Title: Representation Needs Resistance

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Bio

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Representation Needs Resistance

Lawrence Hamilton

Abstract
In responding to the five excellent articles on *Freedom is Power* collected here, I argue that my account of representation in politics runs all the way down, as does my associated views on needs and institutional critique aimed at diminishing domination. I take on board some of the other criticisms levelled at me, but resist the notion that my account of freedom as power constrains resistance. Liberty through representation requires and depends upon resistance; it also institutionalises it.

Keywords
representation; freedom; needs and interests; institutions; resistance

Introduction

> Resistance is the following: to destroy one thing for the sake of constructing another…, we don't want any type of colonial domination in our land… At the end of the day, we want the following: concrete and equal possibilities for any child of our land, man or woman, to advance as a human being, to give all of his or her capacity, to develop his or her body and spirit, in order to be a man or a woman at the height of his or her actual ability.
> Amilcar Cabral, *Análise de alguns Tipos de Resistência*[1]

It has been a privilege and a challenge to have so many read something of so little consequence so carefully. It has, moreover, been an inspiring challenge that will lead to many new departures and revisions of my ideas. I am therefore very grateful to all those who have taken part for, well, taking me seriously (not always easy). I am indebted to Laurence Piper, the organizer of the original colloquium from which these papers are taken and for this excellent special issue; his uncanny ability to take your ideas and relay them back to you in more understandable ways than you can is an example of an academic and literary skill few can match. I would also like to thank the editors of *Representation*, Andrew Russel and Stephen de Wijze, for indulging me in this way.

My response to these contributions is entitled as it is because I think that my views on liberty through representation do require and insist upon a much greater role for resistance than some of the papers in this special issue suggest. I may have been guilty of not making that as clear as I should have, which meant that some of the articles in this collection could easily ignore my discussion of resistance (and its link to representation and thus freedom). Also, I think the various suggestions, reconstructions and criticisms of my position in *Freedom is Power* (Hamilton 2014b) in this special issue can be crudely arranged under three thematic headings: 1) the nature of representation in politics; 2) the nature and function of needs and interests in my account of freedom, representation and domination; and 3) the role of resistance. So, the title could equally have been, 'Representation, Needs, Resistance', but I want to do a little more here than simply classify the critiques: I have a response, which I think can be gleaned from my original book, and it is that 'Representation Needs Resistance', that is, that *Freedom is Power* is more radical than the proposition of my institutional *reforms*

[1] Cabral 2016 [1974]): 76-7.

might first seem; as ‘provocations’ – Piper’s term – they are quite a departure from politics as we know it.

Representation

Tackling representation first is apt for this special issue, the main argument of my book and for politics in general. Lasse Thomassen captures this well through the idea of the ‘constitutive character of representation’ (p. 1); or, in other words, that representation is constitutive of politics. Politics, whether that is ‘everyday’ parliamentary politics, acts of resistance or even revolutions, cannot proceed without representation. Representation cannot be escaped, and not just because of the nature of representation. It cannot be escaped because, unlike moral action or some forms of association – say the group of amateurs that periodically gather with me to play Sunday football – politics is about decision-making for collective action; and collective action, even in the most simple of cases where direct delegation is possible – say in small workers’ co-operatives – requires an individual or set of individuals to speak for others or to determine and defend (that is, represent) some set of needs, interests, beliefs and so on. This is captured well by Lenin’s pithy formula ‘Who Whom?’, nicely cashed out by Geuss as ‘who does what to whom for whose benefit?’, or, where does power lie, for what ends is it used, and who gains and suffers in consequence (Lenin 1972; Geuss 2008). In the last section below, I’ll show how this is particularly true of resistance politics, but for now I will stick to the general point about representation as not all the contributors to this special issue agree with me on this.

James Furner mounts the most direct criticism of my arguments for the unavoidability of representation in politics, but he chooses odd sources for my position, or at least not ones that I proposed in *Freedom is Power*. The first is what he calls a will-based argument, which he suggests has its basis in my ‘endorsement’ of Benjamin Constant’s view of modern freedom. I use scare quotes around ‘endorsement’ because I don’t in fact endorse his view, especially his case for a certain kind of rights-based view of freedom. What I do is take two valuable lessons from his account: first, that in modern representative politics people now value a different kind of freedom than the one they valued in ancient politics; second, I show that he is more subtle than many contemporary liberals have supposed and is far from being an exponent of negative freedom (Hamilton 2014b: 51-2). Importantly, though, this is not an argument for the unavoidability of representation, based on will or otherwise. It is an argument about freedom, and what we can learn from some more realistic views on freedom under modern, commercial conditions. I do not need anything Constant says about the nature of modern politics to make my case for the unavoidability of representation – that representation is, as it were, necessary for politics – but I do think that Constant alerts us to something important and worthwhile when thinking through freedom under modern conditions: not that it is necessarily mediated through representatives, but that, even though there is a tendency today for us to think about it in individualistic rights-based terms, this is only a partial view of modern freedom, as it is unsustainable without *political* mechanisms that require our constant vigilance as citizens to ensure against the abuse of power to override these areas of ‘free’ action we now take for granted, at least in most places. This is, though, as I argue in my book, only part of the story.

