

Rethinking Descriptive Representation: Queer Inclusion, Political Representation and Accountability

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Abstract

In this dissertation, I defend the value of descriptive representatives in securing the inclusion of groups that have historically been excluded in politics and under-represented in parliaments. I address several objections to descriptive representatives, particularly the argument that they cannot be held accountable because they serve a symbolic role and are not directly elected by the groups they represent. I build on Iris Marion Young's framework of oppression and social justice to emphasize that these representatives are essential for countering dynamics of systemic marginalization and for developing inclusive policies that enable the full participation of oppressed social groups in public life. Using a contextualist approach, I make a case for the political inclusion of LGBTQ+ individuals within the specific Canadian political system and representative institutions.

I develop two key arguments to defend descriptive representation. First, I argue that descriptive representatives can promote a specific type of political interests, that I call "illegible" interests, which are marginalized within the public culture and therefore cannot be known by non-descriptive representatives. Second, I argue that descriptive representatives play a key role in decision-making, as aspirational decision-makers: they develop inclusive policies, and they take actions that correct the obstacles preventing the full participation of oppressed social groups in politics. Therefore, these representatives secure democratic inclusion while fostering an inclusive culture in parliaments, ensuring that LGBTQ+ individuals feel represented and that their interests are effectively promoted in policymaking.

I argue that descriptive representatives achieve all these objectives while meeting the standard of deliberative accountability, as proposed by Amy Gutmann & Dennis Thompson

(1996). By performing a critical discourse analysis of 448 articles published in the Canadian press for the time period from 2008 until 2022, I demonstrate that these deliberations on LGBTQ+ issues happening in the public sphere serve as mechanisms of performance evaluation and selection of good representatives to promote LGBTQ+ political interests. In conclusion, having demonstrated that descriptive representatives are valuable representatives that can and should be accountable, I argue that democracies should put in place mechanisms of guaranteed representation to ensure their presence in parliaments.

Keywords: Descriptive Representation, LGBTQ+ Political Interests, Democratic Inclusion, Accountability, Feminist and Queer Theory, Canada

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INTRODUCTION

This dissertation is about representation – why diverse democracies rely on effective representation to make inclusive political decisions. In 1988, Svend Robinson made history when he publicly announced his sexual orientation on national television, becoming the first openly gay Member of Parliament in Canada. A decade later, Libby Davies became the first openly lesbian MP. As Davies (2019) recalls in her memoir *Outside in*, it was during her speech in the House of Commons on October 29, 2001, in support of Robinson’s bill on same-sex marriage, that she came out as a member of the LGBTQ+ community. Since the 1980s, there have been far more lesbians, gays, bisexuals, trans, and queer (LGBTQ+) ¹ candidates and MPs in Canada, and the portrait of LGBTQ+ politicians is also now diverse (Lenti, 2021; Woods, 2021). A recent documentary, *Outspoken: Coming out in Politics* (2023) features Blake Desjarlais and Amita Kuttner, respectively the first two-spirit MP and the first trans person leader of a political party in Canada, who both cite Robinson, among other LGBTQ+ politicians, as a role model who inspired them to run for office and to be who they are in politics (Guly, 2023a, 2023b).

The documentary also depicts the challenges faced by LGBTQ+ politicians in their public role, including present-day backlash against LGBTQ+ rights. Recent years have seen a worrying trend in some parts of Canada, with the introduction or enactment of policies and laws that effectively curtail basic protections and limit access to health care for trans and gender diverse

¹ In this dissertation, I use the acronym LGBTQ+ to refer to lesbians, gays, bisexuals, trans, queer and gender diverse individuals. I employ Queer as an umbrella term that encompasses gender and sexually diverse individuals. However, I acknowledge that I do not provide an exhaustive analysis of the representation of the political interests of two-spirits, asexual, and intersex individuals (I2AS+), which is a limitation of my study due to the data sources and the materials considered. Future studies are encouraged to engage with these cases, with specific attention to activism on the political inclusion of intersex and two-spirit individuals.

individuals (Gibson, 2019; Dunlevy, 2021; Tasker, 2023). In addition, these public policies fuel an increasingly hostile and intolerant public discourse, while violence against LGBTQ+ individuals is on the rise (Statistics Canada, 2022). Meanwhile, LGBTQ+ individuals remain disproportionately underrepresented among parliamentarians (Tremblay, 2022).

