, sometimes a dozen in one day...

MON MOTHMA: The Chancellor has played the Senators well.

They know where the power lies, and they will do whatever it takes to share in it. Palpatine has become a dictator and we have helped him to do it.¹⁷

¹³ *Id.*

¹⁴ ERMATINGER, *supra* note 5, at xxvii.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ STAR WARS: EPISODE III REVENGE OF THE SITH, *supra* note 12 (deleted scene).

When he made himself emperor of a galactic empire, Palpatine dismissed objections and finally declared the obvious: “I am the Senate!”¹⁸

As for Diocletian, he retired, the first Roman emperor to do so, and a few years later surprisingly refused a call to return to power.¹⁹ This symbolizes the difference between Padmé and Palpatine: Padmé gave up her power as Queen of Naboo when her two terms were over, although as Anakin pointed out, “I heard they tried to amend the constitution so you could stay in office.”²⁰ Palpatine, on the other hand, passed constitutional amendments so that he stayed in power as Chancellor long after his two terms were supposed to be over.²¹

Prospects for the future of Rome after Diocletian grew cold quickly: Germans invaded from the north, militarily, politically, and socially. Incorporated into the Roman government, German advisors were more concerned with their own advancement than with the preservation of Roman political unity; as Palpatine said, “Some see instability as an opportunity.”²² For the last twenty years, Rome was ruled through a series of puppets under the German chieftain.²³ The Germans’ divisions and wars never allowed the western half of the Roman empire to recover, and by 476 A.D., Rome was officially dead.²⁴

Reason in Absentia

Historians largely disagree about the reason(s) for Rome’s fall, mainly because not only are they elusive, they do not exist. They cannot exist, because Rome itself never truly existed. Rome was an idea(l), not just a city, or even an empire.²⁵ Adherence to the idea(l) explains why Roman legions expanded the empire, conquered the world, and achieved glory beyond renown: it was their

¹⁸ *Id.*

¹⁹ ERMATINGER, *supra* note 5, at xxviii.

²⁰ STAR WARS: EPISODE II ATTACK OF THE CLONES, *supra* note 10.

²¹ STAR WARS: EPISODE III REVENGE OF THE SITH, *supra* note 12.

²² *Id.* (deleted scene).

²³ See ERMATINGER, *supra* note 5, at xxx.

²⁴ *Id.* at 73.

²⁵ *Id.* at xxi.

inspiration.²⁶ Associated with Rome's fall is an inability to accept that some things are not understandable, that sometimes things take place for no particularly logical or tangible reason, or any reason, for that matter.²⁷ There can be no reason for the fall of such a powerful empire.²⁸

This conclusion is supported by a comparison of the fall of the western half of the Roman empire with the survival of the eastern half. The entire Roman empire struggled with the same military, political, economic, and social issues, but the western half suffered and fell, while the eastern half, though weakened, endured.²⁹ Germans ultimately overwhelmed Rome, but they did not do so with the sword, so its fall cannot be fully explained as being the result of military incompetence.³⁰ Poor leaders and non-Roman advisors rendered the political climate dangerous and unstable, but many traditional Romans were horribly inept in governance and less politically adept than the Germans, who were technically if not theoretically in power, so it cannot be the lack of good leaders that fell Rome.³¹ Economic problems—a change in accounting systems, the accumulation of wealth in fewer and fewer hands, the growth of the Catholic church's financial assets, and Diocletian's reformed national budget and tax system³²—actually helped preserve the empire; had they not occurred, the government might not have had enough resources to continue, and Rome would have fallen sooner.³³ What social change did occur—the growing unwillingness of local elites to get involved in politics as they moved farther from cities to their private villas—does not automatically mean that the entire society declined, or that the western half of the empire was vulnerable to a fall³⁴—although perhaps it does.

²⁶ *Id.*

²⁷ *Id.* at 70.

²⁸ *Id.*

²⁹ *See Id.* at 55-59.

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ *Id.*

Individually, these reasons cannot explain nor had they the power or influence to induce Rome's fall, but the year 324 A.D. should come to attention, when all of these events coalesced.³⁵ Rome's future looked quite bright at that time; who could tell what lay in store? The fall of Rome was, like its intangible "ideal" essence, psychological: the end of one thought pattern, one particular state of mind, and the beginning of the formation of another. The first sack of Rome in 410 A.D. shattered an aura of security that had lasted over 800 years, shaking patriotic faith and instilling trauma throughout the empire.³⁶ This is similar to the Battle of Coruscant, the capital of the Galactic Republic in STAR WARS,³⁷ as well as to the September 11th terrorist attacks at the World Trade Center in New York City and the Pentagon in Washington, D.C. In Robert Bolt's play, A MAN FOR ALL SEASONS, one character succinctly responded to such a psychological hit, firmly saying, "I don't believe this had to happen."³⁸ Constantine's mistakes perpetuated that psychological trauma of insecurity and lack of faith in the strength of Rome: he failed to solve Rome's problem of succession, he became personally and politically involved in Christianity when he was inept at both, and he engaged poor economic and military policies.³⁹ Regardless whether his mistakes were reversible or not, the fact that subsequent emperors failed to amend them, proved them fatal. The fall of Rome was therefore not an instant event, but rather an accumulation of events, forces, and people.⁴⁰ What is important to understand is not the exact situation(s)—which may be a synonym for "reason(s)"—but how the emperors reacted to these situations and gradually, almost unperceptively, single-handedly destroyed Rome.⁴¹

Two general lessons may be learned from Rome's fall, regardless the reason(s) cannot or do not exist. First, any nation can fall. Like Rome, modern societies often look back to a golden age

³⁵ *Id.* at 66.

³⁶ *See Id.* at 64.

³⁷ STAR WARS: EPISODE III REVENGE OF THE SITH, *supra* note 12.

³⁸ ROBERT BOLT, A MAN FOR ALL SEASONS 83 (1962).

³⁹ ERMATINGER, *supra* note 5, at 65-66.

⁴⁰ *Id.* at 70-72.

⁴¹ *Id.*

that never really existed, and by concentrating on this false past, they often ignore chances for productive change.⁴² Second, incompetent leaders are a big mistake, their incompetence often fueled by special interest groups attempting to ingratiate themselves, as the Germans did to the detriment of traditional Romans.⁴³ If a government today were led by a series of incompetent persons puppeteered by special interests groups—lobbyists, for instance, or bureaucrats—it would inevitably fall.

A Machiavellian Approach

On the other hand, a more detailed analysis of the fall of Rome calls upon Niccolò Machiavelli, a brilliant political theorist from the Italian Renaissance who developed more elaborate lessons from the death of an empire. According to Machiavelli's presentation of its downfall, Rome did not fulfill the full measure of its life that its noble, glorious principles should have afforded it; rather, it fell too early under the influence of tyrants.⁴⁴ The city succumbed to the ever more ingenious appeals of ambitious men who sought the favor of the common people.⁴⁵ Rome did not deal appropriately with its ambitious men: people elected leaders based on popularity instead of merit, and laws were not in furtherance of common liberty but of leaders' power.⁴⁶ From the fall of Rome, Machiavelli developed several theories about government(s): the necessity and inevitability of war, the nature of corruption, and how a single person can bring about either a government's ruin or its salvation.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ VICKIE B. SULLIVAN, MACHIAVELLI'S THREE ROMES 61 (1996).

