

# **Congrès AFSP Paris 2013**

## **ST-31 La représentation politique au-delà de l'élection (Political representation beyond elections)**

**GÜL, Volkan**  
**University College London (UCL)**  
**volkan.gul.09@ucl.ac.uk**

### **Representative Claims, Performatives and Organizers in Deliberative Citizen Practices** **(Draft Only-All comments are welcome)**

#### **ABSTRACT**

In this paper, I aim to show that resemblance based understanding of representation is insufficient to understand representation in non-electoral contexts. Instead of it, I argue that Michael Saward's representation as claim-making framework can be the new way to examine representation in such contexts, and specifically in deliberative citizen practices. First, I discuss resemblance based conception of representation in the context of deliberative citizen practices, and show how it is insufficient. Second, I introduce representation as claim-making framework and modify it. Third, I examine representation in the British Columbia Citizens' Assembly using the claim-making framework as an illustration of how we can use this framework. I aim to show that representation is a claim made by organizers, and strengthened by different tools of which resemblance is just one. This claim involves three main actors: the represented, citizen representatives and organizers. While the acts of the represented and citizen representatives do not affect representation, organizers not only determine the selection criteria but also make representations as being claim-makers. In addition, the idea of performatives is used in order to support this argument. In the end, I have three conclusions: First, representation as a concept does not necessarily denote a dyadic relationship. Second, organizers are the source of representation in deliberative citizen practices. Third, any examination of representation in a deliberative citizen practice should move beyond resemblance, and look carefully at the organizers' decisions and claims.

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## *INTRODUCTION*

Deliberative democracy has ceased to be merely a theory. Today, it is a widely-used policy option, and we can see the rise of deliberative democratic practices around the world. Each experience has led to new information on how to *do* deliberative democracy. Thus, dozens of opinion polls, four citizens' assemblies and many citizen councils and panels have been organized and more are being organized. While some of them were just advisory, others had official status. In addition, some concerned large-scale issues like electoral reform (e.g. British Columbia Citizens' Assembly, Ontario Citizens' Assembly and Dutch Citizens' Assembly), some concerned local problems or opinion formation (e.g. deliberative polls, Australia's Citizens' Parliament, NICE Citizens Council). In any case, the increased number and popularity of such practices necessitate theoretical scrutiny regarding their underlying assumptions and how they are conducted. This is what I shall do in this paper.

The main problem I will address is how a group of randomly selected citizens can represent the society of which it is a part in the absence of a formal bond (e.g. elections) between the represented and the representative. In the literature on deliberative democratic practices, representation has been examined by focusing on descriptive similarities only. Scholars have looked at the similarities between a particular practice and the society it is supposed to represent, and more resemblance between them has been thought to ensure better representation.

In the literature, there are four arguments in favour of resemblance based examination: a basis for inference, inclusiveness, legitimacy and substantive representation. Briefly, these arguments state respectively that resemblance provides the grounds for generalized results; that focusing on resemblance ensures the inclusion of less advantaged groups; and that better resemblance increases legitimacy and substantive representation. However, I think these arguments are inadequate. I will argue that resemblance might be seen as necessary but as will be argued in the paper, it is not the source of representation. In this paper, I follow Michael Saward and argue that representation is a process of making claims (Saward 2010). I will show how applying a modified version of claim-making framework enables us to realize that there is much more to be said about representation in deliberative citizen practices than for resemblance.

Firstly, representation in deliberative citizen practices, unlike electoral representation, is not a dyadic relationship that involves two actors. It is primarily a triadic relationship that involves not only the represented and representative but also organizers, who are making claims of representation. Secondly, if representation is a triadic relationship, with organizers as its third element, I argue that the organizers as claim-makers are the most important actors for representation in a deliberative citizen practice. Representation does not depend on the *citizen representatives* as much as on the organizers<sup>1</sup>. Thirdly, such conclusions have implications for how we understand representation in a deliberative citizen practice. I contend that we should not be limited to resemblance, which is just one resource for a representative claim. Finally, in support of my argument I use the idea of performativity in order to discuss how

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<sup>1</sup> Citizen representative is a term I borrow from Mark Warren that refers to the participants of the deliberative citizen practices. See, Warren 2008.

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organizers, by uttering performative statements, are central to representation in a deliberative citizen practice.

