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The Avatars of Virtual Representation

An Assessment of the Burkean Notion's Contemporary Relevance

CAMIL-ALEXANDRU PÂRVU

There are two significant challenges to current democratic theorizing on political representation. One, with a long and illustrious history, concerns the way in which a radical contrast between electoral representation and public participation is treated by democratic theorists and activists. It is an important and on-going debate, which has mobilized both advocates of participatory democracy and neo-Schumpeterian theorists¹, and the dimensions of this controversy are still considerable². Whether asserting³ or rejecting⁴ the existence of such a conflict between representation and participation, theorists draw on a large body of political scholarship. A second, equally important, challenge concerns the way in which we can understand representation "beyond the ballot". This time, the contrast is not between the distinct virtues or vices of representation *vs.* direct citizen participation, but rather between considering representation itself as exclusively centered on electoral processes – and, even more narrowly, on the "dyadic" relationship between voters and their particular representative – and accepting the theoretical and practical possibility of representation independent of, or separated from such electoral contexts. This article explores the way in which research on the later direction has been articulated recently, and how it might enrich our understanding of political representation. By pondering about the specific conditions in which such "virtual representation" can be meaningful this research suggests a number of considerations to guide our analysis and understanding of these theoretical developments.

Some of the recent literature⁵ on political representation seems thus to have taken up Edmund Burke's challenge of conceiving of representation well beyond a purely electoral context. This article examines the analytical, normative and institutional

¹ Nadia URBINATI, Mark E WARREN, "The Concept of Representation in Contemporary Democratic Theory", *Annual Review of Political Science*, vol. 11, no. 1, 2008, pp. 387-412.

² Frank FISCHER, *Citizens, Experts, and the Environment*, Duke University Press, 2000; IDEM, *Democracy and Expertise*, Oxford University Press, Oxford (UK), 2009.

³ Benjamin R. BARBER, *Strong Democracy: Participatory Politics for a New Age*, 1st ed., University of California Press, 2004.

⁴ Nadia URBINATI, *Representative Democracy: Principles and Genealogy*, University of Chicago Press, 2008; David PLOTKE, "Representation is Democracy", *Constellations*, vol. 4, no. 1, 1997, pp. 19-34.

⁵ Jane MANSBRIDGE, "Rethinking Representation", *American Political Science Review*, vol. 97, no. 4, 2003, pp. 515-528; Melissa S. WILLIAMS, "Burkean 'Descriptions' and Political Representation: A Reappraisal", *Canadian Journal of Political Science/Revue canadienne de science politique*, vol. 29, no. 1, 1996, pp. 23-45; Heinz EULAU et al., "The Role of the Representative: Some Empirical Observations on the Theory of Edmund Burke", *The American Political Science Review*, vol. 53, no. 3, 1959, pp. 742-756.

dimensions of such "non-elective representative claims"¹, as they are articulated (albeit under different designations) by authors such as Michael Saward², Jane Mansbridge³, Andrew Rehfeld⁴ or in the earlier study of Robert Weissberg⁵. A first section of this paper attempts to identify the way in which Burke himself defined and integrated the notion of virtual representation in his important, albeit rather non-systematic approach to political representation. Hanna Pitkin's contemporary scholarship on Burke, as well as a number of other recent studies⁶, have provided a necessary update on his political views and his concept of virtual representation. A second section reviews a number of contemporary positions that restate and elaborate on Burke's initial formulation, conserving a basic analytical structure of the concept of virtual representation (the absence of an electoral connection between the representative and the represented), yet staying away, at the same time, from the more substantial Burkean notions of fixed, nation-wide objective interests, or of a natural aristocracy. In the last section, I suggest that there are two important directions in which research on the avatars of virtual representation can meaningfully develop: one, privileging the expansion and increased accuracy of existing partisan political representation mechanisms and procedures in order to include previously ignored or suppressed legitimate individual or group interests (enfranchising identities, preferences); while a second direction of modern and contemporary scholarship on virtual representation theory aims, on the contrary, to transcend any partisan and particularistic identities to be represented, and offers either to reproduce an original unanimity, totality, unity of the people, or to foster the general interest and the common good. Both these directions can find inspiration in Burke's plural conception of representation, yet they face some of the original difficulties also.

These difficulties stem, in part, from virtual representation's ambiguous relation with electoral representation. Furthermore, such difficulties are raised also by the fact that replacing Burke's original understanding of interests and "descriptions" in a contemporary context is not straightforward. Even in Burke's account, despite its conceptual clarity and thought-provoking style, a significant conundrum is present when considering the normative foundations of virtual representation, as well as the institutional implications of such a notion. These are the difficulties that are still

¹ Michael SAWARD, "Authorisation and Authenticity: Representation and the Unelected", *Journal of Political Philosophy*, vol. 17, no. 1, 2009, pp. 1-22; Jane MANSBRIDGE, "Rethinking Representation", cit.

² Michael SAWARD, "The Representative Claim", *Contemporary Political Theory*, vol. 5, 2006, pp. 297-318; IDEM, "Authorisation and Authenticity...cit."

³ Jane MANSBRIDGE, "Rethinking Representation", cit.

⁴ Andrew REHFELD, *The Concept of Constituency: Political Representation, Democratic Legitimacy, and Institutional Design*, Cambridge University Press, 2005; IDEM, "Representation Rethought: On Trustees, Delegates, and Gyroscopes in the Study of Political Representation and Democracy", *American Political Science Review*, vol. 103, no. 2, 2009, pp. 214-230.

