Democracy beyond representation:

Constructing modern democracy and the problems of representation

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Abstract

The democratic legitimacy of political representation is not obvious. In the literature, however, it is often treated as such, mostly because the alternative of direct democracy is deemed unfeasible. In this thesis, I approach this issue based on the fundamental critique of representation as made by Rousseau, according to which democracy and representation are mutually exclusive, and representative democracy thus a contradiction in terms. I compare Rousseau's position, supported by a more modern argument by Hanna Pitkin, to an attempt by modern authors in defending representation, which started with David Plotke. I support Plotke's ideas with those put forward by Nadia Urbinati and Mark Warren, and also look at a more extreme position as argued by Frank Ankersmit. Comparing these positions to the critique by Rousseau and Pitkin, it becomes clear that defence of representation is lacking democratic justification that can withstand Rousseau's fundamental critique. Finally, I discuss a potentially strong argument at providing such a justification, based on arguments by Laura Montanaro and Clarissa Hayward, which emphasizes the constructive role that representation plays in the shaping of people's interests. Until the representative turn provides a substantial argument that people do not have politically relevant interests prior to representation, I argue, Rousseau's critique remains intact, and we need to be more careful in ascribing democratic properties to representative systems.

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The bounds of human possibility are not as confining as we think they are; they are made to seem to be tight by our weaknesses, our vices, our prejudices that confine them. Low-grade souls have no belief in great men; vile slaves grin mockingly at the name of liberty.
(Rousseau 1762, 47)

It seemed axiomatic that under modern conditions only representation can make democracy possible. That assumption is not exactly false, but it is profoundly misleading, in ways that remain hidden if one treats it as an axiom and asks only technical rather than fundamental theoretical questions.
(Pitkin 2004, 336)

The arrangements we call 'representative democracy' have become a substitute for popular self-government, not its enactment. Calling them 'democracy' only adds insult to injury.
(Pitkin 2004, 340)

Introduction

Most modern democracies have representative systems, where individuals are elected to represent a part of the population in a political arena. These professional politicians devote their time to weighing and negotiating interests for the good of the electorate. The people can only influence the political process directly through the electoral process, which typically happens once every four years, or indirectly such as through public debate or protests.

This is supposedly the most fair system of distributing power equally among people, and hence the obvious way to put democracy into practice in modern times. However, for all its practical sense, there seems to be something counterintuitive about the reasoning behind it. Democratic ideals seem to emphasize that the political power should be held by the people as much as possible, to prevent any form of tyranny as has plagued them throughout history. Their lack of access to and influence on the group of professional politicians with unique access to political decision-making power, however, could be argued to constitute a similar disjunction between elites and commoners that has been the basis of most tyrannical governing systems of yore. There is something seemingly paradoxical about this situation, which allows for the intuition that there is something inherently undemocratic about the way that representative systems operate. If one takes individual influence on the political agenda as the defining factor of quality of a democracy, representation can be said to be lacking severely in that respect.

This is not a novel idea; it was argued in the eighteenth century by Jean-Jacques Rousseau, who warned that representation is an elitist aristocracy under a democratic guise. Rousseau believed that sovereignty consists essentially in the general will, which cannot be represented as it is either itself or something else; there is no middle ground (Rousseau 1762, 49). In a representative 'democracy', then, the people are only free in the brief moment of their vote. The

rest of the time, they are subjected to the whims of a political aristocracy that they cannot influence. To Rousseau, then, a representative democracy is a contradiction in terms, as democracy essentially entails the expression of essentially unrepresentable sovereign power by the people itself.

While Rousseau's objection is now over two centuries old, his critique has become increasingly relevant in modern times, due to a number of modern shifts that have a major influence on the political realm and are forcing us to rethink our traditional conception of representation on a fundamental level. For example, political concerns that extend beyond the nation-state and thus people's direct representatives have become increasingly important, such as global issues like climate change. In this sense people's concerns can be said to have outgrown the scope of their representatives. At the same time there is also the sense that the scope of national politics is too broad to be relevant for people's day-to-day lives. The current system of representation could thus be argued to have a focal point that is both too broad and too narrow simultaneously for people to identify with and feel represented by it. Another modern development that the political system seems ill-adjusted to is the rapid increase in information technology, which influences people's opinions on a day-to-day basis, whereas the political system stays in place for years, regardless of changes in popular will. It could be argued that a representative system is too unresponsive for modern times. On the other hand, it could and has also been argued that this is a useful and perhaps even necessary source of stability in modern times. Whichever position one adheres to, as the public seems to unite in a voice that is generally critical of the representative system, there is an increased need for justification of representation. While these issues do not necessarily fundamentally undermine the notion of representation as a viable political system, they do underlie the intuition that there is a problem here that needs to be addressed in order to answer to growing skepticism.

This skepticism has been addressed in recent years by a number of political philosophers in defense of representation, who argue that the aforementioned modern changes warrant a rethinking of representation, but not that there is something inherently wrong with it, in a movement that Sofia Näsström calls 'the representative turn' (Näsström 2011). I want to evaluate these recent attempts at defending representation from the fundamental critique as raised by Rousseau in the eighteenth century and more recently by Hanna Pitkin.

According to Rousseau, the basis for political power is sovereignty, which is located among the people. A representative system alienates political power from the people, and places it in the hands of the representative instead. In this sense, a representative system would be undemocratic in its very nature, and democracy and representation would be contradictory concepts. If a basis for this conceptual critique can be found, we would either have to rethink and restructure either our political system or the use of the term 'democratic'.

Opponents of Rousseau's critique, defenders of representation, argue that instead of contradictory concepts, representation is in fact essential to modern democracy. I will discuss David Plotke, who argues that Rousseau and Pitkin's theories are based on a false dichotomy, Urbinati & Warren, who provide a more positive conception of representation, and Ankersmit,

who argues that the gap between representative and represented is in fact essential to modern political deliberation. Combined, the three authors provide an account that is clearly and fundamentally opposed to Rousseau's position.

In this thesis, I will look closely at the arguments supporting the two opposing positions, to see if there is a conceptual discrepancy between democracy and representation. If there is such a discrepancy, it can function as a conceptual paving the way for new political systems that will leave the political capacity of individuals more intact, and hence be more deserving of the term 'democratic'.

The aim of this paper is not to defend Rousseau's entire political theory as expressed in *The Social Contract,* or the underlying metaphysical framework. Instead, I pick out the particular point of his critique of representation, look at the ideas underlying this point, see how they can be applied to the current situation, and evaluate if they have been properly refuted by those that address it in favor of defending representation. In doing so, I will argue and hope to convince the reader that they have not. Rousseau's critique of representation hinges on the concepts of sovereignty and the general will, which have a specific meaning and significance in the larger project of his book, which forms the foundations of his critique of representation.

I will give a brief overview of Rousseau and Pitkin's fundamental critique of representation in the first chapter, and attempts at salvaging representation in the second, using Plotke, Urbinati, and Ankersmit. In the third chapter, I will compare the two positions to reveal their different assumptions and why they seem unable to comprehensively refute the other. In the fourth chapter, I will address an attempt at justifying the democratic value of representation based on interests. I will briefly discuss an attempt at recasting representation as based on affected interests instead of electoral constituencies, as argued by Laura Montanaro, which, though it does not succeed at avoiding the fundamental critique of representation, raises an important question on the interplay between representation and people's interests. Addressing this question can provide a strong basis for recasting representation as essential to the shaping of people's interests, which can potentially be a strong case against the fundamental critique of Rousseau. I will put forward such a strong case as based on a theory by Clarissa Hayward, and conclude that while it does address Rousseau's critique, it is based on a peculiar idea of what constitutes people's political interests. If one ascribes to Rousseau's idea of general will, or at least the idea that it manages to describe something essentially democratic, the representative turn has yet to provide a convincing case for abandoning it. Hence, I argue, the democratic purport of representation lacks fundamental justification.

Chapter 1: Fundamental critique of representation

In this chapter, I will present a critique of representation, that will serve as the foundation for my thesis. The claim entails that representation and democracy are both fundamentally and functionally mutually exclusive. I will support this claim using Rousseau's fundamental critique of representation, according to which the people's general will is unrepresentable, and Pitkin's claim that representation holds a definitional paradox, and while it has developed itself to accommodate democratic pretensions, is not a genuine expression of democracy. In doing so, I will present two lines of argument against the inherent purported democratic value of representation. In subsequent chapters, I will explore the arguments that have been put forward in defence of representation, and evaluate whether or not they succeed in refuting the fundamental critique.

First I will briefly explain the background of Rousseau's argument, which hinges on his broader theory on politics, as it is essential in understanding the significance and force of his argument. Subsequently, I will explain Pitkin's argument, which presents a modern point of critique against representation based on Rousseau's ideas and the historical development of representation. I will conclude the chapter with some remarks on where their theories converge and differ.

Jean-Jacques Rousseau: The fundamental critique of representation

Rousseau's critique of representation is found in chapter 15 of book 3 of *The Social Contract*, where he famously states that

> Sovereignty can't be represented, for the same reason that it can't be alienated; what sovereignty essentially is is the general will, and a will can't be represented; something purporting to speak for the will of x either is the will of x or it is something else; there is no intermediate possibility, i.e. something that isn't exactly x's will but isn't outright not x's will either (Rousseau 1762, 49).

From this, Rousseau concludes that the people's deputies to legislate on their behalf cannot be representatives, as any law that is not ratified by the people is not a law at all. It is for this reason that Rousseau regards the English to be mistaken when they regard themselves as free, which they in fact are only during the election of the members of parliament. "As soon as they are elected, the populace goes into slavery, and is nothing. The use it makes of its short moments of liberty shows that it deserves to lose its liberty!" (Rousseau 1762, 49)

In order to understand the quote and the conclusions Rousseau draws from it we first have to understand the underlying framework of ideas concerning political power. Once his conception of sovereignty, general will, and laws are understood, it will become clear why his theory excludes representation. Rousseau's critique is often set aside, I argue, because of a misconception of these ideas. A possible explanation for this is that Rousseau takes a different approach to sovereignty and political power from Hobbes, while using the same terms.

In Hobbes' *Leviathan*, the people contractually transfer their rights to a common authority, the sovereign. This sovereign or Leviathan is the supreme authority, and represents the abstract

notion of the state. The will of the Leviathan reigns supreme and represents the will of all those who have alienated their rights to it. The law is the command of the sovereign ruler, emanating from his will, and the obligation to obey it absolute (Hobbes 1651). In modern everyday use, the term still has such authoritarian connotations.

