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### CHAPTER

## 19 The People

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### Abstract

This article analyses the notion of the ‘the people’ in contemporary political theory. It explains that the people's authority is considered to confer legitimacy upon constitutions, new regimes, and changes to the borders of states. It discusses the attribution of ultimate political authority to the people and investigates how the people came to have an authoritative status. It also analyses whether the repository of the ultimate political authority is a collective entity, a collection of individuals, or both.

**Keywords:** [the people](#), [political theory](#), [people's authority](#), [authoritative status](#), [collective entity](#)

**Subject:** [Political Theory](#), [Politics](#)

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“The state” began its conceptual career as the estate of an anointed king, but is now supposed to derive its legitimacy from “the people.” Populists and politicians alike defer to the people's authority, which can confer legitimacy upon constitutions, new regimes, and changes to the borders of states. Even informal outbreaks of “people power” seem often to be regarded as authoritative. Despite the crucial role played by “the people” in contemporary political discourse, analyses of the notion in recent political theory are meagre and scattered. Perhaps this is not surprising; whereas “the state” (belonging as it does to the realm of legal abstractions) is evidently a proper object of theoretical reflection, “the people” may seem too fuzzy, too emotive, and too closely associated with populist rhetoric to be worth analysis. This chapter will approach the topic by considering four issues, all of them aspects of one fundamental question: What does it mean to attribute ultimate political authority to “the people”?

1. *How* did the people come to have this authoritative status? The first section will attempt a brief historical survey.
2. *Who* are the people? The most pressing aspects of this question in the contemporary world concern external borders and the relationship between “people” and “nation.”
3. *What* is/are the people? Is the repository of ultimate political authority a collective entity, a collection of individuals, or (somehow) both at once?

## 1 How Did “The People” Acquire Political Authority?

Like most political concepts that have acquired global resonance, the modern notion of the sovereign people has a Western and Classical pedigree. Along with *peuple* and *popolo*, “people” is derived from the Latin *populus*. Within that Roman heritage the language of *populus*/people had honorific connotations (absent from *demos* and democracy) that made it worth adapting to the needs of a long series of political controversies. The notion survived classical Rome embedded in two contrasting political and theoretical contexts. Within the Roman Republic sovereign power had belonged to the *populus* and had been regularly exercised by the assembled citizens (themselves, of course, a privileged minority of the population). But the Roman imperial legacy was quite different and more influential. Starting with Augustus, Rome's military despots exercised powers formally conferred on them by popular assent. This convention was incorporated into Roman Law as the *lex regia*, according to which sovereign power belonged to the Emperor by delegation from the *populus*: popular sovereignty and absolute rule could therefore coexist.

If the only available meaning of popular sovereignty had been the direct exercise of popular power as in the assemblies of the Roman Republic, then the notion would have been no more relevant to monarchical politics than was the Greek concept of democracy. But the ambiguous discourse within which *all* governments could be seen as drawing legitimacy from the people blurred the boundary between “popular” governments and others. In the very long run (after many centuries of political competition for a divine rather than a popular mandate) that made rhetorical weapons available to those who wanted to hold kings to account. This novel use of the traditional theme of popular sovereignty was promoted by religious conflict in Europe in the sixteenth century. Faced with rulers committed to the wrong version of Christianity, Protestant and Catholic writers put forward parallel theories justifying resistance by appealing to the well-known principle that power was ↳ derived from the people. Theorists on both sides assumed that the people of the realm in question formed a collectivity with natural leaders able to act on behalf of the people when the king forfeited his right to rule.

This practical appeal to the ultimate authority of the people was a defensive measure that did not entail anything approaching popular government on the Roman Republican model. Similarly, although the social contract theories developed about the same time also drew on the tradition that political authority had popular origins, most of them made clear that the latter was perfectly compatible with absolute monarchy. But Resistance and Contract theories alike could be creatively developed, given a political stimulus like that supplied in the seventeenth century by civil wars and revolutions in England.

