

Il tema: Potere/poteri

The Populist Substantialization of Popular Sovereignty

La sostanzializzazione populista della sovranità popolare

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Abstract. This paper argues that populism is a celebration of the myth of sovereignty; it reaches this conclusion by focusing on the populist form of representation as embodiment, a strategy that promises to overcome the gap that mandate representation creates between the elected and the people. The paper shows that this solution ends up being worse than the problem it seeks to solve.

Keywords: representation, embodiment, political pluralism, the people, corruption.

Riassunto. Il saggio sostiene che il populismo consiste in una celebrazione del mito della sovranità; sviluppa questo argomento mettendo a fuoco la forma populista della rappresentanza come incorporazione, una strategia che promette di colmare ciò che per il populismo è un problema, ovvero la separazione che il mandato di rappresentanza crea tra eletti e cittadini. Il saggio mostra come la soluzione populista crei problemi maggiori alla democrazia di quelli che promette di risolvere.

Parole chiave: rappresentanza, incorporazione, pluralismo politico, popolo, corruzione.

1. Laying out the problem

Despite its intention to give politics back to the people, populism in power ends up creating a decisionist leader; despite asserting the priority

of the people over institutions, it ends up celebrating the personification of popular sovereignty. These paradoxical outcomes become comprehensible if we focus on populist representation. Populism's aim is to fill the gap that political representation creates between the elected and the people. Yet this gap is an indispensable condition for institutions and procedures to preserve their impersonality and openness, to remain autonomous from any performing agent including the majority, and to remain a permanent object of control and surveillance by the citizens. The gap that representation creates is among the most remarkable aspects of the modern *res publica*. That it is indispensable does not mean that it is not open to abuses and corruption, or that it does not facilitate representatives' indifference towards their constituents' needs and opinions. But these weaknesses of representative democracy cannot be solved by a providential leader. Thus, unless we abolish elections as a method for selecting political leaders, we have no choice but to monitor the gap. Democracy becomes a process of continually checking and surveilling against the risk that a selected political class will capture state power. Populism emerges as a diagnosis and lamentation of this risk, but when it finally conquers power, its solutions are worse than the disease.

Historically, the representative gap materialized in constitutions written by elected conventions or assemblies and was part of the emancipation of the people from the myth and authority of the lawgiver or an absolute monarch. This process of humanization and immanence of sovereignty made politics open to contestation and conflict, and made representation a term associated with legitimate government, rather than just a specific institution. It engaged philosophers and politicians beginning in the XVII and XVIII centuries and facilitated two revolutionary moves: the denaturalization and depersonification of the sovereign power, and the re-description of politics as a process that belongs to nobody and consists in making, justifying, and remaking laws and decisions – with the citizens participating directly and indirectly, through votes and opinion. In other words, representation has historically been the means for expunging the category of *possession* from politics, which instead became a process of *making* (creating immaterial things, such as rules and laws) and *instituting* (shaping and stabilizing political and social behaviors through rules and laws).

Institutions and procedures can close the democratic process from the citizens' will and voice. Claude Lefort grasped this risk when he argued that in a constitutional democracy, the sovereign power is a *modus operandi* that is located neither in an organ nor in a function. Modern democracy was “born from the collective shared discovery that power does not belong to anyone, that those who exercise it do not incarnate it,

that they are only the temporary trustees of public authority.”¹ Contemporary populism – which I consider a technology of power rather than just a movement of opinion and contestation – wants to reinstall representation as the incarnation of a determined people in a leader, and in doing so, reaffirms the priority of decision over deliberation, of possession over process, and fills the empty space of power. Contesting *ex ante* the inclusiveness and indeterminacy of the political people, representation as embodiment (or incorporation) substantializes sovereignty and questions the impersonality of power. Populist leaders see impersonality as a stratagem that the minority of the population (the establishment or the political elite) devises in order to dominate politics with the acquiescence of the majority. According to populism, this arrangement produces two ruinous consequences: fragmenting and therefore weakening the sovereign, and making representation independent of the will of the people, thereby creating an establishment. Representation as embodiment is meant to resolve these problems in one stroke, and we can therefore say that today’s populism in power is a radical contestation of representative and constitutional democracy from within. This contestation is made from the perspective of a moribund reality that dominated before the representative turn – the myth of the sovereign.

Criticizing populism’s goal does not entail abandoning the normative value of popular sovereignty or disregarding the populist diagnosis of the malfunctions and political corruption of representative democracy. The problem is that populism in power (left or right) doesn’t solve the decline of democratic legitimacy and doesn’t deliver political power back to the people. It is neither properly popular nor pluralistic, and this is because it continues to court the myth of the unified sovereign.

To explicate populism’s trenchant critique of representative democracy and its inadequate solutions, this paper is organized in three parts: it starts with the meaning and worth of the representative gap; it goes on to sketch the loss of legitimacy of representative politics that provokes populism; and it explains why populism’s substantializing of popular sovereignty compromises the tenor of democratic politics instead of revitalizing it.