⁴⁵ *Id.*

⁴⁶ *See Id.* at 86.

The Necessity of War

Machiavelli believed war is inevitable because either others wish to govern our government or others fear our desire to govern theirs.⁴⁷ Necessity requires a government go to war.⁴⁸ This truth may be difficult to believe, as at the beginning of STAR WARS, Padmé refused to condone any course of action that would lead to war⁴⁹ and argued that if the galaxy went to war, “Many will lose their lives, all will lose their freedom.”⁵⁰ Later, Anakin and she discussed the dangers of war, embodied by the civil war consuming the galaxy:

ANAKIN: ...I think this war is destroying the principles of the Republic.

PADMÉ: Have you ever considered that we may be on the wrong side?...What if the democracy we thought we were serving no longer exists, and the Republic has become the very evil we have been fighting to destroy?...[T]his war represents a failure to listen . . .⁵¹

Yet war is inevitable, as its consequences are a double-edged sword. When government organized with a view to its internal stability eventually goes to war and manages to maintain its independence in war for any length of time, the burden of its resulting empire, which it cannot manage given its original infrastructure, will result in its downfall. Even if such a government could avoid war entirely—a possibility Machiavelli posited as more dream than reality, but then, he did not live to see democracy in action, as will be further discussed below—such peace would engender faction, resulting ultimately in the same lamentable outcome as war successfully prosecuted for the government ill-prepared for empire.⁵² This was the problem in STAR WARS: the Galactic Republic

⁴⁷ *Id.* at 64-65.

⁴⁸ *Id.*

⁴⁹ STAR WARS: EPISODE I THE PHANTOM MENACE, *supra* note 9.

⁵⁰ STAR WARS: EPISODE II ATTACK OF THE CLONES, *supra* note 10 (deleted scene).

⁵¹ STAR WARS: EPISODE III: REVENGE OF THE SITH, *supra* note 12.

⁵² *Id.*

was too big and too stable. Its peace engendered faction, which resulted in civil war. One character observed in disbelief, “It’s unthinkable. There hasn’t been a full-scale war since the formation of the Republic,”⁵³ though Palpatine himself hinted that civil war was inevitable: “I will not let this Republic which has stood for a thousand years be split in two”⁵⁴—as if faction would not be allowed without a fight.

The Nature of Corruption

The faction of which Machiavelli spoke naturally stems from corruption, which Machiavelli defined as the common people’s refusal to put the common good before their individual private benefits.⁵⁵ The threat of such corruption to a government, however, lies not with the common people, but with the ambitious few in a government, who—if the government is to survive—should not be permitted to gather adherents, i.e. the mass of the common people, with the promise of private benefits.⁵⁶ Machiavelli refused to blame the people if they look to someone who promises them relief and rewards, for naturally the people will respond to such promises.⁵⁷ Corruption resides among the leaders of a government, not among the people, because it is the leaders who take the true advantage over the people and the government.

The mortal threat to a government occurs when the people come together around one individual, raising that individual over his or her rivals and creating dangerous political inequality⁵⁸ and thus faction, which, of course, leads to war. While the people look to this ambitious individual to easily satisfy their desires with private favors such as helping them with money or defending them from others,⁵⁹ the ulterior motive of the individual who offers such favors, of course, is to make

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ SULLIVAN, *supra* note 49 at 83.

⁵⁶ *Id.* at 85.

⁵⁷ *Id.* at 86.

⁵⁸ *Id.*

⁵⁹ SULLIVAN, *supra* note 49 at 85.

partisans⁶⁰, who will make him leader over the government; in other words, partisans give rise to tyranny.⁶¹ In Robert Bolt's *A MAN FOR ALL SEASONS*, the villain Cromwell explained the concept of partisans—and bureaucracy, for that matter—in a devilishly illustrative way:

“It’s much more a matter of convenience, administrative convenience. The normal aim of administration is to keep steady this factor of convenience...Now normally when a man wants to change his woman, you let him if it’s convenient and prevent him if it’s not—normally indeed it’s of so little importance that you leave it to the priests. But the constant factor is this element of convenience... However, in the present instance the man who wants to change his woman is our Sovereign Lord, Harry, by the Grace of God, the Eighth of that name. Which is a quaint way of saying that if he wants to change his woman he will. So that becomes the constant factor. And our job as administrators is to make it as convenient as we can...”⁶²

This is the core horror of corruption: all it takes is one person to enact a government’s ruin; as Galadriel, Elven Queen of J.R.R. Tolkien’s fantastical realm in *LORD OF THE RINGS*, acknowledged: “Even the smallest person can change the course of the future.”⁶³ Therefore, in order to remain free of corruption, much less survive, a government must concentrate on its leaders and ensure that political equality is maintained among them.⁶⁴ Simply put, corruption must be managed. This is, of course, easier said than done, but it is an answer.

⁶⁰ *Id.* at 73.

⁶¹ *Id.* at 75.

⁶² BOLT, *supra* note 38 at 42.

⁶³ *THE LORD OF THE RINGS: THE FELLOWSHIP OF THE RING* (New Line Prod. Inc. 2001).

⁶⁴ *Id.*

In STAR WARS, Palpatine's time in office as Chancellor of the Galactic Republic never should have been extended beyond his legitimate number of terms; it was wrong and weak of the Senate to allow if not demand Palpatine to stay in office for so indeterminate a time.⁶⁵ No reason could excuse his staying, not the Senate's approval, however legitimate, and certainly not the Clone Wars, for as war breeds corruption, and corruption breeds war, they are causes and not excuses for the inevitable tyranny that follows them.

Hail Caesar

Historically, though many persons certainly exemplify Machiavelli's theories about an individual who takes advantage of and thus further ruins a corrupted government, one stands out in particular: Julius Caesar. A great leader in his time, he represents the ambitious individual who satisfies the private desires of the public in order to achieve tyranny over his government.

Caesar had a great deal of practical experience in law; legal questions significantly affected his political life and his most important political decisions.⁶⁶ He studied rhetoric, argued cases in the Roman courts, and held several important governmental positions, all of which made him intimately familiar with both the practical and philosophical aspects of Roman substantive and procedural law.⁶⁷ As consul in Rome and later general in Gaul, Caesar accomplished a great deal using methods that stretched and violated a number of traditional procedural laws. To satiate his own desire for preeminence over the government, Caesar utilized the covetousness of the public for property and wealth.⁶⁸ He promoted their interests against those of the wealthier and more established nobility.⁶⁹ Caesar's manipulation of the law, as well as his sometime disrespect for it, along with his rhetorical appeals to "justice", made him popular with the people but infuriated his

⁶⁵ See STAR WARS: EPISODE II ATTACK OF THE CLONES, *supra* note 10.

⁶⁶ Russ Versteeg, *Law and Justice in Caesar's Gallic Wars*, 33 HOFSTRA L. REV. 571 (2004).

⁶⁷ *Id.* at 577-581.

⁶⁸ SULLIVAN, *supra* note 44 at 74.