### *I. Representation in Deliberative Citizen Practices*

The first point in understanding representation in a deliberative citizen practice should be what organizers say about it. Although not conclusive, it is certainly very important to know their assumptions about representation. There seems to be two different views on representation. Consider the report of the Ontario Citizens' Assembly that states:

Referring to their [citizens representatives] diversity in country of origin, first language, age group, and past and present occupations, he [chair] emphasized that the members represented the entire province, not a specific group or electoral district (Anon. 2007, 61).

In addition, the foreword of one of the reports of NICE Citizens Council states:

The members of the Council reflect the demography of the English and Welsh populations. They serve for three years with one third retiring annually. They do not represent any particular section or group in society; rather they are a cross-section of the population with their own individual experiences, attitudes, preferences and beliefs (Watts 2007, 4).

These quotes might suggest that organizers assume that individual members do not represent their groups and the deliberative body represents the society as a whole.

However, once again, the report on the Ontario Assembly commends Elections of Ontario writes that they ensured equal representation of men and women by making sure there are equal men and women representatives in the assembly including the chair (Anon. 2007, 43). Also, the chair in a preliminary session implies that no area can be represented by a stranger by saying 'The time for calling in alternates had passed. If a member dropped out, that member's riding would not be represented on the Assembly' (Anon. 2007, 62). In addition, the assembly had 'a riding map showing which member represented which riding, as well as population figures for each riding' (Anon. 2007, 68). Moreover, in his report on the constitution of the citizens' assembly in British Columbia, Gordon Gibson argues, 'Given the constraints of a random selection process, the best guarantee of representativeness is sheer size' (2002, 7). Later he argues, 'Any large group of randomly selected people will, with a mathematically high probability, be representative' (2002, 13). The final report of British Columbia Assembly states:

From that list [voters list], Elections BC drew a randomized list of 200 names for each electoral district—100 males and 100 females per district. These names were grouped by age (i.e., 18-24, 25-39, 40-55, 56-70, 71+) and gender to produce a list *representative* of the provincial population (Anon. 2004, 10; italics added).

Furthermore, in British Columbia, after the first selection there was no first nation member, thus, the chair was given the power to add two aboriginal representatives (one male and one female) to have aboriginal representation in the assembly. Finally,

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the organizers of the Australia's Citizens' Parliament defines a citizens' parliament as 'a large group of randomly selected citizens (matching the demographics of the area *they represent*) coming together to listen, learn, reflect upon and discuss an issue of public importance' (Anon. 2009, 3; italics added). These might suggest that organizers are assuming individual members will represent their respective groups.

Reading the official documents of different practices shows that representation for the organizers can mean two things, and sometimes it is possible that they might contradict each other. On the one hand, they seem to have an understanding that the assembly as a whole represents the society, not individual members. On the other hand, they seem to argue that only an individual from a certain area can represent that area. I would like to call the first *collective representation*, and the other *resemblance based representation*. Although organizers seem to have both collective and resemblance based representation in mind, the existing literature focuses almost solely on resemblance. It is important to see why in the literature there is such focus on resemblance.

### ***II. Resemblance and Deliberative Citizen Practices***

There are four arguments for the importance of resemblance in deliberative citizen practices: a basis for inference, inclusiveness, increased legitimacy and better substantive representation. To begin with the inference argument, Fishkin argues that 'A deliberative poll attempts to model what the public *would* think, had it a better opportunity to consider the questions at issue' (1995, 162; italics in original). The idea behind this is that the actual or raw opinions of the public are debilitated due to four factors: rational ignorance, phantom opinions, selectivity of sources, and vulnerability to manipulation (Fishkin 2009). Hence, instead of only *mirroring* the raw opinions of the public, as traditional opinion polls do, we need to *filter* the public opinion through deliberative mechanisms to refine it. This refinement is done by providing information to participants before deliberation.

In addition, he argues that deliberative polls have 'usually been highly representative, both attitudinally and demographically, as compared to the entire baseline survey and to census data about the population' (Fishkin 2009, 26). Here, the underlying assumption is that a statistically representative sample will give us generalized results about what the public might think if they contemplated the question. Thus, similarity, it is claimed, will provide us with a better basis for inference.

