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The Politics of Peoplehood

Contemporary political theory has made the question of the 'people' a topic of sustained analysis. This article identifies two broad approaches taken – norm-based and contestation-based – and, noting some problems left outstanding, goes on to advance a complementary account centred on partisan practice. It suggests the definition of 'the people' is closely bound up in the analysis of political conflict, and that partisans engaged in such conflict play an essential role in constructing and contesting different principled conceptions. The article goes on to show how such an account does not lead to a normatively hollow, purely historical conception of 'the people', but rather highlights the normative importance of practices that, at the minimum, de-naturalise undesirable conceptions of the people and, at their best, give political legitimacy and a representative basis to those one might wish to see prosper.

In democratic theory and practice, the concept of the people is used to evoke that agent in the name of whom power should be exercised if it is to be considered justified. Yet what a people is and how it can be legitimately constituted is a matter of enduring dispute. If we follow the larger part of democratic theory, we find two prominent approaches. The first tends to see political practice as secondary to a prior normative account of what counts as the people. Call this the norm-based approach to peoplehood. The second emphasises that the people can only truly be identified in the context of ongoing, if radically incomplete, adversarial encounters. Call this the contestation-based approach to the people.

Norm-based accounts are often criticised for depoliticising the question, relegating the people to passive recipients of independently valid moral standards and neglecting the role of active political participation in shaping power and its justification. Contestation-based accounts are criticised for overly politicising the question, sacrificing normative criteria to an indiscriminate account of adversarial political exchange with little space for reflection on the plausibility of the claims advanced. This article defends an intermediate position. The question of the people, we suggest, is answered when evoked and given definition in an ongoing clash between political projects. Such projects must be of a principled nature, rooted in conflicting views about how power is legitimately exercised, and embedded in appropriate processes of public political justification. The relevant processes, we argue, are those where 'the people' is invoked by representative agents whose democratic function is to exercise power in the name of the people, and whose *raison d'etre* is to show on what normative grounds this exercise is justified.

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The article proceeds as follows. We begin with an outline of norm-based and contestation-based accounts of the people. After highlighting some of their important limitations, we turn to an analysis of the agents and practices by which the politics of peoplehood is appropriately shaped. We explain and defend here the central place of *partisanship*. Understood as a cross-temporal associative practice required to sustain and enhance political commitment, partisanship has been the archetypal form taken by political adversarialism in modern democracy (White and Ypi, forthcoming). A normative account of partisanship, sympathetic to yet critical of existing practices, is crucial to understanding how conflict might contribute to the ongoing configuration of peoplehood in a principled way. It elucidates how the exercise of power in the name of the people may remain anchored in ideas-based exchange and subject to ongoing requirements of political justification.

We deepen this argument by examining the role of partisanship in both constructing and contesting the people. Regarding the former, 'the people' is the political agent in whose name partisans exercise political power, casting themselves as a *party* oriented to the *public* good rather than a *faction* oriented to *private* interests (White and Ypi, forthcoming, ch.2). Regarding contestation, defining 'the people' is a matter of ongoing partisan clash, for it corresponds to that aspect of adversarial encounter critical to determining its development: the *scope of conflict*. Moves to cast 'the people' in broad terms, co-extensive with state boundaries or reaching across them, versus moves to cast 'the people' as a subset of a state's citizenry, or indeed to suppress the category altogether, are central to efforts to control who participates in the conflict and how. Partisanship is uniquely marked by efforts to give definition to 'the people'.[1]

As a distinctively intergenerational practice, and one oriented to the validation of political claims in representative institutions, partisanship promises to bring legitimating resources to the structuring of peoplehood that alternative forms of political agency lack. As a practice inherently structured by the appeal to normative programmes whose public justification takes adversarial form, partisanship structures political conflict in a principled way. No other agents in democracy can combine legitimacy and innovation in like fashion. No other agents can engage in institutional processes of political justification in a way that both respects their legitimacy constraints but at the same time works to transcend them.

By bringing partisanship to the fore, we bring together two aspects of peoplehood often treated as only loosely connected. One concerns the boundaries of the population from which citizens are drawn, typically understood as a foundational, constitutional question. The other concerns the composition of the active citizenry, of those enfranchised and mobilised to

participate in political decision-making. Both shape how the principle of popular sovereignty comes to be institutionalised and enacted in a given setting. Our contention is that a normative analysis of peoplehood needs to be sensitive to both dimensions (see also Bauböck 2015, pp. 2-3), and that partisanship is significant in part for the very reason that it bears directly on both. Partisans continue the process of people-making beyond the constitutional determination of a population's boundaries into the exercise of political rights in day-to-day politics.

It is important to stress at the outset that not all facts of partisan life are relevant to normative enquiry. Commitment to basic standards of political justification would seem a minimal component of an ethically defensible partisanship.[2] Realworld partisanship may involve many other practices besides, not all of them easily lauded. Although for some critics our necessarily selective appreciation of partisanship moves the argument closer to the philosopher's shelf than one might want to concede, the moral failures displayed by particular partisan activities can hardly go unacknowledged. Our account is informed by partisanship in its most sympathetic form.

1. The People as Norm

The question of how power is justified and who should have a share in its exercise has a long pedigree in the history of political thought. Aristotle begins Book III of *The Politics* arguing that to understand the essential nature of a polity and what form of rule is adequate to it we must first ask about the essential nature of those who constitute it: the people (or what he calls the *polites*). He distinguishes different notions of who is part of the people, noting that the answer to the question depends on the kind of constitution in place in a given polity and arguing that, in a democracy, the people will be those who 'have the right to participate in deliberative and judicial office' (Politics, III, 1275b). Yet this raises the further question of how such rights ought to be defined, since only then, Aristotle emphasizes, can we decide whether one comes to be part of the people 'rightly or wrongly' and 'if wrongly' whether one can be considered part of the people 'at all', since '"wrongly" means the same as "not truly"' (Politics, III, 1276a).