2. Representative Forms of Political Power

A means of unifying a number of citizens by constructing their claims and giving them a voice, political representation can be implement-

¹ Lefort, *Complications*, 114.

ed in at least three ways: as political mandate through political groups competing in free and cyclical elections; as pure contractual delegation via imperative mandate; and as embodiment of the many and diverse parts of the people under and through the person, words, and decisions of a leader. I have analyzed these forms elsewhere. Here it suffices to sketch them in order to clarify populism's specific attitude towards representation.

Although frequently rendered as a vindication of direct democracy, populism is and remains internal to representative politics based on contested elections. This makes it different from fascism and a permanent possibility in representative government, a political order whose legitimacy is both *ex post* and *post factum*. It is not a merely functional legitimacy (judgment on what it delivers) but a legitimacy that relies on the assumption that the people is supreme norm (the *factio iuris* in the constitution) in whose name magistrates perform and politicians decide on laws. Representing the people attempts to keep these two domains of judgment connected; it is a hybrid form that pertains to both the institutions and the activity of political leaders or groups in the parliament and citizens and groups outside of it. This makes it impossible to base democracy on the people as a reified collective while it proves that the latter is made of public manifestations of interests and opinions and of decisions achieved by many wills according to the logic of approximating self-government.² (Personification of the state in a leader or his/her people is what autocracy – democracy's opposite – is about.) Democracy is the name of a *process of approximation to self-government*, always imperfect, always in the making, always in a condition of contestation and conflict. Populism erupts from this process. It capitalizes on the constructivist nature of representation and questions the practice that connects and separates the institutional and the extra-institutional domains, the state and society.

As Hanna Pitkin explains, to evaluate the democratic implications of different forms of representation, we have to consider that the latter's genesis accounts for a mix of private (legal representation in court) and political (representation in government) elements. Thus, on one hand, it conveys the idea that somebody is authorized to act or speak for somebody else (the Latin word *re-presentare* means to make something, such as the will of the sovereign, manifest or present). On the other hand, it conveys the idea that the representative forms a unitary will that did not exist before: for example, this is how Thomas Hobbes used the word to construct the sovereign.³ The former pertains to the process of collecting a plurality of claims and giving voice; the latter pertains to the process of

² Kelsen, *On The Worth*, 68.

³ Skinner, "Hobbes," 177-208.

unification. This mixture of aesthetic description and constructive crafting has opened the avenue to the most important transformation of political authority in modernity: making the government “representative” of the people through the cyclical electoral selection of lawmakers from various parts of the country and different ideological groups.

Historically, representative government enabled the limitation and separation of power, the constitutionalization of politics, and the erosion of the metaphysics of sovereignty. This process started with the English, American, and French revolutions of the XVII and XVIII centuries. The subsequent democratization of representative government, which was neither easy, peaceful, nor quick, stabilized after World War Two when it successfully institutionalized political conflict. Including large numbers of citizens in the process of opinion and will formation through universal suffrage was the main problem that representative government had to solve.

After the experience of the fascist incorporation of the nation into the will of a leader and the suspension of electoral competition, the decoupling of the formal people and the political people was crucial. It is the artificial people as *fictio iuris* (the people in the constitution) which makes the distinction between “the people” on the one hand, and the classes, groups, and persons that *compose* the people on the other hand possible. Representation allows the different parts of the people to enter into competition, while nonetheless operating in the name of “the people” when performing in institutions.

Party pluralism and the acceptance of an organized opposition were the seminal moves that stabilized democracy. We might say that political representation achieved a democratic character when suffrage stopped being a function for the protection of some social interests and groups or estates and became the expression of the individual right to suffrage, speech, and association. Today, societies are democratic “not simply because they have free elections and the choice of more than one political party, but because they permit effective political competition and debate.”⁴ Within this government, representation is both an institution that is directly associated with lawmaking (parliament or congress) and a form of participation that constructs claims and constituencies, and that monitors the gap between inside and outside the state. Its foundation in regular elections makes legitimation by consent a condition that transcends institutions and involves citizens’ public activity and judgment of politicians and the government.

This reveals the dual character of representation – passive and active – and the relation of *interdependence* it engenders, such that “the *persona*

⁴ Hirst, *Representative Democracy*, 33–34.

repraesentata is only the person represented, and yet the representative, who is exercising the former's right, is dependent on him."⁵ Representation brings a novel kind of freedom to the fore that is conducive to a democratization of government that does not need to be associated with the citizen's direct presence in the place where decisions are made, as is the case in direct democracy or pure delegation as its surrogacy. As Pitkin argues in relation to the democratic sovereign, the classical etymology of re-presentation as "to make present or manifest or to present again"⁶ through a sort of contract of pure delegation is problematic because it presumes a pre-political entity waiting to be made manifest and, moreover, to be manifest in a monistic and not pluralistic way. This conception can hardly work with constructed collective bodies like parties, constituencies, the free press, pluralism of the means of opinion formation, and parliaments. A version can be detected in today's populist rhetoric of the electoral victory as an act of "taking the people back," as if the people existed before representation and was not truly represented before the populist victory, and as if previous majorities were not truly legitimate.⁷ This is the implication of filling the gap and returning to the metaphysics of popular sovereignty, exemplified by former President Donald Trump's inaugural speech on January 20, 2017: "Every four years, we gather on these steps to carry out the orderly and peaceful transfer of power [...]. Today's ceremony, however, has very special meaning, because today we are not merely transferring power from one administration to another, but we are transferring power from Washington, D.C., and giving it back to you, the people."

