
Putting Populism in Its Place

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On November 8, 2016, the world was stunned by the election of Donald Trump as the forty-fifth president of the United States of America. The fact that roughly 63 million Americans had voted for the host of *The Apprentice*, a political outsider who vowed to “drain the swamp” in Washington and who rose to political prominence by promulgating a conspiracy theory that Barack Obama wasn’t born in the United States, came as a shock to many Americans.

The election of Donald Trump was surprising, but it wasn’t an outlier. Trump was just one more example of populist leaders and parties upsetting the political order in countries all over the world, including Marine LePen and Front National (FN) in France, Alternative für Deutschland (AfD) in Germany, Golden Dawn in Greece, the Five Star Movement in Italy, the Sweden Democrats in Sweden, and, arguably, the Corbynite Labour Party in Britain. All of these populist movements have seen surprising electoral success over the past decade.

Although the reactions to the growing populism have been varied, they can be roughly divided into two distinct camps. The first sees populism as a threat to democracy and a danger to liberty, while the second sees populism as democracy’s true form and as a necessary revolt against elites who have become out of touch and indifferent to the people around them. Although it is a simplification to focus on these two extreme ways of interpreting populism, doing so is useful since it will allow us to clarify the important issues at stake.

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The Independent Review, v. 26, n. 1, Summer 2021, ISSN 1086–1653, Copyright © 2021, pp. 53–64.

To know who is right, we need to know what populism is. My aim here is to get clearer on the nature of populism and then to assess its dangers and possible benefits to liberty and democracy. My central claim is that there are three distinct but interrelated notions or forms of populism. The first is a theoretical claim about the nature of democratic legitimacy, which sees the most—or perhaps the only—legitimate political order as one that directly represents the will of the people through legislation and political leadership. If the first form of populism links democratic legitimacy to the popular will, the second form animates that will to attack political elites or insiders in support of political outsiders. Both the first and second forms of populism are explicitly political, whereas the third concerns culture. Populism in the cultural realm privileges accessibility and mass appeal over sophistication and refinement. Of the three, the third is the most benign, but all forms of populism are potentially dangerous and should be kept in their place lest they threaten liberty and undermine democracy.

The Will of the People: Formal Populism and Legitimacy

The first aspect of populism is what we might think of as theoretical or formal conception of populism that links the direct representation of general will with the idea of democratic legitimacy. To get clear on this idea and its challenges, though, we need to think more carefully about the idea of democracy and its conditions for sovereignty and legitimacy.

Democracy is one of the thorniest ideas in politics. We live in a democratic age, and most of us are in some sense in favor of democracy, though we often differ dramatically on what we mean by the term. Democracy involves voting and elections, but elections alone do not a democracy make. The Soviet Union had elections, but no one would suggest with a straight face that it was a democracy. Democracy requires disagreement, and public disagreement requires protection for those who disagree. This usually means robust protection for freedom of speech, assembly, and the press as well as the presence of a variety of different political parties and points of view. In democracies, the paradoxical idea of a “loyal opposition” is not so paradoxical; indeed, it is essential to the very idea of democracy. What the opposition is loyal *to* is the democratic system itself. This loyalty and the norms and rules that govern it allow for opposition to the government to be the rule rather than the exception. The expectation is that there will be a peaceful transfer of power rather than a civil war after an election.

Democracy, in this sense, includes a range of different institutional structures—for example, parliamentary versus presidential, unicameral versus bicameral, federalist versus nonfederalist. Whatever democracy’s specific form, we can think of a society as being more or less democratic depending on how well the background rights, rules, and norms that protect democratic contestation are protected. The Center for Systemic Peace maintains the Polity Project data set that measure regimes on several dimensions to determine a “Polity Score” from -10 to 10 . Within this range, regimes are classified

as autocracies, anocracies, or democracies. Anocracies have elements of democratic governance mixed with authoritarianism. Russia, for instance, holds elections but severely limits the press and opposition parties. The core idea of a full democracy, in this sense, comprises both the openness of the political process and the second-order protection of that openness. Winners do not try and are not able to exclude losers from participating in the political process and from potentially winning in the future.

