POLITICAL REPRESENTATION AS A DEMOCRATIC PROCESS[1]

Nadia Urbinati

In what follows I inquire into the conditions that make representation democratic, or a mode of political participation that can activate a variety of forms of citizen control and oversight. I make three main claims: that representation belongs to the history and practice of democratization; that different theories of representation are possible depending on the relationship between political institutions and social configurations; and that this relationship calls attention to the role of ideology and partisanship in politics, an aspect that contemporary political theory fails to appreciate with its deep-rooted rationalist approach to democratic deliberation. In order to give the reader the sense of my theoretical approach to political representation in democratic society, I will dedicate some introductory reflection to outlining the broader project to which this article belongs.[2]

The line of argument that unifies my broader project and that constitutes the context of what follows is that representative democracy is an original form of government that is not identical with electoral democracy. This thesis questions the assumptions about immediacy and existential presence that underwrite the idea that direct democracy is the more democratic political form and representation an expedient or second best. Building upon a critical reading of the seminal work of Hanna Pitkin and Bernard Manin, I argue that political representation is a circular process connecting state and society (that is to say an expression of citizenship in its comprehensive sense). As such, representative democracy is neither aristocratic in

kind nor a defective substitute for direct democracy, but a way for democracy to constantly re-create itself and improve. Moreover, it presumes and provokes a revision of classical notions of representation and sovereignty.

A democratic theory of representative democracy entails a revision of the modern conception of popular sovereignty that challenges the monopoly of the will and physical presence in the definition and practice of political liberty. It marks the end of a yes/no politics and the beginning of politics as an open arena of contestable opinions and ever-revisable decisions. This amplifies the meaning of political presence itself because it makes *voice* its most active and consonant manifestation and *judgment* about just and unjust laws and policies its content. One might say that political representation encourages the dissemination of the sovereign's presence and its transformation in an ongoing and regulated job of contesting existing policies and reconstructing legitimacy. Hence, although electoral authorization is essential in order to determine the limits and responsibility of political power, it does not tell us much about the actual nature of representative politics in a democratic society. Elections 'make' the institution of representation but do not 'make' the representatives.[3] At minimum they make *responsible* and *limited* government, but not *representative* government.

This brings me to claim that representation activates a kind of political unification that can be defined *neither* in terms of a contractual agreement between electors and elected *nor* resolved into a system of competition to appoint those who are to pronounce the general interest of all (technically speaking, the law). A political representative is unique *not* because she substitutes for the sovereign in passing laws, but precisely because she *is not* a substitute for an absent sovereign (the part replacing the whole), since she needs to be constantly recreated and dynamically in tune with society in order to pass legitimate laws. On this ground, it is correct to say that democracy and the representative process share a genealogy and are not antithetical. Judgment and opinion are just as much sites of sovereignty as the will *if we assume* that sovereignty consists of *uninterrupted temporality* and the non-quantifiable influence of basic ideals and principles concerning the general interest that transcend the acts of decision and election. For the same token, it is correct to say that representation stimulates a surplus of politics in relation to the sanctioning act by which the sovereign citizens confirm and recapitulate with cyclical regularity the deeds and promises of candidates and representatives. Represen-

tativity and advocacy are the expressions of this surplus of politics and what marks the unavoidable bond the electoral process activates between the inside and the outside of the legislative institutions.

Democracy and Representation

Although elections have been regarded as an aristocratic institution since Aristotle, in modern states the electoral process stimulated two movements that became crucial to the subsequent process of democratization. On the one hand, it facilitated the separation between civil society and the government by provoking the transition from *symbiotic* relationships between the delegates and their communities to relationships that were thoroughly *symbolic* and politically constructed. On the other, severing the candidates from their social groups and classes entailed foregrounding the role of ideas in politics and put in motion the idealizing purpose of the process of representation. This helps clarifying why representation cannot be reduced neither to a *contract* (of delegation) sealed by elections nor to the *designation* of lawmakers as substitutes for the absent sovereign because its nature consists in being constantly recreated and dynamically linked to society. In other words, modern political history suggests that the democratization of state power and the unifying power of ideas and political movements brought about by the electoral designation of representatives were interconnected and mutually reinforcing.[4]

Thus, while scholars are right to argue that the electoral structure of representation has not changed much in two centuries despite the extension of suffrage, they should not overlook the crucial changes the democratic transformation engendered in the functioning and meaning of representative institutions.[5] The emergence of the "people" (the citizens) as active political agents did not merely refurbish old institutions and categories. The moment elections became an indispensable and solemn requirement of political legitimacy and magistracy formation, state and civil society could not be severed and the drawing of the boundaries separating--and--connecting their spheres of action became an ongoing issue of negotiation and readjustment. Political representation mirrors this tension. It reflects not simply ideas and opinions, but ideas and opinions about citizens' views of the relation between their social condition and the political institutions. In other words, any claim that citizens bring into the political arena and want to make an issue of representation is invariably a re-

flection of the struggle to re-draw the boundaries between their social conditions broadly understood and the legislation.

Three Theories of Representation

Three theories of representation can emerge when we look at how representative government has operated throughout its two-hundred year history, from early liberal parliamentarism to its crisis after World War One and finally its democratic transformation after World War Two. Alternatively, we can say that representation has been interpreted according to three perspectives: juridical, institutional, and political. They presuppose specific conceptions of sovereignty and politics and, consequentially, specific relationships between state institutions and society. All of them can also be used to define democracy (direct, electoral, and representative respectively.) Yet only the latter makes representation an institution that is consonant with a pluralistic democratic society.[6]