Political representation plays a de-substantializing and de-personifying function in two ways: it shows that there is no "good" or "true" people that pre-dates it; and it makes the fully-fledged political appearance of claimants in their plural voices possible.⁸ This enlarges the space and meaning of politics in ways that cannot be reduced to electoral authorization because it invariably connects with both the lawmaking institution and the citizens' voluntary participation, their equal right to claim, vindicate, and monitor. Thus what makes representation democratic goes beyond voting and has to do with its ability to reflect both political equality and social inequality (since democracy's equality does not command the economic equality of the citizens). This explains why opinions never carry equal weight, not even in the hypothetical case of two different opinions receiving the same number of votes. If the weight of opinions

⁵ Gadamer, *Truth and Method*, 141, note 250.

⁶ Pitkin, *The Concept*, 8-10.

⁷ Urbinati, *Me The People*.

⁸ Saward, *The Representative Claim*, 42.

were equal, the dialectics of opinions, and voting itself, would make little or no sense. To paraphrase John Dewey, voting is an attempt to give ideas weight, not to make them identical in weight or with weight. This social and ideas diversity lies in a permanent tension with the principle of equality, which supports the entire edifice of representative democracy and inspires the judgment of legitimacy as approximation to self-government. In a democracy, to represent means “to act in the name of the people,” never replacing them, and yet this is not a sufficient condition as it “does not in itself qualify as a democratic form of representation. What is required is that the act is committed to the principle of equality.”⁹ On the one hand, therefore, “representing my constituency” in the parliament is never nor can ever be an absolute act of devotion to my constituency’s desires (this is what pure delegation aspires to); it entails that I judge the claims of my constituency according to the principles that shape our democratic community, particularly political equality, which has the power of holding me accountable – this is the vindication/advocacy character of representation. On the other hand, both the public and my constituency retain their freedom to criticize me and eventually discontinue their trust in me – this is the representativity claim. What makes representation democratic is thus that it is both generative of political decisions and founded upon the rights to equally participate in the public sphere, through vote and judgment, in the making of those decisions. Within this context, representation creates a surplus of political action and contestation that tends to divide the people into parts, which is what populist representation as embodiment opposes.

The type of representation (as political mandate or embodiment) impacts the meaning of elections. I have illustrated the implications that populism’s embodiment model has on the interpretation of elections in *Me The People*. Suffice it to say, political mandate converges toward the formation of a collective organ (the parliament), whereas embodiment leads to a unitary actor – a notable difference. The former designates a collective and pluralist setting where deliberation takes place through linguistic and rational strategies (from rhetoric to compromise and bargaining), while the latter designates a singular agent, which resolves pluralism within itself. Hobbes wrote that while a monarchical sovereign “cannot disagree with himself, out of envy, or interest,” an “Assembly may,” and in fact, does so systematically.¹⁰ This characterizes a democratic society insofar as it is a permanent battlefield over what constitutes the interest of the people, where battles are decided by votes that yield temporary valid-

⁹ Näsström, “Democratic Representation,” 2.

¹⁰ Hobbes, *Leviathan*, 185.

ity and victories (majorities). At any rate, pluralism in the assembly is representative of pluralism in society. Hence, although it starts with the equal distribution of voting rights among individual citizens, representation is not reducible to “a static fact of electoral politics.”¹¹ Free elections and the counting of votes according to the principle of majority respects both the plural claims that liberty brings to the fore and the value of each and every voter. Moreover, elections confirm that no decision is sheltered from people’s opinion and judgment, and that these decisions are by nature temporary. Although the multitudes remain outside and are excluded in their “collective capacity” of lawmaking, their exclusion is apparent because the same forces of dissent and disagreement that linger in society also cross into the assembly.¹²

The osmosis and permanent communication between state institutions and society was paramount for democratization and marked the transition from representation as giving “presence” (*being like*) to representation as promoting “activity” (*acting with and speaking for*).¹³ This kind of “activity” includes several forms of public expression through which citizens vindicate their interests, seek advocates to promote them, and aspire to a kind of representative adhesion that augments the chances of seeing their claims fulfilled. This adhesion is the face of partisan siding, which is predicated on the assumption that competent lawmaking requires social knowledge enriched with a passion for the cause. Partisan adhesion is not the same as “proximity to the people” in general, as in the conception of embodiment we will soon analyze.¹⁴ Representation as political mandate translates into party pluralism and promotes “passionate” and “intelligent” advocates in the assembly, who are neither blind partisans nor bureaucratic placeholders.¹⁵ It makes partisanship (siding for and against) help rather than hinder competent deliberation.¹⁶ This proposition is congruent with the fact that “legislation is associated with democracy” and legislatures are “mostly elective and accountable bodies.”¹⁷

In sum, elections show that divorcing the outside and the inside of the state from each other, or trying to insulate lawmaking from partisan politics and social pressures, is not only impossible but would impoverish democracy (as we detect in today’s dissatisfaction with representation). Yet some insulation is needed for the principle of democracy to go beyond

¹¹ Saward, *Representative Claim*, 3.

