

On Political Representation

Andy Blunden, April 2017

Political representation is a troublesome concept. People have been trying to make it work for them for more than 1,000 years, and what gains have been made in the lives of ordinary people over that time have been made thanks in significant measure to the effective use of representation. Nonetheless, so often has representation been the source of disappointment, betrayal and alienation that many young people today reject representation altogether.

The concept of representation is *acting on behalf of others*: everyone agrees what the representative should do, instructs them to do it (with more or less room for discretion) and then they do it and report back on the result. But representation does not usually measure up to its concept, and I contend that it is not representation as such which is the source of disappointment, but the failure of representation to live up to its concept.

Representation as the 'second best'

Any attempt to understand representation must begin by confronting the popular belief which Pollak et al (2009), Brennan & Hamlin (1999) and others describe as the idea that representation was invented as the 'second-best' solution for implementing democracy, second best, that is, to direct democracy. This view is expressed by Marianne Maeckelbergh (2009): "representation was originally a means through which to increase democratic participation at the scale of the nation-state." Following Hardt & Negri (2004), Maeckelbergh credits this invention to the Estates-General in Paris in 1789.

According to Pollak et al (2009), representation has its roots much earlier, in Roman law and the Late Mediaeval Church, and in particular at the Roman Synod of 1059 where two rival theories were posited: descendance theory, according to which Papal authority was passed down from Christ via Papal succession, and ascendance theory, in which power rises from the people. Pollak et al see modern representation having its roots in the struggle of the English Barons to press their claim as representatives of the English people culminating in the Great Charter of 1225.

In my view both these approaches are descendance theories in as much as they see representation as something which has descended from above. The opposite is in fact the case. In my investigation of the origins of collective decision making (2016) I found that the practices which I have personally experienced in trade unions, social movements, universities and governmental structures in England and Australia have a genealogy which stretches back in an unbroken line to Anglo-Saxon England. Drawing on material I gathered in that book, I will briefly sketch how practices of representation have developed and have been experienced in the lives of ordinary people since antiquity.

The Tithings of Anglo-Saxon England

Æthelstan, King of England 924-939AD, codified the hundred which was already, under existing custom, the basic administrative unit of

the kingdom. A hundred was a unit composed of ten tithings, each made up of ten people. Every free person, whether a householder or not, had to belong to a tithing. It was only by membership of a tithing that a person could exercise rights in the hundred courts, which played a pivotal role in the life of the people, dealing with accusations of crimes such as theft or assault, settling civil disputes and witnessing transactions. The tithings acted as a surety to ensure that all its members attended to their legal duties, in return for which their members had access to the court and the protection of the law. The tithing has been compared to Neighbourhood Watch inasmuch as they not only ensured the good behaviour of their members but actively saw to the peaceful order of the community; in the event of cattle theft, for example, every tithing would delegate one of their number to hunt down the culprit.

It was the responsibility of the Sheriff to ensure that the tithings were in good order. Tithings met monthly over a meal, provided they had the leisure, when monies were collected and distributed. Every tithing appointed one man, the *senior tithingman* who was responsible for attending the hundred court on behalf of the tithing, paying the tithing pennies to the Sheriff, and transacting whatever legal business was required. No information has survived as to how the tithingman was selected, but it is most likely would have been by some rule of seniority as that is how such appointments and delegations were usually made in those times.

Thus, although written records of tithings do not go back further than the tenth century, ordinary free people in Anglo-Saxon England appear to have participated in a regular system of representation which was more active and penetrated deeper into their lives than any surviving system of legal or political representation today. At the same time, it is clear that representation was not one-way – membership of a tithing and appointment of a tithingman was as much a measure of social control to which the free citizen was subject as it was an instrument of the free person to access their legal rights and exercise their agency in the political system. Further, Anglo-Saxon England was in no way an egalitarian society; although it was governed by law rather than the arbitrary will of lords and masters, every individual had a definite rank and every social right and duty was calibrated by that rank, so there can be no doubt that representation via the tithing was an integral part of a social system in which the ordinary free person was tied to land for which he was beholden to his master. So when Marx (1871) wrote in connection with the Paris Commune: “Instead of deciding once in three or six years which member of the ruling class was to represent [*vertreten*] and repress [*zertreten*] the people in parliament, universal suffrage was to serve the people constituted in communes,” he was echoing a sentiment which doubtless had a very long history among the masses.

Lest it be supposed that a concept of representation reflected in the tithings would have died out long ago, it is remarkable that the same practice has been used by the Methodist Church since 1784 with classes of 12, and many trade unions used a similar practice to collect dues and maintain contact between their activists and their base membership from the nineteenth century up until salary deduction supplanted shop stewards. Furthermore, although the tithings withered away under the Norman imposition, representation took

firm root among the mass of working people in another form which endured from the tenth century until the nineteenth.

Representation in the Mediaeval Guilds

During the last century and a half of Anglo-Saxon England, there was a great expansion of trade and a flourishing of the towns. As a result, an increasing number of merchants, artisans and others found themselves outside the protection of a system of law based on blood and land. Merchants lived perilous lives outside the law, engaged in activities many regarded with suspicion and often far from the protection of their own kin. To give themselves the security and social support which family and state could not provide, they created a form of voluntary association known as guilds. The guilds appeared throughout Europe and are the antecedents of almost every form of association found in modern society. They provided recovery services for those who fell ill or died far from home, conviviality in their guildhalls, life and fire insurance, they brewed their own ale and supported a clergyman to minister to the poor and provide spiritual comfort to their members. They would go on to give birth to companies like the East India Company, universities like Oxford and Cambridge, colonial governments such as those in New England, and spawn insurance and friendly societies, town corporations, religious sects and charitable organisations and trade unions.