Secondly, descriptive similarity is claimed to increase inclusiveness. Mark Warren, in his examination of British Columbia Citizens' Assembly (BC-CA), argues that a democratic body should include all affected interests, and descriptive similarity is one way of achieving this, in fact it was the main tool in the BC-CA (2008, 58). It is useful to see whether different segments of the population are included in order to avoid over- and under-representation. Hence, efforts to have as much similarity as possible have merits especially for the less advantaged groups by giving them a voice in a representative body (Phillips 1995; Mansbridge 1999; Dovi 2002). Thus, it is argued that seeking to resemble the society as much as possible increases the inclusiveness of the body.

Thirdly, it is also argued that resemblance is necessary and good for the legitimacy of deliberative citizen practices. For instance, Dennis F. Thompson argues that

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descriptive similarity was needed in British Columbia to hold a legitimate citizens' assembly (2008, 42). In addition, Michael Rabinder James starts his examination of representation in the BC-CA with the issue of legitimacy, and argues that the assembly had two sources of legitimacy: descriptive similarity and the quality of deliberation, which were intertwined (2008, 107–108). In the end, although he argues that disproportional representation of visible minorities did not render the assembly illegitimate or unfair, he also implies that its representative power and therefore its legitimacy could have been better, had they been descriptively represented in the assembly (2008, 123–126). In brief, it is believed that there is a positive relation between descriptive similarity and legitimacy.

Finally, it is argued that resemblance is important for the substantive representation. Fournier *et al* argue that the representation in deliberative citizens' assemblies is based on substantive and descriptive representation, and better descriptive representation will bring better substantive representation (2011, 54). Thus, for them, citizen assemblies are designed to represent society, yet in a different way from elected legislatures, and descriptive representation is used to 'increase both their substantive and symbolic representational dimension' (2011, 54). The idea is similar to the basis for inference argument that if we have a descriptively similar body, its preferences will be congruent with the preferences of the society at large.

### ***III. Problems With Arguments For Resemblance***

The importance and value of descriptive similarity are often overstated for four main reasons. Firstly, any claim to represent through resemblance alone carries the risk of essentialism, which is 'the assumption that members of certain groups have an essential identity that all members of that group share and of which no others can partake' (Mansbridge 1999, 637). The idea that a representative body should statistically resemble a society tends to essentialize the characteristics of a particular group by assuming that it is homogenous. For instance, the assumption that women in a representative body will represent women as a social group implies having "enough" women in a representative body will solve the issue of women's representation.

It is true that there are different degrees of essentialism, and as Mansbridge argues it is inevitable to a certain degree since 'At its most basic, of course, the process of thought itself encodes a form of essentializing' (1999, 638). As she illustrates, when one says chair it evokes an image of furniture that is brown and has four legs. However, such cognitive process marginalizes other types of chairs (Mansbridge 1999, 638). Thus, the problem of essentialism is a problem of degree and tendency, and resemblance based understanding of representation has high tendency to essentialize group characteristics.

Furthermore, Mark Brown discusses five problems with resemblance in deliberative citizen practices, four of which are related to essentialism *per se* and one is related to the tension between essentialism and deliberation (2006, 218). First, since every participant has multiple identities, we cannot know which one is more important for that participant to be affiliated with. Second, groups are not homogeneous. There might be differences among group members. Third, selected participants are assumed to have fixed interests that they can only represent the interests of their particular social group. Fourth, people might have great disagreements within the group in

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which they define themselves as members of. The last problem concerns the tension between essentialism and deliberation. If we think that participants have fixed interests determined by their social group, we cannot argue that there is a genuine deliberation, which requires a process of informing, and transforming interests and preferences.

The second point is that there are more costs than benefit in arguing that descriptive similarity is necessary for the legitimacy of a deliberative citizen body in the absence of elections as legitimating tool. It is clear that perfect resemblance is not possible. Hanna Pitkin rightly argues that perfect correspondence can only be approximated (1967, 88). However, if one wants to use resemblance as a tool to justify then we are presented with a problem of legitimacy. In other words, if we think that a legitimate body of representatives is the one that resembles the society fully, and if full resemblance cannot ever be achieved, any attempt would be less than perfect. Thus, the body will be less legitimate. In addition, as John Parkinson argues, statistically representative groups can only be representative on the basis of their selection criteria and so 'leaving the risk of missing important differences which have not been selected for' (2006, 76). Thus, if we cannot have full accuracy, the representative body will be illegitimate to a certain extent, and so these scholars are putting themselves into a difficult position of answering the question of how much slippage and illegitimacy are acceptable in a representative body.