¹² Hamilton et al., *Federalist Papers*, No. 63; Waldron, *The Dignity*, 31-32.

¹³ Gauchet, *La révolution*, 48.

¹⁴ Müller, *What is Populism?*, 43; Ankersmith, *Political Representation*.

¹⁵ Mill, *Considerations*, 432.

¹⁶ White and Ypi, *The Meaning*.

¹⁷ Waldron, *Political Political Theory*, 125.

pure formality. If we consider that democracy does not contemplate full equality, but only political and legal equality, and allows for representation, communication between society and lawmakers might have to circumscribe the influence of tolerated forms of inequality. To that end, all democratic constitutions are conceived so as to neutralize the power of the wealthier few to influence lawmaking (aristocracy is the radical alter of democracy); to this end, they either include norms that *insulate* institutions from special interests (liberal-institutional solution) or incorporate demands that the state actively *counteract* social inequality in order to pre-empt possibilities for unequal political influence (social-democratic solution). Whatever road they take, democrats must ensure that equal political power is permanently reproduced, because it is only on this condition that political representation is “felt” by the citizens as democratically legitimate.

The magnitude of the gap between represented and representatives is (rightly so) a permanent object of contestation. In a government whose formal source of legitimacy is elections, political mandate is an unescapable conundrum because while representation claims to speak for the whole (the parliament is the organ of the sovereign), it is rooted in a dense web of social interests and passions that demand to be translated into political projects (which are the true competitors in elections). How is it possible that pluralism translates into one decision (the law to be obeyed by all) without violating the right to diversity and the free expression of ideas? The political mandate through political groups or parties proposes a solution to this problem that is more in tune with the principle of democratic legitimacy than pure delegation and embodiment. Although formally identical as electors, citizens are diverse in many respects in their social life and in relation to many things that contribute to form their minds and political desiderata. Representation renders social richness and plurality into political programs that are inclusive of many claims, yet not all, and are capable of creating a collective subject acting with one will (the parliament or congress), although the many wills composing it are never erased and although it does not have the ambition of replacing the whole.¹⁸ The trick is that while an election’s legitimacy is translatable into quantitative outcomes (votes to be counted), representation remains in the terrain of opinion and emotions, ideological justifications and partisan identifications.¹⁹ Representation entails a kind of mandate that is not legal or juristic (like a contract of pure delegation) but essentially political and permanently reconstructed, contested, and corroborated, based on

¹⁸ Rosenblum, *On the Side*.

¹⁹ Morgan, *Inventing the People*, 67-71.

a circular relation of opinions and judgments between citizens and representatives. The kind of equality it relies upon is not arithmetical – as with elections – because the rights to free speech, freedom of association and the public expression of dissent or opinions activate “political influence” or a kind of power that is largely informal, hard to assess with precision, unequally performed, and not directly effectual. Thus, *while elections make representatives, they do not make political representation*, which takes place in the extra-institutional domain through parties and political associations in a permanent attempt to control and monitor the gap that separates citizens from their institutions.²⁰

This mix of pluralism and unity in the domain of influence and decision-making differentiates representation as a political mandate from representation as embodiment. Embodiment shares with pure delegation the ambition of filling the gap between representatives and the represented (elsewhere, I define populism as “direct representation”). Yet while pure delegation fragments the citizenry in its corporate interests that seek imperative mandate on any single issue, embodiment aims to overcome pluralism and impose unity of the whole people above its parts. Its goal is to translate proximity of claims into unison and pass from communication among parts to fusion. The ambition is not to re-present citizens’ claims as a picture and not even to give them passionate advocates. Populists’ ambition is to restate the identity of the collective body above its parts and under a symbolic unifier.²¹ Whereas “speaking for” and “acting for” are the characteristics of a political mandate, and “being like” is the pictorial character of pure delegation, “talking and acting as if” the representative were the people is the character of embodiment, whose task is not to make citizens partake in the political action of the government but rather to overcome pluralism, conflict, and dissent. “If the main goal to be achieved is the welding of the nation into a unified whole... then it is tempting to conclude that a single dramatic symbol can achieve this much more effectively than a whole legislature of representatives.”²² This form of representation has become a prominent reaction against party politics. “The notion that “the people” are one, that divisions among them are not genuine conflicts of interests but merely self-serving factions, and that the people will be best looked after by a single unpolitical leadership that will put their interests first—these ideas are *antipolitical*, but are nevertheless essential elements in a political strategy that has often been used to gain power.”²³

²⁰ Urbinati, *Representative Democracy*, chap. 1.

²¹ Sintomer, “The Meanings.”

²² Pitkin, *The Concept*, 106–107.

²³ Canovan, *The People*, 87.