In *The Social Contract*, Rousseau takes a different approach. Like Hobbes, he argues that legitimate political power flows forth from a contract formed by individuals within a society whereby the individuals give up certain freedoms in order to gain a new type of freedom. Unlike Hobbes, however, this political power is not projected onto an entity that embodies these rights and freedoms and which the individuals are subjected to. Instead, as this political power comes from the individuals themselves, they retain this sovereign power after the composition of the social contract. Sovereignty, the people's will, and the laws that flow from it thus have different connotations to Rousseau.

Sovereignty denotes the legitimate political power which stems essentially from the people: a state has legitimate power by virtue of the people's engagement in a society through the social contract; they trade some individual freedoms in order to achieve the security, stability, and a new kind of freedom that can only exist when individuals are joined in a group for this purpose. This society has what Rousseau calls a general will: the united expression of their collective will. This is not an accumulation of all their particular wills, but an expression of a unified will of their sovereign power, a common good towards which all citizens in a society strive, as evidenced by their ascription to the social contract. Herein lies the locus of the entirety of political power; the unified will of the people is what moves society in a certain direction. It is what has driven people to join together politically in the first place, and what should direct it at every step. A law, according to Rousseau, is a legitimate law only if it is the expression of this general will. The populace is the sovereign through the exercise of its general will. At odds with Hobbes, then, is the idea that sovereign power is not projected onto some external entity, but it remains whence it stems: in the unified will of the people.

Now we have sufficient background knowledge of his theory to interpret the quote and the conclusions Rousseau draws from it. Sovereignty is the source of legitimate political power, and is located essentially in the general will of the people. This general will entails the united will of all citizens taken together, which means that only the people themselves can express themselves politically legitimately.

The nature of the general will means that it cannot be expressed by a single individual, as this individual depends on her own will, interests, and interpretation of what the collective will is. Individuals are in constant opposition to the general will, and people often want what is good for themselves rather than what is good for everybody. Even if we do want what is good for everyone, this does not mean we are aware of what this is. An attempt at representing the general will necessarily transforms it into a particular will, which is severely limited and hence not a source of political legitimacy. An educated guess to the best of the representative's ability might approach the general will at one point, only to be far removed from it at another. As sovereignty consists essentially in the general will of the people, having someone else express it

for them is not merely detrimental to it, it turns it into something else entirely; a particular expression of the will of the representative, which is no longer a politically legitimate expression of sovereignty. In a representative system, the will of one or a few directs political deliberation, while only the general will of the collective makes for political legitimacy in Rousseau's account.

This allows Rousseau to be skeptical of representative systems he encountered in England, for example, even going so far as calling them slaves because they have allowed their political liberty to be taken away from them and replaced it with sporadic elections instead. (Rousseau 1762, 49) When representation is implemented in a society, the political legitimacy collapses, as political decisions are no longer essentially made by the people through their general will, but through representative proxies. While this does not mean that the people are rendered completely powerless in political decision-making, it still means that they no longer hold the essential political power they gained through entering into a society by means of the social contract. Through representation, the people's sovereignty, the basis for political legitimacy is alienated and thereby destroyed.

Thus, Rousseau provides a theoretical basis for the intuition that it is paradoxical to simultaneously hold that democracy entails that political power is held essentially by the people and that political deliberation should be performed by representative politicians. Based on Rousseau's theory, the fact that these representatives are elected is an insufficient basis for their legitimacy. While these politicians certainly know the practical details of how to maneuver particular wills or ideals effectively when it comes to policy making, they can never really know the full extent of the interests, desires, and judgment that follows from the will of the entirety of the people they are supposed to represent at every point in time. And since this was the goal of assuming the social contract for all individuals in the first place, the entire purpose of pooling their individual power, the political system is primarily obliged to serve this general will. As a representative system fails to remain true to this course, it is severely lacking in its democratic credentials, which is why Rousseau is so critical of it.[1]

Hanna Pitkin: A modern application of Rousseau's argument

In her seminal study on the concept of representation from 1967, Hanna Pitkin would lay the basis for the conceptual study of representation and its many meanings. In the book, she defines representation as an activity of making present again, of something which was not present: something not literally present is considered present in some nonliteral sense (Pitkin 1967, 8). She attempts to solve the problems of representation by defining it clearly.[2]

In her paper "Representation and Democracy: Uneasy Alliance", she is less optimistic about the fact that representation's problems can be solved by defining the concept clearly. She claims that

[1] It is important to note that Rousseau was radically pessimistic about the durability of human institutions, democracy not excluded. In fact, Rousseau seemed to favor elective aristocracy to democracy on the larger scale, which seems similar to our modern representative system. (See: Bertram 2004, 159) This does not undermine the claim put forward in this thesis, I do not believe that his critique of representation compels me to follow his preference of political institutions.

[2] I will not expand upon her book any further here, as she does not relate her conception of representation to sovereignty and democracy.

the concept of representation has a problematic relationship with the concept of democracy. They have distinct origins, and have only become linked relatively recently, in the eighteenth century. Pitkin states that Rousseau was prescient in seeing representation as a threat to democracy; they both argue that representative government has become a new form of oligarchy, with ordinary people excluded from public life. This is not inevitable, Pitkin states. She underwrites the point that representation has made democracy possible on a large scale, but that it only succeeds in doing so when it is based on participatory democratic politics at the local level. Pitkin's earlier conceptual description of representation from 1967 involves somebody or something not literally present but present nevertheless in some non-literal sense, which is paradoxical, and it is too broadly vague a definition "to help in sorting out the many particular senses, often with incompatible implications or assumptions, that the word has developed over centuries of use" (Pitkin 2004, 336).

The concept democracy, according to Pitkin, originated with the ancient Greeks, was direct and participatory to an astonishing degree, and had nothing to do with representation, an idea for which their language had no word (Pitkin 1967, 2, Pitkin 2004, 337).[3] Representation, on the other hand, emerged in the early modern period and had little to do with democracy. Pitkin mentions England as an example, where the king would delegate locals to collect additional taxes; these representatives formed an additional revenue stream and a measure of administrative control from the top-down, as opposed to Greek democracy that was supposedly constructed from the bottom-up. This practice was gradually institutionalized, and the king's delegates started communicating between community and king. Representation slowly came to be considered a matter of right rather than burden, even though the representatives were not selected democratically and often not even elected. Only in the civil war between king and parliament in the seventeenth century and in the great democratic revolutions of the late eighteenth century did democracy and representation form an alliance. Democrats argued that everyone had a stake in public life and thus a birthright that includes a voice in public affairs: "that all men are created equal, that they were endowed by their Creator with certain inalienable Rights", as stated in the Declaration of Independence, for example; we are all regarded as capable of participating in political life and are also entitled to do so.[4] Thus, democracy emerged into the modern world; through the available power-relations, as argued by Arendt:

[3] Democracy, as Pitkin admits, is a sufficiently complex and troublesome concept by itself. In this thesis, I will focus on the conceptual discussion of representation, and steer clear of an extensive conceptual discussion of democracy. Here, I will assume that Pitkin's definition, while broad, is sufficient. Says Pitkin: "Let us just say that by 'democracy' I mean popular self-government, what Abraham Lincoln spoke of - though John Wycliffe had used the expression some five centuries before - as 'government of the people, by the people, and for the people' (Lincoln 1980, 231). It is a matter of degree, an idea or ideal realized more or less well in various circumstances, conditions, and institutional arrangements" (Pitkin 2004, 337).

[4] "We hold these truths to be self-evident, that all men are created equal, that they were endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed", etc. (United States Declaration of Independence, 1776).

> But, since it emerged in large nation-states rather than small city-states, and since by then the practice of (undemocratic) representation was well-established, the alliance between them seemed obvious. Extend the suffrage, and democracy would be enabled by representation. Since, as John Selden put it, 'the room would not hold all', the people would rule themselves vicariously, through their representatives (Arendt 1972, 238).

Conservative opponents of the democratic movement used the by that time accepted (undemocratic) representation to stave off democratic impulses and controlling the lower classes. Rousseau was aware of the fact that this connection between representation and democracy was not as obvious as it was often presented:

> Rousseau spoke not in terms of 'democracy', which he regarded as merely a form of executive, but of freedom in a legitimate state. Still, what he said was quintessentially democratic: freedom requires the active, personal participation of all, assembled together, jointly deciding public policy. It is, therefore, incompatible with representation (Pitkin 2004, 339).

Pitkin agrees that in the centuries since Rousseau efforts to democratize the representative system have resulted only in representation supplanting democracy instead of serving it, with representatives acting not as agents of the people but simply instead of them (Pitkin 2004, 339). They operate within a certain professional political sphere that their constituents cannot access and thus feel they have little control or power over. Therefore, citizens feel alienated from what is done in their name and from those who do it; there is a significant gap between the citizens and their representatives, which Pitkin argues is undemocratic: "The arrangements we call 'representative democracy' have become a substitute for popular self-government, not its enactment. Calling them 'democracy' only adds insult to injury" (Pitkin 2004, 340). She quotes Arendt, who also stated that representation is oligarchic because the distinction between ruler and ruled has asserted itself again. In this, she follows Arendt, who argued that genuinely democratic representation is possible, but only if it is based on lively, participatory, concrete direct democracy at the local level (Arendt 1965). Based on this idea by Arendt, Pitkin provides a possible course of how democracy can be addressed:

> Participating actively in local political life, people learn the real meaning of citizenship. They discover that (some of) their personal troubles are widely shared, and how their apparently private concerns are in fact implicated in public policy and public issues. Thus they discover a possibility based neither on private, competitive selfishness nor on heroic self-sacrifice, since they collectively are the public that benefits, yet disagree on what is to be done. In shared deliberation with others, the citizens revise their own understanding of both their individual self-interest and the public interest, and both together (Pitkin 2004, 340).