Aristotle puts forward the first norm-based conception of the people. To know what a people is we need to know who has a claim to be considered part of the people, and to know who has such a claim we need to reflect on the different candidate criteria that might guide us

in deciding whether one is part of the people 'rightly' or 'wrongly'. He further discusses peoplehood as shaped through revolution or the subversion of a previous regime leading to the modification of existing territorial boundaries, and in the end settles for a definition of peoplehood restricted to active members of the polity: a people is whoever is entitled to a share in government, regardless of how that government came about. Yet in arriving at this view he notes other ways in which a norm-based conception of the people might proceed, contrasting for example active citizenship with a more latent conception of the people that might include resident aliens, or with a third that confers citizenship on the basis of common descent (*Politics*, III, 1275a-b). Of course, Aristotle says intentionally little about the underlying population from which the citizenry is drawn – the polis is his assumed frame of reference, and he does not want to radically question its spatial extension – but in developing an account of the citizen body he indicates a method that would later be extended.

The different definitions of peoplehood identified by Aristotle continue to play a role in contemporary democratic theory, where the norm-based conception of the people retains its initial attraction. Several scholars share with Aristotle an understanding of peoplehood established through an analysis of shared citizen practices, regardless of how such practices were initially established (Miller 1997, 2009; Walzer 1983). Others appeal to less narrow criteria, such as the all-affected interests principle (Arrhenius 2005, Goodin 2007). Others still emphasize the relevance of a shared coercive order and its implications for the life of those whom it subjects (Abizadeh 2008, 2010). A more pessimistic line of thought stresses the inescapably arbitrary distribution of these entitlements, due to the logical impossibility of using democratic mechanisms (principally, the vote) to constitute those who are to be the subject of democratic mechanisms (Whelan 1983, Dahl 1989).

Treating the question of the people as settled through an analysis of contending norms has obvious appeal. Firstly, it promises to be action-guiding: if we can identify the right principle according to which the people should be defined, then we can refer to it in settling further questions, e.g. to do with disputed boundaries. Secondly, it promises legitimacy: if we know who has a valid claim to peoplehood, we know to whom power must be responsive and how it can be exercised legitimately. Let the question of the people remain unsettled and democratic institutions will always face a fundamental problem that the democratic process itself seems unable to resolve. If we can identify appropriate criteria by which peoplehood may be defined to begin with, we enter the realm of day-to-day politics with greater confidence that decisions emanate from a valid source and are not arbitrarily imposed on those who might legitimately contest them.

Yet the norm-based conception of the people also has limitations. Firstly, by depoliticising the question of peoplehood in the way described, it relegates those who are supposedly exercising power in a legitimate way to the role of mere recipients of independently articulated norms, ones that may or may not result from a political process in which they had a voice. Those intended to be the subjects of these norms may thereby be deprived of opportunities to influence and develop attachments to those norms. The account misconceives the proper relation between norms and practices, treating standards of normative justification as feasibly developed in isolation from practices of political contestation rather than generated in critical dialogue with them.[3]

Secondly, even if we grant that philosophical reflection alone could settle the question of peoplehood at a particular moment in time, social and political norms must be adapted to an evolving historical context. Future disagreements over any previously agreed norms are hardly possible to avoid. The normative criteria that help us address these questions at one time may no longer be adequate later. That accounts of the people remain politically challengeable, and that no interpretation achieve such dominance as to go unquestioned, is therefore desirable even if we could settle on an appropriate norm-based conception. Assessment of the continued importance or obsolescence of particular normative criteria has to remain open to ongoing historical processes of collective negotiation in which political agents themselves articulate what they understand by power and who that power ought to be justified to.

Finally, it is important not to forget that the need for political institutions arises from the persistent problem of social conflict. The exercise of political power is necessary precisely because no spontaneous order can be relied upon to solve disagreements. Political theorists as diverse as Machiavelli and Kant or Schmitt and Rawls have all agreed on this point. But if this is so, understanding the structure of conflicts, who is party to them, and for what reasons, seems essential to understanding what kind of power can be justified. This in turn requires an analysis of the adversarial practices that shape and give visibility to the claims of different parties. Hence the question of norms resists being fixed prior to an analysis of the sources of conflict and an assessment and exchange of the reasons that different parts to it put forward – a point to which we shall return.[4]

The norm-based conception of the people is incomplete in other words without an account of how such norms are evoked and practically enacted in day-to-day politics. Such political exchanges play an important role in displaying, also (at their best) revising or updating any previously settled norm. Consider for example the active definition of

peoplehood Aristotle puts forward: a people is made up by all those who are entitled to citizenship rights in a particular political community, regardless of the process through which such rights came to be established (i.e. whether through revolution, usurpation or peaceful annexation of another territory). If people participate in office by virtue of their claim to be involved in judicial and deliberative bodies, the decisions made by such bodies reflect their say and could not be regarded as arbitrarily imposed. This in turn implies that those to whom power should be justified also have a say in how that power is exercised: they are self-governing and the rules on the basis of which they conduct their life in common are considered legitimate and binding for everyone.

'The people' becomes a hollow idea if it is not underpinned by practical enactment in public life. If those who are entitled to be part of the people systematically cease to actively exercise their political rights, they end up being excluded (formally and *de facto*) by those left making rules to their own advantage. History suggests that whenever people cease to defend their rights, they are more vulnerable to losing them, including the fundamental right to be part of the people. This thought is picked up in the contemporary empirical literature on declining voter turnout, which is concerned precisely with the challenges to legitimacy that the retreat of the people from active decision-making poses to contemporary democracies (Offe 2013). This point is accentuated if we keep in mind the second well-founded concern raised in connection with declining political participation: that it leads to a more unequal *distribution* of participation (Offe 2013: 198, see also Kohler 2006; Gallego 2007; Solt 2010). The active people becomes truncated along several dimensions of stratification, including income, education, class, status, security and life satisfaction, with those at the bottom of the scale typically excluded (Offe 2013: 198). This in turn has a significant impact on future political decisions that contribute both to framing the circumstances of new conflicts and to informing the potential alternatives for addressing them. The less people participate, the less decisions reflect their will, and the more political rule is tailored to the needs and interests of the most advantaged. As one scholar puts it, the net result is a circular dynamic where an allegedly democratic system is systematically 'biased to favour the middle class and everyone above it, while depriving all those below it of the effective use of their political resources – i.e. the political rights of citizenship' (Offe 2013: 198). The legitimacy credentials of the entire political system are undermined to the degree that one may plausibly ask whether it really is based on democratic rule by the people, as opposed say to an oligarchy of those with education, money and status who make coercively-binding decisions for all.[5]