The goal of embodying the whole is, in effect, to overcome the political mandate through parties and parliamentary politics (in a word the establishment) and to restore the unity of intent and the will that the monarchical sovereign had before the parliamentary regime supplanted it. The difference is that in this new scenario the monarch is a plebiscitary leader, who uses elections as a celebration not simply of a majority but of the “true” people or majority that is of the only people that deserves to win and be the “true” majority. Thus, while applicable to a representative and *symbolic* figure of the nation (like an elected president or a constitutional monarch), embodiment is fatally in tension with parliamentary government. Representation as embodiment tends toward an *irresponsible leader* who bypasses accountability through faith in his person, independent of (and at time against) the limits of institutional checks.²⁴ When and if this applies to lawmaking, one risks slipping from constitutional democracy into a decisionist or even authoritarian regime. In representation as embodiment, we sense the anxiety associated with the loss of unity of the will of the people that followed the transformation of the sovereign power from individual to collective. We also sense the anxiety that pluralism and political conflict create. Representation as embodiment is the sign of a society impatient with democracy’s cacophony. Although it erupts as radical antagonism of “we” (the true people) versus “them” (the establishment few), its ambition is the achievement of a structurally unified society no longer plagued by political conflict. This makes populism a chapter in a broader phenomenon of authority reconstruction and, in this sense, the formation and substitution of a new elite.

3. What is wrong with representative democracy

Representative democracies are losing their legitimacy all over the world. To explain the recent explosion of talks and writings on the “crisis of democracy,” Simon Tormey has called representative institutions into question and interpreted the decline of “voter turnout, party membership, trust in politicians, and interest in politics” as symptoms of electoral representation’s agony.²⁵ In a 2004 article on the uneasy alliance of representation and democracy, Pitkin wrote that although it “is not exactly false” to state that representation has made democracy possible in modern states, this assumption is “profoundly misleading” if it is used to hide the fact that the legitimacy citizens ascribe to representation is contingent

²⁴ Urbinati, *Me The People*, chap. 3.

²⁵ Tormey, “The Contemporary,” 105.

upon the circumstances in which it functions.²⁶ The decline of democracy's perceived legitimacy on which populism thrives tells us that the problems faced by representation in today's democracies come from the ways representatives and the public have begun to function. The former is a case of what populists denounce as establishmentarianism: elected politicians are immersed in practices that favor political corruption instead of preventing it. This perversion comes primarily from the flow of private money into electoral campaigns, and it is also encouraged by parties' weakness, their inability to control individual leaders, and their narrow groups of influence and power. The latter problem pertains to the growth of a condition that is favorable to populist leaders: the public feels the allure of the audience as much as politicians do and tends to become an organ of entertainment that ceases to check representatives. Thanks to the oligarchic ownership and control of the means of communication, citizens with greater economic power have more chances to elect the representatives they prefer, and thus, facilitate laws that favor their interests.²⁷ This infringement of equality jeopardizes democratic procedures regulating access to representation by lowering the barriers against arbitrariness; it also erodes the impersonal character of institutions upon which representative democracy depends.²⁸ All in all, the combination of private money, wealth, and political power facilitates an oligarchic breach of democracy and paves the terrain for audience democracy and populist leaders. Inequality of opportunity to effectively exercise political rights and economic inequality tend to go hand in hand and reinforce each other.²⁹

Democracy is not leaderless; however, it requires an open and broad competition for the selection of leaders and the circulation of leaders. Democracy opposes the formation of a separate class that splits the collective sovereign into two groups, the rulers and the ruled. The democratic character of representation activates a circular current of judgment and pressure that keeps institutions under people's eye and limits the power of the elected. In ancient direct democracies, this goal was fulfilled by using a lottery to select jurors and administrators, while citizens retained law-making power. Under a system of representative democracy, this goal is fulfilled by regular and free elections with short term tenure and the limitation of reelection. In almost all contemporary democracies, these controlling devices have fallen into disuse. The system regulating the selection of candidates adds to this problem both when it relies on party cooptation

²⁶ Pitkin, "Representation," 336.

²⁷ Baker, *Media*.

²⁸ Winters, *Oligarchy*.

²⁹ Dawood, "Democracy."

and when it is based on primaries in which citizens end up voting on candidates they never helped scout. Although it takes different forms in different countries, the practice of narrowing the field of candidates becomes an opportunity for corruption that invariably exacerbates oligarchic tendencies. The nexus of wealth-power is the source of one of the most daunting problems, and in two senses: first, because wealth can be used to elect reliable representatives (although buying a large assembly is hard and although we cannot state a linear causal relation between influencing deliberation and determining decisions); second, because wealth can be used to manipulate a free mandate, the central requirement of political representation. This manipulation can take different forms; in the United States, for instance, lobbyists monitor congressional votes taken by representatives who may well have been elected thanks to private donors whom lobbyists represent.

To preserve democracy, power must circulate and never be captured by any single section of society. This is the condition for an open democracy. Democracy is a political form; it does not demand full equality or equality in all social domains, only legal and political equality. Nor does democracy necessarily require the gap between state and society to be blurred; rather, it wants permanent communication that allows for surveillance, control, renewal of the elected, and the public contestation of their proposals and decisions. But while that gap stimulates countless forms of participation and contestation, it also allows factional interests to participate in the game of political influence. The need to keep the system open and power circulating imposes permanent maintenance work on democrats. The matter of “how to impede the oligarchic transmutation of representative democracy” is the object of a rich corpus of research and constitutional designs, which aim to contain the elite’s power and block the translation of economic power into political power.³⁰ This brings us back to the two strategies of representative democracy: to close the gap between citizens and institutions (populist democracy) or to manage the gap instead (representative democracy). The former deems representative democracy second best while the latter deems it a good system because of its capacity to create a web of intermediation that takes possession and absoluteness away from power. Accordingly, reforms or changes should aim at keeping the representative system open to renewal and the citizens’ voice strong enough to never be ignored by representatives.