The juridical and the institutional theories are closely interconnected. They are both grounded in the State-Person analogy (*persona ficta*) and a voluntaristic conception of sovereignty, and they are rendered in formalistic language. The juridical theory is the oldest and requires more attention because it set the model for the institutional one, which was its gemmation. It pre-dated the modern conception of state sovereignty and the electoral designation of lawmakers. It is called juridical because it treats representation like a private contract of commission (granting "license to perform an action by some person or persons who must possess the right to perform the given action themselves"[7]). Delegation (binding instructions) and alienation (unbounded trust) have traditionally been the two extreme poles of this model, the former epitomized by Rousseau and the latter by Hobbes, and moreover Sieyès and Burke (although Sieyès did not theorize a representative "trusteeship" and Burke did not ground representation on a contractual base).[8] The juridical model configures the relationship between represented and representative along the lines of an individualistic and non-political logic insofar as it presumes that electors pass judgment on candidate's personal qualities or professional skills, rather than their political ideas and projects. Accordingly, representation is not and cannot be a process, nor can it be a political issue (and imply for instance a claim of representativity or fair representation) to begin with for the simple reason that,

in Pitkin's apt words, in this case representation is "by definition" "anything done after the right kind of authorization and within its limits."[9] As Anthony Downs has candidly conceded in commenting on the effects of the application of the private model of representation to democracy (that he endorsed), "there is nothing for representatives to represent."[10]

The juridical theory of representation clusters issues of state power and legitimacy within the logic of *presence/absence* (of the sovereign) and detaches representation from advocacy and representativity, the two political manifestations that spring from its unavoidable relation to society and citizens' political activity. With Hobbes, its first modern interpreter, this approach developed into a technology of institutions building that became enormously influential for both the theorists of representative government (certainly Sieyès) and their critics. For instance, during the crisis of parliamentarism, at the beginning of the twentieth century, Carl Schmitt revived the constructivist function of representation conceived by Hobbes and Sieyès and used it to *make the absent present* or to reconstruct the *Volk's* organic unity above (and against) the pluralism of social interests and through the personification of the sovereign (in the leader or *führer*). His goal was a more strongly unified state than the one that was achieved through the parliamentary compromise among interests or "government by discussion."[11] In its radicalism, Schmitt's case is a useful example of the incompatibility between representation as a technique of (mystical) unity of the community and political representation.

The juridical theory of representation opened the door to a functionalistic justification of political rights and representation, citizenship and decision-making procedures (suffrage as a system to select and appoint the rulers.) Its rationale became the backbone of liberal representative government and, later on, electoral democracy. It is based on a clear-cut dualism between state and society; makes representation into a rigorously state centered institution whose relation to society is left to the judgment of the representative (trustee); and restricts popular participation to a procedural minimum (election as magistracy designation).

In sum, the state-centered perspective implied by the juridical theory prefigures two possible scenarios. On the one hand, as Rousseau argued, representation has no place in the discourse of political legitimacy for the obvious reason that it would mean transferring the power authorizing the use of force (the sovereign power) from the commonwealth as a whole to its part(s). On the other hand, as Sie-

yès argued, representation can be a strategy of institutions building on the condition that the subjects are given only the job of selecting the lawmakers. In this case also, sovereignty is essentially voluntaristic and its will narrowed to the (electoral) will with the result (and conscious intent) that the sovereign nation speaks only through the voice of the elected. On this account, parliamentary sovereignty can be seen as an electoral transmutation of Rousseau's doctrine of the general will although, paradoxically, once transferred to the represented Nation, that will becomes a strategy for "blocking the way to democracy."[12]

Both the juridical and the institutional theories of representation assume that the state (and representation as its productive and reproductive mechanism) must transcend society in order to ensure the rule of law; and that the people must hide their concrete and social identities to make public officials impartial agents of decision. They presume that the juridical identity of the elector/authorizer is empty, abstract and anonymous, and its function consist in "designating" professional politicians who make decisions to which electors voluntary submit. Hence, "what we find in the system called representative is that it is not a system of *representing* the people and the will of the nation, but a system of organization of the people and the will of the nation."[13] The underlying assumption of the split between "the man" and "the citizen" Karl Marx so famously denounced for its asinine hypocrisy was that the political sphere must be independent from the social sphere (and in particular economic interests and religious beliefs) in order for legal equality and the impersonal organization of the state to be obtained. This is the axiological premise common to both these theories of representation and the logical outcome of their constructivist approach to sovereignty.[14] They emerged and were shaped before the democratic transformation of society and the state and remained essentially impermeable to it.

Political Representation

The third approach breaks with these two models. It reflects the creation of a new category altogether insofar as it considers representation dynamically, rather than statically: representation is not meant to make a pre-existing entity – i.e. the unity of the state or the people or the nation – visible; rather, it is a form of political existence created by the actors themselves (the constituency and the representative). This

theory vindicates the specificity of political representation in relation to all other forms of mandate and in particular the private scheme of authorization. Representation does not just pertain to government agents or institutions, but designates a form of political process that is structured in terms of the circularity between state institutions and civil society, and is not confined to deliberation and decision in the legislative setting. "It is the task of the popular representatives thus to coordinate and criticize. The necessary unity does not logically follow from the unity of the represener, as Hobbes would have it, but must be created and constantly re-created through a political process of dynamic activity."[15] Its gradual consolidation during the twentieth century along with the adoption of universal suffrage (although an earlier formulation can be found in John Stuart Mill's arguments for proportional representation) reflect the democratic transformation of both the state and society and the growth of the complex world of public opinion and the associational life that gives political judgment a weight it never had before. Depicted by Carl J. Friedrich in a chapter that is a masterpiece of clarity, we owe its most democratically oriented reformulation to Hanna Pitkin: "representation here means acting in the interest of the represented, in a manner responsive to them."[16]

The political conception of representation claims that in a government that derives its legitimacy from free and regular elections, the activation of a communicative current between civil and political society is essential and constitutive, not just unavoidable. Reversing the maxim held by the previous two theories, it claims that the generality of the law and the standards of impartiality implied by citizenship neither should nor need be achieved at the expense of the political visibility of "the man" (read, "social" identity as distinct from and opposite to "political" identity). The multiple sources of information and the varied forms of communication and influence that citizens activate through media, social movements and political parties set the tone of representation in a democratic society by *translating the social into the political*. Will and judgment, immediate physical presence (the right to vote) and a mediated idealized presence (the right to free speech and free association) are inextricably intertwined in a society that is itself a living confutation of the dualism between the politics of presence and the politics of ideas since all presence is an artifact of speech.