I believe that to shift the trend towards inclusion, democracies must, among other actions, ensure the presence of LGBTQ+ representatives in parliaments. I argue that descriptive representatives – political representatives who are members of a marginalized group – play an essential role in decision-making, securing political inclusion while promoting democratic accountability. LGBTQ+ political actors in the public sphere have served as positive role models, inspiring others to run in politics and to seek elected office. In addition to this, I argue that their presence in parliaments can ensure the inclusion of LGBTQ+ voices in the political process, even if not by their own constituency's elected representative. Therefore, in this dissertation, I propose that descriptive representatives are valuable in building an inclusive democracy by answering the following questions:

- (1) What are the LGBTQ+ political interests that require self-representation? What prevents out-group members from understanding these political interests?
- (2) What is the value of descriptive representatives for LGBTQ+ inclusion?
- (3) What are the objections to descriptive representation? Can this form of representation be compatible with democratic accountability?

I make three significant contributions to the literature on descriptive representation. First, I propose that mechanisms of guaranteed representation such as quotas are essential for ensuring the political presence of descriptive representatives as critical actors needed to foster an inclusive culture in democratic spaces. Second, by conceptualizing that descriptive representatives play a

unique role in aspirational decision-making, I argue that they are valuable political representatives in democratic institutions. Finally, I demonstrate that descriptive representatives are not mere symbols, but they can and should be accountable as democratic representatives.

In the following pages of this introduction, I outline how I intend to do so. I will first examine how descriptive representation has been proposed by political theorists as key to political inclusion and stress the contribution that my dissertation aims to provide. I then explain why the underrepresentation of LGBTQ+ individuals in parliaments must be addressed. Finally, I describe the contextualist methodology I employ to answer my research questions. As a conclusion, I provide a summary of each chapter of this dissertation.

In Defense of Self-Representation

Contemporary political theory has devoted considerable attention to the question of inclusion in pluralistic societies. A central concern is how liberal states ought to deal with difference, whether they should be blind to differences, treating all individuals the same, or they should recognize and accommodate diversity by providing differentiated rights. A substantial body of nuanced arguments has developed from the contributions of political thinkers who have focused on cultural diversity, particularly on the examination of ethnic and national minorities (Taylor, 1992; Miller, 1995; Kymlicka, 1995; Sandel, 1998; Kukathas, 2003; Ivison, 2016). Other political thinkers have directed their focus toward the political inclusion of oppressed social groups, including women and ethnic and racial minorities (Young, 1990; Phillips, 1995; Williams, 1998; Dovi, 2002; Allen, 2022). Notable contributions in this area include the work of Iris Marion Young, who argues for a differentiated approach to include social groups (Young, 2002).

In *Justice and the Politics of Difference*, Young (1990) offers a framework for the democratic inclusion of oppressed social groups. In that book, Young links the underrepresentation of these social groups in parliaments to the existence of oppression that is reproduced across a wide range of political institutions and processes. According to Young, oppression is generated by the existence of persistent structural inequalities, which in turn makes it harder for certain social groups to participate in public life (1990, pp. 39-63). Given these circumstances, she argues, the inclusion of oppressed social groups depends on affirmative action – meaning the implementation of mechanisms to guarantee their presence in politics. According to Young, these mechanisms of guaranteed representation can contribute to counter the systemic obstacles that generate the political exclusion of oppressed social groups.

Several objections have been raised against Young’s idea of guaranteed representation, with critics arguing not only that it may not offer an effective avenue for achieving democratic inclusion, but that it may even hamper democratic objectives in various ways (Miller, 1995; Kymlicka, 1995). For instance, quotas as a strategy for guaranteed representation are often seen as a form of “reverse discrimination” or preferential treatment. Critics generally argue that differential treatment, even when intended to benefit minority groups, harms other groups and goes against the principle of formal equality according to which all citizens should receive the same treatment before the law (Bacchi, 2006, p. 33). Such an objection, familiar in the domain of education, is reflected in the current public discourse surrounding the U.S Supreme Court’s decision to overturn affirmative action for racialized groups in higher education (Cahn, 2002; Liptak, 2023; Igielnik, 2023). In addition, according to at least some political thinkers, Young’s approach promotes social separatism (Miller, 1995, p. 140; Kymlicka, 1995, p. 146). They argue that institutionalizing differences in politics encourages individuals to emphasize particularistic