Typically a guild existed for a long time, effectively as an outlaw organisation, until receiving recognition in the form of a Royal Charter. King Edgar, who ruled from 959-975AD, was the first king to issue a charter to a guild. Those parts of economic life on which feudal right had rested continued in the same way as before, while that growing part of life which was centred in the towns and involved trade and industry was regulated by the guilds. Especially under the rule of the Norman kings, who did not even speak the language of the people, the guilds functioned as an effective form of government alongside land tenure. What began as a system of mutual self-help grew into the self-governance of civil society. The state did not so much regulate civil society, but rather, gave its stamp of approval to civil society's self-regulation, with a greater or lesser degree of interference and taxation.

When the House of Commons was created in 1430 it would have been largely members of the guilds who filled its seats. During the intervening 500 years from their appearance in the gaps in feudal society until they took their place in the lower house of Parliament, the guilds regulated prices, distribution, working conditions, training and production of an ever increasing part of social life. They continued in this role until Parliament settled accounts with the monarchy in the late 17th century and at about the same time, usurped power from the guilds, after which there was a gradual decline in their importance and effectiveness. The working class which was forged in the furnaces of the industrial revolution was not the mass of atomised individuals which may be imagined. In fact, they were the product of 1,000 years of organisations which provided microfinance, savings and insurance services, looked after widows and orphans, saw to the vocational training of young people, regulated people's wages, working conditions and the quality and prices of what they produced. Early 19th century England was saturated with an ethos of mutual aid.

But what role did representation play in this life?

The history of the guilds is a 1,000 year long struggle against the tendency of representatives to harden into self-perpetuating bureaucratic cliques. The record makes it clear that throughout that history guild members held on to and struggled for an ideal which they believed to have been a reality in ancient times, of representatives who genuinely represented their members. Given that the guilds were invariably founded without Royal assent, which was conferred in retrospect, it seems plausible. However, everything about the guilds made them vulnerable to degeneration into cliques. Working class consciousness did not become a significant factor until the early 19th century, mostly because prior to this time a worker* began as an apprentice, progressed through wage labour as a journeyman and if they were successful and lived long enough they could aspire to become a master and employ others, ... and hold office in the guild. The guild represented the whole trade, journeymen and masters alike, and exercised considerable power in the lives of those who worked in the trade. But it was effectively an employers' organisation, and it tended to elect its most respected and successful masters to its court. Members of the guild courts proudly wore the livery of their guild, seen by themselves and others as representatives of their trade. Although in essence the guild was a voluntary association of equals, the conditions of its life led it to select its wealthiest and most powerful figures to leadership. Given that both property and trade were handed down from father to son and mother to daughter, it was inevitable that a given trade in a given locality tended to be dominated by a leading family or group of families, and so also its guilds.

Nonetheless, the guilds were democratic organisations with regularly scheduled elections, despite being endlessly subjected to corruption.

The relation between the monarchy and the guilds was complex, contested and changed over time. The London companies, for example, appointed the aldermen to the London Council who in turn elected the Mayor of London, so on the face of it, the guilds were one arm of the democratic government of London. However, the inherently conservative bias of the guild masters plus the requirement for confirmation by the King, ensured that London was ultimately governed by the king. Although offices and representatives of the guild were elected, Royal approval was required, and over the entire period of their existence the Kings mercilessly and outrageously interfered in the affairs of the guilds, plundering their coffers and imposing his nominees. But members of the guilds never forgot that the aldermen and masters elected by the guild were *supposed to be* their representatives, and they always knew the difference between a rigged election and an election which had been properly and fairly conducted.

Gradually losing their authoritative role in organising economic life, due to population movements, technical change, deregulation of apprenticeship and expanding trade, the guilds ultimately

* I refer here to that class which would later differentiate into employers and proletarians; labourers who remained on the land continued to aspire to work their own land.

degenerated into limited ceremonial, charitable and insurance societies.

So, for 1,000 years, the ordinary English worker, whether artisan or merchant, was accustomed to representation organised primarily by trade and secondarily by locality. This representation did entail voting though restricted, corrupted and subject to state interference; people saw that insofar as their interests lay in those of their trade, the representatives shared their interests and generally defended them as best they could. It was thanks to their representation in the guild that they benefited from a range of services. It is not surprising that Gerrard Winstanley, leader of the Diggers, who had been a member of one of the London companies, remarked that:

And truly the Government of the Halls and Companies in London is a very rational and well-ordered government; ... Only two things are to be practised to preserve peace: The first is, *That all these Overseers shall be chosen new ones every year.* And secondly, *The old Overseers shall not choose the new ones,* to prevent the creeping in of lordly oppression; but all the masters of families and freemen of that trade shall be the choosers, and the old overseers shall give but their single voice among them. (Winstanley, 1652/1965, p. 549)

Winstanley doubtless reflected the sentiment of any ordinary English tradesperson: for good government: adopt universal suffrage, prevent the formation of cliques and elect new leaders annually.