One might respond that this points only to the limitations of one way of defining those norms on the basis of which the people are to be defined (the active exercise of political office), and that there might be others not as sensitive to empirical changes in who actually has a say. Norm-based perspectives centred on affected interests or subjection to a shared coercive order as what defines a people might be thought relatively immune to such challenges. Yet, as many historians of ideas emphasise, it would be naive to insist that the very meaning of what counts as being affected, or what counts as exercising coercion over someone, or what counts as an interest, can be articulated and interpreted in isolation from the political context in which interpretations relating to such concepts take shape – even if we maintain that one can critically reflect on the existing use of concepts and in many ways refine and improve on them (Skinner 2002, Pocock 2009).

Thus even if we accept that the norm-based conception of the people helps provide an initially satisfactory answer to the question of to whom power should be responsive in order to be justified, it does not suffice to maintain connection with the political dynamic through which norms are negotiated. Conceptions of 'the people' need to remain sensitive to how relevant claims continue to be invoked and interpreted by political agents in democratic life. Norms must be treated as part of an ongoing process of claim and counter-claim. A perspective which seeks to adjudicate them only philosophically, without looking to how they are substantively endorsed in political exchange, deprives them of their relationship to political action and change. Only by relating the problem of who the people are to ongoing political conflicts can we give renewed attention to the stakes bound up in such conflicts, thereby contesting both external exclusions (having to do with the boundaries of those who are entitled to press particular claims) and internal exclusions (those who have such claims but no longer act upon them). And only in this way can we expect a determination of peoplehood to maintain a lastingly legitimate and representative basis.

Notice, however, that to say that a norm-based account of the people is conditioned by the adversarial circumstances of politics is not the same as saying that it must therefore be determined by them. In this lies one of the main differences between the partisan perspective advocated in this article and more familiar contestation-based approaches, to which we now turn.

2. The People as Contestation

There is a second family of approaches to the question of peoplehood. It emphasizes the importance of contestation – of who is appealed to and activated in the context of a political cause proposed in the name of 'the people', and who becomes involved in counter-initiatives to contest such moves. Approached in this fashion, 'the people' becomes the subject of competing representations pitted against each other in adversarial encounters. The question of peoplehood is, on this view, not something that can be settled by appeal to a single criterion: the boundaries of inclusion and exclusion are subject to perpetual revision. The circle of those enjoying citizenship rights in a given polity is by no means the final word: it is only through acts of political mobilisation that the contours of 'the people' as a meaningful empirical constellation can be shaped.

Advanced in particular by scholars in the radical-democratic tradition (Honig 2009; Frank 2010; Kalyvas 2005; see also Smith 2003), this approach marks a concerted move to repoliticise the question of peoplehood. The constitution of 'the people' is treated as a persistent concern of political life. That the contours of peoplehood may be decided exclusively at a distinct 'constitutional moment', at the founding of a polity or in a period of extreme crisis, is viewed sceptically. Rather than looking to these rare events as the principal moments in which 'the people' is summoned into being, its emergence is seen as gradually unfolding. Without necessarily denying the distinction between normal and constitutional politics – that there are certain moments in which radical change is effected to the dominant conceptions of peoplehood seems historically accurate (Ackerman 1991, 1998) – it is emphasised that the memory and meaning of these events is continually revisited. Their significance cannot be separated from the political clashes through which they subsequently come to be refracted. The contemporary world offers several examples, including debates on the inclusion of currently disenfranchised groups (e.g. prisoners, the mentally disabled and children), those who come to the polity from outside (i.e. various forms of immigrant) or those who reside permanently in another polity with whom existing members wish to evoke relations of equivalence and solidarity. The spectral character of 'the people' for democratic politics in general has been a central theme of recent theoretical and historical literature in this tradition (see also Mouffe 2000; Honig 2007).

Conceiving the people as a practical enactment is instructive in empirical terms because it helps us to make sense of the many everyday political contexts in which ideas of 'the people' are invoked as rallying-cry (Canovan 2005; Laclau 2005). Numerous are the protest movements that seek to mobilise in these terms – often in ways that challenge the equation of peoplehood with polity membership, the rights of citizenship, or some form of national

belonging.[6] Peoplehood has historically shown itself to be a persistently contentious, even explosive, political theme. Scholarship in this tradition has usefully traced this back to an uneasy tension between legally authorised representations of 'the people' and equivalent claims emerging from civil society – the heart of the so-called 'paradox of politics' (Honig 2009).

Approaching the people in this way also has normative appeal, to do with denaturalising ideas of peoplehood and thereby exposing them to critique. Insofar as no single perspective on the people can claim permanent legitimacy, the effort to find legitimacy must be sensitive to changing political circumstances and must involve submitting all claims to scrutiny (cf. Näsström 2007, p.644; Honig 2009, pp.15-16). Without the interrogation of counter-perspectives, the exclusions that necessarily follow from the application of any single principle to settle the people issue risk sedimentation. Even in political contexts where none of the conceptions of peoplehood articulated in conflict are judged desirable (e.g. a clash between two culturalist visions, regional and national), the very fact of contestation puts each in question and hinders the formation of an undesirable hegemony.

Yet however compelling this approach may be, it leaves a number of important questions unresolved. Any account which foregrounds political action and conflict needs to distinguish between its acceptable and unacceptable forms, and between the different kinds of agent making such claims. There is a risk of 'over-politicising' the question of peoplehood, such that one becomes insensitive to the different ways claims are advanced in the public sphere and the different institutional sites in which they are articulated. Insofar as definitions of peoplehood are to some degree 'always exclusionary' (Smith 2003, p. 56), what are the more and less legitimate forms of exclusion? To what extent can a given act of exclusion be given public justification, and to what extent is such justification dependent on a distinctive form of political agency? However important the focus on claims-making as a political practice, it needs to be coupled with an account of how normative standards make themselves visible in that practice. To celebrate unruly contestation *per se* is an intellectual dead-end: contestation without norms is as problematic as norms without contestation. While there have been some important attempts in the radical-democratic tradition to distinguish between different forms of contestation, as with the distinction between agonistic and antagonistic encounters (Mouffe 2000), there has been little examination of how this might find expression in the different kinds of associative practice that structure political life.