Political representation does not erase the center of gravity of the democratic society (the citizens) while it scorns the idea that electors

rather than citizens hold this center, that the act of authorization is the sovereign moment rather than the process that accompanies and follows authorization.

Representation in the durée

When liberal constitutionalism set itself up as a conscious project of state building in the eighteenth-century, political leaders and theorists thought that the dualistic space of citizens and representative institutions produced by elections was the *sine qua non* of impartial and competent lawmaking because it protected the deliberative setting from both the tyrannical passions of the majority and the particular interests of factions. This belief permeated the writings of authors as diverse as Madison and Burke, who advanced an elitist rendition of Rousseau's general interest by making it the achievement of virtuous selected citizens. The problem, though, is that since leaders and institutions are vulnerable to, rather than impartially detached from social influences, this dualism did not and does not function as intended. Only if representatives were impartial, virtuous, and competent *motu proprio* could insulating their will from the citizens solve the problem of partiality and corruption. If that were the case, though, elections would be pointless. Thus, in adjusting the minimalist conception of democracy, we might say that electoral competition has two outstanding virtues, not one: while it teaches the citizens to rid themselves of governments peacefully, it also makes them participate in the game of ridding themselves of governments.

This is why the right to vote does more than just "prevent civil war."[17] The right to vote engenders a rich political life that promotes competing political agendas and conditions the will of the lawmakers on an ongoing basis, not just on election day. It encourages the broad development of extra-electoral forms of political action although with no guarantee that political influence will be distributed equally and become authoritative. Although this idea might seem simple and self-evident, it is not. "The apparent consensus that elections are significant conceals deep disagreements about whether and how they serve to link citizens to policymakers. These disagreements are partially normative; they reflect different ideals of the relationship between citizens and policymakers."[18] To put it briefly, the theories of representative government that I listed above as partaking in the juridical and institutional view of representation look at that link with

great suspicion while theories that partake in a political conception of representation claim that the peculiarity of modern democracy is to be sought precisely in that link.

The paradox of the non-political (as competence-driven) approach to politics is that despite its claim to be the hallmark of economic and civil liberties and constitutionalism, it paves the way to a theory of institutions that is just as unsympathetic to representation as Rousseau's theory of direct government. It presumes that the representative must be deaf to public opinion in order to make good decisions. At the heart of this paradox lies the often unspoken formalistic view of citizens' participation as the electoral verdict of the sovereign (magistracy authorization) and a narrow view of democratic deliberation as a process that involves exclusively the elected and refers to authoritative decisions. The result is an "incomplete and distorted view" of what representatives are and how they should act.[19] The predictable conclusion is that election works to empower a professional class that deliberates over the heads of the citizens whose only function is to "accept" or "refuse" their leaders and never interfere with them while they go about their business since they "must understand that, once they have elected an individual, political action is his business not theirs."[20]

It is thus fair to say that the specificity and uniqueness of modern democracy is necessarily based upon, but not confined to, the casting of "paper stones" by means of the ballot.[21] It lies instead in the *circularity* elections create between the state and society and the continuum of the decision-making process that links the citizens and the legislative assembly. This highlights the paradox of the instrumentalist view of representation, which on the one hand refers to the people's opinion as the source of legitimacy and on the other claims that representatives make good and rational decisions as long as they shield themselves from "a forever-gullible popular opinion."[22]

In contemporary democratic theory, the non-instrumental approach to representative democracy has inspired the discourse approach to popular sovereignty. Although an important contribution, however, the deliberative theory of democracy has provided a partial picture of the political process of representation because while it has stressed communication as "the socially integrating force" unifying the parliamentary and extra-parliamentary moments, it has shown insufficient or no attention to conflicting moments, or cases of *rupture* of that communication.[23] Yet it is by paying attention to the moments of crisis of representativity that we can bring to the fore the issue of

political mandate or the sympathetic link (ideological *senso lato*) that is necessary between the elected and the electing citizens. This essential component of political representation cannot be explained within the context of politics as direct power of the *will* (electoral democracy) since it relays heavily on the role of judgment and the indirect influence it exercises on citizens and their representatives. But it cannot be explained within the context of the theory of deliberative democracy either because the latter relays heavily on a conceptualization of deliberation that discounts moments of *circuitry* in political opinion formations, moments that bring to the floor by default the contribution of *representativity* to the democratic legitimacy of representation.

To put it briefly, in a representative democracy the continuity through the electoral term is the norm we expect representatives to comply with so that we can recognize them, so to speak, or judge them always, not only at the end of their electoral mandate. Since in accepting their candidacy they have accepted to submit their ideas and actions to our judgment, it is not up to them *alone* to assess the significance of the positions they choose freely and responsibly to take. As Pitkin has reminded us, "it is not up to [them] *alone* to decide whether [they have] adequately supported and elaborated the initial claim [they have] entered." The language of politics like that of morals "must be stable enough so that what a man says really does constitute taking *a position*, really tells us something about him."[24] Benjamin Constant depicted this process quite well when he clarified the two levels constituting representation: *representation of people's opinion* (the will regularly expressed in elections) and *representation in the durée*, or the permanent attention and receptivity of the representatives to "those changes in public opinion that might [occur] between one election and the next."[25] This defines representation as *reflective adhesion* over time, the permanence of the presence of the sovereign citizens in forms of *judgment and political action* that accompanies yet transcends the actual manifestation of their electoral will. This also allows us to recognize the energetic function of representation when the continuity between the representatives and the citizens is interrupted and the latter are likely to generate extraparliamentary forms of *self*-representation; when forms of political spontaneity (new movements) break into the political scene and enrich the plurality of voices.

