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POLITICAL USES OF THE CONCEPT OF 'REPRESENTATION'

How the French Debated Electoral Reform, c. 1880-1914

Practitioners of *Begriffsgeschichte* have devoted more attention to the period of the American and French revolutions than to the period since about 1850. The unspoken assumption seems to be that by that time the conceptual apparatus with which we today think about politics and society was essentially in place. In the case of the concept of political representation, a series of studies by Keith Baker, Bernard Manin, Pasquale Pasquino and others have elucidated the decisive role played by Sieyes in vindicating representative government not merely as a necessary substitute for direct democracy, but as an intrinsically superior political form in modern society. But it would be a mistake to suppose – as some scholars have[2] – that what Sieyes formulated was *the* modern concept of representation, and to imagine that the concept has not undergone fundamental transformations since then. Sieyes, after all, envisaged a world of indirect and non-plebiscitary elections, without political parties or even declared candidatures. The free exchange of ideas within the

legislative assembly was to be crucial in generating a unifying representative national will; and so the representer was to have a key role in constructing the represented. But what happens to the classical concept of representation in a world of direct and quasi-plebiscitary elections and organized political parties?[3]

This paper is meant as a contribution to the task of charting the history of the concept of representation in the era of transition from classical representative government to mass democracy. Most western states were forced to confront challenges to established electoral systems in this period. In France, as elsewhere, there was a vigorous campaign for proportional representation, which was eventually introduced in a highly modified form in 1919. There were also schemes for the 'organization of universal suffrage' based on the representation of interests, whether in the Chamber of Deputies or the Senate, and proposals for plural voting or for the family vote were frequently aired, along with bills to institute secret or compulsory voting or to reduce the number of deputies. This paper will ask how proponents of these various reforms deployed the concept of representation. The focus will be on the tension between attempts to reconceptualize political representation in an era of political change, and the efforts of jurists such as Esmein to act as guardians of a stable concept in the name of a coherent and authoritative constitutional tradition.

What interests me is the possibility of using these debates about electoral reform as a way of putting disputed concepts of representation under the microscope, and exploring in detail how the idea of representation was deployed in political argument. I do not seek to explain why proportional representation was or was not implemented at any given moment, but instead to use the controversy about electoral reform as a window on changing understandings of representation. Ultimately the fate of schemes for proportional representation depended heavily on party interest. But party interest could not carry weight as a public argument: except in the most private of councils, it was not possible for a Radical to say: we shall not vote for proportional representation because the present system of the *scrutin d'arrondissement* clearly maximizes our representation as a party. I am interested in what kinds of argument could carry weight in public discourse, not for their explanatory uses but precisely because I am a historian of political concepts and public argument.

'Constructive' and 'Descriptive' Models of Representation

What kinds of assumptions about the proper meaning of representation did the advocates of proportional representation rely on? We need to begin by introducing some conceptual distinctions. Pierre Rosanvallon distinguishes between 'constructive' and 'descriptive' models of representation.[4] According to the former, elections are intended to give form to a collectivity which has no prior form. According to the latter, representation aims to replicate social reality, in all its diversity. An alternative way of expressing the same basic distinction would be to have recourse to F.R. Ankersmit's recent work on *Aesthetic Politics*. Ankersmit distinguishes between *mimetic* theories of representation, which like Rosanvallon's descriptive theories posit an ideal in which there is identity between representative and represented; and *aesthetic* theories, which presuppose an inevitable 'aesthetic gap', and recognize that representative and represented cannot be identical.[5] As his title indicates, Ankersmit sets out to defend the latter position, which rests on a recognition of the priority of the representation to the represented. 'Political reality', Ankersmit argues, 'is not something we come across as if it has always existed; it is not found or discovered, but made, in and by the procedures of political representation'.[6]

In the literature it is sometimes taken for granted that there is an easy correspondence between proportional representation and a descriptive model of representation. This seems to be Pitkin's assumption.[7] It is certainly possible to identify a host of writers who invoked metaphors such as mirrors or photography to explain the meaning of representation, and who deployed these metaphors in support of the case for proportional representation.[8] In practice, however, this model of representation, which owed a good deal to conservative advocates of the representation of interests at the foundation of the Third Republic,[9] was supplemented by an implied concept of personal representation: one is represented if a candidate for whom one voted is elected. This was certainly the position taken by Pierre La Chesnais, one of the most prolific advocates of proportional representation in the *belle époque*. He wrote of:

the true representative vote, whose essential characteristic is that any sufficiently numerous group of electors should be represented by the representatives it chooses and that the different opinions should have the same relative strength in the representation of the electoral body as in the electoral body itself.[10]

In the true 'representative vote', La Chesnais continued, the terms 'majority' and 'minority' have no sense. Likewise Paul Deschanel told the Chamber of Deputies in 1911 that 'there are in France two categories of electors: those who have the right to elect and those whose vote counts for nothing or receives only a contingent, arbitrary payback, those who participate in public affairs and those who remain estranged from it'.[11]