The same counter is also true of what Furner says regarding my supposed ‘time-based’ argument under modern conditions. Here, as he suggests, both Constant and Sieyès are important: that the division of labour common to modern commercial societies leaves most individuals without the time to participate in politics (and thus neither the inclination). This

too is a straw-man. Although I do draw some component of my views on representation from Sieyès, his position is not where I end up. My final position on representation, and its unavoidability, appears much later in the book, in chapters 4 & 5, where I emphasise that most of the main accounts of representation fall short of the mark in capturing both the nature of representation in general and as specific to politics. I make clear in chapter 5 that the arguments for complete independence of representatives (most famously in Hobbes 1996 [1651], Burke 1999 [1774] and Sieyès 2003 [1789]) *and* the arguments for conceiving of representation as a conveyor-belt for citizens' preferences, interests, and so on (e.g. Dahl 1989, but common amongst many contemporary theoretical accounts) are misconceived (Hamilton 2014b: 144-53). This longstanding debate – the 'independence' versus 'mandate' (or 'delegation') debate – comes under direct criticism in *Freedom is Power*, so it would be odd if I were to base any part of my argument regarding the unavoidability of representation on one or other side of this theoretical divide. While it is true that I think that Hobbes, Burke and Sieyès have identified something important in their versions of the 'independence' view, which is completely lost in the 'mandate/delegation' view, that is, its importance for independent *judgement*. The whole point of my argument is to tack between the 'independence' versus 'mandate/delegate' extremes, particularly because I submit that the *judgement* of political representatives will be better if they are informed and controlled (to the extent I propose possible) by the needs, interests and judgements of citizens. The point of stressing a degree of 'independence' is that without it, the final judgements taken by political representatives will not be seen to be there's – cannot be 'owned' by them – and thus it becomes difficult to hold them accountable for their decisions. In my account, therefore, the necessity to involve citizens in the representative processes is three-fold: a) by dint of the nature of representation, they are already involved; b) the processes through which needs and interests ultimately get represented and prioritised will involve better judgements if they are involved in the ways I specify; and c) representatives remain more accountable if they are not (and thus do not view themselves as) delegates and citizens have the concomitant means through which to assess their judgements and easily and without prejudice remove them from office if their judgements are deemed poor in a number of ways, but particularly as regards furthering the power, needs and interests of citizens.

It is in his second footnote that Furner reveals that he still seems to think I am working with an either/or view of representation in terms of 'independence' or 'delegation'. He says, in opposition to a point I make about Madison: 'The negation of assembling and administering in person is delegation, and delegation does not require formal independence.' By contrast, I would argue that the *closest* thing to assembling and administering in person is delegation, and that under most forms of collective action both pure delegation and independence are pipedreams; and it is therefore desirable to opt for neither, but for an aesthetic account that underpins the constitutive nature of representation in politics and allows citizens real control over representatives, not in the sense of delegating decisions and orders to them (for then they are hardly worthy the name 'representatives') but in the sense of having the institutional means to affect, assess and remove them.

Particularly problematic for both sides of this 'independence' versus 'mandate/delegation' debate is that both assume that all relevant needs and interests exist *antecedent* to the process of representation itself, and in the latter case also that legitimate representation must *track* interests.[2] There are four main problems with this, although I only elaborate on one here (for

[2] Although some might like to contest this claim by arguing that these theorists cannot assume this as they think the 'the people' do not even come into being until a single representative – the person of the king or a single entity like an assembly – is created, they would be forgetting that, even if in different ways, all three conceive of

more, see Hamilton 2014a; 2014b). Citizens' needs and interests are not pre-existing and fixed waiting to be tracked through representation. Rather, they require identification, articulation, expression, evaluation and representation. Needs and interests have a dualistic nature – they are attached and unattached, subjective and objective – and this lies at the heart of the ambiguities of any form of interest group representation (Pitkin 1967; Hamilton 2003). Moreover, individual and group interests often become *present* as a result of representation, that is, they are experienced, identified and expressed as a result of the actions and concerns of representatives. This is the case formally *and* informally: political representatives actively identify *and* generate new interests; and representation often occurs via *identification*, where there is no formal *appointment* of a representative. In the latter case a representative, such as a leader of cause, brings forward a claim to represent a group, evidence for which is found in their capacity to attract a following; and members of the group feel they have a *presence* in the actions of the representative by dint of what the representative has in common with them – causes, interests, identities or values.