Discord and the Ballot or Presence through Ideas

"A people of electors by itself is not capable of initiative, but at most of consent;" yet a representative democracy is not a "crowd of inorganic voters" and its citizens are capable of taking direct and indirect initiatives.[26] Political representation invalidates the opinion that society is the sum of disassociated individuals who compete and join together, vote and aggregate preferences by discrete acts of free choice and instrumental calculus. It counters a conception of democracy as a numerical multitude of single or associated units forced to delegate their power for the simple reason that a multitude cannot have a will, cannot exercise any power or be a government. A representational politics renders democratic society an intricate fabric of meanings and interpretations of citizens' beliefs and opinions about what their interests are; beliefs that are specific, differentiated and subject to variation along with people's actual lives. Democracy is unique because it extracts the strength for unity from differences ("people can bond together in difference without abstracting from their differences").[27]

Votes are not mere quantities. They mirror the complexity of opinions and political influence, neither of which are arithmetically computable entities. When we translate ideas into votes we sometimes tend to forget this complexity and to assume that votes reflect individual preferences rather than render opinions. Much of the argument that the aggregation of votes does not exhaust the expression of opinion is familiar from critiques of social choice theory.[28] Yet some further observations can be thrown in to amend a reading of democratic voting as a participation that serves to select decision-makers not policies. Contrary to votes *on* single issues, a vote *for* a candidate reflects the *longue durée* and effectiveness of a political opinion or a constellation of political opinions; it reflects the attractiveness of a political platform or a set of demands and ideas over time (representative democracy has thus been regarded as a time-regime).[29] Direct voting (or, in Condorcet's words, "immediate democracy") does not create a process of opinions and makes harder for opinions to build on an *historical* continuity because renders each vote an absolute event and politics a unique and discrete series of decisions (*punctuated sovereignty*). But when politics is scheduled according to electoral terms and policies that candidates embody (that is, when it is thought and practiced according to a future perspective), opinions create a narrative that links voters through time and in space and make ideological

accounts a representation of the entire society and its problems. This explains why it is that opinions have never equal weight; not even in the hypothetical case of two different opinions receiving the same number of votes. If the weight of opinions were equal, the dialectics of opinions, and casting of votes itself, would make little or no sense. Voting for candidates is an attempt to give ideas weight not to make them identical in weight or with weight.[30]

One might thus say that representative democracy reveals the "miraculous" (unifying) work of opinions and ideological narratives *because* it compels us to transcend the act of voting in the effort to repeatedly reassess the correlation between the weight of ideas and the weight of votes (to preserve, achieve, or increase consent). In Rousseau's model of direct sovereignty any vote is like a new beginning (or a final resolution) because it is simply the counting of wills but is not nor can be representative of ideas; hoping for "the next time" makes no sense since there any decision is absolute because it makes *opinions identical with the will* and breaks the link to past and future chains of opinions and decisions.

This is why direct voting on issues is not an alternative to civil war and why, on the other hand, representative politics is a factor of stability. In representative democracy the chain of opinions, interpretations, and ideas that seek visibility through voting for a candidate or a party consolidates the political order -- discord becomes a stabilizing factor, an engine of the entire political process. It becomes the bond that holds together a society that has no visible center and becomes unified through action and discourse (common experiences of interpretation that the citizens share, tell, recall and remake incessantly as partisans-friends). As Thomas Paine understood, opinions and beliefs can convert power into an endless political process that representation actualizes because exalts the public world of ideas and the medium of speech, both of which make our votes more meaningful than an infinitesimal portion of the general will. Very affectively, Claude Lefort has stressed the non-foundational nature of modern (read, representative) democracy, which "by virtue of discourse… reveals that power belongs to no one; that those who exercise power do not possess it; that they do not, indeed, embody it; that the exercise of power requires a periodic and repeated contest, that the authority of those vested with power is created and re-created as a result of the manifestation of the will of the people."[31]

Political theorists tend to overestimate the choice of persons and underestimate, so to speak, the choice of believes and ideas that the

choice of persons indicates or represents.[32] Yet the character of democratic competition is shaped not only by the rules of the game but also by the means the citizens use to express and resolve their disagreements – that is speech – regardless whether their presence is direct or electoral. [33]

Partisanship as an Active Representation of the General

Democracy is "limited conflict" or "conflict without killing;" it is not consensus.[34] Yet in order for this to be the case, citizens must consent to certain values or principles, and winners and losers alike must *trust* their adversaries will give up the guns regardless of how the elections turn out. It would thus be more correct to say that democracy (in that it functions and lasts) requires some basic consensus *because* it pertains to discord and also instrumental reasoning. No matter how minimal the definition of democracy, minimalism seems to come at the end of a more or less successful process that people themselves have undertaken.[35] Instrumental and strategic reasoning is sophisticated enough to be a late reflection or rationalization of a more or less problematic trial and error experience of learning by doing, to paraphrase a pragmatist maxim.[36]

It is not news to say that, although procedures can head off social disorder, their efficacy is largely dependent on ethical or cultural factors. This is true particularly in the case of representation because the kind of mandate (political) linking the representative to his or her consistency is essentially voluntary; it is not legally binding. Representation consists in a political praxis that "is not merely the making of arbitrary choices, nor merely the result of bargaining between separate, private wants."[37] Instrumental reasoning and compromise occur in the context of a common understanding about the political direction the country should or should not take, with the awareness that it is "not a reality that is objectively given to us in one way or another."[38] On this condition such reasoning is able to distinguish the total enemy and the political partisan, "the bullet and the ballot," to paraphrase Abram Lincoln (or Malcolm X). Most of the time, belief systems and even stereotypical values structure bargaining and strategic reasoning, so that although electors may appear or sincerely try to reason strategically they end up voting "against" or "for" constellations of ideas and beliefs when voting for an individual candidate.[39]

John Rawls described the "depth" and "breadth" of overlapping consensus – what Hegel would call the "constitutional ethos" -- in the following terms:

> …once a constitutional consensus is in place, political groups must enter the public forum of political discussion and appeal to other groups who do not share their comprehensive doctrine. This fact makes it rational for them to move out of the narrower circle of their own views and to develop political conceptions in terms of which they can explain and justify their preferred policies to a wider public so as to put together a majority.[40]

Political parties articulate the "universal interest" from peripheral viewpoints. They are *partial-yet-communal* associations and essential points of reference that allow citizens and representatives to recognize one another and form alliances, and moreover to situate ideologically the compromises they are ready to make.[41] "But in fact, one of the most important features of representative government is its capacity for resolving the conflicting claims of the parts, on the basis of their common interest in the welfare of the whole."[42] The *dialectics between parts and the whole* explains the complex function of the legislative setting in a representative government as a mediating body between state and society.[43] Representation is the institution that allows civil society (in all its components and complexity) to identify itself politically and to influence the political direction of the country.[44] Its ambivalent nature – social and political, particular and general - determines its inevitable link to participation.