Strictly speaking we have here two distinct principles which stand in tension with each other: on the one hand the concept of personal representation, and on the other hand that of descriptive representation. The first view is, in Pitkin's terms, 'formalistic': it depends on the electoral bond. If the elector votes for a successful candidate, he is represented; if not, he is unrepresented, even if considered nationally parliament replicated voting patterns quite accurately, as La Chesnais's own figures indicated was sometimes the case in the Third Republic.[12] The Christian democrat Marc Sangnier spoke of the voter who votes for a losing candidate as 'frappé de mort civique'.[13] On this view the ideal electoral system would achieve 'unity of college', which is why 'majority' and 'minority' will disappear: a proportional system would effectively group electors into unanimous 'colleges', and confer on each its representative. This concept of personal representation is difficult to sustain coherently, for two reasons. First, it implies that the representative mandate is a kind of agency in which the deputy is charged with defending the particular interests of his electors, and this is a view that French constitutional law decisively repudiated.[14] Secondly, the only way of averting the consequence that a large minority, at least, must always be unrepresented is by removing the personal bond between elector and deputy altogether by instituting some kind of party list system with proportional representation. And yet this view of representation was commonly reiterated by a host of publicists, from the parliamentarian Etienne Flandin to the constitutional jurist Léon Duguit: they argued that

the Chamber of Deputies as currently constituted 'represented' only a minority of the electorate, because only a minority had actually voted for a successful candidate.[15] The other view implied in La Chesnais's definition, the descriptive view, is not formalistic at all, but instead depends on the real characteristics of the representative body and of the electorate. As Pitkin puts it, summarizing the descriptive view, 'representing means being like you, not acting for you'.[16] The contrast between the two views was brought out by the journalist Henri Avenel, one of the first serious students of elections in France: he noted that, considered nationally, 'la physionomie actuelle de la Chambre correspond d'une façon suffisante à la situation des partis en France'.[17] But he also showed that in many cases as many as three-fifths of voters were not 'represented' in the sense that they did not vote for successful candidates at either the first or the second round.

In practice the rhetorical case for proportional representation fed on both of these understandings of representation. They were rarely defended at a theoretical or conceptual level; instead, in both cases, it tended to be assumed that once they had been articulated they would be recognized as self-evidently true. Indeed, theoretically-minded opponents of proportional representation, in particular constitutional jurists, rebutted the descriptivist and formalist cases for proportional representation not by arguing for an alternative concept of representation – an 'aesthetic' or 'symbolic' concept, for instance – but instead by denying that in constitutional terms elections had a representative function at all. They were simply a technique for selecting legislators, and 'representation' was simply irrelevant. The assumption was that in a strict juristic sense 'representation' meant personal representation, or the appointment of an agent to act on one's behalf. This was not what elections were about, and hence the concept of representation was strictly a misnomer. This was the position taken by the jurist and economist Jean Courcelle-Seneuil in an important paper arguing that the concept of the legislative mandate was a contradiction in terms, entailing as it did an illegitimate transfer of a civil law concept (the representative mandate) to public law.[18] It was also the position taken by one of the great figures of French constitutional law, the Strasbourg jurist Raymond Carré de Malberg, author of a classic *Contribution à la théorie*

générale de l'Etat, published in 1920-2 but in fact completed before the outbreak of war. He insistently referred to 'le regime dit représentatif', for essentially the same reasons as Courcelle-Seneuil: he did not mean to disparage that regime – far from it – but instead to elucidate its precise juridical character.

This is the background against which we should read the electoral writings of the prolific jurist-cum-sociologist Raoul Guérin de la Grasserie, an advocate of electoral reform who was also an associate of René Worms and a frequent contributor to Worms's *Revue internationale de sociologie*. Grasserie explicitly addressed and rejected the view that elections were not intended to be representative in a strict sense. He acknowledged that one aspect of elections was indeed to *select* candidates for their intellectual and moral worth; but as an aspiring sociologist Grasserie was interested in the changing reality of elections, and he argued that increasingly they were concerned with the conformity of the candidate's opinions with those of the electors, and the conformity of his social background with the composition and interests of the constituency. In other words, the 'representative' aspect of elections was becoming much more important than the 'selective' aspect. Electors were less concerned than formerly with the personal qualities of the candidate. Instead:

> We give him above all the mission of holding aloft our political banner, that of our ideas, or our economic banner, that of our occupation, or that of our religious ideas or even of our locality, that is still our banner, and we require above all that he should not let go.[19]

Grasserie took it for granted that the idea of representation was closely tied to the idea of a mandate. That was the significance of his insistence that if elections were to be representative, all should be represented.[20] Curiously, however, Grasserie combined this belief in representation as agency with the notion – well entrenched in French constitutional doctrine, if not always in practice, ever since the Revolution – that the deputy represents the nation as a whole, and not a particular constituency.