More specifically, if peoplehood is to be shaped politically, to what agents and institutional sites should one look for its systematic contestation? Who can claim the

legitimacy and representative basis required to politicise it in a desirable and democratic fashion? Existing theorisations of the people as a contestatory practice tend to be agnostic on the organisational forms political conflict may take. This is a function perhaps of a wider agnosticism towards how radical democracy might be institutionalised (Schaap 2007). Where examples of the political contestation of peoplehood are cited, often social movements figure prominently (e.g. Frank 2010; Honig 2009). The underlying intuition however seems to be that one should be receptive to contestation in all its forms, and that marginalised groups themselves are the most reliable agents of their claims to political inclusion. If however, as argued above, equality of political participation is crucial to the enacting of peoplehood in a normatively acceptable way, and if significant asymmetries of power will need to be overcome, it may be that spontaneous forms of mobilisation are insufficiently reliable (White 2015). They may be too opaque, too impermanent, and too uneven in their social make-up to connect everyday civic practices adequately with principled concerns and commitments (cf. Näsström 2014, p.550). Rather, one may need to look at forms of political agency that explicitly aim to articulate and represent principled visions of society, that seek institutional validation for their claims, and that have an enduring public profile that outlives those isolated moments in which peoplehood is contested with the highest intensity.

Hence, whilst sharing these scholars' interest in the contribution of political action to political theory, we seek to further develop their analysis by examining more closely the agents and process that can actualise a contestation-based account of the people without divorcing it from the people-as-norm. Our account builds on existing views of the relevance of conflict for normative theory by examining *how* political conflict bears on the definition of the people, referring to the practices of *partisanship* as a form of contestation which links legitimate (legislative and executive) decision-making processes to efforts to articulate and shape citizens' political will in accordance with normative principles.

3. The People as Partisan Process

Partisanship is an associative practice involving an institutionally mediated, coordinated and continuous effort by political agents to shape collective life in accordance with principled views of what power is and how it should be exercised (White and Ypi, forthcoming). From a normative perspective, it is best understood as a way of sustaining and enhancing political commitments, where these are understood as irreducible to the sectoral interests of a pre-

political grouping (i.e. one to which allegiance is justified on grounds of self-interest or identity rather than principle).[7] Partisans articulate such commitments in the name of the whole rather than the part, even if they are aware that the views they put forward are subject to reasonable disagreement (Sartori 1976, Rosenblum 2008, Muirhead 2014, White and Ypi, forthcoming). They do so as part of an adversarial process in which others advance counter-claims based on differing interpretations of what power is and how it can be justified.

What makes partisanship a distinctively important contribution to the shaping and reshaping of peoplehood? Most fundamentally, it is a mode of political agency that combines a principled orientation with politically-legitimated projects seeking to structure institutions accordingly. Partisans define themselves by normative attachments, by an interpretation of what serves generalizable ends. Yet they commit themselves also to action – to convincing others of the appeal of their commitments and to taking institutional steps to advance their realisation in a way that is publically legitimated. It is a mode of political agency in which the normative and the contestatory come together, and do so consistently across time.

The politics of peoplehood is central to the partisan attitude. It is by advocating their commitments in the name of 'the people' that partisans seek to define their collective purpose, differentiate themselves from self-serving groups, and thereby develop a wide constituency of support consistent with the claimed generalisability of their principled projects.[8] 'The people' can be understood as a necessary component of the partisan claim to non-particularity. Yet it is not just an appeal in rhetoric. That partisan claim stems from a distinctive attempt to channel conflicts on the basis of principled commitments, commitments which themselves are continuously revised and corrected as part of a political process carrying legitimacy and a broad representative basis. An important part of these partisan exchanges concerns the constituency of justification itself: to whom do such commitments appeal, who is included and excluded, and for what reason? In the nineteenth and early twentieth centuries, the socialisation of conflict tended to take the form of efforts to extend the franchise (Schattschneider 1975). The idea of 'contagion from the left' describes how the socialist model of the mass party came to be imitated across the political spectrum, thereby expanding the scope of political conflict to a much broader social base (Duverger 1954). Earlier still, the very emergence of popular sovereignty was as an act of enlarging the scope of conflict from a private situation – the monarch vs. each individual subject – to a socialised one – the monarch vs. an expanding collective rallied under the name of 'the people'. In more recent years the focus has extended to transnational conflicts as they relate to commercial, legal and political practices of a global nature, such that the constituencies of partisan justification are

continuously revised following different normative views of what power (regional, domestic and international) is and to whom it should be justified.

Reshaping 'the people' has therefore always been a distinctive aim of partisans attempting to correct the exclusions involved in competing ways of categorizing those implicated in the exercise of political power. It is through this move that they have sought to involve previously detached social groups (e.g. an economic class, or an ethnic or religious group) and bring them onto the legal and political stage. And once mass enfranchisement was achieved, it was the willingness of the masses to become politically involved, to engage in collective action and to vote which was at stake, with contending partisans seeking to re-invoke the original spirit of 'the people' to this end. In all such cases, the concept was to make its appearance in the context of partisan activity and was appealed to as a means to shape and articulate conflict, thereby cultivating the people as an active political force, not just as the passive bearers of rights. Of course, as we shall later acknowledge, such civic constructions of the people may not be characteristic of all forms of partisanship. Indeed, in the real world they are often in tension with more ethnic understandings, involving attempts to exclude members of groups who do not share certain ethnic characteristics. But the fact that even undesirable forms of partisanship must articulate their claims in public and by appeal to generalizable principles (even if objectionable ones) acts to channel political conflict within the parameters of political legitimacy.