Political representation *transforms* and *expands* politics insofar as it does not simply allow the social to be translated into the political; it also facilitates the formation of political groups and identities. Moreover, it changes the identity of the social insofar as the moment social divisions become political or adopt a political language they acquire an identity in the public arena of opinions and become more inclusive or representative of a broader range of interests and opinions. This is necessary if they are to win a numerical majority. Yet strategic reasoning is only a partial explanation. It is unique to the political process of representation, filtering and sorting out the irreducible partiality of social or cultural identities by making them issues of political alliances and programs. This makes it quite the opposite of the corporatist representation advocated by theorists of "group participation" and pluralist management democracy.[45] The implicit assumption of a model of democracy as "decentralized small units"

(individual or collective) seeking direct representation in the political arena is the idea that "the immediate co-presence of subjects" should purify politics of ideological manipulation held by parties. The result, however, is that by overcoming the mediated world of "voice and gesture, spacing and temporality," politics is "avoided" rather than purified.[46]

But political party translates the many instances and particularities in a language that wants to represent the general. No party claims to represent only the interests of those who belong to or side with it. Partisanship is an active manifestation of the general rather than an appropriation of the general by a particular; it is opposite of patrimonialism (on this crucial understanding the difference between factions and parties emerged in the nineteenth century). Hence Hegel could write that representation brings dissent into politics because in politicizing the social sphere it brings plurality and difference into the public, and Weber could accentuate that the political aspect of voting lies in the chance the citizens have to transcend their social being by *their own doing*, that is to say to act independently of their social identity and become themselves representatives of their political community.[47]

It might be useful to recall Tocqueville's prescient diagnosis of the two forms of associations democratic citizens tend to create: civil associations that bind (and divide) individuals according to their specific and most of the time uni-dimensional interests or opinions; and party associations that bind (and divide) citizens along the lines of their evaluative interpretations of matters that are general, or of "equal importance for all parts of the country." The *former* produce fragmentation "ad infinitum about questions of detail" that can hardly have a general breadth since the life of civil associations depends on the relative closure of their borders. The latter *interrupts* fragmentation, not however by imposing homogeneity or concealing difference (making the whole society in the image of one party), but by creating new forms of "difference" between citizens. Political partisanship both brings people together and separates them on issues that are general in their rich and implications.[48] The function of parties goes well beyond the instrumental one of providing organization and resources for political personnel rotation and the peaceful resolution of succession claims. Their function is above all that of "integrating the multitude" by unifying people's ideas and interests and of making the sovereign permanently present as an agent of extra-state influence and oversight.[49]

It goes beyond the scope of this article to analyze the role of the party form of participation in modern democracy, its transformation from an organization of notables to a mass and total institution unified by a religious-kind of political creed, to a costly electoral machinery relying upon media, political analysts and private money.[50] The critical inquiry of the problems group leadership poses to democracy and the discussion of the Weberian argument that representative politics facilitates a proletarization of the rank-and-file by organized and organizational elite would require a quite different type of research. Suffice here is to notice that the declaration of the crisis of ideology and the ensuing cognitivistic turn that discourse theory has imparted to democracy are largely responsible of contemporary political theory's silence and myopia about the place of party and partisanship in democratic politics.[51] Yet the crisis of ideological parties Cold War style has shown that pre-electoral fragmentation – candidates without parties – can be the source of even more endemic kinds of ideological radicalism rather than the sign of a more democratic and prejudice-free participation. Free from old ideological identifications, electors may find themselves trapped by the extraordinary power of other kinds of potentates, such as private media tycoons and communitarian affiliations or ethnic tribes and religious identities that deter rather than aid political deliberation.[52]

But selecting candidates as single competitors or notables without a party or political group affiliation cannot be deemed an ideal of democratic representation while may indeed become a "departure from the principles of representative government."[53] As a matter of fact, if election were truly a selection between and of single candidates –between and of individual names rather than political group names- representation would vanish because each candidate would run for him or herself alone and in fact become a party of his or her own interests. The legislative setting would be an aggregation of individual wills more or less like the assembly in a direct democracy, unable to make decisions through a large deliberative process and finally not representative, since only ideas and opinions (that is judgment in the broader sense) can be politically represented, not individuals. For this reason also, representation in the legislative setting is not simply the outcome of elections. Better said, it is the outcome of elections insofar as elections occur within a political context that involves programs and ideas that are more or less organized and general, but certainly capable of attracting and unifying citizens' interests and ideas (that is to say, their votes). To vote for Mr. Smith always entails voting also

for what Mr. Smith says and believes, and thus inevitably for what we believe and stand for.[54]

Political representation testifies to the fact that although democracy can be explained in terms of rules of the game, citizens' participation is not a neutral game but a concrete way of promoting views and identifying with those who support or make convincing claims to support them.[55] This is why representation is "problematic" when it is analyzed in relation to democracy. It is problematic because it can never be corroborated by and rendered in terms of the representative actually knowing about what people want and because peoples' expectations and their representatives' achievements will never correspond exactly.[56] While it defies cognitivism, democratic representation is contingent upon much more than simply electoral procedures. It requires robust local autonomy and freedom of speech and association as well as some basic equality of material conditions. It also demands an ethical culture of citizenship that enables both the represented and the representatives to see partisan relationships as not irreducibly antagonistic and their advocacy not as an unconditional promotion of sectarian interests against the welfare of the whole.

