On the Theoretical Acknowledgement of Diversity in Representation

Petra Meier

*Researcher at the Department of Political Sciences and the Center
for Women's Studies of the Free University of Brussels*

I. Introduction

Twenty years ago, McLeay argued that political theory pays too little attention to
the representation of minorities.[1] Today, such a statement is more difficult to hold.
The last two decades there has been a growing body of literature, which could be
called a plea for enhanced representativeness, a form of representation where the
socio-demographic particularities of society are better reflected in the composition
of parliament. This trend fits with the increased criticism regarding the liberal
individualistic and abstract definition of citizenship, undermining the recognition
of diversity marking daily reality. Not only does this criticism underline the
existence of – numerical and other – minorities in terms of sex, sexuality, ethnicity,
religion, age, disability, social class, or others. It also lifts their recognition to the
public sphere instead of relegating it to the private one, reconsidering concepts
such as rights, equality, justice, and tolerance and the extent to which a liberal
framework should allow us to be particular. Little of this literature deals with
political representation. This surprises, because political fora are important if we
want to take particular social groups into account

It might be less surprising though, if we consider that a plea for representativeness
is often conceived as coming close to descriptive representation, were formal
characteristics are of higher importance than the activity of representation. Purely
descriptive or microscopic representation undermines all concern about the
activity of representation. Representatives would be representatives for the mere
sake of whom they are and not for what they do, which undercuts the principle
that representatives should be authorised by and accountable to their constituents.[2]
Pursuing this logic to the end purely descriptive representation undermines the
concept of representation as such.

The aim underlying enhanced representativeness is not to turn institutions of
political representation into organs merely reflecting the composition of society.
The issue is not one of form but of content, which means that the aim consists in
substantially improving representation. Part of a substantive improvement lies in

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the enhanced representation of structurally excluded or marginalised social groups so as to enable them to express themselves. As we will see below, scholars pleading for enhanced representativeness do not share one explanation of why the presence of excluded or marginalised social groups is important. But we can say that for all of them it is not a concern about presence for the mere sake of presence, but about presence for the sake of the full integration and participation of all.

It is generally assumed that a totally proportional system of representation would be most faithful to the ideal of a representative democracy where the socio-demographic particularities of society are best reflected in the composition of parliament. Even opponents of proportional representation often accept that it is the most fully egalitarian method of representation in this respect while they reject it for other reasons such as the potential dangers of instability, weak governments or policies lacking continuity. But although proportional representation might ideally lead to a fairer form of representation in socio-demographic terms than any other system, it is not necessarily a sufficient condition in practice. This is especially the case when society is a complex entity with structural minorities, but in most contemporary societies large numbers of social groups are marginalised in political representation even though they are not necessarily a numerical minority. In most systems of proportional representation women, making up half the population, are not present in parliamentary assemblies in a share corresponding to their number. As we will see, some scholars pleading for enhanced representativeness do take this aspect into account while others do stick to the notion of proportionality.

In this contribution we take a closer look at two growing bodies of literature pleading, at least to a certain extent, for enhanced representativeness, the Anglo-American one on group representation and the mainly French debate on parity democracy. Both of them thereby subscribe to a liberal framework. Our aim is to provide for a state of the art on this literature, not in terms of an exhaustive list of scholars writing on the subject, but in terms of the idea as such. Looking at the arguments developed by some of the major scholars of these currents, we try to come to grips with the idea. This seems to be interesting as such because, whether we like it or not, the issue is politically salient. It is either on the political agenda, *cf.* the claims for an enhanced representation of women or ethnic social groups, if not already a given fact, *cf.* the seats reserved for the Maori minority in New Zealand. Furthermore, the theoretical plea does seem to be consistent with certain features of existing systems of representation, such as the composition of federal Upper Houses.[3] However, the originality of this contribution does, we think, mainly lie in the comparison of the two bodies of literature as such. To a large extent they seem to exist parallel to each other without really cross-fertilising. This

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[3]   KYMLICKA, W., *Finding Our Way. Rethinking Ethnocultural Relations in Canada*, Toronto : Oxford University Press, 1998; YOUNG, I.M., Deferring Group Representation, pp.349-376, in SHAPIRO, I., KYMLICKA, W. (Eds.), *Ethnicity and Group Rights*, New York : New York University Press, 1997.

might be due to language reasons or others; the point is that they seem to share aspects in common, which explains why a comparative analysis might be fruitful. In the rest of this contribution we first establish a state of the art of the normative arguments provided in favour of enhanced representativeness by the two bodies of literature. We subsequently focus on the questions and issues they struggle with when it comes to putting their claim into practice.

II. The Anglo-American scholars on group representation

The Anglo-American scholars construct an argument defending and legitimising what, for the sake of facility, is called group representation, although, as we will see later on, the term is misleading. Searching for a theoretically grounded argument meeting the criticism generally addressed at 'descriptive representation' this literature wants to clear the way for social characteristics not considered in the traditional liberal concept of representation.

A problematic conceptualisation of citizenship

Young argues that existing electoral and legislative processes are unrepresentative because they fail to reflect the diversity of the population at large.[4] At the bottom of this unrepresentativeness lies the universal notion of citizenship and the claim that it allows for the inclusion and participation of all. The problem lies in the supposition that a general impartial view of a common good should or does transcend particular interests. The definition of citizenship in an abstract universal way hinders the inclusion and participation of all for two reasons. First it excludes the views of those who do not conform to the majority because the so-called common good does reflect but the interests of the majority. Second the same formal treatment of all feeds new and existing forms of inequality. A 'true' universality can only be achieved through group differentiated citizenship rights. Social groups that have been marginalised or oppressed should be enabled to speak from their point of view and interests. Explicitly recognising and taking into account differences should overcome the unrepresentativeness of our present institutions.

Phillips does provide for a more detailed explanation of why particular perspectives should be present in political decision-making.[5] She argues that the traditional liberal conception of representation fails because it concentrates on ideas or interests without considering their interference with the identity of the one carrying them. It cannot be assumed that opinions and beliefs and the interests shaped in that framework are objectively given and exist independently of those who carry them, because personal experiences and opinions shape them.