The core idea here is that democracy is not primarily—despite what the name (“rule of the people”) might suggest—a theory of sovereignty. A theory of sovereignty answers the question “Who should rule?” If we think of this question as Aristotle did, then we are left with a limited set of possible options in response to it: one, the few, or the many. The first is monarchy of some sort, the second is oligarchy, and the third is democracy. Each of these answers proposes to locate sovereignty—the right to rule—in a person or group. In this sense, democracy is an answer to the question of sovereign authority, but it does not answer the question directly because we need a more basic justification for why it is the many who should rule rather than the few or the one.

To see why, we need to distinguish between sovereignty simpliciter and legitimate sovereignty, where the sovereign power is the *de facto* political authority in a territory, which may or may not correspond to the legitimately authorized sovereign. To make this distinction, though, we need some theory of legitimacy that distinguishes those who hold political power from those who are rightfully authorized to hold political power. Any number of theories have been suggested, but it was Thomas Hobbes ([1651] 2012) in the seventeenth century who made the crucial innovation of locating sovereignty in the will of all. For Hobbes, the authority of the sovereign is absolute, but that authority is ultimately derived from the rational choice among the entire population, who give up their natural liberty to one another in order to authorize a sovereign that will bring them out of the violent and unstable state of nature. Hobbes was not much of a democrat, but one of his contemporaries, Baruch Spinoza, saw more clearly that democracy embodied this Hobbesian idea of contractual sovereignty better than any other system would.

The idea they developed became the germ of what we now think of as “popular sovereignty,” the claim that the only legitimate form of government is democracy because it is the only form of government compatible with the authority of government coming from the will of the people directly.¹ As Abraham Lincoln argued in his first Inaugural Address, “A majority held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people” (Lincoln 1861). Call this the *popular-sovereignty thesis*.

Popular-Sovereignty Thesis—Democracy is the only legitimate form of government because it is the only form of government compatible with ultimate sovereignty being located in the will of the people.

1. For a more nuanced exploration of the idea of popular sovereignty, see Morris 2000.

This thesis answers the question of “who should rule,” the sovereign-selection problem, by locating the true source of sovereign authority in the will of the people. Because only democracy, on this view, is compatible with this conception of sovereignty, both the sovereign-selection and the legitimacy question are answered democratically.

This thesis not only rules out the possibility that nondemocratic forms of government might be legitimate but also suggests an evaluative scale on which we can measure the legitimacy of different democracies. If legitimacy is linked to the will of the people, then it stands to reason that the more a political system represents that will, the more legitimate it will be. At the limit, if a democratic system can represent the will directly, then there would be no separation between the political will and the individual wills of all citizens. This idea finds its most philosophically rich articulation in Jean-Jacques Rousseau’s conception of the general will as the true sovereign, which he described in 1762 (Rousseau 2011).²

The popular-sovereignty thesis seems sensible, even trivial, but it has important challenges and implications. The first is what we might call the *existence* problem of showing that we can plausibly attribute such a popular will to a political community. The second is the *identification* challenge of discerning that will and implementing it within democratic institutions.

Although we could think of the first problem as being one of ontology—that is, about whether it makes sense to say that something like a popular or general will can exist in the same way that tables, books, and whales exist—the real problem is actually downstream from this. The existence problem is really one of showing that it is possible to coherently *represent* such a general will by aggregating or constructing a general will out of individuals’ various and diverse wills. More importantly, this representation needs to be unique because if there are several ways to represent the popular will, it is possible that one may contradict the others. Not only would this mean that the general will is not—in any obvious way—general, but it will also mean that sovereignty is divided, thus raising a host of other complications. So the first problem is to show that, in principle, a representation of a general will can be constructed out of the myriad individual wills that make up a society.

Assuming that this first challenge can be met, we face another challenge: the *identification* problem of how to discern the content of the popular will and implement it within democratic institutions. We might think that the solution to the second problem should follow from a solution to the first, but that isn’t right. Even if we develop an aggregation procedure that, in principle, can unify individuals’ disparate interests or preferences into a unique representation, there is the practical problem of developing institutional mechanisms that can transform individuals’ occurrent wills into a general will in the context of democratic politics and identify when we have done so successfully. No small task.