Esmein and other critics of proportional representation argued that it was a betrayal of representative government properly conceived, which rested on the concept of national sovereignty, and that

it led logically to quasi-direct democracy. Proportionalists were taken to task for two heretical assumptions. First, they seemed to assume that electors individually have a right to representation. Secondly, they held that a representative assembly should be an exact image, though on a smaller scale, of the electorate as a whole. This axiom would be valid, according to Esmein, if the function of a representative assembly were *solely* to be representative, as it would be if it were a purely consultative assembly. But 'our representative-legislative assemblies' were not of this kind: they did not exist just to debate, but 'they decide, and in doing so exercise an attribute of sovereignty'.[21] From a juridical point of view, elections were simply a technique for selecting representatives who would make decisions on behalf of the nation. Hence, according to Esmein, it was irrelevant to argue that the system of representative government was not working properly because the assembly did not mirror the composition of the nation.

Esmein vindicated his principled preference for representative government over direct or quasi-direct democracy in an important article published in the first issue of the *Revue du droit public* in 1894.[22] There he argued that representative government was not to be regarded as a second-best proxy for the direct government of the nation by itself, but rather as a system of government preferable to direct government. This was not because direct government was impossible, but because (as Sieyes had demonstrated) indirect government alone could ensure enlightened legislation, carefully prepared and discussed. Here he explicitly invoked the authority of Sieyes. He went on to argue, however, that in his own day this system of representative government was under threat from a number of sources. These included the reaction against bicameralism in the United Kingdom and in her Dominions; the rise of the mandate as a consequence of the advent of party politics (e.g. the caucus in the USA); the growing demand for the more extensive use of the referendum; and the accelerating campaign for proportional representation or the representation of minorities by means of systems which were either arbitrary rather than strictly proportional (such as the cumulative vote and the limited vote) or else extremely complex to operate (for example, the electoral quotient or different kinds of list system).

Esmein went on to show how these four mechanisms together constituted the essence of an alternative and quite different form of government, which he termed *government by delegates*. The germ was to be found in the theories of Rousseau, and it was elaborated by his followers in the period of the Revolution and after. The essential duty of delegates was to follow the expressed will of the majority which elected them.

It is easy enough to see why the practices of the mandate and the referendum could be understood as incompatible with representative government in Esmein's sense. But why should proportional representation be identified as an integral part of a system of government by delegates? The answer, for Esmein, was that it rejected the majority principle. In a representative system, government must necessarily belong to the majority of the electoral body. It was only on the hypothesis that the legislative assembly was to consist of delegates rather than true representatives that it was possible to make sense of the campaign for the representation of minorities, for only on that hypothesis could it be maintained that the assembly should reproduce as exactly as possible the features, opinions and will of the electorate as a whole.

Esmein's position, then, was clear-cut and hard-hitting: representative government, which was intrinsically superior to direct democracy and no mere proxy for it, demanded the operation of a majoritarian electoral system. Proportional systems constituted an implicit acknowledgement that direct democracy was a better system in theory, and that elements of it should be introduced where possible to modify and improve the representative system.

In fact this reading of the proportionalists' appeal to a descriptive concept of representation is misleading. They did not, for example, set out to make elections more plebiscitary in character, but instead insistently distinguished between *representative* votes (in which the proportional principle should apply) and *deliberative* or *decisive* votes on the other (in which the majority principle had to prevail). Their insight here was that where a decision had to be made about a course of action (a piece of legislation, for instance) it was quite right that the majority should decide; but this principle was just only on condition that all points of view were fully articulated in the process of deliberation leading to the decision. So these advocates of propor-

tional representation were loyal to one of the most fundamental assumptions of the canonical exponents of representative government from Burke through Sieyes and Hegel to Mill: all held that it was for the representative assembly, through its deliberative procedures, to articulate a national will, and not for the electorate itself to do so through elections.[23] Proportionalists maintained that the parliamentary regime was quintessentially a regime founded on *discussion*. Elections were not intended to produce a decision about who should govern, still less about any of the determinate issues of the day; but instead to generate an assembly within which discussion could occur so as to produce an authoritative and legitimate decision.[24] A representative assembly must not exclude any large currents of opinion or any important social interests: they must all participate in the discussion. The proportional representation of minorities was 'one of the essential conditions of liberal democracy'. This was because among these conditions was the involvement of all the important strands in public opinion in the process of deliberation leading to the making of laws. Only on that condition was decision-making by majority vote legitimate.[25] The descriptive model of representation was not, then, invented as a second-best alternative to direct democracy: it might indeed be truer to say that it was invented to rescue something like the classical concept of representative government.

'Mimetic' Representation

Contemporary theorists of representation, from Hanna Pitkin to Frank Ankersmit, have repeatedly noted the inadequacy of the descriptive (for Ankersmit, 'mimetic') concept. Pitkin, taking her point of departure from an analysis of how the term is used in ordinary language, suggests that 'representation seems to require a certain distance or difference as well as resemblance or correspondence'.[26] We would not say, for example, that a photographic portrait 'represents' its subject; nor would I say that my image in a mirror 'represents' me – which makes it difficult to understand why writers on proportional representation should have taken it for granted that true representation should be photographic or reflexive.