⁵ Robert WEISSBERG, "Collective vs. Dyadic Representation in Congress", *The American Political Science Review*, vol. 72, no. 2, 1978, pp. 535-547.

⁶ Melissa S. WILLIAMS, "Burkean 'Descriptions' and Political Representation...cit."; Samuel H. BEER, "The Representation of Interests in British Government: Historical Background", *The American Political Science Review*, vol. 51, no. 3, 1957, pp. 613-650; James CONNIFF, "Burke, Bristol, and the Concept of Representation", *The Western Political Quarterly*, vol. 30, no. 3, 1977, pp. 329-341; George J. GRAHAM, "Edmund Burke's 'Developmental Consensus'", *Midwest Journal of Political Science*, vol. 16, no. 1, 1972, pp. 29-45.

confronted by contemporary accounts of virtual representation, and the purpose of this contribution is to outline some of the possible avenues of fruitful research.

It is customary¹ for new articles on political representation to pay tribute to the established canon in the field, Hanna Pitkin's original² treatment of the notion. That work offered two of the most used assumptions of subsequent discussions of the concept of representation: first, that the concept does have a single, fixed meaning over time and usage:

"Representation does have an identifiable meaning, applied in different but controlled and discoverable ways in different contexts. It is not vague and shifting, but a single, highly complex concept that has not changed much in its basic meaning since the seventeenth century"³.

The second assumption shared since Pitkin has been the definition itself of the concept:

"Representation, taken generally, means the making present *in some sense* of something which is nevertheless *not* present literally or in fact"⁴.

Democratic political representation, according to Pitkin, is built upon either *formal* elements of authorization and accountability (representatives are authorized by the represented, and are held responsible to them), or upon more *substantive* elements (who the representative is; what does he do as a representative). Pitkin's impressive work of conceptual clarification and classification of types of representation has since determined political scientists to place their own contributions either as an elaboration, or as a critique of Pitkin's typology and methodology, which meant ever-finer refinements of the analytical and normative tools we use to understand political representation.

The main research question for much of contemporary democratic theory of political representation is still that of understanding how and why would representatives act in the best interest of the citizens, or at least of a majority of citizens. But despite the fact that Pitkin herself allowed for a concept of representation that was not tied to electoral contexts, most contemporary studies offer a definition of representation that is usually narrowed down to a relation between a voter (or a constituency) and a representative. This "dyadic"⁵ form of representation provides both the analytical and the normative background for the most common critiques of how representative democracy functions today⁶.

One of the consequences of this focus on the electoral relation between voters and representatives, where the crucial aspects pertain to formal authorization and

¹ David JUDGE, *Representation: Theory and Practice in Britain*, 1st ed., Routledge, London, 2000.

² Hanna Fenichel PITKIN, *The Concept of Representation*, University of California Press, 1967.

³ *Ibidem*, p. 8.

⁴ *Ibidem*, pp. 8-9.

⁵ Robert WEISSBERG, "Collective vs. Dyadic Representation...cit."

⁶ Adam PRZEWORSKI, Susan Carol STOKES, Bernard MANIN, *Democracy, Accountability, and Representation*, Cambridge University Press, 1999.

accountability, is that many theorists seem to believe that *any* "deficit" of representation – defined as lack of acting in the best interest of the voters – could be corrected by modifying electoral procedures, or expanding our understanding of how electoral representation functions. Yet such almost-exclusive focus reveals also the inevitable normative and institutional limits of the various forms of "promissory" representation – and thus, the limited relevance of the question of how could citizens actually control the keeping of promises by elected officials. These limits of the electoral dimension of representation allow then for a larger perspective that can stimulate the exploration of the Burkean insight of a "virtual" dimension of representation.

Burke's Account of Virtual Representation

There are at least two important ways in which Edmund Burke contributed to the reflection on political representation. In the first one, he famously asserted and privileged one of the terms of the canonical – yet still highly contested – dichotomy of *mandate v. trustee* representation. His definition of political representation as deliberative trusteeship still provokes and stimulates political thought. The second, related contribution to this topic is the reflection on the conceptual possibility and political limits of virtual representation. The two notions are distinct yet inter-related, with many theorists continuing to ponder the aspects of Burkean political representation.

It is symptomatic for the character of Burke's political thought that both these notions are most boldly articulated in letters, speeches and pamphlets, and not necessarily in systematic works or treaties. In the *Speech to the Electors of Bristol*¹, Burke offers one of the best formulation of his conception of political representation. He first rejects any subjection of his view on his role as a representative to his voters' preferences:

"If Government were a matter of Will upon any side, yours, without question, ought to be superior. But Government and Legislation are matters of reason and judgment, and not of inclination; and, what sort of reason is that, in which the determination precedes the discussion; in which one set of men deliberate, and another decide; and where those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments?"².

The key contrast here is between will and reason. Privileging reason over will considerably weakens the electoral connection, a connection which fades even further with the *real-time* redefinition of the constituency: as Hanna Pitkin observes, a Burkean member of Parliament *represents the nation* as a whole, not the members who elected him; any narrow concept of representation as authorization and accountability loses its substance when confronted with the simultaneous redefinition and reconsideration of the constituency.

This is an important aspect of Burke's particular understanding of constituencies and representation. A certain redefinition of constituency might be involved also

¹ Edmund BURKE et al., *The Writings and Speeches of Edmund Burke*, vol. III, *Party, Parliament, and the American Crisis 1774-1780*, Oxford University Press, 1996, pp. 64-70.