The English Revolution

However much of a parody of representation the British Parliament may have been, when the emergent bourgeoisie represented in Parliament went to war against the Divine right of the king, it was the poor of England who filled the ranks of the New Model Army. But there were three parties engaged in the Civil War: while Cromwell wanted to negotiate a deal with the King, the rank-and-file of the Army represented by the Agitators wanted a social revolution.

In 1647, with the King under house arrest and the Army camped at Putney outside London, the rank-and-file soldiers demanded Cromwell and his generals meet with their representatives to come to an agreement on the kind of government that would replace the monarchy. The troops elected two representatives per regiment and the Agitators, as they were called, met with Cromwell, Fairfax and Ireton in what was called the Army Council. We do not know by what process the soldiers elected their representatives but we do know that the Agitators were of one mind as to their mandate, that some of the Agitators were civilians, not themselves soldiers in the regiment they represented, and that the Agitators published and distributed their demands in pamphlets prior to meeting with Cromwell. At no point was the demand put forward for direct democracy – that the Generals should debate with the troops en masse or that Parliament be replaced by mass meetings of some kind. They chose their best thinkers and orators to speak on their behalf, just as you would choose the best available barrister to represent you in court and the best available dentist to pull your teeth.

The soldiers wanted universal suffrage (interpreted as adult male suffrage) and annual Parliaments, with the King having no place in government. Cromwell would not agree to this. Seeking compromise, the soldiers conceded that beggars and servants should not vote, on the basis that they were not independent. But negotiation hit a brick wall over the property qualification; neither side would budge. Cromwell staged a provocation and had the leaders arrested and the Levellers were suppressed. The Civil War eventually settled the political rights of Parliament, though not without the Restoration and another Royal coup, but the English people would not see universal adult suffrage until 1928, and annual parliaments ever.

The English Revolution was the bloodiest conflict that Britain would ever experience and it took place at a time of terrible economic hardship. The aim for which the poor of England sacrificed their lives was the unfettered universal right of representation. Judged by the writings of the Levellers, representatives were not expected to be delegates, that is, to have their votes mandated in advance, a measure which reflects distrust in one's representative, but rather to deliberate and subject themselves to frequent re-election to ensure responsiveness to the electorate. With a long experience of representation in the guilds, the Levellers were well aware of the danger of corruption and for this reason were reluctant to demobilise or enter upon foreign wars. Not just frequent elections, but an armed population was needed to ensure good representation.

The king was beheaded, but power passed not to the poor but to the bourgeoisie and the poor masses who had sacrificed so much were denied any right to representation in Parliament.

The Chartist Movement

The absurdities and corruption of Parliamentary representation in Britain brought the institution into such disrepute that in 1832 Parliament itself passed the Great Reform Act which rationalised representation. The Act gave the vote to resident ratepayers of property worth at least £10 per annum rental value — about 1/6 of adult males, neatly selecting the class of non-productive parasites, while leaving no part in the political life of the nation to the men and women of the working class or their children. The result was a series of Acts which were shocking in the nakedness of their pursuit of class interest. Seeing the middle classes achieve their ends by gaining the franchise, the working class set about winning their own representation in Parliament.

Drafted by the London Workingmen's Association in 1837, the Charter had six points: universal adult male suffrage, protected by secret ballot, abolition of property qualifications for MPs, the payment of Members, equal electoral districts and annual parliaments. Female suffrage was omitted only because they did not believe the English middle classes would *ever* give the vote to their women. They also sought free, universal school education, state regulation of wages, conditions and working hours, state welfare in times of distress, Irish emancipation, an end to censorship and freedom of association. The Charter was the *symbol* of this universal program and united in a single movement all those who were not represented in Parliament.

Not only did the government exclude 90% of the people from representation in Parliament, but they made democracy illegal even *within* people's own organisations. Conspiracy Laws punished 'seditious' association and meetings of more than 49 people with imprisonment and transportation and it was illegal to *elect officers*, or committees, or *any kind of representative structure* or *communicate in any way between branches*. The penalty for contravening these provisions was seven years transportation. The ban on communication was overcome by publication in the *Northern Star*. The ban on electing delegates and officials was circumvented by local branches nominating candidates, and then the National Executive appointing the nominated person. A Convention was recognised as legal to the extent that it was a petitioning body, and the election of delegates was supposed to be legal if carried out at public, county hustings, rather than at private meetings of the local Charter Associations. But the government was continuously changing the laws and making new regulations to thwart the Chartists' attempt to organise democratically while remaining within the law and operating openly and in public. Efforts to register the National Charter Association as a charity or friendly society, which would have allowed for a branch structure, were thwarted at every step.

Over the period of a decade, thousands of petitions were presented to Parliament, including the three Great Petitions which each had more than 3 million signatures, but all were rejected out of hand. Once again, having organised the entire country and united behind the demand for representation in Parliament, the poor of Britain were absolutely refused representation in Parliament.