Kymlicka, mainly focusing on ethnic or national minorities, adds another dimension, namely the lack of attention paid to the cultural background and

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[4]   YOUNG, I.M., *Justice and the Politics of Difference*, Princeton : Princeton University Press, 1990.
[5]   PHILLIPS, A., *The Politics of Presence*, Oxford : Clarendon Press, 1995; PHILLIPS, A., Dealing with Difference : A Politics of Ideas or a Politics of Presence ?, *Constellations*, vol. 1, 1994, p. 74-91.

surrounding of citizens.[6] Cultural membership has more importance than is generally recognised and admitted in liberal democracy, because individuals use and need their cultural context in order to be able to make optimal choices. Whereas this context of choice is equally available in a homogenous society, in a heterogeneous one minorities do not dispose of their cultural context to the same degree as the majority does. In order to provide each citizen in a heterogeneous society with an equal amount of cultural context, this has to be protected as a distinct source of political rights. When it comes to the issue of representation, one could argue, he says, that shared experiences or characteristics enable the true understanding of one's interests and needs.

Young, in her more recent work, as well as Williams elaborate especially on why marginalised or oppressed social groups should be enabled to speak from their point of view. Young thereby uses the notion of a social perspective.[7] She underlines that group differentiation arises from different positions in social fields and that this involves different social perspectives, which are broader than interests. The social perspectives of marginalised or oppressed groups are not taken into account as long as these groups are not present in political decision-making. Williams supports this idea, arguing that privileged groups have a limited capacity to represent the interests of marginalised groups because they do not share the same experiences and, therefore, marginalised social groups need to have their own voice present in parliament.[8]

These arguments underline the need for an effective presence in the political process and not for a mere formal equality as traditionally proclaimed by liberalism. Phillips, for instance, argues that the traditional antagonistic distinction between two concepts of representation, the 'politics of ideas' and the 'politics of identity', i.e. the representation of opinions or beliefs and the representation of social characteristics or identities, is a mistake. It is in a combination of the two concepts, a politics of presence understanding and respecting the relationship between ideas and identity, that she sees a more democratic – in the sense of fair as meaningful – system of representation. Having the panoply of points of views and opinions represented might also have a beneficial effect on the decisions taken because it helps to avoid the pitfalls due to decisions based on a particular perspective.

Group representation and the activity of political representation

Scholars arguing for group representation do not only underline the fact that we are all shaped by our social context. Phillips and Mansbridge also underline that interests are not just pregiven, because a large part of them is formulated within

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[6] KYMLICKA, W., *Multicultural Citizenship. A Liberal Theory of Minority Rights*, Oxford : Clarendon Press, 1995.

[7] YOUNG, I.M., *Inclusion and Democracy*, Oxford : Oxford University Press, 2000.

[8] WILLIAMS, M.S., *Voice, Trust, and Memory. Marginalized Groups and the Failings of Liberal Representation*, Princeton : Princeton University Press, 1998.

the political process itself.[9] They argue that in many contexts interests are uncrystallised, especially where representatives have a considerable amount of autonomy. If voters could choose among issues that were precisely defined beforehand it would not matter whom the representatives are as long as they defend the voters' interests. Where issues have to be shaped or even detected in the process of political decision-making, identity plays a role, because the personal experience and opinion of the representatives influence this process. This explains why it matters who our representatives are.[10] Here Phillips and Mansbridge, like Kymlicka and Young underline the importance of not only respecting but also explicitly taking into account citizens' social or cultural background.

Another reason to consider social backgrounds within the activity of representation is the issue of trust. Williams argues that marginalised groups are justified in believing that members of their group are – on average – more apt to be trustworthy representatives. Not only are group members more likely to understand the needs as defended in the 'voice argument'. They are also more likely to be affected by the rules established, which is, referring to Madison, one of the elements inciting citizens' to trust their representatives. In a heterogeneous society representatives are not necessarily submitted to the rules they establish given the differences that persist between citizens. Selfrepresentation might increase citizens' trust in their representatives. It is likely that, because they share a social group, representatives are submitted to the same rules as those whom they represent.

A similar argument is put forward by Kymlicka and Mansbridge. Kymlicka underlines that even if it were possible to understand the interests and needs of those with a different social or cultural background, there remains the issue of distrust. A representative could be considered not fully to promote the needs and interests of others, because they might conflict with his/her own needs and interests.[11] Mansbridge emphasises the fact that group representation will enhance communication in a context of distrust. The communication between constituents and representatives from different social groups might be disturbed by distrust, especially in cases of historical marginalisation or oppression. A common social or cultural background, shared experiences and likeliness of having lived through similar experiences facilitates communication because it is more likely that representatives understand what their constituents mean, and that there is the

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9   MANSBRIDGE, J., What does a Representative Do ? Descriptive Representation in Communicative Settings of Distrust, Uncrystallized Interests, and Historically Denigrated Status, pp. 99-123, in KYMLICKA, W., NORMAN, W. (Eds.), *Citizenship in Diverse Societies*, Oxford : Oxford University Press, 2000; MANSBRIGDE, J., Should Blacks Represent Blacks and Women Represent Women ? A Contingent 'Yes', *Journal of Politics*, vol. 61, 1999, p. 628-657; PHILLIPS, A., *o.c.*, 1994.

10   PHILLIPS, A., Democracy and Representation : Or, Why Should it Matter Who our Representatives Are ?, pp.224-240, in PHILLIPS, A. (Ed.) *Feminism and Politics*, Oxford : Oxford University Press, 1998.

11   KYMLICKA, W., *o.c.*, 2000; KYMLICKA, W., Group Representation in Canadian Politics, pp.61-89, in SEIDLE, L. (Ed.), *Equity and Community. The charter, interest advocacy and representation*, Montreal : The Institute for Research on Public Policy, 1993.

belief in a possible understanding. Here she actually draws together both Williams' 'voice' and 'trust' arguments.