⁶⁹ Versteeg, *supra* note 80 at 583.

political enemies⁷⁰—a perfect portrait of Machiavelli’s dangerous political inequality, as discussed above.

In order to destroy Caesar as a politician and citizen, the Senators threatened criminal indictments against him for his (il)legal, or at least procedurally if not substantially questionable, tactics in conquering and governing Gaul.⁷¹ Furthermore, before his return from Gaul, the Senators refused to allow Caesar to run as an absentee candidate for consulship, which would have allowed him to enter Rome with diplomatic immunity from their threatening litigation.⁷² The Senators demanded Caesar dismiss his army and entered the city as a private citizen if he wanted to run for consulship, but this path would have subjected him to litigation.⁷³ This legal struggle over whether he could run for consul in absentia settled Caesar’s decision to initiate civil war by trying to enter Rome with his army.⁷⁴

Caesar blamed the Senators for the war, arguing that he was merely trying to avoid their criminal prosecution: “They made this happen; they drove me to it.”⁷⁵ Caesar had a masterly way in which he could put his opponents in the wrong.⁷⁶ He knew, as well as the Senators, that the focus of the Senators’ animosity and the purpose of their litigation was in reality their jealousy and fear of his popularity with the mass of the common people and his desire for preeminent power over the government, not simply questionable military and political tactics in a territory far from Rome. As discussed above, corruption, in the form of faction bred of political inequality, can in turn breed war.

Although Caesar’s liberality with the common people was an effective if not reasonable means of attaining the power he desired—for after the civil war, he won what he wanted:

⁷⁰ *Id.* at 599.

⁷¹ *See Id.*

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.* at 591.

emperorship—it led ultimately to both his immediate and Rome’s eventual downfall. The fact that an ambitious individual like Caesar gained a preeminent position of power, even for a moment, proves that tyranny is irreversibly damaging to a government. Machiavelli believed that after securing himself as emperor, had Caesar remained alive long enough, he would have become a tyrant and would have destroyed Rome.⁷⁷ In other words, if Caesar had not been assassinated, he would have become like Palpatine, who single-handedly destroyed the Galactic Republic, if not physically at least psychologically, by reforming the Republic into his Empire, thus destroying everything—every democratic, noble, glorious principle—the Republic had originally stood for. However, Caesar’s legal manipulation and lawlessness forced others first to attempt to manipulate the law against him and when that failed, to take lawless measures—assassination being the most dramatic example.⁷⁸ While Caesar would have destroyed Rome single-handedly and perhaps more quickly by playing the tyrant, the Senators, by lowering themselves to Caesar’s desperate level and assassinating him, whether feeling forced to do so or not, also destroyed Rome, or at least sent it along its way to more war, further corruption, and ultimately self-destruction.

The Hero

To save a corrupted government—in the even that corruption is not managed—Machiavelli demanded complete renovation, i.e. a new law and order. This sounds like revolution, and that tends to be a dangerous creature, as a conversation in Bolt’s play illustrated rather poignantly:

MORE: “What would you do? Cut a great road through the law to get after the Devil?”

ROPER: “I’d cut down every law in England to do that!”

MORE: “Oh? And when the last law was down, and the Devil turned round on you—where would you hide, Roper, the laws all being flat?”

⁷⁷ SULLIVAN, *supra* note 49 at 74.

⁷⁸ *Id.*

This country's planted thick with laws from coast to coast—man's laws, not God's—and if you cut them down—and you're just the man to do it—d'you really think you could stand upright in the winds that would blow then?"⁷⁹

Regardless, a corrupted government needs sweeping changes, which Machiavelli believed must originate from a single individual, preferably someone virtuous⁸⁰, which in modern-day lingo translates as a hero. If a government that has fallen into decline through corruption is to rise again, it can only rise through the virtue of one individual, either a reformer of a very long life or two virtuous ones continued in succession.⁸¹ The individual must become leader through ordinary procedure, however corrupt that procedure may be so long as it is legitimate, but then he or she must use extraordinary means, even repugnant means, to correct the government and make the sweeping changes necessary to restore it and purge it of its corruption.⁸² When the deed accuses him, the effect excuses him.⁸³

Machiavelli admitted that, for renovation to endure, it cannot remain on the shoulders of one individual, but rather in the care of many and when its maintenance stays with many. A government will not be long-lived when only a founder's heirs benefit from its restoration.⁸⁴ In other words, transforming a corrupted government into a monarchy, however virtuous or kingly, is the same as transforming it into an out-right tyranny: it will not work. Caesar would have destroyed Rome, Palpatine did destroy the Galactic Republic, and a monarchy, however good, would destroy itself. What is needed is democracy. Even if the government corrupted is already a democracy, there must be a return to democracy.

⁷⁹ *Id.* at 37-38.

⁸⁰ SULLIVAN, *supra* note 49 at 126.

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.* at 127.

⁸⁴ SULLIVAN, *supra* note 49 at 128.

In STAR WARS, this was where Palpatine went wrong. He became Chancellor in a completely legitimate way, but his governmental reform enacted afterwards rather had the effect of permeating the Galactic Republic's ills, although the changes were *prima facie* designed to renovate the Galactic Republic: "In order to ensure our security and continuing stability, the Republic will be reorganized into the first Galactic Empire, for a safe and secure society...An empire that will continue to be ruled by [the Senate], and a sovereign ruler chosen for life...An empire ruled by the majority...ruled by a new constitution."⁸⁵ Whatever the galaxy, an empire is never the same thing as a democracy.

More From More

Historically, though a few persons might exemplify Machiavelli's theories about an individual who may save a corrupted government from itself, one rushes to mind before all others: Thomas More. A great influence on his times, he represents the virtuous individual who has the potential to save his kingdom. The moral of his story, however, is that more often than not, virtuous individuals die rather than save their governments.

More was named after the archbishop of Canterbury, St. Thomas Becket, another virtuous individual who died rather than save his government: when Henry II attempted to assert jurisdiction over the Catholic Church, Henry's efforts seemed to Becket a kind of totalitarian concentration of power, and Becket was willing to go to his grave in resistance.⁸⁶ The claim of the Crown to absolute authority over the Church made the problem one of conscience, and that was for Becket as for More a thing worth dying for.⁸⁷

More's king, Henry VIII, came to power after a long and bloody civil war disputing two families' rights to the Crown. The last thing Henry VIII wanted was the eruption of another civil

⁸⁵ STAR WARS: EPISODE III REVENGE OF THE SITH, *supra* note 12.

⁸⁶ Edward McGlynn Gaffney, Jr., *The Principled Resignation of Thomas More*, 31 LOY. L.A. REV. 63, 69-70 (1997).