So, a different approach is needed based on the nature of needs and political judgement, which remains realistic about the following four characteristics of representation. First, representation is *never* simply the copy of some pre-existing external reality. Representation always creates something new: Tolstoy's account of the Napoleonic War does not simply replicate the historical events, it creates a new version of them in the act of representing it. There is therefore always a 'gap' between an object and the representation of that object and this holds in politics too. Political representation opens up a gap between the government and the people. Second, the act of *representing creates new versions of the people and their interests*, and this creative process gives representation its dynamism. Political representation provides citizens with images of themselves, or partisan groupings thereof, upon which to reflect. Third, it follows that representation generates more than one version of 'the people'. This highlights an oft-forgotten central component of politics: political judgement is usually regarding partisan not general or common interests. *Finally, none of the versions of the 'the people'* on offer to 'the people' ought ever to succeed in *closing the gap* between the represented and their representatives. Even the *attempt* to do so is futile and dangerous. It is not the realization of democracy but an invitation to tyranny because it thwarts any opportunity for the people to reflect on and judge their representatives; and the effect of closing the gap will be to remove the possibility for the portrayal of other competing images, visions and interests of the polity.

What follows from this is that the overlapping, if also quite different, criticisms mounted by Moshibudi Motimele, Andres Henao-Castro and Furner – that representation itself, or at least representative government, is somehow part and parcel of the various forms of domination, oppression and exploitation that we are all trying to overcome – are romantic. If like Thomassen suggests, representation is inherent or constitutive of politics, my simple question in response to these romantic views is with what would we replace representative government? (This is not the same question as: 'what is going on (and thus how do we enable) more trenchant forms of resistance?' about which more below.) At the heart of these criticisms lies the idea that it is possible to find some more 'pure' form of politics, behind the 'mask' of capitalism and representative government. Moreover, capitalism and representative government are often thereby run together, despite the important fact that forms of representation in politics long pre-dated anything that we might call capitalism. In fact there is substantial evidence to show that even in Ancient Athens – the West's founding democratic moment – and in Ancient India and Africa, the supposedly direct rule of small

individuals as having natural rights (based on natural needs and interests) prior to and fundamental for their move into 'civil society', in Hobbes' case via his famous social contract theory.

communities involved and required representation (Cabral 2016 [1974]; Sen 2009; Cartledge 2016; *cf.* Isakhan and Stockwell 2011). My point is to argue that we will be fooling ourselves – pulling more wool over our eyes – if we think we can reach some 'real' that lies behind the symbolic, even if only glimpsed through a 'crack in the mask'. The 'real' of my 'modern freedom' is *not* some kind of unadulterated real politics (or pre-political real needs or interests – obvious in Hamilton 2003, but more below) that we may be able to glimpse and grasp behind the mask of the commodity form, and so on. It is simply the real as concrete and substantive – as opposed to the main reductive, analytic alternative views on freedom in the literature – that we reach for as we reach for meaningful power in our lives. In other words, it is concerned first and foremost with the capacities and powers – not psychic states, but causal powers, enabled or disabled concretely by existing institution and practices – to achieve valuable and valued ends and goals individually, in groups and through political processes.

Before I continue, I should apologise for not engaging in its own terms the Lacanian logic of Henao-Castro's account of the 'real'. I simply do not know Lacan well enough to do so with confidence, but I do find it, and Henao-Castro's paper, fascinating as it helps us view politics through a potentially illuminating metaphorical lens. However, I have two main reservations about it as a theoretical heuristic. First, it is a highly abstract and self-referential theoretical lens that is adopted from the psychoanalytic study of the mind. For understanding politics in general, and particularly for 'freedom as power', with all its associated institutional power relations, that theoretical framework seems to me a rather odd place to start – why the mind before other things in the world that might enable or disable freedom as power, the world of actual politics as it is carried out day-to-day? I fear it may obscure more than it reveals. Second, rather than a tool that enables the important process of decolonization, it can easily (inadvertently) become a kind of intellectual colonialism. This is especially true of its central idea that the search for real freedom, in the sense I propose, is a vain cause since an ultimate psychic state of freedom is unattainable. This idea, and its associated highly abstract baggage, has emerged in a context of significant everyday power for many people in advanced capitalist societies quite far from the precarious process of only recently having achieved political freedom. The recent, precarious attainment of political freedom in South Africa, for example, simultaneously makes one aware of the precarious nature of that achievement and that what political freedom has provided in terms of individual powers and capacities is very far from the expressed goal of real power to carry out one's life choices as individuals, members of groups and within the confines of the coercive structure of the state within which we all find ourselves. It is quite easy to say in response, well, ok, but this condition in which you find yourselves is another illusion, different from apartheid, but just as illusory, for the 'real' cause is even deeper. However not only is this hard to justify by reference to actual contextual facts and existing conditions of politics, but it is also nihilistic. It forgets too that, for those living in a supposedly free state that has yet to provide real freedom as power, the urgency to fight for our freedom as power has not abated. *Freedom is Power* is intended to explain this and provide an image of better organized forms of representation that may enable this more quickly and efficiently and with less cost. My account of freedom, grounded in the realities of the global South in general and particularly South Africa, is something after which we all reach, and it may well be something we can never reach. But it doesn't follow from this, though, that we cannot improve on our situation by enhancing our concrete power to do or carry out intended actions.