It is thus appropriate to say that the understanding of political representation as a democratic process rather than an expedient or a second best, coincides with the rehabilitation of an unavoidable ideological dimension of politics. This is because politics, in the context of representation, entails a complex process of unifying-and-disconnecting citizens by projecting them into a future-oriented perspective. Political representation is primed to keep the sovereign in perpetual motion, so to speak, in the moment it transforms its presence into an exquisite and complex manifestation of political influence.

NOTES

1. I would like to thank Kari Palonen and the anonymous readers for their excellent comments.

2. The book, titled *Representative Democracy: Principles and Genealogy* is forthcoming by The University of Chicago Press.

3. Patrice Gueniffey, *Le nombre et la raison: La Révolution française et les elections,* Paris: Èditions de l'Ècole des Hautes Ètudes en Sciences Sociales, 1993, p. 146.

4. I discussed this issue at length in "Continuity and Rupture: Political Judgment in Democratic Representation," *Constellations*, 12 No. 1, April 2004, pp. 194-77. For an excellent reconstruction of the transition from appointed delegated to elected representatives in modern British history see of Mark A. Kishlansky, *Parliamentary Selection: Social and Political Choice in Early Modern England* (Cambridge: Cambridge University Press, 1986) p. 21.

5. For a case study analysis of the structural changes that occurred along with the democratization of the electoral system (extension of the right of suffrage and secret ballot) see Robert A. Dahl, *Who Governs? Democracy and Power in an American City* (New Haven: Yale University Press,) pp. 1-50. On representative government's unchanged structure from its eighteenth century constitutional inception has written Bernard Manin, *The Principles of Representative Government* (Cambridge: Cambridge University Press, 1997) p. 3.

6. These three conceptions are recognizable in the writings of the authors I have chosen to analyze in the above mentioned book, certainly Rousseau, Sieyès and Condorcet.

7. Quentin Skinner *Visions of Politics* (Cambridge: Cambridge University Press, 2002) vol. 3: 185. The juridical theory was consistent with the consulting function of the delegates in pre-electoral parliament and became relevant in modern administrative functions (for instance local communities and corporations); M.V. Clarke, *Medieval Representation and Consent: A Study of Early Parliaments in England and Ireland, with Special Reference to the Modus Tenendi Parliamentum* (New York: Russell & Russell, 1964) pp. 283-88.

8. Yes although the modern model of authorization had Hobbes as its first theorist, it would be incorrect to classify Hobbes' conception as representative because his sovereign, once authorized, may do as he pleases. Since Hobbes does not foresee elections after the first act of authorization, the sovereign's obligation to act toward the well being of the subjects is entirely at his discretion. One may object that interest – the interest of the ruler to preserve his power— may nonetheless play the role of a normative force of obligation and meet with the interest of society for peace and stability. Yet this is not a relationship of political representation, which demands to be directly subjected to periodical and regular elections because it does not rest on the discretional judgment of the ruler. Cf. Richard Tuck, *Hobbes* (New York: Oxford, 1989) p. 70; Jean Hampton, *Hobbes and the Social Concract Tradition* (Cambridge: Cambridge University Press, 1995) pp. 117-25; Lucien Jaume, *Hobbes et l'Ètat représentatif moderne* (Paris: Presses Universitaires de France, 1986,) pp. 114-5; Skinner, *Visions of Politics*, 3: 185-6.

9. Pitkin argued that this theory makes representation look like a "black box", something it cannot understand nor define. "There can be no such thing as representing well or badly….There is no such thing as the activity of representing or the duties of a representative;" Hanna Fenichel Pitkin, *The Concept of Representation* (Berkeley: University of California Press, 1967,) p. 39. John Locke is no exception because although the two contracts he theorized allowed the individual to retain his basic power of judgment, however elections (the second contract) are essentially and solely a means for institution creation not people's representation.

10. Anthony Downs,.*An Economic Theory of Democracy* (New York: 1957) p. 89.

11. The origin of the idea of representation was the Papal Bull, *Unam Sanctam* of Pope Bonifacius VIII (1302). The *corpus mysticum Christi* was the Church spiritually united by Christ through his vicar, the Pope, who led the visible Church of the believers; Ernst Kantorowicz, *The King's Two Bodies A Study in Mediaeval Political Theology* (Princeton, NJ: Princeton University Press, 1957) pp. 167-79. Concerning Schmitt's secularization of the mystical unity into the unity of the State under the person of the Leader (*führer*) see Ellen Kennedy, Constitutional Failure: *Carl Schmitt in Weimar* (Durham: Duke University Press, 2004) pp. 64-81.

12. Marcel De la Bigne de Villeneuve, *Traité générale de l'État*, (Paris: Sirey, 1929-1931) vol. 2: 32.

13. Raymond Carré de Malberg, *Contribution à la Théorie générale de l'État*, (Paris: Librairie Recueil Sirey, 1922) vol. 1: 231.

14. In this case, representation loses all political character and is identified with the act of instituting the function of an organ; the separation between office and the actor or the formation of the state in the Weberian sense qualifies this conception as a theory of officialdom.

15. Carl J. Friedrich, *Man and His Government: An Empirical Theory of Politics* (New York: McGraw Book Company, 1963) p. 273; and Ernst-Wolfgang Böckenförde, *State, Society and Liberty: Studies in Political Theory and Constitutional Law*, trans. J.A. Underwood (New York/Oxford: Berg, 1991) chaps. 6-7.

16. Pitkin, *The Concept of Representation*, 209; Friedrich, *Man and His Government*, chap.17.

17. Adam Przeworski, "Minimalist conception of democracy: a defense," in *Democracy's Value,* ed. Ian Shapiro and Cassiano Hacker-Cordón (Cambridge: Cambridge University Press, 1999) p. 45.

18. G. Bingham Powell Jr., *Elections as Instruments of Democracy* (New Haven and London: Yale University Press, 2000) p. 4.