2. Despite this, there is some ambiguity in Rousseau’s idea of the “general will” (see Gaus 1997a).

Given all of this, we can think of theoretical or formal populism as the idea that both of these challenges can be solved and that solving them is the core task of democratic politics. In this sense, populism is an ideal of *direct representation* of the popular will, where the goal of the political order is to unify the popular will with the political institutions so as to represent the legitimate basis of sovereignty directly.

Formal Populism—The ideal political system does or should directly represent the sovereign will of the people.

This notion of populism is *formal* in the sense that it doesn't tell us anything about the content or nature of the direct representation of the general will, only that such a representation is the basis of the best democratic political order. According to this view, the best form of government—perhaps the only legitimate form of government—is one that directly represents the popular will. This notion of the direct representation of the popular will, coupled with the popular-sovereignty thesis, tracks what William Riker ([1982] 1988) characterizes as the “populist” as opposed to the “liberal” interpretation of democracy.

Contrast this notion of direct representation with a view that sees democratic institutions as indirectly representing the popular will. One can agree with the popular-sovereignty claim, on this *indirect representation* view, by holding that democratic institutions can be instituted or constituted by the popular will but without holding that all the acts of the political system, once instituted, need to reflect the general will. Put differently, the ultimate authority of the political system, its foundation of sovereignty, can be vested in the people without thinking that every act of Congress, for instance, is a reflection of that same will.

There are foundational, contractual philosophical interpretations of both views, with what are generally called “public-reason” theorists tending toward some form of formal populism. In those theories, the direct representation is embodied in the idea of public reason. John Rawls makes this identification clear when he writes that “in a democratic society public reason is the reason of equal citizens who, as a collective body, exercise final political and coercive power over one another in enacting laws and in amending their constitution” (1996, 213–14). Public-reason theories tend to identify the popular will with the idea of “public justification” and its output with “justice.” In these theories, justice acts as the ultimate sovereign, which authorizes who should rule (Quong 2011, 119). The legitimacy of that sovereignty is determined by public justification and public reason.

The indirect view is also well represented by contractual political theorists, especially those who tend to be more influenced by Hobbes and Locke than by Rousseau and Immanuel Kant. James Buchanan is the clearest example of the indirect-representation view among contractual theorists. On his general view, the rules of the political order—the constitution—are authorized by the will of all, while the business of actual

democratic politics represents that will indirectly insofar as the business accords with those rules.³

Although both the direct-representation view and the indirect-representation view are compatible with the popular-sovereignty thesis, only the former is a recognizable populist view. Formal populism of this sort faces serious challenges. First and foremost, it is unlikely that the existence challenge can be met. As Riker argues in *Liberalism against Populism* (1982), Kenneth Arrow's (1963) general-possibility theorem shows that it is impossible, given certain plausible assumptions, to generate a representation of a general will that is both rational and nondictatorial.⁴ A nonrational general will would be a will not worth having for the purposes of the formal populism because it wouldn't contribute to the identification of the will of all with the general will. The dictatorial alternative is even worse because it substitutes the will of a specific individual for the will of all. To do so would be to pervert the very idea of the popular-sovereignty thesis.

This conclusion can be resisted by arguing that Arrow's result is more limited than we might think because it applies only if individuals' preference orderings have certain structures, such as not being single-peaked. Some have argued that general deliberation and discussion may be able to ensure that citizens' individual wills are structured so as to make it possible to construct a rational, nondictatorial will out of them (Miller 1992; Dryzek and List 2003; List et al. 2013).

This solution to the existence challenge and others like it simply shifts the problem to the identification problem, however, and related problems emerge there. One related problem is manipulation by voters and agenda setters (Gibbard 1973; Satterthwaite 1975) as well as by institutions (Shepsle and Weingast 1981; Tullock 1981). Insofar as individuals or institutions are manipulating results of the general will, it looks as if we have, implicitly at least, moved to the indirect-representation view and away from populism. Amplifying these worries are the "chaos theorems" showing that actual voting systems are unlikely to approximate a general will, even assuming that a representation of a general will is taken to exist (McKelvey 1976; Schofield 1983; McKelvey and Schofield 1986).

