A Sentence That Shaped the Modern World

Greg Urban, *University of Pennsylvania*

ABSTRACT

Tracking a single sentence as it moved around the globe, through space and across time, this essay examines the transformations it underwent, seeking to understand the motive force behind that movement and those transformations. The sentence in its various incarnations forms part of the constitutions of the majority of recognized nations on the planet. It encodes a key idea about the nature of the modern nation as a distinctive type of polity. At the same time, the motive force behind the movement may not be the power of that idea alone. Instead, the words in which it is encoded take on a thing-like quality, undergoing replication as they travel but also modification, such that the words become in effect emblems of a distinctive nation. The essay proposes that a "totemic force" impels this kind of motion, with the interest in being on a par with other nations stimulating recognizable similarities in wording, and the desire for distinctiveness vis-à-vis other nations simultaneously inspiring differences in wording.

This essay tracks a single sentence as it traveled around the world. It explores the transformations the sentence underwent in the course of its journey, with an eye to understanding the forces that propel its motion. Variants of the sentence in question are found in national constitutions—in fact, in those of 144 of the 193 United Nations–recognized countries. An example from the 1958 constitution of France is "National sovereignty shall belong to the people, who shall exercise it through their representatives and by means of referendum."[1] In the original French, this reads: "La souveraineté nationale appartient

Contact Greg Urban at Department of Anthropology, University of Pennsylvania, 3260 South Street Philadelphia, PA 19104 (gurban@sas.upenn.edu).

Versions of this essay were presented at the SALSA conference, University of Texas at Austin, March 27, 2010; and at the National Chi Nan University, Puli, Taiwan, June 10, 2011; and worked on in the Cultural Motion Seminar at the University of Pennsylvania during spring semester 2011. Thanks to all for the numerous comments and suggestions I received.

1. Retrieved from the official French National Assembly website at http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/la-constitution/la-constitution-du-4-octobre-1958/texte-integral-de-la-constitution-de-1958.5074.html#titre1 on October 17, 2012.

Signs and Society, vol. 5, no. 2 (Fall 2017). © 2017 by Semiosis Research Center at Hankuk University of Foreign Studies. All rights reserved. 2326-4489/2017/0502-0001$10.00

https://doi.org/10.1086/692030 Published online by Cambridge University Press

au peuple qui l'exerce par ses représentants et par la voie du referendum."[2] The choice of words is distinctive. The sentence encodes an elemental idea that undergirds the modern nation, namely, the idea that the will of the people is paramount. It is the people who create a nation's laws and institutions, who shape its values and ideals, who control the operations of its government, and who make the decisions that affect it as a collectivity. Little wonder, therefore, that this idea is expressed in so many of the constitutions of modern nations. Through their constitutions, people articulate this fundamental idea, bring it into consciousness, and transmit it to succeeding generations.

What I propose to show here, however, and what is so striking, is not just that the idea is expressed in so many of the planet's constitutions but that the wording used is so similar. To underscore this fact, I distinguish between idea and sentence, where the latter pertains to word choices and grammatical patterns. It is the similarities of wording that demonstrate the participation of constitutions in the realm not just of ideas but also of discourse replication processes.

My intention here is to go further than this claim. I propose to show that we cannot adequately account for the dissemination of this key sentence in modern constitutions, or the similarities and differences in its manifestations, through meaning alone. Rather, the form of the sentence, its words and grammar, are crucial. The words as thing-like (Silverstein 1984; Puckett 2003) are group emblems, akin to the totems studied by anthropologists. The emblematic role of this sentence—alongside its meaning, and perhaps surpassing its meaning in importance—accounts for its movement, as a bit of culture, around the globe.

What propels the movement of this sentence, I will claim, is a force—the "totemic force."[3] In classical anthropological totemism, animals or other specific species of things-in-the-world are used to mark or emblematize social groups,

2. The official English translation on the French National Assembly website is "National sovereignty shall vest in the people, who shall exercise it through their representatives and by means of referendum" (http://www2.assemblee-nationale.fr/langues/welcome-to-the-english-website-of-the-french-national-assembly).

3. In this largely empirical essay, I make no pretense of thoroughly developing the notion of "totemic force" or of demonstrating its connection to the long history of anthropological research on totemism out of which the idea grows, including the work of Frazer (1910), Durkheim ([1912] 1969), Goldenweiser (1910), and Lévi-Strauss ([1962] 1963). Nevertheless, a brief overview would go something like this: Durkheim developed the idea of a totemic force, but for him it meant the power of the group, as represented by the totem, over the individual. By design, constitutions ought similarly to exercise power over individuals; whether they do so in practice or not is another matter. Lévi-Strauss, in contrast to Durkheim, proposed that totems, as emblems of clans, played a primarily differentiating role, distinguishing one clan from another. Constitutions similarly play a differentiating role at the level of nations. The idea of totemic force, as used in this essay, in some ways conjoins these two views but is used mainly to describe the motive force behind the replication of the words contained in national constitutions—the form of the totems, so to speak. To be a nation, you have to have a constitution that resembles in its words those of other nations; but to be a nation, the words in the national constitution must also be distinctive in at least some minimal way, making the constitution as totem reflective of the distinctiveness of the nation.

https://doi.org/10.1086/692030 Published online by Cambridge University Press

such as clans (e.g., the Wolf, Deer, and Bear clans of the Eastern Cherokee). Each clan has a totem, but each totem is distinct from that of every other clan.

