

Democratic Representation and Legislative Theatre

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Abstract: This article seeks to contribute to the debate on how political representation can promote democracy by analysing the Chamber in the Square, which is a component of legislative theatre. A set of techniques devised to democratise representative governments, legislative theatre was created by Augusto Boal when he was elected a political representative in 1993. After briefly reviewing Nadia Urbinati's understanding of democratic representation as a diarchy of will and judgement, I partially endorse H el ene Landemore's criticism and contend that if representation is to be democratic, citizens' exchange of opinions in the public sphere should be invested with the power not only to judge but also to decide political affairs. By opening up a space where the represented can judge, decide, and contest the general terms of the bills representatives present in the assembly, the Chamber in the Square harnesses political representation to democracy.

Keywords: Augusto Boal, democracy, legislative theatre, political representation

*You sit here more like spectators ... than men taking decisions
for their city*

Thucydides, *History of the Peloponnesian War*, III, 38, 7

Introduction

The expectation to find an anchor for democratic representation has animated the writers of the so-called representative turn in contemporary political theory for more than two decades. Hence, it is



surprising that the political thought of Augusto Boal (1931–2009) remains neglected by several writers of the representative turn, for what Boal offers is precisely a theory and a practical scheme that attempt first and foremost to combine representation and democracy.¹ This article retrieves the practice of the Chamber in the Square (CIS) proposed by Boal in *Legislative Theatre: Using Performance to Make Politics*, not for the sake of simply rescuing it from oblivion, but in order to show how it can contribute to the contemporary debate on the relationship between democracy and representation.

To illustrate the debate about the relationship between democracy and representation in contemporary political theory, I first examine the work of Nadia Urbinati, one of the most prominent scholars of the representative turn.² Then, I analyse H el ene Landemore’s critique of Urbinati. According to Landemore, Urbinati does not manage to reconcile representation with democracy. Urbinati fails to do so, Landemore explains, because she does not grant to the represented the power to decide the terms of the bills that representatives debate and vote on in the assembly.

Although I partially concur with it, I do not endorse Landemore’s critique in its entirety because I do not suppose the adoption of direct participation mechanisms to be incompatible with representative government. By dint of an analysis of the CIS, I show how direct participation mechanisms can democratise representative government.³ Like legislative theatre in general, the CIS harnesses democracy to political representation.

Democracy and Representation in Urbinati

In the beginning of *Representative Democracy: Principles & Genealogy*, Urbinati (2006: 27) claims that democratic representation requires that political power spring from ‘the *circularity* . . . between the state and society . . . that links the citizens and the legislative assembly’. Deployed several times by Urbinati, the adjective *circular* seeks to convey the process of mutual feedback between representatives and constituents. The circularity between state and society – that is, between representatives and the represented – corresponds to what, in later works, Urbinati (2014: 22; 2019: 8) calls ‘diarchy’.

‘Diarchy’ is a portmanteau word that joins two Greek terms: *dis*, an adjective that translates as ‘twofold; double’ and *arché*, a suffix that can be rendered as ‘rule; office’. To establish that democratic representation is diarchic is, therefore, to state that in a representative democracy there are two main ruling powers. On the one hand, there is the *will*, which is the power to *decide* that representatives use, for instance, when they enact laws.⁴ This power is also instantiated when citizens vote for their representatives. It should be borne in mind, however, that while representatives can exercise their power of decision every time they are inside the assembly voting on a law, the represented can exercise their will only once every few years. For Urbinati, the power that the represented can and should exercise the most is the power to *judge* the decisions their elected representatives make inside the assembly.

A tenacious endeavour of Urbinati (2014: 22) consists in arguing that, although without ‘authoritative power’ to enact laws, popular judgements circulating *outside the representative assembly* qualify as a realm of political power because they influence the decisions made *inside the representative assembly*. Representation is democratic when the judgements and the decisions that emerge, respectively, outside and inside state institutions cultivate a circular relationship with one another.

This article endorses Urbinati’s theory to the extent that it also identifies the circularity between citizens’ judgements and representatives’ decisions as a source of democratic representation. Nevertheless, in her attempt to define representative democracy as a diarchy of will and judgement, Urbinati distinguishes the former from the latter in a manner that tends to sever the exchange of popular judgements in the public sphere from the power to decide the content of political laws (which in her model remains the sole prerogative of elected representatives). Urbinati justifies her cut-and-dried distinction between judgement and decision with the thesis that reconciling democracy and representation requires dismissing the idea that political power should always entail the power to decide. According to her, those who hold that political power must always be attached to some kind of ability to decide inevitably pit themselves against representative democracy, for they deny that political power can be exercised in a non-immediate manner (Urbinati 2006: 7).