This would allow people to responsibly wield direct local democracy that has the potential to underlie representative democracy at a higher level, such as the national level. An instance of such responsible local politics has been observed by Tocqueville in Jacksonian America (Tocqueville, 1969). Pitkin mentions that this kind of politics seemed possible in many regions in the 1960's, though its prospects are more bleak today for three reasons. First, the scope of public problems and private power; nowadays, people's concerns are often large scale, and the by-products and activities of huge undemocratic organizations: some of the important issues

people care about are far beyond their reach. Second is the age-old tension between wealth-power and people-power; the corrupting role of wealth in elections (especially evident in the U.S.). The third is about ideas and their shaping; deception, propaganda, and indoctrination have always played a part in political life, but they have become magnified in the current world of electronic media and indirect influence on the subconscious, such as through nudging, marketing, and other potentially autonomy-diminishing discoveries in behavioral psychology. "Watching television from infancy, people not only acquire misinformation; they become habituated to the role of spectator. The line between fantasy and reality blurs" (Pitkin 2004, 341). This renders the people passive, which insulates policymakers insulated from any reality check, who soon become captive of their own fictions. This is a negative and dangerous effect of the constitutive aspects of representation. While this leads Pitkin to admit that the future of democracy looks bleak, especially in the U.S., the democratic impulse has proved amazingly resilient in the past. There is hope yet, but it might take some work. The issues she has identified might be a good first step to approaching the issues of democracy and conceptualizing it beyond representation.

Pitkin uses Rousseau's critique as a starting point for a different argument, thus adding a historical dimension to his argument. However, it is important to note that Pitkin's critique seems to be aimed primarily at modern *practices* of representation rather than the relation between democracy and representation at the conceptual level.

Chapter conclusion

Rousseau, and later Pitkin, have raised a point of critique of representation that it is not democratic in the sense that it removes political power from the individual and places it in the hands of the representative. They locate the essential aspect of democracy in the people having deliberative power, that their will is expressed politically, rather than some derivative of it, such as through election of representatives who get to express their political will instead of the people's will (or, at best, their particular interpretation of the people's will). They argue that this is an essential flaw in representative systems, which can only be counteracted by placing the direct political power and responsibility back in the hands of the individuals. In the next chapter, I will discuss some objections to this critique as made by defenders of modern representation: the representative turn.

Chapter 2: In defence of representation: the representative turn

Critical opinions in the spirit of those put forward by Rousseau and Pitkin seem to be reaching a pinnacle as voter behavior seems more and more to signify apathy or powerlessness rather than accurate representation (low voting rates, party membership and loyalty, the rise of populism, alternative representatives and increased attention for global political issues). Voter behavior seems to indicate that the current system is unsatisfactory and insufficient to address their grievances. The question *if* something needs to change is relatively uncontested, but nobody seems to agree on *what* would have to change. Where Rousseau and Pitkin identify the culprit or cause to be an inherent aspect of the representative system, representation also has defenders that seek to restore the value of representation for democracy, and who claim that these modern challenges indicate that we need representation more than ever. A recent move by a number of contemporary authors, called the 'representative turn' by Sofia Näsström, proposes a different way of thinking about representation in order to save it from this multitude of looming dangers (Näsström 2011).

This chapter aims to reconstruct a number of important arguments in defence of representation. Their positions, as I shall argue, are based on different assumptions from Rousseau's, resulting in an apparent impasse between the two positions. I will identify and address this impasse by comparing the two positions closely in chapter 3.

David Plotke: A competing conception of representation

The representative turn started with David Plotke, who argued in favor of the significance of representation to democracy. Against critique of representation, Plotke argues that "Representation is not an unfortunate compromise between an ideal of direct democracy and messy modern realities. Representation is crucial in constituting democratic practices" (Plotke, 1997, 19). Plotke contests the idea that democratization involves simplicity and directness, as democratic movements often increase political complexity and thereby make it less direct, even if they succeed in making politics more directly accessible. Equating directness with democracy is inaccurate and often counterproductive, and while particular representative schemes may be unnecessarily complicated and deserve criticism, there is nothing democratic in principle about criticizing representation for being complex and abstract. In fact, Plotke claims that representation has a central positive role in democratic politics. He famously makes the claim that representation is not the opposite of participation but abstention is; the problems it faces can be addressed by including elements of participation in a reformed scheme of representation.

Against authors who argue in favor of a 'strong' democracy of neighborhood assemblies Plotke presents a number of practical arguments, such as attendance and platform of discussion, and that lack of unanimity will inevitably lead to either coercion, collapse, or back to representation.[5] Non-representative democracy is ruled out, and direct democracy is branded as an implausible, difficult, and undesirable goal (Plotke 1997, 27). Efforts to combine the two offer to mix a flawed reality with an implausible construct. Instead, it is more useful to develop new and improved

[5] For an extensive account on this theory of 'strong' democracy, see *Strong Democracy* by Benjamin Barber (Barber 1984).

representative practices. Besides the practical issues mentioned above, Plotke also raises a conceptual problem for direct democracy:

> 'Direct' democracy is not precluded by the scale of modern politics, but because of core features of democracy as such. This is true because democratic practices include sufficient autonomy for individuals to develop and sustain different preferences, including different preferences for political involvement, and because democratic forms include a commitment to reaching decisions. The image of a direct and simple democracy relies on a misconceived effort to substitute participation for representation. But representation is not an unfortunate compromise between an ideal of direct democracy and messy realities. It is crucial in constituting democratic practices (Plotke 1997, 27).

Plotke criticizes the use of the concept of representation by other authors, such as Pitkin, in that they lack the nuance of the 'present-making' aspect of representation, and instead seem to posit representation and presence as opposites. This present-making is achieved through communication between representative and represented:

> Political representation, like market forms of representation, authorizes agents to act, presumes a reliable report of aims, entails communication, produces decisions that are binding for the person represented, and is revocable. Political representation includes a substantial role for the judgment of the representative in choosing how to act as a responsible agent. The preferences of the person being represented are subject to interpretation - making them clear requires dialogue. And preferences other than those of the person represented need recognition, if only for strategic reasons (Plotke 1997, 29).

Participatory critics of representation such as Pitkin link representation with absence, and fail to acknowledge that representation is a relation in which both parties are active:

> To gain representation, I communicate preferences about how social relations should be ordered to someone else. My aim is to achieve those preferences, with the proviso that they might change in the course of communication about how to do so. (...) *I gain political representation when my authorized representative tries to achieve my political aims, subject to dialogue about those aims and the use of mutually acceptable procedures for gaining them* (Plotke 1997, 30, his emphasis).

While one may not be *physically* present through representation, Plotke argues that one is *politically* present through the representative relationship. The elements of representation help constitute a political person with a significant degree of autonomy; taking on a representative agent who is well-versed in making agreements expands my ability to make such agreements. If I represent my interests and abilities truthfully and accurately through my agent and communicate effectively with him during our relationship, this has a potentially democratic meaning. Crucial democratic features of representation emerge in the constant negotiation of the relation between representative and represented. In order to report a preference to a representative with any success I have to persuade my representative of how to act.

> Democratic politics is constituted partly through representation. Representation is constructive, producing knowledge, the capacity to share insights, and the ability to reach difficult agreements.

> It entails a capacity for recognizing social relations in order to consider changing them. It requires procedures for taking decisions, and there have to be ways of sustaining those decisions over time (Plotke 1997, 31-2).

Plotke thus argues that democratic politics have to be politics of and about representation. There are many types of representation, and Plotke favors interest representation, because it emphasizes the active and reflective elements of seeking representation. In interest representation citizens first clarify their own preferences, then select representatives who will try to produce suitable results.

He responds to Pitkin's conceptual analysis, arguing that her conception of representation implies the false dichotomy that representation involves a making present of something that is absent: "What disappears is any sense that representation is a *relation*, one in which both parties are active" (Plotke 1997, 29-30). Authors such as Pitkin overlook the fact that representation is a relation between two parties that mutually communicate: I gain representation when my representative tries to achieve my political aims, subject to a dialogue about how to achieve those aims:

> I may or may not be physically present when my representative engages in various activities, but in the political sense I am forcefully present throughout the representative process. This conception underlines the agency of both participants in the relationship, the strategic elements of their interaction, and the need for communication between them (Plotke 1997, 30).

Plotke is not interested in physical presence, he argues that representation does not entail that the representative's political presence means the people's political absence, as implied by the false dichotomy, but that representation entails a rendering politically present of people who would otherwise remain politically absent. The people are enabled to participate politically through representation. Plotke conceives of representation as something to be gained by the people rather than that political power is something to be gained by a politician. Their relation is constantly being negotiated. In this way, the representative relationship is constitutive of democratic politics. If one disagrees with the consequences of representative politics, this is the result of a failure in communication through the representative relationship.

Plotke's position entails a denial of the critiques raised in the previous chapter, based on a different conception of what representation is. In order to be able to give a fair comparison between the fundamentally different positions, I will look at expansions of Plotke's theory before comparing it to Rousseau and Pitkin's positions in the next chapter. So far, Plotke has only succeeded in sketching a position on representation opposite to Pitkin's.

Nadia Urbinati and Mark Warren: Approaching representative legitimacy

In "The concept of Representation in Contemporary Democratic Theory," Nadia Urbinati and Mark Warren continue Plotke's project of recasting representation in a contemporary light. A rethinking of representation is necessary because of the increased strain on the powers of political agents due to the ever-increasing complexity involved in modern representative

politics; "The standard account [of representation] has been stretched to the breaking point" (Urbinati & Warren 2008, 390).

Urbinati and Warren argue in favor of a deliberative conception of representation, and attempt to show that representation is the essential meaning of both ancient and modern forms of democracy; its essential function is to create a process of public discourse. Following Plotke, they challenge the idea that democracy entails immediacy of popular will. Instead, they argue that representation functions to translate the popular will with the detachment necessary to negotiate and deliberate about policy and governance in a constructive and informed manner. While Rousseau and Pitkin argue the historical distinction between representation and democracy, Urbinati and Warren claim the following:

> In modern discourse, however, the concept of political representation evolved beyond this distinction, becoming something more complex and promising than the Rousseauian distinction between the (democratic) will of the people and the (aristocratic) judgments of political elites. Developing along with the constitutionalization of state powers, representation came to indicate the complex set of relationships that result in activating the 'sovereign people' well beyond the formal act of electoral authorization (Urbinati & Warren 2008, 391).