I use the word *force* to draw attention to movement through space and time—in this case, of the sentence. The totemic force is the seemingly contradictory desire of a people to differentiate itself from other peoples, yet also to make itself resemble those other peoples. In order to be a distinct nation, the social group must have a unique constitution—with its distinctive words and phrasings. In order to be a nation, however, the social group must also have a constitution that looks like or resembles those of other nations; hence, its words and phrasings must resemble those other constitutions.

The Sentence in Constitutions of Former French Colonies

The most faithful copies of the 1958 French sentence discussed above are to be found in France's former colonies, especially in Africa. France had provided the soon-to-be-independent countries with constitutions, all of which have now been replaced by postindependence constitutions. Nevertheless, the new constitutions carry over this crucial sentence. Perhaps the closest copy is found in the current Mauritanian constitution. I show the similarity below by means of a diagram, since the difference might not otherwise be noticeable (see fig. 1).

There is only a one-word difference—the insertion in the Mauritanian sentence of the word *élus* 'elected'. But I want to emphasize that there is a difference. The two sentences are not completely identical, close as they are.

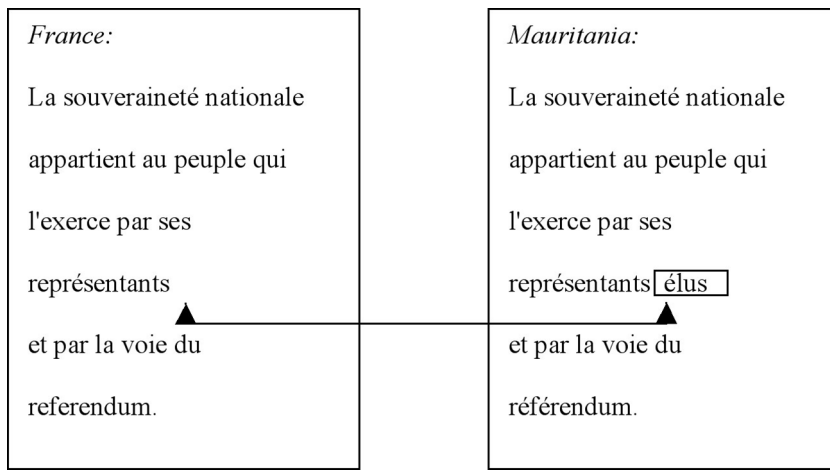


Figure 1. Sentence in French versus Mauritanian Constitution. Source: Mauritania government website.

https://doi.org/10.1086/692030 Published online by Cambridge University Press

In fact, each of the African constitutions differs from the French original, and they also differ from one another. Out of the twenty African states that are former French colonies, six employ the word *élus* 'elected' in this way. However, each of the sentences in those six constitutions also differs from those of the others. Between the Mauritanian and Guinean constitutions, the difference is in the final phrase, the Mauritanian constitution following the original French and the Guinean diverging from both (see fig. 2).

The Mauritanian pattern is found in the original French, but the Guinean pattern—in which the definite article *la* is eliminated—appears in eight of the twenty constitutions of formerly French African nations. The change in the Guinean constitution from *et* 'and' to *ou* 'or' first appeared in the 2010 document. The earlier 1958 constitution, like the French original, contained *et*.

The Mauritanian and Guinean constitutions have otherwise similar second clauses, but three of the other constitutions invert the order of the second clauses. Thus, the second clause in the Mauritanian version, like the French original, is: "qui l'exerce par ses représentants élus et par la voie du referendum." In the constitution of the Central African Republic, which also uses the Guinean pattern without the definite article, the second clause reads: "qui l'exerce par voie de référendum ou par ses représentants." The inversion is found in the constitutions of Algeria and Chad, though the differences are amplified further in these cases. The constitution of Chad reads: "qui l'exerce soit directement par référendum, soit indirectement par l'intermédiaire de ses représentants élus." In the Algerian case, the clause is recognizable as a variant of the original French, but it is found in a separate sentence, and with two sentences intervening between it and the first clause: "Le peuple l'exerce par voie de référendum et par l'intermédiaire de ses représentants élus." The first clause itself is also different from the original French.

I have focused on the minute differences, but, as in the Algerian case, the differences can be much greater. Moreover, they exhibit creativity and are not sim-

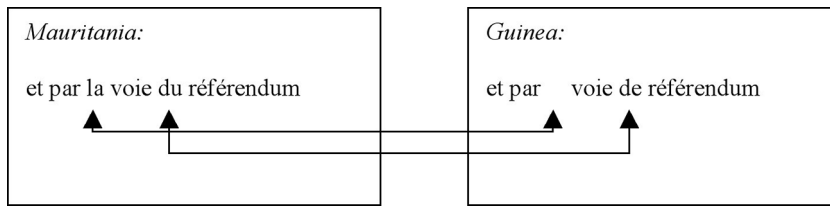


Figure 2. Microdifferences between Mauritania and Guinea sentences. Source for the 2010 constitution: Guinea government website.

https://doi.org/10.1086/692030 Published online by Cambridge University Press

ply the reflection of a few elementary features shuffled and reshuffled. In the Cameroon, the analogous sentence reads: "La souveraineté nationale appartient au peuple camerounais qui l'exerce soit par l'intermédiaire du Président de la République et des membres du Parlement, soit par voie de referendum."