The third point concerns the problematic link between descriptive similarity and substantive representation. Recall the argument that better descriptive similarity will increase substantive representation (Fournier et al. 2011, 54). However, although mirroring the society might statistically increase the *expectation* of substantive representation, it does not necessarily better actual representation. Descriptive representation is not about the activity of representation but about who the representatives are. Yet, there is no definite route from descriptive similarity to acting for one's affiliated groups. In other words, there is no guarantee that women representatives will represent women's interests all the time. Moreover, to assume that women will represent women as a group will be essentializing, and will also assume that there is one set of interests that we can name "women's interests". Therefore, not only is the link suspect but it is also based on essentialism as described above.

Lastly, even if one still thinks that resemblance is the only plausible determinant of representation in deliberative citizen practices, there are empirical challenges that need to be acknowledged. Firstly, it should not be forgotten that citizen representatives are self-selected. They are the ones who showed interest in participating in such a practice. This makes resemblance defective from the very moment of selection. In addition, their invitation was based on selection criteria (usually age, sex and geography) deemed important by the organizers. Also, citizen representatives are not professional, elected politicians concerned with their own re-election. Hence, it can be argued that they are not there to represent anyone. In fact, they may even object to the idea that they represent anybody other than themselves. For instance, Parkinson gives an anecdotal example that an indigenous woman in a deliberative poll in Australia denied being a representative of anyone but herself (2006, 79). Furthermore, Fournier *et al* argue that *who represents whom* was an issue for the members of deliberative citizens' assemblies in Canada and the Netherlands.

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For instance, in British Columbia, citizen representatives were hesitant to claim to represent other people in their statistically affiliated groups. Instead they reveal that although citizen representatives did not claim to represent anyone that organizers affiliated them to (e.g. gender, age or geographical groups), there was a sense of collective representation of the society: *We, as the citizens' assembly, represent the society* (2011, 63).

In brief, the search for resemblance may enable us to form a mosaic-like image of a society. However, this mosaic does not necessarily clarify or help us understand representation. There will always be some deviation from its ideal. This inaccuracy hinders the arguments for the legitimacy of the practices. In addition, the supposed link between substantive representation and descriptive similarity seems to be fed by essentialism, which suggests that citizen representatives will represent their respective groups. Moreover, the fact that citizen representatives are self-selected and that they do not claim to represent anyone but themselves present challenges to the arguments for resemblance based representation. Therefore, I argue that we should look elsewhere to understand representation in deliberative citizen practices. This is the task for the next section.

### ***IV. Representation as Claim-Making***

Representation as claim-making is a new way of thinking about representation that is developed by Michael Saward (2006; 2009; 2010). This framework has attracted attention, and commended for its innovative approach to representation (Schaap, 2012). We can also see its influence on the literature on the representation of women, especially the substantive representation of women (Celis et al. 2008; Severs 2010). In this paper, I argue that the informal character of claim-making framework fits very well to the deliberative citizen practices. However, there are implications of its use. Before discussing the implications, in this part, I would like to discuss claim-making framework, and suggest a modification to it.

Saward aims to show the dynamism of representation as a concept. Claim-making is not a normative framework, it is 'more interpretive than normative – it is a conception intended to aid analysis and understanding rather than to support prescription' (Saward 2006, 310). He argues that there are two general senses of representation: *as presence and event* (Saward 2010, 39–43). The former has normative aims and tries to find the best definition of representation, and works with binaries such as descriptive / substantive or formal / informal. Derived from this approach there is the perception that representation is a fact. According to this perception, winning an election is a fact and that fact makes someone representative. However, Saward argues that representation is not 'an achieved, or potentially achievable, state of affairs as a result of election' (2006, 298). Instead, he favours the *representation as event* approach, which suggests that representation is 'the product of performance' (Saward 2010, 42). While *representation as presence* asks *what is it?*, *representation as event* asks *how is it made?* (Saward 2010, 26). Hence, while being a trustee, a delegate or an agent are different roles for representatives according to presence approach, for event approach they are resources for representative claims. A representative can mingle them and use them to his/her advantage. Lastly, following the representation as event approach, he argues that representation is a process that involves performance, and its meaning is 'implicated in invocation and enactment' (Saward 2010, 42).