As agents embedded in an institutional structure, albeit one always subject to critical scrutiny, partisans contest the boundaries of peoplehood most visibly by contesting the boundaries of a state's active citizenry. They contest the make-up of those enfranchised and mobilised to participate politically, within a population already politically constituted. Because the commitments they articulate are intended to be broad in their social appeal, there is no necessary link between their constituency of support and an existing political territory. Historically this is illustrated by moves to expand enfranchisement beyond national and ethnic boundaries, as in the case of the French revolutionaries' attempt to extend the category of citizens to all those who shared the ideals of the Revolution (Merker 2009). Partisanship extending across state borders, guided by a common supranational ideological orientation, has been witnessed in more recent history, sometimes resulting in the founding of institutions that tend towards a fundamentally reconstituted people (White 2014). The partisan process of defining the people thus takes place on a continuum extending from the reshaping of who participates in existing political institutions to the revision of institutional arrangements themselves.

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It is worth underlining the specificity of this partisan process of people-formation relative to the broader family of contestation-based accounts described earlier. At exceptional moments – times of revolution, crisis or heightened polarisation – spontaneous forms of mobilisation may lead to a similar contestation of peoplehood-claims backed by far-reaching political participation.[9] Partisanship however is about commitment to an ongoing project with institutional roots – it is about bridging the exceptional moments and seeking to ensure that acts of engagement are cumulative. It is a distinctively intergenerational practice (White 2015). This matters because to fashion a norm-sensitive delineation of peoplehood in practical politics is typically a long-term process. It requires persistent effort both to make initial advances and build popular attachments to them, and to defend them against subsequent reversal. Any account of people-formation through the practices of contestation must reckon with the problem that achievements can 'vanish the moment we disperse' (Näsström 2014, p.550). As associates in an intergenerational project, partisans are those who do not easily disperse. The cross-temporal character of the endeavour is a crucial addition to the more general practices of contestation identified by agonist thinkers.

Furthermore, partisanship is centrally concerned with harnessing institutional power, typically by gaining control of elected executive and legislative institutions. This establishes a particularly close link between ideas of peoplehood, their politico-legal enactment, and their public legitimation. Whether in the form of setting the criteria of access to citizenship rights, deciding public policy, or determining the centralisation and decentralisation of decision-making capacity, partisans not only exert a direct influence on how peoplehood is practically configured, but do so through the institutional procedures that grant legitimacy to these interventions.[10]

The point may seem counter-intuitive: what legitimacy can these institutions offer, one may wonder, if the composition of the people that authorises them is considered in need of amendment? The answer is a *provisional* legitimacy.[11] Insofar as the procedures of these institutions are based on unjustifiable exclusions, it is clear their legitimacy is incomplete, possibly significantly so. But they offer some measure of legitimising capacity nonetheless. Through mechanisms of election and public debate, they go some way to validating agents' claims to be articulating commitments of generalizable significance and to be responding to lived experience. To the extent that their procedures remain open to revision, they are susceptible to correction: as a *process*, they may attain a legitimacy that exceeds the legitimacy of their make-up at a particular moment. Partisan practice exists in a mutually

reinforcing relation with this institutional process, on the one hand driving it forward, on the other drawing provisional legitimation from it. Whether what is at stake is the reform of existing institutions or the establishment of new (e.g. supra-statal) institutions, the long-term embeddedness of partisans in these mediating structures is a distinctive legitimising resource.

That the forging of peoplehood acquires legitimacy when approached as an ongoing process is an observation others have made. Habermas speaks of 'popular sovereignty as procedure' (Habermas 1996; cf. 1998). His account of the perpetual reworking of society's composition – the retroactive revision of an historical contingency – can be considered an account of the people as process in which enlightened self-reflection is the principal motor (see also Benhabib 2011, 2008; Forst forthcoming, 2015). If such a process is to be genuinely inclusive, however, it requires mechanisms by which participation can be elicited. Any account of such a process needs to identify agents who can lead it and draw in the involvement of others. These agents should have an extended temporal presence, so practices of contestation can be maintained and so decisions taken in the present may be linked to the cross-temporal process of people-redefinition that underpins their legitimacy. Habermas sketches the structural requirements of such a process, but has little to say about the modalities by which it may be achieved (cf. Ochoa Espejo 2011, p.112).

Seyla Benhabib and Rainer Forst also emphasise the importance of political agency in linking justice and transnational democracy, and mention legislative and executive institutions, human rights organisations, social movements and pro-immigration campaigns as relevant sites of democratic will-formation contributing to reshaping the people (Benhabib 2011, esp. ch. 6; Forst, forthcoming 2015, ch. 10). Yet they are vague on what distinguishes these agents from each other, how and why they contribute to the enactment of popular sovereignty, and how they differ from interest groups, transnational corporations, or business lobbies. Though scholars in this tradition note the importance of identifying genuine justification (or communicative freedom) by recourse to certain formal preconditions imposing constraints on the kinds of reason exchanged (e.g. the equality of discursive agents, their symmetrical entitlement to speech acts and the reciprocity of communicative roles), they seldom extend this reflection to the agents appropriate to channelling such reasons in institutional discourse. If we accept the generality and reciprocity constraints of justification, it seems important to apply such criteria not only to the principles advanced in discursive exchange but to the agents that articulate such principles and to the institutional contexts in which they operate. This is how the partisan account complements these theories.

Partisanship, we have said, provides the agent able to consistently politicise the question of peoplehood across time. To be sure, not all conceptions of peoplehood advanced in partisan clashes are desirable, but it is through this process that desirable conceptions can emerge. Partisanship is the means by which such conceptions may be given public justification and systematically brought to bear on the exercise of power in a way that is to a significant degree legitimate, grounded in participation, and resonant with everyday experiences of subjection to power structures. Such moves may draw inspiration from norm-based perspectives on how peoplehood should be cast, yet go beyond these by publicising them and revising them to fit historical circumstances. This is the distinctiveness of the partisan contribution.

