

International Representation by State-independent Bodies

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This volume is organized around the assumption, in the words of a flyer for the associated conference, that apart from member states—in effect, member governments—there are other 'public or private institutions or persons' that often play a part in international organizations. In illustrating the range of such participants, it cites 'non-governmental organizations, multinational corporations, trade unions, employer's associations, cities, regions or religious groups'.¹ And it also makes the point that international organizations may themselves constitute non-governmental participants in higher-level organizations.

The focus of my paper, like that of the original conference, is on how far things can be organized within international organizations 'to ensure sufficient democratic representation of all those they claim to bind legally, either directly or through their Member States'. Those they bind in this way include most prominently the peoples of member states. So how far can such peoples be democratically represented in international organizations by bodies that form independently of the state or states from which their membership is drawn? I shall describe such agents or agencies as state-independent, or sometimes just as independent, bodies.

Peoples may exercise democratic control over an organization in a variety of ways that do not directly involve representation: for example, by constitutionally or otherwise requiring that it operate under certain constraints, that appointments be made according to strict procedures, that it offer broadly public-interest reasons for its decisions, and that it be subject to monitoring and auditing by an independent body. But the focus in this paper is on representation only and I shall ignore the democratizing role of other factors like these.

The paper is in three sections. It begins in the first with an account and critique of two extreme views of how international organizations may relate to the

¹ For a good discussion of cities in such a role, see (Besson and Marti 2021)

peoples they involve, where the difference turns on the part that state-independent actors should be able to play. In a second, long section, it then presents and defends a series of general principles governing representation, arguing that they undermine each of these two views. And then in the third section it shows that the principles support a distinct, third model of the role that independent actors might play in representing their peoples within international organizations.²

1. Two extreme views

There are two extreme views of how international organizations may meet representative constraints on their relationship to the peoples supporting them, one state-centered, the other individual-centered. Each agrees that the people of every member state may be represented by those state-independent agents or agencies that participate in an international organization but they take diverging views of how this can be achieved.

The first, state-centered view holds that it is only states that have the standing to represent their peoples within international organizations and that any independent parties that operate there must play a role assigned to them by their respective states. They must be commissioned in that role by state authorities such as the legislature or executive. And they must be required to act on the terms laid down for them by such authorities.³

The second, individual-centered view argues that while a people may certainly be represented by state appointees or authorities in an international organization, it may also be represented, without state appointment or authorization, by independent actors. The idea is that international organizations create networks of communication and collaboration across diverse peoples and that those networks should be allowed to vary in how they ensure the

² The paper draws on general propositions about the nature and function of a functional state—even a patently unjust functional state—defended in (Pettit 2023).

³ I set aside the possibility that they might be selected themselves under an independent, constitutionally licensed procedure, because in that case they would cease to be state-independent representatives.

representation of peoples. One organization may recruit a people to its network by giving a place to appointees or authorities of their state, another by giving places to independent actors. The ideal projected is one in which states may rule over their peoples domestically—subject, presumably, to constraints of international law and the like—but those peoples may connect and order things in the global sphere within a variety of state-independent, decision-making networks.

These contrasting views may reflect different images of how to understand what a people amounts to: that is, the people of any particular state.⁴ On a picture that supports the second individual-centered approach, each people is just the population of those who live—presumably, on a relatively permanent, legally ratified basis—within a political territory. It is a collection of those individuals, considered in their separate identities, with their particular interests, not a body of individuals organized to perform via incorporation in a state, where the state is taken to be a corporate entity like a corporation or church or whatever. This picture of the peoples that international organizations would serve makes perfect sense of why they may be represented by a variety of state and other agencies in the different domains of common interest engaged by such organizations.