A very different, and in many ways, countervailing view of democratic politics is also seductive. This is the idea that reason and truth, as espoused by deliberative democrats, and defended by George Hull, is what lies (or at least ought to lie) at the heart of politics. I should

say, again at the outset, that Hull's subtle reconstruction of my argument, making it more palatable to the deliberative democrat, is quite an achievement. He thinks that I overstate the case against deliberative democrats for few of them espouse the necessity for fully un-coerced deliberation leading to consensus and the rule of reason in politics. But then he goes on to say (at pp. 9-10), that deliberation, reason and truth lie at the heart of politics and representation. In fact, he goes even further. He argues that deliberative democracy is about 'persuading', which is equivalent to 'building a consensus' (p. 13).

I do not buy this for two main reasons, which is why I think he's papered over some large chasms that exists between my more conflictual view of politics and the views espoused by deliberative democrats. First, he suggests that deliberative democrats and I could agree because my conflictual view of politics rests on a conflictual view of needs and interests, which deliberative democrats can live with, and that we both share the idea to make decisions and judgements in politics we require shared (foundational) norms around what constitutes reason and truth, and so on. I don't think he appreciates how deep my conflictual view runs: I see the conflicts that bedevil politics as running all the way down. Whatever reason and these supposedly shared norms are, history is replete with political decisions based on needs and interests that you think would be ruled out of court as they so obviously confront and affront even our supposedly deepest held norms, such as the allegedly shared interest in late 1930s Germany to eradicate Jews or the supposedly shared interest in the contemporary United States to bar anyone from entry from certain Muslim countries. Politics simply is judgement about which benefits ought to accrue to whom under conditions of conflicting norms, needs, interests, or at the very least a condition of constant moral disagreement. And even, for arguments sake we agreed that persuasion is about consensus-building, frequently in politics, decisions are made without successful persuasion. Majority rule, the idea at the core of most modern democracies, does not require 49% of the population of any single country to agree about the decision in question, as the early days of Trump's regime exemplify. Put another way, if consensus and full persuasion were both possible and necessary for political decision-making, formal political representation would become redundant. Part of the reason representation is so central to politics is not just that each speech act constitutes a representation (and not in the direct sense of copying something 'out there' in the world), but also that, given the irrevocability of conflict and moral disagreement, without representation and without formal representatives, we would not be able to make decisions, that is, proceed, in politics.[3]

Second, if we make consensus necessary for political action, via the erroneous idea that persuasion is equivalent to consensus-building, we quickly cleanse politics of all the power relations that are at its core. My account is strictly opposed to this. It wants to keep power front and centre, though it does want to find ways of overcoming power relations that lead to domination. Like Hull, though, I do think truth, or truthfulness, is (and ought to be) an ambition in politics, despite Trump, 'post-truth politics' and 'alternative facts'. I do agree with Hull, or at least I hold the same the sentiment, I just don't think its resolved via normatively determined truths arrived at by means of un-coerced discourse and the expression of right reason in politics. Hypocrisy, style and posture matter much more than Hull supposes, as that which brought Mbeki or Blair into power attest well, not to speak of Zuma, Trump and May! The truths that must be determined in conditions of as little

[3] Note that this is linked to my arguments in support of an aesthetic view of representation and it is very unlike the two arguments Furner supposes I am marshalling for the irreducibility of politics to anything else but representation. So, contrary to what Hull suggests on his p. 16, I think there exists a deep contradiction between my aesthetic account of representation and the mainstream views on deliberative democracy.

domination as possible – but not under ideal speech situations as if we were debating the matter in an academic seminar – are truths about needs and interests. In the political context in question, are these expressed needs real and pressing needs? Do they conflict with other needs? What institutional history has lead them to be felt and expressed as needs? Is their satisfaction in the interest of the group and society in question?

Needs and Interests

Even if often articulated in the language of rights and preferences (or avowed wants), these are the core questions facing everyone in every society about local, national and global concerns. Some will tend to see these matters from only their personal point of view, some will see them from the point of their group or set of groups, while some will answer these questions from the perspective of national or global interests. My account of needs and interests, unlike, say, Rousseau's account of the 'general will', does not require or assume any of these viewpoints. All are admissible. What it tries to do instead is start from the here and now and think about which needs are generally viewed as vital and agency needs and which not, and then think about which kind of procedural institutional environment – again starting from the here and now – will best enable freedom as power, that is, as little domination as possible, in determining how we should proceed, the prioritisation of which needs will get us there and in whose interests this empowerment will be.