Those who blame our current malaise on ideological manipulation and parties hope to restore citizens’ democratic power by forging new norms of transparency that impose, for instance, open voting in the par-

³⁰ McCormick, *Machiavellian Democracy*.

liament or the congress – although countries in which this procedure is stably in place are no less exposed to the factional power of interests.³¹ On the same track are those who relate the possibility of restoring democracy to the belief that the intermediary role of parties can be overcome through forms of digital interaction between citizens and representatives that might produce de facto imperative mandates. The drive behind these proposals is a desire to close the gap between government and civil society, and a wish to achieve transparency through a direct representative relationship. According to this view, visual inspection and raw information, free of ideology and partisan interpretations, are seen as the key for overcoming parties, which are accused of having primary responsibility for representative politics' perceived decline of legitimacy.³² This is the common denominator of several proposals, all of which hope to replace party democracy and electoral representation with digital direct representation and selection by lottery whenever possible.³³ Recent experimentations of lawmaking and even constitution making with a mix of digital/direct democracy and elections have rekindled traditional discontent with political mandates. The calls for full transparency and closing the gap between representatives and the represented resonates with the call for authenticity, an argument that reasserts mirror representation (*being like*) against representation as *claiming and acting for*.

The Internet promises citizens the ability to practice self-government, to ease the process of voting (creating the prospect of more referenda), to advance lawmaking initiatives, and to send instructions to the elected. Direct interaction seems capable of narrowing the gap in which special interests manipulate the system. I have elsewhere detected this new phenomenon of “direct representation” versus political mandate representation.³⁴ Direct representation is the terrain upon which newly born digital movement-parties operate in several democratic countries; they claim it is possible to bypass old party organization (and its unavoidable oligarchic structure) altogether by activating direct channels of horizontal interaction between leaders and citizens. The paradox is that these digital movements inaugurate new forms of plebiscitary democracy based on the centrality of the audience and strong vertical leadership that aggregates followers through their persona in a void of organization.³⁵ At times, the revisions of the political mandate system may take yet a different road and aim at representation as embodiment with the goal of unifying claims and

³¹ D'Angelo and Ranalli, “The Dark Side.”

³² Casaleggio and Grillo, *Siamo in guerra*.

³³ Landemore, “The Principles.”

³⁴ Urbinati, *Me The People*.

³⁵ Gerbaudo, *Digital Party*.

claimants under the figure of a leader who makes parties useless.³⁶ Representation as pure delegation and representation as embodiment are thus back and they both rally against the idea that political mandate cannot subsist without parties. The crisis of parties, therefore, appears to be feeding into a crisis of political representation.³⁷ This is the circumstance of politics that should attract our attention when we complain about today's decline of the democratic tenor of representation.

4. Why populist sovereignty is not the solution

The populist critiques of representative democracy are well grounded. Yet the solutions populists deliver once in power are hardly capable of solving the problems they denounce, particularly the intractable scourge of a corruptible elite. Paradoxically, populist solutions are not as radical as their criticism and fail to deliver what they promise. This is because they interpret the failures of representative government through the lens of a strong decision maker rather than through the lens of ongoing active citizen participation, which represents a detour to the myth of popular sovereignty. If state institutions are the structure of political action, it is because they embody the memory of democratic sovereignty, a memory that takes root outside of them and within society. Political groups, civil associations, citizens' assemblies, and movements of contestation have been generative spaces of both ideas and opinions, and of interaction between the citizens and the decision-making institutions. In representative democracies, the gap is filled not by state agents but by various forms of participation that citizens activate in order to advance issues, monitor politicians, and question decisions. Political parties have been one (but not the only one) form of communication between society and state institutions. What populism proposes with representation as embodiment is to fill the gap with an emotional identification of the whole people with a leader. It interprets the crisis of representative politics as a crisis of authority, and thus proposes a leader capable of creating a collective subjectivity through effective propaganda.

All populist regimes take the name of their leader. "The construction of a popular subjectivity ... reaches a point where the homogenizing function is carried out by a pure name: the name of the leader."³⁸ "An assemblage of heterogeneous elements" succeeds when the face of a leader works

³⁶ Laclau, *On Populist Reason*.

³⁷ Merkel, "Is There a Crisis?"

³⁸ Laclau, *On Populist Reason*, 99–100.

as “a surface of inscription” that literally constitutes the collective. With the decline of the political role of classes and class politics, the disorganization and heterogeneity of society finds its principle of identification in the “name of the leader.” This leader carries (out) the people, and becomes its voice and figuration.³⁹

So what kind of representative leaders are populist leaders? Their *monoarchic* stance has inspired Margaret Canovan and Ernesto Laclau to connect them to Thomas Hobbes’s artificial unifier of the dissociated individuals into the state. Their choice speaks to the unsolved ambiguity of populism. The populist leader does *not* create the state, as Hobbes’s representative agent does – and Laclau states this quite clearly. Nor can the leader remain content with Hobbes’s formalistic and juristic rendering of authorization. The populist leader is emotionally and propagandistically active in his daily effort to reconquer the authorization of the people by convincing them that exercising power does not turn him into the new establishment; and this effort is not, and cannot be simply institutional. Thus, the analogy with Hobbes’ constructivism does not work because Hobbes’s representative agent is constructed in such a way that it puts an end to all political mobilization and activity outside the state. Populist constructivism is not Hobbesian constructivism.