Pitkin continues:

> In politics … representation as 'standing for' by resemblance, as being a copy of the original, is always a question of which characteristics are politically relevant for reproduction. … [T]he history of representative government and the expansion of the suffrage is one long record of changing demands for representation based on changing concepts of what are politically relevant features to be represented. The nation is not like a geographic area to be mapped – solidly there, more or less unchanging, certainly not changed by the map-making process.[27]

If we provisionally accept this view – which is, after all, only a modified version of the descriptive concept of representation, and does not go anywhere near as far as, for example, Ankersmit goes in his exposition of an 'aesthetic' concept of representation – new questions about the proportional representation debates arise. At one level the case for proportional representation rested on a simple assertion that representation must properly mean descriptive representation, so that the representative assembly should replicate as closely as possible the characteristics of the nation as a whole. But which characteristics? After all, it could be argued that proportional representation does not necessarily follow from an acceptance of the descriptive concept. For someone who thought that the essence of France – the qualities in her that had to be represented politically – lay in the particularities of her forty thousand communes, a proportional representation system based on large multi-member constituencies might well yield a very poor description of the nation. Voting behaviour, after all, is not a simple given, and the purpose of an electoral system cannot just be to translate those votes into seats. Instead, the electoral system determines the choices presented to electors, and hence helps shape how electors vote. The question we therefore need to go on to ask is whether the simple assertion of a descriptive model of representation was supplemented by arguments about how the nation could best be 'described' politically. My argument will be that the case for proportional representation did indeed depend quite heavily upon precisely this: an argument about nationhood grafted on to an argument about representation.

Nation and Representation

Reformers had two different kinds of critique of the image of the nation described by the existing electoral system. One line of criticism was that the system constructed national opinion in a way that was politically damaging, whether by overrepresenting the extremes and squeezing the centre, or by elevating petty local interests and so fragmenting national opinion. The other, which was not peculiar to proportionalists, but was endorsed by a wide range of electoral reformers, held that the majoritarian system did not institute an authentic representation of the nation, because it represented numbers only, or individuals only, and ignored groups, or interests, or social importance. The electoral system was, in other words, sociologically naïve: it amounted to 'inorganic' universal suffrage, or 'individualistic' or 'unorganized' democracy. I want now to examine these two lines of argument in turn.

The argument that the single-member majoritarian system served to polarize national opinion seems curious: on the face of things, it applies better to the British plurality system than to the French two-round system, which tends (like the alternative vote system) to display a centrist bias. The political life of the Third Republic was characterized not by the 'swing of the pendulum' from Left to Right and back, but by long periods of centrist rule. This was the feature of the regime that aroused the fury of plebiscitarian and revisionist critics, who typically argued that the fusion of republican and parliamentary traditions had created a 'democracy without the people': there was no effective popular voice in the choice of government. So why did proportionalists argue that the system was confrontational rather than consensual, while the regime's critics diagnosed the problem in diametrically opposite terms, arguing that it was too consensual and hence not democratic enough?

Paradoxical though it may seem, proportionalists did make extensive use of this argument, and from the outset. The Swiss pioneer of PR, Ernest Naville, writing as early as 1871, argued that the majority system opened the way to '[le] désaccord possible du pays légal et du pays vrai'. Its application led to 'divisions factices, passions mauvaises gratuitement excitées'.[28] Four decades or more later,

we find the Ligue pour la Représentation Proportionnelle making an essentially similar case for PR: 'au lieu d'être un scrutin de division, elle est un scrutin de fusion entre des hommes'.[29] This argument that the *scrutin d'arrondissement* polarized opinion and exacerbated political divisions whereas a proportional system would act as a force for moderation was such a recurrent theme in proportionalist rhetoric that it is worth examining it in more detail. It is prominent in the writings of one of the earliest advocates of proportional representation, Charles Pernolet, who as a moderate republican deputy for the Seine in the 1870s tabled a bill to institute a proportional system for legislative elections. Having lost his seat, he carried on his campaign outside parliament, notably in a pamphlet reprinting a series of letters he published in *Le Soir* in 1883-4. Pernolet's basic argument was that the majoritarian system rewarded political partisanship and exacerbated party differences, whereas proportional representation would serve as an instrument of reconciliation. Writing in the aftermath of the Republic's first anticlerical campaign under Jules Ferry, Pernolet depicted the majoritarian system as 'a blind instrument of combat' which was damaging 'to public security, to the pacification of minds and to the recovery of the French fatherland'.[30] Pernolet's underlying assumption was that ideological conflicts were of little interest to the silent majority, who found themselves squeezed by a system that forced people to choose between two extremes. Every election entailed 'an outbreak of civil war', and constructed an image of France as a nation of militants, whereas in reality the majority of inhabitants wanted only to live in peace.[31] The injustice, he suggested, did not consist merely in the underrepresentation of a numerical majority. Rather, it was that the unpolitical majority, who by their industry contributed so much to the respectability and prosperity of the nation, formed 'the solid foundation of the material and even moral existence of the country'. They were *more* deserving of representation than the rootless extremists and adventurers privileged by the existing system.[32] It was wrong that the representative system should benefit 'men living off politics' rather than 'men living off their work'. Pernolet was effectively locating 'true France'[33] in 'honest workers, absorbed by their business and the maintenance of their families, thoughtful, experienced men, no doubt friends of order, but not at all enemies of liberty or progress'.[34] Proportional rep-

resentation would make them the fixed point of the government machine, and they would thus play the role formerly attributed to the king in a constitutional monarchy. They would provide the Republic with its guarantee of survival.[35]