As far as I can tell, all the contributions to this special issue assume I found my account on a static view of needs and interests, with some (such as Thomassen) suggesting that I oscillate back and forth between viewing needs as pre-political and thus non-representational and sometimes as fully constituted by representation. The short answer is that is wrong. I do not see needs as playing a foundational role *outside* of politics and representation. Like Karl Marx, especially the Marx of the *Grundrisse* (Marx 1973 [1939]: 92), I argue that all needs, even the most basic need for food takes different forms in different places and times, and this is in major part a consequence of the way this need for food is culturally, socially and politically represented. I do think, though, as does Marx in this account, at least in relation to some abstract 'animal desire need for food', that we can glean from the representations of needs in politics (broadly conceived) a hierarchy of concerns that we do, in fact, use to make decisions; and I propose that a non-static, political and de-naturalised account of needs must interrogate this hierarchy and its institutional determinants.

To see this, it is necessary, first, to break needs down into three different forms, again none of which are non- or pre-representational. This is an analytical breakdown that helps us then see how needs are in fact formed and experienced.

Human needs are the necessary conditions and aspirations of human functioning. They have three forms: (i) vital needs, (ii) agency needs and (iii) social needs.

Vital needs are the necessary conditions for minimal human functioning, for example the need for water, shelter, adequate nutrition, mobility and social entertainment. They are 'vital needs' because their satisfaction is a necessary condition for *vita*, or life. This is more obvious with needs such as oxygen and water than for, say, adequate shelter. But the lack of satisfaction of any of these needs tends to impair healthy human functioning (Hamilton 2003).

Agency needs are the necessary conditions and aspirations for individual and political agency characteristic of normal human functioning. These include freedom, recognition, power and active and creative expression. They are 'agency needs' because they are means and aspirations whose development increases an agent's causal power to carry out intended actions and to satisfy and evaluate needs (Hamilton 2003).

Everyday needs are *not* normally felt as abstract vital and agency needs, but as particular drives or goals, for example, the desire to drink apple juice or the felt need to work. Manifest in this concrete form, these are what I call *social needs*, and include a broad spectrum of needs which are either the focus of public policy or are seen to be of private concern. They are brought to light by bald need-claims, for example, the need for an efficient train service; by the content of public provision, for example, the need for basic income support; and by patterns of production and consumption, for example, the need for a car, as elaborated below (Hamilton 2003).

I cannot here go into the fascinating casual relations between preferences, needs and interests, but I can summarize my conclusions as follows. First, wants over time can become interpreted as needs. Think of how easily the desire for refrigerators and televisions has become a legitimate need for these commodities. Second, new commodities generate new wants, which affect our ability to satisfy our needs. For example, the car produces both the desire for a car and a need for more motorways. Subsequent economic and political decisions that shift investment from the upkeep of an efficient public transportation system to the construction of more motorways ensure that for me to be able to satisfy my need for mobility I need a car; which, in turn, can help to produce other shared needs, for example, the need to stop (or at least slow) the associated degradation of the planetary environment. In other words, what this heuristic characterisation of needs enables is not the identification of pre-political or non-representational needs – even the most vital need for food is represented – but a map of the forms need-claims appear to all of us as political agents and, in particular, to formal political representatives. We and they – the rulers and the ruled – must then sift through all this material and determine how best to proceed? How do we do this? How could we better do it?

These three forms of need-claims show us, then, that needs are not only normative and objective; they are also historical, social and political. And, most importantly, their objectivity is not universal; they are also affected by wants and institutions, and they change as human nature changes. So, in answer to the first question above. Currently, the way we evaluate need-claims is through the language, institutions and practices of rights. And, moreover, in everyday politics, rights are preferred not just because of their relatively long history of use, but also because they are perceived, somehow, to be free of the messy business of politics and its associated hypocrisy and venal interests. This universality and supposedly pre-political nature is given further foundational force via two main mechanisms: by reference to pre- or non-political notions such as 'human rights' or the idea that certain legal rights are necessary for democratic politics to proceed. I argue that turning to rights to help us out is both disingenuous and ideological. I cannot rehearse these arguments here, but see Hamilton 2003, Geuss 2013 and Hamilton 2017. (I should note though that nowhere do I suggest that rights should be discarded; properly conceived and reduced in significance they do have a role to play, as Piper (2006), Boucher (2011) and Allsobrook (2017) suggest too.)

My answer to the second question above – how could both rulers and ruled better evaluate needs? – is the driving force behind my political conception of needs and the account for

freedom as power I have subsequently developed (Hamilton 2003; Hamilton 2014a, 2014b). The short answer is: by using the extant language of needs, rather than avoiding it, linked to means of determining in context which needs are in the individual's, group's, polity's and cosmopolity's interest to cultivate and satisfy by means of institutions that keep existing forms of domination to a minimum. This, I argue, is best undertaken via an analysis of the history of the institutional environment within which the social needs in question have been generated.