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Saward continues that representation has a performative character that goes beyond parliaments and elections. ‘Representation is performing, is action by actors, and the performance contains or adds up to a claim that someone is or can be representative’ (Saward 2010, 66). It is based on the ‘*claims to be representative* by a variety of political actors’ (Saward 2006, 298; italics in original). Thus, he suggests shifting our focus from institutional forms of representation to its performative aspects.

The general form of a particular representative claim is as follows:

A *maker* of representations (‘M’) puts forward a *subject* (‘S’) which stands for an *object* (‘O’) which is related to a *referent* (‘R’) and is offered to an *audience* (‘A’) (Saward 2010, 36; original italics and emphasis).

*Makers* perform the act of claiming. Claims can be internal or external<sup>2</sup>. Internal claims are made about one’s own self. “Susan claims to be the representative of single mothers in her neighbourhood”. Susan makes a claim about herself being the representative. External claims, on the other hand, are made by others for others. “Mike claims that Susan is the representative of single mothers in her neighbourhood”. Here, Mike makes the representation claim, not Susan, but the claimed representative is Susan not Mike.

*Subject* is the claimed representative. Recall the previous example. “Mike claims that Susan is the representative of single mothers in her neighbourhood”. Here, subject of the claim is Susan and the maker is Mike.

*Object* and *Referent* are related to the represented. “Susan claims to be the representative of single mothers in her neighbourhood”. Here, *single mothers* is the object of Susan’s claim. It is the constituency she portrays for herself, not the constituency itself. Saward presents the idea of referent, which is ‘all the other things the constituency is, or might be’ (Saward 2009, 3; Saward 2010, 36). Referent is ‘the blood and flesh people of constituency’ (Saward 2010, 37). Here, according to Saward, object is *single mothers* as portrayed by Susan, and referent is all the other things single mothers are or might be<sup>3</sup>.

*Audience* is the recipient of a claim. Claims are made for recognition, either in the form of acceptance or rejection. They are addressed to an audience, and successful claims are the ones accepted by the audience it is addressed to. In the original example Susan’s neighbourhood is the audience however it is not limited to it because audience can be multiple. Here, Saward differentiates intended and actual audience. The former is the group the claimant speaks to (i.e. single mothers). The latter is everyone who receives the claim and responds it in some ways. Thus, actual audience is larger than intended audience. In addition, Saward differentiates between audience and constituency. The constituency is constructed by the maker to an audience (Saward 2010). Constituency can also be intended or actual. Imagine Susan changes

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<sup>2</sup> In fact, Saward lists “the key lines of variation of representative claims” as singular-multiple, particular-general, implicit-explicit and internal-external. See Saward, 2006; p. 306-309. Then, he adds two more formal-informal and unidirectional-multidirectional. See Saward, 2010; p. 57-66. However, I think internal-external line is the most important one for the purposes of this paper and my research.

<sup>3</sup> If I am not interpreting Saward wrong, this is the case. As will be argued, the framework is confusing as it is and presents several problems. Another way of formulating claims will be suggested below.



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her claim to “I represent hard-working single mothers”. Here, she constructs single mothers as hard-working. This is the intended constituency. It would also be the object of the claim, according to Saward. Actual constituency consists of ‘those who recognize a given claim as being made about and for them, or who see their interests as being implicated in the claim’ (Saward 2010, 49). In Susan’s case, actual constituency will be the people who think that Susan’s claim is about them (e.g. single mothers). Finally, it should be highlighted that these variations and differences between them are context and claim dependent, and so not exhaustive. In other words, they can sometimes be the same or sometimes one can be larger than the other.

As another example, a claim of an MP can be written as ‘The MP (maker) offers himself or herself (subject) as the embodiment of constituency interests (object) to that constituency (audience)’ (Saward 2010, 37). In this claim, Saward argues that ‘The referent is the actual, flesh-and-blood people of the constituency’, and ‘The object involves a selective portrayal of constituency interests’ (2010, 37). Audience does not have to be single. There can be different audiences (e.g. society, international community).

It is interesting that Saward usually excludes the referent in his examples although it has an important place in his theoretical framework. More importantly, he gives two different characterizations of the referent. On the one hand, he argues that the object is an idea of the thing represented. It is not the thing itself, which he calls as referent. For instance, if an MP claims to represent his or her constituency, he gives a portrayal of that constituency that will be the object of the claim (e.g. hard-working, decent). Then, the referent will be ‘all the other things the constituency is, or might be’ (Saward 2010, 36). On the other hand, he also argues that the referent is the actual thing (e.g. flesh-and-blood people of the constituency) (Saward 2010, 37). However, there seems to be a tension between the two.