III. The French debate on parity democracy

So far the literature mentioned has been Anglo-American and most of it tries to deal with political representation in a more comprehensive way, not specifically focusing on one social group or another. However, one of the most extensive accounts of the last two decades' literature on representation and on the deficit in terms of representativeness has been and is provided by scholars focusing on the persistent character of both the descriptive and substantial under-representation of women. Most of these scholars refer to three arguments in order to defend the claim of an increased presence of women in political representation. First, there is the issue of representing what is generally called the interests and needs or perspectives of women, either based on a gendered division of roles or on a more essentialist conceptualisation of both sexes. Second, there is what the Anglophone literature calls the justice argument and what is known as the democracy argument in the Francophone literature. Given our contemporary inclusive interpretation of democracy, it is unfair that women, making up half of the population, are structurally under-represented in spheres of decision-making. The third argument for an enhanced presence of women in political decision-making actually flows out of the two former ones. It runs that more women in politics will lead to a qualitative change of politics and policies.[12]

The second argument is further elaborated in the debate on parity democracy. Sometimes referred to as a modern version of 'la querelle des femmes'[13], it is one of the most extensive debates on the lack of representativeness that contemporary democratic institutions face. (Gender) parity is often used to indicate the request for a 50-50 participation of both sexes in politics, but there is more behind it.

[12] DEGAUQUIER, C., Retour sur les arguments fondant la demande d'une représentation accrue des femmes en politique, *Res Publica*, vol. 36, 1994, p. 119-127; LISTER, R., *Citizenship : Feminist Perspectives*, London : Macmillan, 1997. OUTSHOORN, J., Parity democracy as a theory of representation : a critical look, *Contemporary French Civilisation*, to be published in 2001; OUTS-HOORN, J., Being present to make difference visible ? 'Parity Democracy' and the question of political representation of women, Paper delivered at the 1994 Annual Meeting of the American Political Science Association, New York, 1-4.9.1994; PHILLIPS, A., *o.c.*, 1998, 1995; SAWER, M. Parliamentary Representation of Women : From Discourses of Justice to Strategies of Accountability, *International Political Science Review*, vol. 21, 2000, p. 361-380; SQUIRES, J., *Gender in Political Theory*, Cambridge : Polity Press, 2000; SQUIRES, J., Quotas for Women : Fair Representation ?, *Parliamentary Affairs*, vol. 49, 1996, p. 71-88; VOET, R., *Feminism and Citizenship*, London : Sage, 1998.

[13] SCOTT, J., 'La Querelle des Femmes' in the Late Twentieth Century, *New Left Review*, 226, 1997, p. 3-19.

A problematic conceptualisation of citizenship and of equality

The concept parity democracy appeared in 1989 when Sledziewski refused to conceive the problem of the female under-representation in politics in terms of simply eliminating barriers and lowering thresholds.[14] She underlined that the problem was not an issue of insufficiently implementing democratic principles. It is rather the principles themselves that are flawed. Much the same as Young Sledziewski and with her other advocates on parity democracy such as Vogel-Polsky criticise the prevailing concept of a so-called universal citizenship, pointing at the exclusive character of the French Republic. They argue that citizenship, although universal at an abstract level, was not equally available to all. Only available to men the entire concept of the French Republic was built on the exclusion of women. The most well known example is the political exclusion of women. Not being citizens they were not entitled to vote nor to stand at elections. Women were not explicitly excluded; they were simply ignored as if they did not exist. Therefore, the foundation of the entire French Republic is one of an exclusive democracy.

Over time women became citizens little by little but the theoretically neutral concept of citizenship was practically a male one and has never been fundamentally adapted.[15] Liepitz explains this lack of adaptation distinguishing between the official discourse and the actual features of social structures. Women have first been excluded on the grounds of a religious, mystifying differentialism, in which the difference of women consisted in their lack of universalism, due to their preoccupation with offspring and matters related to it. A laic differentialism replaced the religious one, be it only at the surface. With the growing number of women in the public sphere this discourse was replaced by an abstract universalism, whereas the social structures were still imbued with differentialising features.[16] In other words, the conceptualisation of citizenship is problematic.

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[14] GASPARD, F., De la parité : génèse d'un concept, naissance d'un mouvement, *Nouvelles Questions Féministes*, vol. 15, 1994, p. 29-44; HENRY, N., Gender Parity in French Politics, *Contemporary Review*, 265, 1994, p. 86-89.

[15] COLLIN, F., Mythe et réalité de la démocratie, pp.35-42, in *Manuel de ressources women's studies*, Bruxelles : ULB, 1994; FRAISSE, G. La démocratie exclusive : un paradigme français, *Pouvoirs*, 82, 1997, p. 5-16; JENSON, J., La citoyenneté à part entière. Peut-elle exister ?, pp.25-46, in DEL RE, A., HEINEN, J. (Eds.) *Quelle citoyenneté pour les femmes ? La crise des Etats-providence et de la repésentation politique en Europe*, Paris : L'Harmattan, 1996; SINEAU, M., Les femmes politiques sous la Vième République. A la recherche d'une légitimité électorale, *Pouvoirs*, 82, 1997, p. 45-57; SLEDZIEWSKI, E.G., Fondements philosophiques de la démocratie paritaire, pp. 43-48, in *Manuel de ressources women's studies*, Bruxelles : ULB, 1994; SLEDZIEWSKI, E.G., Les idéaux démocratiques et les droits des femmes, pp.17-27, in CONSEIL DE L'EUROPE (Ed.), *La démocratie paritaire, quarante années d'activité du Conseil de l'Europe*, Strasbourg : Conseil de l'Europe, 1992.

[16] LIEPITZ, A., L'homme politique, loup pour la femme, pp.53-60, in MARTIN, J. (Ed.), *La parité. Enjeux et mise en oeuvre*, Toulouse : Presses Universitaires du Mirail, 1998.