Urbinati and Warren encourage us to see representation as an expression of the complexity of modern political relations rather than the cause of it. This constitutes a delicate balance between representatives and their constituents, in which representatives take the role of trustees in order to navigate the will of the people through the complexities of political reality. After Rousseau, they argue, there has been an increase in appreciation of the transformative potentials of representation, which involves the people thinking beyond their immediate attachments:

> Political representation can function to focus without permanently solidifying the sovereignty of the people, while transforming their presence from formally sanctioning (will) into political influence (political judgment). And importantly, political representation can confer on politics an idealizing dimension that can overcome the limits of territoriality and formal citizenship on political deliberation (Urbinati & Warren 208, 391-2).[6]

Urbinati and Warren argue in favor of a framework of representative legitimacy that addresses this critique by arguing that a representative claim can be justified when it is both authorized and accountable by those it claims to represent. This justifies a broad range of representative claims, extending the definition of representation beyond election, even making non-electoral forms of representation possible, which can play an important part in making our democracy more inclusive now and in the future. Representation can and should be adjusted to compensate for the flaws of the traditional account, such as problems surrounding territorial constituencies, that can be addressed through measures of quotas and reserved seats (although these come with

[6] Authors such as Schumpeter, however, have restated Rousseau's position that representation is aristocratic and democratic participation in political judgment is utopian. The contemporary citizen is also considered, in this view, to be passive except in the moment of vote (Schumpeter 1976).

costs to other dimensions of representation).[7] Representation is thus malleable, and can be reshaped in order to address the specific problems it faces.

One of the most important reasons for rethinking representation is the increasing emphasis on deliberation within democracy. Representation, whether it has been electorally constituted or otherwise, forms relationships of judgment that enable democracy. "Intrinsic to these processes of judgment is what Urbinati (2006) calls indirectness in politics - the representation of citizen's judgments to them by their representative and vice versa - through which the demos reflects on itself and judges its laws, institutions, and leaders" (Urbinati & Warren 2008, 401).[8] This reflexive relationship between individual judgment and representative serves to unify citizens and transcend their immediate personal interests to a broader political judgment.

> In short, we should think of representative democracy not as a pragmatic alternative to something we modern citizens can no longer have, namely direct democracy, but as an intrinsically modern way of intertwining participation, political judgment, and the constitution of demoi capable of self-rule. Understood in this way, elections are not an alternative to deliberation and participation, but rather structure and constitute both. Elections are not a discrete series of instants in which the sovereign will is authorized, but rather continuums of influence and power created and recreated by moments in which citizens can use the vote to select and judge representatives (Urbinati & Warren 2008, 402).

This does not mean that representation is without its flaws, however, and Urbinati and Warren recognize that there are many limitations of electoral constituencies. Because of these functional limitations, democratic representative practices increasingly extend beyond election, with groups that self-authorize, such as advocacy organizations and civil society groups, and through citizen representatives in the form of panels, polls, and deliberative forums. It is this extension of electoral representation that can save representation from its critics. They do admit that this move "risks looking like an ideological refurbishment, functional to the new legitimation strategies of political elites" (Urbinati & Warren 2008, 407), as it does not ensure that citizens' opinions influence legislation and policy making, as only the political elite has both deliberative and decision-making power. They believe this is warranted:

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[7] Such problems include the arbitrariness of state borders, underrepresentation of minorities, self-perpetuating elite hierarchies, etc.

[8] Urbinati provides an extensive research into the point of representative justification by rethinking the immediacy of will and the concept of sovereignty in her book *Representative Democracy: Principles and Genealogy*, which she refers to here. It is entirely possible that the key to the arguments presented here, and hence to a refutation of Rousseau's critique can be found in this book. However, such a project extends well beyond the scope of this thesis; even giving an understandable and comprehensive account of her arguments would likely take a book in itself. Without doing so, I have no means of evaluating the strength or even the contents of the full extent of her arguments. In this thesis, I limit myself to what Urbinati & Warren say to support this argument in this specific paper and evaluate them based largely on this paper alone, fully aware that the key to their argument potentially lies somewhere beyond. Besides being limited by brevity and ability, I believe the arguments in this paper should hold up on their own, since they make substantive claims and do not merely defer to her book. However, I am aware and accept that this can be perceived as a potential weakness in my discussion of Urbinati & Warren in this chapter and the next.

> Given the complex and evolving landscape of democracy, however, neither the standard model of representation nor the participatory ideal can encompass the democratic ideal of inclusion of all affected by collective decisions. To move closer to this ideal, we shall need complex forms of representation - electoral representation and its various territorially based cousins, self-authorized representation, and new forms of representation that are capable of representing latent interests, transnational issues, broad values, and discursive positions (Urbinati & Warren 2008, 407).

Urbinati and Warren argue with Plotke that representation can be salvaged through extension, and this is necessary because the standard model of representation has clearly been shown to be insufficient and the 'participatory ideal' is both insufficiently convincing and unrealistic.

This does not conceptually vindicate representation from Rousseau's fundamental critique: it has not established that this 'democratic ideal of inclusion of all affected by collective decisions' can only be approached by a system of representation. Urbinati & Warren claim that representative systems are required in order to transfer deliberation and judgment from the people to their representatives and thus put democracy into practice. Rather than placing deliberative power in the hands of the people, deliberative power is placed in the hands of the representative, and the people gain power in the electoral process. Urbinati & Warren have not established that this is a fair trade-off and sufficient to essentially establish democratic practices. Their theory legitimizes political elites without providing a comprehensive account of why this is essentially justified democratically: their justification does not exclude other possible ways of institutionally approaching democracy, hence they have not established that representation is essential to democracy. As long as they do not do so, there are no strictly democratic grounds for maintaining this political elite. If they were to show that a political elite is essential to democracy, this would seem to imply that democratic practices are inherently aristocratic. In order to deny this, one must either prove that representation is not elitist, that this elitism is unproblematic, or that representation is not essential to democracy. I remain unconvinced by Plotke and Urbinati & Warren's attempt at the first. The second approach is taken by Frank Ankersmit in the following section. As these two options fail, the third remains, which is the central claim of my thesis.

Frank Ankersmit: Historic aestheticism, the representative artist

Frank Ankersmit argues like Urbinati and Warren above that the distance between representatives and represented is essential to democratic functioning, and hence is not be diminished, but to be maintained (or perhaps even increased). The modern idea that politics should be maximally democratized, he argues, is misguided and will lead to ruin. He arrives at this conclusion through investigating the nature of representative democracy from a historical point of view.

The historicist conception of political systems involves the idea that each system has an original problem to which it was a solution, with which it thus has a special affinity. To understand a political system, we need to understand the specific problem that it responds to. It determines the 'political psychology' of the system. Parliamentary representative democracy was the best way to prevent civil war by striving for compromise rather than consensus, for behavioral

cooperation instead of ideological agreement (Ankersmit 2002, 27). The shift from ideology to behavior allowed people with different opinions to coexist where they would have guillotined each other only years before, a 'principled unprincipledness'. This requires a historical knowledge from the politicians, and a "capacity to transcend (existing) political strife, to see oneself from the outside, as it were, and the willingness to muster an adequate degree of impartiality" (Ankersmit 2002, 28). Theorists in favor of this type of *juste milieu* politics were also good historians, whose long-term vision is currently absent from the debate: "We have allowed political debate to become estranged from any long-term vision and to become entangled in bureaucratic technicalities" (Ankersmit 2002, 28).

Democracy is a product of the Enlightenment, but we owe to the Restoration and *juste milieu* politics "the capacity to achieve a minimum degree of peaceful coexistence in a society in which opinions are deeply divided on political principles, and even to use these divisions to the advantage of all parties" (Ankersmit 2002, 28).

Ankersmit develops the idea that representation is about substitution, a making present of what is absent rather than mere resemblance. He takes this idea from aesthetic theory and applies it to politics. According to resemblance theory, the opinions of representatives should be the same as the electorate's. Substitution, however, holds that the representative owes you his judgment in addition to his industry: "he betrays, instead of serving you, if he sacrifices it to your opinion" (Ankersmit 2002, 34):

> Just as the work of art has its autonomy with respect to what it represents, so has the representative in Parliament an independence or autonomy with regard to the voters who sent him to Westminster (Ankersmit 2002, 34).

Adherents to resemblance theory wrongly believe that each difference between electorate and representatives is an instance of misrepresentation: they do not understand aesthetic representation and that "those gaps in representation that are natural. A politically naïve electorate cannot distinguish between misrepresentation and the natural gaps, and an indifferent electorate will not see distortion or misrepresentation at all. A politically mature electorate will know how to find the *juste milieu*" (Ankersmit 2002, 35).

In some cases direct or plebiscitary democracy might be useful locally, but it is only through representation that we can put matters into wider contexts, and thereby reconcile seemingly irreconcilable positions (Ankersmit 2002, 36). The representative is an artist whose success is decided largely by his creative ability. Ankersmit thus allocates an important creative role to the representative. This does risk representatives painting appealing creative representations that have little to do with reality, just so the people are enticed or scared into supporting them. Ankersmit argues that we can only adequately interpret them from an aesthetic distance, as one does with a painting. Politicians should thus attempt to transcend the fragmentation of political reality. When a population is divided into a group that is represented and a group representing them, the power resides in the representation that both divides and unites them, it belongs to neither of them but instead exists somewhere between them. In a representative democracy, legitimate political power is essentially aesthetic (Ankersmit 2002, 37). In order to deal with

current problems, Ankersmit argues, we are best off maintaining the aesthetic gap between representative and represented, so that constructive long-term vision can be applied to politics.

Ankersmit seems less worried than Urbinati & Warren of presenting representation as an elitist project; in fact, representatives can only function properly when their distance from the represented, the representative gap, is maintained. This means that representatives have a large responsibility in presenting political reality as well as acting within it, and the people are mostly limited to the role of spectator.

Chapter conclusion

In summary, the reasoning behind the representative turn is that democracy is not equal to popular will, which allows for representation to be absolved from the task of representing popular will. Instead, proponents of the representative turn argue, representation is about the manifestation of a 'public reason', which has the benefits of being self-critical by inviting the discussion on the substance and form of democracy itself. "Furthermore, the emphasis it puts on deliberation makes us attentive to how the public discussion in society is mediated and carried out. The key question is no longer 'what is the will of the people?', but 'how does political will come into being?' A third advantage is that it helps to detect new political problems and tendencies in the present" (Näsström 2011, 503). This allows for a position such as Ankersmit's, where the role of the citizen is more one of monitoring the process rather than exerting direct active influence on it. Thus, the discussion focuses on political judgment rather than will.

While it is obviously important to address these questions regarding the formation of political will and democracy, making this meta-discussion the focal point of the debate on representation invites the obvious critique that it bypasses the political will of the people, which seems like an odd turn to take in democratic theory. The aesthetic idea of Ankersmit which argues that democratic politics is more about the 'eyes' of the people rather than its will allocates a passive role to the citizens in a democracy.[9]

The most significant benefit of representation as defended by the authors in this chapter is that they emphasize the inherent flexibility of the concept of representation. Plotke and Urbinati & Warren argued that the representative relationship is a reflexive relationship, which can be altered in many ways according to changes in practices and interests, even going so far as creating entirely new forms of representation to fill in the gaps where electoral systems fail. In Ankersmit this is done mostly by the representative, but is still similar; images of political reality are constantly being made and remade according to what the times demand, and are accepted based on people's preferences. Thus, representation is not static, but can adapt to modern circumstances and the problems it now faces.