² *Ibidem*, p. 66.

in what Jane Mansbridge terms as “anticipatory representation”, a category in her conceptual classification. In contrast with “promissory representation”, where a voter expects his representative to act on the promises made to him at the moment of the elections ($V_{T_1} \rightarrow R_{T_2}$) Mansbridge envisages, with anticipatory representation, the strategic shift of the representative’s perspective in such a way that after being elected at T_1 by voter V , the representative immediately starts to act in anticipation of the next elections, and of how voters might judge him at that later moment ($R_{T_2} \leftarrow V_{T_3}$). In this way, the accountability involved in anticipatory representation is not towards the voters at T_1 , but towards those at T_2 .

Burke also seems to think here that a representative is simply not accountable to the original constituency, but this is not for reasons related to electoral strategy, but rather as a matter of principle.

“You chose a Member indeed; but when you have chosen him, he is not Member of Bristol, but he is a Member of Parliament. If the local Constituent should have an Interest, or should form an hasty Opinion, evidently opposite to the real good of the rest of the Community, the Member for that place ought to be as far, as any other, from any endeavour to give it Effect”¹.

In other words, the reconfiguration of constituencies has nothing to do with the prospect of increasing the chances of re-election (Burke himself is definitely not re-elected). The reason is related to Burke’s idea of *what* exactly these representatives are supposed to represent (the “general Good”), and *how* are they most likely able to do it: in a deliberative setting, as trustees. The formal, electoral, elements of authorization and accountability are subordinated to the more substantive dimension of representation.

This supports Pitkin’s suggestion that, for Burke, “[e]lections are merely a means of finding the members of a natural aristocracy, and presumably any other method of selection would be as acceptable if it were equally efficient at picking them out”². His redefinition of constituency is not merely territorial/formal, but substantive as well. Members of Parliament are supposed to promote the “general Good”, of “one Nation”, and not particular interests that citizens in their diversity might have, however important and legitimate.

Perhaps the most oft-quoted fragment of Burke’s view on political representation, the following text has the definite merit of clarity and of exposing the grounds for a more substantive dimension of representation:

“Parliament is not a Congress of Ambassadors from different and hostile interests; which interests each must maintain, as an Agent and Advocate, against other Agents and Advocates; but Parliament is a deliberative Assembly of one Nation, with one Interest, that of the whole; where, not local Purposes, not local Prejudices ought to guide, but the general Good, resulting from the general Reason of the whole”³.

The basic features of this first Burkean concept of political representation are, then, trusteeship of one nation’s general interest, in a public deliberative and reasoned

¹ *Ibidem*, p. 67.

² Hanna Fenichel PITKIN, *The Concept of Representation*, cit., p. 171.

³ Edmund BURKE et al., *The Writings and Speeches of Edmund Burke...cit.*, p. 67.

process. To be a Burkean trustee does not mean merely absence of a mandate, as more narrow definitions allow, but to meet important substantive (pursue common good) and procedural (reasoned deliberation) requirements that the Member of Parliament cannot ignore.

As we see in the later sections, this first Burkean concept of political representation, with its weak and dissolving electoral connection and focus on the idea of "a deliberative Assembly of one Nation, with one Interest, that of the whole", inspires an important direction of the contemporary accounts on virtual representation: non-adversarial virtual representation. While Burke himself is not ready to dismiss elections altogether, it is clear that in this particular context they are not the core of the substantive dimension of representation. If a better method of selecting his "natural aristocracy" could be figured out and adopted, we might perhaps disregard any dyadic, electoral relationship between the citizens and their representatives. If the members of Parliament are supposed to deliberate on the "general Good" of the nation, and not advance the preferences of the constituency that voted them, then the electoral significance of political representation seems indeed to be purely instrumental.

But Burke's irony is that while dismissing the value of the electoral bond when addressing his electors, he reconfirms its importance precisely when developing his concept of virtual representation. The whole ambiguity and difficulty of any attempt to completely detach political representation from any electoral context is thus here in plain sight. Burke himself never conceived of virtual representation as entirely independent from electoral procedures, even when he described it as superior to electoral representation.

The concept of virtual representation is thus discussed by Burke as part of a larger reflection on the proper representation of Irish Catholics in the Irish House. In "A letter from the Right Hon. Edmund Burke ... to Sir Hercules Langrishe, on the subject of Roman Catholics of Ireland and the propriety of admitting them to the elective franchise, consistently with the principles of the constitution as established at the revolution", Burke writes:

"Virtual representation is that in which there is a communion of interests, and a sympathy in feelings and desires between those who act in the name of any description of people, and the people in whose name they act, though the trustees are not actually chosen by them. This is virtual representation. Such a representation I think to be, in many cases, even better than the actual. It possesses most of its advantages, and is free from many of its inconveniences: it corrects the irregularities in the literal representation, when the shifting current of human affairs, or the acting of public interests in different ways, carry it obliquely from its first line of direction. The people may err in their choice; but common interest and common sentiment are rarely mistaken"¹.

"Actual" and "literal" representation, here, means electoral representation. According to Burke, being virtually represented might entail, "in many cases, even better" representation than when choosing the trustees oneself in electoral competitions. This happens because the choices of voters might be faulty, and this

¹ Edmund BURKE, "Letter to Sir Hercules Langrishe (1792)", in IDEM, *The Works*, vol. 4, Nimmo, London, 1899, pp. 241-306/p. 293.

may be due to their incorrect understanding of their interests. To understand the logic of Burkean virtual representation, thus, we need to recall the sense in which he uses the term "descriptions". In short, the political community displays a number of fixed, objective interests, which are not individual, but, in a sense, collective. These interests are shared by several local communities and many individuals, thus making it unnecessary for each such community or citizen to have their own elected representatives in Parliament. Since Bristol shares in the same interests with, for instance, Birmingham, then the representative from Bristol is equally representing Birmingham.