“The people” were invoked by all sides in those struggles. While Parliamentarians claimed that they alone were the people (Morgan 1988, 64–5), Thomas Hobbes demonstrated to his own satisfaction that, on the contrary, the *King* was the people. “The *People* rules in all Governments, for even in *Monarchies* the People Commands; for the People wills by the will of *one* man ... in a *Monarchy* ... (however it seeme a Paradox) the King is the *People*” (Hobbes 1983, 151). Triggering fears of “the many-headed monster” (Hill 1974), the Levellers went to the opposite extreme, identifying the sovereign people with the mass of freeborn Englishmen: “the hobnails, clouted shoes, the private soldiers, the leather and woollen aprons, and the laborious and industrious people of England” (Wootton 1991, 413). Sir Robert Filmer did his best to take the wind out of populist sails with a *reductio ad absurdum*: either the supposedly authoritative “people” means every single individual in the country at every moment in time, or else it is just a cloak for the pretensions to power of conspirators of all kinds (Filmer 1949, 252, 226).

No wonder that in 1683 the doctrine that “all civil authority is derived originally from the people” was condemned by the Tory University of Oxford (Wootton 1986, 38). It took the ejection of James II in the Glorious Revolution of 1688 to bring the notion of an actively sovereign people into the mainstream of Anglophone political discourse. Although Parliament preferred the fiction that King James had “abdicated,” the event gave respectability to Locke's radical interpretation of the Revolution as an “appeal to heaven” by the people.

p. 352 Even for Locke, however, the role of the people was still defensive. Having reclaimed their sovereignty, the people apparently use it only to authorize a new king, not to set themselves up as rulers. The modern political discourse of “the people” emerged only in the American Revolution. Besides justifying resistance to George III and reclaiming power for the people, the Americans went much further. “We the people” established a new constitution, thereby acting as ultimate authority, but in actual assemblies rather than an imaginary state of nature. Partially reviving the Roman republican model, they broke with the tradition of authorizing kingly rule and established a government elected by and belonging to the people (Hamilton, Jay, and Madison 1886, 292).

America was not the only place where, from the late eighteenth century, the politics of “the people” became increasingly strident. *Le peuple* erupted dramatically on to the public stage in France to challenge all established hierarchies. Understood as the *nation* (Hont 1994), but as a nation carrying a universal mission to liberate other peoples, that people also helped to set off the nineteenth-century's principal international revolutionary movement, liberal republican nationalism in the name of the people. German Romantic nationalists developed a different and equally revolutionary discourse of the *Volk*, a mixture of cultural populism and ethnic nationalism. Nineteenth-century Britain had its own distinctive politics of “the people,” echoing the Levellers' claim for the common people to take their rightful place within a polity that belonged immemorially to the whole people. The reformist populism of liberals from John Bright to Lloyd George formed a bridge to the class politics of the twentieth-century Labour Party.

Modern political discourses of “the people” therefore include a medley of national and linguistic traditions. The legacy of the American Revolution is nevertheless worth stressing, for its effect was to turn “the people” into shorthand for a many-sided political project. The people are the ultimate political authority, creators of the Constitution, and also the owners of government. Although represented, they merely lend their authority to politicians and can easily be provoked to reclaim it. This “people” is both a collective, self-determining nation and a collection of individuals enjoying rights that belong to people as human beings. Although in some ways notably down to earth, referring to ordinary people here and now, the American discourse of “the people” is also visionary, for the chosen people represent a universal cause and show the way to people everywhere. Within the modern mythology of the people, the heroic tragedy of the French Revolution is capped by the American myth of triumphant political foundation by the people, and by faith in political redemption by that people when necessary.

p. 353 Twentieth-century politics was largely a story of gods that failed: causes that inspired enthusiasm, caused suffering on a grand scale, and then lost their followers. But faith in the conquest of power by the people lives on. Disillusionment with what are supposed to be “people's governments” seems only to imply that power has escaped from the people and needs to be recaptured. There seems to be little political appetite for the disenchanted view that “the people” are nothing but the population, and “government by the people” nothing but the rule of some human beings over others.

A long and hectic career of use in political controversies has left the notion of “the people” potent but hazy. It seems to be at one and the same time universal and particular, abstract and concrete, collectivity and collection, mythical and mundane. The rest of this chapter will examine some of the issues raised by these ambiguities.