The CIS, as we will see, casts doubt on Urbinati's argument. At the same time that it acknowledges the importance of representation and of the mediated exercise of political power, the CIS does not sever the exchange of popular judgements in the public sphere from the power to decide which laws representatives should enact. It bestows on the represented the powers to *judge and decide* the general terms of the bills their representatives present in the assembly. Yet, while bestowing such powers, the CIS does not dispense with the intermediary role of the representative, who remains with the power to write the final version of the bill she will present in the assembly and to formulate other bills by herself. Far from being opposed to popular elections and the regular mechanisms of representative government, the CIS is a technique that democratises political representation.

Landemore's Critique

A penetrating criticism that can be raised against Urbinati can be found in Landemore (2017: 58), an author who avers that contemporary societies ought 'to move entirely past and beyond "representative democracy"'. Instead of endeavouring to democratise a type of government that 'was mostly designed to maintain the people at a safe distance from any actual decision-making power', Landemore (2017: 52) advocates for the creation of a new type of democracy, which she calls 'open democracy'. Representative democracy must be eliminated because it 'allows for the possibility of a complete disconnect between the decisions of representatives and the preferences of the represented' (Landemore 2017: 55). '[I]n Urbinati's representative democracy, citizens can protest and criticize all they want, but they are not meant to have any form of direct access to the decision-making process. Similarly, the ability to set the agenda is missing from her model' (Landemore 2017: 56).

According to Landemore (2017: 55), Urbinati severs citizens' judgements from the power to decide in a way that undermines the circularity (between popular judgements in the public sphere and the decisions taken by representatives) she highly approves of. This happens because, without the power to decide the general terms of representatives' bills, popular judgements may be ignored by

incumbents. An effective diarchy, one that grants political power for both representatives and constituents, requires the exchange of opinions in the public sphere to be a site for the exercise of judgment *and* will – that is, a site where citizens have the power not only to judge political affairs but also to decide the general terms of the laws that representatives will enact. As Urbinati’s work shows, however, representative democracy as we know it cannot satisfy that requirement (Landemore 2017: 56). After spelling out her critique, Landemore (2017: 57) concludes that ‘representative democracy’ is ‘an exclusionary paradigm, not a truly democratic one’, for it fails ‘to meet the crucial standards of effective participation ... and control of the agenda’.

Landemore’s critique is valid to the extent it highlights a certain naiveté that lurks behind Urbinati’s work. When she affirms that representation can be a vehicle of democratic power, Urbinati joins a larger intellectual movement that seeks to rebut the participatory trend that, from the 1970s onwards, began to propagate the idea that representation denied democracy (Vieira 2017). Published in the 1980s, Benjamin Barber’s *Strong Democracy* is a good example of a participatory theory of democracy that excoriates representation. For Barber (1984: 146), a democracy where citizens can participate in politics and influence public affairs is incompatible with representation.⁵ Barber’s participatory theory of democracy thus reinforced Joseph Schumpeter’s minimalist description of representative government:

The voters outside of parliament must respect the division of labor between themselves and the politicians they elect. They must not withdraw confidence too easily between elections and they must understand that, once they have elected an individual, political action is his business and not theirs. (Schumpeter 1976: 295)

Their contempt towards Schumpeter’s ideas notwithstanding, participatory democrats such as Barber (1984) never questioned the Schumpeterian assumption that representation requires the confinement of political participation to the solitary act of voting.⁶ Rather than seeking to understand under what circumstances representation can be democratic, they accepted without objection Schumpeter’s assumption and determined that representation leads to an oligarchy where only elected representatives are imbued with

political power. This gloomy diagnosis they issued can be cited for furthering political apathy. After all, if representative democracy is nothing but an oxymoron, then why should we waste time trying to democratise our representative institutions? From the premise that representation and democratic participation are irreconcilable, the consequence that follows is that in order to have democracy, we must destroy existing representative governments and start from scratch, so to speak.

In her welcomed pursuit to dispel the gloomy diagnosis established by the detractors of representation in the 1970s and 1980s, Urbinati (2006) ends up painting an excessively optimistic portrait and seems to forget that the articulation between democracy and representation is very difficult to obtain. When offering a sophisticated theoretical model of how a robust and horizontal relationship between representatives and constituents makes democracy feasible in large-scale societies, Urbinati (2006) does not pay enough attention to the fact that, in reality, such model hardly ever comes to fruition.