interests, which, rather than promoting collective deliberation, may foster divisions and undermine social unity (Miller, 1995, p. 140; Kymlicka, 1995, p. 146). Finally, according to Kymlicka (1995), Young's approach does not persuasively ensure effective representation as it suggests that a representative can only understand or speak for the interests of other group members who have similar experiences. As he argued, such claim is untenable considering the diversity of interests within social groups and the political system that is designed on the principle that representatives are responsive to the citizenry (Kymlicka, 1995, p. 148).

Other political thinkers have forcefully defended descriptive representation, offering a wide range of arguments to explain how these representatives secure effective inclusion of marginalized social groups (Phillips, 1995; Williams, 1998; Mansbridge, 1999). In their view, structural inequalities in democracies reduce opportunities for individuals who belong to marginalized social groups to influence policymaking, compared to those who are in more privileged groups (Williams, 1998, p. 77; Phillips, 1995, p. 181). They have therefore challenged the assumption that individual equal rights suffice to ensure the political participation of marginalized individuals and make their interests heard in the political process.

In the *Politics of Presence*, Anne Phillips (1995) argues that the presence of individuals who are members of marginalized social groups as spokespersons ensures that their political interests are less likely to be overlooked in the political process (p. 70). In her view, lived experiences of marginalization shape individual preferences and play a role in the formation of political interests (Phillips, 1995, p. 16). Therefore, the representation of the political interests of marginalized social groups is indissociable from the presence of their descriptive representatives in parliaments.

In addition, Melissa Williams (1998) argues that the presence of descriptive representatives in parliaments amplifies the distinctive “voices” of marginalized social groups in the political process (p. 140). Williams stresses that descriptive representatives are indispensable to democratic inclusion in deeply divided societies where historical marginalization has resulted in minority groups having mistrusting attitudes toward political representatives who are part of the majority. Jane Mansbridge (1999) further proposes that the presence of descriptive representatives improves communication with marginalized citizens who are willing to communicate their interests to these representatives, ensuring that political interests that are uncrystallized are represented. “Uncrystallized interests” are interests that are neither fully articulated by the groups that hold them nor fully consolidated in a way that can be intelligible to the public, the media, or the political parties (Mansbridge, 1999, p. 644).

Finally, Young (2002) argues that the presence of descriptive representatives is key to securing the democratic inclusion of oppressed social groups. In Young’s view, lived experiences of marginalization generate distinctive “social perspectives” that are shared by members of oppressed social groups; these social perspectives refer to a particular insight about the dynamics of oppression and the ways to reduce it that emerge from collective experiences of marginalization (Young, 2002, p. 136). By partaking in decision-making about public policies, Young argues, descriptive representatives can express these perspectives, which in turn will contribute to the development of inclusive policies and generate social inclusion.

Yet, these existing arguments remain vulnerable to one serious objection which pertains to the selection of descriptive representatives, given the diversity of experiences within social groups (Dovi, 2002, 2007; Severs & de Jong, 2018; Xydias, 2023). This concern has been raised by critics as part of the broad objections to group representation discussed above (Kymlicka, 1995). It has

also been further articulated by the proponents of descriptive representation in light of some theoretical developments in feminist and queer theory (Crenshaw, 1991; Cohen, 1999; Xydias, 2023). For example, Kimberlé Crenshaw (1991) proposes the concept of intersectionality which asserts that individuals often fall across intersections of systems of oppression and therefore, each social group encompasses a heterogeneity of experiences and of political interests. Judith Butler's work further problematizes the notion of group heterogeneity, stressing the shifting nature of group membership while challenging the institutionalization of group differences in collective action (Butler, 1999; Lamoureux, 2016, p. 169).