Needs-based ideas, policies and institutions would be firmly focused on what best enables judgement in context (Hamilton 2009). Rather than providing universal alternatives to rights- and preference-based politics, needs provide a subtle, context-sensitive means of involving citizens more actively in the determination and satisfaction of their needs via existing or new forms institutions of political representation. Contrast this to, for example, the 'basic needs' approach common in some forms of development discourse and humanitarian circles. Here the objectivity of need claims (and thus the normative force of needs) is achieved by reference to supposedly objective 'basic needs'. Not only do these kinds of approaches to needs give us an incorrect and pre-political or non-representational view of needs, they can also have dire political consequences as they suggest that responsive politics can safely ignore individual articulation of needs and preferences in general, something the *dirigisme* of the Soviet Union and its devastating effects on the ground has only too forcefully demonstrated (Fehér et al. 1983; Hamilton 2003: ch 1).

This historical, institutional focus I propose must therefore be rooted in an account of power and enabled by policies and institutions designed to avoid domination, for it is existing power relations and degrees of domination that determine citizen power. I will leave aside my account of power here, but see Hamilton (2014b: ch 3). What Foucault calls 'a situation of domination', I argue, can take various forms. Existing power relations may: a) mislead me in my attempts to *identify* my needs, e.g., patriarchy; b) ensure that I do not have the voice to *express* my needs, e.g., such as life under apartheid South Africa; c) disable meaningful *evaluation* of needs, e.g. unregulated liberal capitalism. The nub then is realistic citizen power, which is often – if not always – mediated by forms of representation.

If representation is understood as articulated in the first section above, the language of needs becomes part and parcel of the processes of keeping domination to a minimum. How so? If the unavoidable and necessary 'gap' is 'filled' with the following mechanisms and institutions, these additional representative institutions provide a means through which citizens can affect the judgements of, veto and replace their representatives.

a) *District Assemblies*: i) to enable the articulation and evaluation of needs and interests, the substantive outcome of which would then be transferred by the district's counselor to the national assembly for further debate and legislation; ii) to make available to citizens full accounts of all the legislative results emanating from the national assembly[4]; iii) to provide a forum for the presentation of amendments to existing legislation; and iv) to select counselors for the revitalized consiliar system.

b) *A Revitalized Consiliar System*: i) would rest on the network of district assemblies; ii) each district assembly would select one counselor for a two-year period, who would be responsible for providing *counsel* to the representatives in the national assembly regarding the

[4] This covers Hull's concerns that my institutional accounts ought also to incorporate the need to have knowledge about what is going on in other assemblies and in legislative matters.

local needs and interests of the citizenry and existing institutional configurations and their links to states of domination, that is, what changes are required to better satisfy needs and interests and diminish domination.[5]

c) *Updated Tribunate of the Plebs*: i) a partisan, separate and independent *electoral procedure* by means of which the least powerful groups or classes in society would have exclusive rights to elect at least one quarter of representatives for the national assembly, alongside the normal, open party-dominated processes of electing representatives. Membership of this electoral body would be determined either by a net household worth ceiling or associated measures, enabling those with the least economic power in any polity to select representatives who would be empowered to propose and repeal (or veto) legislation (McCormick 2011, Hamilton 2014b).

d) I also propose a form of constitutional revision based on arguments for the *fallibility* of reason, and *antityranny*, that is, that it is necessary to shield present and future generations from the unchecked power of past generations, but as all the contributors to this special issue have been silent on this proposal, I will leave the detail out here.

In other words, my answer is a procedural, institutional answer no part of which is pre-political and non-representational. It is also built on empowering that sector of society that has become disempowered by centuries of colonialism and apartheid. So, especially in my original formulation (Hamilton 2003), but also in *Freedom is Power,* there is no evidence to suggest that my view of needs has anything to do with needs as viewed by some (especially Hannah Arendt, but also many others), as confined to the ancient *oikos*, the domain of the 'natural', domestic sphere (I may be misreading Henao-Castro, but he seems to do just that at his p. 10). In fact I go to great length to refute this way of thinking about needs and argue that my view on needs is the polar opposite to this (and other, ancient and modern) naturalizing view of needs (and interests) (Hamilton 2003: ch 1). One of the central themes in this first book of mine is to de-naturalise and re-politicise needs by wrenching them into the centre stage of the political, inspired by the work of many contemporary feminists.[6]

So while I accept Hull's point that needs and interests are only two components of concerns of individuals and groups in politics (see his p. 9), I suggest in *The Political Philosophy of Needs* and *Freedom is Power* that they are often the most telling and urgently articulated concerns, along with rights, which I argue can be best arbitrated in terms of needs and interests. My conception of needs and interests is not supposed to constitute an all-encompassing account of politics, but it is supposed to suggest that, for most components of politics, what is most often at stake is our needs and interests. And, moreover, due to the changing, political and representational nature of needs, a theoretical blueprint that makes a set of substantive needs foundational to this transformed politics is a recipe for humanitarian and political disaster.