Nor is populist constructivism merely or simply a claim-making form of representation. While populist leaders are certainly the makers of the collective subject they declare as the people, their goal is to bring their investiture within the state and to rule, not simply to mobilize citizens and create conditions of broader claim making by reconnecting the inside and the outside of the state. Populist leaders do not merely perform for the audience, and their representation is not “merely symbolic.” Although “the symbolic irruption of a marker of exclusion into the public sphere” is a mode of populist identification, it is not what qualifies the kind of representation that populism activates.⁴⁰

The populist leader plays the role of the *reconstructor of authority* and not merely the role of *counterpower* as it might appear if we focus only on its oppositional rhetoric. However, this does not mean that he *replicates* mandate representation and party democracy. Rather, he “absorbs” the collective body into his person and acts “as” the people, which is the

³⁹ Canovan, *The People*, 97–98; Laclau, *On Populist Reason*, 100.

⁴⁰ Panizza (“What Do We Mean,” 113–114), to whom these words belong, lists the following four modes that make the leader: “speaking like the people” – and this is the symbolic “irruption” into the public sphere that makes us recognize a populist leader when he or she emerges; “speaking for the people” – giving voice to popular complaints and grievances; using the political strategy of antagonism; and promising redemption (wherein one may find the normative aspect of populism).

condition for him to act “for” the people.⁴¹ This further distinguishes this leader from any ordinary party representative, who would never claim to be “like” and speak “as” the people in order to act “for” them.⁴² Finally, the representative as plenipotentiary cannot stand the limitation that the division of powers and an electoral mandate impose on him. He cannot stand the gap that makes him different from the people he represents and, consequentially, a permanent object of surveillance and mistrust, which are the basic conditions for accountability.

In some ways, the populist leader echoes the charismatic leader that Max Weber described, although Weber depicted it as the actor who revitalizes parliamentary politics (and thus party democracy) through his rhetorical ability to connect with the people. Thus, Cas Mudde and Cristobal Rovira Kaltwasser resist identifying the populist leader with a charismatic leader in part because most actual leaders are truly ordinary and far from exceptional.⁴³ But this is not the point, because charisma is not an objective fact and no one determines the leader’s charisma but the people. And the people’s reception does not necessarily register the objective qualities of the actor: it registers the *imagined* and *symbolic* ones that are created by the actor’s words and narrative in a specific context and time. Populist leaders do not arise when the economy is growing and the citizens feel themselves in communication with democratic institutions. They arise in times of economic distress and political alienation, when citizens witness gross violations of equality amid the general indifference of their representatives and while the most affluent and powerful acquire more power in the political institutions.⁴⁴ The populist leader’s claim to embody the condition of exclusion is what makes him or her attractive. This also makes populism a “cry” denouncing the crisis of legitimacy in representative democracy. Thus, scholars who are sympathetic to populism see the “redemptive” leader as a symptom and possible solution to a crisis of legitimacy: “The content of democracy’s redemptive promise is power to the people: we, the people, are to take charge of our lives and to decide our own future.”⁴⁵

In ancient popular governments, the *capopopolo* – made up of the tribune, the *dux*, and the demagogue – was the forerunner of the charismatic leader in modern mass democracy. Theodor Mommsen’s depiction of Julius Caesar as the chief of the “new monarchy,” who put an end to the

⁴¹ Levitsky and Loxton, “Populism and Competitive,” 167.

⁴² On the conceptions of representation Sintomer, *The Meanings*. Representatives, writes Manin (*The Principles*, 139-143), are chosen by the electors not so much because they are like them but mainly because they are unlike them in many respects.

⁴³ Mudde and Rovira Kaltwasser, *Populism*, 78.

⁴⁴ Eichengree, *The Populist Temptation*.

⁴⁵ Canovan, *The People*, 11.

conflicting and corrupt “old republic” and the misery of civil war, inspired Carl Schmitt, a theorist who contributed remarkably to the understanding and welcoming forms of populist identification in a strong leader.⁴⁶ The *capopopolo* was a leader who transformed people’s support into a creative source of energy with which he was able to change the character of the state, both domestically and internationally.⁴⁷ Thus, in Schmitt’s work, the appeal to a leader embodying the masses prefigured a conception of representation as a form of antiliberal authorization tasked with reconstructing the authority of the state against both partisan divisions and parliamentary politics. Schmitt’s theory is inspirational for a populist, salvific leader, a leader who does not seek legitimacy through formal accountability and party advocacy but uses elections as acclamations.⁴⁸

Redemption, charisma, and unification go hand in hand, and they take us to the heart of the populist leader. These qualities have accompanied the populist phenomenon throughout its several stages and countries, even though the means and languages have changed, from the classical mode of Peronist salvific “fatherhood” to the model of an audience leader like Donald Trump. As President, Trump spent part of everyday tweeting to Americans, commenting on the events of the day. This dwarfed and sometimes nullified the inspecting role of the media, narrowing the distance between the leader and the public.⁴⁹ The faith-based adhesion that populist leaders cultivate allows us to understand why, according to past and present populist leaders, the formal act of voting serves only to reveal what already exists. They claim their legitimacy comes from their daily popularity among the audience, which elections only prove and celebrate if victorious.