If social groups are heterogeneous, worry some, descriptive representation may be impossible: is it possible for one individual member of a particular social group to voice its diverse concerns and interests? My dissertation provides an answer to this challenge by arguing that it is precisely this internal diversity within social groups that strengthens the case for ensuring the presence of descriptive representatives in politics. Focusing on the case of the democratic inclusion of LGBTQ+ individuals, I contend that the heterogeneity of experiences within the group underscores the significance of having representatives who share similar concerns, and who are therefore best positioned to understand and voice their distinct perspectives in parliaments. A careful evaluation of this case will enable me to explain why descriptive representation is needed for ensuring the inclusion of specific political interests. In the next section, I explain why it is particularly crucial to secure the political presence of LGBTQ+ individuals in parliaments.

The Problem with Underrepresentation in Politics

Representation as a concept has a variety of meanings. In politics, as proposed by Hannah Pitkin (1967), the representation of interests means that elected officials are authorized to speak

for citizens in parliaments and are accountable toward them. Accountability, as defined by Pitkin, is the notion that political representatives should be responsive to citizens throughout their mandate, hear their needs, voice their preferences and promote public policies that are aligned with those needs (Pitkin, 1967, p. 232). This conception of interest representation has been proposed in opposition to descriptive representation, which is understood to serve a purely symbolic purpose: to reflect the demographic composition of society. My dissertation reconsiders descriptive representation and its potential for effectively representing interests. Grasping the significance of descriptive representatives for democratic inclusion requires adopting lenses that illuminate the historical processes of marginalization which have led to the underrepresentation or absence of members of specific social groups in parliaments.

In Canada, as in many western countries, social groups including women, racial and ethnic minorities, persons with disabilities and youth remain underrepresented in parliaments in comparison to their proportion in the general population (IPU, 2024). Social groups that tend to currently be underrepresented among members of parliaments are generally those that have been historically excluded from suffrage and other forms of political participation. For example, women obtained the right to vote in 1918 at the federal level while women in Quebec, Chinese Canadians, and Indigenous women obtained it later, respectively in 1940, 1948, and 1960. Historically, public policies have also contributed to their exclusion, in a diffuse way, producing their social marginalization and limiting their political participation.

Such is the case for sexual minorities who are a minority in the House of Commons and in national or legislative assemblies. It is estimated that only 2% of seats at the provincial and federal levels are held by LGBTQ+ elected officials (Everitt & Camp, 2014; Tremblay, 2022). In provincial legislatures such as in Quebec, Ontario and British Columbia, estimates suggest that

between 3% and 5% members of legislative assemblies (MLAs) elected in the recent provincial elections identify as LGBTQ+ (Tremblay, 2022, p. 190). In other provinces and territories including Alberta, Manitoba, and the Northwest Territories, the proportion of openly LGBTQ+ MLAs is less than 1%, with no openly LGBTQ+ MLAs in the legislatures of the Atlantic provinces, Saskatchewan, Yukon and Nunavut (Tremblay, 2022, p. 190). Moreover, LGBTQ+ candidates tend to be elected mainly in ridings located in urban areas. These findings are similar in the United States and around the world (Haider-Markel, 2010; Magni & Reynolds, 2021). The case of LGBTQ+ individuals is different from those listed above in that they have not been specifically legally prevented from the right to vote in Canada qua LGBTQ+ people. However, even in Canada, the widespread acceptance of LGBTQ+ individuals is only recent, and quite shallow among some Canadians. World-wide, homophobia and transphobia remain widespread (Weiss & Bosia, 2013; Warner, 2020). The social and political context of homophobia has created obstacles to LGBTQ+ political representation, as I will discuss later in this thesis.