Virtual representation makes sense, then, when many "participate in" the same "descriptions", or objective interests. Such representation is not improper, nor incorrect representation. It has two elements: "communion of interests and a sympathy of feelings and desires" between the representatives and the represented, even while a formal act of authorization is missing "not actually chosen by them"). The communion of interests is realized when the trustees act on behalf of a certain "description of the people". What, then, are these interests? They are, according to Hanna Pitkin,

"broad, relatively fixed interests, few in number and clearly defined, of which any group or locality has just one. These interests are largely economic, and are associated with particular localities whose livelihood they characterize, and whose over-all prosperity they involve. He speaks of a mercantile interest, an agricultural interest, a professional interest"¹.

In Pitkin's analysis, we are not even to speak of representation of citizens, or groups, but of interests. Particular constituencies "participate in" such interests, in such a manner that we should speak of the agricultural interest instead of the interest of the farmers.

To understand the historical and political context in which Burke articulates his conception of virtual representation of such "descriptions", an earlier study on this context offers a clear portrayal:

"The legitimate interests, in this sense 'fixed' and 'corporate', were of two broad types, local and functional, although normally in representation one type easily passed over into the other. There were first the local communities united by ancient ties of interest which M.P.'s might and ought to promote in Parliament. Then-of greater importance to us-there were the broad social groupings not confined to a particular place-the various 'estates', 'ranks', 'orders' and-to use the term most commonly employed -'interests', of which the nation and empire were composed. Not individuals but such functional groupings were the basic units of representation along with the local communities. Hence, virtual representation was possible: the M.P. from Bristol, for example, virtually represented not only that city, but also all other places which did not have actual representation in Parliament, but which, as out-ports and centers of shipping and commerce, had common interests with Bristol"².

¹ Hanna Fenichel PITKIN, *The Concept of Representation*, cit., p. 174.

² Samuel H. BEER, "The Representation of Interests in British Government: Historical Background", *The American Political Science Review*, vol. 51, no. 3, 1957, pp. 617-618.

The crucial aspect of Burkean concept virtual representation is then that its validity and relevance is limited to a number of such broad interests that are shared by voters and local communities and which are already in part represented through electoral procedures. There are elected trustees, and the argument is simply that they could act as trustees of all and any of the constituencies that partake in the interest they address.

Thus the relevance of "actual" representation reveals itself much greater than a surface account of the conceptual possibility of virtual representation seemed to entail. Yes, Burke considers indeed that one might be represented by a representative with which there is no electoral bond. And such a representative might be a better one compared with one's own elected M.P. Yet the important point is that Burkean virtual representation is crucially dependent on electoral mechanisms. First, the representatives must have been elected in the first place by other constituencies, there are no non-electoral ways to become a representative. Second, virtual representation is not a safe, definitive substitute of actual representation: the "sympathy in feelings and desires" between represented and representatives cannot subsist without periodical confirmations in actual elections.

"But this sort of virtual representation cannot have a long or sure existence, if it has not a substratum in the actual. The member must have some relation to the constituent. As things stands, the Catholic, as a Catholic and belonging to a description, has no virtual relation to the representative; but the contrary"¹.

What Burke has in mind here is that if Catholics never elect their representatives in the Parliament, then the "description" itself is not represented, and as such there can be no virtual representation. If only adverse descriptions are represented, then the harm done to the Catholics, who participate in one of the legitimate and important descriptions, amounts to exclusion from the constitution.

"They who are excluded from votes (under proper qualifications inherent in the constitution that gives them) are excluded, not from the state, but from the British constitution. They cannot by any possibility, whilst they hear its praises continually rung in their ears, and are present at the declaration which is so generally and so bravely made by those who possess the privilege – that the best blood in their veins ought to be shed, to preserve their share in it; they cannot, I say, think themselves in a happy state, to be utterly excluded from all its direct and all its consequential advantages. The popular part of the constitution must be to them, by far the most odious part of it. To them it is not an actual, and, if possible, still less a virtual representation. It is indeed the direct contrary. It is power unlimited, placed in the hands of an adverse description, because it is an adverse description"².

Burke's contribution to the concept of "virtual representation" is therefore not a wholehearted or confident endorsement of virtual representation – but on the contrary, an attempt to identify the rare circumstances in which such representation would be possible and why such conditions are usually not met. The larger point that

¹ Edmund BURKE, "Letter to Sir Hercules Langrishe...cit.", p. 292.

² *Ibidem*, p. 288.

Burke tries to make here is that, since Irish Catholics, or American colonists –and the associated important and legitimate interests – are *not* virtually represented, there is a risk of alienation. Moreover, virtual representation itself wanes over time, if it does not have “its substratum” in actual representation.

The paradox then is that when discussing the role of elected representatives Burke defined them as trustees and appeared to play down the relevance of the formal electoral bond of authorization and accountability, whereas when conveying an important concept of virtual representation, he raised the normative weight of elections and their importance for the wider political character of the nation.