Such differences are what appear in the course of the movement of the cultural element—in this case, the sentence from the 1958 French constitution—across space and over time.[4] Replication results not in perfect but rather imperfect copying. Or, alternatively, if the motion of the element results from an attempt to produce something "new," a "voice of the people," as I propose is the case for constitutions, then that attempt produces, nevertheless, an astonishing degree of similarity, as if it were in reality replication with variation, that is, as if it resembled the motion of culture understood as tradition. A voice is not an instantaneous creation but something that gradually takes shape. It represents the modification or reworking over time of what has come before.

The intellectual problem posed by the movement of culture in this instance is the following: if the constitution makers were attempting simply to copy the French constitutional language, why did they introduce differences? Alternatively, if they were attempting to produce something entirely their own, why did the wording they used so closely resemble that of the French constitution? The totemic hypothesis begins to provide an answer: as group emblems, capable of forming the affective as well as rational centers of a group, constitutions must mark the distinctiveness of their group. However, the constitutions must be recognizable as the same kind of thing—a group emblem marking distinctiveness. Hence, they must exhibit sufficient similarity as to be recognizable as constitutions. One way to do this is to copy the wording of another constitution already widely recognized as a group emblem, but also to introduce differences into that wording. In the case of former French colonies, it makes sense to copy, albeit with modification, the phrasing of the French original.

A possible objection to the totemic hypothesis is that in reality all of these wordings communicate the same idea and that the idea is one inherent in the social contract notion of a constitution itself. The authority for government, just as the authority of the constitution itself, must emanate from the people.

4. Twenty of France's twenty-eight former colonies were in Africa. All have some variant of the sentence discussed here. An additional eight non-African countries had been either French colonies or, in two cases (Lebanon and Syria), League of Nations mandates under French administration. The constitutions of these countries, as well, contain variants of this sentence. In some cases, however, the sentence cannot be traced to the 1958 French constitution. For example, the Haitian constitution of 1843 has a variant of this sentence. I will explain this below.

https://doi.org/10.1086/692030 Published online by Cambridge University Press

The various wordings discussed above all capture this basic idea. Hence, one could see them as an inevitable reflex of the social contract itself. Some such wording would necessarily come to mind, according to this view, given that the idea is intrinsic to the social contract model of the constitution itself.

That such a statement is intrinsic to a substantively social contract model is refuted by the fact that forty-seven of the world's constitutions—more than a quarter of them—lack such a sentence, and most of these, including that of the United States, operate within a largely social contract model. The formal similarity of the sentences, their object-like properties, cannot be a simple reflex of a necessary meaning.

Nor is it the case that we are dealing, even when it comes to what are microvariations in wording, with the same meaning. Even the simple addition of the word *élus* 'elected' to *représentants* 'representatives', found in the Mauritanian and five other African constitutions of former French colonies—subtly changes the meaning. It makes clear that the representatives of the people must be elected, as opposed, for example, to hereditary. The importance is apparent when these variants are compared to the analogous passage in the 1997 Thai constitution: "The sovereign power belongs to the Thai people. The King as Head of the State shall exercise such power through the National Assembly, the Council of Ministers and the Courts in accordance with the provisions of this Constitution." In the Thai case, it was possible to assert the power of the people but to circumvent the requirement that all such power arise from election.

I should also point out that the expression "will of the people," which is so widely employed in discussion of the nation, and which seems to admirably capture the key idea underlying the concept of the modern nation, is found in only four of the world's national constitutions, those of Belize, the Seychelles, Uzbekistan, and the Pacific island country of Kiribati. Evidently, it is not only the meaning, but also the form of the emblem—the choice and arrangement of words—that is crucial to the movement of this key sentence.

The Diachronic Transformation of the Sentence

Micro-variations, such as those described above for former French colonies in Africa, also take place in the diachronic unfolding of constitutions within one country. The best example of this is France itself, where the original formulation took place. The sentence discussed above has its roots in the 1789 Declaration of the Rights of Man and of the Citizen. Article 3 of that declaration reads:

https://doi.org/10.1086/692030 Published online by Cambridge University Press

> Le principe de toute souveraineté réside essentiellement dans la Nation.
> (The principle of all sovereignty resides essentially in the nation.)

The original 1789 French sentence contains the basic idea of the 1958 counterpart, but the wording is distinct. The 1789 declaration was reprinted as part of the 1791 constitution—France's first. However, that constitution also contained a new version of the sentence within the body of the constitution itself (Title III, Article 1):

> La souveraineté est une, indivisible, inaliénable et imprescriptible; elle appartient à la nation.
> (Sovereignty is one, indivisible, inalienable and irrevocable; it belongs to the nation.)