Empirical literature has stressed the importance for democracy to correct the underrepresentation of social groups in politics (Bird et al., 2011; Goodyear-Grant & Tolley, 2019; Hanni, 2017; Costa and Wallace, 2021; Rayment, 2024). One body of work has underscored that the presence of political candidates from marginalized social groups improves the political participation of these groups. Literature suggests that voters from historically disadvantaged groups are more likely to vote for candidates with similar group affiliation than for other candidates (Goodyear-Grant & Croskill, 2011; Besco, 2019; Dabin et al., 2018; Albaugh & Baisley, 2023). This literature also suggests that voters have an increased interest in politics if they share co-ethnic, racial or gender affiliation with the candidates and that they are likely to be more engaged if representatives are diverse. Another body of work has demonstrated that the presence of

marginalized social groups generates positive outcomes for inclusion. For example, a number of empirical studies have demonstrated that the presence of women legislators (Sawer et al., 2006; Celis, 2007), legislators from racial and ethnic minorities (Owens, 2005; Saalfeld & Bischof, 2013; Wallace, 2014), and LGBTQ+ legislators (Haider-Markel, 2007; Reynolds, 2013) all translate into policies that are inclusive of the interests of these groups. By their presence, they can also make other members of parliament, the government, accountable on key issues of relevance to their group (Cowie, 2022).

Democracies are defined in part by their commitment to the protection of civil rights and liberties of all citizens and residents. However, this commitment has historically been insufficient to ensure that members of marginalized groups are elected as political representatives. Empirical literature has shown various obstacles that explain the lower electoral success of political candidates from marginalized social groups (Black & Erickson, 2006; Norris et al. 2014; Magni & Reynolds, 2021). For example, gender plays a significant role in the exclusionary factors identified in the supply and demand model according to which, the number of elected women is the result of a supply of women qualified to run and the desire or willingness of political parties to select female candidates (Norris et al. 1992; Krook, 2009a, 2009b, 2014). Scholars showed that obstacles such as gender roles that assign caregiving responsibilities to women, a smaller professional network than men, and a lack of role models limit women's opportunities to enter politics (Norris et al. 1992; Norris & Lovenduski, 1993; Krook, 2009a, 2009b, 2014). Additionally, scholars have highlighted the effects of biases in the candidate selection and nomination process, observing that political parties tend to run women's candidates in electoral ridings where they have low chances of success (Thomas & Bodet, 2013; Bateson, 2020). This practice has been described

as the use of “sacrificial lambs” (Thomas & Bodet, 2013) or as “strategic discrimination” (Bateson, 2020).

Common strategies employed to counter the underrepresentation of marginalized social groups are mechanisms of guaranteed representation, such as quotas or reserved seats, incorporated in democratic institutions to supplement the existing political system (Baldez, 2004; Krook & Norris, 2014). These strategies have been adopted widely around the world and have been effective to some extent in increasing the presence of political representatives of marginalized social groups in parliaments (Bush & Zetterberg, 2011; Kim & Fallon, 2023). However, theoretical works have generally stressed that these strategies have limitations and may even be detrimental to democracy (Pitkin, 1967; Kymlicka, 1995; Mansbridge, 1999; Jones, 2014). One such limitation is the risk of promoting essentialism when it comes to selecting descriptive representatives. Essentialism – the assumption that a single trait defines an entire social group – is a concern because it is exclusionary in several ways, particularly when group membership is reduced to a single biological trait (Mansbridge, 1999, p. 637). I will return to the dangers of essentialism in later chapters.

Another limitation is related to the risk of undermining accountability. One major objection that has been raised against descriptive representation, and which will occupy me in later chapters of this thesis, is the claim that it is incompatible with the democratic principle of accountability (Pitkin, 1967; Kymlicka, 1995; Phillips, 1995; Jones, 2014). This objection is made in several ways. For example, some argue that descriptive representatives may have a purely symbolic role (Meier & Severs, 2018). Others claim that these representatives benefit from “blind loyalty,” such that they would be elected or re-elected regardless of their qualifications and political records (Jones, 2014). In my view, accountability is not only a key principle to ensure the representation

of political interests and to maintain trust toward democratic institutions. It is also key for the inclusion of marginalized social groups. For example, without a mechanism of accountability, some political candidates who are members of a marginalized social group could make opportunistic claims to represent their interests, or voters could believe that their interests are being promoted by a representative when they are not. Therefore, I aim to argue for the need to ensure the presence of descriptive representatives in parliaments in a way that is compatible with accountability.

Making a Case for LGBTQ+ Descriptive Representation

My dissertation takes up the challenges that I identified earlier to examine the role and defend the value of having descriptive representatives in diverse democracies. I argue that LGBTQ+ political representatives can play a key role in securing LGBTQ+ political inclusion. They contribute to developing inclusive public policies, making sure that LGBTQ+ individuals feel represented in democratic institutions and that their political interests, needs, and perspectives are heard in the political process. In this work, I demonstrate that they can play this role in a way that meets the principle of accountability.