⁸⁷ *Id.* at 72-73.

war with all the bloodshed which that would entail; a male heir would eliminate that potential horrific future.⁸⁸ Unfortunately, Henry VIII had trouble producing a son, and he blamed it on the fact that he had married his brother's widow, which was usually viewed as a sin in the Church. Originally, he obtained that marriage by leave of the Pope, but when the Pope refused to grant a divorce, Henry VIII separated himself and all of England from the Church so that he could divorce himself and remarry a lady who might better produce him a male heir. Because he was a virtuous individual, More was influential, and his blessing on the separation between the government and the Church would have been publicly considered as good as the Pope's. As Henry VIII told More in Bolt's play, "[Y]ou are honest. What's more to the purpose, you're known to be honest...there are those like Norfolk who follow me because I wear the crown, and there are those like Master Cromwell who follow me because they are jackals with sharp teeth and I am their lion, and there is a mass [of the common people] that follow me because it follows anything that moves—and there is you."⁸⁹

Ultimately, More refused to condone the king's act, which he believed was "directly repugnant to the laws of God and his holy church—the supreme government whereof, or any part thereof, may no temporal prince presume by any law to take upon him."⁹⁰ His decision raises the question of whether saving a corrupted government is even possible. Using More as a historical model, two closely-related problems for the virtuous individual arise, one come from the corrupted government and another coming from the individual.

First, in Bolt's *A MAN FOR ALL SEASONS*, the Common Man observed, "It isn't difficult to keep alive, friends—just don't make trouble—or if you must make trouble, make the sort of

⁸⁸ *Id.*

⁸⁹ BOLT, *supra* note 42 at 32.

⁹⁰ Gaffney, *supra* note 95 at 76.

trouble that's expected."⁹¹ That is, the virtuous individual might—and in More's case, does—die if he tries to rescue his government from itself, for a corrupted government, though needing desperately to be saved, naturally doesn't want to be saved from itself. Corruption likes corruption, and it will try to destroy anything and anyone that doesn't go along but instead tries to destroy it. More admitted the task to save a corrupted government was overwhelmingly daunting, even for himself: "[P]erhaps we must stand fast a little—even at the risk of being heroes."⁹²

Second, if an individual knows what a government needs to amend its corruption, he or she may not be able to achieve it without sacrificing the very principles that render him or her the virtuous savior. Machiavelli explained the difference between a good individual, the virtuous savior of a government, and a bad individual, its tyrant, in a rather complicated but certain way: because the proper reordering of a government for a political way of life presupposes a good individual, and becoming prince or emperor of a government by violence presupposes a bad individual, the good individual will never become prince or emperor by bad ways, even though his end is to do good, for the bad individual, having become prince or emperor by bad ways, will never think to use for good the authority that he or she has acquired badly.⁹³

In STAR WARS, perverting that distinction was what made Palpatine so evil: having come to power entirely through legitimate means, he should have been presupposed a good man, but his entire motivation was to put himself into a secure position where he could abuse at will the authority he had acquired so goodly: he wanted to become a tyrant all along.⁹⁴

More, for his part, could never save England because he was not king, and he never could become king because to do so would break the law and initiate civil war, from which England had only just recovered—and that was something Henry VIII would not do, much less More. Bolt,

⁹¹ BOLT, *supra* note 42 at 95.

⁹² *Id.* at 81.

⁹³ *Id.*

⁹⁴ STAR WARS: EPISODE III REVENGE OF THE SITH, *supra* note 12.

playwright of *A MAN FOR ALL SEASONS*, noticed, “I think [More] could have found his way round [all this]; he showed every sign of doing so.”⁹⁵ Undoubtedly, More was intelligent and politically adept, with the potential to take up the power to save a corrupted government, but it is highly significant that he did not. This illustrates the fundamental difference between Caesar and More, Machiavelli’s tyrant and his hero: Caesar initiated civil war to gain power, but More would not, and indeed, could not without turning himself into another Caesar, the very thing he, as a hero, could not and should never be.

One last lesson can be learned from More’s history: collision—which is simply a synonym for either “war” or “corruptions”—is inevitable. Everything else—reason(s), situation(s)—are only colorful accidents. In England, the government was very progressive, stabilizing—breathing a sigh of relief—when Henry VII finally produced a male heir, but the religion was very reactionary; the collision between the two was inevitable, setting Henry (and everyone else—even More and his decision and death, which were inevitable because the collision was inevitable) aside as colorful accidents.⁹⁶ This conclusion indirectly supports the statement made above in the introduction to this essay that the driving story in the *STAR WARS* prequels is the fall of democracy. The fall of Anakin was just a “colorful accident.”⁹⁷ Padmé, Palpatine, even the spiritual Jedi were all colorful accidents, but the fall of the Galactic Republic was inevitable. If Palpatine had not taken advantage of the political opportunities for tyrannical power, had not encouraged and manipulated the corruption bred from the Clone Wars, someone else certainly would have, sooner or later. As the Jedi Master Qui-Gon Jinn succinctly stated, “There’s always a bigger fish.”⁹⁸

⁹⁵ BOLT, *supra* note 42, at xii.

⁹⁶ BOLT, *supra* note 42 at ix.

⁹⁷ *Id.*

⁹⁸ *STAR WARS: EPISODE I: THE PHANTOM MENACE*, *supra* note 9.

To Fall a Government

Machiavelli's political theories about the necessity of war, the nature of corruption, and the potential power of a single individual are not just political theories. Machiavelli had the rise and fall of Julius Caesar as a model on which to build his theories, but Thomas More came after Machiavelli's time, yet his rise and fall closely parallels how Machiavelli believed an individual could rise and fall in government. More's only digression was that, although he was Machiavelli's virtuous individual, he could not and would not save his corrupted government due to its legal structure, the circumventing of which could be done only by sacrificing the virtues that made More the virtuous individual in the first place.

Nevertheless, it is possible to conclude that Machiavelli's theories not only actually worked, but more importantly, still work and perhaps always will work—even the part about the virtuous individual, for More, because his situation and surrounding circumstances did not and could not allow him to fulfill what should have been his heroic destiny, it remains possible, and another historical figure proves it possible, as we will further discuss below, that a virtuous individual may attain a position of power where he or she may save a corrupted government without sacrificing the very principles making him or her virtuous. Machiavelli's theories need only to be elaborated upon in a more distinct, clarified manner, thus establishing our universal formula of how governments fall.

First, there is a cycle of war and corruption. The first war is ultimately a foreign war, but following wars strike closer to home—even the capital itself, as was the case with Rome and the Galactic Republic—until there evolves civil war. As for the corruption, it begins usually with the leaders and bureaucrats—anyone associated with the inner workings of the government—and then trickles down in the form of protests by the common people, who are dissatisfied and disillusioned with their ineffective government. As Boromir, one of Tolkien's warriors, sorrowfully noted about

the falling of his kingdom: “Our people lose faith.”⁹⁹ The people’s protests induce further faction in the government, which in turn fuels further civil war.

This cycle continues until someone steps up as leader. This individual brings peace and reformation, ending the wars and amending the corruptions. Following Machiavelli’s definition of a good individual, he or she will come to power in a legitimate manner, enact the renovation the government needs, ensure the reforms will endure in the care of many—that is, in the care of the common people—and then step down when his or her time for power legitimately expires. If, according to Machiavelli’s definition of a bad individual, he or she comes to power by way of the wars and the corruption, then he or she will not outlaw the very means by which he or she came to power but rather will make them the new status quo, and in making such a new status quo, effectively and single-handedly fall a government and enact a new one in its place.