The 1958 French constitution drew on this phrasing, but connected the opening noun phrase (La souveraineté) directly to the predicate of the second clause (appartient à la nation). In addition, it changed "nation" to "people," making "nation" instead the modifier of "sovereignty" to yield: "La souveraineté nationale appartient au peuple." Figure 3 shows how this editing might have worked.

The 1958 constitution contains a preamble proclaiming renewed attachment to the 1789 declaration, so that the initial sentence remains alive in its original form. However, the sentence was not immune to tinkering by those who drafted subsequent declarations of rights. The 1793 declaration revised the original sentence in a small but important way as can be seen from a close comparison of the two:

> . . . toute souveraineté réside essentiellement dans la Nation (1789)
> La souverainté réside essentiellement dans le peuple entier (1793)

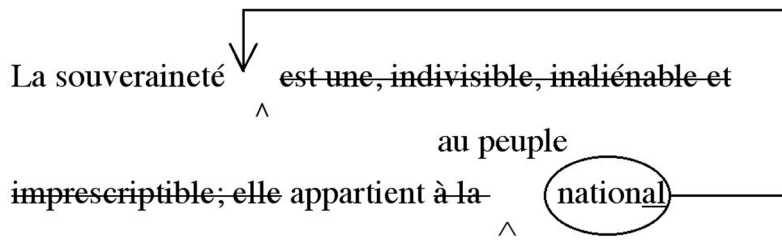


Figure 3. Hypothetical editing of 1791 sentence to produce 1958 sentence

https://doi.org/10.1086/692030 Published online by Cambridge University Press

The key substitution is "the people" for the "the nation," the former being the noun phrase found in the vast majority of the world's constitutions that contain an analogous clause. Indeed, 121 constitutions now use the word people, and only eleven of the constitutions retain the word "nation" to describe the locus of power.

The 1793 Jacobin constitution itself, as distinct from the declaration, contained the following sentence: "Le peuple souverain est l'universalité des citoyens Français" (The sovereign people is [consists in] the totality of French citizens). A piece of this clause worked its way into the 1795 declaration of rights, which correspondingly appeared slightly different from its earlier counterparts, as can be seen the following comparison:

> . . . toute souveraineté réside essentiellement dans la Nation (1789)
> La souverainté réside essentiellement dans le peuple entier (1793)
> La souverainté réside essentiellement dans l'universalité des citoyens Français. (1795)

The 1795 sentence then found its way into the 1848 French constitution, but with the word *essentiellement* 'essentially' dropped: "La souveraineté réside dans l'universalité des citoyens français."

The key point here is that the expression of voice in a constitution is not a matter of ex nihilo creation. Rather it represents a replication of language that is already in circulation. It is in the course of copying that changes are introduced. The different authors of these documents found reason to change the wording of what had come before, but to change it in such a way that the original object—the wording or phrasing as visibly recognizable on the printed page—could still be glimpsed in the new formulation. Importantly, the tinkering with language internally within France resembles the tinkering with language found in the constitutions of former French colonies.

A similar process has been at work as other countries have created their constitutions, as I will show next. The French wording was taken up but transformed around the world in accord with the totemic principle: the constitutions as emblems must differentiate the social group from others but simultaneously exhibit similarity to those others in order to be recognizable as constitutions.

Dissemination of the Sentence in the 1789 French Declaration

The phrase "resides in," used in the 1789 French Declaration of Rights, has found its way into 22 of the present-day constitution of the world. The largest concentration of these—nine, to be specific —is found in Latin America (Bo-

https://doi.org/10.1086/692030 Published online by Cambridge University Press

livia, Chile, Colombia, Costa Rica, Cuba, Mexico, Nicaragua, Paraguay, and Venezuela). The pathway into Latin America appears to have been the 1812 Spanish constitution, though there is also evidence of direct borrowing from French documents. The 1812 republican constitution of Spain (Article 3) contained the sentence:

> La soberanía reside esencialmente en la Nacion, y por lo mismo pertence á esta exclusivamente el derecho de establecer sus leyes fundamentales.
> (Sovereignty resides essentially in the nation, and to this itself belongs exclusively the right to establish its fundamental laws.)

The reflex in the contemporary 1978 Spanish constitution (article 1.2) is:

> La soberanía nacional reside en el pueblo español, del que emanan los poderes del Estado.
> (National sovereignty resides in the Spanish people, from whom all state powers emanate.)

The 1812 Spanish version is a direct translation of the 1789 French clause, minus its opening "Le principe de toute" (the principle of all). It uses the word "nation," unlike its later variant, which uses "people." In Latin America, among the nine variants of the French clause that use "resides in," only two (Chile and Costa Rica) use the word "nation" found in the 1789 declaration. The rest use "people"—*el pueblo* in Spanish. The Uruguayan clause also uses "nation," though it substitutes the phrase "exists in" for "resides" in "La soberanía en toda su plenitud existe radicalmente en la Nación" (Sovereignty in all its plenitude exists radically in the nation).