Another problem of Urbinati's theory that Landemore's criticism gestures towards, but does not elaborate on, has to do with the issue of political equality. When we create direct participation mechanisms in which each citizen receives only one vote to decide the final outcome of popular deliberation, political equality rests secured. In that case, political equality is protected by the adoption of the 'one person, one vote' principle. What protections are there for political equality in Urbinati's (2014: 2) 'public forum of opinions'? If, as Urbinati insists, the exchange of judgements among citizens opens up a forum for the exercise of political power, then how can we guarantee that asymmetries of resources, such as time of public speech, will not introduce inequality in the public forum of opinions? Urbinati does not seem to offer a straight answer to this problem.⁷

After reconstructing Landemore's critique, it is worth remarking that my intention is not simply to resuscitate the participation vs. representation dichotomy that some participatory theorists of previous generations postulated. This dichotomy is more distracting than helpful, if only because representation constitutes an inescapable reality that political theorists must grapple with. When refuting such dichotomy, however, scholars need be careful so as not to

turn the ‘rediscovery’ of representation as an unavoidable political process into a theoretical move that debunks the longing for greater popular participation as a misplaced or even dangerous expectation (Urbinati 2006: 5).

In her introduction to *Representative Democracy*, Urbinati (2006: 3) writes: ‘I am not proposing to lower the normative value of direct participation in the name of the pragmatic feasibility of electoral democracy nor arguing for a resigned acceptance of the given’. Yet even if Urbinati declares not to compromise people’s political participation, her reconceptualisation of the term makes one wonder whether what she calls ‘participation’ qualifies, in fact, as such. Although it is possible to argue in theory that the mere exchange of popular judgements in the public sphere constitutes a realm of political participation, in practice, this tends not to happen. Without the power to decide the general terms of the bills that representatives present in the assembly, the exchange of popular judgements in the public sphere does not configure a realm of effective political participation.⁸ Hence, in order to avoid ‘a complete disconnect between the decisions of representatives and the preferences of the represented’, it is necessary that the public forum of opinions constitutes, indeed, a realm of participation in political power (Landemore 2017: 55).

Landemore is right when she calls for the creation of direct participation mechanisms where citizens *judge and decide* political affairs. Unlike her, however, I do not think that such mechanisms would ‘move [contemporary societies] entirely past and beyond “representative democracy”’ (Landemore 2017: 58). Although I partially agree with her criticism, my analysis parts ways with that of Landemore because it aims not to disregard Urbinati’s theory in its entirety, but only to add a caveat to the latter.

Urbinati is right: representation is compatible with democracy, and we should not treat representative democracy as a mere oxymoron that ought to be discarded. However that may be, Urbinati’s theory deserves the following caveat: if democratic representation is to come to fruition, it is indispensable that citizens who were not elected representatives gain access to spaces where their discussions and exchange of judgements have the power to decide political affairs. *Pace* Landemore (2017: 56), such spaces need not be read as the death knell of representative democracy. To the contrary,

they may work hand in hand with extant representative institutions and serve precisely to democratise representative governments. To see how that could happen, one should turn to the political theory of Boal.

The Chamber in the Square (CIS) as a Way to Promote Democratic Representation

The topic of democratic representation is parsed thoroughly by Boal in *Legislative Theatre: Using Performance to Make Politics*, which was published in 1996, three years after Boal was elected city councillor (*vereador*) in Rio de Janeiro.⁹ The fact that Boal devoted a whole book to the issue of representative democracy only in the 1990s does not mean, however, that his previous works were oblivious to the topic of political representation. As Boal (1996b: 42) himself acknowledges in *Legislative Theatre*, his decision to become a representative descended from an aspiration that enthused him since the beginning of his intellectual career, *viz.* the aspiration to democratise representation.

The relationship between representation and democracy is addressed in one of Boal's first theoretical works. A collection of essays written between 1962 and 1973, *Theatre of the Oppressed* clarifies from the outset that its aim is to establish a kind of representation which does not alienate spectators from the power to 'act as protagonists' (Boal 2005: 12). To do so, the theatre of the oppressed (TO) abolishes the distinction between, on the one hand, a group of spectators that only watches the theatrical action on stage and, on the other, a small number of actors who hold the prerogative to act. To boil a book-length argument down to a single sentence, the TO seeks to restore the original, democratic character of theatre by replacing the spectator with the figure of the *spect-actor*, a neologism Boal coined to denote the spectator who is also an actor and who, as such, remains with the power to intervene in the performance while watching it.¹⁰ In the TO 'everybody can intervene in the search for solutions to the problems dramatised. . . . Actors and spectators are at the same level of dialogue and power' (Boal 2005: 20). To understand the distinguishing mark of the TO,

one must always bear in mind its main objective: to transform the people qua 'spectator', a passive being in theatre, into a subject, an actor who transforms the dramatic action . . . The spectator . . . thus takes over the role of a protagonist, transforms the dramatic action initially proposed, rehearses possible solutions, [and] discusses alternative projects. (Boal 2005: 181–182)

