



Accepted: 04 October 2017

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PHILOSOPHY & RELIGION | RESEARCH ARTICLE

Concentration or representation: The struggle for popular sovereignty

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Abstract: There is a tension in the notion of popular sovereignty, and the notion of democracy associated with it, that is both older than our terms for these notions themselves and more fundamental than the apparently consensual way we tend to use them today. After a review of the competing conceptions of “the people” that underlie two very different understandings of democracy, this article will defend what might be called a “neo-Jacobin” commitment to popular sovereignty, understood as the formulation and imposition of a shared political will. A people’s egalitarian capacity to concentrate both its collective intelligence and force, from this perspective, takes priority over concerns about how best to represent the full variety of positions and interests that differentiate and divide a community.

Subjects: Political History; Philosophy; Cultural Studies

Keywords: sovereignty; democracy; people; masses; revolution; representation; Jacobins; Rousseau

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1.

The tension at issue in popular sovereignty doesn’t stem from the notion of sovereignty per se, which must figure as one of the most unequivocal terms in our political lexicon. Its canonical theorists—Bodin, Hobbes and Spinoza, along with many of their contemporaries—all agree on a very simple

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PUBLIC INTEREST STATEMENT

Interest in popular sovereignty and the nature of democracy has returned to the centre of political discussion in recent years, partly as a result of “populist” critiques, from both left and right, of long-standing neoliberal priorities. Drawing on Rousseau and the legacy of the French Revolution, this article aims to help dispel an ambiguity in some current references to democracy, by distinguishing mass-based forms of direct popular empowerment on the one hand from broadly liberal forms of representative democracy on the other.

point: first and foremost sovereign authority belongs, as Bodin puts it, to whoever has “recognized power to command another”. For Bodin, “law signifies nothing else than the command of the sovereign” (Bodin, 1955, p. 11, p. 90) and the equation of sovereignty and “the power of command” recurs like a refrain throughout his work (Bodin, 1955, p. 11, p. 79, pp. 83–84, p. 91; see also David, 1996, p. 67; King, 1974, p. 129; Merriam, 1900, pp. 9–10). Relying on a similar logic, Spinoza will argue that “whether the holder of sovereign power is one or a few or all, indubitably the supreme right of commanding whatever they wish belongs to him or them”—though only for so long as they “truly hold supreme power” and can thereby actually oblige others to do as they wish (Spinoza, 2007, p. 202). Hobbes only pushes this logic a little further, when he absolves the notion of “law as command” from virtually all limits apart from those that might be conceived as immanent to the relation of viable command as such. Law can then be defined simply as “a command of that person (whether man or council) whose instruction is the reason for obedience” (Hobbes, 1998, p. 154). For much the same reason it makes perfect sense, following Blanqui and Marx, to describe capital as wielding a form of sovereign power in our contemporary situation, insofar as its most essential capacity remains the “command of unpaid labour” (Marx, 1990, vol. 1, p. 672, p. 933), or insofar as “capital commands but does not obey” (Blanqui, 1885, vol. 2, p. 226).

As far as the great modern theorists of sovereignty are concerned, this point is as clear as can be. It is precisely this unequivocal and brutally unilateral quality of modern sovereign power that distinguishes it from those more nuanced notions of custom and counsel that tend to dominate medieval conceptions of law. “The general medieval conception of law”, as summarised by one of the most thorough surveys of the field, “was not that of a command, but of custom”, and though such “custom was enforced no doubt by the community [... it] was not, properly speaking, made by the community, but was rather the expression of its life” (Carlyle & Carlyle, 1903, vol. 6, p. 419).¹ Medieval monarchs were expected to remain “under” the prevailing law and to legislate in keeping with long-standing traditions and the advice of their most powerful subjects. As you might expect, as the pioneering thinker of the new conception of sovereign power, Bodin is highly sensitive to what he calls the most obvious “difference between law and custom”:

Custom establishes itself gradually over a long period of years, and by common consent, or at any rate the consent of the greater part. Law is made on the instant and draws its force from him who has the right to bind all the rest. Custom is established imperceptibly and without any exercise of compulsion. Law is promulgated and imposed by authority, and often against the wishes of the subject. (Bodin, 1955, p. 44)

Hobbes will arrive at the same conclusion: if consideration of counsel involves negotiating custom, precedent or constraint, sovereign law is best understood as “not counsel but command”, and as issued by that actor “whose command is addressed to one formerly obliged to obey him” (Hobbes, 1994, chap. 26, p. 2; see also, chap. 6, p. 55; von Pufendorf, 2005, chap. 6, p. 59).

So far so clear. The complications begin when it comes time to specify the nature and persona of this actor. Both Bodin and Hobbes are convinced that the most suitable commander is one person, and ideally, a monarch, while accepting that a “popular” sovereign is also theoretically possible (and thoroughly undesirable). From Plato to Rousseau, both critical and appreciative analysts of democracy agree that in a community shaped by differing levels of privilege and wealth, the people rule when *they*, rather than a privileged minority on its own, or a monarch who embodies the interests of this minority, somehow acquire the power to lay down the laws that command obedience from all members of the community. A people capable of exercising such command would certainly qualify as sovereign, according to the canonical criterion. But who, then, qualifies as the people?

Is the people the entire community conceived as an organic whole, as a fundamentally harmonious combination of different classes and occupations? Is the people thus an all-inclusive figure in which rich and poor, privileged and unprivileged, share a common interest and recognise that whatever happens, “we are all in this together”? Or are they the poor, unprivileged but numerically

preponderant *part* of this community, those who defend the interests of “ordinary people”, of “people in general”, at the same time and for the same reason that they oppose the interests of any minority that might try, on the basis of wealth or privilege, to set itself apart from everyone else? For the sake of simplicity, I will refer here to the first conception of the people as “the realm” and to the second as “the masses”.

By the slightly archaic and precious notion of a “realm”, I intend a series of connotations that link a population to the territory of a state or kingdom, on the one hand, in all its geographical diversity and historical complexity, and on the other, to the ramified means of socio-economic differentiation that underlies a more or less stable class hierarchy, complete with more or less explicit forms of sanctioned pre-eminence (e.g. on the basis of property, wealth, education, birth, gender, race, religion and so on). A stable and secure realm is one in which every member of a community knows their proper place in a stratified order and adheres to their sanctioned function and status.