First one clearly suggests that object and referent are different. While the object is an idea of the referent, referent is all the other things. Second one, on the other hand, suggests that the referent is the embodiment of all the possible portrayals of itself (i.e. its objects). This means that the referent does not exclude the object. Instead, not only does the referent contain its object, it also exceeds it. I contend that the second characterization is better than the first because the object is related to the referent by being a particular portrayal of it, so it makes sense that they share one certain characteristic (e.g. object) at one particular portrayal of the referent. In addition, the referent as being the actual thing will involve all of its descriptions. For instance, London can be depicted in many ways but no one single portrayal can be said to be London. Different paintings will relate to actual London (i.e. referent) but in different ways (i.e. object). So, London might be grey or cloudy or lively in a particular painting, but actual London (i.e. referent) will be all of them and possibly more. When the object is, let’s say, *being grey*, we cannot say that the referent is all the other things. *Being grey* forms the very relation between that object and the referent. In brief, I argue that the second characterization is a better one because the referent and object are related via shared common characteristics since object is one particular portrayal of the referent.

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If I am right that the second characterization is better, then another problem related to Saward's identification of the referent emerges<sup>4</sup>. Saward argues that in the MP's claim above the object is the embodiment of constituency interests and the referent is the flesh-and-blood people. However, such identification seems to be wrong. As seen, the object is related to the referent by being a portrayal of the referent. Then, I cannot see how the embodiment of constituency interests (i.e. object) relates to the flesh-and-blood people (i.e. referent). It is clear to me that the embodiment of constituency interests is not a portrayal of the flesh-and-blood people.

Instead, I argue that the referent and the object need to be swapped in the general form of representative claim. Hence, in the MP's claim, the object is how the maker of the claim depicts the embodiment of constituency interests, whilst the referent is the embodiment of the constituency interests. We cannot readily argue that object is this or that because we don't know how the maker depicts the embodiment of constituency interests in the claim, which is too broad.

Let me illustrate my argument in two different claims. *An MP claims to represent the middle class*. Here the referent is the actual persons who constitute the middle class and the object is the MP's portrayal of them. In a more specific claim such as *an MP claims to represent the hard-working middle class people*, the object is the portrayal of middle class people as hard working, and the referent is flesh-and-blood middle class people. As seen, we can write claims with different objects for the same referent. This makes sense because the object is one possible depiction of the referent. In the case of the referent being inanimate things (e.g. London) or abstract notions (e.g. embodiment of constituency interests), we might think that the referent is the concept and the object is one particular conception of the concept. Finally, with this modification the new form can be written as *A maker of representations (M) puts forward a subject (S) which stands for a referent (R) which is selectively portrayed (O) and is offered to an audience (A)*. I think such modification is needed because the framework as it stands confuses the referent and the object in different cases. Even in Saward's own examples. Therefore, in the next section I will use this modified form.

### ***V. Claim-Making in the British Columbia Citizens' Assembly (BC-CA)***

In this section, I will use claim-making framework in the case of British Columbia Citizens' Assembly (BC-CA). The idea of citizens' assembly in British Columbia, Canada emerged as an election promise. Due to anomalies of first-past-the-post system liberals lost the elections in 1996, and this defeat led liberals to an election promise of organizing citizens' assembly if they came to the power in the next elections. In 2000 they came to the power and they kept their promise. The task for the assembly was to examine different electoral systems, including the first-past-the-post system, and offer one of them as the province's new electoral system. In addition, the government promised to take the assembly's decision to province wide referendum. This gave the assembly an important formal power in decision-making process, which is usually missing in other forms of deliberative practices such as deliberative polling. The members of the assembly were selected on the basis of

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<sup>4</sup> In a recent work, Saward clearly chooses the second definition by saying 'the idea of the referent expresses the sheer materiality of people and things, versus the constructions of meaning that different actors, perspectives and claims may place upon them' (Saward 2012, 125-126).

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stratified random sampling from electoral roll. The criteria for stratification were geography, gender and age. In addition, organized political interests and professional politicians were screened out. In the end, there were 161 members of the assembly including the Chair.