According to a rival image, which supports the state-centered approach to international representation, a people is not just an amalgam of individuals. The people is a set of agents organized within the corporate agency of the state, so that state authorities—executive, legislative or judicial—speak for them on a range of fronts: in framing and applying the law; in pursuing those policies, including international policies, that are determined in accordance with the law; and in appointing the actors charged with implementing such policies. This picture is embraced on the state-centered view, regardless of whether the state is democratically structured or not. All that counts is that it be a matter of common awareness among the membership—and common acceptance, however reluctant—that the state authorities should play this role. According to the view envisaged,

⁴ The two images of the people are nicely and famously distinguished by Thomas Hobbes (1994). See (Pettit 2008).

members of a non-democratic state will recognize that in order to enjoy the order and benefits of law-governed relationships among themselves, and with other peoples, they must be organized under a state and have no feasible choice but to live with the established regime.⁵

Whatever the merits of these motivating images of the people of a state, neither of the competing views of international representation is particularly appealing. The state-centered view suggests that nothing may be determined by representatives beyond the boundaries of the state that has not been pre-authorized at home or that is not in line with fairly strict pre-authorized instructions. Thus, it would make the forum of an international organization into what Edmund Burke (1999) casts as merely 'a congress of ambassadors'. In such a congress, as Burke envisages it, participants would bargain with each other on the basis of their pre-existing, partisan interests, making only the minimal concessions to one another that are needed to get what they want. This is very different from the sort of organization in which members would focus on common problems and be willing to innovate in their search for solutions; it would fail to resemble anything like a deliberative assembly (Cohen 1989; Habermas 1995).

While that makes the state-centered view unappealing, quite a different flaw detracts from the appeal of the individual-centered rival. If there is nothing to enforce unity across the commitments of each people, then the corresponding state is liable to find itself obliged to answer to rival and conflicting demands. The state will be the only agency, representative of its people, that operates in different forums and if it is at the mercy of what other representatives of the people agree in one or another domain, there is no guarantee that it will be able implement all the

⁵ Such a government may be required to meet Bernard Williams's (2005) basic legitimacy demand, although it may not be legitimate by richer criteria such as those endorsed by John Rawls (1993). My own less demanding view is that a regime will count as a proper state, representative of its people, if individuals in general see a benefit in the order established that motivates compliance independently of the fear of sanction for trying to reject it; if the regime does not rule by terror alone; see (Pettit 2023). The issue comes up later in a discussion of Rousseau's (1997, I.5.1) distinction 'between subjugating a multitude and ruling a society'.

commitments made in the name of the people. It may be required to pursue a policy on the relaxation of border controls, for example, that is at odds with a policy of cooperation in policing; or to adopt a commitment to lifting tariffs on certain goods that competes with a domestic commitment to support local industry.

These observations should lead us to think again about how to model the representative role that state-independent members of international organizations may play. I think there is a third model that ought to attract us more and in order to motivate it I propose to return to some basic principles of representation—this unfortunately requires a resort to rather abstract theory—and show how they combine to give salience to the possibility that that model represents.

2. Some general principles of representation

It may be useful to begin by setting out the principles addressed here and to display the argumentative connections between them. We can then discuss each principle in somewhat more detail. The fifth principle, as we shall see, argues against the individual-centered of how a people can be represented in an international organization but the sixth supports the claim that this does not commit us necessarily to adopting the state-centered alternative. In the final section, we show that it directs us rather to a third and more appealing model.

The principles I defend are these:

- i) One agent or agency may represent another in a responsive or indicative mode.*
- ii) Whatever the mode, the represented must authorize the representative system.*
- iii) In any domain, the represented can authorize only one representative voice.*
- iv) A people must authorize their state as an all-domains, sovereign spokesperson.*
- v) And so the state must be their only representative, with control over other voices.*
- vi) But the state need not exercise this control actively, only in a standby manner.*

2.i One agent or agency may represent another in a responsive or indicative mode.

In order to introduce this distinction, think of the different relationships I may seek with someone I am invited to nominate as my representative on the governing board of a company or association: the invitation, for example, might

reflect my role as a founder of the body (Pettit 2010b; a). I may nominate someone on condition, as I explain to them, that they report to me weekly about upcoming decisions and respond to my specific or general instructions on how they should vote. Or without requiring them to be responsive to me in any such manner, I may appoint someone whose views and values are generally indicative of my own, relying on their similar cast of mind to vote in general as I would probably vote.