What has all this to do with politics? The TO is politically relevant, Boal answers, because the rigid polarisation between spectators and actors it displaces is analogous to the one that, in our representative governments, disconnects representatives from constituents. That is why, in the penultimate chapter of *Theatre of the Oppressed*, Boal accuses contemporary representative governments of being oligarchic. Contemporary representative governments are hypocritical because, though they self-identify as democratic, their representatives 'interpret the people without listening to the people, translating into their own elitist language words that nowhere were pronounced. To the people, then, they report the translation' (Boal 2005: 288). In contemporary representative governments, the represented constitute a mass of passive spectators that only watches the 'actors' (the representatives) performing on 'stage' (the representative assembly). According to Boal, judging and commenting on the actors' performance are insufficient to turn spectators into participants of the theatrical action. To do so, we must create an instrument that bequeaths to spectators the power to 'intervene decidedly [*intervir decididamente*] in the dramatic action, so as to modify it' (Boal 2005: 211).

What the TO does in the domain of theatre, *Legislative Theatre* does in the domain of representative government (Britto 2015: 119; Heritage 1994; Santos 2019: ch. 8; Schechner and Chatterjee 1998: 80; Vannucci 2002). Boal (1996b: 34) defines legislative theatre as a set of practices through which 'citizens are transformed into lawmakers through the intermediation of the representative'. Boal (1996b: 48) does not jettison the figure of the political representative, if only because he deems 'direct democracy . . . impossible'.¹¹ His intention is to weave an intimate and strong thread between representatives and represented so as to turn the latter into co-authors of the laws enacted by the former.

When he campaigned to become representative of the city of Rio de Janeiro, Boal (1996b: 41) made it clear that if elected, he would

carry out ‘an audacious proposal, one which electors would have to participate in afterwards. I explained that I did not want them simply to vote for me. Were I elected, they would have to work with me during my whole term’. Boal wanted to democratise representation, and in order to do that he invited his constituents to become his co-workers.

What makes representation democratic? Boal answers this question in chapter two of *Legislative Theatre* when he asserts that most representative governments are not democratic, for they treat the people as an audience of passive spectators. If representation is to be democratic, the represented cannot be ‘a mere spectator of the representative’s actions’ (Boal 1996b: 46). Instead, the represented need to ‘discuss, oppose arguments, and be co-responsible for what their representative does’ (Boal 1996b: 46). According to Boal, representation is democratic when the laws and policies presented by representatives inside the assembly are drafted in collaboration with the represented in the public sphere.

To democratise representation, Boal created two practices that connect incumbents inside representative institutions with constituents, the first of which is the Nuclei. Boal (1996b: 66) defines the Nuclei as public spaces where constituents gather on ‘a frequent and systematic basis’ in order to form and express ‘their opinions, desires, and needs’, which are then communicated to their representatives. The Nuclei use theatrical techniques to draw out the latent conflicts that pervade society.¹² Chief among these techniques is the Forum Theatre, which urges the people to broach conflicts and issues of public relevance through plays where any *spect-actor* can intervene and modify the dramatic action on stage. The use of dramatisation makes it easier for the oppressed to confront their oppressors, and thus lays bare the antagonism that abounds in social life.

Boal classifies the Nuclei into three categories. The *communitarian* are composed of citizens that ‘live or work in the same community and that therefore have many problems and worries in common’ (Boal 1996b: 70). The *thematic*, by contrast, are formed by citizens who gather due to reasons, ideals or objectives that are ‘stronger’ than the mere coincidence of living in the same area (Boal 1996b: 70). The third and last category is a mixture of the first two. As an example of a *communitarian and thematic* Nucleus,

Boal mentions groups of peasants that, sharing a strong idea about land reform, decide to live together in the same area.

The second practice Boal proposes to connect representatives and constituents is the CIS. Its main difference in relation to the usual meetings of the Nuclei is that the CIS has a more limited goal: to elaborate recommendations and demands that afterwards will be submitted to the representative assembly. Boal does not prevent citizens who attend the meetings of the Nuclei from drafting recommendations that later on can be sent to their representatives. What happens is that the production of such ‘drafts’ – in Boal’s terminology, ‘summaries’ – is not the sole activity of the Nuclei. For Boal (1996b: 78), the reasons that justify the meeting of the Nuclei are legion. A given Nucleus, for instance, can hold a meeting simply to incentivise constituents to socialise (Boal 1996b: 78). In sum, the power to exert direct influence over the laws promulgated in the representative assembly is not the *raison d’être* of the Nuclei.¹³ As Mark Dinneen (2013: 149) observes, ‘it would be overly reductionist to measure the worth of legislative theatre only on the basis of the new laws it is able to produce’. The Nuclei have a broad aim: to instil in citizens a relish for democratic participation and an active interest in public affairs. By doing so, they help decrease people’s apathy, disenchantment, and scepticism with politics.