There is no reason to think that these challenges undermine democracy generally or even the popular-sovereignty thesis, but they certainly suggest that populism as a democratic ideal, embodied in the direct-representation view, is not a plausible interpretation of the popular-sovereignty thesis. If this is right, formal populism is not a very plausible conception of democratic legitimacy. We can instead follow Buchanan, Riker, and James Madison in adopting the indirect-representation view of the popular-sovereignty thesis. This approach has its own challenges, most notably what Buchanan

3. We get several versions of this general story in Buchanan's work, most notably in *The Calculus of Consent* (Buchanan and Tullock [1962] 1999) and *The Limits of Liberty* (Buchanan [1975] 1999).

4. Public-reason theories have for the most part failed to reckon with this challenge to the direct-representation view. On this point, see Kogelmann 2019. A notable exception is Gerald Gaus, who is very concerned with this problem throughout his work (see, e.g., Gaus 1997b, 2011).

([1975] 1999) calls the “paradox of being governed”—that is, how a sovereign people can institute rules in the form of constitutions and norms that limit their own power in constructive ways. Nevertheless, the prospects for formal populism and the direct-representation view of democratic sovereignty seem bleak.

Insiders and Outsiders: Political Populism

The form of populism we have been considering so far is apt to seem a little removed from the populist movements that began this investigation. After all, one hardly hears Trump discussing issues of sovereignty or legitimacy, unless, of course, his lawyers are defending his sovereign immunity from prosecution or the legitimacy of the election results of 2020. Instead, we are likely to hear invocations against various “elites.” Whatever it is populists are for, they are certainly against elites, be those elites of the globalist, media, or Washington variety.

Antielitism is a core aspect of the political manifestation of populism. As Nadia Urbinati puts it, “The central claim of all populist movements is to get rid of ‘the establishment,’ or whatever is posited as lying between ‘us’ (the people outside) and the state (inside apparatuses of decision makers, elected or appointed).” Urbinati argues that direct representation is the “nature” of populism, while antielitism or anti-establishmentarianism is its “spirit” (2019, 40, 191). In the terms of the political populist movement that we have seen recently, this seems right. If we think of formal populism as being merely a formal theory of democratic legitimacy, we can think of political populism animated by antielitism as providing political populism’s substance.

The substance of political populism is essentially negative in that it seeks to root out those who would resist the identification of the popular will from the political process. Populism as direct representation abhors any cleavage between politics and the people. This representative function is often played by a strong leader who claims to speak for the people. Sometimes a group, such as the Committee on Public Safety during the French Revolution, can play this role. Whatever shape populist movements take, they are animated by the spirit of antielitism that divides the political and social world into elites and outsiders.

It is here that we see the main problem of political populism of this sort over and above the challenges that we saw with formal populism. Although the idea of populism as direct representation is clearly connected to the core idea of democratic legitimacy, the insider–outsider dynamic that motivates political populism creates serious problems. Insiders, be they elites or the pawns of elites, are thought to be perverting the true will of the people and thus are not only in error or political opponents but are also literally enemies of the people because they resist the manifestation of the general will. But, as we saw earlier, it is likely impossible to generate any, and certainly any unique, representation of the general will. Even if it were possible, any actual manifestation of that will in terms of a leader claiming to speak for it or an election result will likely not be an

accurate representation of it. Because of this, the search for enemies of the people will tend to misfire and become an abuse of political power rather than its proper exercise.

Populism as a political movement is typically an outsider movement that positions itself in opposition not only to the current political leadership but also in opposition to the political establishment and process. Populist movements—be they the Yellow Vests in France, the Five Star Movement in Italy, or the movements led by political candidates such as Trump, Ross Perot, Jair Bolsonaro, and Alberto Fujimori—position themselves as outside of the political process or typical partisan environments. In this way, populist political movements often characterize themselves as outside of the political system as a whole, standing apart from normal democratic politics.