There are variations to this formula, but the essential elements always remain. Rome had numerous wars, most foreign, a few civil. Julius Caesar, as leader, was a bad individual and would have destroyed Rome, but the Senators assassinated him, preventing him from becoming a full tyrant yet allowing the cycle of civil war and corruption to continue, thus only delaying the inevitable, as it was not a Roman who fell Rome but rather the German chieftain, who was, though a foreign invader, for all other purposes, a leader who fell one government and enacted his own. England also had numerous wars, the latest one in More’s time being a civil war and the potential one—had Henry VIII not produced a male heir—also a civil war. It could be argued that Henry VIII, in changing governments from one joined with the Church to one separated from it, preserved peace and not corruption, but that is insignificant, as we are only focusing on how governments fall and not why. This is consistent with our points made above, that war and corruption are causes and not excuses, that collisions are inevitable, and that everything else—reason(s), situation(s)—are

⁹⁹ THE LORD OF THE RINGS: THE FELLOWSHIP OF THE RING, *supra* note 63.

colorful accidents: in other words, they do not matter. Our essential, primary point here with England is that one government fell and another rose under the same leader. Thomas More, as leader, was a good individual and could have saved England—that is, he could have preserved the original government—but due to his situation and surrounding circumstances, could not and therefore would not.

Perhaps the best historical example of this universal formula for the fall of a powerful government is the American Revolution and the emergence of George Washington, for all the essential elements discussed above exist and, even better, the virtuous individual triumphs.

The Facts

In the middle of the 18th century, England emerged victorious but virtually bankrupt from the Seven Years' War in North America, also known as the French and Indian War.¹⁰⁰ Before the war, England had undertaken minimal contact with or interference in the internal affairs of its North American colonies, but after the war, England began considering them from a more imperial perspective.¹⁰¹ To rebuild its finances, England placed a series of new taxes on the colonies, beginning with the Sugar Act of 1764 and the Stamp Act of 1765.¹⁰² This initiative provoked a negative reaction from the American colonists, whose principal grievance was that the taxes had been levied by England's Parliament, rather than by the local colonial assemblies; popular opinion held that it was appropriate for taxation to be levied only by locally elected officials.¹⁰³ When serious rioting erupted in the colonies, England felt pressured, repealed the Acts, and rearranged its bureaucratic administration¹⁰⁴ because it was the lords in Parliament who enacted the taxes, not the king—another example of an incompetent leader puppeteered by special interest groups, as

¹⁰⁰ DANIEL MARSTON, *THE AMERICAN REVOLUTION 1774-1783*, 9 (Osprey Publishing Ltd., Essential Histories, 2003).

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ *Id.*

happened during the fall of Rome. A temporary aura of calm ensued, but it was broken when England next passed the Quartering Act of 1765.¹⁰⁵ More protest ensued and was further fueled by the Townshend Revenue Act, which imposed custom duties on tea, paper, paint, glass, and lead.¹⁰⁶ On March 5, 1770, an angry mob attacked a small contingent of English soldiers, who opened fire in retaliation and killed three men and wounded five: the “Boston Massacre.”¹⁰⁷ England rearranged its bureaucratic administration once again and repealed the Townshend Act, but it appeared to have learned nothing, for in 1773, the Tea Act was imposed, which instigated the infamous “Boston Tea Party.”¹⁰⁸ In 1774, England passed more militarily if not economically stringent acts, including the Coercive Acts and the Quebec Act.¹⁰⁹ Tensions mounted between England and the colonies until by 1776, the colonies declared their independence—or in other words, civil war against and within England’s colonial empire.

Thus, our universal formula for the fall of a government is proven valid. The foreign war—in this case, the Seven Years’ War—caused corruption within the government: the bureaucrats—not the King, for he had little to do in the matter, as all the tax and military acts were initiated and enacted by his ministers and administrators, not himself—wanted to strengthen England’s colonial empire and raise it out of debt¹¹⁰: arguably selfish motives when compared to the greater common good in the American colonials’ principle of no taxation without representation. The corruption in the government cause dhthe common people to protest—the Boston Massacre, the Boston Tea Party—until eventually, tensions were so high, civil war ensued: the colonies declared their independence.

¹⁰⁵ *Id.*

¹⁰⁶ *Id.* at 11.

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *See Id.* at 11-13.

¹¹⁰ FRANCIS D. COGLIANO, *REVOLUTIONARY AMERICA 1763-1815*, 26 (2000).

War continued for the next seven years until peace was finally agreed upon and America was recognized as its own country.¹¹¹ England's government over the American colonies fell, and a new one was eventually raised in its place.

The Hero

The relative success, or at least the survival, of America's new government may be credited for the most part to its natural leader and first president, George Washington. He was a great individual, being very tall even by contemporary standards, heavily built, a superb athlete, a splendid horseman, and a graceful dancer.¹¹² He always moved with dignity, looking like a leader, but it was his moral character and cultivated virtues that truly made him great.¹¹³

Washington never desired or sought for power. He was reluctant to go to the congressional convention which was to form the constitution for the new government,¹¹⁴ but when he finally arrived, he was at once elected as presiding officer, his simple, honest presence and natural air of leadership giving the convention and the proposed constitution a prestige they otherwise would not have over the other delegates as well as the common people.¹¹⁵ Washington's backing of the constitution was essential to its eventual ratification,¹¹⁶ yet he was reluctant to speak out during the convention's wearying sessions, morally believing that his situation as presiding officer restricted him from offering his opinion or advocating a position.¹¹⁷ When the presidential office in the new government was pieced together in the constitution, everyone designed it with Washington in mind; Benjamin Franklin assured fellow delegates that "the first man put [in the presidential office] will be

¹¹¹ See MARSTON, *supra* note 100 at 89.

¹¹² Gordon S. Wood, *The Greatness of George Washington*, in GEORGE WASHINGTON RECONSIDERED 312 (Don Higginbotham ed., 2001).

¹¹³ *Id.* at 313.

¹¹⁴ See JOHN E. FERLING, *THE FIRST OF MEN: A LIFE OF GEORGE WASHINGTON*, 355 (1988).

¹¹⁵ Wood, *supra* note 112 at 319.

¹¹⁶ *Id.*

¹¹⁷ FERLING, *supra* note 114 at 359.

a good one,” and they knew he referred to no one but Washington.¹¹⁸ The delegates shaped their ideas of the powers to be given to the president by their opinions of Washington’s virtues and good character.¹¹⁹

Washington himself did not want to be president; he disavowed any interest in the position, proclaiming that he increasingly loved retirement and sincerely wished to live and die a private citizen at his home estate, Mount Vernon.¹²⁰ Nevertheless, as the most famous and popular man in America, Washington was a consensus choice, and on April 30, 1789, was inaugurated as the first president.¹²¹ Despite his private inclinations, he inevitably became president because he was convinced that the partiality of his fellow Americans made his services absolutely necessary.¹²² When Washington was called upon to serve as president, he was called upon to save his country, to ensure that the new government would succeed, to do what was right—and Washington was too virtuous an individual to restrain from doing what was right, particularly when others unanimously demanded he do it.

Later, when Washington was up for a second term as president, he again genuinely wished to relinquish his office, but in public rallies, speeches, and newspaper essays, both the great leaders of the day—Washington’s political comrades—and the common people pleaded for his continued service.¹²³ When he never issued a firm, clear refusal, his silence was construed as assent to a second term, and he was unanimously elected president again.¹²⁴

Washington gained his power by his readiness to give it up.¹²⁵ By understanding the nature of power and how to use it¹²⁶, he also indirectly understood the nature of corruption and how to

¹¹⁸ *Id.* at 362.