Whatever we make of it, charismatic leadership presumes two intertwined factors: a kind of religious *faith* that the masses have in their providential leader and an *irrational identification* of the masses with the leader. These two things make populism a form of political theology (as authority reconstruction) and further distance it from representative democracy. In the first chapter of his *Populist Reason*, Laclau analyzes the structural differences between “publics” and “crowds.” He argues that the

⁴⁶ Schmitt, *Constitutional Theory*, 370; Mommsen, *History of Rome*, V: 324; Weber, “Parliament,” 160-166.

⁴⁷ Mommsen, *History of Rome*, V: 325. For an interesting discussion of the potential and risk of charismatic leadership in times of international crisis and the distinction between “democratic leadership” (Roosevelt and Churchill) and “ideological leadership” (Mussolini, Hitler, and Stalin), see, respectively Schlesinger Jr., “On Heroic” and Friedrich, “Political Leadership.”

⁴⁸ In effect, as interpreters have noticed, Laclau’s conception of populist politics is indebted to Schmitt, although the name of the German jurist does not figure in his *On Populist*; see Arato, “Political Theology.”

⁴⁹ Finchelstein, *From Fascism*, 206.

former is the terrain of the publicist (and the campaigners in traditional electoral politics), while the latter is the terrain of the leader *incarnatus*.⁵⁰ The common purpose and organized unification of the crowds requires a single leader: this single leader creates an identity and intends only “to serve the cause,” which comes before anything else – including the constitutional limitation of powers, basic rights, and democratic procedures.⁵¹

Disorganized crowds cannot be organized around reasoned deliberation; nor can they be organized around partisan groups, which seek to make the parliamentary arena the site for their compromises. We must therefore ask: who is the sovereign actor, the crowd or the citizens? In other words, does democracy pertain to the unification of the masses, or does it pertain to the dialectic of majority-opposition within a political space inhabited by partisan identifications and different groups? The specificity of populism pivots on this distinction. In this sense, as I have been arguing throughout this paper, an analysis of populism turns out to be an analysis of the interpretations of democracy. Populism reinterprets democracy as radical majoritarianism embodied in a charismatic leader. Yet this entails resolving the indeterminacy and openness in which the democratic people consists, solidifying the ruling power of a portion of the population – namely that which speaks through the populist leader. Populists welcome the overcoming of mandate representation as a call for a more inclusive politics and as a sign that the “outside” and the “inside” have merged, that the establishment is no longer. But it turns out to be a strategy that allows the leader to avoid accountability.⁵² Offering oneself as the embodiment of the spirit of the nation – as the personification of the people – is a technique that reduces one’s own responsibility. Since the leader is only the mouth of the people, the things he does must be the things the people have asked him to do, and if he does not deliver, the responsibility must lie in the hands of the people’s enemies, who never disappear (and never sleep either). Hence, the irresponsible leader relies heavily on conspiracy theory as an “ideology of excuse.”⁵³ This makes the populist elite very vulnerable

⁵⁰ The meaningful role of religion in social and political life linked Laclau to the antipositivistic tradition of the late nineteenth century, which he discussed brilliantly, and which reverberated in Weber’s critique of both liberalism and Marxism, with their presumption of liberating politics and morals from the traditionalist irrationality of identification by faith and belief; see on this Kalyvas, *Democracy*, chap. 2.

⁵¹ From Juan Domingo Peron’s words quoted in Finchelstein, *From Fascism*, 232.

⁵² Representation as embodiment and identity, which is the core of Schmitt’s political theology, has been exalted (by Schmitt first of all) as the most radical alternative to liberalism and the electoral conception of representation, personifying authority and decisionism versus parliamentary bargaining and the plural publics that parties created (Schmitt, *The Crisis*; and for a comprehensive analysis of it, McCormick, *Schmitt’s Critique of Liberalism*, chap. 4).

⁵³ Muirhead and Rosenblum, “Speaking Truth.”

to corruption – even more vulnerable than established party elites, which at least have to quarrel and compete to get their slice of pie. The populist elite is the *dominus* of the game, more difficult to check and restrain than ordinary elected representatives, and strongly exposed to clientelism and arbitrariness. Closing the gap between the people and the institutions deactivates the citizens' power of inspection and accountability – giving an unparalleled power to the latter rather than the former.⁵⁴

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⁵⁴ According to Weyland ("Neoliberal Populism"), populism in power turns out to be a machinery of corruption and nepotistic favors that deploys propaganda showing how difficult it is for it to deliver on its promises because of the ongoing conspiracy (both international and domestic) of an all-powerful, global kleptocracy.

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