19. Pitkin, *The Concept of Representation*, p. 54. Elster has defined Burke's speech to the electors of Bristol as "the most famous statement of the case for deliberative democracy," although Burke was proposing 'democracy' for the few, or designing a model of deliberative aristocracy, rather than deliberative democracy; Jon Elster, Introduction to *Deliberative Democracy*, ed. Jon Elster (Cambridge: Cambridge University Press, 1998) p. 3.

20. Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (New Yok: Harper Torchbook, 1962) p. 295.

21. I borrow this expression by Engels from Przeworski, "Minimalist conception of democracy," p. 49.

22. Jürgen Habermas, *Between Facts and Norms: Contribution to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge: MIT Press, 1996) p. 485.

23. Habermas, *Between Facts and Norms*, p. 299. I'm here summarizing from my "Continuity and Rupture," pp. 197-99.

24. Hanna Fenichel Pitkin, *Wittgenstein and Justice: On the Significance of Ludwig Wittgenstein for Social and Political Thought* (Berkeley: University of California Press, 1985) p. 236 (italics added.)

25. Benjamin Constant, "Principles of Politics Applicable to All Representative Governments," in *Political Writings*, ed. Biancamaria Fontana (Cambridge: Cambridge University Press, 1988) p. 209.

26. Augustine Cochin, *L'esprit du Jacobinisme: Une interprétation sociologique de la Révolution française* (Paris: Presses Universitaires de France, 1979) pp. 80-81.

27. Charles Taylor, "The Dynamic of Democratic Exclusion," *Journal of Democracy* 9 (1998): 153.

28. See in particular Jon Elster, "The Market and the Forum: Three Varieties of Political Theory" (1986), in *Deliberative Democracy. Essays on Reason and Politics,* ed. James Bohman and William Rehg (Cambridge, Mass. and London: The MIT Press, 1997) pp. 3-33.

29. Pierre Rosanvallon, *La démocratie inachevée: Histoire de la souveraineté du peuple en France* (Paris: Gallimard, 2000) pp. 62 and 49. For an excellent analysis of two ways of interpreting voting –whether transcription of interests or of political opinions-- see Jeremy Waldron, "Rights and Majorities: Rousseau Revisited," in *Majorities and Minorities*, Nomos XXXII, ed. John W. Chapman and Alan Wertheimer (New York: New York University Press, 1990) pp. 49-51.

30. Antonio Gramsci, *Quaderni del carcere* (Turin: Einaudi, 1973) p. 1625; but see also John Dewey, "The Ethics of Democracy," in *The Early Works,* 1882-1898, vol. 1: 1882-1888, ed. J.A. Boydston, (Carbondale-Edwardswille: Southern Illinois University Press, 1969,) 232-33; and Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge: Harvard University Press, 2000) p. 207.

31. Claude Lefort, *Democracy and Political Theory*, trans. David Macey (Cambridge: Polity Press, 1988) p. 225.

32. In pre-electoral England, for instance, when parliamentary posts were distributed among the nobles as recognition of honor, lottery was used to designate the candidates not elections because it was a neutral system that did not allow for judgment or discrimination among peers. Kishlansky, *Parliamentary Selection*, p. 36.

33. This is why the "minimalist" conception of democracy is lacking. While intellectually elegant, the Hobbesian (peace-seeking) approach to democracy cannot be truly minimalist. Its ambition is to be only "descriptive" in order to be as universalizable as possible. The question is that, while it claims it keeps non-minimalist factors such as deliberation and participation out of the definition and narrows democracy to a set of rules regulating the expression and temporary resolution of "conflicting political forces," "minimalism" cannot hold true without surreptitiously assuming citizens' participation and deliberation, without which both the existence of "conflicting political forces" and the performance of their conflict would be inconceivable.

34. Przeworski, "Minimalist conception of democracy," p. 49.

35. "The fact that we agree about how particular cases are to be decided… [it] shows… that the members of the community bring to bear a common set of criteria. Without criteria, tacit or explicit, our verdicts would be jointly inconsistent and at odds with the verdicts of other members of the community…So the possibility of playing the game ultimately rests on the brute fact that we agree;" Catherine Z. Elgin, *Considered Judgment* (Princeton NJ: Princeton University Press, 1999) p. 63.

36. Cf. John Dewey, *The Public and Its Problems* (Athens, Ohio: Swallow Press/Ohio University Press, 1991) pp. 175-84.

37. Pitkin, *The Concept of Representation*, p. 212.

38. Frank R. Ankersmit, *Aesthetic Politics: Political Philosophy beyond Fact and Value* (Stanford: Stanford University Press, 1997) p. 47. Yet Ankersmit ends up by saying that what makes representative superior to direct democracy is the fact that since "there is no objectively given proposal for political action on the part of the people represented" it would be wrong to expect that people can make proposals; "we need representation in order to be able to define such proposal at all." My view of representation as a process of circularity and circuitry (between institutions and society) aims at not being neo-elitist.

39. On the relevance of the belief system in the formation of electors' preferences and the party as a pole of identification rather than simply an electoral machine see Adam Przeworski, "Deliberation and Ideological Domination," in *Deliberative Democracy*, ed. Jon Elster, pp. 143-44.

40. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993) p. 165.

41. Z.A. Pelczynski, Introduction to *Hegel's Political Writings*, trans. T.M. Knox (Oxford: Clarendon Press, 1964) p. 91.

42. Pitkin, *The Concept of Representation*, p. 217. Friedrich suggested that emphasizing representation's link to society while separating the informal political activities of the citizens from electoral authorization, implied "influence" rather than "participation": "We speak advisedly of *influence* rather than participation or control, since the large number of citizens is not very likely to participate in or effectively to control government action" though political representation; Carl J. Friedrich, *Constitutional Government and Democracy: Theory and Practice in Europe and America*, Fourth edition (Waltham, Mass.: Blaisdell, 1968) p. 278.

43. This conception was fully envisioned by Burke and Hegel who used almost the same words to describe the mediating function of representative institutions, although the latter saw better than the former the role of political parties in constitutional government and stressed the crucial distinction between "factions" and "parties"; see respectively, Burke, "Speech on Economical Reform" (in *The Portable Edmund Burke*, ed. Isaac Kramnick (London: Penguin, 1999) p. 160, and George Wilhelm Friedrich Hegel, "The English Reform Bill" (in *Political Writings*, trans. T.M. Knox (Oxford: Clarendon Press, 1964) pp. 295-330.