In contradistinction to the Nuclei’s usual meetings, the CIS is held with a very specific purpose in mind: to propose a solution to a problem of public relevance by drafting a summary and/or a statement that expresses constituents’ repudiation of a given measure that representatives are considering to implement. I use the connective and/or because it is not uncommon that, when proposing solutions to public problems, citizens also manifest what they do not want to be implemented. That is not to deny, of course, the existence of cases in which citizens’ desires are completely negative. In such cases, the CIS need not draft a summary and can resume its meeting with an affidavit that conveys to representatives what they should not do. As an example, Boal mentions the CIS that was convened to debate a suggestion, given by Rio’s mayor, of arming municipal guards. After exchanging their judgements and discussing the mayor’s suggestion, constituents concluded that municipal guards should not be armed and, instead of drafting a summary, decided to write a short statement which formally expressed their

desire to representatives (Boal 1996b: 122). Usually, however, the solution of public problems that lead to the convening of the CIS necessitates the drafting of a summary with explicit proposals.

Boal (1996b: 122) notes the CIS can take place not only in public squares but also in any open space of easy access, such as sports fields, churches, and public schools. What matters is that the following list of procedures be followed: first, an agenda of discussion justifying the CIS must be designated.¹⁴ The initial topic of discussion can be designated by constituents or by representatives.¹⁵ After the topic of discussion is chosen, the CIS is summoned and its occurrence is advertised in advance to the public. A legal consultant (*assessor legislativo*) is appointed by the representative assembly to attend the CIS in order to help constituents with respect to ‘the legal aspects appertaining to the topic [of discussion] and in order to translate into legal terms possible suggestions [given by constituents]’ (Boal 1996b: 120).

Recall that when Boal (2005: 288) accused contemporary representative governments of being non-democratic in *Theatre of the Oppressed*, he argued that a representative government is oligarchic when its representatives claim to speak on behalf of the people ‘without listening to the people, translating into their own elitist language words that nowhere were pronounced’. The CIS democratizes representation because it encourages the represented to pronounce with their own words their desires, complaints, and demands. With the CIS, the represented can directly communicate their views to representatives, who are then responsible for translating people’s demands into bills.

The final step of the CIS is to draft a summary, the main points of which are voted by those participating in the CIS after a considerable time of deliberation. Once the summary is finished, participants at the CIS should choose which elected representative(s) will be responsible for transforming it into a legislative bill. This is particularly recommendable when participants know that their summary may clash with the view of some representatives in the assembly. In that case, the representative who will transform the summary into a bill might have to alter one or another point from the summary in order to attract enough votes in the assembly to enact the bill. As we will see, the CIS does not prohibit the practice of compromise.

The debates that precede the voting of the final form of the summary must be carried out in a pondered manner.¹⁶ In order to encourage that, popular deliberation at the CIS should proceed 'like an official meeting of the City Council, with measured time of speech, a designated agenda of discussion ... etc. What is necessary to know is the opinion of the citizenry on topics' of public relevance (Boal 1996b: 120). The adoption of procedures such as the concession of only one vote for every participant when it is time to decide the final structure of the summary, along with the equal timing of each individual's speeches, encourages citizens 'to expose with precision their thoughts and suggestions' and diffuses among them 'reflection and comprehension' (Boal 1996b: 123). What is more, such deliberative procedures advance political equality, for they grant citizens an equal time to speak (*isegoria*) and an equal power of political impact through the adoption of the 'one person, one vote' principle (*isonomia*).

Boal does not affirm that adopting the aforementioned procedures will turn the CIS into a deliberative environment where speakers are perfectly accurate and fully understand one another. In a more modest vein, he maintains that a popular debate guided by such rituals tends to help participants understand each other more than one in which the absence of clear deliberative procedures permits citizens to interrupt each other all the time and ramble on with idiosyncratic galimatias. All in all, the adoption of the deliberative procedures adumbrated by Boal avoids digression and imparts greater accuracy and political influence on the CIS in comparison to the Nuclei's usual meetings.¹⁷

Boal (1996b: 121) explains that, since it is a draft, the summary need not be too detailed. The bill resulting from it will be elaborated by elected representatives, the presence of whom at the CIS is extremely advisable. After all, one fundamental aspiration of the CIS is to bolster 'the democratic politics of ... [representatives'] term' (Boal 1996b: 121). Nevertheless, it is possible to conjecture that, lest no incumbent be able to attend the CIS, the legal consultant would be responsible for telling representatives how the meeting was conducted. As regards the presence of the legal consultant, Boal asserts the CIS cannot happen without her, for the legal consultant is precisely the one who will help constituents with the juridical knowledge necessary to the formulation of the summary.¹⁸

