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Listening to One's Constituents? Now, There's an Idea

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Listening to One’s Constituents? Now, There’s an Idea.

Jane Mansbridge
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I. Crisis of legitimacy
   • Where it came from and how to think about it.

II. Enter representation
   • The representative as interlocutor
     Listen; hear; respond: change, or say why not; listen again
     “Recursive communication.”
   • Adapting deliberative criteria
I. Crisis of legitimacy

- Where it came from
  1. Proximate causes
Percent of personal income received by top 1% of families in 1980 and 2010

<table>
<thead>
<tr>
<th>Country</th>
<th>1980</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sweden</td>
<td>4.1</td>
<td>9.0</td>
</tr>
<tr>
<td>Australia</td>
<td>4.6</td>
<td>8.5</td>
</tr>
<tr>
<td>Norway</td>
<td>4.6</td>
<td>7.7</td>
</tr>
<tr>
<td>Denmark</td>
<td>5.4</td>
<td>6.4</td>
</tr>
<tr>
<td>Netherlands</td>
<td>5.9</td>
<td>6.5</td>
</tr>
<tr>
<td>Great Britain</td>
<td>6.3</td>
<td>12.6</td>
</tr>
<tr>
<td>Spain</td>
<td>7.6</td>
<td>8.7</td>
</tr>
<tr>
<td>France</td>
<td>7.8</td>
<td>8.4</td>
</tr>
<tr>
<td>Canada</td>
<td>8.6</td>
<td>8.4</td>
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<tr>
<td>United States</td>
<td>9.4</td>
<td>10.7</td>
</tr>
<tr>
<td>Germany</td>
<td>13.1</td>
<td>13.6</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>18.9</td>
<td></td>
</tr>
</tbody>
</table>
Economist Joseph Stiglitz on the U.S.:

“In the first three years of the recovery [from the Great Recession], 91 percent of all gains went to the top 1 percent.”

Source: Stiglitz 2016
Elites, economic success

Coasts vs. heartland; cities vs. non-metro areas

Source: McNamara 2017
Coasts vs. heartland; cities vs. non-metro areas

Elites, cosmopolitan values

Source: McNamara 2017
Populism includes a struggle for recognition

← perception of “social contempt”\(^2\)

→ Rejection of elites (and elite/cosmopolitan values) as corrupt and uncaring.

I. Crisis of legitimacy

1. Proximate causes

2. Macro causes:
   a. Why we need state coercion
   b. We need increasingly more state coercion.
   c. Our capacity to legitimate that coercion is decreasing.
a. Why we need *state coercion*
...because, in large anonymous societies, we need to solve free-rider problems ("collective action problems") that derive from our need for free-use goods.
Free use goods = goods that, once produced, anyone can use without paying.¹

E.g.: Common defense, law and order, toll-free roads, clean air, clean water, fish in the sea.

¹The more common terms are “public goods,” technically inaccurate because it includes non-rivalry; and “non-excludable goods,” technically accurate because when the good is used up latecomers are excluded (Snidal 1979).
Free-rider problem exercise
I endow you with £100.

You can give me either £0 or £100 – nothing in between (for simplicity of calculation).

I am a “doubling machine”: I double everything I get and give it back to everyone here equally.

SO:

If you give me £100, you will get back your equal share of what everyone gave me, doubled.

If you give me £0, you will get back your equal share of what everyone gave me, doubled plus your original £100. I.e., you will leave with £100 more than everyone who gave £100.
THEREFORE:

- It **pays** you to give £0.
- **BUT**
- If **everyone** gives £0, you completely **waste** the resource of the doubling machine.
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- It **pays** you to give £0.

**BUT**

- If **everyone** gives £0, you completely **waste** the resource of the doubling machine.

  (If more than half of the people here give £0, you will leave with more than £100.)
THEREFORE:

- It **pays** you to give £0.

**BUT**

- If **everyone** gives £0, you completely **waste** the resource of the doubling machine.