[9] This theory is extensively developed by Jeffrey Green in his book *The Eyes of the People: Democracy in an Age of Spectatorship*. Green argues that the spectator's gaze has become the locus of popular sovereignty, as large-scale participatory democracy and even attempts at making people's voices heard have little to do with contemporary reality. He attempts to redefine democracy in an attempt at justifying modern passivity and the reality for most people that the full extent of their political involvement is that they are being ruled (Green 2010).

The problem with the arguments in favor of the representative turn is that it remains unclear how they are supposed to address the critique by Rousseau. They emphasize the malleability of representation, and while this might underlie the idea that representation can rise to the challenge of modern political reality, it largely avoids the question of justification that was posed by Rousseau: how is representation democratically justified, especially when it bars active direct influence from its citizens? To address it, I will have to present a closer look at the justification for both positions, and where exactly they clash.

Chapter 3: Comparing the two positions

The purpose of this chapter is to see whether the defences of representation apply to the fundamental critique, by evaluating their arguments. In the previous chapter I have provided a number of different arguments in favor of the representative turn, according to which representation is resistant to the critique it faces when conceived of correctly. The authors discussed in the previous chapter seem to dismiss the fundamental critique as a matter of course, and are more concerned with modern practical problems rather than the more fundamental theoretical question of fundamentally justifying representation. The possibility of these problems being symptomatic of a conceptual flaw of representation makes it pertinent for them to take the fundamental critique more seriously and formulate an answer to it.

As Rousseau's critique is not addressed as such, but rather contrasted with their own conceptual claim of representation and democracy, comparing the two positions involves interpreting the assumptions between both positions. The purpose of this chapter is to investigate the specific points of friction between the positions discussed in the previous two chapters, and argue that Rousseau's critique still applies. In the fourth chapter I will discuss attempts at overcoming this friction through a more fundamental reconception of representation.

Because of their differences in assumption that they do not explicitly address, drawing a comparison between the two positions is not straightforward and involve interpretative moves on my part that might not do complete justice to the true intentions of the authors. That being said, I will do my best to provide evidence and opacity to any such interpretative flaws that might arise, so that my position might be easily refuted if I were to make any interpretative mistakes. My project is still useful, I argue, because if nothing else, it appeals to the representative turn to provide a (more) clear and fundamental justification for their position, which is currently missing from the debate. My project is not to provide rampant skepticism, but to investigate the very democratic foundations of a representative system that is so widespread that it is difficult to think outside of it.

Plotke vs. Pitkin: Uncertain terms

I will start off by taking a look at David Plotke's theory. His conceptual argument is directed at Pitkin's interpretation of representation from 1967. Plotke argues that representation is not so much about a rendering present of that which is absent, as was part of Pitkin's conceptual analysis, but about the representative relationship through which a population gains representation, that is to say, a political executive, an agent to act on their behalf and in their interests politically.

The conceptual point of Plotke's critique of Pitkin revolves around his claim of there being a false dichotomy between representation and participation. By claiming that participation is the opposite of and therefore cannot substitute representation, Pitkin overlooks the fact that the representative relationship *enables* people to participate by rendering them *politically* present, rather than *impeding* them from participation because they are *physically* absent. Representative and represented mutually communicate through this representative relationship

by which political presence is established, and if democracy is about political presence of the people, representation is thus constitutive of democracy.

What Plotke meant with the false dichotomy between representation and participation is the following. While critics state that representation is the opposite of participation, Plotke argues that the opposite of representation is exclusion. The opposite of participation is abstention. This implies that not only does representation involve inclusion, but that it can also involve participation, which is the opposite of abstention. Hence, he characterizes representation both as essentially inclusive and potentially participatory, against the claim that representation in fact impedes participatory politics.

While Pitkin argues that something democratically significant is lost through representation (physical presence), Plotke argues that something more democratically significant is gained through representation: a people's political presence. According to Plotke, then, this political presence is constitutive of democracy and allows it to function as such, as physical presence is not desirable and impossible to attain anyway. Such directness will not lead to increased democracy because of the complexity involved, equating directness with democracy is unrealistic.

A basis for refuting Plotke's argument can be found in Pitkin's article, in what is implied in the physical presence that Pitkin emphasizes. In it, she does not overlook the function of the representative relation, as she does not deny the function of political presence that representation offers. She is, however, critical of how it substitutes physical representation with political representation; something essential is lost when this takes place: the citizens' ability to participate in meaningful political deliberation. Pitkin is aware of the potential positive aspects of representation, but emphasizes the very real negative aspects that she identifies in current representative systems. These negative consequences of representation are *enhanced* (but not created) by it being currently insufficiently participatory, as Pitkin argues has developed historically.

Pitkin seems unconcerned with whether or not representation involves a relation between representative and represented and its value, but instead focuses on the relation between representation and democracy as has manifested itself historically, focusing on the abuse of power this has involved. Under the assumptions of representation (such as Plotke's), Pitkin argues, it has become a substitute for popular self-government rather than its enactment. This leads Pitkin to doubt the traditional account that Plotke has tried to enhance. While Plotke attempts a point of view that vindicates representation, it is unable to avoid Pitkin's critique. Pitkin signals flaws of current and historical representative practices, and argues that these stand in the way of calling these representative practices democratic. She emphasizes the disjunction between placing a representative in power and placing power in the hands of the people, therefore underlining Rousseau's conclusion that representative democracy is paradoxical, although for different specific reasons. In defense of representation, Plotke

emphasized the constructive component of the representative relationship. He posits an alternative view to representation, but it does not address the fundamental critique.

While Plotke's theory does not apply to the general gist of Pitkin's argument, it does apply to the conceptual analysis of representation which is her starting point. In an attempt to capture a definition of representation in its diversity, Pitkin writes:

> The concept [of representation] does have a central core of meaning: that somebody or something not literally present is nevertheless present in some non-literal sense. But that is not much help [in providing a clear definition of representation]. First, the core itself contains an inescapable paradox: not present yet somehow present. And, second, the definition [of representation] is too broadly vague to help in sorting out the many particular senses, often with incompatible implications or assumptions, that the word has developed over centuries of use (Pitkin 2004, 336).

The first, the paradox, Plotke addresses by juxtaposing an interpretation of the concept of representation that places more emphasis on what representation renders present rather than what it renders absent, claiming that it in fact does not render anything absent by itself, but that it renders present something which would otherwise have remained absent anyway. Of course, this is difficult to prove. We cannot conclusively say whether representation renders present more than it renders absent, and whether this calculation should be made at all.

The second point, on the concept of representation's vagueness, Plotke addresses with the idea that this is the result of its inherent flexibility and adaptability. It is, Plotke argues, a significant strength of representation that it is adaptive to the reality of political complexities. Plotke thus might not see it as a conceptual weakness that representation is lacking a clear definition and might contain incompatibilities, as this leaves much open to reflexive discussion through the representative relationship between representative and represented. This makes it an inherent feature of the representative relationship that the very nature of the relationship is open for discussion as well. Theoretically, this is quite an inventive solution, as it defines representation as inherently capable of overcoming any difficulties regarding representation itself. This expresses a faith in the reflexive qualities of representation that Plotke does not specifically address, and is the aim of Pitkin's critique.

This leaves the discussion at an impasse, where it is a matter of preference whether one prefers to see the present-making aspects of representation in a positive or negative light, and whether one believes that representation should have a specific definition or that it is a concept that constantly reevaluates itself as the political reality that it is tied to changes.

Plotke's theory is based on the assumption that only representation can make democracy possible. However, he provides no evidence for this. Pitkin is critical of this assumption: "it is profoundly misleading, in ways that remain hidden if one treats it as an axiom and asks only technical rather than fundamental questions" (Pitkin 2004, 336). Pitkin questions something that remains largely unquestioned in the literature about representation in favor of technical or practical objections. While there is nothing inherently wrong with Plotke's theory as it presents a

different perspective from Pitkin's, it does not address the fundamental aspect of justification that I argue is the more important and philosophically interesting aspect of the discussion of representation; the question of what supposedly essentially ties the concept of democracy to representation. I conclude, then, that while Plotke posits an important starting point for the representative turn and a potential position opposite to Pitkin's theory, for all the admitted (potential) benefits of representation, there is no reason provided so far to accept his assumption and believe it is the only way in which democracy can manifest itself. Therefore, fundamental critical questions can be instrumental to thinking of more effective ways to address the very real problems that current representative systems now face, and make the discussion more focused. As evidenced by this discussion on Plotke and Pitkin, they fail to address each other on their central issues, and therefore largely talk past one another.

Urbinati and Warren's justification of the representative claim

Urbinati and Warren seem to be more aware of the points of friction surrounding the fundamental critique, and attempt to address them through being more specific about how representation is supposed to be essential to democracy. They thus continue Plotke's project by attempting to provide representation with the necessary justification. They address Rousseau's argument of sovereignty directly, and argue, like Pitkin, that both concepts in his distinction between democracy and representation have different historical roots. However, they diverge from Pitkin in that they do not see the historical concept of representation (such as Rousseau's) as a useful conception of representation, as it has since that time developed into something different.

> In modern discourse, however, the concept of political representation evolved beyond this distinction, becoming something more complex and promising than the Rousseauian distinction between the (democratic) will of the people and the (aristocratic) judgments of political elites (Urbinati & Warren 2008, 391).

Instead, "representation came to indicate the complex set of relationships that result in activating the 'sovereign people' well beyond the formal act of electoral authorization" (Urbinati & Warren 2008, 391). The historical development of the political process has grown into something which we now call 'representation'. Their claim is not only that modern representation is an evolved version of historical representation: it has grown into something else entirely, something that encompasses the complexity of political relationships. They turn Pitkin's argument around by stating that representation is an expression of the complexity of modern political relations rather than the cause of it. This adds a justification that Plotke's theory lacks: if they were to prove that representation has, over time, changed so substantially that Rousseau's theory no longer applies, this could underlie their (and Plotke's) claim that representation is essential to democracy.