Where the agent appointed on the first basis would be a responsive representative, the agent appointed on the second would be an indicative representative. The responsive representative would vote in causal sensitivity to my advice, the indicative would vote independently of any such input from me but their votes would be generally likely to indicate how I would have voted, had I been on the board.

This distinction can apply regardless of a range of variations in the representation involved. The representer may be an individual or corporate agent. The represented may be an agent of either kind or just a collection of people who are not organized to perform as an agent: say, a collection as disunified as the individuals who live in a given post-code. And whether the representation is responsive or indicative, it may vary also in ways specific to those modes.

To take the responsive case, the representer may be required to respond to episodic, issue-by-issue instructions, to more general recommendations, or just to electoral constraints. The electoral case is the most familiar, of course: the represented elect the representer over rivals but are enabled to elect another in their place, should they not be satisfied with the original representer's performance.

The indicative relationship may also vary enormously. It may depend on a similarity that pre-exists appointment between the represented and representer, as in our simple example above. Or it may depend on pressures to which the representer will be subject after appointment, where these are designed to lead them to vote on a general pattern that the represented might be expected to approve.

Thus, to introduce the first possibility, if a government selects a citizen assembly that is statistically representative of the population, they will have a similarity-based reason to take it to represent the people as a whole. And, to introduce the second, if a government appoints an electoral commission under constraints of impartiality and expertise, requires them to endorse popularly accepted criteria for the fairness of districting and balloting, and exposes them to surveillance and critique, the commission will have a pressure-based reason to decide as the people as a whole would presumably want them to decide.⁶

2.ii *Whatever the mode, the represented must authorize the representative system.*

A random sample of the population in a certain area or profession or whatever is going to be statistically representative of the group as a whole; I put aside issues of stratification. And in order to be representative in that sense, those represented need not authorize the choice of the sample for whatever purpose it is then used. That marks a sharp difference from representation in the sense in which we are invoking it here.

In our sense of representation, those identified as representers must be selected under a system that is authorized by the represented. The reason is that the point of representation is to compensate for the inability of the represented to speak for themselves, whatever the source of that inability, and to identify a spokesperson—this may be a body constituted by different representers—to speak for them instead: to speak in their name, making them present in the domain of decision-making where they cannot participate.

⁶ Democratic theorists often favor a system of proportional representation that is designed to make those elected into a body that most accurately models the population as whole. It may be, however, that selecting candidates on an electoral basis undermines the role that proportionality might have been expected to play. Benjamin Constant (2003, 387) made the crucial point in 1810: 'You choose a man to represent you because he has the same interests as you. By the very fact of your choosing him, however, your choice of placing him in a different situation from yours gives him a different interest from the one he is charged with representing'.

For someone to claim to speak for another in this sense would be an affront to the other's independence or autonomy, if they did not speak with the authorization of the individual they claimed to represent. Thus, we would rightly object to the C19 idea that it was fine for the electorate to be composed only of men, on the grounds that those men would identify with the interests of their womenfolk and represent them virtually (Phillips 1995). Thus, most of us in liberal democracies today would reject the claim that James Mill (1978) makes in 1819 when he says of women in relation to men that being 'individuals whose interests are indisputably included in those other individuals', they 'may be struck off without inconvenience'.

That the represented must authorize the representative system, however, does not mean that each individual agent or agency selected as representer will be entitled to speak on their own for those they represent. When different electoral constituencies select their legislative representatives, for example, the assumption may be that they do so as part of a system for electing a legislature, and that it is only the legislative body as a whole that speaks for the people. In that case, the individual representatives will help to constitute that representative voice but their own voices will not be representative in their own right.⁷

To anticipate a point made later, however, it may not even be the legislature that constitutes this popular spokesperson. Suppose that the people directly or indirectly appoint judges—say, as presumptively indicative representatives—and give them the power under the constitution to check the legislature. In that case the voice that speaks for them will be the emergent voice established in the interaction of the legislature and the judiciary, not the voice of either body on its own (Pettit 2023, Ch 3).

