

# Speaking for Others: The Ethics of Informal Political Representation

Wendy Salkin  
Stanford University

## Introduction <sup>1</sup>

Informal political representative (IPR): An individual or group who speaks or acts for a group on matters apt for broad public discussion despite having been neither elected nor selected to do so by means of a systematized election or selection procedure. *Examples*: Booker T. Washington, Martin Luther King Jr., Tarana Burke, Greta Thunberg, neighbor at city council meeting.

## Chapter 1. “Audience Conferral”

Audience conferral: An individual or group emerges as an informal representative when and because they are treated by an audience as speaking or acting for another individual or group in a context.

Audience actions that confer the status of informal representative (*conferral actions*):

<b>Ascription</b>	Audience ascribes party’s statements or actions to group or its members: treating statements or actions as though made or taken by group or its members themselves.
<b>Credibility conferral</b>	Audience treats party as a credible source of information about group or its members’ values, interests, or preferences.
<b>Testimonial reliance</b>	Audience relies on party’s testimony when attempting to understand what group’s members want, value, or prefer.
<b>Invitation</b>	Audience invites party to stand in for group or its members when group’s members’ interests are at stake in a given forum.

Power to influence: An informal representative’s capacity, through their statements or actions, to shape an audience’s doxastic attitudes about a represented group and the group’s values, interests, or preferences.

Further features of audience conferral:

1. Informal representative is a social role conferred on the party through the behavior of an audience.
2. The audience need neither use nor have the concept *informal representative* to confer the status on a party. They need only engage in some of the manners of treatment by which the role is conferred. The manners of treatment themselves are ordinary, everyday, often unreflective actions.
3. Each instance of audience conferral is indexed to both a particular audience and a particular context. Audience *A* can confer the status of informal representative for group *G* on party *R* in context *C* without *R* thereby becoming the informal representative for *G* by the lights of any audience besides *A* or in any context besides *C*.
4. Audience conferral is not a cognitive state by which an audience tries to detect or discover whether a given party is an informal representative.
5. In some cases of audience conferral, the party on whom the status of informal representative is conferred may *intend* to speak or act for the group and have the authorization of the group. And it may further be the case that the reason the audience confers the status of informal representative on the party is that the audience (1) recognizes that the party intends to be speaking or acting for the group, or (2) knows that the group has authorized the party to speak or act for the group. Yet although these features may explain why the audience has treated the party as speaking or acting for the group

---

<sup>1</sup> This talk draws on my book, *Speaking for Others: The Ethics of Informal Political Representation* (Harvard UP, 2024). I have also discussed informal political representation elsewhere: “You Say I Want a Revolution” (*Monist*, 2024), “Speaking for Others from the Bench” (*Legal Theory*, 2023), “Democracy Within, Justice Without: The Duties of Informal Political Representatives” (*Noûs*, 2022), “The Conscriptio of Informal Political Representatives” (*Journal of Political Philosophy*, 2021), “Judicial Representation” (Cambridge UP, 2020).

in one of the manners described, neither the party's own intention to speak or act for the group nor the group's authorization of the party is a precondition for audience conferral to obtain.

6. Informal representation is political when it concerns matters apt or broad public discussion by virtue of their bearing on our collective coordination and decision-making.

Booker T. Washington example: Conferred the status of IPR for Black Americans by a variety of different audiences, including exposition commissioners, Governor Rufus Bullock, exposition attendees, President Theodore Roosevelt, and W. E. B. Du Bois.

Formality and informality: Representation is more formal to the degree that it exhibits these four key features, and more informal to the extent that it lacks them:

1. a systematized mechanism for authorizing representatives (e.g., elections),
2. determinate, well-defined group membership among the represented (e.g., legislative district),
3. systematized accountability mechanisms to which representatives are subject (e.g., censure, impeachment),
4. institutionalized and codified norms that guide the relationship between the representative and represented (e.g., organizational bylaws).

## Chapter 2. "Conscription and the Power to Influence"

Conscription: An IPR is conscripted just in case they are treated by some audience as speaking or acting for some group, but either do not know that they are so treated or do not want to be so treated.

Audience conferral permissibility test: As an audience, you may not treat a given party, R, as speaking or acting for a given group in a context unless you have concluded that (1) it is reasonable to believe that R has requisite knowledge to speak or act for the group in the context (the *reasonableness condition*), (2) R is willing to speak or act for the group (the *self-appointment prong*), (3) R has or would have the authorization of the group for whom you would treat them as speaking or acting (the *group authorization prong*), and (4) there is no presumption against audience conferral to be rebutted or, if there is, the presumption has been successfully rebutted (the *rebuttable presumption prong*). Prongs (2)-(4) jointly constitute *permissibility condition* of this test. (1)-(4) are difficult conditions to meet.

IPRs' pro tanto duties to conferring audiences and represented groups vary in their strength and substance according to different features of particular representative relationships, including (1) their *power to influence*, (2) whether they know or ought reasonably to have known they are an IPR (*wittingness*), (3) how willing they are to be an IPR (*willingness* and *unwillingness*), and (4) how other relationships between the IPR and the represented bear on the nature and scope of the IPR's duties (*other ties*).

In many cases, conscripted IPRs will have grounds to reasonably reject the ascription of duties that would otherwise accrue to them by virtue of their power to influence. A conscripted IPR must

1. aim to fulfill their duties as a representative only when (a) they have significant power to influence, and (b) either (i) they lack grounds to reasonably reject the ascription of duties that would otherwise accrue to them by virtue of their power to influence or (ii) their grounds to reasonably reject the ascription of the duties are outmatched by the represented group's need for their representation, in particular; and
2. disavow the role only when (a) they have significant power to influence, and (b) either (i) they lack grounds to reasonably reject the ascription of a duty to disavow that would otherwise accrue to them by virtue of their power to influence or (ii) their grounds to reasonably reject the ascription of a duty to disavow are outmatched by the represented group's need for them to disavow.