The same goes for the prevailing formal conception of equality. Vogel-Polsky underlines that it undermines equality between the sexes.[17] All citizens are treated as equals at a formal level. Such a perception of equality is based on the presumption that citizens face similar backgrounds. In daily life, men and women often face very different living conditions, which are not so much shaped by a conscious choice than by societal structures. A formal notion of equality does not take into account such a reality. Furthermore, it hinders the elimination of the persisting structural inequality between the sexes, because measures such as positive discrimination would violate the prevailing principle of equality, and can, therefore, only be tolerated on a temporary and exceptional basis. Hence, the formal definition of equality does not allow for discrimination, but neither does it pave the way for equality.

Parity democracy rejects the abstract definition of formal equality between non-specified citizens, considering this to be the main barrier to de facto equality between the sexes. Vogel-Polsky argues for a new foundation of the concepts of citizenship and of equality. Instead of being based on a universal abstract citizen democracy should be based on the recognition of the fact that the human kind is dual. There is one human being, but it has two faces, a male and a female one. Similarly to the advocates of group representation, those defending parity democracy argue that the social background of citizens should be taken into account. Contrary to those defending group representation, the advocates of parity democracy are primarily preoccupied with sex, although they argue that the other dimensions of social groups are indirectly considered because sex is the only variable cross-cutting all of them.

Taking the explicit recognition of the two sexes as a starting point, so runs the argument, would change the conception of equality. Not formally equal subjects but the equality of the two sexes of which the human kind is composed would become primordial. The explicit recognition of male and female equality is crucial to the scholars defending parity democracy, because it implies not only the prohibition of discrimination but also the obligation to achieve equality. The entire logic underlying the concept of equality would be turned around. Equality would no longer be a formal principle but the obligation to book result, namely to realise equality between the sexes. Achieving equality becomes a concrete goal and measures meant to improve the equality between the sexes would get a positive connotation.

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[17]   VOGEL-POLSKY, E., Les actions positives, les Quotas au crible du droit de l'égalité, pp.109-137, in ARIOLI, K. (Ed.), *Quoten und Gleichstellung von Frau und Mann*, Basel : Helbing & Lichtenhahn, 1996; VOGEL-POLSKY, E., Les impasses de l'égalité ou pourquoi les outils juridiques visant à l'égalité des femmes et des hommes doivent être repensés en termes de parité, pp.119-133, in *Manuel de ressources women's studies*, Bruxelles : ULB, 1994.

Parity democracy and political representation

What does all this imply for political representation ? First, the argumentation behind parity democracy provides an explanation for the under-representation of women in politics. It stems from the abstract universal principles underlying contemporary representative democracy, which flaw an equal participation of women in politics.[18] Starting from a society that consists of non-specified formally equal individuals implies passing over the prevailing gender-related differences and the structural inequalities that stem from it. Here they join most Anglo-American scholars pleading for a form of group representation.

Second, the advocates of parity democracy provide an argument for an equal representation of both sexes in politics. It is a logical consequence of the recognition that society is constituted of two equal sexes. In this respect the advocates of parity democracy do away with other arguments put forward in order to defend more women in politics. There need not be any arguing on why women should be enabled to claim their share of political representation. An inclusive democratic system just lacks all legitimacy in case it does not reflect an equal participation of both sexes in all functions of decision-making. As we will see below, this consequence of their argument makes it easier for them than for the Anglo-American scholars to translate their claim into concrete measures.

IV. A comparison of the Anglo-American and French debates

Looking at the two bodies of literature presented we can say that they reflect a revival and evolution in the thinking on the concept of representation. Concerned about the structural exclusion or marginalisation of large numbers of citizens from the political arena, these scholars base their criticism on its prevailing interpretation and putting into practice, thereby accepting to a certain degree the model of liberal democracy as such.[19] However, while both groups of scholars are concerned about presence for the sake of the full integration and participation of all, they stress similar issues to a different extent.

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[18] For example Gaspard is very formal on this when it comes to the French case : GASPARD, F., Système politique et rareté des femmes élues. Spécificité française ?, pp.97-118, in LE BRAS-CHOPARD, A., MOSSUZ-LAVAU, J. (Eds.), *Les femmes et la politique*, Paris : l'Harmattan, 1997.

[19] Both Kymlicka and Williams explicitly subscribe to the model of liberal democracy. Their aim is to show that a form of group representation or selfrepresentation is compatible with the liberal conception of representation. They try to complement the model in order to increase its representativeness. Young and Phillips are more critical towards the model of a liberal representative democracy. Central to their argumentation is the deliberative or communicative aspect of democracy and the need for an enhanced participation of citizens in this process. More than the others, although Williams also pays attention to this aspect, they follow the current developments of deliberative and communicative democracy. Most advocates of parity democracy are equally eager to show that their criticism is not directed against democracy as such. Even though they criticise both its functioning and the definition of its underlying concepts, this does not imply that they would like to replace the model of liberal representative democracy as such.

First, the Anglo-American scholars lay a much more explicit link between whom we are and how we act, and mainly base their explanation of why the presence of excluded or marginalised social groups is important on this point. Notwithstanding their angle of criticism, the Anglo-American scholars argue that a link consists between social positioning, experiences and perspectives, and they explicitly politicise this link. Politicising this link and taking it into account in the process of political representation enhances the chance of coming to better substantive representation. It does so because it would lead to the inclusion of a broader range of perspectives by making formerly marginalised or excluded social groups participate in politics. This would reveal the partiality of actually dominant perspectives in representation, allow for a truer understanding of reality and of the existing needs and problems, and lead to qualitatively improved communication and deliberation. This would not only increase the trust in politics and politicians. It would further allow for a more adequate concretisation of fundamental principles such as justice and equality. The Anglo-Americans actually argue that the activity of political representation requires a full inclusion and participation of all in order to meet the contemporary understanding of a representative democracy.