(If more than half of the people here give £0, you will leave with more than £100.)

No trick to this exercise.

Simply the logic of the free-rider problem (collective action problem) discovered 1950-65.
PLEASE WRITE £0 OR £100 ON YOUR SHEET OF PAPER.

THEN PASS IT OVER TO THE AISLE AND THEN UP TO THE FRONT OF THE ROOM.
This is the “common pool” version of the free-rider problem.

The doubled money is a free-use good. You *benefit* from it even when you *haven’t contributed* to producing it.

**Free-use goods** → the free rider problem.
While the results are being counted, I will assume that 70% of you have contributed £100.

Why did you do this when you could have contributed £0 and walked out with £100 more than most of the others in this room?
While the results are being counted, I will assume that 70% of you have contributed £100.

Why did you do this when you could have contributed £0 and walked out with £100 more than most of the others in this room?

1) “Duty” – E.g., “What if everyone acted that way?” (everyday Kantianism) or just “I should contribute.” (cognition)

2) “Solidarity” – E.g., “I don’t want to let everyone else down.” (emotion)
THE CORE

70%

duty
solidarity
duty
solidarity
duty
solidarity
duty
solidarity
duty
solidarity
duty
solidarity
duty
solidarity
duty
solidarity
duty
solidarity
What will happen if we run the exercise again?
What will happen if we run the exercise again?

The giving will probably "unravel."

70%
Minimum coercion needed to keep duty and solidarity from unraveling.

THE CORE

THE PERIPHERY

70%

30%
Minimum coercion needed to keep duty and solidarity from unraveling.

“Ecological niche” for duty and solidarity to flourish.
The core

Goal: to make that coercion as legitimate as possible.

Ecological niche" for duty and solidarity to flourish.

Minimum coercion needed to keep duty and solidarity from unraveling.

70%

30%
Solidarity: Fellow-feeling, “we-feeling,” “in-group bias.” (emotion) (Fast decisions, intuitions → cooperation)

Duty: Conscience, “right thing to do.” (cognition)

Other intrinsic motivations: E.g., Wikipedia: fun.

Coordination: Sweden moved from driving on left to driving on right. (Incentives built-in)

Nudges: “Choice architecture”: Make pro-social choices the default option. (Paint fly on urinal.)
Need **solidarity** and **duty** and *legitimate coercion* on periphery to provide an “ecological niche” for **duty and solidarity** to survive and thrive.
b. Why we need *more and more* state coercion
Increasing need to solve free-rider problems

1. Increasing interdependence
Increasing need to solve free-rider problems

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“The story of life on Earth is the story of increasingly complex social cooperation.”

1 Cohen 2115, 59
Increasing need to solve free-rider problems

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“The story of life on Earth is the story of increasingly complex social cooperation.”

Trivial: **Blueberries** on the table in winter.

\(^1\) Cohen 2115, 59
Increasing need to solve free-rider problems

1. Increasing interdependence

“The story of life on Earth is the story of increasingly complex social cooperation.”

Trivial: Blueberries on the table in winter. Requires a host of free-use goods.

1 Cohen 2115, 59
Increasing need to solve free-rider problems

1. Increasing interdependence

“The story of life on Earth is the story of increasingly complex social cooperation.”\textsuperscript{1}

Trivial: Blueberries on the table in winter. Requires a host of free-use goods.

Immense: Climate stability

\textsuperscript{1} Cohen 2115, 59
Increasing need to solve free-rider problems

1. Increasing interdependence

“The story of life on Earth is the story of increasingly complex social cooperation.”\(^1\)

Trivial: **Blueberries** on the table in winter. *Requires* a host of **free-use goods**.