For contemporary political theorists interested in taking up Burke’s notion of virtual representation and deploying it in ways which innovate conceptually within the present debates on democratic representation, the challenges posed by his original formulation are significant. On the one hand, this perplexing relation between virtual and electoral representation turns out to be less straightforward than expected; moreover, compared to Burke’s time, arguments for virtual representation must today meet a much changed normative discourse almost exclusively focused on the paramount role of elections for democratic legitimacy. On the other hand, the original definition of virtual representation had a meaning as formulated against the historical background of the understanding of relevant interests as “descriptions”. For Burke, it was essential that all the important interests be represented in Parliament, virtually and literally, for multiple, alternating reasons: proper deliberation in the Parliament cannot otherwise take place¹; lack of representation might lead to alienation and conflict; ensuring economic and commercial efficiency; and, as a matter of justice. Could, then, a reformulation of a concept of virtual representation make sense today, with Burkean interests absent from political theorizing?

Virtual Representation, Revisited

Contemporary views of virtual representation need, then, to separate the conceptual structure of virtual representation from Burke’s notion of interests as descriptions – and to provide justifiable criteria for being virtually represented. In other words, the task of new accounts of virtual representation is to elaborate the normative rationale for representation replacing Burkean “descriptions”. Which interests, identities, preferences, should be virtually represented and on what grounds?

The current research on the potential virtues of virtual representation is, in a large degree, an extension of the reflection on the limits of electoral representation. Such limits are either related to the misrepresentation of important interests, identities, stakeholders; or, they highlight the excessive partisan division and the domination of factions.

Among the early accounts of a version of “virtual representation”, Robert Weissberg’s 1978 essay on “Collective vs. Dyadic Representation in Congress”² included a very clear formulation, with some empirical support, of the idea that there

¹ Melissa S. WILLIAMS, “Burkean ‘Descriptions’ and Political Representation...cit.”, pp. 31-32.

² Robert WEISSBERG, “Collective vs. Dyadic Representation...cit.”.

is much more to political representation than the studies focused on electoral contexts and procedures allow.

“[T]he representation of an opinion (or interest) is theoretically independent of an electoral connection between the person with a preference and the person doing the representing”¹.

While recalling Pitkin’s reconstruction of Burkean virtual representation, Weissberg seems to concur with a certain reading of Burke’s account in which virtual representation might actually be a better form of representation than electoral-based representation. The contrast between dyadic representation (the relation between a representative and the voter(s) or district that elects him) and collective representation (the relation between a representative institution as a whole (e.g., a Parliament) and the nation itself) is fundamentally concerned with expanding the universe of valid representation, as well as with providing a more accurate reading of what representation actually entails.

Here, these remarks seem to anticipate David Plotke’s important 1997 essay, “Representation is Democracy”. What is relevant in that work, for our discussion, is a quite basic and clear assertion of the meaning of representation, by way of identifying its logical, conceptual opposite. In the context of the ideological warfare of the cold war, Plotke’s aim is to salvage the dignity of representative democracy against accounts that relegate representation as a corrupt, hollow form of democracy compared to an ideal of “true” democracy, i.e. participative, direct democracy. Hence, Plotke’s thesis is that “the opposite of representation is not participation. The opposite of representation is exclusion. And the opposite of participation is abstention”². If the opposite of representation is exclusion, than an important part of representation must precisely be including interests, preferences, identities, in the overall representative mechanisms and institutions. The more inclusive, the more representative is an institutional arrangement.

This is the tenure of Weissberg’s argument, also: if we view representation as concerning more than just a relation between an individual representative and its constituency, we realize that a good deal of representing is done collectively: institutions collectively representing a people. In this way we accept that many more preferences or interests could be represented than if representation were only dyadic.

There are, according to Weissberg, two implications of this position: one is that, as things stand, each one is likely better represented not by one’s elected representative, but by some other member(s) of the legislative assembly, of the constitutional courts, etc. This is a strong, recurrent argument made by theorists of virtual representation who, with Burke, point to the limits of electoral procedures. In Weissberg’s view, moreover, what may count as a failure of representation in one account may be considered as contributing to overall representation in the other account:

“A particular legislator’s misrepresentation of constituency opinion can, under certain conditions, increase the overall level of opinion representation”³.

¹ *Ibidem*, p. 536.

² David PLOTKE, “Representation is Democracy”, cit., p. 19.

³ Robert WEISSBERG, “Collective vs. Dyadic Representation...cit.”, p. 536.

In order to explain how collective representation might be superior to dyadic forms of representation, Weissberg assimilates the former (and Burkean virtual representation, by extension) with

“the principle of random sampling: a particular individual in a sample of 1500 from a universe of 210 million does not personally represent 140 000 people, but the sample collectively is a close approximation of the 210 000 000 people”¹.

Over time, Weissberg claims, citizens are thus more likely to be adequately represented by representatives with whom they have no electoral connection. This is, in fact, a stronger view than Burke’s conviction that, if the interests of Birmingham are the same with the interests of Bristol, there is no need for (dyadic) representation of Birmingham, since they are already represented by the MPs from Bristol. The basic idea is the same (that one can be represented without the need of an electoral connection) – yet the reasons and the configuration of “virtual” and “collective” representation are different. Weissberg’s collective representation does not depend on Burkean “descriptions”, or more generally on any particular, contested conception of interests. His claim is rather that, depending on the overall institutional structure and configuration, it is more likely that one’s interests and opinions are shared by some other member of the representative body (or bodies) than by the particular M.P. elected in one’s constituency.