Would the CIS be a resurrection of the imperative mandate, a recurrent practice in the Middle Ages that, as Simone Goyard-Fabre (2003: 128–129) indicates, compelled representatives to follow constituents' instructions word-for-word? From what was explained in the previous paragraphs, it can be inferred that the CIS and the imperative mandate are not one and the same. At the same time that it gives constituents the power to guide the general terms of the laws enacted inside the representative assembly, the CIS leaves up to representatives the power to draft the final bill that will be voted on in the legislative house. The CIS differs from imperative mandates because it does not forbid the representatives who were chosen to transform a given summary into a bill to compromise on one or another point from the summary when confronted by politicians who oppose part of their constituents' views. If their compromise arouses dissatisfaction among the constituents who drafted the summary, new CIS meetings could be summoned so as to allow constituents to elaborate new summaries expressing their discontent.

Although they must debate and vote on the summaries presented by constituents, incumbents are not obliged to transform every summary they receive into law. They are allowed to vote against a given summary or to accept it partially, provided they justify their vote to their constituents. By requiring every representative to give a public account to constituents of what she thinks of the summaries sent to the assembly, the CIS promotes accountability. By demanding that the summary drafted by constituents be scrutinised by an assembly of representatives elected by the popular vote, Boal precludes the CIS from denying majority rule, which in his view is one of the defining features of democracy. If a summary resulted in an imperative mandate, democracy could be suppressed by those who had drafted it. Since attendance at the CIS is not mandatory, it is possible that a summary drafted through it could contradict the will of the majority.

In a truly representative democracy, politicians' work is analogous to Sisyphus's: condemned to a ceaseless to-and-fro movement, representatives must always return to the public square in order to translate into bills the insatiable demands and complaints that their activities are bound to provoke amongst the represented.

Democratic representation is a process of translation that never ends, for it is hard to design laws and public policies that do not end up pleasing and favouring a few, some, or most citizens to the detriment of others. Boal certainly does not expect the CIS to eliminate oppression once and for all. It is precisely because he is aware that oppression is ubiquitous and an ineradicable component of collective existence that Boal (1996a: 53) urges for the creation of the CIS, a place where popular contestation finds a channel of expression that can directly reach the representative assembly whenever citizens deem necessary. By opening up a space where citizens can criticise politicians and public policies in general, the CIS promotes the democratic and republican conception of freedom that Boal defended in the last book he wrote (see Boal 2009: 78 and Dalaqua, 2020).

Conclusion

In the wake of Landemore's critique, this article has argued that Urbinati (2006) seems to forget that simply elaborating a sophisticated theoretical model where popular judgements outside the representative assembly cultivate a circular relationship with elected representatives is not enough to set democratic representation into motion. As Landemore underscored, in Urbinati's work the represented do not effectively participate in political power because, although they can judge and comment on politicians' behaviour as much as they want, they do not have the power to decide the agenda of discussions orchestrated inside the representative assembly.

If representation is to be democratic, it is imperative to create participation mechanisms that bestow on the represented the power to decide directly the general terms and tone of the bills voted inside the representative assembly. Rather than expecting the power to influence representatives' actions to emerge spontaneously out of 'an informal politics' propitiated by the advocacy of civil society organisations (*pace* Urbinati, quoted in Landemore 2016: 146), one should fight for the institutionalisation of practices that compel representatives to take into account constituents' views in the period between elections (Hamilton 2014: 200–205). Moreover,

such practices should be structured in a way that respects and promotes political equality.

My difference in relation to Landemore (2017: 58) is that I do not think the adoption of direct participation mechanisms has to lead us 'past and beyond' representative democracy. Far from accusing the representative turn of being fooled by a system of government that is doomed to be undemocratic, this article only added a caveat to Urbinati about the necessity of creating direct participation mechanisms that give to the represented the equal power of directing and deciding the agenda of representatives' discussions. As the adoption of the CIS showed in practice, such strategy is crucial to turn representation more democratic. Implemented by Boal during his term as a representative between 1993 and 1997, the CIS generated the enactment of several laws inside the representative assembly that were based on summaries drafted by the represented.¹⁹ The CIS is not an 'impractical' theoretical model.²⁰ Rather, it is a device that democratises representation because, as a Boal scholar explained, it 'enables people to participate in governance in meaningful ways; not only to approve or disapprove agendas determined by an elite political or economic class, but to engage in the very definition of agendas, and in the construction or contestation of norms and ideals' (Malloy 2016: 74).