Faced with this brick wall, the Chartists had no Plan B, and the working class turned its back on the whole idea of resolving its grievances politically, i.e., through representation in Parliament, and turned instead to building its own self-defence organisations which had served it so well in the past. At first it was the skilled trades and factory workers, but then in the 1880s they were joined by the mass of unskilled workers in a trade union movement characterised by elaborate structures of representation and accountability. The large general unions built by unskilled workers meant less emphasis on representation by trade and at the same time, unions sought to place delegates on school and hospital boards, municipal councils and every kind of community organisation, and in 1900, formed the Labour Representation Committee to sponsor 'proxy' candidates for Parliament. The franchise had been incrementally extended in the meantime, but only when the troops came home from the front in 1918 was universal adult male suffrage granted, and in 1928, thanks to the Suffragettes, the franchise finally extended to all women.

Summary

Representation has been part of the lives of ordinary people in Britain for at least 1,000 years, and the same traditions were transmitted to the colonies. Whether imposed by law or voluntarily adopted in opposition to a repressive political regime, representation has always been two-sided, both a means of asserting one's own will and an instrument of one's subordination: representation is a means of participation. And there has never been a time when the ambiguity of representation was not understood by those participating in it and

efforts to combat its corruption have a history as long as that of representation itself.

When representation in government was denied or simply not on offer, ordinary working people (i.e., those lacking significant property) have taken charge of their own lives and built elaborate systems of representation to do so. Whereas the bourgeoisie has followed the nobility in basing representation on a territorial model, working people have tended to use combinations of trade and locality more or less corresponding to the structure of the markets for their labour.

Access to representation in government itself was gradually extended from the top down, in England beginning when the Magna Carta granted rights to the Barons in 1215 until universal suffrage was finally granted in 1928, always in response to existential threats and with the aim of coopting an intermediary section of the population. From the early 19th century, the industrial working class expanded its independent, often clandestine representative structures from parochial guilds and trade societies, until more than half the workforce were organised in unions, and workers' organisations increasingly penetrated the state through their own representatives, and in the process became increasingly tied up with the state.

Those who were coopted already had their representatives. The extension of the franchise substituted one system of representation with another more amenable to the ruling class. The unions which sponsored representatives had *control* over their representatives, the electors in a parliamentary do not.

Universal suffrage has had a different meaning in the history of every country; in countries where the majority of the population remained on the land (such as in post-Revolutionary France), universal suffrage was used as an instrument of repression against the workers.* The problem here is not representation as such, but of the relation between the urban and rural movements.

The history is different in every country, but must be studied as something which essentially grows from the bottom up before being incorporated from the top down.

Representation in Our Times

What is surprising about this history is that we have come to believe that the only representation we have is that granted to us 'from above', and that representation means ticking a box once every 3 or 4 years in an electorate where your vote is (dis)counted alongside 50,000 votes cast by people who are strangers to each other. For most of us, most of the time, the only experience we have of acting on behalf of others is in the immediate circles of work and family. Even 50 years ago it was common for us to meet in trade unions, professional associations, sporting clubs, church congregations and community groups of all kinds, in which we voted, elected, heard

* See Engels' 1895 Introduction to "Class Struggles in France" for the variety of ways in which universal suffrage was used, with or without a Party capable of making use of it. "The revolutionary workers of the Latin countries had been wont to regard the suffrage as a snare, as an instrument of government trickery."

reports, made decisions and through others acting on our behalf we acted within a much larger sphere. These activities still exist but they have declined. Trade unions, instead of having monthly meetings of members have adopted a 'service model' in which dues are deducted from salaries and members get a service like members of the RAC. Pressure groups and even political parties work much the same way. Communication is overwhelmingly one-way, via mail-outs and the mass media. The electronic media have greatly amplified our capacity to communicate with like minds, but tend to ensure that we never have to come to an agreement with people we don't get on with. Clicktivism is very tribal.

Representation without a mandate

The idea that representation is a 'second-best' alternative to direct democracy is belied by the fact that representation is *an integral part of the formation of the subject itself*. Representatives are selected even when there is no one else to make representations to (such as in athletic championships) or only incidentally so (such as in the case of some industry or professional associations).

In common parlance, Parliament represents the people (both those who voted for it and those who didn't) and acts on its behalf in making laws and acting on the world stage. Likewise, each Member of Parliament represents the people of this or that constituency, usually a particular geographical territory, by their participation in the deliberations of Parliament. In the first case it is presumed that the people of the whole nation may be spoken of as if it were a single, coherent subject whose will is vested in Parliament and delegated in turn to agents of the government. * Likewise in the second case as if the various electorates – whose territorial boundaries often have no significance once the election is over – constitute self-conscious subjects.

Despite the symmetry, the two cases are different. Let's start with the idea that the Australian Parliament, for example, represents the Australian people.

On the face of it this seems an absurd claim: the government's personnel and policies change every few years, but if the Australian people changed it was only marginally so; the government does things such as outlawing euthanasia and same-sex marriage and invading Iraq all of which a great majority of the people do not agree with; it takes actions on the world stage such as spying on Timor Leste or negotiating the Trans Pacific Partnership without the people even knowing about it, far less approving it. And yet the mere fact that they do it on our behalf (and I use the word 'our' advisedly) means that the claim that they represent we the people is valid.

The representation of the people exercised by a government which acts in contradiction to the manifest will of a majority of the people is self-evidently defective, but it is representation nonetheless.

* I am passing over the distinction between a 'government', which changes whenever there is an election, and the 'state', which is continuous between social revolutions which dismantle the entire state apparatus. I take it that the government is continuous through changes in personnel, i.e. as synonymous with 'state'.