This appeal to an ordered realm, broadly speaking, is the notion at issue in most early modern affirmations of popular sovereignty and of a common “weal” or commonwealth. It is a version of this conception that is defended, for instance, by Marsilius of Padua, who identifies the executive source of law as “the people or the universal body of the citizens or else its prevailing part [*valentior pars*]” (Marsilius of Padua, 2005, p. 66),² or by Johannes Althusius, who insists, against Bodin, that the “rights of sovereignty [...] belong to the total realm or people”, i.e. “the total people associated in one symbiotic body [made up] from many smaller associations” (Althusius, 1995, p. 42, p. 46). From this sort of perspective, any shift in reference from the people as a whole to one filtered via representation of its “prevailing” or “weightier part” can operate more or less imperceptibly—and as we’ll see in a moment, precisely this sort of shift would later prove central to those forms of “representative government” affirmed by James Madison and his fellow framers of the US Constitution, and to the hierarchy-preserving models of representation subsequently championed in France by the abbé Sieyès and the Thermidorian Directory, and by the more liberal or *doctrinaire* wing of the restored monarchy. A securely “balanced” society can even afford to call itself a “democracy”, as one of the leading doctrinaires (François Guizot) eventually came to recognise, so long as democracy is severed from its regrettable “ancient history” as “a war, a war of those below against those above, of the many against the few, the little against the great”. Writing in 1837, Guizot is confident that this old war is finally over, and that modern and liberal forms of democracy can now be adopted as the façade of an essentially aristocratic polity, insofar as it resists any “motive for raising the standard of the many against the few”. Stability is best preserved when “the relative situation of the little and the great, of the poor and the rich, is regulated justly and liberally”. The result is a society in which “every one has his rights, his place, his prospects”, and the opportunity to pursue them in “order and peace” (Guizot, 1838, pp. 32–33).

It is this notion of the people-as-realm that continues to this day to underlie conservative conceptions of “the nation” and “the national interest”, and to orient routine political appeals to “the American people”, “the people of Britain” and so on. This is the sort of people, in short, that oligarchs can do business with.

With the rather musty but still indispensable term “the masses”, by contrast, I hope to evoke many of the connotations that this label began to acquire in the late eighteenth and early nineteenth centuries (Jonsson, 2008, chaps. 2–4; Labica, 2003). The most important of these is the literal sense of a collective formed by the massing together of individuals considered simply as individuals, individuals en masse, with minimal reference to the factors that might differentiate them.³

The differences that might sustain the realm have little purchase on the masses. Instead, what can hold a mass together, as a political actor, as a people or *peuple* in a broadly Rousseauist or Jacobin sense of the term, is simply its member’s ability to formulate and maintain a common purpose or to generalise a common will. From this perspective, there is only a political meaning to the notoriously equivocal terms of both “people” and “will” to the extent that each notion is mediated by the other, through the collective processes that result in the expression and imposition of a “will

of the people”. For Rousseau’s Jacobin followers, the word *people* thus remains a semi-technical label, one that becomes meaningless or deceptive once isolated from the exercise of its *volonté*. It’s for this reason that someone like Robespierre can observe in passing that while modern “Athens still has as many inhabitants as in the time of Miltiades and Aristides, there are no Athenians among them”, just as “Rome persists only in Brutus” (Robespierre, 2007, p. 113). As Robespierre’s colleague Saint-Just repeatedly argues, the very existence of a *patrie*—i.e. of a community worthy of mass commitment and dedication—is derivative of a people’s acquired capacity to exercise a common political will and not vice versa.⁴

When we slide from one conception of the people to the other, we don’t just shift from a singular to a plural definition of the people as a grammatical subject. We also move between two profoundly antithetical conceptions of political power, and of what is involved in the taking and exercising of such power. The first conception of the people, the people as realm, is one that most oligarchies can happily embrace, since it incorporates the differences that secure their status; the second poses an existential threat to *any* form of elite and has been consistently decried as such across the whole of recorded history. More precisely, to privilege realm over masses is to ensure that appeals to the people must proceed through mechanisms of representation that are adequate to the diversity and complexity of all the disparate groups, regions and concerns that compose it, such that legitimate power then rests in the hands of those who can best claim to represent the interest of this elaborate whole, and in particular of its “prevailing part”. The alternative recognises, by contrast, that for obvious reasons the poor majority can only overpower an ordinarily powerful or dominant elite if they are able to mass together and concentrate their power, in both time and space—at particular moments, in particular places.

The first conception defines the project of modern “representative government”, which over the course of the nineteenth century managed, in perhaps the most successful and far-reaching ideological manoeuvre in human history, to convert the initially oxymoronic idea of “representative democracy” into something resembling the unsurpassable horizon of political life. The second conception has informed all of the great revolutionary projects of the modern era, and in elite circles is generally condemned today in much the same terms that it was condemned two hundred or indeed two thousand years ago: as a recipe for mob rule at best, and as a gateway to tyranny at worst.

2.

Both of these conceptions take on much of their modern form over the course of the French Revolution and the backlash it provokes, and this sequence will thus provide the main historical focus for the remainder of this article. The basic alternative at issue, though, can be traced right back to perhaps the earliest episode of democracy in action—the mass insurrection of 508 BC, in Athens. This insurrection overthrew a Spartan-backed oligarchy led by the local aristocrat Isagoras, and in its place installed Cleisthenes as leader of a popular government in Athens. Dubbed the “Athenian revolution” by Josiah Ober, Herodotus provides the fullest ancient account of this sequence. Noting that the mass of the Athenian people had been “utterly despised” before this confrontation, Herodotus says they came to be “of one mind” in the face of foreign military occupation. They then gathered together in force, pushed the Spartans back into the Acropolis, and after besieging them for a couple of days threw them out of the city (Herodotus, 2008, pp. 66–73; trans. Ober, 2005, p. 3; see also Ober, 1998, p. 35; Cartledge, 2016, pp. 61–75).⁵ Writing around 180 years after the event, Aristotle (or a member of his school) summarised the basic sequence along broadly similar lines:

[The Spartan king Cleomenes] tried to put down the Athenian Council and set up Isagoras and three hundred of his friends with him in sovereign power over the state. But the Council resisted and the multitude [*plêthous*] gathered itself together, so the supporters of Cleomenes and Isagoras fled for refuge to the acropolis, and the *dêmos* invested it and laid siege to it for two days. [...] The *dêmos* having taken control of affairs, Cleisthenes was their leader and stood first with the people [... and became] chief of the multitude [...; his] reforms made the constitution much more democratic than that of Solon. (Aristotle, 1996, chaps. 20–22.1; trans. Ober, 2005, pp. 3–4)

Although seldom acknowledged in the wider literature on democracy as one of its inaugural moments (receiving even less attention, by non-specialists at least, than the far less forceful “secessions of the plebs” that punctuated the early years of the Roman republic), the struggle of 508 BC already illustrates four of the main features or capacities common to any assertion of mass sovereignty.