**Immense:** **Climate stability** *Is* a **free-use good**.

\(^1\) Cohen 2115, 59
Increasing need to solve free-rider problems

2. Using up nature’s provision
   - Clean air
   - Clean water
   - Any water
   - Fish
   - Forests
   - Climate stability

All of these are free-use goods.
Summary so far:

1. Free-use goods cause free-rider problems.

2. To solve free-rider problems in large anonymous societies, we need state coercion.

3. The number of free-use goods we need is increasing.

4. Therefore: The amount of state coercion we need is increasing.
c. Our capacity to **legitimate** that coercion is decreasing.
1) Normative legitimacy: The claim to legitimacy stands up to critical scrutiny. (Not manipulated)

2) Perceived legitimacy: The affected population (the coerced) perceive the coercion to proceed from a rightful source.

Both normative and perceived legitimacy are decreasing.

*Coercion = threat of sanction or use of force
Why is the supply decreasing?

1. Post-materialist society*
   (“Question Authority”)

2. Recent history*
   (Hitler, Stalin, Pol Pot)

3. Increasing power of the state
   (National Security Agency: Mass surveillance. Very need to solve increasing # free-rider problems)

*Thanks to Claus Offe
What happens when the demand for legitimate coercion increases just as its supply* decreases?

The price of each ounce of legitimacy increases. (It becomes more precious.)

*Thanks to Claus Offe
II. Enter representation

- Preface: *One* factor

- The representative *as* interlocutor
  
  Listen; hear; respond: change, or say why not; listen again
  
  “Recursive communication.”

- In electoral, administrative, societal realms

- Adapting *deliberative criteria*
Preface: One factor among many.  
To make state coercion more legitimate:

- Make it *minimal*.
- Retain *intrinsic* motivation.
- Eliminate *money* in politics
- Introduce the *representative as interlocutor*
- Increase *recursive communication*
- Attend to representation in all three sectors
- Think deliberatively, include negotiation
With better **communication**, would the representatives have convinced their constituents that a **Remain vote** better served their interests?

Or would the constituents have convinced the representatives that some of their **basic interests** were being ignored?

(Or were the representatives powerless in the face of larger forces?)

Not much empirical political science on representative/constituent communication.

Not much **normative theory**.
The representative as interlocutor

- **Electoral**
- **Administrative**
  - Policy-making level
  - “Street level” point of application
- **Societal**
  - *Elected* representatives (unions)
  - “*Self-appointed*” representatives
  - *Randomly* selected representatives
The representative as interlocutor

- **Electoral**: What do citizens want?
  **Talking with constituents.**

C. Grill (2007): 28 constituents, 1997-98 in upper New York State: the main thing they wanted from their representative was communication.

R. Fenno (1978):

“Responsiveness, and hence, representation, require two-way communication. Although the congressman can engage in this kind of communication with only some of his supportive constituents, he can give many more the assurance that two-way communication is possible….

“Access and the assurance of access, communication and the assurance of communication – these are the irreducible underpinnings of representation.”
The representative as interlocutor

- **Contact + deliberation:** Neblo et al. (APS 2010)

Random samples of citizens from 13 congressional districts offered an opportunity to participate in an online deliberative forum with their member of Congress to discuss immigration policy.

- 65% agreed to participate in principle. Of those:
  - 34%* showed up for the discussion. Education, income, race, gender *not* significantly related to participation; having young children in home and being unemployed *was* significantly related (→ time at computer).
  - The politically cynical were *more* willing to deliberate.

*Follow-up studies:*

- 2-step communication: Talk to others; they talk to still others.

- About 1/4 of voting-eligible constituents every 6 years could deliberate with their Congressional representative. < 2 hrs/wk for each member; <$100,000 a year for Congress. **Problem:** Two-way?
Standard model:

Voter → Representative → Administrator → Citizen

Citizen ↔ Rep ↔ Admin ↔ Citizen

..................Non-electoral Reps..................

 ..................Citizens (and organizations/movements)....
Elected, administrative, societal

**Recursive deliberation:** Elect/Admin/Soc

- **Example of EU “experimentalism”** (Sabel & Zeitlin 2010)
  a) Elected representatives give broad mandate.
  b) Administrative (appointed) representatives i) consult with experts;
     ii) negotiate among themselves;
  c) consult recursively with societal stakeholder groups;
  d) cycle back to elected representatives.