¹¹⁹ *Id.* at 364.

¹²⁰ *Id.* at 367.

¹²¹ COGLIANO, *supra* note 110 at 135.

¹²² FERLING, *supra* note 114 at 368.

¹²³ *Id.* at 423

¹²⁴ *Id.*

¹²⁵ Wood, *supra* note 112 at 320.

manage it. Washington's most important act as president was giving up the office after his two terms.¹²⁷ The greatest act of his life, the one that made his virtue legendary, was his resignation as commander-in-chief of America's army.¹²⁸ Until Washington, it was unprecedented in all the world's history: kings and emperors had abdicated their thrones, but never before had a victorious general surrendered his arms and returned to his farm.¹²⁹ It was widely thought at the time that Washington could have become king or emperor of America's new government, but he wanted nothing of the kind.¹³⁰ He was sincere in his reluctance to accept power and in his willingness to give it up. He was an extraordinary hero who made rule by more ordinary people possible.¹³¹ He gave the presidency a dignity that through the years it has never lost, but most importantly, he established the standard by which all subsequent presidents—and all subsequent heroes—have been ultimately measured: not by the size of their electoral victories or the quality of their legislative programs or the number of their vetoes, but by their moral character, their virtues.¹³²

The lesson to be learned from Washington is that the virtuous individual, in order to save a corrupted government—in the case of America, in order to save it at all, for it was too new to be corrupted—he or she must be placed in power by others. Washington did not leave Mount Vernon to take an active role in the colonists' protest movement, nor to take command of the army, nor to attend the constitutional convention, nor to serve as president, until he was called.¹³³ Thus a virtuous individual, to save a corrupted government, cannot save it until he or she is called to do so. He or she must feel forced that this path is placed before them, and no other path exists, nor can

¹²⁶ *Id.* at 322.

¹²⁷ *Id.*

¹²⁸ *Id.* at 316.

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ *Id.* at 324.

¹³² *Id.*

¹³³ FERLING, *supra* note 116 at 368.

anyone else rightly walk it. As the elven queen Galadriel noted of heroes, “If [they] do not find a way, no one will.”¹³⁴

The Demise of Democracy—and America

Yet our primary question, tinged with doubt and fear, remains: is democracy, assuming it is a government in the care of and answerable to the common people, susceptible to our formula for the fall of any government? That is, once a corrupted government has fallen but is replaced by a democracy, is it possible for that democracy to succumb to the same or similar events, forces, and people that fell the original government? Some contemporary political theorists say yes: given the difficulty of sustaining anything approaching maximal ideal democracy, declines from the purest democratic moments must be accepted as inevitable, barring major new moments of crisis and change which permit a new re-engagement.¹³⁵ Yet if a democracy may fall like any other government, it may also be saved like any other government. If war, being the major moment of crisis, creates faction and thus corruption in a democracy, the democracy will fall until or be destroyed unless Machiavelli’s virtuous individual steps forward, amends the corruption, and renovates the democracy—that is, permits a new re-engagement of democracy by entrusting the renovation to the many: returning the power to the people.

Democracy Defined

Today, the world’s single, dominant political ideology is democracy, whether practiced or not in all nations.¹³⁶ In 1988, on the eve of the collapse of the Soviet system, 147 countries held reasonably free elections; this number grew to 164 by 1995, then to 191 in 1999.¹³⁷ However, on a

¹³⁴ THE LORD OF THE RINGS: THE FELLOWSHIP OF THE RING, *supra* note 63.

¹³⁵ COLIN CROUCH, POST-DEMOCRACY 11-12 (2004).

¹³⁶ William Crotty, *Introduction: Perspectives on an Evolving Democratic Environment in a New Century (and Millenium)*, in THE STATE OF DEMOCRACY IN AMERICA 7, 7-8 (William J. Crotty ed., 2001).

¹³⁷ CROUCH, *supra* note 135 at 1.

stricter definition of full and free elections, there was an actual decline from 65 in 1988 to 43 in 1995, then a climb to 88 in 1999.¹³⁸

What is exactly democracy? Modern-day political theorist Norberto Bobbio defined democracy as a set of rules establishing who is authorized to take collective decisions and which procedures are to be applied.¹³⁹ Democracy is characterized by conferring the power to take collective decisions—which, in so far as it is authorized by the basic law of the constitution, becomes a right—to a large number of members of the government.¹⁴⁰ While in *STAR WARS*, Padmé argued, “Popular rule is not democracy...it gives the people what they want, not what they need,”¹⁴¹ Bobbio insisted the basic rule of democracy is the rule of the majority; decisions are considered collective, and thus binding on the whole group, if they are approved by at least the majority of those entrusted with taking the decision.¹⁴² Those called upon to take decisions, or to elect those who are to take decisions, must be offered real alternatives and be in a position to choose between these alternatives; they must be guaranteed “basic” rights: freedom of opinion, of expression, of speech, of assembly, of association, and so forth.¹⁴³ The government exercises power within limits derived from the constitutional recognition of these “inviolable” basic rights.¹⁴⁴ The constitutional norms which confer these rights are not rules of the game but rather preliminary rules which allow the game to take place.¹⁴⁵

In a democracy, there are two kinds of citizenship. One is positive citizenship, where groups and organizations of people develop collective identities, perceive the interests of these identities,

¹³⁸ *Id.*

¹³⁹ NORBERTO BOBBIO, *THE FUTURE OF DEMOCRACY* 24 (Richard Bellamy ed., Roger Griffin trans., Univ. of Minnesota Press 1987) (1984).

¹⁴⁰ *Id.*

¹⁴¹ *STAR WARS: EPISODE II ATTACK OF THE CLONES*, *supra* note 10 (deleted scene).

¹⁴² BOBBIO, *supra* note 139 at 25.

¹⁴³ *Id.*

¹⁴⁴ *Id.*

¹⁴⁵ *Id.*

and autonomously formulate demands based on them, which they pass on to the political system.¹⁴⁶

Another is negative citizenship, characterized by blame and complaint, where the main aim of political controversy is to see politicians called to account, their heads placed on blocks, and their public and private integrity held up to intimate scrutiny.¹⁴⁷ This difference implies two different conceptions of citizens' rights: positive rights stress citizens' abilities to participate in their government, such as the right to vote, to form and join organizations, and to receive accurate information, while negative rights protect the individual against others, especially against the government itself, such as rights to sue and rights to property.¹⁴⁸

Democracy thrives when there are major opportunities—which are used—for the mass of the common people to participate actively, through discussion and autonomous organizations, in shaping the agenda of public life.¹⁴⁹ This ideal expects very large numbers of people to be knowledgeably engaged in understanding political events and issues and to participate in a lively way in serious political discussion and in framing the agenda; they are not to be simply passive respondents to opinion polls.¹⁵⁰ This ideal can never be fully achieved, but, like all impossible ideals, it sets a marker.¹⁵¹ As discussed above, an ideal is what moved Rome to become an empire powerful beyond renown. It is valuable and intensely practical to consider where our conduct stands in relation to an ideal, since in that way we can try to improve, rather than to scale down definitions of the ideal so that they conform to what we easily achieve.¹⁵² That way lies complacency, self-congratulation, and an absence of concern to identify ways in which democracy is being weakened.¹⁵³

¹⁴⁶ CROUCH, *supra* note 135 at 13.