Unlike the former French colonies in Africa, none of these Latin American nations, with the exception of Haiti, was ever a French colony. Nor did Spain—the former colonial power in the region—have a hand in drafting the Latin American constitutions. Yet the use of this clause is found time and time again:

> La soberanía reside intransferiblemente en el pueblo (Venezuela)
> La soberanía reside exclusivamente en el pueblo (Colombia)
> La soberanía reside en el pueblo; es inalienable e imprescriptible (Bolivia)
> La soberanía reside esencialmente en la Nación. (Chile)
> La soberanía nacional reside esencial y originariamente en el pueblo (Mexico)
> La soberanía reside exclusivamente en la Nación. (Costa Rica)
> La soberanía nacional reside en el pueblo (Nicaragua)

https://doi.org/10.1086/692030 Published online by Cambridge University Press

. . . la soberanía reside en el pueblo (Cuba)
. . . la soberanía reside en el pueblo (Paraguay)

As in the African cases, smaller and larger differences in wording can be observed between the various nations—in the Cuban and Paraguayan cases the differences being the initial and following phrases. Once again, the totemic principle seems to be at work, producing difference within similarity, similarity within difference.

The analogous portion of the Haitian constitution reads:

La souveraineté nationale réside dans l'universalité des citoyens.

Precisely the same wording is found in the 1843 Haitian constitution. This version evidently harks back to the 1795 rather than 1789 French declaration of rights, whose Article XVII reads:

La souveraineté réside essentiellement dans l'universalité des citoyens Français.

In other words, the 1843 Haitian sentence has eliminated the words *essentiellement* 'essentially' and *Français* 'French' and added the modifier *nationale* 'national' to the word sovereignty. There is a variant French source sentence here, but the principles of modification deployed to create a distinctive voice are the same.

In Latin America, all constitutions except Argentina's contain a clause related in some way to the group of clauses constructed in France from 1789 through the end of the eighteenth century. Even Argentina's constitution, in Section 33, makes reference to the "principle of sovereignty of the people," though this is less obviously a version of one of the eighteenth century clauses. Most of the constitutions use a version of the 1789 clause, though a number have changed the phrase "resides in." I have already mentioned Uruguay in this regard. Others are as follows:

La soberanía nacional corresponde al pueblo (Dominican Republic)
La soberanía radica en el pueblo (Guatemala)
La Soberanía corresponde al Pueblo (Honduras)
La soberanía radica en el pueblo (Ecuador)

The 1815 French declaration of rights contained a different formulation of the sovereignty of the people concept, and this one too has been replicated, albeit by no means as widely as the 1789 formulation: Tous les pouvoirs émanent du

https://doi.org/10.1086/692030 Published online by Cambridge University Press

peuple—"All powers emanate from the people." Several Latin American constitutions contain variants of this formulation:

El Poder Público sólo emana del pueblo (Panama)
El poder público emana del pueblo. (El Salvador)
Todo o poder emana do povo (Brazil)
El poder del Estado emana del pueblo (Peru)

A version of this clause is sometimes used in conjunction with the sovereignty formulation, as in the 1978 Spanish constitution above, and also the current constitution of Colombia, among others: "La soberanía reside exclusivamente en el pueblo, del cual emana el poder público" (Sovereignty resides exclusively in the people, from whom public power emanates). The wording has found its way into a number of other constitutions around the world, including that of the Philippines, where we likewise find the "resides" and "emanates" clauses combined: "Sovereignty resides in the people and all government authority emanates from them."[5]

In Latin America, it is possible to trace the 1789 French wording to constitutions drafted in the first half of the nineteenth century. For example, in Mexico variant phrasings have been present since the draft constitution of 1822, though the statement does not appear in the adopted 1824 constitution. However, it does appear again in 1857 and finally in the current 1917 constitution:

La soberanía, fuente de toda legislacion, reside radical é imprescriptiblemente en la nacion. . . (1822 draft)
La soberanía nacional reside esencial y originariamente en el pueblo (1857).
La soberanía nacional reside esencial y originariamente en el pueblo (1917)

Note that the word *nacion* 'nation', found in the 1789 French text, occurs in the 1822 draft, but is replaced by 1857 with the word *el pueblo* 'people'. This reflects the kind of internal tinkering that has gone on in Latin America and elsewhere over time as distinctive voices are created for the various national peoples. Such tinkering can be seen, for example, in a comparison of the 1835 and present Ecuadorian constitutions:

5. For eight of the national constitutions, the "all power emanates from the people" formulation is the only one. In addition to the four just mentioned (Brazil, El Salvador, Panama, and Peru), this is true of Austria, Belgium, Germany, and the Seychelles. In the last of these, the formulation is "tous les pouvoirs du gouvernement émanent de la volonté du peuple" (all the powers of government emanate from the will of the people).

https://doi.org/10.1086/692030 Published online by Cambridge University Press

La soberanía radica en el pueblo (present)
La soberanía reside en la nacion (1835)

Here *nacion* > *pueblo* and *reside en* > *radica en* ("to lie in," "to be located in"). Aside from Latin America, the "resides in" variant of this sentence is scattered around the globe: in East Asia (Japan, North Korea, and South Korea); Southeast Asia (Myanmar, Philippines); the Middle East (Kuwait); Africa (Ethiopia, Ghana, Tanzania, The Gambia); and Europe (Luxembourg, Moldova, Romania).