**Problems:**
1) excessive influence of business/capital;
2) stakeholder groups often “self-appointed”\(^1\) and non-recursive;
3) few citizens involved;
4) by the time they cycle back to the elected representatives, usually hard to change.

**Good:** “Dynamic accountability”: goal changes as well as means.

\(^1\) Montanaro, “The Democratic Legitimacy of Self-Appt’d Reps” JOP 2012
Societal:

“Self-appointed representatives”
Recursive deliberation not a norm.

Forms of communication with societal “constituents” relatively unstudied.

1 Montanaro 2012
Little research on communication in electoral, administrative, and societal representation

- **Empirical**
- **Normative:** What is good recursive communication?
# Adapting deliberative criteria

## Evolving standards for good deliberation

<table>
<thead>
<tr>
<th>First generation</th>
<th>Second generation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Respect</td>
<td>Unchallenged, unrevised</td>
</tr>
<tr>
<td>Absence of power</td>
<td>Unchallenged, unrevised</td>
</tr>
<tr>
<td>Reasons</td>
<td>Relevant considerations</td>
</tr>
<tr>
<td>Aim at consensus</td>
<td>Aim at both consensus and clarifying conflict</td>
</tr>
<tr>
<td>Common good orientation</td>
<td>Orientation to both common good and self-interest constrained by fairness</td>
</tr>
<tr>
<td>Equality</td>
<td>equal opportunity for influence; inclusion, equal respect</td>
</tr>
</tbody>
</table>

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Adapting deliberative criteria

Evolving standards for good deliberation

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Publicity</td>
<td>In many, but not all conditions (e.g., negotiations when representatives can be trusted)</td>
</tr>
<tr>
<td>Accountability to constituents (“giving an account”)</td>
<td>For non-elected representatives, accountability to other citizens</td>
</tr>
</tbody>
</table>

Add recursivity?

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## Deliberative negotiation

<table>
<thead>
<tr>
<th>Agreement-seeking procedures</th>
<th>Pure deliberation</th>
<th>Deliberative negotiation</th>
<th>Pure bargaining</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Common interests, in which all gain, with identical or overlapping benefits, for example, in greater understanding</td>
<td>Full mutual advantage, in which each party gains but with distinct benefits; no losses</td>
<td>Partial mutual advantage, in which each gains but with trades to add value</td>
</tr>
<tr>
<td></td>
<td>Informed consensus or clarified and structured conflict</td>
<td>Fully integrative agreement, in which no party loses</td>
<td>Partially integrative agreement, in which parties have traded lower for higher values; at least one bears some loss</td>
</tr>
</tbody>
</table>
Example: Brexit Remain vote
Media
False and inflammatory advertising
Machinations in Parliament

Representative/constituent listening?
Representative as interlocutor
Recursive communication
Negotiation of solutions that meet most important needs
Hypothetical example of negotiation:

May: “Britain will remain in EU if EU adopts more restrictive immigration policy.”

Does this meet the demanding constituents’ most strongly felt needs? Can the pro-immigrant citizens live with it? How would we know?
Intermediate institutions?
  Parties
  NGOs
  Media

Representative/constituent listening?
  Recursive communication
  Representative as interlocutor
  Negotiation of solutions that meet most important needs
“[W]e should **evaluate** the process of representation according to the **character of the relationship between the representative and the constituents**. The representative will inevitably be separate from the constituents, but should also be *connected* to them in determinate ways.

...Representation systems sometimes fail to be sufficiently democratic not because the representatives fail to stand for the will of the constituents but because they have **lost connection** with them. In modern mass democracies it is indeed **easy to sever relations** between representatives and constituents, and **difficult to maintain** them.”

-- Iris Marion Young (2000)
The goal:

Make recursive communication more central to the representative relationship

...in all its spheres.
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