Pernolet invested his hopes in proportional representation because he expected it to erode the plebiscitary character of elections. Elections would cease to be battles in which one side won and the other lost; instead they would become a simple 'census of public opinion'. Parliament would shed its partisan quality and would become 'the exact, perfect image of the Nation itself condensed into the elite of its active citizens'.[36] And this would reinforce the authority of parliament and the legitimacy of its decisions – considerations which lay at the heart of Pernolet's argument.[37] Efficacious decision-making depended upon genuine prior discussion, and hence on a range of opinions in the assembly; and the legitimacy of the decision depended upon the minority's sense that its voice had been heard in the process of reaching the decision. 'In short, if a majority is sufficient for a decision, it is essential that the whole should be involved in the deliberation. This principle seems to me elementary, incontestable; it is generally ignored in politics.'[38]

Pernolet's argument was echoed, in some respects, by one of the most interesting writers on electoral reform, the political journalist Paul Laffitte (1839-1909). A liberal and parliamentary republican who was also deeply influenced by Saint-Simonian doctrines,[39] Laffitte wrote a whole sequence of books on the operation of universal suffrage and the case for electoral reform.

Laffitte was a self-conscious defender of the coherence of the parliamentary republic, at a time when that regime, under attack from Radical, Boulangist, and then Socialist critics, was short of *theoretical* defenders. He denounced Socialist critics of the parliamentary regime who sought to replace it with 'the direct government of the nation by referendum and plebiscite'. This, he thought, amounted to 'the reign of incompetence and the triumph of brute force'.[40] So when we find Laffitte reiterating the trope that parliament must be 'as exact an image as possible of the country', we can be sure that for him the parliament-mirror was no mere second-best proxy for direct democracy. It was rooted in a wholly different conception of government.

There were two central features of Laffitte's argument which are worth attention here. The first is that he slips easily from the claim that parliament should be an image of the country to the claim that in a parliamentary regime government should rest with the party which represents as accurately as possible 'the average opinion of the country, and not the extremes'.[41] Again, 'it seems to us that the Republic, as we imagine it, corresponds to the average opinion of the country, neither radical, nor clerical'. In Laffitte's view, then, the majoritarian electoral system tended to give a false image of the opinion of the country by over-representing the extremes and so polarizing conflicts. Proportional representation, by contrast, would bring parties together and thus act as 'an instrument of pacification and of political stability'.[42] Here we have at least an implicit acknowledgement that the real question was not which electoral system most accurately represented the objective reality of 'national opinion', but rather, given that different electoral systems constructed different images of the country, which of those images should be favoured over the rest. In other words, the argument about proportional representation did not turn simply on technical questions about electoral mechanisms, or even on rival conceptions of representation, but also and more fundamentally on disputed conceptions of the nation. Should the electoral system be so constructed as to offer the country a clear-cut choice between Right and Left, even at the risk of polarizing the alternatives; or should it be designed to channel opinion towards a centrist consensus? The latter was Laffitte's view, and it rested on an understanding of where 'true France' was to be found.

But Laffitte was also an exponent of the 'sociological' critique of the majoritarian system. We can see this when we turn to his discussion of the mode of election of the second chamber. He argued that proportional representation, because it allowed the effective representation of minorities, could produce a more accurate representation of the electorate considered as individuals. But that was not the same as an accurate representation of the life of the nation, for society was not reducible to the individuals composing it. True to his Saint-Simonian formation, Laffitte was a critic of the individualistic conception of society, and repudiated the revolutionaries' antagonism towards corporations. He openly applauded the 'more or less conscious effort to reconstitute the organs of social life', and the 'ren-

aissance of the corporative spirit which seemed extinguished for ever'. A comprehensive system of representation should therefore represent citizens as members of groups as well as representing them as individuals. This was the rationale for a bicameral legislature: it would ensure the representation of 'the two different aspects of social life: the individual point of view and the collective point of view'.[43] For 'if we want Parliament to be truly the image of the nation, let us allow a certain number of members, selected by universal suffrage, to represent social forces'.[44] The Senate, he suggested, might be elected indirectly: perhaps one-third by municipal councils, one-third by the *corps constitués*, and one-third by the Senate itself.