2.iii *In any domain, the represented can authorize only one representative voice.*

⁷ In the single-seat constituency, where the representer is strictly independent of the representatives of other constituencies—this in a presidential but not a parliamentary system—that individual may also claim to speak for their own constituency, making the legislature into something like Burke's 'congress of ambassadors'.

Insofar as representation establishes a voice that can claim to speak for the represented in a domain of connected issues, there can be only one voice that is entitled under the system of representation to speak for those represented. There is no sense to the idea that different voices might equally claim this spokesperson status, as we might describe it. Or at least there is no sense to the idea when they claim to speak for the represented within the same domain of issues. Even a federal system with different levels of representation satisfies this constraint, since it will have to operate under a constitution where the final authority on any issue is allocated to the representatives at just one level.

This means that within any single domain of issues there can only be one spokesperson recognized by the represented. But of course different voices might speak for the same individual or body or collection in distinct, unconnected domains. In a small city one and the same group of people might constitute both the local tourist board and the board of the local hospital. And under those different aspects, addressed to different domains, that group might authorize a different individual to speak for them. Indeed those different individuals might even debate with one another quite sensibly about some common enterprise. They would each speak for a different group agent—the tourist or hospital board—although the same collection of people is involved in each.

Where a single individual or corporate agent is to be represented, or a collection represented as a whole, there is no room for two voices to be given such a spokesperson status: such final authority. The unity associated with individual or corporate agency, or with the collection considered as whole, will be betrayed in the act of representation, giving rise to conflicting authorities. The represented entity will be a hydra with as many heads and as many voices as it has rival representers.

2.iv A people must authorize their state as an all-domains, sovereign spokesperson..

The state in this principle is not to be identified just with the government, whether we identify the government with those in legislative or executive office, or also with those in judicial office. For example, it will encompass others insofar as the constitution is subject to amendment in a referendum involving all; insofar as that

constitution gives citizens a role in electing or contesting those in formal office; or insofar as the constitution, or at least the accepted framework of public decision-making, gives fairly independent roles to unelected bodies like an election commission, a bureau of statistics, or a central bank. The state is an entity that may act via any such agents or agencies: when they play their parts they enable the state to act through them.

The people who live under a given regime will not authorize it as a sovereign spokesperson, we may assume, if those in office rely on force alone to elicit the compliance of others; as Rousseau (1997, I.5.1) says, there is ‘a great difference between subjugating a multitude and ruling a society’. By this assumption, such a regime will not count in a proper sense as a state. A state must be authorized in some sense as the people’s sovereign spokesperson. But what does it mean for a people to authorize their state? And, more specifically, what does it mean for them to authorize it as a sovereign spokesperson?

Authorization, to take up the first question, cannot require the people to consent to the regime. Even the finest democracy will not enable citizens to consent or refuse to consent to the state; they will usually have no choice in the matter.⁸ My own preference is to take a people to authorize a state when they see a suitably motivating merit in the laws and institutions it lays down. More specifically, what is required is that the state should give them a motive to acquiesce in the status quo that is independent of their fear of the retaliation that a refusal might trigger. Of course, they will be partially motivated to acquiesce by the fear of coercion, as is true even in a democratic state. But they will not acquiesce just because of that fear. Generally seeing the merits of what the state does for its subjects, they will each

⁸ What democracy ideally ensures, by my own ‘neo-republican’ way of thinking, is that the people have a degree of more or less equally shared control over the doings of the state. See (Pettit 2012; 2014). If the people have that form of control, however, they will be able to protest without danger about how the state is organized, even do so extra-constitutionally but peacefully. And so they may be said to consent to going along unprotestingly with the state and to authorize it in a distinctive fashion. See (Pettit 2023, Ch4).

acquiesce more or less willingly. They will accept the state for the benefits it provides and in that sense authorize it.