My argument builds on Iris Marion Young's political thought, whose compelling framework for the inclusion of oppressed social groups I have already described. As she argued, the presence of political representatives who are members of oppressed social groups in parliaments can ensure that their perspectives are included in the policy-making process. This inclusion, in turn, translates into the development of public policies that enable the full participation of oppressed social groups in public life.

In particular, I will deploy several key concepts from Young's political thought to explore the democratic inclusion of LGBTQ+ individuals. A first concept is "oppression," which describes the historical processes that produce and perpetuate marginalization. This concept highlights that the injustices experienced by individuals stem not from personal misfortune but are instead the result of structural inequalities that affect them collectively as members of a social group (Young, 2001, p. 8). I rely on Young's account of oppression to examine the political exclusion of LGBTQ+ individuals. A second concept on which I rely is the concept of a "social perspective," which is defined as a distinctive knowledge that emerges from the collective experience of marginalization and is shared by members of marginalized social groups (Young, 2002, p. 136). Social perspectives are a form of situated knowledge, emerging from particular social locations and they may be unknowable by individuals who are out-group members due to their position in the social structure. This conceptual framework is useful in articulating the types of LGBTQ+ political interests that require self-representation.

I take a distinctive approach to explaining what prevents non-descriptive political representatives from understanding LGBTQ+ political interests. I argue that LGBTQ+ political interests may be unknown to non-descriptive representatives due to heteronormative culture, which privileges heterosexuality as the standard for romantic and sexual relationships, as well as for family structures (Berlant & Warner, 1998, p. 548). Bridging several bodies of work in feminist epistemology (Haraway, 1988; Fricker, 2007; Dotson, 2011) and queer theory (Warner, 2000, 2002; Butler, 2009, 2012), I explain that heteronormative culture leads to the marginalization of LGBTQ+ individuals, while at the same time, their experiences of marginalization are not acknowledged or are actively excluded from the shared public culture, contributing to a collective ignorance about LGBTQ+ experiences in society. I call "illegible" these lived experiences that

cannot be known by non-descriptive representatives, further arguing that the political interests that emerge from these experiences require self-representation. My claim expands on arguments previously made by Mansbridge and Williams which highlight that in a context of mistrust, citizens from marginalized social groups may not want to communicate their needs to non-descriptive political representatives, and the latter may not understand and represent adequately the political interests of marginalized social groups (Williams, 1998, p. 163; Mansbridge, 1999, p. 641).

I also argue that descriptive representatives play an essential role in decision-making as “aspirational decision-makers.” I build on recent critiques of rational choice theory of decision-making (Paul, 2015, 2016; Callard, 2018) which have emphasized the role of subjective values – knowledge which is acquired through experiences – in the rational decision-making process. Based on their salient and shared lived experiences with the groups that they aim to represent, I argue, descriptive representatives contribute more than symbolically to democratic life, by voicing interests and perspectives of the group that may have otherwise been excluded in public policy making. LGBTQ+ descriptive representatives can make decisions and take actions likely to generate changes in public culture, fostering inclusive values and positive attitudes toward marginalized social groups.

Finally, I defend that mechanisms to guarantee the presence of LGBTQ+ descriptive representatives in parliaments should be in place to supplement the existing political system, in which LGBTQ+ individuals often remain “permanent minorities”. Such mechanisms of guaranteed representation can serve to counteract the systemic obstacles that LGBTQ+ individuals face in the political process. Furthermore, rather than undermining democratic principles of accountability, descriptive representation can enhance democratic participation by promoting the meaningful inclusion of marginalized citizens and residents who can hold descriptive

representatives accountable, as I demonstrate by adopting a constructivist understanding of political representation as constituted through the discourses and claims made by political representatives (Saward, 2010).