44. For an interesting attempt to read political representation as political mediation that highlights various kinds of participation and influence, see Jean L. Cohen, "The Self-Institution of Society and Representative Government: Can the Circle Be Squared?" *Thesis Eleven* 80 (2005): 26–35.

45. Two traditions form the root of the conflation of democracy with corporatist representation: the theory of strong democracy and the theory of guild socialism and pluralist democracy. For a critical overview of these two traditions see Frederick M. Barnard, *Democratic Legitimacy: Plural Values and Political Power* (Montreal: McGill-Queen's University Press, 2001.)

46. Iris Marion Young, *Justice and the Politics of Difference (*Princeton, NJ: Princeton University Press, 1990) p. 233. Ever since James Madison, the idea that partisan groups are constitutive of representative democracy has become a tópos in political science and theory.

47. George Wilhelm Friedrich Hegel, *Philosophy of Right*, trans. T.M. Knox (Oxford: Oxford University Press, 1967) § 303; Max Weber, *Political Writings*, ed. Peter Lassman and Ronald Speirs (Cambridge: Cambridge University Press, 1994) pp. 57-59. Hence Franco has argued that Hegel displays "a similar ambivalence" as Burke on representation "sometime arguing that a representative's duty is to uphold …national interest, at other times arguing that it is to maintain the true interests of his constituents as opposed to their ephemeral opinions;" Paul Franco, *Hegel's Philosophy of Freedom* (New Haven: Yale University Press, 1999) p. 327.

48. Alexis de Tocqueville, *Democracy in America*, trans. J.P. Mayer (New York: Harper Perennial, 1969) pp. 174-75. Anticipating Max Weber's distinction between ideological party and electoral machinery party, Tocqueville distinguished the "great political parties" from the "small parties" and suggested that whereas the latter aggregate interests "without political faith" the former unify citizens through principles and interpretations on the general destiny of the country. Tocqueville did not argue that private interests operate only in "small parties," yet he saw that in "great political parties" interests "conceal beneath the veil of public interest." Similar to Tocqueville's division, and an anticipation of Weber's, was Hegel's distinction between *hommes d'état and hom-*

mes à principes, which prefigured two different forms of party (Hegel, "The English Reform Bill," p. 325; Weber, *Political Writings*, pp. 152-54.)

49. Friedrich, *Man and His Government*, 509-23.

50. For an historical and analytical overview of the party (as opposed to factions and mass democracy as atomistic aggregation) in modern politics see Leon D. Epstein, *Political Parties in the American Mold* (Madison: The University of Wisconsin Press, 1986) chaps. 1-3.

51. Undoubtedly, Habermas is the leading author of the cognitivist rendering of deliberation and democratic liberty. In a very perspicacious review of some of his works, Quentin Skinner has years ago argued how Habermas parts company with classical theories of social existence as a source of individual unfreedom (from Weber through Foucault) by assigning responsibility for our loss of liberty "not primarily" to "external coercive forces" but rather "ourselves" either because we lack knowledge or because we have an "ideologically distorted" rationality; Quentin Skinner, "Habermas's Reformation" *The New York Review of Books,* October 7, 1982.

52. Much of the difficulties recently attributed to the representative system in "taking into account the viewpoints" of the "infinite groups" with "no uniform positions" (Roberto Gargarella, "Full Representation, Deliberation, and Impartiality," in *Deliberative Democracy*, ed. Jon Elster, p. 271) can be seen as difficulties related to the decline of party's associational presence within society.

53. Manin, *The Principles of Representative Government,* p. 220 who thinks this is "a change" rather than a "departure" or a new form of elite selection.

54. Norberto Bobbio, "Il compito dei partiti politici," in *Tra due repubbliche: Alle origini della democrazia italiana*, ed. Tommaso Greco (Rome: Donzelli, 1996) pp. 119-24; Kari Palonen, "Parliamentarism: A Politics of Temporal and Rhetorical Distances," *Österreichische Zeitschrift für Geschichtswissenschaften special issue, Ästhetik des Politischen*, ed. Anna Schober, 15 (2004) no. 3: 114. Thus it is not convincing that post-party democracy or "audience democracy" is a more liberating stage. "The rise of popular, non-partisan media has an important consequence: whatever their partisan preferences, individuals receive the same information on a given subject as everyone else. Individuals, of course, still form divergent opinions on political subjects, but the perception of the subject itself tends to be independent of individual partisan leanings" (Manin, *The Principles*, pp. 228-29). Yet "audience democracy" shows quite a different image: that of a re-structuring and re-shaping of the party form according to goals and criteria that are less, not more democratic. In the country that made video-populism a powerful challenge against the traditional party system, Italy, Mr. Silvio Berlusconi was able to win a stable majority only when he created his own party, endorsed a strong ideological identity, and gave his voters the certainty they belonged in a party, not simply a television commercial. On the surface, "audience democracy" seems to epitomize a system of representation that is fluid, open, and characterized by indeterminacy and run by individual candidates rather than homologated party's members. A closer analysis, however, reveals this system to be no less hierarchical, rigid and homologated than its ancestor, with the remarkable (and pejorative) difference that now the unifier is the person of the leader directly and the subliminal power of media indirectly.

55. Hence George Kateb has remarked that whereas the individual is the unit of legal obligation, political groups are the units that create the consent to the law (*Hannah Arendt: Politics, Conscience*, Evil, Totowa, NJ: Rowman & Allanheld, 1983) pp. 130-42.

56. This makes accountability (of representatives to electors) a structurally ethical and political claim. Theorists of democratic minimalism use this argument to conclude that the only truly democratic institution is election because votes are the most reliable

public data at our disposal and voting is the only formal way citizens have to punish and threaten their rulers (Przeworski, "Minimalist conception of democracy," pp. 34-35.)