## 2 Who are the People?

Disputes over the limits of the “people” to whom ultimate authority is attributed have often hinged on rank or class, partly because of a long-standing ambiguity whereby *populus*/people could mean either the whole polity or part of it, while “the people” as part could itself refer either to a privileged class of “political people” or to the unprivileged “common people.” In contemporary politics, however, boundaries *between* peoples tend to be more pressing, especially since the right of “peoples” to self-determination has been recognized by United Nations Declarations. While these peoples have at times been defined by existing state boundaries, much of the notion's force lies in its justification either of unification or of secession. The post-Communist outbreak of border conflicts in the 1990s prompted a number of political theorists to reflect on self-determination, although the liberal optimism of some of the earlier discussions was quickly dampened by events (e.g. Margalit and Raz 1990; Tamir 1993; Miller 1995; Philpott 1995; Moore 1998).

p. 354 How should a “people” with claims to political autonomy be understood? Is it equivalent to a nation? A number of theorists have argued that in contemporary circumstances, only the ties of nationhood are likely to generate a people with the kind of long-term political solidarity that is needed to sustain self-rule (e.g. Miller 1995; Canovan 1996; Yack 2001). This is not to say that either “nation” or “people” needs to be understood as any sort of natural kindred, only that nationhood supplies historical depth and a quasi-familial sense of sharing a common fate. But since the concept of popular sovereignty was first articulated in city-states, republicans and internationalists can claim with apparent justification that a self-governing people should be able to do without such bonds. The example of the USA may seem to show that a single people with powerful political solidarity can be built in conditions of ethnic diversity and large scale immigration (though see Yack 1996). The European Union notoriously lacks a single European “people” able to close the “democratic deficit” between citizens and institutions. For some theorists, however, notably Jürgen Habermas, all that is needed is political will on the part of Europe's leaders to build such a people (Grimm 1995; Habermas 1995; Weiler 1995). That debate raises issues about the scope for “people-building” (Smith 2003). Is political solidarity an artifact that can be deliberately created, or is it the uncontrollable outcome of historical legacies and political contingency (cf. Schnapper 1994; Habermas 1996; Canovan 2000)?

Such discussions touch on wider debates about political inclusion and exclusion. Within the discourse of popular sovereignty, the “people” credited with ultimate political authority often seems abstract, universal, and borderless (Yack 2001), which perhaps implies that it should include all people everywhere. This last suggestion gains some measure of plausibility from Anglophone usage in which “people” without an article means human beings in general. The politically-relevant “people” of Western states has undoubtedly expanded to include many formerly excluded, most notably the female half of the population; can that expansion stop at the borders of any specific “people,” whether ethnically or politically defined? Cosmopolitans argue that both the logic of our political discourse and the facts of globalization point toward inclusion—perhaps even toward full-scale global rule by a United Nations People's Assembly (Archibugi and Held 1995) but at any rate toward the erosion of differences between “our” people and people in general (Linklater 1999). Squarely in the way of any such development, however, stand the enfranchised peoples of the powerful and prosperous nation states that sustain democracy at home and provide a base for cosmopolitan ideals (Miller 1999; Canovan 2001). Mass migration, widely seen as a threat to “our people,” p. 355 has in recent years provoked a populist reaction in many of those democratic states. Since populists claim to mobilize “the people” against an undemocratic elite, this has in turn set off academic debates about the relation between populism and democracy (Mény and Surel 2002).

### 3 What is/are the People to Whom Ultimate Political Authority is Attributed?

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Whatever its boundaries and limits, should the sovereign people be conceived as a collective entity? The grammar of *populus*, *peuple*, *popolo*, and *Volk* points to a singular subject of that kind. In English “the people” is normally plural, meaning a collection of specific individual people. But that is not to say (pace Sartori 1987; Holden 1993; Mény and Surel 2000) that Anglophone usage is exclusively individualist, for “people” often does refer also to an intergenerational unity of which individuals are part. To be able to ask questions about the exercise of political authority by the people, we need to know what kind of actor we are looking for—a collective or a collection. The difficulty is that both senses seem indispensable. Anglophone political philosophy is traditionally suspicious of collectivist thinking. But if we resolve the people into a collection of mortal, ever-changing individuals, we find, as anti-populists from Filmer to Riker have pointed out (Filmer 1949; Riker 1982), that there is no longer any “people” that could act as a repository of political authority. To suppose, for example, that a majority verdict in a referendum delivers “the people's choice” we have to be able to assume that the people as individuals can be regarded as members of “the people” as a body, and that the result of individual votes on any particular occasion can be accepted as the voice of the whole.