By this criterion, the authorized state need not be a democracy. But such a state must presumably operate by law, so that subjects will have some stable sense, however inadequate, of how they may and may not act in relation to others and in relation to the authorities. Consistently with counting as an authorized state in this minimal sense, of course, a given polity may fail in many ways. Although we are effectively excluding that possibility in this context, it may fail to extend full membership to all residents. And it may certainly fail, as the most inclusionary of states often fail, to deliver a law that gives people a congenially determinate sense of where they stand in relation to others and in relation to officials.

But, turning to the more specific question we raised, what does it mean for a people to authorize their state as an entity that speaks for them in a sovereign way? It is in the nature of the state as a body that it lays down the laws of the society, that it does so of its own will and, more particularly, that it need not have the permission of any other domestic entity in order to do so. In short, it must have the high or final authority that has been associated with sovereignty, since the idea was first introduced by Jean Bodin (1967) in the sixteenth century. This high authority means that the state will also have a wide authority: an authority over many domains. It will have power over whatever it is that its subjects do, displaying that power in coercing people to act in certain determinate ways—say, to avoid violence—and, where it does not choose to coerce its subjects, in allowing them to act on their own choices—say, to marry or remain single—although perhaps only under certain procedural constraints.

One softening comment on sovereignty. Traditional sovereigntists like Bodin or Hobbes or even Rousseau assumed that the sovereign spokesperson in a state has to be a particular individual or a particular committee, whether the committee of an elite or—as Rousseau actually required—a committee of the whole. They thereby suggested that the sovereign would be a threatening presence, and made the idea of sovereignty uncongenial to many. But the voice that speaks with the high and wide

authority of the sovereign may be a voice, as we noted earlier, that emerges from the interaction of the legislature with the judiciary or, more plausibly—at least in democracies—a voice that emerges from a pattern of interaction that also involves further parties, including people in an electoral or contestatory role (Pettit 2023). Thus, the sovereign need not be an unconstrained power from the point of view of those who live under a state.

2.v And so the state must be their only representative, with control over other voices.

Whether the form taken by the sovereign spokesperson is emergent or not, that spokesperson can be identified with the state itself. There can be no representation of the people, then, that is not subject to the high and wide authority of the state. The state will be automatically in control of any representatives that are constitutionally designed to act in its name, as with the legislature that interacts with other bodies to determine the voice of the state. But what of other would-be representatives? The fifth principle holds that they too must be subject to the authority and control of the state, and should not constitute competitors.

This principle seems to support the state-centered view that we mentioned in the first section. It offers ground for thinking that if independent actors are to be taken as representatives of their people, acting together in any international organization to speak for those people, then they must be deputed by their state to play that role, whether on an indicative or responsive basis. Some recognized state authority such as the executive must act in the name of the state, with constitutional license, to assign the job to them. Or they must be selected under some independent, constitutionally established procedure—say, a form of election—to assume that role as official authorities in their own right. And in either case they must be constrained to act in a way that allows the sovereign voice of the state to ensure the coherence of its decisions and instructions.

We mentioned earlier that this state-centered view is liable to turn an international organization into a congress of ambassadors, with members being enjoined by their states to cleave to certain lines in advance of hearing the other

sides. That would mean that members would bargain with one another in the hope of finding a compromise between pre-existing interests and opinions, rather than being motivated to explore new interests and ideas together in the hope of finding innovative solutions to common problems.

2.vi But the state need not exercise this control actively, only in a standby manner.

The fifth principle just considered offers support for the state-centered view of international representation only on the following, active-control assumption: that the only way for a state or a group of states to control the different independent actors within any international organization is by causal intervention in selecting or de-selecting them; or by dictating *ex ante* the terms to which they must be responsive in their representation; or, to allow for the indicative case, by dictating the constraints under which they must operate. On this approach, states will have to deprive independent representatives of the capacity to exercise discretion—to innovate or improvise—on the grounds that otherwise those representatives might undermine the capacity of the state to exercise its sovereign authority, speaking clearly, unambiguously and coherently for its people.