The historical growth of the political process has evolved into something which we now call 'representation', which warrants a use of the concept of representation that is more pragmatic and focused on its benefits than the traditional historical account; the 'transformative potentials' that Urbinati and Warren mention. "Rousseau's formulations, however, failed to shed light on

these transformative potentials of political representation" (Urbinati & Warren 2008, 392). With this focus, however, they overlook the fundamental discussion which was the basis for Rousseau's argument. The question is whether they are justified in doing so or if in skimming over it it leaves them open to his critique. Modern usage of the word indicates something different from and more complex than in Rousseau's theory. It could be argued that it has evolved so much since Rousseau's time that the old conceptions and therefore the critique thereof no longer fully apply to it. However, this claim is unlikely as we are still perfectly able to understand Rousseau's critique, and it is unsupported as they do not specify what this conceptual development consists in.

It seems the discussion has reached an impasse, whether one conceives of representation as the cause or the effect of political complexity is not a matter that can be resolved at a theoretical level. Pitkin, with Rousseau, claims that representation has wrongfully hijacked democracy, as if it has a monopoly on it, and argues that democratization will have to involve thinking beyond representation, while Plotke, with Urbinati & Warren, argues that democracy has naturally developed into a representative system due to the complexities involved, and so-called democratization would involve increasing this complexity to the point where political decision making would grind to a halt. Instead, they take representation as a given that provides the means to its own reform rather than an obstacle to democratic political institutions.

Ankersmit, too, presents his theory based on a specific historical interpretation of what representation is, which provides an assumption that is favorable of representation, but does not develop how this is democratically justified. He argues that representation originally was (and still is) a way of overcoming political differences of opinion in a more constructive way, which allows political elites the responsibility to present their long-term vision to the political reality that they themselves shape, and subsequently present this reality to their electorate, from an appropriate aesthetic distance.

However, as was Pitkin's critique, this severs the ties these representatives have with reality, they are free to create an image of the world that serves the representative's interests, is appealing to those who he is supposed to represent, but does not have to portray reality accurately or even address the issues that are identified. Citizens who are reduced to passive spectators are, in Rousseau's definition, no longer citizens. Moreover, Ankersmit bases his assumption favoring representation based on the historical fact that it allowed people to overcome their political differences, but by no means provides sufficient reason as to why this is an enactment of democracy rather than aristocracy, especially since it allocates such a minor role to the people as aesthetic viewers.

The historical question of where the truth of the development of representation lies is unlikely definitively answerable in one way or another; there is something to say for both positions. This question is one for a historian to answer, and frankly not the most interesting question we can ask on the subject. The more pertinent and philosophically interesting question is the conceptual question of how representation relates to democracy.

The authors discussed here derive from their specific historical interpretations of the concept whether 'representation' denotes a specific circumscribed historical political structure, a relationship between two people, or a fluid concept of family resemblance. Which aspects of this concept one takes as a focal point seems to influence the conclusion they draw from it. Where Pitkin focuses on the absence that representation implies by interpreting it as a concept that exists in the spectrum between presence and absence (derived from the historical roots of representation), Plotke argues that Pitkin's idea does not make sense when we focus instead on the representative relationship (by looking at the function of modern representative practice). Likewise, Urbinati & Warren claim that Rousseau employs a use of the term representation as it was in the middle ages, which, while it can be easily contrasted with ancient Greek democracy, is no longer relevant, as it has since developed into something more comprehensive. Urbinati & Warren argue that the relationship between representation and democracy is closely tied, so much so that it cannot be disengaged. This is taken to a more extreme level by Ankersmit, who argues that the representative gap is in fact essential to a functioning democracy.

The problem with the authors discussed is that they arrive at their conclusions by taking representation at face value. The value of current representational practices is one of their assumptions, which is exactly what the critics question. The force of Rousseau's argument lies in its strong theoretical democratic basis, which could be directly addressed by a like fundamental position of the opposite party. As they do not provide this directly by addressing the fundamental critique, I will have to do some digging to reveal their underlying assumptions.

Urbinati & Warren argue that a representative claim can be justified when it is both authorized and accountable by those it claims to represent, and we should do so because of the transformative potentials of representation; it provides long-term political dimensions to the immediate interests of the people, and creates a process of public discourse that is directed to the more functional compromise rather than consensus. Representation has developed into a systematic method for translating the will of the people into political judgment. In doing so, Urbinati & Warren argue that the 'sovereignty' of the people is best expressed; it can only result in political deliberation if it is 'translated' by a representative process. However, as I have established, this goes directly against Rousseau's claim that the people's sovereignty cannot be represented.

While Urbinati & Warren claim to address Rousseau's concept of sovereignty, their use of the term implies that they have not understood the central features of the concept (or that they have substituted their own). Rousseau explicitly states multiple times that his conception of sovereignty precludes it being represented, Urbinati & Warren even quote Rousseau saying this, yet at the same time claim that "Political representation can function to focus without permanently solidifying the sovereignty of the people, while transforming their presence from formally sanctioning (will) into political influence (political judgment)" (Urbinati & Warren 2008, 392). As Rousseau explicitly rejects the conceptual possibility of representing sovereignty, either Urbinati & Warren use a different concept of sovereignty which they have not specified, or they have failed to grasp the conceptual point Rousseau tried to make. This might prove a problem for their purported rebuttal of the critique. As per their conclusion, they believe that

complex forms of representation are not only allowed, but also required if representative democracy is to encompass the ideal of inclusion of all affected by collective decisions. For all their nuance, though, they are unwilling to take seriously the idea that representation itself is flawed.

Chapter conclusion

Urbinati & Warren give a largely descriptive account of the development of representation and critique since Rousseau without truly addressing his critique other than by stating that representation has since increased in complexity, which is supposed to justify the turn it has taken over the centuries since Rousseau. This is supposed to substitute the fundamental point of sovereignty that Rousseau tried to make, even though he was very explicit of its being unsubstitutable. Hence, I argue that Urbinati & Warren in their paper insufficiently address Rousseau's theory and specifically his concept of sovereignty and the critique that follows from it. In order to refute his critique, they would have had to provide a more comprehensive account of either how this sovereignty is maintained, or what is supposed to substitute it (and how Rousseau was wrong in his idea that it is unsubstitutable).

Those defending representation must be able to provide a strong basis for refuting the fundamental critique that allows them to dismiss it, and even go as far as defending the representative gap, as Ankersmit does. In light of fundamental critique one can question how big a part functional issues are supposed to play in this discussion. To what extent should the 'transformative potentials' be the central aim of a democratic political system, if it can be argued to be detrimental to the very democratic properties of that system?

To provide an answer as to which of the two theories is more plausible, I will need to take a closer look at specific arguments of how representation is justified. In the traditional account, representation is given democratic credence based on the electoral process. However, the traditional account fails in part because of problems surrounding this electoral process. In the next chapter, I will look at a proposed justification for representation that looks beyond the electoral process and extends it to non-electoral forms of justification. An important aspect of this concerns the shaping of interests, and the role that representatives play in it. Non-electoral representation, together with constructivism, are two of the most important aspects of the representative turn in which traditional representation can be complemented in order to adapt to the modern problems it now faces. I will explore and evaluate if these purported improvements succeed in addressing Rousseau's democratic demands. A significant point that Ankersmit point out, and is yet to be addressed, is the idea that the representative plays a significant constructive role in creating the political reality. This is a potential means of providing a basis for the representative turn which is resistant to Rousseau's fundamental critique and the subject of the next chapter.

Chapter 4: Representative constructivism: an interest-based approach

Traditionally, representative power is transformed through an electoral process where individual citizens can choose whoever they feel will best express their interests politically. This means that citizens do not have to be constantly involved in politics and learn the complexities and information involved in it. One can conceive of it as a political social contract; the people forego their direct political influence in exchange for a freedom from discussing politics all day. It makes the political process responsive to the will of the people and spreads it evenly among them through the system of 'one person, one vote'. The democratic claim of the traditional view of representation is that election allows the people to find a suitable candidate to represent them and their interests in political matters (and, if they fail to do so, have the opportunity to run for office themselves). Electoral representatives derive their power in a quantifiable way from the number of votes they receive, signifying the proportion of the people they currently represent. The representative is subsequently rewarded or punished for her actions come next electoral cycle. If she does poorly or a more suitable candidate appears, votes will shift away from her to someone else. If she does well, she is likely to accumulate more votes. This process is democratic as every individual has an equally distributed means of expressing their political and/or personal interests. However, as already established, the traditional account of representation runs into significant problems. Proponents of the representative turn have argued in favor of rethinking representation to make it more inclusive by overcoming the boundaries posed by the traditional account, in order to address the question of the democratic justification of representation. Two significant aspects of this rethinking of representation are extending it to include non-electoral forms of representation, and the idea that representation is in some way essentially constitutive of democracy. In this chapter, I will discuss both of these aspects in turn.

Laura Montanaro: A case for non-electoral representation

In order to address the problems of the traditional account of representation, some authors, such as Urbinati & Warren, suggest extending the concept of representation beyond election.[10] Such a theory is provided by Laura Montanaro, who argues in favor of a democratic justification of representation based on what she calls the 'affected interests standard.' In brief, her theory entails that rather than using the arbitrary criterium of geographical location to identify electoral constituencies, we should focus on who is affected by collective decisions. Taking this norm as the basis of democratic justification has the benefit of making representation more inclusive, and by legitimizing non-electoral forms of representation: "Self-appointed representatives can form democratically legitimate constituencies, when the affected are empowered to authorize and hold accountable the self-appointed representative" (Montanaro, 2012, 1095). Applying this norm makes representation potentially more inclusive: "Self-appointed representation can fill in democratic deficits common in electoral

[10] For example, Urbinati & Warren mention that the stability of elected representatives means that it is slow to respond to emerging or marginalized constituencies, new information, and emerging agendas due to its partisan qualities. These features "fit poorly with the norms of citizenship evolving in the developed democracies, (…) the globalization of democratic norms and expectations simply does not fit with any electorally based constituencies at all" (Urbinati & Warren 2008, 402-3).

representation, either because of the design of electoral systems, or because electoral representation does not reach democratically relevant interests at all" (Montanaro 2012, 1098).