First, it involves the capacity to gather together, to formulate and maintain a common purpose—in other words, an ability to act with what Spinoza will call “a common mind”, or to uphold what Rousseau will call a “general will”.

Second, the individual members of this common project appear simply as minimally differentiated participants of the collective. In the formulations of Herodotus and Aristotle, they appear as “the many” or “the multitude” [*plêthous*], the people or common people [*dêmos*], as “the rest of the Athenians” [*Athênaiôn de hoi loipoi*]*—*terms that imply a clear distinction (and here a frontal opposition) between the mass of the people and an oligarchic elite.

Third, the people who assemble in support of their common project also quickly move on to find or invent the means of realising and imposing it, i.e. of enabling it to prevail over the obstacles standing in its way. In Athens, as later in the Paris of the sans-culottes or the Saint Petersburg of 1917 (and in any number of subsequent revolutionary sequences), this is accomplished by massing people together into a political and quasi-military force strong enough to defeat the oligarchs and the coercive power at their disposal—in this case, a group of the most renowned and intimidating soldiers in Greece. In a struggle for supremacy, the people can only prevail if they manage to concentrate their normally scattered numbers and resources around the political equivalent of a battlefield, and thereby manage to overpower the power of their oppressors, in the decisive place and at the decisive moment.

Fourth, success in such a struggle enables the victors to impose a government that can execute their demands and operate as their agent. Here, the Athenians anticipate in practice an essential theoretical distinction drawn by Bodin and then Rousseau—whereas the sovereign “exists by itself”, as Rousseau puts it, on the basis of its capacity to formulate and impose its will or command, “the Government exists only by virtue of the Sovereign”, i.e. by virtue of the people and their capacity to formulate and impose their general will. A government’s executive power or force is and must remain “nothing but the public force concentrated in it”; as soon as it seeks to assert itself as an “absolute and independent” actor in its own right, it sets in motion a process that will corrupt the state, usurp sovereign power and consequently dissolve the people as such (Rousseau, 1997, book 3, chap. 1).

We can again appeal to Rousseau in order to emphasise the most important general point that should be retained from this inaugural sequence. The key to popular empowerment is concentration in time and space. Whereas the rich and powerful constitute a relatively integrated and coordinated class as a matter of course, he observes, “the people’s force acts only when concentrated: it evaporates and is lost as it spreads, like the effect of gunpowder scattered on the ground and which ignites only grain by grain”. Once concentrated, masses or crowds can “assemble as quickly in public squares as [government] troops do in their barracks. In this respect great distances are therefore to a tyrannical government’s advantage ...” (Rousseau, 1997, book 3, chap. 8).⁶ For the same reason, the adversaries of this force have always understood that that the best way to overcome it is to disperse or dilute it—to do whatever is necessary to distance one group from another, to scatter people across space and to disrupt their coordination in time. Contemporary critics of the impulsive “excesses” and “inconsistencies” of Athenian democracy already appreciated that a hierarchical realm is best placed to accommodate some degree of popular participation in government when, as Aristotle explained, its “common people” or “multitude lives by agriculture or by pasturing cattle”. Then as now, relative poverty and isolation perform an essential political service, and small farmers or their petty-bourgeois equivalent are the most reliable members of a democracy since their way of life discourages the sort of congregation that might put pressure on the rich. “Owing to their not

having much property they are busy, so that they cannot often meet in the assembly”, but since they have just enough property to get by so then “they pass their time attending to their farm work and do not covet their neighbours’ goods, but find more pleasure in working than in taking part in politics and holding office” (Aristotle, 1996, 1318b)⁷ Hamilton and then Tocqueville will draw attention to similarly reassuring social and geographical conditions when they come to consider the prospects of limited democracy in North America.

Whether it’s a matter of “winning the battle of democracy” or struggling to impose a limit on the length of the working day, Marx will understand with particular force that “even under the most favourable political conditions all serious success of the proletariat depends upon an organization that unites and concentrates its forces” (Marx, 2000, p. 261; Marx, 2010, vol. 21, p. 17)—and for the same reason, he points out, every individual capitalist and the class as a whole know that “the workers’ power of resistance declines with their dispersal” (Marx, 1990, vol. 1, p. 591). Or as Auguste Blanqui will put it, with characteristic concision, a few years before the declaration of the Paris Commune of 1871: “Organisation enables victory, dispersal ensures death” (Blanqui, 2007, p. 262). If Lenin (1964) emerges as the pre-eminent revolutionary leader of the early twentieth century, it’s because more than anyone else he took these lessons to heart.⁸

3.

Although it may have been briefly anticipated in sequences like the Ciompi revolt in *Florence* of 1378, the Great Peasants’ Revolt of 1524–25 or the quasi-mutinuous arguments of the Levellers in the late 1640s, after the pioneering experiments in Athens, the logic of mass sovereignty (as distinct from exercises of popular protest or resistance) doesn’t again apply, on a national scale, until the French Revolution. The English and American revolutions, by comparison, remained largely intra-aristocratic affairs, i.e. reorderings of the realm; only in France, during the tumultuous years 1792–1793, was there a clear and partially successful attempt, by mass actors, to impose sovereign commands that compelled aristocratic obedience. For all its limitations, this attempt remains one of the most revealing indications of what is at stake in the ongoing struggle that continues to play out within any appeal to popular sovereignty, between the competing notions of *nation* and *peuple*, of realm and mass (Labica, 2003). What happened during the first years of the French Revolution, in short, is a shift from the former to the latter. It is this shift that was immediately condemned as a criminal inversion of the proper order of things by *modérés* and reactionaries at the time, and such condemnation would soon be written into the detailed history of the revolution (already with Adolphe Thiers, and persisting through to François Furet and Simon Schama) as its explanatory principle par excellence.

I appeal here to this familiar sequence only in order to illustrate the basic distinction between concentration and representation, in practice and in theory, as strategies embraced by our competing appeals to a popular sovereign. Both sides in this struggle learned right away that the mobilisation of a concentrated crowd could have decisive political effects. The people of Paris demonstrated the point by taking the Bastille of course, but still more consequential were the myriad confrontations across the countryside, in the summer of 1789, that became known as the “Great Fear” or the remarkable mass March on Versailles, on 5 October 1789, which effectively succeeded in making the king a virtual hostage to the people of his capital.