It's like when my child's dog bites the neighbour's child. I am responsible, even if by omission. And so in that sense the dog represented me, even though I didn't intend it to bite the child. When the Australian government joined America's invasion of Iraq hundreds of thousands marched chanting: "Not in my name!" but it *was* in our name. We are responsible, all of us, even those of us who did not vote for John Howard and who marched against the War. By the same token, when Kevin Rudd apologized to the Stolen Generation, he apologized on all our behalf – he represented all of us, even though very few of us could have played any part in that cruel policy, and it is doubtful that any of us benefited from the practice.

That actors acting on behalf of a nation *represent* the nation does not mean that any given individual citizen of that nation intended the action, supported it, benefited from it, knew about it or in any way contributed to its realisation. Just as the Socceroos represent Australia in the World Cup. And John Howard is wrong when he wants to deny responsibility for past crimes against the Indigenous people of Australia while taking pride in the Australian cricket team. You can't have it both ways.

So to 'represent' means to 'act on behalf of', as a barrister acts on behalf of her client when she represents the client in court, including public advocates acting on behalf of incompetent clients. It is nothing to do with likeness or any causal or intentional relation. To 'represent' means to manifest the will of the group being represented, but if the ground of that that will is absent or contrary, so long as the representative is formally authorised to represent, then it represents, however poorly.*

But in the second case, the claim that the MP for the electorate of Lowan 'represents' Lowan, is quite different and is no more than a manner of speaking. I have taken the example of Lowan because 'Lowan' is not the name of any town or suburb (like Dimboola or Nhill) – it exists only for the purpose of voting. Even though it is customary to name electorates after really existing towns or suburbs, this is merely a charade. Electorates have no more substantial existence than the cardboard ballot boxes that are set up on election day morning and removed at 6:00pm. For the member for Lowan to say "I represent Lowan" is just a figure of speech.

In relatively rare cases, an electorate can take on a more enduring reality and develop self-consciousness – for example, Indi, because it was lumbered with a particularly unpopular MP for 12 years until she was ousted in 2013 by an Independent whose campaign created a proud Indi identity. The use of the names of really-existing communities when naming electorates helps maintain the illusion of direct representation, and contributes, alongside numerous other practices, in the formation of the self-consciousness of a community approximating to the electorate as a subject.

* The alternative approach, to set some standard of consultation below which actions on behalf of a principal cannot be deemed to represent, leads to arbitrary and absurd analytical difficulties about just where to set the limit beyond which representation becomes not representation; or to abandon the concept altogether.

Except for that minor part of the MP's job, mostly carried out by electorate officers, resolving disputes and bureaucratic problems on behalf of individual constituents, a Member of Parliament's job is to participate in deliberation on legislation and policy for the *whole* nation. Every MP therefore represents the people of the *whole* country. It is an incidental question of the mechanics of elections that the MP is particularly exposed to pressure on questions affecting their constituents or their party and as a consequence might reflect a likeness to a typical constituent profile. But such a likeness is incidental and has nothing to do with whether or not they 'represent' their constituency.

Further, the individual who complains that their MP does not represent them has a point. Presuming the individual did not vote for the successful candidate, if the individual played no part in the political process other than casting their unsuccessful vote, then they are not represented. But this is unbelievable! If they did nothing *other* than vote then they are culpable for who gets elected, for as the saying goes: "All that is needed for evil to triumph is that the good do nothing."

The universal and the general

The other philosophical issue here is the distinction between the universal and the general (See Hegel 1830 §163). It is universals which human beings use to reason and act in the world, when we grasp concepts and act according to regularities in the world. A universal such as 'dog' is a valid concept by which we distinguish dogs from cats or humans, and correspond to the species of dog. But there is no attribute which can be named which is true of every dog. Even 'animal with four legs' doesn't do it, because some dogs are born deformed or lose a leg in an accident but do not thereby cease to be a dog. 'Four legged animals' is a *general* category, and if a dog loses his leg under a car, it ceases to be a 'four legged animal'. Although we *recognise* dogs thanks to general attributes, a dog is not a collection of attributes. It is a norm.

Australia is a genuine subject, an actor on the world stage whose citizens know themselves to be Australians, whether or not they are patriotic. A government or one of its agents – a Prime Minister, Ambassador, soldier or bureaucrat – lawfully acting on behalf of Australia, can indeed be said to *represent* Australia. But it would be a mistake to conclude from this that the will, opinion, belief or desire of every single Australian is reproduced in these actions. Of course not.

Delegation and mandation

In my study of collective decision making (2016) I don't recall any instance of mandating delegates (that is, principals trying to instruct delegates on which way to vote in a given discussion) throughout the history of the guilds, during the English Revolution or in Winstanley's writings. The first instance I came across was in the brief life of the London Corresponding Society (1792 to 1798) where it formed an integral part of an original effort to engage their entire membership in a debate about their own constitution. To the best of my knowledge a prejudice in favour of mandating delegates only developed when workers' organisations put MPs into Parliament.

The experience of MPs “forgetting their roots” began as soon as delegates sponsored by trade unions, Labour Representation Committees and Labour Party branches got into the halls of power. Mandating can only arise where there is an organisation which exists independently of the candidate, and generally arises because getting into Parliament entails a complete change of cultural environment (and ‘social pressure’). It happens to trade union delegates as well, who can suddenly see things very differently once they engage in negotiations with the employer and come to see the employer’s point of view, but trade unions are generally in a position to determine their own course through mass meetings, accepting or rejecting propositions put to them by representatives. Under these conditions, mandation is the norm.