A conscripted IPR has grounds to reasonably reject the ascription of duties that would otherwise accrue to them by virtue of their power to influence at least when (1) the audience's motivations for seeking an IPR generally, or reasons for treating this conscripted party in particular as speaking or acting for a given group, are demeaning, degrading, or require the IPR to violate their self-respect, or (2) satisfying the duties would be unduly burdensome for the conscripted IPR.

### Chapter 3. "Group Authorization"

Because audience conferral is sufficient to make a party an IPR, a party can become an IPR in a de facto sense without authorization from the group they represent. Yet group authorization still makes a normative difference to the representative relationship:

1. Group-authorized IPRs have more discretion regarding the manner and scope of their representations than mere de facto IPRs.
2. Group authorization is necessary for IPRs to have normative powers with respect to the represented, such as the power to make concessions on behalf of the group.
3. When a group-authorized IPR makes a commitment on behalf of the represented group, that IPR may in some cases justifiably criticize the represented who do not follow through on that commitment.

### Chapter 4. "The Duties of Informal Political Representatives"

I focus on the informal political representation of oppressed and marginalized groups. The dangers of informal political representation, particularly to oppressed and marginalized groups that rely on it, are considerable. Skeptics caution that IPRs can imperil the represented by being, among other things, unauthorized, unaccountable, inequalitarian, and oppressive. Such dangers lead many to conclude that the informal political representation of oppressed and marginalized groups is morally irremediable. In response to these skeptical challenges, I argue that, to represent permissibly, IPRs of oppressed or marginalized groups must satisfy two sets of sometimes conflicting duties: *democracy within* duties and *justice without* duties.

*Democracy within* duties concern how the representative treats and relates to the represented. These duties require IPRs to structure their deliberative relationships with the represented so as to correct for inequality inherent in those relationships, and comprise at least four specific responsibilities: consulting the represented, being transparent with them, welcoming their criticism, and tolerating their dissent.

*Justice without* duties concern how the representative's actions advance the aims of the representation. These duties provide substantive guidance concerning when, where, and before which audiences IPRs should speak or act on represented parties' behalf. *Justice without* duties require IPRs to use their power to influence to undermine the oppression or marginalization the represented face.

### Chapter 5. "The Legitimate Complaints of the Represented"

I develop a taxonomy of different complaint types:

1. *Content complaints*: bad consequences, misdescription, expressive wrong.
2. *Procedural complaints*: wrong channels, partiality, in confidence, heed the call, failure to consult.
3. *Power complaints*: occlusion, displacement, concession, missed opportunity.

I then consider the feasibility constraints IPRs face when responding to them. I further argue that the reasons underlying complaints can affect whether an IPR must heed or respond to them.

## Chapter 6. “Descriptive and Nondescriptive Informal Political Representation”

I consider whether—and if so, why—IPRs must be descriptively similar to or members of the groups they represent. I approach this question in two ways:

First, I examine a variety of historical and contemporary arguments that have been advanced in favor of representation by people who share characteristics, experiences, or backgrounds in common with those they represent (*descriptive representation*) and representation by people who are members of the group they represent (*member representation*).

1. Such arguments emphasize, for instance, descriptive and member representatives’ superior understanding of the represented, heightened credibility before audiences, or greater trust from the represented.
2. I acknowledge the relevance of these considerations for informal political representation, but also explore their limitations.
3. I further argue that the insistence on descriptive representatives comes with costs. For instance, it can burden member representatives and can unintentionally seem to license complacency among nonmembers.

Second, I consider whether there are ever compelling reasons to allow for or even to prefer IPRs who are neither descriptively similar to nor themselves members of the groups they represent (*nondescriptive representatives*).

1. I argue that there are contexts in which there is reason to allow for or perhaps even to prefer nondescriptive IPRs to represent certain groups, provided that (1) the groups need or would benefit from informal political representation but (2) descriptive informal political representation is unavailable or inadvisable.
2. I consider five contexts in which there are compelling, though not necessarily dispositive, reasons to allow for nondescriptive IPRs:
  - a. *Restricted access*: in fora from which descriptive IPRs are excluded.
  - b. *Burden*: when it would be objectionably burdensome for descriptive IPRs to represent.
  - c. *Discounting*: when it is reasonably foreseeable that a given audience is likely to regard a descriptive IPR to be less credible than a nondescriptive IPR as a source of information about a represented group.
  - d. *Explicit request*: when a represented group’s members explicitly request representation by nondescriptive IPRs.
  - e. *Risk of exposure*: when serving as descriptive IPRs would require representatives to publicly disclose their relationship to or membership in the represented group in a manner that would render them vulnerable to serious harm.

## Chapter 7. “Expertise and Representative Deference”

I consider whether, when, and why IPRs ought to defer to those they represent concerning matters about which the IPRs are themselves expert. I observe that expert IPRs can have knowledge that the represented lack, and argue that appeals to this knowledge do not necessarily lead to inequalitarian relationships between representative and represented. However, I acknowledge a place for IPR deference under specific conditions—namely, if a group’s members (1) have historically faced oppressive conditions, and (2) the group’s oppressors justified maintaining those oppressive conditions based on their view that the group’s members were not capable of self-governance, then (3) there is a strong presumption against nonmembers speaking or acting for the oppressed group without deferring to the oppressed group. This presumption can be defeated only if the nonmember IPR is group-authorized and actively in conversation with group members.