At the same time, the dynamics of partisanship guard against what one might call the 'over-politicisation' of peoplehood in contestation-based perspectives. Partisanship is about the promotion of principled interpretations of the public good rather than the factional pursuit of parochial interests and identities. Rather than just a definitional stipulation, this is a corollary of the partisan aim to channel political conflict in a way that critically scrutinises the exercise of political power and finds institutional legitimation. The implication is that such agents promote their commitments by seeking conceptions of peoplehood that tend towards inclusivity, that foster links between social groups so as to meld them into a shared sense of subjecthood (Rosenblum 2008, ch. 7). Furthermore, the fact that partisans are engaged in an continuous institutional process rather than a single moment of antagonism gives them reason to avoid interpreting peoplehood in a purely opportunist fashion. The iterated character of the struggle means they must seek to make their interpretation plausible to others. Agonist theorists seek this 'taming' of conflict in the adoption of an ethos of respect towards opponents; the institutional structure of partisanship provides an account of how this attitude can be achieved.

A strength of a partisan-centred account of the people is that it might partly reconcile us to the paradox of composition so familiar in the current philosophical debate on the people. Those who note that membership in the people cannot be settled by vote, and that the issue is therefore an a-democratic one, imply that the ballot is the essence of democracy. Underlying this is an aggregative conception of democracy in which the collective will is to be identified by reference to a number – i.e. the largest figure arrived at by adding up individual preferences. By contrast, to focus on partisanship is to focus on the significance of mediating agents whose influence is only partly determined by the sheer numbers of supporters they are able to marshal. Even a partisan group whose electoral returns are quite modest can have a

significant impact on public debate (Green parties are a notable example). Of course, insisting on the relevance of these mediating forces for bridging the gap between politics understood as an adversarial process and politics as a set of juridical and executive institutions still implies that we begin with some existing agents, taking their identity as in part given to us. But if we place emphasis on the dynamic evolution and ideas-driven nature of that identity, the boundary between a constituted people and an excluded other will not be so clear-cut as to render its paradoxical nature troubling (see also Benhabib 2011, chs. 7 and 8).

Finally, as we have tentatively suggested, partisanship also contains elements of an expansive logic, with dynamics that tend towards the widening of the scope of conflict. The commitments of at least some partisans will be sufficiently generalizable as to give them common cause with others across state borders. Where their principles have transnational reach, they lead to the formation of transnational communities of the likeminded, countering thereby a more parochial definition of peoplehood. This expansive logic will be particularly evident if political circumstances evolve such that more narrow articulations of the scope of conflict are unable to capture emerging interactions and the forms of political subjecthood associated with them. In a pluralist partisan setting, one can expect *some* political groupings to be making exactly such expansive appeals, their initiatives serving to problematise the silences, omissions and exclusionary moves of their adversaries, in some cases forcing them to defend their positions in reciprocally justifiable and generalisable terms.[12]

The partisan construction of 'the people' is thus an evolving process structured by claims and counter-claims, in which actors seek to shape peoplehood in accordance with the commitments they seek to advance, in the face of opposing efforts to promote a competing constituency. Differing conceptions of who constitutes 'the people' are negotiated in the course of these clashes and in response to the principled commitments embedded in them.[13] Through this process the ideal of peoplehood implied by the notion of popular sovereignty comes to be instantiated in political action – the 'people in reserve' linked to the 'people in action' (Canovan 2005). While it is important to recognise thresholds that political agents in a democracy should clear (framed above in terms of a commitment to communicative freedom or a basic claim to justification), subject to these the composition of the people is appropriately configured and renegotiated through partisan conflict.

4. Objections

For those operating within the framework of the people-as-norm, the suspicion may be that this perspective is overly concessive to power-political relations and neutralises some of the important normative functions of the concept of 'the people'. It might be said that the concept needs to be viewed as something which *transcends* day-to-day politics so that political minorities can appeal to it when faced with the overweening demands of a majority. Peoplehood, one might argue, needs to be depoliticised. Dissenting voices need to be able to expose dominant political groupings as representing *something less than* the populus as a whole if their power is to be restrained. These dominant groupings need to be recognisable as a part making an imperfect claim to embody the whole. If 'the people' is treated as something shaped by partisan politics, the construction of those who are politically successful, there would seem little possibility for this type of dissenting view to be articulated (Rummens 2009). How is the partisan perspective different in that regard?

One can answer this worry by acknowledging that the contribution of adversarial partisanship to the process of people-making does not imply that whatever forms of peoplehood emerge from this conflict are *ipso facto* justified. This is one crucial difference from purely agonistic approaches to democracy, where the strengths and weaknesses of different normative commitments tend to be glossed over. Assessing these positions and their claims to representing the people will require an exercise of moral and political judgment, one conducive to the democratic commitment to political justification. Even if specific partisan articulations of 'the people' vary in their normative appeal, some more attractive than others, the process as a whole remains valuable. Any perspective which sees 'the people' as an idea above political conflict, and therefore a point of consensus, invites a willingness to accept one particular conception unquestioningly. This is objectionable, since no conception will be neutral in its political implications; it will legitimize a particular exercise of power, one that needs constant scrutiny. A conception which seeks to settle the issue by reference to cultural markers encourages the naturalisation of some markers over others, with adverse consequences for those excluded by this particular criterion. Application of a criterion of affectedness (cf. all-affected interests and related criteria) will inevitably exclude those who, on a different interpretation of affectedness, might have been included. If the supra-partisan character of 'the people' is accepted, the legitimacy of these exclusions is likely to appear self-evident, and the hardships they result in left unaddressed. A sceptical disposition towards any one interpretation of 'the people', grounded in recognition of the concept's contestability, has the merit of rendering these hardships more explicit. It allows them to be submitted to critique and justification.

One might argue there is nothing in the process described to guarantee that narrowly exclusionary tendencies do not prevail. This is, certainly, one of the risks associated with the openendedness of partisan politics. Sometimes views that fail to acknowledge even a basic right to justification may take centre-stage. But even if morally dubious, such views may be politically instructive. They signal to us how, when principled views fail to engage citizens, the public sphere is likely to be plagued by more emotional, purely reactive and narrowly self-serving political appeals. An anti-immigrant partisan group (e.g. the Italian *Lega Nord,* or the French *Front National*) undoubtedly seeks to exclude from the 'public' that informs its conception of the public good those whom one might wish to see included. Such partisans are to many observers morally objectionable, but where they are politically successful they usefully alert us to the pressing need to promote counter-perspectives and act as a provocation to do so.