Here again, however, we should note that while Laffitte's argument was mainly aimed at establishing the fact of the organic character of society, he was also concerned to establish the superiority of group life over mere individualism. Thus he argued that individualism, being incapable of instituting a moral power, tended to produce social anarchy; by contrast, the spirit of association would sustain social cohesion, for 'whoever says association, says solidarity and discipline'.[45]

An intellectually weightier writer making an essentially similar case for electoral reform was the neo-Kantian philosopher Alfred Fouillée. Like his younger contemporary Durkheim, Fouillée set out to show that individualism and collectivism were not necessarily in conflict, but could reinforce one another: in modern society 'increase of individual life' went hand in hand with 'increase of social life', and just as society could not exist without the individual, so the individual could not exist without society.[46] The dissolution of antitheses stood at the heart of his method as a philosopher and social theorist: idealism and naturalism, individual and society, contract and organism, causality and teleology – these were no longer to be regarded as pairs of irreconcilable opposites, but as, in each case, two aspects of the same reality. Thus he denounced the belief that the ideas of the natural organism and of the voluntary contract were mutually exclusive, and argued that they could be brought into harmony by means of his concept of the *contractual organism*: society was neither wholly organic nor wholly contractual (individualistic) in character, but a synthesis of the two. He applied this concept to questions of political institutions in *La Démocratie politique et sociale*

en France (1910). Because society was partly organic and partly contractual, democracy, properly conceived, must give due scope to both these aspects. If parliament were to be truly representative in character, therefore, it should be bicameral, and each chamber should represent one of the two aspects of society.[47] The lower house would represent the social contract, the upper house the social organism. The present system did not achieve this, for it allowed the organic aspects of society to be wholly absorbed by the inorganic. So while the Chamber of Deputies represented the wills of individuals alive today, the Senate ought to represent permanent interests. The former would be elected by proportional representation, so as to ensure 'a truer expression of the facts'. But on its own, electoral reform for the Chamber would not be sufficient, for proportional representation was only numerically proportional, and paid no regard to qualitative worth. It could not remedy the one-sidedness of contemporary institutions. The remedy for that lay in reform of the Senate so as to base it on the idea of organic worth: the Senate would represent the interests of the essential organs of the state in their relations with each other and with individuals. The different organs of social life – army, education, magistrature, commerce – would propose lists of candidates which would then be put to the popular vote. Underpinning Fouillée's proposals was his repudiation of the 'false egalitarianism' which spawned a 'love of uniformity'. Progress, he insisted, was complex.[48]

Charles Benoist

Perhaps the most important critic of the abstract and individualistic concept of representation was the journalist and centre-right politician, Charles Benoist. For Benoist not only published a comprehensive and theoretically informed analysis of *La Crise de l'Etat moderne*, which he attributed to the unorganized state of universal suffrage, but, following his election as deputy in 1902, he also served as spokesman for the Commission on Universal Suffrage and thus became the foremost parliamentary advocate of electoral reform. His position was complex, however, for in his book he was a critic of propor-

tional representation, which he thought tended to entrench rather than overturn the individualistic model of representation; but once elected to parliament he came to regard it as the best practical hope of electoral reform. Here I want to focus on the case for the representation of social interests that he developed in *La Crise de l'Etat moderne*, a book which rapidly came to be acknowledged as a classic.[49]

Benoist was a critic of the concept of national sovereignty, which he thought an unnecessary mystification. But like Fouillée his main strategy was to argue that a proper system of national representation had to be rooted in a much more sociologically informed conception of the nation. The modern state, he thought, was in crisis because its authority, resting as it did on 'inorganic' universal suffrage, lacked deep roots in the real life of society. Like Durkheim, he thought that, paradoxically enough, the state would only be able to exercise genuine authority if it could be brought closer to the real interests of society. He made a by now familiar distinction between real and artificial France. The country that was represented under the system of inorganic universal suffrage was not 'the living country', but 'an artificial country, veneered on the other, which it stifles; a false, politicking country, represented whereas the true one is not'. 'Inorganic' universal suffrage thus 'adulterates the nation, deforms the representative regime, and inaugurates the reign of *politiciens*'.[50]

The reason why the electoral system adulterated the nation was that it treated the nation as if it consisted merely of a sum of identical and interchangeable individuals.[51] It overlooked the fact that the individual was not the sole living reality in the nation, and that, indeed, social reality consisted chiefly of 'a multitude of small-scale collective lives'. In modern society the group constituted the social location of the individual, and there was no reason why the individual should have to find his political existence outside the real groups in which he lives socially.[52] Benoist therefore proposed to replace the existing electoral system not with proportional representation, which was inevitably the 'proportional representation of opinions', but with the representation of interests; for interests were stable, tangible, and rooted, whereas opinions were fugitive, changeable, and difficult to classify. This could be achieved by replacing existing constituencies, based essentially on population, with a dual system in which each elector would belong both to a territorial con-

stituency and to one of a small number of 'social constituencies', determined by occupation. The Chamber of Deputies would thus still represent individuals, for it would be elected directly, but they would be represented through their occupational groups. The Senate, meanwhile, would directly represent the organized interests themselves. This system would thus plug the gap that had emerged between individual and state; henceforth they would be bound together by their natural intermediaries.[53]

Conclusions

In this article I have tried to trace ways in which debates on electoral systems turned on rival constructions of nationhood, rival constructions of 'true' and 'false' France. I hope this helps explain why the apparently esoteric question of electoral reform could arouse such passionate interest in the years of Radical dominance in the Republic after 1899. The case for proportional representation seemed at its strongest when political life was at its most polarized – as it was when Pernolet was writing in the late 1870s and early 80s, and as it was again in the aftermath of the Dreyfus Affair. Bipolar political antagonism, it was argued, distorted the reality of social life and national opinion. So electoral systems, I want to suggest, should not be thought of as straightforward technical instruments, but as means of constructing the political expression of the nation. In France debates on electoral reform turned on fundamental questions about citizenship and nationhood; about what kind of nation was to be represented. At the same time, the concept of representation underwent some important transformations, and the concept of representation as reflection of diversity was now deployed to shore up the parliamentary regime which, a century or more before, had fed on an almost directly opposite understanding of representation.