A Contextualist Method

In this dissertation, I employ contextualism as a method. In a nutshell, contextualism emphasizes the importance of *context* (Laegaard, 2016; Modood & Thompson, 2018). There are different ways of apprehending the context in political theory. For instance, “substantive contextualism” as proposed by Sune Laegaard refers to “any theory consisting of contextually specific principles, which are not merely applied versions of universally valid principles” (Laegaard, 2016, p. 5). This approach generally assumes that principles are inherently contextual, rather than universal. Laegaard argues that the starting point for normative political theorizing should be the issues that emerge within specific political and social contexts (Laegaard, 2016, p. 5). According to Laegaard, understanding the relevant political context is essential to making sense of which issues become political problems, and how they might plausibly be resolved. Similarly, according to Tariq Modood and Simon Thompson’s (2018) “iterative contextualism,” the context is relevant not only in defining political issues but also in shaping the formulation of principles which, in turn, can be deployed to help resolve political and social conflicts.

Joseph Carens (2004) suggests that the benefit of a contextualist approach is that it allows us to move “back and forth between principles and practices,” thereby providing new insights into ideal principles from unfamiliar case studies (p. 122). The contextualist approach is well suited to my dissertation which aims to provide practical solutions to the complex challenges that contemporary democracies are facing. One of these challenges is to ensure the political inclusion

of marginalized citizens through the attainment of effective descriptive representation. A contextualist method provides the adequate framework for examining political inclusion, a concept that, as Young (2002) argues, is inextricably linked to specific institutions and webs of social relations and meanings. Moreover, I will develop my theoretical contribution from an analysis of the nature of LGBTQ+ political interests and their representation in the context of Canada's distinctive representative institutions and political culture.

The contextualist approach also informs other methodological choices to answer the research questions that I outlined earlier. I employ Teun A. van Dijk's (2014) sociocognitive approach (SCA) of critical discourse analysis to examine the public discourse in order to assess the accountability of political representatives in effective representation of LGBTQ+ political interests. Van Dijk's approach is said "critical" in the sense that, in contrast to a textual analysis, it places the text into its broader social and historical context. He understands discourse as "a form of social interaction in society and at the same time as the expression and reproduction of social cognition" (van Dijk, 2014, p.13). In particular, his notion of "social cognition" aims to take into account the "relations between knowledge, attitudes, ideologies, norms and values and how they influence the interaction and hence the discourse among people as group members" (van Dijk, 2014, p. 8). Critical discourse analysis has been used in studies that focus on relations of domination, that is, the ways in which the discourses of elites, institutions, or groups produce or reproduce social inequality; as well as on the relations of resistance, to capture how discourse is used as part of counter-hegemonic strategies (van Dijk, 1993, p. 250, van Dijk, 2014, pp. 90-138).

Using this approach, I examined a dataset of 448 articles published in the Canadian press between 2008 and 2022 that relate to LGBTQ+ issues, and their political representation in parliaments. The time frame defined for the data collection spans five general elections (2008,

2011, 2015, 2019 and 2021) and captures multiple electoral cycles, with shifts between Conservative and Liberal governments. This time frame is also relevant for examining political issues in the period post-legalization of same-sex marriage in Canada. In order to assemble the dataset, I gathered text materials from various databases such as Canadian Major Dailies, Eureka, and Repère that include Canadian newspapers in English and French. I used combinations of keywords including LGBTQ; gay; lesbian; trans; queer; political representation; politicians; MP; elected officials; same-sex marriage; pride; Egale Canada; trans rights; droit personne trans; federal election; Canada. The articles retained for my exploratory analysis were uploaded and coded using NVivo.

I specifically examined “representation claims” as the unit of analysis, defined by Michael Saward (2010) as any statement by which a political representative expresses a claim to represent a group or set of interests (p. 37). In the context of my study, “representation claims” refer to statements made by LGBTQ+ individuals, activists or spokespersons about their representation or the promotion of their political interests in parliaments; as well as statements made by elected officials, candidates or politicians in which they declare themselves or other representatives as fitted or ill fitted to represent LGBTQ+ political interests. This critical discourse analysis allowed me to identify key public policy debates related to LGBTQ+ issues as well as moments when political representatives were responsive to LGBTQ+ interests and were held accountable for their policy decisions.²

² The use of interviews could have been valuable for collecting primary data on the political interests of LGBTQ+ individuals, as well as the experiences and challenges faced by current and past LGBTQ+ legislators when advocating for the interests of marginalized individuals in parliaments. Such method would have allowed the triangulation of data needed to address the limitations of Critical discourse analysis (CDA), which are among others: the reliance on the researcher subjective interpretation; the difficulty in establishing causality; and its focus on specific texts and contexts, which limits the generalizability of findings.