This is related to the second implication of Weissberg’s concept of collective representation: that the “amount of representation” might depend less on the attempts to ensure ever more accurate mechanisms of electoral control (voters controlling their elected representatives), but more on the quality of overall institutional arrangements. Party discipline, for instance, can be either decried or commended depending on the perspective on representation that we adopt: “purely dyadic representation” is clearly hindered by national parties representing national majorities, instead of having individual representatives representing particular district majorities. Yet representing the plurality and complexity of preferences and interests within a constituency cannot be exhausted by a single electoral procedure connecting one representative with one voter or a single constituency. The nature and configuration of the system of representation is then, indeed, crucial.

A final remark on collective representation: following Burke, after insisting on the way in which collective representation *is* political representation, Weissberg does not separate it completely from the electoral form of representation. The fact that he identifies a different way of understanding political representation does not fundamentally alter the primacy of electoral representation. Collective representation, as virtual representation, might be better in some ways than dyadic representation, but it remains normatively and institutionally conditioned by electoral representation. Collective representation cannot completely replace elections and dyadic relations of representation; virtual or collective forms of representation build upon, complement, and allow us to reconsider the virtues and limits of electoral representation, but they do not amount to a substitute thereof. Values of accountability and control – crucial to dyadic representation – are not “trivial politically”²: they are a necessary and integral part of that overall quality of the representative system.

¹ *Ibidem*, p. 537.

² *Ibidem*, p. 545.

Jane Mansbridge's concept of *surrogate representation* is, at its core, identical with Burke's virtual representation and Weissberg's collective representation:

"Surrogate representation is representation by a representative with whom one has no electoral relationship – that is, a representative in another district"¹.

In an article whose theoretical ambition and breadth are comparable with Pitkin's effort at conceptual clarification, Mansbridge distinguishes four main types of representation and the actors and procedures associated with them. Promissory representation, the most common understanding of political representation, is the traditional model which conceives representatives as making promises during electoral campaigns; they keep, or fail to keep these promises. Anticipatory representation, instead of connecting the initial voter with the representative, denotes the forward-looking perspective of the elected official whose concern is, rather, to represent the voters who may re-elect him. Gyroscopic representation severs the formal accountability links between the representative and the voters, on the premise that in this setting, the elected officials act not for prudential reasons, but rather for their own, strong, public reasons. Thus, voters identify candidates who are independently committed and motivated, i.e. they don't need external incentives to act on their convictions. Surrogate representation, finally, is the type of representation that lacks the formal electoral authorization link.

The lack of an electoral relationship that characterizes virtual or surrogate representation is not, however, synonymous with lack of any connection. There is no formal electoral element of the bond, yet a vast array of other means of interaction may exist. Between relying on remote, big campaign donors, or on large trade unions, etc. – and "pure"² surrogate representation (where money plays no role), the actors have a significant set of opportunities for mobilization and mutual influence: petitions, door-to-door campaigning, and so on.

Mansbridge connects her concept of surrogate representation with the legitimacy concerns of electoral systems – and more specifically, with the potential of representing the minorities in any district. Aside from pure proportional representation, the best chance of such minorities to be represented is in surrogate representation, and hence the conditions and circumstances in which such representation can acquire a more substantive meaning are particularly significant for political science scholarship.

For Mansbridge, some of the answers to Burke's original challenges may be found in the renewed interest in deliberative democracy: if virtual representation addresses the insufficient representation of minority interests, we need viable criteria for ascertaining which such minority interests should be virtually represented.

"A deliberation among all potentially affected participants, marked by a minimal intrusion of power and by better rather than worse arguments, should ideally decide which interests most conflict and which perspectives are most crucial."³

¹ Jane MANSBRIDGE, "Rethinking Representation", cit., p. 522.

² *Ibidem*, p. 523.

³ *Ibidem*, p. 524, ftn. 22.

The perspective here is clearly one in which the normative rationale of virtual representation is one that aims to adequately (i.e., proportionally) represent all relevant interests. Deliberation helps in mobilizing such relevant interests and making them visible:

“The normative question for surrogate representation is [...] whether, in the aggregate, each conflicting interest has proportional adversary representation in a legislative body [...] and each important perspective has adequate deliberative representation. Such a normative analysis must involve a contest regarding what interests most conflict (and therefore most deserve proportional representation) in aggregation and what perspectives count as important in deliberation”¹.

In an earlier work, Mansbridge discusses the long tradition of “anti-adversary” conceptions of political representation². While adversary models of representation entail electoral competitions, rival interests and majority rule, the reaction to such models, ever since Rousseau, has invoked the possibility of – and need for – political friendship, common interests and unitary goals³. With its republican roots, this important current in the history of political thought influences recent considerations of virtual representation too: in contrast with an “adversary democracy” perspective, where the normative question is indeed that of proportional representation of competing interests (“[w]hen interests differ, the underlying principles of adversary democracy require that the interests of the citizens be represented in proportion to their number”⁴), a “unitary democracy” assumes that citizens have a common interest, and non-adversarial representation encourages “consensual decision-making” and common deliberation⁵. Such a view must strike a familiar note to readers accustomed with Burke’s conception of deliberative trusteeship.

Wither Virtual Representation?

There are, then, two directions in which further research on virtual representation could develop, and they both have a certain origin in the political thought of Edmund Burke. One is concerned with representing *neglected stakeholders*. The identities, preferences, interests of various minorities that are not adequately represented in current voting procedures in liberal democracies (either for structural reasons⁶: women, indigenous populations, ethnic or religious minorities; or, because of the mere constitution of majorities), are to be represented on such an account of virtual political representation. We could identify this direction as an attempt to compensate for the limits of majoritarian, adversarial democratic arrangements. The second direction is not concerned with particular interests, identities or preferences that might have been excluded for historical or routine reasons, but on the contrary, with overcoming partisan divisions altogether and representing a totality, a general

¹ *Ibidem*, p. 524.