A well-known instance of mandating delegates is in the US Electoral College system, where delegates are mandated to vote for their chosen candidate in the first round of voting only. As it was with the LCS, mandated delegates play the role of bearers of a message, and are not expected to engage in deliberation. This is an immature and defective conception of delegation. As Hegel (1821, § 279ff) showed, a social movement, state or any kind of organisation cannot be fully counted as a subject until it is able to represent itself through the free will of a single individual. This requires not mandation, but the fostering of individuals who are so entirely encultured by a movement or community that their actions simply dot the ‘i’ on decisions of the community in the simple exercise of their own subjectivity. It is a mark of the maturity of a movement or state that they are able to produce such representatives. (See also “The Origins of Collective Decision Making” (2016) on Counsel.)

Contempt of Parliament

The British bourgeoisie have always been aware of the class content of mandating delegates, so attempting to coerce or constrain the action of a Member of Parliament falls under the law of Contempt of Parliament and is regarded as a very serious crime. Once a delegate has been elected, the bourgeoisie are confident that the delegate is effectively hostage to the economic, cultural and intellectual environment into which the working class delegate moves. But just in case, contempt of Parliament laws make proletarian discipline illegal.

Mandating delegates is not however the solution to the problem of elected representatives who then become hostage to the institutions to which they are elected. If delegates are to participate in deliberation and make rational decisions, then negotiation and discussion is required. Nonetheless, representatives must be obliged to explain themselves and the resulting to-and-fro is an integral part of the process of subject formation entailed in representation. Where the representative acts as a mediator rather than as a representative, then this is a reflection of the cultural and intellectual gulf separating the rank and file from the halls of power.

How is representation made a reality?

As Pollak et al (2009) rightly point out, it is the richness of the *informal* representation processes in a democracy – the working class parties and the presence of social solidarity on one hand and the lobbying activity of capitalist agencies on the other – that are

responsible for representation rather than the formal structure of representation itself. This is why the history of representation which grows from the bottom up is more significant than the history of cooption which is extended from the top down.

During 50 years over which I have voted in elections my vote has never made a difference; that is, I have never voted in an election with a margin of zero or one. But in most elections I have handed out material, donated money and argued with friends and colleagues in favour of a vote for one or another candidate and I maintain my membership of the Australian Greens and do what little I can to support them. Although I could only make a difference thanks to the existence of elections, it is these *informal* processes that achieve meaningful representation. Even in those countries where there are no elections, and informal processes of representation are the only ones available, informal processes change government policies and even bring down governments. It is for these reasons that it is possible to talk of the government representing the nation despite the fact that the electoral process produces governments in a chaotic and more or less accidental, mechanical process. It remains a fact that if you can change public opinion on a question, the elected politicians will eventually have to fall into line.

It is struggling to change public opinion, change the government and government policies which transforms a group of people merely having something in common into a project, that is, into a self-determining subject. It is not that first there is a subject, the people, and then this subject represents itself in the personality of the leader. On the contrary, it is the struggle over representation in the government which makes the people into a subject and continuously remakes that subjectivity. Immediately, the struggle over representation transforms various groups of people into a variety of conflicting projects, but however much they loathe each other, by the fact of participating in Parliament, they collaborate and through that collaboration give whatever reality there is to the representativeness of the Parliament and its leaders.*

A nation is a collaborative project (Blunden 2014) in which a diverse range of projects – political, cultural, scientific or utterly mundane – collaborate in forming a government whilst pursuing their own ends.

Electoral systems

The electoral system is a set of historically inherited rules under which the various parties fight it out and produce the country's representation. I do not intend to discuss here the merits of the various voting methods – proportional representation, first-past-the-post, optional preferential, etc., – because, important as they are for political strategy and forming the political character of a country, they do not bear on the matters of principle addressed here.

The players will adapt their tactics to make the best of the rules. One set of rules tends to produce multi-party coalitions, another one-party rule, one will favour capital more than another, some function to

* The members of Sinn Fein who were elected to the House of Commons from seats in Northern Ireland refused to take up their seats, because to do so would have acknowledged the reality of the Six Counties as a province of the United Kingdom.

increase the influence of rural interests, others not. *The electoral system is a lens through which the political culture of a country is projected* and the people are formed into a subject.

The important thing is that it is the informal processes – the activity of the media, pressure groups, the various parties, trade unions and corporate donors – which form the political culture of a country and are the sources of political representation, a process which culminates in the election of representatives, but neither begins nor ends with elections.

Reflections and Representations

Some people interpret the word ‘represent’ differently. “Parliament represents the people” is taken to mean that Parliament is a likeness, let us say, a *reflection* of the people. In some cases this is interpreted to mean that if the country is 50% female, then the Parliament should be 50% women, and like their constituents, MPs should have spent the major part of their working lives outside of politics.[†] Marianne Maeckelbergh expresses a similar view in relation to the function of representation within present day social movements:

“diversity ... makes it is nearly impossible to compile a committee of people that could realistically represent the interests of all the participants. ... representation functions on the assumption that a certain portion of the group will have identical interests and creates a circumstance in which only these *shared* interests get expressed.” (2009, p. 177)

But representation is an *active* process: forming and giving expression to a collective view, selecting representatives, instructing the representatives, and then acting for the group whether in deliberation or action as such, reporting back, educating the group and over again ... A focus group or a committee that simply *resembles* the group it represents in some way is not thereby representing them at all. This is not to deny that a deliberative body which reflects the diversity of the principal in the diversity of its participants is not a good idea. It is, but it is not the essential question.