This is clearly an important aspect of populist movements' appeal for people fed up with the gridlock or constant bickering that is the bread and butter of democratic political life, but it also highlights their essentially antidemocratic nature. Because populist political movements are political outsiders, they tend not to be disciplined by the normal incentives of democratic politics, which often means that they don't have a reason to want to ensure the long-term viability of the political "game" if it conflicts with short-term gains. Normal political actors find themselves under something like the "veil of uncertainty" described by Geoffrey Brennan and James Buchanan ([1985] 1999). Because they expect the game to be repeated indefinitely and expect to gain on average from playing, the incentive is to keep the game going. This is not true, however, for those who don't expect to gain from the game and who would rather seize the immediate spoils than to continue playing. Because of this veil of uncertainty, most political actors have more to gain from the system continuing than they are likely to get from any gamble on subverting or upending the system. For those who see themselves as outside that system, though, these incentives do not align properly. This is likely why populism may start with a democratic impetus but end in the emergence of a Julius Caesar or Napoleon Bonaparte.

Cultural Populism

We have already distinguished between formal populism as a theory of political legitimacy and political populism as an antiestablishment political movement. We might also include populism as a form of generalized skepticism about the pronouncements of political, social, and cultural elites. This is populism as a kind of state of mind or disposition inclined to the tastes or values of the "common man." It can take the form of a kind of cranky contrarianism that would prefer, as William Buckley once put it, to be governed by the first five hundred names in the Boston telephone book rather than by the faculty of Harvard. Or it might take the form of a culture of hard work and merit that abhors unearned privilege. James Buchanan, who despised the Kennedys for their unearned wealth and condescension and relished his time on his Virginia farm, embodied an aspect of this form of populism. Here Buchanan was not so different from

Thomas Jefferson. Both were towering intellectual elites who nevertheless saw themselves as outsiders of a sort and espoused the rustic virtues of hard work and farm life.

If we think of political populism with its antielitist fervor as being essentially negative, we can think of cultural populism as having a positive substance. It has the effect of undermining hierarchies and cultural elites, but it does so by providing an alternative and by building a new culture. Some of the greatest products of American culture have aspects of this kind of populism, which arises through the democratization of elite culture. Think of novels such as *Huckleberry Finn* and *The Great Gatsby*; both are about outsiders and explore the democratic culture of their time. We also see this type of populism at play in the two great American art forms: jazz and film. In both his music and his person, Aaron Copland probably exemplifies this sense of populism as well as anyone. We might think of this kind of populism as a “populism of culture,” and the emergence of “pop culture” in the twentieth century certainly has a populist element to it. Perhaps one of the most revolutionary and important innovations of the twentieth century was mass production, introduced by Henry Ford. Mass production created a kind of populist capitalism that reduced prices so much that ordinary people could afford goods that were available only to the rich a generation earlier. Ford also trafficked in populist politics and anti-Semitic conspiracy theories. Elites from Theodor Adorno to Allan Bloom have no trouble sneering at popular culture, but those engaged in popular culture have no trouble ignoring them. This culture and its animating populist spirit have gone on to influence world culture in myriad ways.

This is all to say that populism in its theoretical, political, and cultural manifestations is a strange and protean beast. Of the three types, political populism is the most dangerous to liberty and democracy because populist movements, driven by anti-establishment anger, may not balk at subverting the democratic process to achieve its ends. Although political populism is typically not directly motivated by the theoretical populism that links democratic legitimacy to the direct representation of the popular will, this view nevertheless causes its own problems. For one thing, it is apt to confuse those who try to understand populist political movements by falsely equating the spirit of the populist political movement with the underlying ideal of democratic government. But, as we have seen, it is a mistake to identify the basic idea of popular sovereignty with the idea of direct representation that motivates populism of this sort. The popular-sovereignty claims are compatible with and arguably better defended by an indirect representation of the popular will or even by the abandonment of the general will altogether as a basis of democratic theory.