Besides the fact that self-appointed representation avoids certain problems with electoral constituencies, it has a constitutive power: they call forth authorizing and affected constituencies (Montanaro 2012, 1099). It potentially empowers groups affected by collective decisions to unify in their identity as affected, authorize their representative to act, gain a means of holding the representative accountable, and thereby are empowered to address the issues they are faced with. Hence, Montanaro argues, justifying representation based on the affected interests standard makes representation more inclusive, and thereby more democratic. However, while this makes representation more inclusive in one respect, it involves it being exclusive on another level: certain people are considered to be affected and thus are involved in the process, others are considered uninvolved and hence excluded. Besides the fact that it is difficult to define when one has an interest and to what extent, it remains unclear from whence comes the authority to define it, and decide on what people's interests are. The advantage to territorial constituencies is that it spreads political power in an egalitarian way among those who are included, even though they are included arbitrarily (that is, geographically). While self-appointed representation succeeds in being less arbitrary about who is included, it has to be arbitrary about how the power is spread. It creates an unlevel playing field by definition, because it will have to clearly differentiate between if or to what extent people are affected. Moreover, it is unclear how this constitutes an interest: it is by no means obvious who is affected indirectly or directly by even relatively simple policies.

It remains questionable whether the affected interests standard is a sufficient measure for achieving democratic legitimacy. While Montanaro successfully argues that it can potentially render representation more inclusive, it remains unclear why it is thereby democratically legitimate, and therefore how it is supposed to supplement the democratic value of representational practices in general. Self-appointed representation is still a form of representation that is insufficiently different from electoral representation to avoid the fundamental critique by Rousseau; even when people are represented by self-appointed representatives based on the affected interests standard, it still involves a destruction of sovereignty in Rousseau's conception.

However, Montanaro's theory does raise an interesting idea on the constitutive role that representatives have when it comes to people's interests, and herein lies a potential answer to Rousseau. This constructivism is an important part of the representative turn, and, I argue, the strongest possible rebuttal to Rousseau's fundamental critique. The constructivist claim is that representation does not merely involve a 'making present', but in fact creates that which is represented. Not in the sense that the people need to be presented with a picture of political reality, or because they need a representative to transform their opinions beyond their immediate interests, but because it is through this representative relation that people essentially shape their political interests. If a case can be made for this, if it could be shown that representation is in fact essential not just in expressing what is being represented but also in creating it, this might undermine Rousseau and Pitkin's claim that democracy and

representation can be separated. This is one of the strongest potential arguments against the fundamental critique by Rousseau that I found in the current literature. It could underlie and thus vindicate Plotke and the representative turn's claim that representation is essentially tied to democracy. A theory attempting to create such a basis is argued by Clarissa Hayward. While many of the authors of the representative turn merely allude to this idea of representation being essential or constitutive, Clarissa Hayward provides an extensive argument of how it does this and why it is democratically legitimate.

Clarissa Hayward: Representative constructivism

In her paper "Making interest: on representation and democratic legitimacy, Clarissa Hayward provides a substantial case for the role representative systems have in making people's interests. Because of this role, Hayward argues, democratic legitimacy depends on these systems shaping political interests in democracy-promoting ways.

Hayward states that the 'conventional view' on the democratic legitimacy of representation hinges on the extent to which all can participate directly in norm-making so that representatives are enabled and motivated to track the interests of the represented. However, she claims that this is not the only way of understanding the link between representation and democratic legitimacy, and that there are some problems with what she calls the conventional view, based on the idea that the purpose of representation is merely to track interests.

In doing so, she joins authors like Plotke who argued that "it is not the case that representation is a second-best alternative to direct, participatory democracy: an unfortunate necessity that follows from the complexities of modern political life" (Hayward 2009, 111). She focuses on the role that interests play in representation and specifically the interplay that governments have with them. As their role is more than to merely track them, but also to help shape and reshape them, it requires more than a making present of the interests of all; legitimacy requires a shaping of political interests in democracy-promoting ways.

Structural inequalities pose a problem for the conventional normative view of representation, because those disadvantaged often cannot authorize representatives and/or hold them to account due to their hierarchical structure. "Political representation will ensure only that government tracks the interests of those who occupy privileged positions in extant hierarchies, rather than the interests of all who are governed by the norms representatives make" (Hayward 2009, 113). When the disadvantaged cannot constrain representatives to act for them, but instead they only act on behalf of the dominant groups in society, representative institutions fail the test of democratic legitimacy.

An intuitive approach to this problem is descriptive representation: the idea that disadvantaged people should be represented by disadvantaged people, enforced through quota, for example. There are two reasons why descriptive representation might be endorsed.
1. Such representatives will act in their own interests, which is beneficial to those with similar interests: they too will be governed by the laws that they themselves make. As interests vary systematically with position in social hierarchies, then the interests of the disadvantaged are

best represented by political elites who share their positionality.
2. Such representatives will have similar experiences and perspectives as their constituents, which allows them to find shared or common interests in deliberative processes. Dominant groups only have a partial view of the public good. Moreover, representatives are autonomous between elections, hence one might want people in deliberative fora with relevant experiences and perspectives of the disadvantaged.

The aforementioned sets of reasons correspond with two approaches to theorizing democratic politics; aggregative and deliberative democracy. In the aggregative view, interests are relatively stable across political interactions. "Democratic politics is a matter of fairly aggregating conflicting particular interests, in order to arrive at a collective choice that is legitimate, because it is responsive - and equally so - to all whom it affects" (Hayward 2009, 118-9). This is insufficient, because proportional representation would mean that the disadvantaged remain the minority.

Hence the deliberative model, which assumes the fluidity of interests, that people's perceptions of what is good for them can change, and also that while they often pursue their particular interests, they can also be motivated to pursue common or collective interests. Democratic politics, then, is not about aggregating interests, but also a matter of encouraging open, inclusive, and egalitarian forms of rational argumentation, with a view to discovering shared or common interests. "Representation promotes legitimacy in government, not by tracking *any* interests, but by tracking people's post-deliberative interests, or their interests as they (would) understand them after subjecting them to free, equal, and public rational argumentation" (Hayward 2009, 120). It enables the disadvantaged to persuade the more privileged to reconceptualize their political interests and/or sacrifice their particular interests for the common good. The problem with this is that in practice, the privileged often use it to maintain their privilege.

Both approaches provide important insights about the role that interests play in democratic politics; that political agents are likely to act in their particular interests. Aggregative theorists are right in that interests are important motivators of political action, deliberative theorists in that these interests are not fixed or static, what happens in democratic politics is more than responding to interests and preferences, "but also of *shaping* what it is that people want and/or what it is that serves their good" (Hayward 2009, 121).

Political action that produces structural inequalities tends to produce corresponding sets of political interests: for those it privileges, it produces an interest to perpetuate this privilege, for those it disadvantages, it produces interests in escaping or minimizing the effects of disadvantage. If these interests are represented the likely result is the perpetuation of hierarchy. She mentions racial segregation in the U.S. as an example, which created "white" interest in racial exclusivity through mortgage policy that defined racial segregation as a necessary condition for a property to receive a favorable rating for a federal loan guarantee. This not only

affected interests, it "also helped create a new constellation of race-based political interests" (Hayward 2009, 123).

It points to a larger problem with the conventional view of representation's democratic value: it is insufficiently constructivist about political interests, in particular interests regarding collective problems.

> Representative institutions do not promote political equality and inclusiveness in government by enabling and motivating representatives to track the interests of those they represent, if and when political interests themselves reflect structural inequalities. If representative institutions are to be democracy-promoting under conditions of deep and enduring hierarchy, they need to do more than simply "make present" the interests of all. They need to encourage the formation of new political interests (Hayward 2009, 124).

Hayward argues in favor of contestatory democracy, which involves the idea that legitimacy in government "is the product of inclusive and egalitarian political contests, which center on ethical and moral principles, as well as on collective decisions" (Hayward 2009, 125). Participants in political contests are oriented towards success rather than mutual agreement, and it should involve contests over both principles and norms. Success-oriented contestation has this normative status based on her (Arendtian) understanding of democratic freedom: "as a capability that is both social and relative: a politically produced capacity to participate in those struggles through which the norms that govern action are made and remade" (Hayward 2009, 125-6). Democratic political actors attain sovereignty over the effects of their actions and also the social constraints that delimit their fields of possible action (Hayward 2009, 125).

Interests are the product of some particular configuration of institutional norms, therefore "it cannot be the case that interests should influence outcomes just because those affected 'have' them" (Hayward 2009, 127). The privileged have an interest in maintaining this position of privilege, but this does not mean that they should. The relevant question is not which interests people have, nor whether they are rational. Instead it is whether political interests promote free and equal struggles over collective norms and principles. In hierarchies, that are the product of structural inequalities, the interests that should affect outcomes include interests that destabilize inequalities and that subvert entrenched hierarchies. Political institutions, including institutions of political representation, should, in Hayward's opinion, encourage the formation of interests such as these (Hayward 2009, 127).

Thus she avoids a common complaint against contestatory democratic theories, that the advantaged win not by engaging in free and equal political contests with others, but by avoiding such contests altogether. The normative justification for democratic contestation in Arendtian terms, as the capacity it creates for the agentive and egalitarian making and remaking of relations of power, one can create guidelines for evaluating political institutions, including representation.

One such guideline is that institutions should constrain agents who act in ways "that affect collective norms to engage politically the other agents those norms (would) affect" (Hayward

2009, 128). In other words, no single participant in a relation of power should be enabled to act unilaterally to affect its terms. The problem that contestatory democrats have with despotic rule is not that the despot acts in ways with which her subjects do not agree, but that it does not interact with or is responsive to the actions of those her action affects. Even if they would agree, despotic rule undermines democratic freedom for that reason. Such unfreedom can be institutionally caused, without a despot, hence a second guideline is that the terms of power relations should be open to political challenge and revision (Hayward 2009, 129).

"To the extent that the terms of power relations are removed from the reach of some or all participants (to the extent, for example, that they are naturalized or sacralized), democratic freedom is abridged" (Hayward 2009, 129).

The privileged can profoundly affect the disadvantaged, but without engaging them politically, and even excluding them from authorizing representatives and holding them accountable. "Representative institutions should ensure that it is in the interests of all to address problems that are, in a causal sense, collective" (Hayward 2009, 131). The privileged should engage politically with those their decisions affect, and grant disadvantaged the power to change rather than negotiate those inequalities.

Legitimacy requires that representative institutions shape interests in democracy promoting ways. Interests in engaging in collective problems and decisions should be encouraged among the privileged, and interests in subverting entrenched hierarchies among the disadvantaged. What this means in practice will differ from case to case, but it is clear that it is necessary "to restructure representative institutions to not merely *track* the interests of all, but rather *change* political interests in ways that promote democratic inclusiveness and political equality" (Hayward 2009, 132).