The advocates of parity democracy, on the contrary, are less explicit on the link between social positioning, experiences and perspectives, and on the fact that taking it into account in the process of political representation enhances the chance of coming to better substantive representation. To them an enhanced political presence of women is an outflow of the recognition of the equality of the two faces of the human kind. We should not forget, though, that the incentive to redefine the concept of equality lies in the recognition of the gendered societal structures and living conditions of men and women. But they less explicitly focus on the activity of political representation as such, and on the improvement of the substantive representation of women's interests once parity democracy would be achieved. However, arguing that parity democracy does not imply that only women can represent women and that female representatives would take up women's issues, there is the same – at least implicit – conviction as in the Anglo-American case that it would lead to an improvement in substantive terms of their representation.

A second difference in emphasis lies in the fact that the scholars on group representation speak of the need for special representation rights, while the advocates of parity democracy reject this idea. The latter argue that they claim but the putting into practice of an existing right. The Anglo-American scholars finally do the same, even if they call it special representation rights. They consider what they claim to be special rights, because they should complete the insufficiency of the existing right to representation. The advocates of parity democracy, on the contrary, explicitly reject this idea of special representation rights, because they frame, to a more explicit extent than the Anglo-Americans, their plea as a redefinition of the system as such. They argue that the actual one undermines a correct interpretation of what democracy and representation stand for.

However, notwithstanding the fact that not necessarily all of the literature is framed in these terms, the outcome of both currents can be called a concern for representativeness in terms of socio-demographic characteristics. The liberal democratic device 'one person one vote' is not a sufficient condition to put democratic principles into practice, to provide for substantive equality when it comes to representation. Democracy is the power of the demos and even if demos is a singular word it is not such a uniform and homogeneous bunch of citizens as is often suggested. All these normative arguments question the current basis for democratic representation and open the door, be it often on a merely theoretical level, to a form of representation paying attention to the social characteristics of representatives.

V. Normative challenges for enhanced representativeness

The plea for enhanced representativeness in socio-demographic terms faces more than one normative challenge. As we said before, we will not deal with the opponents of such an approach. We rather deal with the challenges raised by the advocates themselves. It is evident that they reveal to a certain extent on which issues the opponents of enhanced representativeness would base their criticism. However, the point here is that looking at the way in which the advocates of enhanced representativeness struggle with certain issues helps to clarify our understanding of were they stand.

One strategy to deal with normative challenges that enhanced representativeness in socio-demographic terms faces consists in explicitly rejecting any form of purely descriptive representation and in pleading for a contextual or selective form of it.[20] But even such a form of descriptive representation faces major challenges. The first and foremost issue addressed is the potential danger of essentialism. A corollary of this is the potential harm to the liberty of the various actors involved in political representation, namely individual candidates, parties as such and the electorate. Kymlicka further considers that any form of contextual group representation should answer four questions : i) which social groups should be represented; ii) how many seats should they receive; iii) how to prevent disintegration[21]; and iv) how to hold social groups accountable ?[22]

A. *The danger of essentialism*

The advocates of parity democracy and the Anglo-American plea for group representation pay a lot of attention explaining that what they claim does not involve an essentialist definition of citizens.

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[20]   KYMLICKA, W., *o.c.*, 1993; MANSBRIDGE, J., *o.c.*, 1994.
[21]   The literature speaks of balkanisation but disintegration is more neutral, hereby respecting Attila Agh's comment made during the ECPR Joint Sessions workshop on 'Competing Conceptions of Democracy in the Practice of Politics' (Copenhagen, April 2000), for which we are very grateful.
[22]   KYMLICKA, W., *o.c.*, 1998, 1995.

The advocates of parity democracy admit that difference has been the argument by excellence to discriminate specific social groups, such as women. Their move away from a discourse emphasising the importance of non-specified formally equal subjects is due to the fact that they consider that this approach is no longer fruitful. First, they argue, talking in terms of difference is a strategical choice meant to reveal the inequality hidden by abstract definitions. Emphasising difference does not necessarily create more inequality than neutral abstract definitions, because the last are generally not as neutral as they seem, the best example being the so-called universal concept of citizenship. All citizens are equal, but who is a citizen ?[23] Second, parity democracy is not meant to lead to the representation of biological differences between men and women. Parity democracy is required because gender-related differences involve structural inequality. The structural unequal power relations between the sexes rather than the existence of two biological sexes as such require parity democracy. There is no need for women in politics in order to represent women but in order to be present, because it is inadmissible that they are excluded. Parity democracy cannot contain an essentialist connotation for its aim consists in putting into practice what the universalism of the concept of citizenship claims, the participation of all.[24] This second argument also reveals why they lift the variable sex above other features. They argue that it is the only one cross-cutting all other socio-demographic features by which society is characterised, and being characterised by structural inequality.

When it comes to the Anglo-American scholars, Young deals most explicitly with the issue of essentialism in her recent work.[25] Most critics to group-based approaches make the mistake, she argues, to reduce such an approach to 'identity' politics. They further make the mistake to consider identities as something fixed and essential. Young argues that such an approach is wrong because identities should not be conceived as fixed and essential. First, groups are not characterised by rigid borders clearly distinguishing between insiders and outsiders because social relations are characterised by a certain 'fluidity'. The mistake often made when conceptualising groups is to use a 'logic of substance' where certain attributes are employed to constitute the identity of a given group. Second, identities should not be conceived as fixed and essential because many individuals implicitly or explicitly reject the idea that group positioning is important for the constitution of their personal identity. Third, such an approach wrongly assumes that there is a shared set of interests, needs and values, but also an agreement on how to defend and promote them. Fourth, such an approach would deny the differences that exist within and across social groups. Finally, we could add to Young's list that individuals might belong to several social groups and that not all of them are similarly relevant in all situations.

[23]   LIPIETZ, A., Parité au masculin, *Nouvelles questions féministes*, vol. 15, 1994, p. 45-64.
[24]   AGACINSKI, S., *Politique des sexes*, Paris : Seuil, 1998; VIENNOT, É., Parité : les féministes entre défis politiques et révolution culturelle, *Nouvelles questions féministes*, vol. 15, 1994, p. 65-89.
[25]   YOUNG, I.M., *o.c.*, 2000, p. 80-120.