Resistance

[5] For more on district assemblies and an explanation of my adoption of the term and institution of 'counselor' from Ancient Rome (as opposed to the more normal modern English term and institution of 'councillor'), see Hamilton (2009, 2014b).

[6] I also remain puzzled as to why Henao-Castro's 2nd footnote seems to imply that my critique of Arendt does not go far enough as it doesn't engage with her distorted – and frankly racist – view of colonial and imperial power relations. I am puzzled because the fact that I don't engage it is not because I accept it, quite the opposite: I find it so flawed that it is not worth engaging, like much of the rest of her over-rated political theory. The *only* reason I spend a short time on her on freedom and *virtù* is to make clear that what I'm taking from Machiavelli is nothing like what she, and many of her acolytes, supposedly adopt from him. I think she is mistaken in her views on Machiavelli. I also think Henao-Castro critique of her work on imperialism is spot on.

I resist, therefore, the all too easy move from a politics of need to a list of needs that everyone everywhere do and should feel and have satisfied. But it doesn't follow from this strict non-paternalism that we cannot think about institutions of representation that would do a better job in cultivating, identifying, evaluating and satisfying needs. That is the point of much of the second half of *Freedom is Power*. I agree that I spend too little time on these institutions and I hope to rectify that in the future, but as Piper has intimated, part of the point of these institutional suggestions is to act as a provocation. So, it surprises me that most contributors accuse me of not going far enough; for not being radical enough; for settling for reform as opposed to revolution; or that my political moves and institutions curtail rather than enable critique and resistance. I take on board fully the criticism that I don't spend enough time explicating how this approach would enable resistance and Motimele's argument that, at least as it stands, *Freedom is Power* remains too focused on the state and too dependent on existing accounts of citizenship, about which more in a moment, but I think my account gives greater scope for serious resistance than most supposed. In fact, I suggest below that meaningful political representation without resistance at various level is meaningless.

I am surprised by this general accusation for two main reasons. First, I spend quite a bit of time discussing resistance directly (Hamilton 2014b: 116-19; 173-191). Second, as both Thomassen (pp. 16-19) and Hull (pp. 3-5; 6) make clear in their articles, the account of representation I defend (and thus the account of freedom as power I propose) is not only concerned with formal political representation. It is intended to capture the myriad forms of representation that characterize politics, especially the politics of resistance. When I acknowledge that representation as identification, captured as one component of the overarching aesthetic account of political representation, is crucial for our understanding of representation, what I have in mind is the kind of political representation that one finds in non-governmental activity, small acts of resistance and large revolutionary movements (Hamilton 2014b: 116-19, 143). These do not tend to involve formal processes of selecting or electing representatives, but that does not take away from the fact that they are important forms of political representation (and that they cannot carry on without representation). Moreover, often, the process of representation rests on forms of identification with the cause, identity, value, form of oppression, exclusion or domination, and so on as identified or exemplified in the representative.

Third, I contest the idea that my account of representation cannot include radical departures from the status quo. I argue that for us properly to continue the process of safeguarding and enhancing freedom we need to keep freedom linked to representation and to see that the 'gap' I take to be inherent but not immovable in all forms of representation be kept open to the right degree. One of the most important ways in which we, as ordinary citizens, do this is to pluralise, critique and resist the naturalizing and disciplining effects of our communities and states and global discourses on our views of ourselves and our needs and interests. The third of my four dimensions of freedom seems to have been lost, somehow. It is that, besides freedom as power requiring a) the power to overcome existing obstacles in my life, and b) the power to determine who governs, it depends upon our capacities and powers c) to resist the disciplining power of the community (Hamilton 2014b: 95). Each level or dimension up is intended to incorporate and enable the others, including the fourth dimension – the power to determine our social and economic environment via control over our representatives – which is why Piper calls this account an 'Hegelian' view of freedom, not in substance but in form. These different dimensions are not each part of an analytical definition of freedom, rather they are more like concentric circles (or domains) of freedom that overlap and incorporate the ones that come

before them. Each dimension is both an amplification of the preceding domain and one of the means to its realisation. In other words, resistance and representation are necessary both for individual freedom as power and control over government, but are also necessary for one another.

Resistance is therefore necessary for representation in two sense. First, without it and the critically destabilizing effect of it, the formal institutions of representation may revert to conservative community norms. Second, the idea of resistance is institutionalized in the proposed formal institutions of representation, especially the district assemblies and the form and function of the updated tribune of the plebs. So, what I've proposed is the institutionalization of resistance. But is this possible? Or, in Sheldon Wolin's words, does 'institutionalization mark the attenuation of democracy' (Wolin 1994: 19)? Ultimately, of course, we do not know. But I think not; or at least I start from the assumption that it does not. For, like Wolin and Cartledge, I submit that resistance as revolution is about the *popular* power – the freedom as power – to create better institutions (Wolin 1982; Cartledge 2016). In other words, I am submitting that the conflict and resistance that is at the core of the kind of radical democracy I am proposing enables freedom and democracy and resists domination best if it is institutionalized. Obviously, though, not everyone is convinced by this; and I see great value in remaining ambivalent about it, something I am sure will please Motimele, Thomassen and Henao-Castro. I am grateful to them for pushing me on this point. It looks like I had a sense I had not said enough around this point as part of my existing work is on resistance and radical democracy recast through the lens of *Freedom is Power*.