The people for which ultimate political authority is claimed has, in fact, often been conceived as a corporation. Defending self-government by Italian city-republics, medieval jurists such as Baldus described a *populus* that was not just an aggregate of individuals but a *universitas*, able to act as a body through legally-defined organs in the same way as other ecclesiastical and secular corporations. The *populus* that they had in mind was something concrete and specific, a political actor in the real world (Canning 1980).

p. 356 Many of the social contract theorists working from the sixteenth to the eighteenth centuries conceived of an authoritative people that was also corporate, although more abstract and general. For Pufendorf, the people that brings a legitimate state into being is a “compound moral person” with a single will, formed by a prior contract among individuals in a state of nature (Pufendorf 1717). Corporate accounts have the advantage of presenting “the people” as a body that can take effective action. Their disadvantage (from the point of view of what became the liberal tradition and the dominant political discourse) is that the people as distinct individuals disappear into “the people” as a body, an entity that has to be conceived as speaking and acting only through official spokesmen. Hard though it may be to square the circle, our political discourse demands an account of the ultimate political authority that somehow preserves both that corporate ability to take action and our separate, plural identities as individual people.

Rousseau's theory of popular sovereignty tried to unite individual and collective aspects of the people and to make the abstract sovereign people present in politics. Reconciliation was to be achieved by means of a General Will directed to the common good, willed by the people both as individuals and as a body assembled. Lacking faith in people as they were, however, he undermined his own theory by conjuring up a lawgiver, enlightened enough to discern the General Will and charismatic enough to form individual citizens into a cohesive people that can be counted on to will it.

Locke's very different attempt to reconcile individual and collective people has its own problems. Not content with conceiving of the people as a single body able to hold the king to account, Locke simultaneously presents that sovereign people as concrete individuals in full possession of their natural rights. He tells us that men in a state of nature “enter into Society to make one People, one Body Politick” (Locke 1964, 343), after which power is entrusted to a monarch but sovereignty stays with the people. This “people” that can act to reclaim authority from king and parliament is not a constituted body of the legally corporate kind; Locke says, indeed, that when government has broken its trust, “everyone is at the disposure of his own will” (Locke 1964, 426). Nevertheless he clearly expects that the individuals concerned

will be able to act as a body in circumstances where formal ties between them no longer exist. Richard Ashcraft has argued that what he had in mind was a revolutionary “movement” (Ashcraft 1986, 310).

p. 357 It may be that the authoritative “people” that haunts our political discourse is indeed best thought of neither as a formally organized corporate body nor as an atomistic collection of individuals, but instead as an occasional mobilization through which separate individuals are temporarily welded into a body able to exercise political authority (cf. Ackerman 1991, 1998). But why should “the people,” however conceived, be regarded as authoritative?

## 4 Why are “The People” the Ultimate Political Authority?

This question cannot be adequately answered by pointing to the lack of alternative sources of authority since the loss of faith in king, church, and party. We cannot assume that there must be an ultimate source to be found somewhere or other; furthermore, if we think of “the people” simply as the population—an ever-changing collection of ordinary, partisan, often ignorant human beings—then their claim to be regarded as the fount of legitimate political authority is hardly overwhelming. It is easy enough to make a negative case for some involvement of the general population in politics, on the grounds that this can limit rulers' abuse of power. But the discourse of popular sovereignty is more ambitious. Thinking about the enthusiasm that greeted the outbreak of “people power” in Eastern Europe in 1989, it is hard to deny that “the people” supposed to be reclaiming its/their rightful authority appeared surrounded by a numinous haze. It is precisely the conjunction of this glamour with the reassuring sense that “the people” are also *us* that makes the notion so powerful.