Notes

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2 Robert Wokler, 'The Enlightenment project as betrayed by modernity', *History of European Ideas* 24 (1998), pp. 301-13.

3 There is a good discussion of this transformation of representative government in Bernard Manin, *The Principles of Representative Government*, ch 6.

4 Pierre Rosanvallon, *Le Peuple introuvable. Histoire de la représentation démocratique en France* (1998), p. 62.

5 F. R. Ankersmit, *Aesthetic Politics: Political philosophy beyond fact and value* (1996), p. 28.

6 Ankersmit, *Aesthetic Politics*, p. 48.

7 Hanna Fenichel Pitkin, *The Concept of Representation* (1967), pp. 61 ff.

8 Some examples include: Th. Furet, 'Statistique politique. Majorités et minorités. Réforme du suffrage universel', *Journal des Economistes* 3rd series 14 (Apr-June 1869), p. 412 (legislative assemblies ought to be 'la représentation de la nation, son image, sa photographie'); Maurice Vernes, 'Des principes de la représentation proportionnelle, des procédés proposés pour l'assurer et de leur application à la France', in *La Représentation proportionnelle. Etudes de législation et de statistique comparées publiées sous les auspices de la Société pour l'étude de la représentation proportionnelle* (1888), p. 5 (arguing that a political body can only be said to be 'representative' of a commune or a country if it is in some sense 'la photographie de cette commune ou de ce pays'); Georges Picot, 'L'Organisation du suffrage: rapport sur l'ouvrage de M. Charles Benoist, intitulé La Crise de l'Etat moderne', and discussion, in *Compte Rendu de l'Académie des Sciences Morales et Politiques*, N.S. 49 (Jan-June 1898), p. 431 ('Nous avions été séduits par la promesse de trouver un Parlement qui fût la représentation de la vie nationale et voilà qu'on nous présente, non une image véridique, mais une photographie dans laquelle toutes les proportions sont troublées.'); Emile Macquart, *La Moralité des élections et la représentation proportionnelle* (1904), pp. 17-18 (on the need for 'une assemblée qui serait le plus exactement possible l'image de la France, la miniature du pays'). The list could be endless.

9 Thus the Marquis de Castellane, *Essai sur l'organisation du suffrage universel en France* (1872), p. 251: 'La meilleure définition que nous ayons entendu donner du gouvernement représentatif est celle-ci: "C'est le miroir de la nation."' Cf also J Guadet, *Du Suffrage universel et de son application d'après un mode nouveau* (1871), p. 6: 'Le corps représentatif ne sera une réalité que s'il résume la société tout entière, que s'il en est l'image fidèle, que s'il en reproduit en abrégé tous les éléments.'

10 P-G La Chesnais, *La Représentation proportionnelle* (n.d. [1908]), p. 3: '[le] veritable vote de representation dont la caractéristique essentielle est que tout groupe d'électeurs assez nombreux soit représenté par les élus qu'il choisit et que les diverses opinions aient dans la representation du corps electoral la même force relative que dans le corps electoral lui-même.'

11 *Débats parlementaires* 29 May 1911, p. 2185.

12 Take, for example, the analysis of the 1902 elections given in P-G La Chesnais, *La Représentation proportionnelle et les partis politiques* (1904), pp. 56-8. Likewise, P-G La Chesnais and Georges Lachapelle, *Tableau des élections législatives des 24 avril et 8 mai 1910, suivi d'une application de la représentation proportionnelle, système rationnel et système d'Hondt* (1910), passim, show that the results in 1910 were much more 'proportional' than those of 1906.

13 *Pour la R.P. Discours de A. Lefas, député d'Ille-et-Vilaine. Allocution de Marc Sangnier* (1914), p. 41.

14 Thus Rœderer wrote in 1797: 'La Constitution reconnaît des représentants qui, tous ensemble, représentent le peuple; mais elle ne reconnaît pas le représentant un tel. Il y a des représentants, et pas *un représentant*.' Quoted by Rosanvallon, *Le Peuple introuvable*, p. 43.

15 See Flandin's evidence to the (UK) Royal Commission on Systems of Election (1910), Cd 5352, p. 96. Cf also Léon Donnat, *La Politique expérimentale* (1885), p. 429: 'La representation proportionnelle a précisément pour but de corriger les erreurs que signalent les lignes precedents, en ramenant, autant que possible, la souveraineté du people à la souveraineté de l'individu.'