The CIS is meant to reinvigorate representative democracy, not to deny it. Boal created legislative theatre not because he was against popular elections, but because he thought that allowing people to vote for their representatives every two or four years is not enough to democratise representation. Just like participatory budgeting is considered by most political theorists as a device that helps representative governments become more democratic, legislative theatre should also be seen as a complement to popular elections that strengthens the connection between the represented and their representatives.²¹

The power of the CIS to democratise representation could not be better appreciated because, truth be told, Boal was the only representative in 1990s Rio de Janeiro who encouraged it. The CIS obviously cannot set in motion a truly democratic representative government when the vast majority of elected representatives is against it. This, however, does not deny its power to uphold democratic representation.

Acknowledgements

Parts of this article were presented in 2018 at Columbia University and Universidade Federal do Espírito Santo and in 2019 at Ohio University and Universidade Federal do Mato Grosso do Sul. I am grateful to Alberto Ribeiro G. de Barros, Dario Castiglione, Maria Isabel Limongi, Michael Rubin, and the anonymous referees of *Theoria* for commenting on a previous version of this work. This article results from the research project Liberdade Democrática, which is sponsored by the Humanities Division at Universidade Estadual do Paraná.

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Notes

1. The neglect of Boal's democratic theory becomes less surprising once we realise that a significant part of contemporary democratic theory does not engage with the works of theorists outside the Euro-Atlantic world (Parekh 2019; Santos and Mendes 2018; Williams 2020).
2. For a good parsing of the representative turn and an account of the philosophers and theorists who have investigated the relationship between democracy and representation, see Debora Rezende de Almeida (2015), Pierre Rosanvallon (2008) and Mónica Brito Vieira (2017). As these works testify, several authors have contributed to the debate on democracy and representation. My reason for focusing on Urbinati is due not only to space constraints, but also because her understanding of democratic representation as a diarchy of will and judgement is reminiscent of Boal's theory of representation. As we will explain, Boal's theory does not deny Urbinati's conception of democratic representation in its entirety.
3. In this text I distinguish 'representative government' from 'representative democracy'. By the former, I understand any political regime that is governed by politicians that, truly or untruly, claim to represent the people. By the latter, I mean the political regime whose incumbents really do represent the people. Put differently, though every representative democracy qualifies as a representative government, not every representative government qualifies as a representative democracy.
4. Following Urbinati, I make no distinction between decision and will. I also do not differentiate judgement from opinion.
5. In his late years, however, Barber qualified his views on representation and stopped opposing democracy to representation tout court (see the interview he gave to Michael Saward 2012: 35–36). The idea that representation and democracy could be reconciled was already present in the works of some participatory theorists in the 1970s (Miguel 2018: ch. 8). Nevertheless, it remains true that several participatory

- democrats in the 1970s and 1980s ‘conceived representation in opposition to participation’ (Vieira 2017: 1).
6. See Luis Felipe Miguel (2014: ch. 1). For an analysis that challenges the conventional reading of Schumpeter as a minimalist who reduced representative democracy to electoral competition between political elites, see John Medearis (2001).
 7. She does, however, diagnose the problem quite sharply. See, for instance, Urbinati (2015: 484).
 8. Following Miguel (2018: 198), I understand by ‘participation’ political actions that have, to some extent, ‘the power to decide’.
 9. Even though I use the title of the translations, my page references are to the original editions of Boal’s oeuvre. My reason for doing that is because some of the English translations of Boal’s texts are based on other translated versions of his work. That is the case, for instance, for *Theatre of the Oppressed*, which is a translation of the Spanish translation of the book. Also, in some of the translations, several pages are omitted and the original division of chapters is altered. That is the case, respectively, for the translations *The Aesthetics of the Oppressed* and *Legislative Theatre*. Unless otherwise noticed, all translations are mine.
 10. Boal’s approach in this regard can be opposed to Jeffrey E. Green’s. Both theorists proceed from the same diagnosis: in contemporary representative governments, the represented is treated like an audience of spectators whose main function is to watch the representatives’ performance. The difference is that, while Boal seeks to revert this predicament by introducing the figure of the *spect-actor*, Green (2010: 6) dissuades political philosophers from trying to change the current structure of our political experience: ‘Why not, instead [of accepting the reduction of citizens to spectators in contemporary representative governments], seek to find ways to transform spectators into actors? One reason ... is that ... political philosophy of a democratic stamp has a special obligation to develop political principles in a manner that respects the everyday structure of political experience’. In the wake of Boal, one could rejoin that the obligation of a political philosophy of a democratic stamp is not to resign to the given and develop theoretical principles that keep the current structure of power intact. Rather, the obligation of a political philosophy of a democratic stamp is to elaborate theoretical principles that can make the current configuration of political power more democratic. For another Boal-based criticism of Green (2010), see Holly Eva Ryan and Matthew Flinders (2018: 142).
 11. This feature of Boal’s theory was not grasped by Baz Kershaw (2001: 219) and Marie-Claire Picher (2007: 79), two scholars who aver that Boal was against representation and in favour of direct democracy. As I explain in this section, Boal was only against oligarchic representation, not representation tout court.
 12. As Geraldine Pratt and Caleb Johnston (2007: 107) point out, by offering a space where conflicting perspectives can be articulated and negotiated in public, the Nuclei create ‘an agonistic public sphere in which people who are situated in different class and other social positions, and who experience issues very differently, engage each other directly’. On the role of conflict in Boal’s *Legislative Theatre*, see also Eduardo Salvador (2014). In *The Aesthetics of the Oppressed*, Boal (2009: 71–72) claims that his association between politics and conflict traces back to Machiavelli.
 13. To be sure, the more laid-back and spontaneous character of the public conversation of the Nuclei makes them less apt to produce clear and concise legislative proposals than the CIS (see *infra* note 17).
 14. The following list should not be read as an immutable table of procedures because, like every other technique of Boal’s legislative theatre, the specific precepts that structure the CIS can be contested and altered by those who participate in it. That is why Boal (1996b) invites his readers, in several passages of his book, to mail him letters reporting their experience with the CIS.