But the active-control assumption is false. There are broadly two ways in which one agent can control others and they direct us to two ways in which the state might exercise control over independent representatives in international organizations. Consider the simple example of how a horse-rider might control the direction taken by a herd of cattle or a flock of sheep across open country. The rider might keep them moving with suitable calls and shouts and seek at the same time to drive them in the appropriate direction. Or, if the animals are inclined independently to move in that direction, the rider might simply let them follow their heads and intervene only when that is needed to put an errant animal back on track.

In the first case the rider will be there actively urging the animals to keep to the track. In the second, the rider may relax, rely on the evidence of an errant animal to raise a red flag, and be poised to act in such a case to put that animal back on track with the others. As we say in the case of cattle, the rider in that case would ride

herd on the animals, letting them do most of the work, and would maintain control by being there on standby to ensure that the efforts of the animals lead them in the desired direction. The rider may have to do little or nothing in that standby position but this lack of action does not entail a lack of control.

Generalizing from this rather remote analogue, we can see that if state authorities need to control what independent representatives within an international organization say in the name of the people, that does not require them to assume the stance endorsed in the state-centered view. It does not require them even to dictate the instructions or terms on which the representatives are to act, or to establish the constraints under which they operate. They may assume a form of control over such representatives—a form of control, as we shall see, that may come in different varieties—that has a standby rather than an active character.

This observation raises a serious question for the state-centered view of international representation that our fifth principle seemed to support. But of course it does not provide support either for the individual-centered view. We suggest in the third section that it motivates a third alternative: a model of international representation that I describe, for reasons explained later, as citizen-centered rather than state- or individual-centered.

3. An alternative view of international representation

Sketching a third model

The model of international representation that the sixth principle supports is one in which the members of an international organization, in particular those who are not commissioned by their state, can take the initiative in proposing, debating and deciding on a variety of arrangements. They may be responsively representative of one or another sector among the people or they may represent that sector on an indicative basis. But in either case they may commit finally to a certain arrangement only if their member states go along.

This requirement may take different forms. Assuming that the international organization is required to make its decisions unanimously, a member state might

be able to veto what the organization decides by not going along with the independent representatives who act for its people. Or, if it does not agree with what the organization decides, it might only be able to ensure that while the organization's decision binds supporting states, it is not itself bound by that decision: it might be able to refuse to be bound any decision it does not support. Or, if it is committed to the organization operating without unanimity—this is a condition unlikely to be met—it might just be able to direct the votes of those representatives, ensuring that they do not help to constitute the required majority or super-majority.

This model would not differ much from the state-centered alternative if it made room only for such forms of state opposition. But I add one further feature to the model: that prior to opposing the independent representatives of its people, a member state should be required to lodge objections to any proposal made and seek a response from **its** independent representatives, or from the organization as a whole. Amended in this way, the model begins to look very different from the state-centered one.

The amendment envisaged is not ad hoc, for there are reasons why it might emerge spontaneously, without having to be explicitly mandated. If the representatives on the organization have proposed an arrangement that purports to be in the interest of all, it will naturally back the proposal with considerations that are meant to argue for its implementation by all the relevant states. And in that case, any state that raises an objection will be expected by the same logic to identify the considerations that give it pause. The state will thereby be drawn into the debates of the representatives themselves rather than pronouncing from without on whether or not their deliverances are acceptable.

This effect will be reinforced by the addition of a second feature to the model: that member states should allow the organization as a whole, and their representatives in particular, to publicize the proposals they are making in the relevant worldwide community, prior to gaining the approval of those states. This feature will put pressure on the states to go into the deliberative, debating space of

the organization in suggesting amendments of any kind. It will guard against states resorting to familiar postures of bargaining with one another in search of the concessions that, as each wishes, will give them a result as satisfactory as possible from the point of view of their antecedent self-interest.

Not only will member states be motivated under the arrangement proposed to enter deliberative space, downplaying the habit of bargaining. If the proposals have won general support within the larger community—this may involve member populations or a network of relevant experts across the world—then states will also be pressured to respond favorably to those proposals. That pressure will come from their home population, if the proposal has majority backing: this, at any rate, if there is a modicum of democratization in the society. And it will come from the experts in the area if the proposal wins the backing of those individuals and their professional bodies.