¹⁴⁷ *Id.*

¹⁴⁸ *Id.*

¹⁴⁹ *Id.* at 2-3.

¹⁵⁰ *Id.*

¹⁵¹ *Id.*

¹⁵² *Id.*

¹⁵³ *Id.*

The Falling

The ideal model of democratic society is a centripetal society, based on popular sovereignty, conceived in the image of, and as analogous to, the sovereignty of the prince; however, the reality is a centrifugal society, pluralistic, which has not just one center of power but a plethora of them.¹⁵⁴ The shortcoming of democracy's reality has resulted in two major failures. First, special interest groups still exist and sway power, threatening to manipulate any weak and incompetent leaders and thus corrupt a government.¹⁵⁵ Second, citizens' education has not reached the high level the ideal model of democracy requires.¹⁵⁶ Education for democracy is an integral part of the operation of democracy in practice.¹⁵⁷ For education to fail the citizens is for the citizens to fail the democracy and the democracy to fail the citizens.

These two failures occur because of obstacles which were not foreseen or which arose unexpectedly as a result of transformations in the nature of civil society.¹⁵⁸ These transformations included the growing need of expertise,¹⁵⁹ the continued increase in the scale of bureaucracy,¹⁶⁰ and the inability of a democratic system to “deliver the goods”¹⁶¹—that is, democracy has sometimes been expected by some people to be the golden solution, to succeed in every area where all other forms of government failed. This is an impossible expectation of perfection, and for democracy to fall short is, however natural, nevertheless disappointing.

The fundamental cause of democratic decline in contemporary politics is the major imbalance now developing between the role of corporate interests and those of virtually all other

¹⁵⁴ BOBBIO, *supra* note 139 at 28.

¹⁵⁵ *See Id.* at 30.

¹⁵⁶ *Id.* at 35.

¹⁵⁷ *Id.*

¹⁵⁸ *Id.* at 37.

¹⁵⁹ *Id.*

¹⁶⁰ *Id.* at 38.

¹⁶¹ *Id.* at 39.

groups.¹⁶² Taken alongside the inevitable entropy of democracy, this is leading to politics once again becoming an affair of closed elites, as it was in non-democratic governments.¹⁶³ The distortions operate at a number of levels: sometimes as external pressures exercised on governments, sometimes through internal changes within the priorities of government itself, and sometimes within the very structure of political parties.¹⁶⁴ These changes are so powerful and widespread that it is impossible to see any major reversal of them.¹⁶⁵ It leads us to say the fall of democracy is inevitable because it is already falling.

In STAR WARS, Anakin and Padmé shared an interesting conversation exemplifying how easily a democratic government can fall to become a non-democratic government simply due to complacency with the reality of democracy's failures and acceptance of the impossibility of its ideal model:

ANAKIN: I don't think the system works...We need a system where the politicians sit down and discuss the problem, agree what's in the best interest of all the people, and then do it.

PADMÉ: That's exactly what we do. The trouble is that people don't always agree.

ANAKIN: Well, then, they should be made to.

PADMÉ: By whom? Who's going to make them?

ANAKIN: I don't know...Someone wise.

PADMÉ: Sounds an awful lot like a dictatorship to me.

ANAKIN: Well, if it works...¹⁶⁶

¹⁶² CROUCH, *supra* note 135 at 104.

¹⁶³ *Id.*

¹⁶⁴ *Id.*

¹⁶⁵ *Id.*

¹⁶⁶ STAR WARS: EPISODE II ATTACK OF THE CLONES, *supra* note 10.

Some political theorists do not see a “fall” of democracy so much as an evolution of democracy into post-democracy. In a post-democratic world, elections exist and can certainly change governments, but public electoral debate is a tightly controlled spectacle, managed by rival teams of professional experts in the techniques of persuasion, and considering a small range of issues selected by those teams.¹⁶⁷ The mass of the common people plays a passive, quiescent, even apathetic part, responding only to the signals given them.¹⁶⁸ Behind this spectacle of the electoral game, politics is actually shaped in private by interaction between elected governments and elites that overwhelmingly represent business interests.¹⁶⁹ It is similar to the withdrawal of Romans to their private villas in the countryside and the Germans’ growing political manipulation of government in Rome, as discussed above. Although this modern model might be an exaggeration, enough elements of it are recognizable in contemporary politics to make it worth while asking where our political life stands on a scale running between it and the ideal democratic model.¹⁷⁰

Keeping Faith

Yet it may be impossible to get rid of democracy. Bobbio maintained that the failures and unforeseen obstacles are insufficient to transform a democratic government back into a non-democratic one because their essential difference perseveres¹⁷¹: only in a democratic government can citizens get rid of their government without bloodshed, making war unnecessary and avoidable.¹⁷² The minimal content of democracy has never yet been impaired: guarantees of the basic liberties, the existence of competing parties, periodic elections with universal suffrage, and decisions which are either collective, the result of compromise, made on the basis of majority principle, or the outcome

¹⁶⁷ *Id.* at 4.

¹⁶⁸ *Id.*

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ BOBBIO, *supra* note 139 at 40-42.

¹⁷² *Id.*

of open debate between different factions.¹⁷³ More significantly, no war has yet broken out between democratic governments: not that democracies have never fought wars, but so far they have never fought them with each other.¹⁷⁴ That has to say something. Perhaps one character in STAR WARS said it best: “We must keep our faith...The day we stop believing democracy can work is the day we lose it.”¹⁷⁵

State of the Union

Applying our formula to America¹⁷⁶ today, the state of democracy looks promising, much as the Roman empire looked before Constantine reigned. America enters the twenty-first century as the preeminent world leader, its only superpower, and a country without natural enemies.¹⁷⁷ Confident, economically and militarily unchallenged, America makes globalization of trade, commerce, finance, and technology the order of the day.¹⁷⁸ It is a world order in which, through force of values, quality of performance, and abundance of resources, America has emerged as the global leader.¹⁷⁹

It is a place that upon first glance, America deserves. The nation has demonstrated that it has the resources and economic muscle, as well as the vision, to position itself appropriately to profit from the new age of information technology and a globalized economy interdependency.¹⁸⁰ America as a society is larger, better educated, more prosperous, and more racially and ethnically integrated and culturally diverse, more socially responsible, and healthier than it was a half century

¹⁷³ *Id.*

¹⁷⁴ *Id.*

¹⁷⁵ STAR WARS: EPISODE II ATTACK OF THE CLONES, *supra* note 10.

¹⁷⁶ We say America and not “the United States” because “the United States” is just a name, a legality, much like “Bic” is the brand name of the pen with which we write. The pen remains the substantial essence of “Bic,” and America is the substantial essence of “the United States,” much like Rome was the substantial essence of the Roman Empire: it was the idea(). Such is America to the United States, and so we say America.

¹⁷⁷ Crotty, *supra* note 136 at 7-8.