The problem of representation does not arise from the diversity of people; it arises *even when I represent myself*. (See Hegel, 1821, §115) I have innumerable different needs and desires, but at every given moment I nonetheless form an intention and act according to that intention. My intention furthers a purpose which resolves the contradictions between my various desires and the constraints imposed by those of others. I cannot act at all other than through momentarily resolving the contradictions between my various desires, and formulating a purpose, even while I take myself to be an single, independent human being – I cannot do two things at once, nevertheless, I must act. So in representing myself I face the same contradiction that confronts the representative who acts on behalf of a group. In selecting a representative and instructing the representative,

[†] If the diversity of the representative body differs markedly from the diversity of the principal, such as when all the MPs are old, white men, then this indicates a problem, but the problem lies in the relations of subordination within the population, not in the manner of representation.

the group implicitly resolves these contradictions and thereby forms itself into a subject, a personality.

It is by acting in the world that an individual makes themselves into a personality and in just the same way, by choosing and mandating representatives, a group transforms itself from a collection of individuals into a subject, an actor on the stage of history. There is no implication in this that internal differences are dissolved, overridden or ignored, but they are transcended.

So we have two concepts here of what constitutes a person and what constitutes a representative. On the one hand, a person is seen as someone with a certain gender, age, education, experience, nationality, etc., etc., and on the other, a person is someone who pursues certain purposes, has commitments, a life. The former is the object of surveys of voter preferences, the passive object of political policy and action. The latter is the active subject, who pursues ends collaboratively with others and changes the world.

Participation vs. Representation

Maekelbergh (2009, p. 176) says that “there is a contradiction between participation and representation” and there is, and this may be the strongest form in which the ‘second best’ argument can be expressed. If everyone else is rendered passive while the representative acts, if the only active role is that of the representative, then this contradiction is absolute. However, in the fully developed process of representation, the actions of the representative on behalf of the group is merely the consummation of the process, and it will be very poor representation if the representative is the only actor and while everyone else is passive. The practice of representation integrally entails whole the process of formulating the mandate, choosing and instructing the representative, hearing the report-back and supporting the representative. The representative who attends a meeting without a mandate and without a brief and without the support of an active group is not a *true* representative – a representative, but not a *true* representative.

Only the egotist feels that the contradiction between participation and representation can only be overcome by *being* the representative.

What makes a good Representative?

Throughout its history the English people, at least, believed with Gerrard Winstanley that annual elections and a ban on serving consecutive terms was the best way of ensuring responsive and therefore good representation. But since universal suffrage we do not hear very much about annual elections. There is more concern that frequent elections lead to short-term thinking and obsession with opinion polls which together function to produce *poor* representation. We no longer believe that responsiveness in itself promises good representation, and may even undermine it. The idea of the professional representative has become more acceptable.

The mediation of the relationship between elector and elected by the commercial media on the one hand and political parties on the other,

make a direct relation between voter and candidate a fiction.* These informal components of the political system overwhelm the formal political system which sees only an individual elector voting for an individual candidate, a candidate who has probably played little part in the formation of the voter's intentions and may be unknown to the voter.

Good representation entails both gaining the approval of a majority of the electorate *and* advocating rational and morally good policies. But much of the time these two criteria are incompatible. The resolution of this contradiction lies in good representatives actively, in collaboration with others, educating the electorate and advocating for their program. These two tasks – educating the electorate and legislating good policies – need to be brought together, but not necessarily in the same person. The formal processes of politics are probably not the site of solutions to this problem.

Good representation therefore entails finding solutions to the contradictions of social life which will make sense in the existing cultural environment, and winning an effective national consensus around good policies. This is why politicians consult expert bodies and the civil service, but alas, rarely act on that advice, preferring to adopt the policies dictated by the commercial media and corporate lobbyists and making sure that they are re-elected.

Good representation entails devising effective solutions to real problems, framing them so that they could command the support of a broad majority of the population and effectively advocating for them and winning that broad consensus. Good representation entails a social movement capable of coordinating these three tasks and projecting them through the formal electoral system into government. Seen this way, there is no firm line between representative and principal.

Voting on personality rather than policy

Politically engaged people often lament the fact that less engaged voters tend to decide their vote on the basis of the personality of the candidate (or Party leader) rather than the policy. This is in fact a perfectly rational stance for someone who is less than well qualified to make judgments about economic policy, geopolitics, social and cultural change, and so on. And aren't we all? And yet everyone has to be able to make judgments about personalities. Familiarity with the course of debates on the relevant controversial issues is the best substitute for real expertise in the subject matter, and it is a matter of regret that everyone does not have that familiarity. But given that most voters most of the time are relatively ill-equipped to make political judgments, judgments based on assessments of a candidate's personality are probably the most reliable!

Selecting representatives on the basis of their personality is not irrational. If only people were better judges of personality, that's all.