Culture populism has its dangers, too; the emergence of QAnon, skepticism about vaccines, and antimask hysteria are just several recent examples of populist outbursts in American culture. Their beliefs fed by outsider media, millions of Americans are convinced that democracy is being subverted and that Donald Trump won the election of 2020. Indeed, in the American context at least, it seems as if political populist movements covary with various cultural movements such as QAnon, and the culture

may be driving the politics at this point. That said, culture is dynamic and relies on more or less voluntary uptake in the form of social learning to spread and grow (Boyd, Richerson, and Henrich 2005). Cultural populism can have dramatic political ramifications—anti-Semitism in early twentieth-century Germany was not at first a political movement—but these movements can arise for all kinds of reasons and aims.

Some are a response to the misuse of power and aim at rectifying injustice. *Uncle Tom's Cabin*, one the best-selling novels of the nineteenth century, probably did as much as anything else to alert the reading public to the evils of slavery—so much so that Abraham Lincoln, upon meeting the author of the novel, Harriet Beecher Stowe, in 1862 supposedly said, “So this is the little lady who made this big war.” The early civil rights movement was just such a movement, as is the Black Lives Matter movement. The tax revolts in California in the 1970s, the Tea Party protests (both the original Boston one and the later version), and the large-scale protests against the Vietnam War are also examples of populist revolts. Public protest and even civil disobedience are important in a democratic society to alert the larger population and political representatives that the interests of some constituents are not being met or that injustice is being done in their name.

Populism, What Is It Good For?

We have already seen some of the challenges that populism faces as a theory of political legitimacy as well as the dangers it poses as a political movement of outsiders and the possibilities that it poses as popular culture. This still leaves open the question of how we should think of populism generally in relation to liberty and democratic government. Formal populism is a threat to democracy at the fundamental level because it misconceives the nature of democratic sovereignty and how that sovereign is to be legitimately represented. Insofar as theorists are attracted to this view, it will lead them away from the more plausible indirect-representation view of democracy. This impulse can have downstream implications if democratic practice draws from democratic theory. Although theory doesn't always drive practice, it can do so in unlikely and surprising ways, and, in any case, identifying the errors of formal populism helps us clarify the proper relationship among democratic sovereignty, legitimacy, and institutional structures, which is important in its own right.

The dangers of political populism are more obvious. Outsider movements animated by anger and resentment tend to set themselves in opposition to the normal game of politics, which can endanger the game itself. At the limit, when such outsider movements start identifying enemies of the people, they are a very real threat to life and liberty. So if populism as a rejection of elites is likely to misfire, populism as a theoretical understanding of democracy is likely both false and misleading.

We have already seen that populist movements in the culture can be the source of innovation and creativity as well function to alert the larger population to injustices

being done or to a felt lack of representation. Cultural populism also reflects and can spread a basic democratic background norm of equality while undermining hierarchies. This process is not uniformly productive or positive, but it certainly has positive aspects. In any case, as Alexis de Tocqueville noticed in the mid-nineteenth century, it seems to be a permanent feature of democratic life. Insofar as populist forces can be channeled and harnessed in productive ways, populism can be salutary. What I have tried to argue, however, is that we should not mistake the natural feeling of disrespect and lack of recognition with the pure conception of democracy. Nor should we misunderstand a frustration with democratic politics as a principled opposition to corruption.

Democracy is rule by the people, but it is not only that. Democracy provides a stable framework for public disagreement and collective action, one that protects and harnesses dissenting voices and minority opinions. In a well-functioning democracy, the political process should never be frightening because whatever is lost in one election may be regained in another. In this way, democratic governance has no goal beyond preserving the conditions of democracy. Similarly, the protection of liberty and its political embodiment, liberalism, has no goal other than the protection of individual freedom.

Populism has a place in a well-functioning democracy, but that place is very limited. The safest way to harness populism is to encourage its cultural production, while recognizing that even this outlet is not uniformly positive. Nevertheless, populism, like anger and resentment in individuals, has a role to play in protecting liberty and in alerting us to injustices, but, as for the individual, anger or resentment should never become the primary animating force of populism. The fire that we kindle may warm us, but if it is unleashed, we are in danger of being consumed by it.

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