² Jane MANSBRIDGE, *Beyond Adversary Democracy*, University of Chicago Press, 1983.

³ *Ibidem*, p. 18.

⁴ *Ibidem*, p. 118.

⁵ *Ibidem*, p. 3.

⁶ Seyla BENHABIB, *Democracy and Difference*, Princeton University Press, 1996.

will, a general interest, common good, etc. The main thrust of this direction is hence not identifying previously unrepresented individual or group-based interests and challenging dominant electoral procedures for failing to adequately represent them, but rather transcending any particularisms and divisions of political communities and representing them as wholes. The normative rationales of both these approaches are thus historically and conceptually distinct.

The institutions of virtual representation that correspond to these two major directions of research could not be more distinct, either. The first type of institutions are mainly concerned with re-creating a certain proportional (albeit non-electoral) representation of such excluded minorities. Various councils and procedural provisions for including such minority interests within the decision-making process, electoral reforms, and affirmative action-policies are all specifically set to compensate for the multiple majoritarian trends in political life. The second kind of institutions pursue non-partisan, general interest goals and are as old as the first bureaucratic apparatuses of modern states, or as new as the recently established independent regulatory authorities.

In the various accounts that take for granted a radical distinction between political representation and citizen participation, electoral representation is considered by definition exclusionary, while participation is inclusive. Yet not all possible reforms are limited to participatory or electoral reforms. Theorists of virtual representation can here go beyond the common accounts of the inherent limits of electoral representation or the impracticalities of participation, and to envisage a wide variety of institutional designs that address the claims for virtual representation made by, or on behalf of, the electorally misrepresented.

We can identify this emphasis on virtual representation of neglected interests in various guises – and this article cannot attempt an exhaustive categorization of institutions and policies that are relevant for this effort. The main challenge of this approach has always been that of isolating the relevant excluded interests, conceptualizing criteria for identifying legitimate interests. Such legitimate interests have been – for different reasons, in different accounts – inadequately represented by the default electoral institutions and procedures. The reasons for such misrepresentation are either procedural (majority rule *per se*), contingent, or structural, historical, etc. Such interests might be completely neglected electorally (the interests of foreign workers) or partially neglected (women have the right to vote, but parties fails to nominate female candidates). This ambiguity plays on the idea that simply having the right to vote does not automatically entail being adequately represented. One can, after all, participate in every ballot, yet have her interests utterly and constantly ignored.

Repairing such misrepresentation entails either reforming the existing electoral mechanisms, or setting up other institutions that work in such a way to compensate for the absence of electoral representation by way of virtual representation. In the first case, virtual representation can be conceived *within* the logic of parliamentary representation. The absence of an electoral connection between the represented and the representative does not presuppose, as we have seen above, the absence of *any* electoral bond. Virtual representation may mean simply, having one's interests adequately represented by the representatives elected by others. This is, in fact, closer to the original understanding of virtual representation in Burke's work, as well as of Weissberg's concept of collective representation.

In the second case, various councils or "diversity" bodies are deliberately set up outside elective institutions in order to ensure that interests and perspectives of

minorities are suitably taken into consideration in policy-making. Such watchdogs are meant to virtually represent these excluded identities by, for instance, correcting the way in which public media reflects them, or the degree in which public education includes and promotes alternative perspectives on history and minority culture. These bodies are not electorally accountable to the interests and identities they represent. They are established on the premise that specific, legitimate interests are not (or insufficiently) represented in parliamentary and other electoral settings. The thrust of Burke's analysis of virtual representation is, precisely, that the risk is that of being represented by the *adverse* parties. And this is worse than simply not being represented. Especially within an adversary conception of democracy, the harm of not being represented is seen as the probability of being ruled by those who represent the rival or enemy interests.

This is the reason for which virtual representation of excluded interests is not exhausted in Parliaments, and various extra-parliamentary institutions are needed. Yet the original difficulty of selecting whose particular, competing interests should be virtually represented by such bodies is still intact, and the object of legitimate normative controversies.

The second main direction of research, on the normative and institutional dimensions of *non-adversary* virtual representation, is equally important, since it follows a logic that is completely at odds with the former category of re-presenting neglected particular interests. Here, the stake is to identify the common good, the general interest of a political community, and then to set up institutions that represent – virtually – that overall interest.

Sometimes, the same interests that we might have identified in the previous category – say, the interests of the future generation for a clean environment, as distinct from (and even opposed to) ours for more material welfare – might be rephrased as belonging to this second category: after all, we all may be said to have a common interest in preserving the Earth for ourselves and for the future generations. It's not necessarily "their" interest against "ours", but a shared, general one¹.

And again, such virtual representation might be perceived in both parliamentary and non-elective settings. For instance, reforms of the procedures and functioning of Parliaments may lead to what Weissberg understood as collective representation as a form of virtual representation: the Parliament, as a whole, represents the interest of the nation, beyond the specific electoral connections between particular constituencies and individual representatives.

How could we identify such shared, common interest? Perhaps an important body of theoretical work that contributed to this issue is the literature on deliberative democracy. The presupposition of a possible consensus, as well as the presupposition of a common good are elements in this direction. The question of virtual representation revolves, then, around the normative potential of public deliberation to ground a robust enough form of representation. Accepting Burke's injunction that "Parliament is not a Congress of Ambassadors from different and hostile interests", but "a deliberative Assembly of one Nation, with one interest" is a prerequisite step in this direction.