A second set of objections might be advanced by those committed to a people-as-contestation view, who suspect our partisanship-based account *insufficiently* politicises the question of peoplehood. Partisanship is typically associated with a particular institutional arrangement centred on parties, electoral arrangements and voting. Some will feel this weakens the ability of partisans to problematise the issue of who the people are. If partisans are ultimately dependent on votes for political success, are they not likely to have a conservative bias in favour of those already included within the political community, at the expense of those currently outside, given it is the former who determine their political fortunes? Is the pre-existing allocation of citizenship rights not ultimately the decisive factor, shaping the preference structure of partisans? To the extent that partisans *do* make claims on behalf of non-citizens, should these not be regarded as mainly rhetorical and of little practical consequence?

Such a perspective relies on an overly narrow account of partisanship and imputes predominantly self-interested motivations to partisan actors. For every partisan who can be cast in these terms, there will be others inclined to evoke the subjectivity of non-citizens on principled grounds, regardless of whether the present institutional set-up offers the prospect of an electoral dividend. Even were one to assume that most partisans are concerned more with power than principle, to conclude that presently existing institutional structures are decisive would be wrong. One need not dwell here on the puzzle of the revolutionary party, whose motivations clearly cannot easily be explained with reference to the incentives created by existing structures. Even in the normal democratic context, structuralist perspectives of this kind overstate the fixity of political constituencies – a tendency often associated with the

parallel one of seeing partisans as representing fixed social interests (White and Ypi 2011). Political agents may appeal to the interests of those outside the political community because their conception of the public good takes a cosmopolitan form, as many social-justice activists have shown.

A further concern may be that our perspective is ambiguous in its relation to arguments in favour of an *unbounded* conception of peoplehood. If one argument for the importance of partisanship is that it denaturalises the exclusions which inevitably follow any demarcation of the people, one might question whether the problem of exclusivity is not most straightforwardly dealt with, not by valuing a plurality of conceptions, but by calling unequivocally for a global one. Such a position may seem more principled and clearer in its prescriptions. But a cosmopolitan perspective, though certainly compatible with the argument presented here, is not a self-standing alternative to the processes we have described. For even if one grants that the 'people' might in principle be unbounded, exclusions remain, not least since future generations have relatively weak capacity to shape the agenda of inherited institutions. The relationship to power in this case remains as unaccountable to those excluded in time as it was to those excluded in space. If we seek to eradicate such exclusions by applying the 'unboundedness' principle consistently to both space and time, we end up with a potentially infinite expansion of the demos and a perspective so inclusive as to be unworkable.[14] A cosmopolitan vision involves choices therefore if it is to move beyond the highly abstract formulation of including everyone, everywhere, on all possible issues, and for this reason needs persistent denaturalisation as much as any other conception of the scope of the people. Second, whichever cosmopolitan conception one favours, some type of agent will be required to raise its public profile and advance it politically. Partisanship is again likely to be central, whether in the form of international coordination between national parties, or the emergence of regional or global parties (Patomäki 2011; White 2014). Indeed, durable political agents that can outlive the individuals that compose them are likely to be especially important to the kind of unbounded conception of peoplehood that treats political inclusion today as inseparable from its maintenance in the future.

There is a final objection that may occur to anyone with an eye on contemporary politics and the condition of partisanship today. While acknowledging its centrality to the politics of peoplehood as a historical truth, some may doubt whether contemporary partisanship can be anything like so influential. Parties in western democracy today, it may be said, do not contest the major political questions, the scope of the people included: they operate rather as cartels, intent on shielding themselves from their own grass-roots supporters.

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Even were they to depart from this model, it is questionable how far they might mobilise large numbers of ordinary citizens (Katz & Mair 2009). Are we not dealing with a political form that has long decayed?

The objection is quite misplaced. Rather than evidence of partisan irrelevance, the scenario described is in large degree of partisan making.[15] The demobilisation of large sections of the modern electorate is testament to the success of those partisans for whom popular apathy is convenient. Low rates of political participation amongst the unemployed, the precariously employed, the less educated and the ethnically marginalised, as well as institutional arrangements that encourage it − this is what a certain kind of partisan project of people-making looks like (on neoliberalism: Crouch 2011). Regrettable as it may be, it will take a partisan counter-project to reverse it, not least because institutions will need to be reoriented if some of the political structures fostering such tendencies are to be addressed. The success of numerous 'populist' parties in contemporary politics, i.e. of partisans making claims in the name of 'the people', is evidence of the public resonance that counter-projects may achieve (Mudde & Rovira Kaltwasser 2012). However undistinguished then the condition of many contemporary parties, it would be arbitrary to freeze the film at the current frame: partisanship is an ongoing process. The empirical obstacles encountered in that process should lead one to reform and rethink the institutional mechanisms traditionally associated with partisanship (including its relation to social movements and alternative forms of political agency, e.g. those centred on new social media) rather than simply discount the practice.

5. Conclusion

Let us recapitulate the argument. A central question that arises in democratic theory concerns how to define the democratic subject, 'the people'. Political thought provides a repository of possible responses, ranging from those that approach the people as *norm* to those that approach it as a matter for *contestation*. Here we try to mediate between these perspectives. 'The people' should be approached not merely as something defined in the exceptional moment, in the act of a political community's foundation, and then inherited as the container within which politics is to unfold. Rather it should be seen in processual terms as that which is created and revisited in ongoing fashion in the context of political conflict. But an account of this sort needs to consider the mechanisms by which political conflict can be made compatible with certain standards of principled justification (White and Ypi 2011), and how

peoplehood can be maintained as a participatory phenomenon, something exercised rather than merely granted or proclaimed.