We can write one claim in the BC-CA as *Organizers (M) put forward the assembly (S) which stands for the people of British Columbia (R), which is portrayed as an assembly of ordinary people of the province (O) and is offered to an audience (A)*. In other words, organizers are claiming that the assembly is representing the society and portray it as an assembly of ordinary people. Like any claim, it is intended for the recognition of different audiences including but not limited to British Columbians (most important audience), Canadian public, other scholars of deliberative democracy and policy makers.

What does the above analysis tell us that we did not know before? The application of claim making framework highlights the role of organizers that is beyond organizing the practice. The importance of organizers is not limited to their organizational skills. They have a more substantive role than it has been thought. If we accept that representation is a statement rather than a numerical correspondence, then it is clear that organizers are the source of statements about representation. They present the practices as representative of the society, city, neighbourhood and what have you. In this way, they construct the first image of a practice as representative.

In addition, there are two more conclusions that the claim-making framework enables us to draw. First of all, although representation is generally seen as a dyadic relationship between the represented and the representative, the use of claim-making framework directs us towards a different type of representation. In a deliberative citizen practice, representation can involve a third actor: organizers as the claim-makers. Hence, representation can be a triadic relationship. Second of all, if organizers are the claim-makers, then it means that the representative quality of a citizen practice is independent from the actions of citizen representatives. The representative claim is not about the actions of representatives, but it is about them being representative in a way portrayed by claim-makers.

### ***VI. The Role of Resemblance***

So far I have argued that resemblance is not the source of representation in deliberative citizen practices. Instead I have suggested using claim-making framework with a modification to make sense of representation in deliberative democratic practices. Does this mean that I am dismissing resemblance all together? The short answer is no. Instead, I argue that resemblance is just one resource for the representative claims. Resemblance is not the meaning of the representation but a source of representative claim.

Organizers cannot utter a statement out of thin air. There needs to be some support for the statement made. Here, statistical resemblance becomes crucial. When organizers claim that a practice is representing the society and relates it to the society by portraying it as a body that is composed of ordinary citizens, they should back this claim by showing that the body is actually composed of ordinary citizens. One of the best ways to do this is to reach a considerable statistical resemblance. Another thing can be the screening against professional political activity. Such screening will ensure

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that participants are not affiliated with any of the political parties in professional sense. In British Columbia both of the measures were employed to make sure the image of ordinariness was attained.

Here, the fact of resemblance should not be confused with someone making a representative claim because there is resemblance. Resemblance can enable the organizers to make representative claims, but it does not mean that resemblance alone can make representation. It is, rather, a tool to strengthen the claim made by the organizers that can also be used to assess the claim after the practice. So, if an assembly does not resemble the society at all, it might be seen as unrepresentative if the claim involves its resemblance to the society. However, from a claim-making point of view, the assembly can be seen as unrepresentative not because resemblance is deficient, but because it will not support the representative claim. For instance, if organizers claim that an assembly is full of ordinary people, then they need to show that ordinary people are actually in the assembly. Otherwise, they cannot support their portrayal of the body as ordinary. To use the claim-making jargon, in a representative claim the object should be convincing. A claim-maker who wants to be successful cannot claim anything he or she wants about a representative body, because unfounded claims will not be effective. This can also explain the point mentioned in the beginning that some organizers emphasize on collective representation while at the same time argue for statistical similarity. They should back their claim about collective representation by arguing that resemblance is achieved as much as possible because they portray that citizen body as ordinary.

In addition, depending on the claim made resemblance may or may not be necessary. An MP cannot resemble his or her constituency fully and voters do not always vote with resemblance in mind (Fearon 1999). Hence, we can argue that resemblance is not necessary for representation all the time because not all claims are about resemblance. However, the fact that most of the time the representative claims in a deliberative citizen practice involve resemblance makes it necessary. Nevertheless, it cannot *make* representation. Instead, it is the claim that makes representation.

### ***VII. Claims, Performatives, and the Role of Organizers***

In this section, I will try to show how the idea of performatives and the role of claim-makers can come together. Against the referential understanding of language, in his series of lectures *How To Do Things With Words*, J. L. Austin argues that there are utterances that actually bring about something that he calls performatives (1962). For instance, when I say, “I promise” I am not reporting my promise, I am performing the act of promising. Also, in an ideal situation I am committing myself to subsequent actions, so I am also bringing about new circumstances<sup>5</sup>.<sup>4</sup> According to Austin, there are three ways of doing things with words. Although he makes these distinctions, there seems to be no consensus about them (Austin 1962, lecture viii). Hence, I would like to use *performatives* in the least controversial way<sup>6</sup>. The first way is through the locutionary act. It is the act of saying/speaking. Secondly, there are illocutionary acts that *in saying* them we are doing something. Thirdly, there are perlocutionary acts that

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<sup>5</sup> I say in an ideal situation as there are different ways that performatives can be ineffective or misused. To use Austin’s words performatives can be felicitous or infelicitous. However, that discussion is not relevant for the purposes of this paper. For a detailed discussion see Austin (1962).