Young argues that because of its misleading connotation one actually should not speak of identity but of social groups.[26] She then looks at how to conceive social groups, and puts forward two key elements. First, social groups should not be conceived in terms of substance but in relational terms. Social groups do not define the identity of individuals but position that person in society. What makes a group a group is less some attributes shared by the members of a given social group than the relations in which they stand to other members of society. However, these relational terms are structural and this is the second key element she puts forward when conceiving social groups. Individuals have a certain sex, ethnical, religious or philosophical background, age, sexual preference, etc., providing them with a structural and institutionalised background influencing their prospects in life. But this social structure does not determine an individual, as would be the case when conceiving social groups in substantive terms of identity. Social structures position an individual prior to his/her initiatives but do not necessarily retain individuals in that setting. They do so within the institutional background they are positioned in, but individuals nonetheless forge their own identity. Underlining that being part of a social group is not so much an issue of identity than of social positioning, Young also shows why social groups and a form of group representation cannot simply be labelled essentialist. Even though social structures position an individual prior to his/her own initiatives, they do not essentialise an individual's identity.

The initial impetus was to develop an argument justifying the representation of structurally marginalised or excluded social groups. However, the issue at stake is not the representation of groups as such. The emphasis lies not in the opposition between the individual and the group but in the opposition between the abstract uniform individual and the socially located one. This social location is not necessarily one group. Every individual's social location has many facets, one being more important in a specific context than in another. But as much as the term *identity* is misleading, the term *group representation* also contains the danger that it might lead the attention away from the actual issue. We would therefore like to stress that group representation is not so much a shift from representation on an individual basis to representation on a group basis, than from the representation of an abstract individual to that of a socially embedded one.

Further, enhanced representation in socio-demographic terms does not entail that individuals have to be represented by someone sharing their social group or can only be represented by those emanating from the same social group. Enhanced representativeness is meant to make those formerly excluded participate in the political process. Presence is a prerequisite to influencing and changing the political agenda. In that sense a plea for group representation or for parity does not undermine the deliberative process as such, because their advocates do not conceive representatives in terms of delegates. On the contrary, deliberation is central to the argument of many advocates of enhanced representativeness.[27] The

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[26]   We will come back to this later but it is actually also misleading to speak of groups.
[27]   MANSBRIDGE, J., op.cit., 2000; PHILLIPS, A., op.cit., 1999, 1995; WILLIAMS, M.S., op.cit., 1998.

recognition of the fact that interests and needs are not predetermined but get raised, defined and shaped within the process of political decision-making not only provides an answer to the fact why it is important that various social groups have to share the responsibility of political representation and decision-making.

It could also explain why the representation of social groups is not an essentialist pitfall. Group representation and parity democracy contain an emancipating aspect because formerly excluded social groups can – once they are present – intervene in the framing of issues and try to reframe them. And a different framing of issues can challenge and change the power balance underlying social relations and structures. It is exactly this emancipatory aspect of group representation and of parity democracy that allows for an improved respect of differences and diversity without locking representatives up in a static essentialist identity. The evolution of the definitions of interests and the potential for societal change arising out of this undercut an essentialist definition of representation in terms of representativeness.

B. *The harm to liberty*

A corollary issue with which especially the advocates of parity democracy struggle is the question to what extent parity democracy and eventually other forms of group representation are in conflict with the liberty of political parties, of candidates and of the electorate as such. They argue that it is true that parties would loose part of their liberty to present the candidates of their choice. It is also true that candidates would have to face a further criterion, namely that of their sex. However, both parties and individual candidates have per definition but a limited liberty to, in the one case, select candidates, or, in the other one, run for elections. Because both sets of actors have to yield to and respect certain rules. When it comes to candidates it can also be underlined that certain social groups have traditionally been excluded from election on the grounds of their features, be it often on an unconscious basis or in a disguised way. It is not that sex will at once be of more importance than capacities in terms of knowledge and attitudes. The issue is the imbalanced valuing of gendered capacities in the present procedures to select candidates. When it comes to the electorate, it is true that it might have to vote for women, when it comes to a strict application of the principle of parity democracy. This is for instance the case with double tickets, where the electorate would have to vote for a pair of candidates instead of a single one. However, it can also be argued that the choice of the electorate is limited as such because it can but choose from a given number of candidates that have been selected by parties. And parity democracy or any other form of special right to representation for social groups can actually enhance that liberty, namely in those cases where candidates with specific features have been excluded from electoral lists and political representation.[28]

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[28] GASPARD, F., La parité, pourquoi pas, *Pouvoirs*, 82, 1997, p. 115-125; GASPARD, F., SERVAN-SCHREIBER, C., LE GALL, A., *Au pouvoir, citoyennes ! Liberté, égalité, parité*, Paris : Seuil, 1992; JOLY, C., *Parité ou quotas : quelle solution pour une plus grande représentation des femmes en politique ?*, Bruxelles : Institut de Formation de l'Administration fédérale, 1997.

C. *The selection of social groups*

This issue is more of a concern for the Anglo-American scholars than for the advocates of parity democracy. For the last the problem of selecting social groups does not exist. Taking women into account is an outflow of the recognition of the explicit equality of the two components of the human kind.

Mansbridge calls this issue the cost of selecting social groups entitled to special representation rights.[29] Reserving a certain number of seats for a given social group, affirmative gerrymandering, the application of quota to a pool of candidates, all define the social group for which a specific right to representation is established. The only exception is a system of proportional representation. It might be symptomatic that many especially Anglo-American scholars plead for proportional representation. Quite obviously, the advocates of parity democracy do not follow the same line, because systems of proportional representation have as such not proven to lead to a truly representative assembly.