Political theorists have mostly been reluctant to concern themselves with phenomena of such dubious rationality, although useful clues can be found both in Michael Oakeshott's characterization of “the politics of faith,” and in Claude Lefort's explorations of the “theologico-political” aspects of democracy (Oakeshott 1996; Lefort 1986, 1988). One way of bringing the people's mysterious authority within the pale of rational analysis may be to treat it as a legitimating myth, perhaps akin to belief in the divine right of kings. The significance of myth in the politics of nationhood is widely recognized (e.g. Schöpflin 1997), while Rogers Smith has recently investigated what he calls “stories of peoplehood” (Smith 2003).

p. 358 Henry Tudor's pioneering analysis of political myths (Tudor 1972) can be applied to myths of the people as past founders and future redeemers of their polity. Local foundation myths (telling how the people of a particular place and time rose against their tyrant and established their own polity) include the Swiss foundation myth and the story of the American Revolution and Constitution. These local myths gained wider resonance through their entanglement with the universal foundation myth of the social contract (Canovan 1990). Such stories of the popular foundation of politics are complemented by forward-looking myths of political renewal when the people will take back their power and make a fresh start. Generations of populists have told how the people have been robbed of their rightful sovereignty but will rise up and regain it.

While myths of the people may at times help to supply political legitimacy, they tend also to create unrealistic expectations that can generate dissatisfaction with actually existing democracy. The belief that we, the people, are the source of political authority gives the impression that we ought to be able to exercise power as a body. But although democratic processes allow us to have an input into politics as individual voters or as members of groups of various kinds, there is no sense that we as the people are in control. As Claude Lefort says, the place of power remains empty, or at any rate the sovereign people remain absent from it (Lefort 1986, 279). The myths leave us with an unsatisfied craving to see the real sovereign People in action, moving into Lefort's “empty place of power” and exerting their sovereign authority at last (Canovan



2002). This may be why any plausible approximation to this scenario becomes charged with mythic power, as in the East European revolutions of 1989.

If stories and images of this kind can help to set political actors in motion, then analysts of political phenomena cannot afford to ignore them. But what are political theorists to make of the mythic elements apparently inseparable from current beliefs about the source of legitimate political authority? A robustly critical reading has been offered by Edmund Morgan, who treats the sovereign people as a “fiction” that was deliberately invented to challenge and replace another fiction, the divine right of kings. During the English Civil War, “representatives invented the sovereignty of the people in order to claim it for themselves.... In the name of *the* people they became all-powerful in government” (Morgan 1988, 49–50).

p. 359 Working in a different theoretical idiom, Pierre Bourdieu uses the language of magic and sorcery to describe the processes by which collectivities like “the people” are generated and through which “symbolic power” is wielded by those who conjure them up and claim to speak for them (Bourdieu 1991). The individuals acting out these magical appearances, including the ordinary people identified by themselves and others as “the people,” appear in his account as pawns in the hands of a manipulative elite.

Those analyses seem to discredit the authority they analyze. Yet cases of grassroots political mobilization can at times be more spontaneous and less controllable than Morgan or Bourdieu suggest. Political myths feed on the rare cases when movements recognized both by participants and by outsiders as “the people” have burst upon the public stage—often violently, as in the French Revolution, but sometimes with the impressive restraint of the Polish “Solidarity.” The latter in particular struck many contemporary observers as a genuine manifestation of the People in action (e.g. Goodwyn 1991; Touraine et al. 1983). Should we then regard it as one of those moments of “fugitive democracy” (hailed by Sheldon Wolin) when “power returns to ‘the Community’ and agency to ‘the People?’” (Wolin 1994, 21, 23; cf Goodwyn 1991, 117). Those are the moments our political myths lead us to crave; they also lead us to expect that when the People do appear they speak with authority.

If we follow Max Weber's value-free approach to legitimate authority, understanding it in terms of effective rule and willing compliance (Weber 1947, 324), then it may be fair to say that (in contemporary circumstances) widespread belief in the people's endorsement of a polity, a regime, or a movement does legitimize it. Without wanting to endorse the dangerous notion that *vox populi* equals *vox dei*, we might indeed add that if a state is to be strong enough to be effective but accountable enough to be safe, it probably needs to be backed by a people with sufficient sense of collective identity to generate and monitor political power. Perhaps we can therefore conclude that, along with an impersonal state, a “people” conceived as authoritative may be a necessary condition for a relatively non-predatory politics geared to some conception of the public good. The challenge still facing democrats is to devise institutions for representing the people-as-population that live up to the expectations generated by “the People” as myth.

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## Notes

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\* The arguments presented here are developed and supplemented in Canovan (2005).