It is in partisanship that we find one plausible systematic response to these questions, able to connect normative commitments to practical agency. Partisanship stands as the paradigmatic form of political conflict in modern democracy – sufficiently organised and institutionalised to bring peoplehood into everyday politics in a way that links it to the legitimate exercise of power. Partisans have special reason to contest the scope of the people, since its extension is closely tied to the scope of political conflict, something they seek to influence so as to shape the terms on which they face their adversaries and frame their visions of the public good. In so doing they give form to something always under-determined by philosophical norms. It is in the context of partisan encounter – pre-eminently, though not exclusively – that the idea of 'the people' is evoked, defined, disputed and instantiated. And it is from that practice that political theory has much to learn.

As our remarks have indicated, linking the definition of peoplehood to partisan agency results in a perspective neither purely historical nor purely normative. It is not the former, as it acknowledges the normative status of peoplehood claims, the moral thresholds that apply, and the ability to adjudicate between different partisan claims. Principled oppositions are at the core of the perspective, and at least some of the conceptions articulated one may be inclined to endorse. Even where all such conceptions are deemed questionable, the very fact of contestation serves to put them publicly in question. At the same time, our perspective is not purely normative, since no expectation is placed on there being just one norm of decisive appeal. There will be competing conceptions with ostensibly valid credentials, and adjudication between them will be a matter for situated political judgement. In the account proposed, historical development is normatively loaded and normative theory is historically situated.

It follows from what we have argued that any loosening of the tie between partisan action and the shaping of the people would have negative implications for the justification of political boundaries. Partisan contestation serves to publicise, render intelligible and refine the reasons and objections relevant to any given siting of peoplehood. Without it, the exclusions that necessarily follow from the application of any set of norms risk sedimentation. And to rely only on loosely structured political conflict that does not aim to shape and articulate principled oppositions runs the risk of moral withdrawal. 'The people', a concept in many guises progressive, would then easily mutate into a source of oppression. To the extent that existing dynamics of political conflict take us away from forms of peoplehood we find

morally acceptable, they need to be opposed by partisan means. In sum, the partisan attitude should be valued not just for its contribution to the substance of democratic life, but also for the possibilities it holds for reconfiguring democracy's scope, the scope of its distinctive subject, 'the people'.

Acknowledgments

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[1] We focus on the larger contribution of partisanship to the process of political justification in White and Ypi 2011; here our concern is with the more specific concept of 'the people' and the relevance of partisan practices to its conceptualisation.

[2] On the importance of justification more generally, see Forst 2011. On the relevance of minimal egalitarian democratic requirements see Christiano 2011, who also defends an instrumental right to democracy. For a definition of the democratic requirement as commitment to a society of equals but without framing democracy as a human right, see Cohen 2006.

[3] For a more detailed discussion of the limitations of the norm-based view from a methodological perspective, see Ypi 2011, ch. 2.

[4] See also Ypi 2011, ch. 2 and Ypi 2013 for the importance of diagnosis to the process of identifying plausible responses to political conflict.

[5] For an earlier discussion linking uneven levels of political engagement to questions of peoplehood, see Schattschneider 1975, pp.96ff.

[6] Consider for example the evocation of an idea of 'the people' transnational in scope in the call of activists (including student groups, trade unionists, Labour MPs and party members) joining the March 2011 demonstration against austerity cuts in London: 'On March 26 we are inviting everyone to join us to stay in Trafalgar Square for 24 hours to discuss how we can beat this government and to send a message across the globe that we stand with the people of Egypt, Libya, Wisconsin and with all those fighting for equality, freedom and justice. We want to turn Trafalgar square into a place of people's power where we assert our alternative to cuts and austerity and make it a day that this Government won't forget' (http://march26tahrir.wordpress.com/the-call/). It is a provocative call, and clearly not all will agree with the logic of equivalence it asserts: did the protesters in London really share common challenges and adversaries with their counterparts in Egypt, Libya and the US as they claim? Their contention is that the structures of global capitalism produce a similar set of struggles across the globe between privileged local elites and 'the people' subjected to the same unfair system of global rules. Whether one accepts the substantive argument is secondary to the point that here one sees an effort to redefine the people under contentious conditions and thereby to challenge existing alignments.

[7] Elsewhere we explain the relationship between partisanship and the party in analogy to the relation between the nation and the state, where the nation is often understood as an imagined community of socio-cultural practices and the state as a body of institutions giving visibility to the nation. Although a particular party gives empirical form to a particular partisan community, the overlap between party and partisanship may be imperfect, just as the overlap between nation and state may be imperfect (White and Ypi forthcoming).

[8] This, of course, is not to exclude that other forms of political engagement may sometimes play the same role, especially in circumstances where partisanship is in crisis or deteriorates to a series of factional disputes of minimal principled content. But where such alternative agents come to the fore, their intervention in the public sphere and their contribution to disputes over the scope of the people will resemble the partisanship with which this article is concerned.

[9] Consider for instance the events of the Arab Spring, the partisan component of which was generally fairly small relative to spontaneous uprising (and arguably regrettably so – cf. Tariq Ali, 'What is a Revolution?', http://tariqali.org/archives/2629).

[10] Not all partisans are successful in winning institutional office, of course, but certainly none rejects the possibility on principle in the way many social movements, keen to avoid organisation and political compromise, choose to.

[11] For a longer discussion of the provisional nature of legitimacy as it applies to territorial rights within a Kantian framework, see Ypi 2014. For an example of the role of political community as it applies to the European Union, see Ypi 2008.

[12] On transnational partisanship and its normative aspects, see White 2014.

[13] Whether this clash between partisan agents serves to illuminate independently valid ideal configurations of the people (as in epistemic views of justification) or to create the most plausible conceptions (as in proceduralist alternatives) is an issue we need not decide for the purposes of this article. Both answers are compatible with the defence of partisanship offered.

[14] Goodin, for example, defends such a 'possibilist', expansionary version of the all-affected principle which universalizes the demos in both time and space but then proceeds to narrow it for the sake of practical feasibility and endorses the institutions of the territorially-defined state constrained by mechanisms of global accountability.

[15] Not exclusively, of course: there are other socio-economic factors involved which cannot be reduced to partisan design.

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