The Sentence Has Traveled across Political Boundaries but Has Met Resistance

The sentence, however, has not traveled across all political boundaries. The greatest bulwark against its spread has been Britain and its former colonies. Of the 193 United Nations recognized countries, 48 have constitutions containing no trace of the key sentence. Of these, thirty-four have connections to the United Kingdom. Of the remaining fourteen, eight are European. Only six countries outside of Europe lack a variant of this sentence other than former British colonies.[6]

When the wave of independence movements swept through Latin America in the early nineteenth century, it did not disturb the British Caribbean, which was washed by a separate wave in the twentieth century. Despite propinquity, the wave did not spread across the politico-cultural boundary separating the British from the Spanish and Portuguese colonies. Similarly, the spread of the sovereignty clause throughout Latin America had almost no resonance in the British Caribbean.

At the same time, it is not true that the French sovereignty clause spread only within politico-cultural boundaries established by colonialism. Even in the Caribbean, there is an obvious occurrence of the French clause in the Guyana constitution, where Article 9 begins: "Sovereignty belongs to the people," a near perfect translation of the clause in the 1958 French constitution. Guyana had been a British colony.

While variants of the sentence are absent from a considerable portion of formerly British Africa, it is found even here in some constitutions, like that of the

6. Of these six countries, Singapore achieved its independence from Malaysia, which in turn achieved its independence from Britain. Britain had a role as well in the creation of Saudi Arabia, which came into existence after the First World War. Oman similarly, while not a British colony, was under British influence. Only Argentina, and two former U.N. Trust Territories administered by the United States—the Marshall Islands and Palau—had no immediately prior British associations, although, as Richard Parmentier (personal communication) points out, British traders were visiting Palau until the nineteenth century, when Spanish influence expanded.

https://doi.org/10.1086/692030 Published online by Cambridge University Press

Gambia ("The Sovereignty of the nation belongs entirely to the People"), Ghana ("The Sovereignty of Ghana resides in the people of Ghana"), and Tanzania ("sovereignty resides in the people"), among others. Though not present in the Indian constitution, variants are found elsewhere in South Asia, including, for example, Bangladesh ("sovereignty is in the People") and Bhutan ("Sovereign power belongs to the people of Bhutan ").

Indeed, in addition to the thirty-four countries with ties to Britain where the sentence is absent, it is significant that there are twenty-six with former colonial ties to Britain in which variants of the key sentence are present. In other words, although British culture has furnished the basis for resistance to the spread of this sentence, the sentence has made considerable inroads into even formerly British countries.

Variants of the sentence can be found in all of the countries that were created out of the Soviet Union. They appear in most Middle Eastern constitutions. The American occupiers even inserted a version in the post World War II Japanese constitution—"Sovereignty resides in the people and all government authority emanates from them"—making it thereby distinct from the 1890 Meiji constitution, whose Article 4 read: "The Emperor is the head of the Empire, combining in Himself the rights of sovereignty, and exercises them, according to the provisions of the present Constitution."

Modification of the Clause Can Make Its Meaning Dramatically Different

It would be a mistake to imagine that the sovereignty of the people clause has been taken up only for its meaning. No doubt, its meaning has been important as a charismatic rallying cry. Yet its emblematic significance goes beyond the specifics of its meaning. The result is that, in some cases, it has been modified to fit the meaning systems of the local population or its rulers in ways that go well beyond minor tinkering.

An example is North Korea, an ideologically communist country. The sovereignty clause reads as follows: "The sovereignty of the DPRK resides in the workers, peasants, working intellectuals and all other working people." Unlike Cuba's constitution, which has the sovereignty clause with no revision, the North Korean clause specifically excludes parts of "the people" not specifically specified in the list.

The post-communist countries of Europe, including Russia, have a statement closely resembling the 1789 clause in meaning. Russia's current constitution, for example, reads: "The bearer of sovereignty and the only source of power in the Russian Federation shall be its multinational people." However, the var-

https://doi.org/10.1086/692030 Published online by Cambridge University Press

iant found in North Korea can be traced to the communist-era constitution of the Soviet Union, whose original 1918 constitution contained the following: "The entire power, within the boundaries of the Russian Socialist Federated Soviet Republic, belongs to all the working people of Russia, united in urban and rural soviets." As in the contemporary North Korea case, the Soviet constitutions specified a portion of the people (those who are working) rather than all the people, as the bearer of sovereignty.

Variants of these Soviet clauses are found today also in the states of Vietnam ("All State power belongs to the people whose foundation is the alliance between the working class and the peasantry and the intelligentsia") and Laos ("All powers are of the people, by the people and for the interests of the multiethnic people of all strata in society with the workers, farmers and intellectuals as key components"), whose formulations, however, albeit not their wordings, are closer in meaning to the original French statement. The other current communist constitution, that of China, is a reasonably faithful translation of the 1789 meaning ("All power in the People's Republic of China belongs to the people").