<sup>6</sup> For a discussion, see Yoshitake (2004). In addition, Butler (1997) has a different idea of performatives

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*by saying* them we want to produce a consequence. For instance, uttering *I promise* is a locutionary act. In saying *I promise* I am performing the act of promising, and committing myself to other subsequent actions (illocutionary act). By saying *I promise* I might want to reassure the other person (perlocutionary act) (Culler 2000). Although Austin starts with differentiating performatives from constative statements, which are the statements that might be true or false, later he comes to a point where he argues that depending on the conditions any statement can be performative (Culler 2000, 504–505).

I argue that when organizers claim that the assembly is representing the society, it is a performative utterance. They might be seen as reporting about the representative characters of the assembly, but more importantly they are declaring that it is a representative assembly, and so they constitute the assembly as a representative body. In other words, the claim as a performative utterance works as a foundational act<sup>7</sup>. The organizers constitute the practices as representative when they claim that they represent the society. We can argue that the locutionary act is the act of saying that the assembly represents the society, *in saying* the assembly represents the society, organizers constitute the assembly as a representative body (illocutionary act); also *by saying* it, we can think that they want to convince people (e.g. audience) that the assembly is a representative body (perlocutionary act).

Finally, although Saward too emphasizes the performative side of representation, his arguments about performance and performatives suggest that representation is a performance of the claimed representative. He argues that representative claims are generated by performances before an audience by the would-be representatives whose political success depends on the performance (Saward 2010, 66–67). In addition, in a recent work he argues that ‘there is great promise in bringing together work on performativity (in the broadly Austinian sense) and on performance (in the broadly theatrical sense)’ (Saward 2012, 126). However, it seems to me that theatrical performance of representatives has little importance in deliberative citizen practices for two reasons. First, citizen representatives do not perform as a politician who wants to win an election. They are in the assembly as ordinary people. Even if we think that their performance in the assemblies is important for public recognition, it does not have much effect on representation because organizers are making the claims of representation. Secondly, organizers as claim-makers linguistically constitute the body as representative. Their theatrical performances are not important either. Instead, what they claim is important to consider. Therefore, the performance element resides in the claim-makers not in the representatives, and it is linguistic performativity rather than theatrical.

### **CONCLUSION**

This paper started with the aim of understanding representation in the absence of elections in deliberative citizen practices. My discussion of resemblance based representation, which is the main focus in the literature, has shown that it cannot be the source of representation in deliberative citizen practices. I have argued that arguments for resemblance are overstated. The links between descriptive similarity, legitimacy and substantive representation are suspect. Also, the problem of essentialism haunts resemblance based representation. In addition, I have argued that

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<sup>7</sup> For a similar argument in the context of American Revolution, see Arendt (1963) and Honig (1991).

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there are empirical challenges such as the fact that participants are self-selected, and they reject to represent anyone but themselves. Instead, I have suggested using claim-making framework, which is useful particularly within a deliberative citizen practice because it allows for informal representation where there are no elections. Thus, after modifying the framework, I have applied it to the case of British Columbia Citizens' Assembly in order to illustrate how helpful it can be.

There are three conclusions derived from my analysis in this paper. First, representation can be a triadic relationship. The use of claim-making framework in a deliberative citizen practice reveals that representation is not necessarily a dyadic relationship between the representative and the represented. As argued, in deliberative citizen practices it is primarily a triadic relationship including organizers. Second, organizers are the main actors for making representation in a deliberative citizen practice. Not only do they set the selection criteria, but also they are claim-makers. In addition, they constitute these bodies as representative while they make claims of representation – a conclusion reached by using Austinian linguistic performativity. Third, if resemblance is just one resource for making claims, then any examination of representation in a deliberative citizen practice should go beyond it. One has to look more closely at the claims made by organizers and the ways and methods in which they form and support their claims.

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