Yet the most fruitful avenue for contemporary research on virtual representation is perhaps not the suggestion that Parliaments themselves might become vectors of non-adversarial virtual representation, but rather the exploration of the ways in which

¹ Andrew DOBSON, *Green Political Thought*, 4th ed., Routledge, London, 2007.

bureaucracies and independent regulatory agencies represent the general interest precisely *because* they are not manned by elected officials. The examination of the representative function of bureaucracies has mobilized important traditions of political science and sociological scholarship, with the aim of identifying the procedural and structural resorts of such representativeness. Theories of representative bureaucracy¹ have had to address the classical criticism that bureaucracy limits democracy. That argument claims that, since the bureaucracies and independent regulatory agencies are 1) operating on the basis of specialized knowledge (hence, epistemic insulation from elected officials) and 2) inevitably exercising considerable discretionary authority (institutional insulation), they pose a serious challenge to the capacity of elected officials to effect policy and be accountable to their constituencies. By altering the electoral mechanisms of representation, bureaucracies represent therefore a threat to democratic representation itself².

The answer to this criticism is that both expertise and discretion serve the general interest, and that such institutions enforce impartial procedural standards, non-arbitrary processes, and that electoral accountability was itself already problematic and difficult to measure. The contrast with the legitimacy and representativeness of elected officials is real, yet these institutions have a legitimacy of their own³, and hence a normative basis for representativeness – virtual representation.

Contemporary independent regulatory agencies (IRAs), both in the US and the EU, while distinct from the classical idea of bureaucracy, share some of the most relevant conundrums of democratic legitimacy and offer at the same time important perspectives on the possibilities and promises of virtual representation. An increasing body of important works⁴ attempt to clarify the way in which the regulatory purposes of these institutions⁵ may be considered as becoming part of a full-blown theory of political representation – in its virtual guise.

¹ William NISKANEN Jr., *Bureaucracy and Representative Government*, 1st ed., Aldine Transaction, 2007; Julie A. DOLAN, David HROSENBLUM, *Representative Bureaucracy: Classic Readings and Continuing Controversies*, M.E. Sharpe, Armonk (NY), 2003.

² Eva ETZIONI-HALEVY, *Bureaucracy & Democracy: A Political Dilemma*, Routledge & Kegan Paul Books Ltd, London, 1985.

³ Pierre ROSANVALLON, *La légitimité démocratique: Impartialité, réflexivité, proximité*, Seuil, Paris, 2008.

⁴ Christian JOERGES, Ellen VOS, *EU Committees, Social Regulation, Law and Politics: Social Regulation, Law and Politics*, Hart Publishing, Oxford, 1999; Casimo MONDA, Adriaan SCHOUT, Ellen VOS, *EU Agencies in and the External Relations of the EU*, Kluwer Law International, The Hague/London, 2009; Fabrizio GILARDI, *Delegation in the Regulatory State: Independent Regulatory Agencies in Western Europe*, Edward Elgar Publishing, Camberley (UK)/Northampton (USA), 2009.

⁵ Giandomenico MAJONE, *Regulating Europe*, 1st ed., Routledge, London, 1996; IDEM, *Dilemmas of European Integration: The Ambiguities and Pitfalls of Integration by Stealth*, Oxford University Press, USA, 2009.

Conclusions

The main conclusion of this paper is that the coherence of any account of virtual representation cannot be limited to its conceptual analysis. The particular approach to understanding the concept of political representation that Pitkin inaugurated is only partially pertinent for a more substantial effort to assess the relevance of virtual representation for current research in democratic theory. We have seen above that already in Burke's writing on virtual representation, the role of formal electoral aspects of representation varied from rather instrumental to essential. That means that simply defining it as "representation by a representative with whom one has no electoral relationship" (Mansbridge) does not reveal much of its complexity and potential.

What such accounts of virtual representation need in order to be relevant for contemporary debates, aside from a definition that has not significantly changed since Burke, are, on the one hand, a serious consideration of its *normative* rationale, and on the other hand, an examination of the various *institutions* that could embody it. This paper has only sketched a number of elements for such research, and suggested that both the normative arguments and the institutional developments surrounding the problematic of virtual representation are best understood if we separate two broad visions on the nature of interests, political communities, and democracy: whereas within the first account, virtual representation might serve to discover and protect interests, identities that are excluded by the default forms of electoral representation, the second account envisions the virtual representation of general interests, transcending partisan divisions and adversary models of political representation.

When might virtual representation be "valid" representation, and when imposture? What are, in other words, the appropriate criteria for identifying and justifying virtual representation? And how are various institutions supposed to advance this purpose? Burke's merit is to have clearly articulated the importance of virtual representation, but also the complexity of building a serious and coherent account thereof. Such an account needs to engage in the normative exercise of defining the interests or identities to be represented, specifying in which sense these are not suitably represented within electoral representative arrangements, what kind of alternative institutions could best compensate such limits and precisely how are these exemplifications of virtual representation.

The possibilities that this renewed interest in the problematic of virtual representation opens should not, nevertheless, hinder the fact that there are distinct values that we associate with democratic electoral representation and which are not embodied in virtual representation, and that relying on the latter might actually aggravate some of the classical problems. There are important ways in which political agency and authenticity depend on, and are fostered more by electoral processes than by substitute mechanisms of virtual representation. Furthermore, virtual representation can only incompletely address the increasingly relevant problem of the missing overlap between the stakeholders and shareholders of contemporary democratic decision-making¹.

¹ David HELD et al, *Democracy and the Global Order*, Polity Press, 1995.