16 Pitkin, p. 89.

17 Henri Avenel, *Comment vote la France. Dix-huit ans de suffrage universel – 1876-1893* (1894), p. 39.

18 J Courcelle-Seneuil, 'De la théorie du mandat législatif', *Séances et Travaux de l'Académie des Sciences Morales et Politiques* 131 (n.s. 31) (Jan-June 1889), pp. 297-304 (& discussion 305-16). Courcelle-Seneuil pointed out that the concept of the legislative mandate derived some of its plausibility in France from the fact that the deputies to the Estates-General had indeed been mandatories who were contractually bound to present

to the king the grievances formulated by their mandators in the form of the *cahiers*. But, crucially, these deputies were not legislators.

19 Raoul de la Grasserie, *Systèmes électoraux des différents peuples. Etude comparative, scientifique et politique* (1911), p. 7: 'On lui donne mission surtout de tenir droit notre drapeau politique, celui de nos idées, ou notre drapeau économique, celui de notre profession, ou celui de nos idées religieuses, ou enfin de notre terroir, c'est encore notre drapeau, et on demande surtout qu'il ne lâche pas.'

20 Raoul de la Grasserie, *Systèmes électoraux*, pp. 7-8.

21 Esmein I, p. 330. 'Elles statuent et exercent par là un attribut de la souveraineté'.

22 Adhémar Esmein, 'Deux formes de gouvernement', *Revue du droit public et de la science politique* I (Jan-June 1894), 15-41.

23 The French revolutionaries' hostility towards declared candidatures was rooted in an aversion towards the idea that elections should consist in a choice between rival programmes: see Rosanvallon, *Le Peuple introuvable*, p. 45.

24 This was the position taken by, for example, H.C. Mailfer, *De la Démocratie en Europe. Questions religieuses et juridiques. Droit public interne* (1874). He distinguished (p. 282) between 'democracy', which accepts the importance of the distinction between the legislative body and the electorate, and 'demagogy', which blurs the distinction.

25 Th Ferneuil, 'La réforme électorale et le parti progressiste', *RPP* LX (1904), 507-18

26 Pitkin, p. 68.

27 Pitkin, p. 87.

28 Ernest Naville, *La Réforme électorale en France* (1871), pp. 27, 35-6.

29 *La Représentation proportionnelle expliquée* (1904), p. 24.

30 Pernolet, *Petite réforme capable de grands résultats par la substitution, dans la loi électorale, du principe de la représentation de tous au principe en vigueur de la représentation exclusive de la moitié plus un, cette moitié ne fut-elle que le quart des inscrits* (1884), p. 17.

31 Pernolet, *Petite réforme*, p. 22.

32 Pernolet, *Petite réforme*, p. 23.

33 He referred to 'the true French people', '[le] vrai peuple français': Pernolet, *Petite réforme*, p. 47. The deployment of the rhetoric of 'true France' was a favourite trope in this kind of proportionalist discourse. So, for instance, we find a follower of Sangnier declaring that 'la véritable France étouffe sous le manteau de la vieille politique': François Lespinat, *Au lendemain des élections. Partis politiques et mouvements sociaux en 1906* (n.d. 1906?), p. 54.

34 Pernolet, *Petite réforme*, p. 36.

35 Pernolet, *Petite réforme*, pp. 37, 47.

36 Pernolet, *La Représentation proportionnelle. Lettre à Mr de Marcère, président du Centre gauche* (1877), pp. 29-30.

37 See, for example, his last work, *Le Suffrage Universel. La République et l'Autorité. De la nécessité et des moyens d'en faire une triple vérité* (1888)

38 Pernolet, *La Représentation proportionnelle*, p. 5.

39 He came into contact with Saint-Simonian ideas through the agency of Gustave d'Eichthal and Edouard Charton, whose daughter he married.

40 Laffitte, *Lettres d'un parlementaire* (2nd edn 1894), p. 82.

41 Laffitte, *Lettres d'un parlementaire*, pp. 32-3.

42 Laffitte, *La Réforme électorale. La représentation proportionnelle* (1897), p. 107.

43 Laffitte, *Le Paradoxe d'égalité et la représentation proportionnelle. Deux essais de politique positive* (1910), p. 35.

44 Laffitte, *Paradoxe*, p. 30.

45 Laffitte, *Paradoxe*, p. 137.

46 Alfred Fouillée, *La Science sociale contemporaine*, pp. v-vi.

47 Fouillée, *La Démocratie politique et sociale en France* (1910), pp. 39

48 Fouillée, *La Démocratie politique et sociale en France*, pp. 59-66.

49 M Ajam, 'Essai de psychologie parlementaire: à propos du scrutin de liste et de la représentation proportionnelle', *Revue politique et parlementaire* L (1906), p. 458 n. 1.

50 Charles Benoist, *La Crise de l'Etat moderne. De l'organisation du suffrage universel* (c. 1896), p. 23.

51 Benoist, *La Crise*, p. 196.

52 Benoist, *La Crise*, pp. 31-2, 198.

53 Benoist, *La Crise*, pp. 155-6.