For the next couple of years, the revolutionary spectrum split first and foremost between (a) those who sought to preserve established royal power, to limit the concessions made under popular pressure in the summer of 1789 and to erect a constitution that might best preserve order and the prevailing distribution of property (by resorting to martial law, discouraging all forms of popular assembly, excluding “passive”, i.e. relatively impoverished citizens from participating in political decisions or service in the new National Guard) and (b) those who took seriously the most important principle conceded in the great *Declaration of the Rights of Man and the Citizen* of August 1789 that “The law is the expression of the general will” (article 6). The latter drew on Rousseau’s argument that since the people’s “sovereignty is nothing but the exercise of the general will, it can never be

alienated” or “transferred” to any actor other than itself (Rousseau, 1997, book 2, chap. 1). Mass assembly or association is the necessary condition for any such exercise, and such a sovereign only comes to exist through its active and collective composition. The process of mass assembling itself allows what might begin as a merely aggregate sum of individual opinions, preferences or *wishes* (what Rousseau called a “will of all” [*la volonté de tous*]) to change state and become an actual political *will*—i.e. a determination to turn wishes into realities, combined with the capacity to make this happen. *Vouloir*, for Rousseau as for the Jacobins he inspires, is always bound up with its relative *pouvoir*, its acquired power or capacity (Rousseau, 2009, pp. 308–309).⁹

The deputy to the National Convention Jean-François Ducos made the point more succinctly than Rousseau himself, when in June 1793, he defined the sovereign as “the collection of citizens”, gathered in such a way as to allow for the decisive expression of their majority view. “When we deliberate one person at a time”, he pointed out, “each citizen does nothing more than express an opinion, a wish [*un voeu*]; only the majority, once the votes are tallied, has a will [*une volonté*]”.¹⁰ Precisely when it’s a matter of *willing* rather than simply of opining or preferring, then whether the actor is collective or individual it must *concentrate*, in both of the common senses of this word—or in Fichte’s hyperbolic formulation, “in any willing whatsoever I determine myself, I concentrate my entire being, everything indeterminate and merely determinable, into a single determinate point” (Fichte, 2010, p. 74).

The revolutionary citizens who most energetically committed to the collective determination of such a point, over the course of 1792, quickly realised that the only way to prevail was to concentrate their force in the most literal sense possible. In the wake of the king’s failed flight from the country the previous summer, popular pressure grew steadily, expressed over a series of mass petitions which insisted again and again (like this one from Grenoble, read out in the National Assembly on 26 June 1792) that “the people is sovereign. If Louis XVI does not want to be one with the nation, the nation will rise in its entirety, and with the Constitution in its hands, it will declare: Louis XVI king of the French is stripped of the crown” (Wahnich, 2008, p. 341; see also Soboul, 1972, p. 108). The king’s persistent indifference to popular demands eventually forced the issue, on the climactic day of 10 August 1792—arguably the single most important *journée* in the whole long history of the struggle for and against popular sovereignty. A further message sent to the Assembly, by the victorious leaders of this insurrection, made the intended shift in authority explicit:

It is the new magistrates of the people who present themselves at your bar. The new dangers to the country provoked our election; the circumstances counselled it and our patriotism will render us worthy of it. The people, finally having had enough, for the past four years the playthings of the perfidies and intrigues of the Court, felt that it was time to stop the Empire at the brink of the abyss. Legislators: all that is left is to back up the people [*seconder le peuple ...*]. The people who have sent us to you [...] recognizes only the French people, your sovereign and ours, gathered in primary assemblies, as fit to judge the extraordinary measures which necessity and resistance to oppression have led it.¹¹

Since the attempt to avoid such recognition had become the virtual *raison d’être* of the Assembly, its forced dissolution allowed the basic antagonism dividing revolutionary opinion to come fully out into the open.

This antagonism quickly reasserted itself in the debates that tried to pass judgement on the insurrection of 10 August, in the newly elected National Convention. In the autumn of 1792, the more conservative “Girondin” deputies defended the legislature’s monopoly of power, asserting the authority of the constituted government over that of the “constituting” people, while the Montagnards and their allies in the Jacobin and Cordeliers clubs rallied the people against the government and argued with Robespierre that “the people’s own strength” provides the only secure “guarantee of their rights” (Robespierre, 1967, vol. 9, pp. 499–500). Robespierre had long accepted, against his conservative opponents, that while no subsection of the people can legitimately claim to “exercise the rights of the people as a whole”, nevertheless there may well be occasions when a given section

might be entitled, in extremis, “to attribute to itself the exercise of sovereignty” on behalf of the people in general (Robespierre, 1967, vol. 7, p. 613; see also vol. 9, p. 467). He relied on this contested principle in his famous retort to the Girondin Jean-Baptiste Louvet, who sought to accuse those associated with 10 August of pandering to mob rule. It is incoherent, Robespierre replied on 5 November, both to affirm popular sovereignty and to condemn the measures that alone might succeed in asserting it. To will the end is to will the means, and if the only way that the people can only impose their will is through insurrection and direct action, then the latter is not only a right but a duty, one that transcends the legal framework of the established situation. “Is it with the penal code in hand”, Robespierre asked, “that one should assess the salutary measures that public safety requires in moments of crisis brought about by the very powerlessness of laws? Citizens, did you want a revolution without a revolution?” Those who insist, after the event, on predicting “the exact point at which the waves of popular insurrection should break”, and then on channelling them within established forms, condemn a people to permanent submission (Robespierre, 2007, pp. 42–43).

The essential question crystallises precisely around the judgement of popular concentration, and Robespierre framed the point in terms that resonate to this day:

For while it is true that a great nation cannot rise in a simultaneous movement, and that tyranny can only be struck by the portion of citizens that is closest to it, how would these ever dare to attack it if, after the victory, delegates from remote parts could hold them responsible for the duration or violence of the political upheaval that had saved the homeland? They ought to be regarded as justified by tacit proxy for the whole of society. The French who are friends of liberty, meeting in Paris last August, acted in that role, in the name of all the departments. They should either be approved or repudiated entirely. To make them criminally responsible for a few apparent or real disorders, inseparable from so great a shock, would be to punish them for their devotion. (Robespierre, 2007, p. 43)¹²