There are a number of other suggestions and criticisms upon which I'd like to comment but will have to leave for future work. For example Hull's account of my view as a view of popular sovereignty that ought to be less antagonistic to deliberative democracy. Equally, Furner's highly perceptive and original account of how my approach might better answer some of the deep theoretical questions proposed but poorly answered by Rawls. Then there are two very important inter-related points about which I feel I can only touch on here. The first is about citizenship and comes directly from Motimele's paper and the second is my state-centrism, which is intimated across a few papers but is expressed most trenchantly by Motimele. Motimele accuses me of uncritically adopting the prevailing view of citizenship as the main locus of political agency to the exclusion of groups and individuals without citizenship for one reason or another. She also submits that radical critique and even revolution are more likely from these quarters than from 'normal' citizens. She may be right, but because I am deeply concerned to speak directly to the sources of social and political agency, I must begin, as it were, with those that have formal agency (as things stand): citizens. This formal agency provides an empty vessel that we can fill to enable greater freedom as power. Although I, of course, agree that the excluded from this formal agency ought not to be, I am less hopeful than Motimele that they could constitute a serious locus of resistant or revolutionary agency, though I am happy to be proved wrong.

Second is her related idea that my account is too state-centric and thus would reinforce rather than undermine many existing forms of domination. For many my work is too state-centric and I take this critique very seriously – my next two books will address it directly. The reason it is state-centric is again about agency. As things stand, the state remains the only real locus of political authority, so if you're committed to contextual political theory – to starting from the here and now – you must work from that base. Of course, it does not follow from this that we should not find alliances across and between states to fight domination in all its forms, but before we push for the complete destruction of the state, I at least would like to see a

convincing argument for a better alternative that fulfils all its functions, particularly those associated with how best to coerce legitimately. Relatedly, Hull, I think, is mistaken to suggest that, ultimately, there is not any need for group representation. I think this because politics is, ultimately, about fighting your corner, where the 'your' in question is never an individualistic one; it is shared, brought out by the intersubjective nature of needs. Our social positions or perspectives or groups ensure that, normally, our needs and interests are in conflict. Even if these are rooted in our context, that is not to say that there may not be others far off, in different contexts, that have similar needs and interests, with whom it would therefore be a good idea for us to form alliances across the artificial borders created by states. I am all for that, but, ultimately, representation will remain central to these processes too, as will the need to control, critique and resist existing forms of representation.

These are all poor excuses for answers, but it if it makes anyone feel any better all of these will be the core concerns of future work of mine, as will the important question of how we get from the here and now of liberal representative democracy to the form of radical representative democracy I have proposed. The latter will be one of the main concerns of my manuscript provisionally entitled *Human Rights, Human Needs and Political Judgement.*

Finally, there is the related question of revolution or reform? As many have picked up, I am wary of revolution. History has taught us over and again that the price paid if these matters come to a head in revolution is always much more than any advances made. It is for this reason that I defend my institutional proposals for reform in South Africa (Hamilton 2014b), maintaining that this is one way of avoiding revolution here. But, if David Boucher (2017) turns out to be correct – that the only route open to this kind of theory is revolution – I would defend it. Given that revolution may need to be a credible threat for political elites to take some of my suggestions seriously, so be it. I would want it remain a last resort, though. So, what I hope *Freedom is Power* leaves every reader with is a vision of an alternative world that is not that far out of reach and does not depend on violent upheaval for it to obtain.

Conclusion

I have argued here, against the grain of some contributors to this special issue, that representation runs all the way down in my account of freedom is power through a politics of need. I have also tried to defend the idea that representation, as conceived in *Freedom is Power,* needs resistance at various levels. Cabral, one of Africa's great revolutionary thinkers and activists, suggests it is necessary to enable us to start afresh, constantly opposed to the dominations of colonialism and focused on enabling the development of freedom as power or the capacities of individuals to carry on at the height of their abilities (or powers). An approach to freedom as power of this kind thus enables us to conceive of democracy as both a form of government and a constantly destabilizing transgressive practice. Or, as Sheldon Wolin puts it: 'The right to revolution is not solely a right to overturn and destroy institutions but to fashion new ones because those who rule have perverted the old ones. The right to revolution is the right to create new forms… It is about a *capacity* to generate power,… about a *capacity* to share in power, to cooperate in it, for that is how institutions and practices are sustained' (Wolin 1982: 25-6).

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