If one way of transforming the meaning of the original clause is by specifying a segment of "the people," another is by having sovereignty reside in God, something done in the constitutions of Iran, Pakistan, Sudan, and Samoa—the first three Muslim countries but the last overwhelmingly Christian. Article 56 of the Iranian constitution reads: "Absolute sovereignty over the world and man belongs to God, and it is He Who has made man master of his own social destiny." The resolution section of the Samoan constitution includes the following: "WHEREAS sovereignty over the Universe belongs to the Omnipresent God alone, and the authority to be exercised by the people of Western Samoa within the limits prescribed by His commandments is a sacred heritage. . ." The passage is strikingly similar to that in the resolution section of the Preamble of the Pakistani constitution: "Whereas sovereignty over the entire Universe belongs to Almighty Allah alone, and the authority to be exercised by the people of Pakistan within the limits prescribed by Him is a sacred trust. . ." I have not yet been able to discover the reason for this close correspondence. The Pakistani formulation was part of the 1956 constitution, and, according to Choudhury (1967, vii), the 1956 Preamble was "almost identical" to a resolution passed in 1949.

God is by no means absent from other constitutions. The American document is in the minority in this regard. Of the 193 currently recognized United Nations countries, 100 have constitutions in which the word God (or Allah) ap-

https://doi.org/10.1086/692030 Published online by Cambridge University Press

pears. While this is frequently in sections concerning oaths to be taken by leaders, many constitutions place God at their very center. For example, the sovereignty clause in the Irish constitution is not altogether different from that of Iran, Pakistan, and Samoa: "All powers of government, legislative, executive and judicial, derive, under God, from the people. . ." What is unusual is to find God mentioned in the sovereignty clause—something that happens only in these five cases (Iran, Pakistan, Samoa, Sudan, and Ireland). However, many other constitutions afford a prominent place for God. For example, the preamble to the German constitution reads: "Conscious of their responsibility before God and Men."

In Europe, prior to the modern constitutional era, God had often been used to bolster monarchies and to foster inequalities among people, such that only some segments of the population were regarded as having a right to rule. Such language even made its way into early constitutions. For example, the 1809 Swedish constitution opens: "We, Carl, by God's grace, King of Sweden"; and its Article 3 reads: "The person of the King shall be held sacred and reverenced" (Rao 1934, 632–33)—the word "sacred" continuing to be applied to monarchies in some current constitutions (Morocco, Norway, and Tonga). God was used to bolster the Tsar's authority in the 1906 Russian constitution. The import of the sovereignty clause in the 1789 French declaration of rights, against such a background, was to assert that the people—and not one segment bolstered by God, nor one, for that matter, privileged by communist ideology—was the ultimate source of power and authority.

The appearance of the sovereignty clause in such cases as those of Pakistan and North Korea, therefore, is not the desire to express the original meaning pure and simple. So why use similar wording? In the Pakistani case, in particular, Choudhury (1956, 244–45) explains the origin of the 1956 constitution, in which the sovereignty clause occurred, as follows:

> The conflict arose particularly between the *ulema* (the religious teachers) and the intellectuals on the definition of an Islamic constitution. Some *ulema* expected that the constitution would not incorporate any new ideas and would strictly follow the pattern of the republic of the Early Caliphs in the 7th century. They held that Islamic law is complete and merely requires interpretation by those who are experts in it. The framers of the constitution obviously could not accept this narrow concept of the Islamic constitution. They tried to produce a synthesis of modern needs and Islamic principles, believing that the requirements of Islam could be met without departing from the essentials of a modern democratic state.

https://doi.org/10.1086/692030 Published online by Cambridge University Press

The Pakistani clause "sovereignty over the entire Universe belongs to Almighty Allah alone" is parallel to the 1789 French clause, but far removed from the latter in meaning. This clause was, evidently, designed to satisfy the *ulema*. However, the clause had attached to it a second one seemingly giving substance to the intellectuals' position and embodying at least some of the meaning of the 1789 clause: "and the authority to be exercised by the people of Pakistan within the limits prescribed by Him . . ." This last clause gives authority to the people, but qualifies it by asserting the "limits prescribed by Him," evidently leaving room for the *ulema* to decide on the limits.[7]

In any case, the radically altered Pakistani variant of the 1789 clause highlights the power attached to statements contained in constitutions as quasi-objects. The power and attractive force of the quasi-objects are in some measure separable from the meanings contained in the words. Correspondingly, replication (with variation) of the quasi-objects enables the transmission of some of their power.

Totemic Force, Speech Play, and Voice

Totemic force may be thought as the force behind the spread of constitutions. The force operates in two ways. If a country wants to be on a par with other countries of the world, it must have a constitution. However, because the constitution must be different from other constitutions, the nation ends up differentiating itself from other nations. Correspondingly, if a nation wants to differentiate itself from other nations, it does so by developing a distinctive constitution. However, in having a distinctive constitution, it makes itself like other nations. This seemingly contradictory process—asserting difference produces similarity; asserting similarity produce difference—underlies the global spread of constitutionalism.