Critique of representative constructivism

Hayward offers some useful critique on theories such as Montanaro's, as she shows the shortcomings of a theory of democratic legitimacy based merely on affected interests, instead focusing more closely on the interests themselves and how they are shaped. She addresses the problem of accountability by providing active measures to avoid it: by institutionalizing a measure for the disadvantaged to hold the privileged accountable by forcing them to engage politically, she enforces egalitarian political behavior which was lacking in Montanaro's theory. In doing so, she shows how the shaping of interests can support the democratic legitimacy of representative institutions: if people's interests are constructed through representation, they can no longer be said to be at odds with each other. If people have democratic interests by virtue of representation, Rousseau's claim that democracy and representation are mutually exclusive can be falsified.

Hayward's theory on the shaping of interests can be a strong argument against Rousseau's fundamental critique: she argues that without a representative system in place, people's individual interests are unable to develop to a significant extent. Thus, not only do representative systems grant people the freedom to develop and express their interests, they also

play an active role in shaping them. Without representative institutions in place, people's individual interests are unable to develop to a significant extent, which creates hierarchical inequalities; structural problems appear that make certain people less able to fully develop their interests.

The question that Hayward's paper raises is if by shaping interests she means that representation essentially constitutes them, or if it merely influences perception and presentation of interests. The constructivist aspect of representation entails the ontological claim that interests are created through representation. The examples Hayward gives provide an insight in what she means. When she mentions that political actions such as institutional racial segregation produces corresponding interests, it is clear that these interests did not exist before these political actions took place, people are not affected by policy that does not yet exist, hence they have no interest in them. In this regard, the interplay between individual and society is constitutive of much of the content and scope of people's interests. If it were these kinds of interests that Rousseau was concerned with when describing his general will, Hayward's argument could vindicate the representative turn from Rousseau's critique. However, Rousseau seems to be denoting something more fundamental, as the general will by definition is not about particulars. It is an interest in the common good of all within a society, which is constituted by entering into a society, not through representation. Rousseau's claim is not that people have interests in specific policy before the political institutions are in place, but that they do already have a framework of what they want for themselves in particular and what they want in relation to society (ideally, these should overlap, so the people make decisions for the common good rather than their own particular interests). Rousseau's original claim of sovereignty and general will expresses the exact opposite of what Hayward claims: the people essentially have the ability to direct politics to the common good as it is at that point in time, it is what has caused them to enter society in the first place, an awareness that the common good is good for them. This is an inherent quality that persists through the decisions people make, even if it can fluctuate according to circumstances.

While it is true that representatives play an important role in shaping particular interests, it is not thereby democratically legitimate, and does not encompass the essence of people's will. The general will is in its very nature constantly in flux in response to the reality people interact with, but is thereby not essentially constituted externally. It is not these particular interests that form the essence of democratic legitimacy, but a common public interest that exists regardless of the shape political institutional reality takes, which influences the way people shape particular interests with respect to political reality, representative or otherwise. It seems unlikely that, in a world where many factors influence people's opinions, representation is the factor that is essentially constitutive of political interests, that people would have no opinion on collective matters if there was not some type of representation in place.

The only remaining ways of defending representation is by admitting that political power does not stem essentially from the individual, or that the individual does not develop politically relevant will out of its own accord. Both courses undermine the democratic legitimacy of the representative system, if democracy is premised on the people being the primary source of

political power. It is questionable that the interests that representative institutions shape are the essential source of democratic legitimacy. The challenge to the representative turn, then, is to deny that there is a politically relevant will of the people that is ontologically prior to representation, that does not undermine its democratic legitimacy. As I argue, based on Rousseau, that democratic legitimacy depends on the will that essentially lies with the people, a solution to this paradox from the representative turn can only be provided if the ontological primacy of representation over political will is substantiated. Until such an argument is provided, Rousseau's fundamental critique remains intact as a serious obstacle that attempts at fundamental justification of representation need to address.

Conclusion

In the interpretation of Rousseau as presented in this thesis, the general will is an expression that indicates a fundamental democratic property. At its core, what is important about the general will in this discussion is that it signifies and takes as a central principle the fact that democratic power stems essentially from the people, in a way that cannot be abstracted from them. This seems like an intuitive conception of what democracy is. In this light, it could be argued that it is undemocratic and elitist to vehemently defend the representative gap to the extent that Ankersmit does, for example.

On the other hand, the constructive elements of representation add fluidity to the concept that is more intuitive to common sense than the rigid and abstract demand of the democratic ideal. The appeal to this sort of realism appears in most of the texts that attempt to defend representation, though, as I have argued, none have so far provided a comprehensive case as to why exactly this is democratically legitimate.

There are many reasons and levels at which democracy and representation are presented as inherently fluid concepts, which defenders of representation rely on to present a new democratic reasoning for representative systems. In the light of such ideas, Rousseau's ideas of democracy seem too rigid. Democratic power is stretched (or rather stripped), by authors such as Ankersmit, to consist mainly in having the people in the role of spectator, which is warranted given the complexity and scale of modern mass-democracies. My problem with this, as I argue was Rousseau's claim before and Pitkin's more recently, is that such loose use of the term 'democratic' and through linking it to representation as a matter of course tends to uproot democracy from its essential values. It is more than just an external means of assessing the legitimacy of institutions, or an epithet that expresses contemporary moral consensus. Instead, it entails a process that includes stringent demands on the allocation of active political power to the individuals that are united under institutional power, be it through social contract or otherwise. This, I argue, is why Rousseau is so strict in stating that democracy and representation are mutually exclusive.

The many ways of glossing over such fundamental questions of democracy, of which I have reviewed some serious examples, have insufficiently addressed it. Representative claims cannot fully do justice to those who are supposed to be represented. Representation is a consolidation of political deliberative power that is precluded by a conceptualization of democracy that locates political deliberative power essentially among the individual people. In this thesis I have juxtaposed the representative turn with fundamental critique, and identified the core of both arguments. Here, I have also proposed a conceptualization of Rousseau's idea of democracy that is able to resist critique from the representative turn so far. What I take from Rousseau's theory is that democratic demands are much more strict that those described by the defenders of representation, in both their defence of electoral and non-electoral forms. Both depend heavily on the active constitutive role on the representative's part, and a relatively passive role for the citizen, whose purpose is to be affected by policy and thereby authorize their representatives through consent, to the extent that they are allowed to provide this consent, which they do not

get to decide themselves. This undermines the idea of a mutual back-and-forth that Plotke argues is the core of a healthy representative relationship, what capacity there remains for citizens to disagree and take a more active role is unclear, barring taking on different representatives or becoming representatives themselves. This is a far cry from the democratic ideals that are so ubiquitous in our modern theory and speech.

Democracy, I argue, is not merely about giving *a* political presence to people, it has specific demands on what that presence should entail. Inspired by Rousseau, I argue that the demands of democracy entail that the people's judgment on the common good should be somehow essentially involved in the deliberative process in order for the political process to be democratically legitimate, which puts a burden of proof on the representative turn that it has yet to address satisfactory since its inception. Until this is done successfully, perhaps we should be wary of ascribing democratic properties to representative systems as a matter of course. It also means that we can and should tentatively imagine institutional alternatives that are potentially more in line with these democratic ideals, not merely as an intellectual exercise for representative theorists to disprove, but as a possible new course for truly democratic institutions to take.

Under the strict demands of Rousseau, however, a democratic system that is both viable and practical in modern times might not seem likely. Perhaps democracy is an ideal that was only ever to be approached by its Athenian inventors. Even Rousseau was not optimistic about democracy's prospects. However, this does not mean that we should abandon the project altogether. In fact, there are a few reasons to be optimistic about it, even though, admittedly, the contemporary political situation does not seem particularly receptive to new idealizing democratic norms. As I have attempted to show, not only are these democratic ideals (such as Rousseau's) resistant to critique, there also are some good reasons to hold onto them. Their vindication does not only provide clearance for imagining new democratic institutions, they justify practical experiments. While I have attempted to disprove representative critique, it does reveal fruitful areas of advancing democracy. Where a common argument in defence of representation over direct democracy, for example, is that "the room will not hold all", we might look towards modern technology to facilitate this: our informational technology, for one, will easily hold all and then some. While this obviously creates new problems, these require similar novel democratic solutions where they arise.

In light of the ancient democratic critique, the modern problems representative institutions currently face might be indicative of the fact that our representative practices were flawed from the beginning, and that they are no longer feasible in their current form in the modern political climate. What is to replace it is a matter of democracy: I cannot render it onto my tacitly consenting passive audience, but it requires active participation and effort from all involved to make it so.

Bibliography

Ankersmit, Frank R. "Representational democracy: An aesthetic approach to conflict and compromise." *Common Knowledge* 8.1 (2002): 24-46.

Arendt, Hannah. *On Revolution*. New York: Viking Press, 1965

----------*Crises of the Republic*. New York: Harcourt Brace Jovanovich, 1972.

Barber, Benjamin. *Strong democracy: Participatory politics for a new age*. University of California Press, 1984 [2003].

Bertram, Christopher. *Routledge philosophy guidebook to Rousseau and the social contract*. Routledge, 2004.

Green, Jeffrey Edward. *The eyes of the people: democracy in an age of spectatorship*. Oxford University Press on Demand, 2010.

Hayward, Clarissa Rile. "Making interest: on representation and democratic legitimacy." *Political representation* 111 (2009): 112.

Hobbes, Thomas. *Leviathan*. New York, N.Y. : Collier Books, 1651 [1962].

Jefferson, Thomas et. al. *United States Declaration of Independence*. 1776.

Pitkin, Hanna Fenichel. *The Concept of Representation*. University of California Press, 1967.
---------- "Representation and democracy: uneasy alliance." *Scandinavian Political Studies* 27.3 (2004): 335-342.

Plotke, David. "Representation is democracy." *Constellations* 4.1 (1997): 19-34.

Rousseau, Jean-Jacques. "The social contract," 1762 [2010], in the version by Jonathan Bennett presented at www.earlymoderntexts.com.

Schumpeter, J. *Capitalism, Socialism, and Democracy*. London: Allen & Unwin, 1976.

Tocqueville, Alexis de. *Democracy in America*. Garden City, New York: Doubleday, 1969.

Montanaro, Laura. "The democratic legitimacy of self-appointed representatives." *The Journal of Politics* 74.4 (2012): 1094-1107.

Näsström, Sofia. "Where is the representative turn going?." *European journal of political theory* 10.4 (2011): 501-510.

Urbinati, Nadia, and Mark E. Warren. "The concept of representation in contemporary democratic theory." *Annual Review of Political Science* 11 (2008): 387-412.