¹⁷⁸ *Id.*

¹⁷⁹ *Id.*

¹⁸⁰ *Id.* at 17.

ago.¹⁸¹ The economy and the economic condition of most individuals are better now than at any previous point in history.¹⁸² Social spending has dramatically increased, though less encouraging, crime rates have also risen, as has the number of people imprisoned.¹⁸³ Yet unarguably the country is poised to continue to take advantage of the economic restructuring in progress and the globalization of markets, finance, and trade—a legacy that, if properly managed, is a gift to future generations.¹⁸⁴

The government's influence on American life and policy not only will be maintained but will increase in this era of globalized economic and political interdependency.¹⁸⁵ A likely scenario is that there may be less energy devoted to reducing the government's influence and more put into guaranteeing a reasonable level of political representation and accountability in the conduct of public and international affairs.¹⁸⁶ The overall picture predicts expanding governmental presence, the services and programs it provides, and the impact it has on individual lives.¹⁸⁷

America is undergoing a process of fundamental change with consequences that should at least parallel but most likely outstrip the changes that have taken place over the last half of the twentieth century.¹⁸⁸ Generally, it is safe to say that transformative change is well underway; exactly where it will lead is uncertain, but it is reasonable to believe that the reshaping of American society is underway, though it has a considerable way to go before reaching its full momentum.¹⁸⁹ Yet America's democracy has both survived and prospered over the last two centuries despite a series of challenges equal to or more demanding than those faced in the contemporary period.¹⁹⁰ With care

¹⁸¹ *Id.* at 9.

¹⁸² *Id.* at 14.

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ *Id.* at 16.

¹⁸⁶ *Id.*

¹⁸⁷ *Id.*

¹⁸⁸ *Id.* at 28-29.

¹⁸⁹ *Id.*

¹⁹⁰ *Id.*

and sensitivity to its underlying assumptions, America should continue along much the same path in the foreseeable future¹⁹¹—just as Machiavelli believed Rome should have continued, had it not been for ambitious individuals.

The 2000 presidential election threatens to foreshadow the coming of such ambitious individuals to America, given the common people have become more like a post-democratic, negative citizenry: apathetic and concerned only with their private interests.¹⁹² The prevailing mood in 2000 seemed to be that achieving an outcome—any outcome—was important in order to restore confidence to the stock markets, and that was more important than ensuring that the verdict of the majority was truly discovered.¹⁹³

However, instead of being the first sign of the fall of democracy in America, this might only be a stronger embodiment of what has already begun. Once again, Tolkien's Galadriel artfully, eerily foretold the matter perfectly: "The Fellowship is breaking. It has already begun."¹⁹⁴ America experienced its golden age during the high level of widespread political involvement of the late 1940s and early 1950s, which was partly a result of the intensely important and public task of post-war reconstruction, and perhaps also a residue of the intensified public character of life during war itself.¹⁹⁵ Such an ideal could not be expected to be sustained for many years, and elites soon learned how to manage and manipulate the system as common people became disillusioned, bored, or preoccupied with the business of everyday life.¹⁹⁶ The growing complexity of issues made it increasingly difficult to take up informed positions, to make intelligent comment, or even to know what "side" one was or should be on.¹⁹⁷ Participation in political organizations declined everywhere,

¹⁹¹ *Id.*

¹⁹² See CROUCH, *supra* note 135 at 13.

¹⁹³ *Id.* at 2.

¹⁹⁴ THE LORD OF THE RINGS: THE FELLOWSHIP OF THE RING, *supra* note 63.

¹⁹⁵ CROUCH, *supra* note 135 at 8-9.

¹⁹⁶ *Id.*

¹⁹⁷ *Id.*

and eventually even the minimal act of voting was beset by apathy.¹⁹⁸ It is as if America has come to where the Galactic Republic was in the first STAR WARS prequel. Palpatine, then just a Senator, observed, “There is no civility, only politics. The Republic is not what it once was. The Senate is full of greedy, squabbling delegates. There is no interest in the common good...The Chancellor has little real power. He is mired by ‘baseless’ accusations of corruption. The bureaucrats are in charge now.”¹⁹⁹

It may not be too long before America—and democracy—suffers an accumulation of events, forces, and people similar to or at least with the same strength of that which fell Rome. Taking a snapshot of where and what we are now, in 2005, gives us no picture of what lies in store, but if we put that snapshot in an album, in context of our contemporary history, we might begin to see a pattern and a path. War has already begun: the current war in Iraq may not be enough, but it need not be. There was Bosnia, Somalia, the Gulf War, the Vietnam War, the Korean War. There has been dissent—the hippie movement, for instance, the feminist movement, or the Civil Rights protests—and there has been corruption: Watergate, Whitewater, Clinton’s impeachment. The corruption has been somewhat managed and controlled, but if efforts to manage it fail, and extraordinarily, irreparable catastrophe and damage result, soon someone might echo Padmé’s cold words: “I was not elected to watch my people suffer and die while you discuss this invasion in a committee. If this body is not capable of action, then I suggest new leadership is needed... It is clear to me now that the Republic no longer functions. I pray [that someone] will bring sanity and compassion back to [democracy].”²⁰⁰ Arnold Schwarzenegger, governor of California, seemed to be along Padmé’s line of thinking when he recently called for a special election to be held in November

¹⁹⁸ *Id.*

¹⁹⁹ STAR WARS: EPISODE I THE PHANTOM MENACE, *supra* note 9.

²⁰⁰ *Id.*

2005 to continue dramatic reformation of the state's government and finances, saying, "I did not come to Sacramento, and [the people] did not send me here, to repeat the mistakes of the past."²⁰¹

If America is falling, we must remain vigilant and keep faith that democracy can and always will work. We must seek another Washington or More and call them to serve, elect them to office. Above all, we must be wary of the Julius Caesar's and, even more, of the Palpatine's.

Conclusion

As promised, through the historical discussion of the fall of Rome analyzed in light of Machiavelli's political theories and compared to contemporary democracy using the STAR WARS prequels as a backbone, we have synthesized a universal formula for the fall of any government at any time. First, there is war, either because of external threats or because of internal unrest and faction, as most likely will be or is the case with America. Second, the war bred of faction, which is bred of corruption, breeds more corruption as ambitious individuals take advantage of the opportunity of instability to gain power by satisfying the private desires of the people, such as securing their individual safety under the guise of their collective safety. America is already poised in that private, selfish state of mind; it is a society and culture characterized for valuing and encouraging individualism. Finally, a single individual will emerge as a legitimate leader, either to perpetuate the government's ills to his or her own political advantage and power, or to renovate, amend, and end the corruption. This will be the ultimate revelation: democracy will be either a phoenix, unique among all previous kinds of government, able to emerge from its ashes brighter, stronger, and truer, or it will fall, much like every other government has fallen, as Padmé lamented, "with thunderous applause."²⁰²

²⁰¹ THE ASSOCIATED PRESS, *Schwarzenegger Calls for Special Election*, MSNBC.COM, June 13, 2005, available at <http://www.msnbc.msn.com/id/8209345>.

²⁰² STAR WARS: EPISODE III REVENGE OF THE SITH, *supra* note 17.