A version of Robespierre’s argument recurs in every defence of the great revolutionary projects of the twentieth century, and of the great anti-colonial vanguard movements, and of those who have mobilised in the last few years in those places of mass concentration that will be forever marked by the events of 2011 and their legacy, from Tahrir Square to the Puerta del Sol. For the Jacobins themselves, in 1792–93, the argument boiled down to a dispute about the role of their country’s gathering place par excellence, its capital city. In the wake of the second great mass insurrection of the Revolution (of 31 May–2 June 1793), and after privately underlining the importance of preserving and reinforcing a united general will, “ONE will” [*une volonté UNE*] (Courtois, 1828, p. 15), on 14 June 1793, Robespierre reiterated the need for a “single centre of forces and resources”, a centre that only the political equivalent of a “head” can provide. “During a political tumult, in a revolutionary tempest”, Robespierre insisted, “we need a rallying point” and “this rallying point must be Paris” (Robespierre, 1967, vol. 9, p. 559; see also Jaume, 1989, p. 113). As the only place where people from all over the country can feasibly meet and unite, “Paris is the boulevard of liberty” and “all the constituted authorities must look to the preservation of Paris”, i.e. that concentration of popular power which has enabled the capital to defend the revolution across the divided country in general (Robespierre, 1967; vol. 9, p. 358; see also Gauthier, 2006). In the following century, Blanqui will consistently rely on similar arguments in his defence of “Paris, capital of intelligence and of work”, as “the concentrated essence of the country”.¹³

Robespierre, Saint-Just and their Montagnard colleagues also drew on the same principle when they refused the last-ditch call for a national plebiscite or “appeal to the people”—an exemplary case of an appeal to the realm or its “silent majority”—made by the more conservative members of the Convention, in an attempt to save the deposed King Louis XVI from the guillotine in January 1793.¹⁴ They saw no necessary contradiction, in other words, between those universal principles that apply to the mass of citizens in general and their assertion here and now by that “virtuous minority” who are willing and able to do what is required to apply them. The activists who would later campaign to win grudging majority support for things like the abolition of slavery, women’s rights or an

end to imperialism and colonialism always set out from similarly “vanguard” positions with respect to the wider population.

The Jacobins’ Girondin opponents, by contrast, sought instead to privilege the breadth and diversity of the nation as a whole and railed against what one of their deputies condemned in September 1792 as the “tyranny” and “despotism of Paris”, calling for its influence to be “reduced to an eighty-third share of influence, the same as the other departments”.¹⁵ A few months later, as mass pressure on the Girondins grew more intense, one of their leaders (Maximin Isnard) threatened “to March France upon Paris”—if Parisian insurgents continued to compromise “the principle of national representation”, he blustered, “I declare to you in the name of France that soon people will search the banks of the Seine to see if Paris has ever existed”.¹⁶

Isnard’s choice of principle summarises the anti-Jacobin strategy in a nutshell, in terms that apply as much to their immediate context as to that of Thermidorian reaction that began in 1794 or to the monarchy that was restored in 1815 and then reconfigured in 1830, and indeed to all of the conservative governments that have followed since: to the partisans of mass concentration, the defenders of the realm oppose the sanctity of “national representation”. Whenever a political crowd begins to linger, those who represent the nation’s property and wealth are quick to respond with a single cry: “disperse! we’re in charge here”.

The annals of history are forever scarred, of course, by mass dispersals achieved by the most brutal means imaginable, from Rome’s decimation of Carthage to the genocidal clearings of Tasmania or the Caribbean islands, via the somewhat “softer” depopulation strategies undertaken, for instance, to expel the Acadians from Nova Scotia in the mid-1750s or to overcome Palestinian resistance to Israeli occupation. As imperial armies have regularly learned, however, overt reliance on such forceful measures can sometimes backfire. The most effective strategy for dispersal is one that not only provokes little or no resistance but that can actually solicit voluntary submission. This is where modern forms of representation come in and offer the embattled defenders of the realm the most effective political tools at their disposal.

4.

Recourse to the logic of representation is one of the great constants of anti-democratic political strategy throughout the “age of revolutions” that began in England in the 1640s and that continued in England’s American colonies in the 1770s and 80s. In 1647–48, a combined appeal to the established legitimacy of parliamentary representation—whereby every inhabitant of the realm is held to be virtually “present in Parliament”, regardless of their actual participation in the election of MPs let alone the formation of policy (Wood, 2012, pp. 216–17, p. 227)—and the preponderant rights of property was enough to see off the Levellers’ seditious argument that the power of “representatives of this nation is inferior only to theirs who choose them” (Woodhouse, 1951, p. 444), i.e. to the people en masse, the “people outside parliament”. Cromwell’s chief lieutenant Henry Ireton, responding to Leveller demands for universal suffrage, could still take it to be self-evident that “no person hath a right to an interest or share in the disposing of the affairs of the kingdom [...] that hath not a permanent fixed interest in this kingdom, and those persons together are properly the represented of this kingdom, and consequently are [also] to make up the representers of this kingdom, who taken together do comprehend whatsoever is of real or permanent interest in the kingdom” (Woodhouse, 1951, p. 54).¹⁷ The same basic principle orients James Madison and Alexander Hamilton’s framing of a constitution for the newly independent United States of America in 1787. Madison was unequivocal about the need to preserve the aristocratic order of things, to guarantee the long-term influence of “the landed interest”, and thereby “to secure the permanent interests of the country against innovation” and “to protect the minority of the opulent against the majority” or mass.¹⁸

In the immediate wake of the fall of the Bastille, relatively conservative members of the French National Assembly like Jean-Joseph Mounier, Antoine Barnave, or the abbé Sieyès had to choose their words more carefully, but they drew on the same logic in order to preserve the interests of the

rich from the predations of the poor and to avoid, as Barnave put it in August 1791, any risk of “confusing a democratic government with a representative government”. If the former invites mass participation in political decisions (with all the attendant risks this might pose to an elite few), the latter enables the interests of society as a whole to be assessed by a small group of judicious representatives, themselves selected on the basis of a restricted franchise, on the assumption that “each elector chooses for everyone; it is for everyone that the active citizens name the electors; it is for the entire society that they exist”. Whatever their own social rank or interest might be, suitable representatives can be trusted to pursue the good of the realm as an organic whole.¹⁹ Those members of the people who might appear, on the basis of property, wealth or education, to be least “invested” in the realm can then legitimately be treated as merely “passive” inhabitants and effectively excluded from political participation. As Sieyès argued in an influential speech to the National Assembly on 7 September 1789, so long as *le peuple* can only acquire a legitimate political role via the “representatives of the nation”—so long as “they can only speak and only act through their representatives” and duly renounce any attempt “to impose their own wills” upon the government—they remain deprived of all sovereign or law-making power and can be safely included as a suitably deferential component of a stratified polity.²⁰

Temporarily suspended during the years of Jacobin dominance in 1792–1793, this hierarchical logic of representation returns with a vengeance after Thermidor 1794 and again with the royalist settlements of 1815 and 1830, with a more or less severely restricted franchise, until it became a matter of broad consensus that, as the liberal doctrinaires put it, “the true sovereignty of the people, which aligns its power beneath the law of justice, comes to deposit itself entirely in the hands of representative government” (Royer-Collard, 1863, vol. 2, p. 467).