Most Anglo-American scholars argue that it is very difficult to establish which social groups should be entitled to special representation rights. They underline that the criteria to select social groups entitled to special representation rights should not be contextual. However, on the whole they do not get much further than developing the rather evident statement that such rights should be awarded to structurally marginalised or excluded social groups. Mansbridge emphasises that such techniques could be awarded to social groups present in the legislature to a lower proportion than should be in case of a smoothly working system not containing any barriers or thresholds for this social group. She adds a second criterion, which runs that such techniques should be awarded to systematically marginalised or excluded social groups because of barriers raised by the dominant social groups.[30] Kymlicka also invokes Mansbridge's first criterion and adds a second one, arguing that social groups claiming self-government could request such techniques. He thereby mainly thinks of national minorities such as the Aboriginals and the Québécois in Canada.[31] Young finally argues that magnitude of the issue is also reflected in the fact that selecting social groups entitled to group representation poses a paradox of political origins. Those defining the criteria are in power whereas it is those lacking power who would like to express themselves...[32]

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[29] MANSBRIDGE, J., *o.c.*, 2000, 1999.
[30] MANSBRIDGE, J., *o.c.*, 2000, 1999.
[31] KYMLICKA, W., *o.c.*, 1998, 1995.
[32] YOUNG, I.M., *o.c.*, 1990.

D. *The problem of their number*

The Anglo-American scholars face, contrary to the advocates of parity democracy, another problem, which is the number of seats that should be awarded to social groups entitled to special representation rights. Presence in the political process makes no sense if it does not entail influence. Kymlicka distinguishes between threshold and proportional representation, underlining that the choice for one or another depends on the features of the political system. The more consensual a system the more a form of threshold representation may be sufficient.[33] Mansbridge, referring to the idea that the primary function of representative democracy consists in representing the substantive interests of those who are represented, and that substantive representation contains a deliberative and an aggregative function, specifies that a threshold representation may do in the case of deliberation. Proportional representation would be required when it comes to aggregation.[34]

Both scholars, then, conceive a form of threshold representation as less than what would be the case in a properly functioning system of proportional representation. This might pose a problem when it comes to numerically small social groups, because in a system of proportional representation they might be outvoted on a structural basis. A threshold could therefore also be defined as what would be necessary to be present for a given social group, a positive one referring to more than what proportionality would provide for and a negative one to less than what proportionality would provide for. This last one would only make sense in the case of marginalised social groups that are large in number.

We said that the advocates of parity democracy do not struggle with this issue of numbers. For them there is no question on numbers, because women, making up 50 % of the human kind, should therefore occupy half the positions of representation. This argument explains why the advocates of parity democracy, to the astonishment of many Anglo-American scholars, make a fundamental difference between quota and a political translation of the concept of parity democracy. While the logic of parity democracy starts from an equal participation of both sexes in political decision-making, quota have a more restrictive character. First, quota situate themselves in the old logic of making a derogation to formal equality, forming a passing manoeuvre in order to raise the number of women in politics. They are conceived as a favour for a discriminated social group. In this sense quota do not put into question the principles underlying a representative democracy as such. This is also reflected in the fact that the advocates of parity democracy refuse to speak of 'special' representation rights. Second, quota do not postulate the principle of fundamental equality between the sexes, translated into an equal participation of both sexes in political decision-making. They merely fix a minimum percentage. This leads to a numerical anchoring and perpetuation of

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[33]   KYMLICKA, W., *o.c.*, 1998, 1995.
[34]   MANSBRIDGE, J., *o.c.*, 2000, 1999.

unequal relations between the sexes.[35] In practice the minima prescribed by quota are often interpreted as a maximum to achieve. Quota are neither always result oriented in the sense that quota applied to electoral lists do not automatically imply an equal share of both sexes in parliament as such.

E. *The danger of disintegration*

Another issue addressed, by both the Anglo-American scholars on group representation and the advocates of parity democracy is that enhanced representativeness might emphasise what differentiates citizens rather then stressing what unites them, and might undermine solidarity.

Agacinski, one of the advocates of parity democracy, argues that part of the problem lies in the fact that it postulates the indivisibility of notions such as citizenship or the Nation. And that it further overstates the danger of such a conceptual division, because a division at the conceptual level does not necessarily imply the falling apart of the Nation as such. In order to sustain her argument she compares the effect of parity democracy on the Nation to that of attributing women the suffrage on the family. Providing women with the right to vote and admitting a plurality of votes within families did not make the institution of the family perish, even though it had been one of the arguments invoked against women's suffrage.[36] Other scholars on group representation support her argumentation. Kymlicka stresses that the concept of citizenship handled in daily practice is much more differentiated than what theory generally wants us to believe. The fear of disintegration might therefore, even though it could be a problem in certain cases, be a proof of theoretically consistent thinking rather than a concrete empirical problem. Unleashing the conceptual and the empirical level might help to overcome part of that fear.

Young further underlines that the fear for disintegration implies essential conflicts over interests, which is generally not the case.[37] Here again, the conceptual level has to be distinguished from what happens in a concrete situation. Phillips adds to this that the fact that enhanced representativeness establishes a possibility for having all voices heard and for dialogue might have an accommodating effect as such.[38] It might reveal for instance that differences are not as important as is thought in abstracto.

However, even if it does not contain the aim of disintegration, group representation – and not parity democracy – might imply this effect, and all Anglo-American scholars are aware of this. But it could be said, runs the argument, that the greatest dangers might not come from what could involve disintegration but

[35]   VOGEL-POLSKY, E., Démocratie, Femmes et Citoyenneté européenne, *Sextant*, vol. 7, 1997, p. 17-39.
[36]   AGACINSKI, S., *o.c.*, 1998.
[37]   KYMLICKA, W., *o.c.*, 1995; YOUNG, I.M., *o.c.*, 1990.
[38]   MANSBRIDGE, J., *o.c.*, 2000, 1999; PHILLIPS, A., The Politicisation of Difference : Does this Make for a More Intolerant Society ?, pp.126-145, in HORTON, J., MENDUS, S. (Eds.), *o.c.*

from a forced unity. In certain cases group representation might provide for stability where the unity is anyway in danger and prevent much higher risks of disintegration. Mansbridge further argues that the danger of disintegration depends to a large extent on the institutional arrangements established in order to provide for selective descriptive representation.