Think of matters on which relevant proposals are likely to bear. They may involve standardizing regulations in some area of commerce or industry, from the financial sector to the manufacture of automobiles. Or agreeing on worldwide fishing practices or on licenses to put satellites into orbit around the earth. Or providing access to employment in richer countries for those from poorer regions. Or establishing standards for reducing reliance on fossil fuels. Or just facilitating exchanges between the residents of cities that wish to twin with one another.

In some of these areas, it may be essential to assign the issues to forums of inter-state discussion and negotiation. But in others it will be possible to establish a place for discussion within organizations where representatives are state-independent actors. And clearly those organizations can have a powerful effect on what arrangements come to be accepted if the representatives in the organization are given the freedom to debate the issues before them in a deliberative way and to publicize their proposals before winning the support of their respective states.

The third model sketched in these remarks contrasts sharply with the state-centered and individual-centered models. Like the individual-centered model it

would grant independent actors a great deal of initiative in the exchanges they open with one another and the ideas they explore. But unlike that model, and like the state-centered alternative, it would give the state ultimate control, albeit control of the standby sort not envisaged in that alternative. The state would ride herd on those who represent its people responsively or indicatively, being positioned to challenge any proposal they support and if it is not satisfied with the responses those independent actors make, to oppose the proposal in a manner appropriate under the rules of the organization: that is, by vetoing the proposal, refusing to be party to it, or directing the votes that its independent representatives cast.

Defending the third model

The main thing to be said in favor of the model just sketched is that it ensures the benefits, and avoids the dangers, associated with the two rivals described. It ensures that there is state control and coherence, like the state-centered model, but it allows like the individual-centered model for the emergence of international arenas of debate and agreement in which participants operate with relative autonomy, and don't just channel the existing priorities of their states. But there is also more to be said.

In sketching the model, and in earlier discussions, we drew on an intuitive and familiar contrast between a deliberative and bargaining forum. The model, as we said, would facilitate deliberation and downplay bargaining. It is unlikely to eliminate bargaining altogether, of course, since deliberation may well leave states with different arrangements to negotiate about. And it is certainly unlikely to eliminate the partisan motives that are liable to influence the representatives of any people, state-sponsored or not. But it can discipline those motives in a way that may be to the benefit of all.

For purposes of this paper, I take it as given that in any international organization where state-independent representatives are gathered to resolve problems that their peoples face in common, there will be a working assumption that in making or supporting a proposal, each will cite considerations that they take

to be relevant on all sides.⁹ The claim is that it would make little sense for any representative to back a proposal on the grounds, for example, that it would benefit their home country in particular, or give it a certain advantage over others, or advance a special interest in which it is manifestly invested. That this would make little sense, and even expose the representative to a degree of mockery or ostracism, testifies to the endorsement of the working assumption mentioned.

Working with that assumption, the members of the organization will naturally be disciplined into valorizing considerations of the common good or, less romantically, considerations that can be expected to pass muster on all sides. Passing muster in this way, the considerations will constitute reasons that everyone, regardless of their home country, will see as relevant to the issue on hand, even if some weight a given consideration differently from others. The considerations may include the observation that the proposal under discussion is a plausible bargaining solution—it requires only minimal concessions from each—but they may also include others that highlight common benefits without separating out the return to each individual people. These might consist in the ease or efficiency or stability that the arrangement would introduce in one or another system, the effect it is likely to have in guarding against a future war or some other global bad, or indeed its anticipated effect in promoting some global benefit.

Why does the deliberative character of the likely debates between them argue in favor of letting state-independent representatives operate under our third model? Deliberative debate may give rise to polarization when it is focused on determining the relative merits of the antecedent position of each side (Sunstein 2002). But it is more likely to build a culture of cooperation and solidarity among participants when they are charged with finding agreed solutions to common problems.

⁹ That such a working assumption is likely to appear in suitable public forums has long been a theme in the work of Jürgen Habermas (1984, 1989), as emphasized with great clarity by Jon Elster (1986).