Like Barnave and Sieyès, all of these early advocates of representative government were careful to stress the “enormous difference” between it and “democracy”.²¹ Recourse to representation was first embraced as a pillar of the modern order explicitly as a bulwark against the priorities, “excesses” and enthusiasms of democratic rule. More precisely, the privileging of electoral representation over direct popular participation allows the opponents of democracy to accomplish three key objectives, which again remain vital to this day.

First of all, it allows mass opinion to be filtered by elite opinion, by restricting inclusion with the electoral system and limiting access to privately owned media and to the established spheres of political debate. As Edmond Burke told the electors of Bristol in 1774, in a well-known speech, “your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion. [...] If government were a matter of will upon any side, yours, without question, ought to be superior. But government and legislation are matters of reason and judgment, and not of inclination”, and it is only natural that the most judicious and most reasonable should rule (Burke, 1999, vol. 4, p. 11).²² On the other side of the Atlantic, Madison relied on a similar argument when he came to defend representation as “the pivot” of the new American system. The immediate effect of representation, he said, is

to refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country [...] Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. (Hamilton, Madison, & Jay, 2003, §63, §10)

“The idea of actual representation of all classes of the people by people of each class”, echoes Hamilton, remains “altogether visionary” and far-fetched. Happily, workers, “mechanics and manufacturers will always be inclined, with few exceptions, to give their votes to merchants in preference to persons of their own professions or trades”, and they can be trusted to consider these more prosperous, more educated and more influential members of the community as “the natural representatives” of their fellows (Hamilton et al., 2003, §35). “Representative government is the best, the freest,

the most excellent of governments”, Barnave adds, since everyone knows that “a certain fortune [...] is the best assurance of a diligent education and an extensive knowledge”, that “the interest in the commonweal” is “obviously greater in a man who has that much more personal interest at stake” than their propertyless compatriots and that “financial independence” further renders such a man “largely immune to the enticements that corruption might deploy to seduce him”.²³

Second, and as a matter of course, reliance on representation presumes a renunciation of action on the part of the people themselves, i.e. their transformation from direct actors to more or less distant spectators. This is the point that Hobbes recognised with particular force, in the early stages of this transformation: “A multitude of men are made one person when they are by one man, or one person, represented”, runs the famous argument of *Leviathan’s* chapter 16, “for it is the unity of the representer, not the unity of the represented, that maketh the person one [...]. It is the representer that beareth the person” and secures its unity (Hobbes, 1994, chap. 16, para. 13). Thanks to their subsumption under the person of the representer, the people who thereby acquire this phantom version of a political presence can be assumed to sanction, tacitly if not explicitly, whatever their rulers might do in their name. Once every member of the community consents to be represented by their sovereign lord, “every one [should] acknowledge himself to be the author of whatsoever he that beareth their person, shall act or cause to be acted [...], and therein to submit their wills, every one to his will, and their judgments to his judgment” (Hobbes, 1994, chap. 17, para. 13).

As Hobbes makes very clear, the more absolute power is concentrated in the hands of the representer, the more the represented can be reduced to a position of absolute docility and compliance. One of Madison’s great insights was to see how the large size and dispersed population of the newly independent United States might help ensure a very similar result, by erecting massive “obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority”. The more a diversified realm can accommodate “a greater variety of parties and interests”, the more it can balance one such party off against another and “make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other” (Hamilton et al., 2003, §10). The happy result of filtering political interests through the machinery of representation, in short, is “the total exclusion of the people in their collective capacity from any share” in government (Hamilton et al., 2003, §63). As Ellen Meiksins Wood summarises things, “the form of representation espoused by Hamilton et al. was intended not to give the demos a voice but to speak in its stead” and to ensure that “America possessed no democracy at all” (Ober & Hedrick, 1996, pp. 123–24).

The third great benefit of representation is that by aggregating a mass of votes and opinions (however filtered or restricted, and however distant from actual decisions), it doesn’t just preserve government from the sovereign commands of a common will, it generates an illusory substitute for the latter, i.e. a fictional projection of the realm as itself seemingly endowed with an overall preference or inclination. An effective system of representation doesn’t just discourage the massing of a collective purpose in the streets, it evokes a “silent majority” in its place. A majority concocted through representation is a merely statistical preponderance. This is not a will made general and powerful through organisation, deliberation and collective action, it is instead what Rousseau called a mere “will of all”: a sum of individual preferences formulated in the absence of any political process and thus deprived of any means of empowerment. The measuring of such a will of all can normally be relied upon to reflect the fears and wants of relatively isolated and powerless individuals, obliged to consider themselves merely as individuals; the more far-reaching their isolation and disempowerment, the more reliable their alignment with the established hierarchies of the realm.

In other words, to keep the threat of mass sovereignty at bay, it’s not enough to force people to do something against their will, and perhaps not even enough to shape their wills against their own interests—it is also essential to generate a stand-in that appears to do their willing for them, i.e. to stage or represent a “nation” or “a people” whose authority can be invoked whenever an actual

popular movement begins to challenge the status quo. It's this phantom or fiction that today's reactionary populists refer to, first and foremost, when they appeal to "the will of the people" in defence of, e.g. Donald Trump's election or the UK's 2016 vote to leave the European Union.

Representation of the realm is also what's fundamentally at issue in the liberal anti-populist arguments so often used to debunk any appeal to political will and with it any appeal to mass sovereignty. The work of the Collège de France professor Pierre Rosanvallon is exemplary in this respect, as is that of Catherine Colliot-Thélène. "The history of modern politics is indeed inseparable from an exaltation of the will", Rosanvallon admits, but thankfully this destructive and simplistic passion has since been eclipsed by a recognition, rooted precisely in the insights of nineteenth-century liberals like Constant, Guizot and Tocqueville, that representation offers the only viable means of governing a complex polity. The more diverse and fragmented a national population, the more diverse and sensitive must become the means of representing it. "Since it is complex, unfinished, forever renewed, the people can only be grasped through a form of representation that is itself multiple and diffracted" (Rosanvallon, 2003, p. 433; see also Colliot-Thélène, 2011). Forever renewable and forever renewed, the construction of such a form continues to set an agenda for the ongoing defence of the liberal realm, throughout Europe and North America.