15. During Boal's term, the summoning of most CIS consultations came from popular initiatives (Dinneen 2013: 148).
16. This does not mean, however, that political deliberation should eliminate affects and passions. Boal's legislative theatre acknowledges that political deliberation is both rational and affective (Howe 2009: 253–254).
17. The case study undertaken by Kelly Howe (2009) of *Practicing Democracy* – a project conducted by a Vancouver-based theatre company and supported by Vancouver City Council – epitomises remarkably well how the absence of clear deliberative procedures can prevent citizens' suggestions of public policies from having real impact over the laws made by representatives. Members of *Practicing Democracy* invited Vancouverites to a session of Forum Theatre that aimed to propose recommendations for city councillors in order to alleviate problems resulting from welfare cuts in British Columbia. When attending the session, Howe observed that the absence of explicit deliberative procedures led the popular conversation of the Forum Theatre to culminate in long, generic, and convoluted proposals. Without the obligation to draft a more or less clear summary of their views, participants of *Practicing Democracy* ended up delivering to the City Council a report with 'twenty-seven pages of single-spaced text ... The recommendations relate to a plethora of concerns, not all of which could be addressed by Vancouver City Council alone (as the report acknowledges) ... The report incorporates a rich cacophony of voices' (Howe 2009: 251). Not surprisingly, the report's excessive open-endedness precluded city councillors from drafting a law based on it (Howe 2009: 252). Unlike Forum Theatre, the CIS seeks not only to draw out the extant differences and conflicts among constituents, but also to impose deliberative schemes that somehow coalesce citizens' different views so as to permit the drafting of a summary, which afterwards will result in a law valid for everybody.
18. This feature of Boal's theory is overlooked by Pratt and Johnston (2007). By suggesting that Boal's legislative theatre is incompatible with the idea that representatives may have an expertise that constituents lack, Pratt and Johnston (2007: 103) give the impression that for Boal the possession of a technical and juridical knowledge on the representative's part would in itself constitute a barrier to the democratisation of representative government. Boal's remarks on the indispensability of the legal consultant for the CIS, however, suggest otherwise. Boal would doubtless disavow any attempt to use representatives' knowledge of the law-making process as a justification to disregard constituents' views. Yet that does not mean the mere existence of such knowledge on the representatives' part is enough to terminate democratic representation. On the compatibility between democratic representation and the existence of technical and juridical knowledge on the representative's part, see Archon Fung (2005: 52).
19. A complete list of summaries, drafted through the use of the CIS, that were transformed into laws during Boal's term can be found in Boal (1996b: 134–141). The CIS was put into practice elsewhere and, in some cases, managed to produce laws on the national level (Chiari 2018; Conceição 2020; Da Silva 2017; Dinneen 2013: 148–155; Felix 2018: 161–162; Soeiro 2019).
20. My use of the word 'impractical' alludes to Urbinati's dismissal of the primary assemblies, a system devised by Condorcet (1793) that, like the CIS, allowed the represented to propose new laws and to contest existing ones. Though she approves Condorcet's effort to democratise representation through the primary assemblies, Urbinati (2006: 221) in the end rejects his proposal for being 'impractical'.
21. Participatory budgeting is a public consultation that allows constituents to draft a list of priorities that must be taken into account by city councillors when they vote on the city budget (Baiocchi 2006). Like the CIS, participatory budgeting consultations tend to be held in public spaces and on the weekends, so as to make

attendance easy for those interested in participating. In some cities, the CIS and participatory budgeting have been used in conjunction (Campos 2014: 555).

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