* And the use of Twitter for direct communication between representative and voter does not change this situation because the entire universe of discourse within which the representative tweets is constructed by the media and political apparatuses.

Why Elect Representatives?

A head of state acts on behalf of a nation if their right to do so is sanctioned by the effective legal and state apparatus of the country and is recognised by other nations. But it is an essential part of the concept of representation that the people *choose* or if not, then at least instruct the representative how to act on their behalf. The process by which representatives are selected does not have to be an election, but it must be seen to manifest the will of the people. If there is no consensus, then the *universal* will can be determined by a process which is seen to fairly combine the will of all, and election by majority vote is widely seen as effecting this purpose. If a nation is sharply divided then that universal will must be defective, but there is no better alternative to majority decisions constrained by the rule of law.

Donald Trump's election as US President is deficient by the fact that he did not receive a majority of votes, but is nonetheless legitimate as he won according to the election rules which were in place in the US at the time. Any election is deficient under conditions where the wishes of the electorate are sharply divided, and most successful candidates know that their first task is to win over those who voted against them and overcome that deficiency.

Elections are not the only way of manifesting the will of the people. From the 1890s, when the mass of unskilled workers joined the union movement, unions have operated a kind of Westminster system, electing a pyramid-like structure of branch, regional and national committees from the membership base, and then *appointing* from the top down, professional staff who usually come from outside the industry and have legal and organising skills. I know of at least one political party which advertised in the press, interviewed and appointed their Presidential candidate. This process has the advantage that it enables the selection of expert representatives who do not exercise authority internally with respect to their party and are therefore pliant instruments of the party. In trade unions, the professional, appointed General Secretaries generally wield less political weight within the union than the elected Presidents. But this is not always so, and at the very least it creates a separation of powers which is healthy because it obliges genuine collaboration.

In Australia, judges are appointed by their judicial peers, insulated from political influence while sharing the cultural prejudices of their class. Judges are open to expression of the people's will only to the extent that they live in the communities where they adjudicate. Judges of course rarely share the conditions of life of the accused who come before them, and this fact was probably the rationale behind the introduction of jury service. The justice system is designed so as to insulate decisions from anything resembling a popular will, because crime and punishment is a domain where decisions must be protected from passion and prejudice. It is for the same kind of reason that in Australia citizen-initiated referenda are not used.

Representation requires both the manifestation of the popular will *and* making good decisions, probably calmly and with attention to evidence. At any given moment in the social and historical development of a project these two conditions may be incompatible.

When Rupert Murdoch is in charge of informing the public, Tony Abbott is leading the Opposition or Jeb Bush is counting the ballots, elections are not going to satisfy either condition. The fostering of representation, essential for the self-determination of any group of people, any project, means knowing how to best correlate the formation of the widest possible consensus around a policy with the widest possible participation in the selection of a representative, the formation of a mandate and reflection on the outcome.

Politicians would often make better decisions if they never had to get re-elected, but that is not the point. Good decisions have first to be made by the great majority of the people, together, after which then getting the politicians to adopt those policies usually follows. Elections and the lousy politicians they produce are not the problem at the moment – it is *the quality public discourse* which is the underlying problem needing to be fixed, and elected politicians are in no position to help.

Advocates of ‘citizen juries’ have convincingly shown that a randomly chosen group of citizens, if given time and the same kind of expert advice given to elected politicians, generate better decisions than career politicians or even social movement activists. But the suggestion following from this that election of governments should be replaced by such randomly chosen focus groups is premature. Politicians are tasked not just with devising good policies, they are the mediating link in the process whereby the people *govern themselves*. It is a sorry reflection on our political process that the electorate is incapable of forming themselves into a coherent whole around a sensible social and political program. But that problem needs to be tackled at source rather than bypassed by random selection of legislators.

The Alterglobalisation Movement

The protest movements which have sprung up since Seattle in 1999 – following around after the big international capitalist talkfests and staging spectacular protests, and since 2011, the Occupy movement, characterised by the big ‘general assemblies’ – not only reject voting, but have also developed an antipathy to representation. Marianne Maeckelbergh wrote:

“Over the past 30 years, as identity began to play a more central role in defining movement actors’ politics, representation slowly became undesirable and even impossible. The idea that a single person in the form of a representative could accurately understand, much less represent, multiple experience-specific, subjective identities slowly grew more and more implausible.” (2009, p. 179)

Under such conditions, protesters represent no-one but themselves. This surely marks the end of all politics.

Conclusion

The election of reality TV star as US President and the Brexit vote proved how dysfunctional the contemporary political system is, but the problem does not lie in the formal system of representation which is no more than a prism through which is projected the informal

culture of representation, presently dominated by capital. Where the majority principle has been firmly implanted, the existing formal systems of representation are *good enough*.

As Marx put it in the *Communist Manifesto* (1848): “the first step in the revolution by the working class is to raise the proletariat to the position of ruling class to win the battle of democracy.” It is not enough that the workers’ party wins a majority in Parliament – they have to win power in civil society at the same time.

But self-evidently, the existing formal systems of representation in no way contribute to the popular conquest of civil society. These formal systems of representation have in fact helped undermine working class organisation. Systems of representation have to be built which are true to the concept of representation, capable of forming, expressing and executing the popular will through the existing formal systems of government.

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