5.

The debates that divide today's advocates of popular concentration on the one hand and of elite mediation on the other remain in direct continuation of the argument about representation that was anticipated by Rousseau and then undertaken in deadly earnest by his Jacobin followers. Oriented by his veneration of a virtuous antiquity, Rousseau stresses the medieval origins of "the idea of representatives", which "comes to us from feudal Government, that iniquitous and absurd Government in which the human species is degraded, and the name of man dishonoured" (Rousseau, 1997, book 3, chap. 15). By equating sovereignty with the exercise of a general will, Rousseau defines it in terms that enable executive delegation but preclude representation as a matter of course, for the simple reason that "power can well be transferred, but not will" (Rousseau, 1997, book 2, chap. 1).

Sovereignty cannot be represented for the same reason that it cannot be alienated; it consists essentially in the general will, and the will does not admit of being represented: either it is the same or it is different; there is no middle ground. The deputies of the people therefore are not and cannot be its representatives, they are merely its agents; they cannot conclude anything definitively. Any law which the People has not ratified in person is null; it is not a law.²⁴ (Rousseau, 1997, book 3, chap. 15)

Thus, Rousseau concludes, "the instant a people gives itself representatives, it ceases to be free; it ceases to be". A people that hands its sovereignty over to representatives dissolves for the same reason that a people which obeys commands other than its own likewise dissolves itself and becomes merely a servile agglomeration (Rousseau, 1997, book 3, chap. 15).²⁵

One of the great obsessions of the Rousseau's Jacobin followers, therefore, will be suspicion of any figure that aspires to represent the people, or to transfer sovereign authority from the people en masse to their government. Robespierre stakes everything on the "incontestable maxim that the people is good, and that its delegates are corruptible, and that a safeguard against the vices and despotism of government must be found in the virtue and sovereignty of the people" (Robespierre, 1967, vol. 9, p. 498). If "representatives" in the sense of deputies or delegates are an avoidable necessity in a large state, they are tolerable only to the extent that they function as transparent and obedient servants of their political master. In any situation in which "the people do not [...] directly express their will themselves but through representatives, if the representative body is not pure and almost identified with the people, then liberty is annihilated" (Robespierre, 1967, vol. 7, p. 404).²⁶

In the tumultuous years 1792–1794, political groupings varied mainly according to the way they understood this "almost identity", with Robespierre and his colleagues challenged on the right by

the Girondins and outflanked on the left by the Enragés and then the Hébertistes. As the Enragé Jean-François Varlet argued, since “the most glorious right” of a sovereign people “is that of expressing our will”, so then our deputies must understand that “you will no longer be our representatives, you will be our agents, our means of expression: the line that you must follow will be drawn before you”.²⁷ The history of revolutionary Paris is in large part the history of the means invented (and then contested) to draw and impose such a line, by means of local or primary assemblies, political clubs, an entirely new political press, constant “surveillance” of delegates, demands for imperative mandates, and in extremis, readiness to fulfil the “sacred duty” of mass insurrection.²⁸

The theoretical argument came to a head in the debate around Condorcet’s “Plan de Constitution”, which he introduced to the National Convention on 15 February 1793. Although there’s no space here to consider the plan itself, Keith Baker summarises what is at stake in the conflict between the great Enlightenment philosopher and his Jacobin critics when he stresses

the great gulf that opened in 1789 between the political thought of the Enlightenment and that of the French Revolution. The fundamental impulse of the Enlightenment was to limit the exercise of sovereignty; that of the French Revolution was to seize it in the name of the popular will. For Condorcet [...] politics was to be the expression of reason, not the implementation of any sovereign will. (Baker, 1982, pp. 384–85)

What Condorcet proposed, in short, was precisely a set of mechanisms that might spread the process of making political decisions over time and across space, via elaborate forms of representation and referenda. “With these arrangements”, Baker concludes, “Condorcet felt that it would be possible to eliminate the most pressing threat to stable and representative government—the direct action of a portion of the people, particularly the people of Paris, acting in the name of the sovereignty of the whole—by institutionalising the right to protest” (Baker, 1982, p. 322). Saint-Just got the main point perfectly well when he said, in response: “Here is his plan: a federative representation that makes the laws, and a representative council that executes them”. Against Condorcet, Saint-Just relied on Rousseau’s mass voluntarism, arguing “The general will is the material will of the people, its simultaneous will; its goal is to establish and impose the active interest of the greatest number”, by all means such imposition might require. Those government agents who duly “execute the will of the people in no sense represent them”.²⁹

The challenge then facing the Jacobins, especially when they found themselves forced into the uncomfortable position of leading their own emergency government, was to maintain the levels of mass concentration required to save and continue the revolution, without tipping over from concentration to centralisation pure and simple (Gauthier, 2006). Every version of “democratic centralism” has faced a similar dilemma. How far can local demands for autonomy and direct democracy be reconciled with the need to preserve mass sovereign power in general?

The fact that more often than not, recent revolutionary projects have foundered on this rock may say more about the obstacles confronting them than it does about any inherent or “tragic” flaw in mass mobilisation itself. No doubt this argument will persist as long as revolutionary politics itself, and responses to it will always divide along the basic choice thrown up by the logic of popular sovereignty, for or against the primacy of representation.

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Citation information

Cite this article as: Concentration or representation: The struggle for popular sovereignty, Peter Hallward, *Cogent Arts & Humanities* (2017), 4: 1390916.

Notes

1. In this sense, in the premodern period “Bracton’s famous saying that the king is under God and the law represented the tradition not only of England, but of all Western Europe” (Carlyle & Carlyle, 1903, vol. 5, pp. 81–82). As for the much-debated question of whether “sovereignty” is a useful term for analysing ancient political systems, see in particular Davies (1994, p. 56), Ober (1989, pp. 332–33), Berent (2000, p. 5), Hammer (2015) and Hinsley (2009, pp. 28–30).