That is already a benefit that the third model promises to generate but there is also a further, related bonus to register. This is that the proposed arrangement would recruit participants in a common search for solutions to the problems raised. It would thereby energize them to identify the immediate goals they should prioritize, to seek further information they may require on feasible means of pursuit, and to explore all possible avenues of resolution in a process of generating and testing hypotheses. It would build them into a research team that is going to be better equipped than any bargaining forum between states to form new ideas and find new ground for international cooperation (Slaughter 2004).

A citizen-centered model

Let me conclude by explaining why I cast this as a citizen-centered model of international representation: specifically, of the representation of peoples by state-independent actors.

In a tradition exemplified by Hobbes (1994) and Rousseau (1997), 'the people' is said to be a two-ways ambiguous phrase. It may refer to the people taken in the aggregative sense of the population of the country—in Hobbes's phrase 'the multitude'—or to the people incorporated as a polity: the people proper as both Hobbes and Rousseau take the idea. These two figures take the incorporated people to constitute a single agent that acts through its sovereign: in Hobbes's picture, the sovereign may be a monarch or a popular or elite committee; in Rousseau's, it may only be a popular committee. And both assume that the people in the unincorporated sense are incapable of acting together for any end once the state is established.

The Abbé Sieyès (2003) endorses a similar dichotomous conception of the people, while framing it in other terms. He describes the people in the unincorporated sense as the constituting people and he too ascribes little capacity for action to them. The constituting people form and act on a will only by grace of an assembly of representatives: this is able to act by virtue of being incorporated under procedural rules—majority voting as he, like the others, proposes—and is

authorized by the constituting people to act in its name.¹⁰ He describes this incorporated body, in a manner that loosely parallels that of Hobbes and Rousseau, as the constituted people.

The dichotomous understanding of the people is unfortunate, as it ignores the fact that in every state, but especially in a democratic regime, there is a third way in which the people may be understood. In this sense, the people are those who sustain the state—as we assume, the authorized state—insofar as most obey the law, discharge any tasks legally allotted to them, and do not object to the presumption of the authorities in enacting and enforcing the law. In a democratic order, the tasks allotted will be particularly numerous, requiring or allowing individuals to vote, to sit on juries, to interrogate government proposals, to contest what government does, and so on.

The people in this sense are not incorporated as an agent in the polity but are merely a part—albeit a crucial part—of the polity. But neither are they just the aggregate population of individual agents who are incapable of joint action. They are the citizens who each act as they do on the assumption that others will act in complementary ways and who thereby have the collective effect of keeping the state in existence. Unlike the people qua polity, they are not a corporate agent that is organized to act for different ends across different situations. The citizenry is that body of individuals who participate, as occasion requires, in joint state-sustaining activities.

On the third model of international representation that we have been sketching, those state-independent actors who assume positions in the representation of their people act on this front precisely in the role of citizens. Giving life to the model of a state that depends for its very existence and operation on the actions of its citizens, they assume their part in internationally representing their people. Or at least they do so, as our general principles of representation require, when existing authorities within the state do not object to what they

¹⁰ For an argument that majority voting won't work—or indeed any similar bottom-up procedur—see (Pettit 2001b; a) and (List and Pettit 2002; 2011).

propose. In that case, we may say that the state speaks and acts through them in the domain where they operate. But it speaks and acts through them by endorsing their independently generated proposals, not by giving them directions from on high. What they manage to do, imaginative and innovative as it may be, will constitute the growing tip of the state on the international front.

The state-independent citizens who act within international organizations for their different peoples constitute a global form of civil society, as it is often put. They will come to the international forum by the nomination of one or another sector of their societies: a professional body, an industrial association, an organization of trade unions, a region within or across countries, a city or complex of cities, or an ethnic group from one or many places. But they won't gain the authority to represent their peoples by virtue of such an origin alone. They will achieve it only by winning support at home: only by becoming an integrated part of a state they help to constitute and sustain.¹¹

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