To fully grasp this process, however, it is necessary to study the individual pieces of the larger mosaic that is the constitution—for example, the sovereignty clauses that are so widespread around the globe. We see in the cultural

7. Operative in each of the cases investigated here is what might be termed a settling in process. Constitutional wordings get proposed, perhaps after other constitutions have been studied; the wordings get modified and reworked, perhaps based on comparisons with other constitutions; and, finally, the wordings get adopted through locally available institutional procedures. In some ways reminiscent of the adaptation of biological organisms to new physical environments in evolutionary theory, these settling in processes are worthy of in-depth archival research in their own right. However, that is not the concern of the present essay. My focus is rather on the large-scale outcome that seems to emerge from a comparison of their results: a veritable global mosaic of words exhibiting similarities and differences. That mosaic seems to make sense, or so I have proposed, if we posit an underlying totemic force behind the copying and reshaping of words.

https://doi.org/10.1086/692030 Published online by Cambridge University Press

motion of these clauses the foundations for group attachment to the totem. The clauses enable a population to find its "voice."

Yet is "voice" some unique expression that arises from inside an individual or group, without regard to other individuals or groups? As I hope I have demonstrated, at least in the case of these constitutional sovereignty clauses, distinctive "voices" arise from the operation of totemic force on the replication of a sentence. Each nation strives to create difference—a distinctive "voice"—by modifying the expressions of other nations. Within the nation, individuals work to refashion received discursive formulations, rather than to create new ones ex nihilo.

The process of copying and tinkering is a form of discourse replication with variation, and it is the variation that creates ownership over the emblem. Ownership, in turn, enables the group to identify with the constitution, to form affective attachments to it. The constitutional element, and, correspondingly, the whole constitution, becomes theirs.

Such a dual process—copying but tinkering with and changing—is central to the totemic power of constitutions. A given constitution can be truly said by the people of a nation to be "ours," despite its close similarity to the constitutions of other nations. The vertical attachment depicted in figure 4—people to constitution—is created by the identifications with words and meanings that are in motion, traveling across group boundaries. But it is created simultaneously by modification of those words and meanings as they get re-articulated.

The model permits us to understand even why some nations—especially those associated with Great Britain—might avoid the formulation. They can,

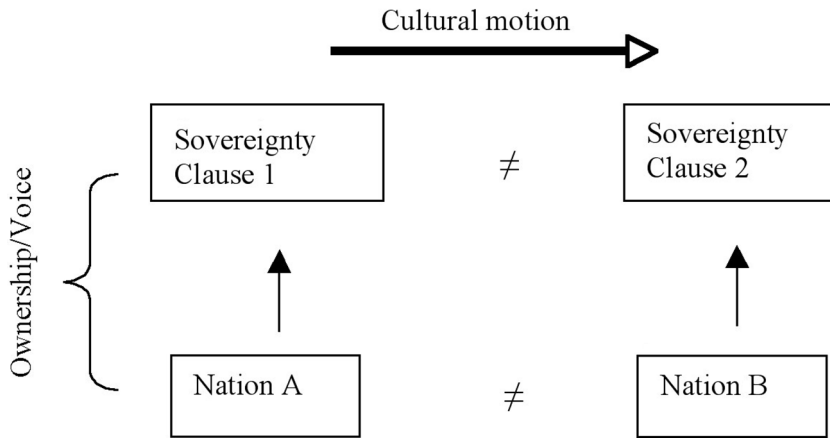


Figure 4. Totemic motion of a constitutional element

https://doi.org/10.1086/692030 Published online by Cambridge University Press

in this way, mark their distinctiveness vis-à-vis the group of nations created by the circulation of this formulation. In the British tradition, where sovereignty had been long vested in the monarch, not the people, the concept of the modern nation involves not so much the celebration of the will of the people as against the monarch, but the sober rule of law, governing monarch and people alike. It is arguably this view the British have passed on to at least some of their former colonies. And it is this view of the constitution of nations that has created resistance to the movement of the sovereignty sentence.

References

Choudhury, G.W. 1956. "The Constitution of Pakistan." *Pacific Affairs* 29 (3): 243–52.

———. 1967. *Documents and Speeches on the Constitution of Pakistan*. Vancouver: Green Book House.

Durkheim, Emile. (1912) 1969. *The Elementary Forms of the Religious Life*. Trans. J. W. Swain. New York: Free Press.

Frazer, James George. 1910. *Totemism and Exogamy*. 4 vols. London: Macmillan.

Goldenweiser, A. A. 1910. "Totemism, an Analytic Study." *Journal of American Folklore* 23 (88): 179–293.

Lévi-Strauss, Claude. (1962) 1963. *Totemism*. Trans. Rodney Needham. Boston: Beacon.

Puckett, Anita. 2003. "The 'Value' of Dialect as Object: The Case of Appalachian English. *Pragmatics* 13 (4): 539–49.

Rao, Shiva B. 1934. *Select Constitutions of the World*. Mylapore: Madras Law Journal Press.

Silverstein, Michael. 1984. "The 'Value' of Objectual Language." Paper delivered at a symposium of the 83rd American Anthropology Association Meetings, Denver.

https://doi.org/10.1086/692030 Published online by Cambridge University Press