2. This “prevailing part of the citizens”, Marsilius adds, “should be identified from the honourable custom” that prevails in a polity and can then “represent the whole of [its] universal body of citizens” (pp. 67–68).
3. Jacques Rancière’s long-standing emphasis upon the disruptive and “declassifying” quality of the demos helps to reassert the primacy of the masses—but he then goes on to stress, one-sidedly, the people’s tendency to dispersal (their power to “undo all gatherings”, their reliance on an egalitarian “power of inconsistent, disintegrative and ever-replayed division”, etc.) at the expense of any consequential forms of unity and coherence (Rancière, 1995, pp. 32–33).
4. Where there is no people, Saint-Just reasons, there is no legitimate sovereign, and thus no legitimate laws; reciprocally, since “the people is just only insofar as their laws are just”, so then if the laws or government are corrupted “the people become deceitful [*trompeur*] and there is no longer any *patrie*” (Saint-Just, 2004, p. 382).
5. One of the great constants of ancient Greek history, as Ste. Croix notes, is that “the only way in which oligarchy could be transformed into democracy was by revolution. I know of no single case in the whole of Greek history in which a ruling oligarchy introduced democracy without compulsion” (Ste. Croix, 2013, p. 288).
6. It is tempting to read this passage alongside one of Blanqui’s manuscript fragments: “Grains of gunpowder do not conspire. They say nothing. They sleep side by side, but when the time comes, they explode together” (Blanqui MSS 9590(1), f. 173, 14 July 1869, <https://blanqui.kingston.ac.uk/manuscripts/>).
7. The process of making Athenian democracy itself safe for the realm, so to speak, gathered pace over the course of the 400s BC through a process concisely evoked by the title of Martin Ostwald’s authoritative book on fifth-century Athens: *From Popular Sovereignty to the Sovereignty of Law* (Ostwald, 1987/1992).
8. I discuss the “neo-Jacobin” aspects of the Bolshevik sequence in the fourth chapter of *The Will of the People* (forthcoming in press-a).
9. See also Hallward (in press-b), *Rousseau and Political Will*, forthcoming.
10. Jean-François Ducos, 12 June 1793, *Archives parlementaires* vol. 66, p. 454. Ducos’ formulation provides the most helpful way of interpreting a famously controversial passage of Rousseau’s *Social Contract*: “When the opinion contrary to my own prevails, it proves nothing more than that I made a mistake, and that what I took to be the general will was not. If my particular opinion had prevailed, I would have done something other than what I had willed [as a member of the collective], and it is then that I would not have been free” (Rousseau, 1997, book 4, chap. 2).
11. Sulpice Huguenin, on behalf of the Insurrectionary Commune, cited in Jaurès, “The Insurrection of August 10, 1792”, *Histoire socialiste*, vol. 2, <https://www.marxists.org/archive/jaures/1901/history/aug-10-1792.htm>, accessed 5 July 2017.
12. The same logic, Robespierre continues, must apply to the most gruesome consequence of the August mobilisation: the organised prison massacres undertaken in a few weeks later, in early September. “Could the magistrates stop the people? For this was a popular movement, not the partial sedition of a few scoundrels paid to assassinate people of their own kind, as has been ridiculously supposed. Well, if it had not been like that, how is it that the people did not stop it? How is it that the National Guard, how is it that the *fédérés* did not make a single move to oppose it? [...] We know that the commander of the National Guard made vain efforts to assert control; we know that commissioners from the national Legislative Assembly were sent to the prisons and that their efforts were in vain” (1997, pp. 45–46).
13. “Confronted with Paris, the Assembly is nothing. And Paris will abdicate when France grows of age” (Blanqui, 7 February 1856, MSS 9581, f. 93; cf. Blanqui, “Adresse électorale aux Parisiens”, donjon de Vincennes, 19 Septembre 1848, MSS 9581, f. 121. These texts are transcribed and posted online at *The Blanqui Archive*, in the collection of “Fragments philosophiques et politiques (1840s–1870s)”, <https://blanqui.kingston.ac.uk/texts/fragments-philosophiques-et-politiques-1840s-70s/#paris-et-la-france>).
14. “On this earth, virtue is always in the minority”—to begin with (Robespierre, 1967, vol. 9, pp. 198–99).
15. Lasource, deputy for the Tarn, 25 September 1792, *Archives parlementaires*, vol. 52, p. 130.
16. Isnard, 25 May 1793, cited in Jaurès, 1901–1908, vol. 4, p. 1328.
17. Ireton, in “The Putney Debates”, admits that “the original of power of making laws, of determining what shall be law in the land, does lie in the people—[but by the people is meant those] that are possessed of the permanent interest in the land” (Woodhouse, 1951, p. 67).
18. Madison, 26 June 1787, cited by Robert Yates, *Notes of the Secret Debates of the Federal Convention of 1787*, (Farrand, 1911, vol. 1, p. 431).
19. Barnave, “Sur les conditions d’éligibilité”, 11 August 1791, *Archives parlementaires*, vol. 29, p. 366.
20. Sieyès, 7 September 1789, *Archives parlementaires*, vol. 8, pp. 594–95; see also Sieyès, 2014, p. 127.
21. Sieyès, 7 September 1789, *Archives parlementaires*, vol. 8, p. 594.
22. Burke is an exemplary spokesman for the realm as a whole. “Parliament is not a congress of ambassadors from different and hostile interests, which interest each must maintain, as an agent and advocate, against other agents and advocates; but Parliament is a deliberative assembly of one nation, with one interest, that of the whole ... You choose a member, indeed; but when you have chosen him he is not a member of Bristol, but he is a member of Parliament” (1999, vol. 4, pp. 11–12).
23. Barnave, “Sur les conditions d’éligibilité”, 11 August 1791, *Archives parlementaires*, vol. 29, p. 366.
24. “The instant the People is legitimately assembled as a Sovereign body, all jurisdiction of the Government ceases, the executive power is suspended, and the person of the last Citizen is as sacred and inviolable as that of the first Magistrate, because where Represented is, there no longer is a Representative” (1997, book 3, chap. 14). The difference here between Rousseau and Kant is telling. It’s precisely because he insists that a people can only constitute itself as a political body through the mediation of suitable representatives that Kant thereby privileges, against Rousseau, the de facto supremacy of the government or monarch over the theoretically binding but merely regulative “idea” of popular sovereignty (see in particular Kant, 1996, §52; and Ferrié, 2016, p. 163, p. 179).
25. “If, then, the people promises simply to obey, it dissolves itself by this very act, it loses its quality of being a people; as soon as there is a master, there is no more sovereign, and the body politic is destroyed forthwith” (1997, book 2, chap. 1).
26. Only on this condition does Robespierre allow for a degree of delegation in a viable “democracy”, defined as “a state in which the people, endowed with sovereignty, guided by laws of its own making, does for itself whatever it can do for itself well, and through delegates what it cannot” (2007, p. 111, trans. modified).
27. Varlet, *Proposal for a Special and Imperative Mandate* (1792), in Goldstein (2001, pp. 153–55).

28. For a recent overview of this point, see von Eggers (2016, p. 107).
29. Saint-Just, 24 April 1793, *Archives parlementaires*, vol. 63, pp. 202–4.

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