F. *The problem of accountability*

This problem consists in the impossibility to base representatives' accountability on their membership of a given social group. Enhanced representativeness refers to descriptive representation, which stands for the idea that a political representation should mirror the composition of society. Representation is then based on the social and cultural features of which society is composed. It becomes 'standing for' as Pitkin calls it.[39] This form of representation, she argues, misses the interpretation of what representation means as a task to fulfil as well as the relation between representation as an activity and the legitimisation to act on behalf of others. Representatives are elected for whom they are and not for what they do. However, sharing a set of socio-demographic characteristics is not a sufficient reason to act on behalf of others. Representatives cannot be held accountable for whom they are, only for what they do and this is the aspect lacking.

All advocates of enhanced representativeness are well aware of the importance to establish a link of accountability between the representatives and those whom they represent. They therefore underline that enhanced representativeness is meant to increase the likeliness of having all voices heard. Enhanced representativeness in terms of the presence of specific social groups is no guarantee that members of these groups will per definition represent the others nor a prerequisite that this will happen. Or, as Williams puts it, the presence of those with similar socio-demographic features is not a 'sufficient' but often a 'necessary' condition for fair representation.[40] They also emphasise, like with the issue of disintegration, that much depends on the form that enhanced representativeness will take. As Phillips remarks, the problem of accountability is not specific to forms of enhanced representativeness.[41] Especially where such forms are integrated in traditional techniques and tools to elect representatives, such as separate electoral lists, the classic mechanisms establishing accountability work, although they might be improved.

VI. Concluding remarks

Having presented the issue of enhanced representativeness in socio-demographic terms it seems to face, how appealing the normative plea as such might look, several normative challenges, to which no exhaustive answer is provided. What Kiss says on the politics of recognition, goes to a certain extent also for the

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[39] PITKIN, H.F., *o.c.*, 1972.
[40] WILLIAMS, M.S., *o.c.*, 1998.
[41] PHILLIPS, A., *o.c.*, 1995.

advocates of enhanced representativeness. They 'have been stronger on diagnosis than on prescription'.[42]

This lack of prescription can mainly be found in two arguments. First, it is argued that the scope of many normative challenges depends on the institutional design chosen. This argument is for instance evoked when it comes to the problem of disintegration. Second, it is underlined that certain normative challenges are not inherent to the issue of enhanced representativeness. Phillips mentions this point when it comes to the issue of accountability and the advocates of parity democracy when it comes to candidates', parties', and the electorate's liberty. Both might seem like an easy attempt of getting away with the problem, but it has to be admitted that there is something in this argument. In a system of closed electoral lists for example little is left of the traditional expression of accountability where the electorate decides whether a representative gets another term, because of the determining impact of the list order on who actually gets elected. We could also think of the possibility for candidates to change constituency before new elections take place. When it comes to the question of institutional design, we can also find examples confirming that much of a potential normative challenge depends on the form enhanced representativeness takes. Reserving seats for various social groups in the Upper House does not necessarily make a country fall apart.

What is more important is that this entire discussion on enhanced representativeness and on the normative challenges it faces, shows that the question of representing social groups is to a large extent an issue of choice at the level of normative assumptions underlying the conception of representation. Representation is an issue that is not approached in a vacuum. It is linked to other concepts, like citizenship or equality. This becomes very clear in the discussion on the normative challenges, because arguments are countered by turning them around. Instead of underlining the potential of essentialism inherent to a definition of citizens, its potential not to ignore large groups of citizens is emphasised. Instead of considering that an abstract definition of citizens contains advantages, its dangers are underlined. Instead of revealing the potential danger of disintegration, the advantages in terms of communication and deliberation are presented. The point is not that one or another is correct, but that the scholars pleading for enhanced representativeness do not share traditionally prevailing normative assumptions in terms of their democratic – in the sense of inclusive – outcome.

What makes this literature pleading for enhanced representativeness so valuable, then, is the fact that it does not reject the representation of social groups as such because of assumptions that have long been taken for granted. It rather dares putting these assumptions into question. However, comparing both bodies of literature, we can see that the advocates of parity democracy made clearer and more explicit normative choices than their Anglo-American colleagues. Starting

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[42]   KISS, E., Democracy and the politics of recognition, pp.193-209, in SHAPIRO, I., HACKER-CORDÓN, C. (Eds.), *Democracy's Edges*, Cambridge : Cambridge University Press, 1999.

from the assumption – or conclusion – that the actual foundations of the (French) representative democracy are flawed to an extent that they undermine the equality of both sexes, they made the consequent normative choices in order to establish a framework mediating what they consider to be the major problem. These choices discord with what in their eyes is the dominant (male) normative political consensus, but they are clearly established and argued for. In the case of the Anglo-American plea for group representation the question of choice seems to be less clear-cut. There is, for example, more hesitation to drop a principle of proportionality when it comes to small minorities.

On the whole, however, the literature discussed can be labelled optimistic – or progressive – because it perceives the positive sides of representing social groups instead of being paralysed by its potential dangers. But reading these scholars carefully one realises that they are not naïve. The advocates of group representation and of parity democracy see the possible danger inherent in such an approach, but try to provide an answer to it, underlining that one should not per definition exclude a step in this direction, a change.

Summary : On the theoretical acknowledgement of diversity in representation

This article provides a state of the art of the growing normative plea for enhanced representativeness, by which we understand a form of representation considering the socio-demographic particularities of society. We look at the Anglo-American plea for group representation and the (mainly) French debate on parity democracy. Concerned with the structural marginalisation of large numbers of citizens from the political arena, these scholars criticise the abstract concept of citizenship and the interpretation of the process of representation as such. The plea for enhanced representativeness faces more than one normative challenge. Dealing with these issues the scholars pleading for enhanced representativeness above all reveal that the issue for or against representation in terms of representativeness is a matter of choice on underlying normative assumptions.