As part of a contextualist approach (Laegaard, 2016), the attention to history enables a better understanding of the historical processes, cultural norms, and institutions that shape public discourses and identities. In my dissertation, I examine “oppression” through the particular history of discrimination and injustice experienced by LGBTQ+ individuals in Canada. To do so, I include secondary data that contains archives of LGBTQ+ history and activism in Canada. A first source is Michael Warner (2020)’s *Never Going Back: A History of Queer Activism in Canada* that offers an exhaustive history of LGBTQ+ activism in Canada covering an extended period, from the early 1900s to 1999. The book itself is based on interviews with prominent gay and lesbian activists as well as on archival research. A second source is Gary Kinsman and Patrizia Gentile (2010)’s *The Canadian War on Queers*, which documents state repression against LGBTQ+ individuals between the 1950s and the late 2000s. The book details episodes of state surveillance, police raids, and systemic discrimination against LGBTQ+ communities in Canada.

Among other secondary sources, I included *La Politique du Coeur* (2005), a documentary by Irène Demczuk that depicts the lived experiences of same-sex couples and queer families, focusing on their struggle for legal recognition in Quebec in the early 2000s. I also included two political memoirs “*Indian*” in the Cabinet by Jody Wilson-Raybould (2021) and *Can you hear me now?* by Celina Caesar-Chavannes (2021), two literary works which offer secondary data on the lived experiences of Members of Parliament who are part of marginalized social groups. These works provide insights into the challenges they faced in representing marginalized voices in the House of Commons. Together, these sources provide valuable data useful to understand specific LGBTQ+ political interests in Canada as well as the effective strategies to implement in democratic institutions to secure their inclusion.

Some theorists, such as Chandran Kukathas (2004), have challenged the contextualist method in political theory, arguing that theorists must maintain a critical distance to gain perspective in their theoretical reasoning. Kukathas is not dismissive of all that contextualism offers; he shares common ground with Carens on the value of engaging with real-world cases to test and expand theoretical assumptions – particularly when those cases are unfamiliar, surprising, or challenge one’s position. However, he questions whether contextualism delivers on its promise of producing better theory because by immersing itself in particular cases, contextualism may lose the critical distance that theory requires, as he explains: “there may be good reason sometimes to look at matters up close rather than from a distance,” but “this is, in the end, an anti-theoretical move” (Kukathas, 2004, p. 225). Despite these critiques, I find the contextualist approach valuable – especially if, as Kukathas acknowledges, the role of political theorists is to “describe what [the political world] should look like if it conformed fully to particular values, such as a conception of individual liberty, or a conception of community, or a view of human rights, or a vision of justice” (Kukathas, 2004, p. 216). As the value of *inclusion* guides my theoretical work, contextualism is a productive methodological framework for adopting an advocacy stance grounded in real-world contingencies, without relying on a single, unified theoretical viewpoint. Contextualism, then, becomes a method not of abstraction, but of engaged and situated critique.

Outline of the Dissertation

In **Chapter 1** of this dissertation, I discuss the function of political representation in building democratic inclusion, by examining some of the historical shifts that have shaped contemporary representative institutions. I then discuss the ideas of modern philosophers that have defined contemporary understanding of political representation. This chapter contextualizes the

contributions that I make about the role of political representatives in securing democratic inclusion.

In the two chapters that follow, I demonstrate the limitations of a liberal approach to the inclusion of LGBTQ+ individuals. In **Chapter 2**, I argue that the framework of “group representation” as proposed by Iris Marion Young offers an effective way to secure LGBTQ+ political inclusion. Young proposes that a guaranteed representation of oppressed social groups in politics is needed to address the structural inequalities preventing their equal participation in public life. I first emphasize that oppressed social groups differ from other type of groups (i.e., interest groups and cultural groups) that have been studied within democratic theory. I then propose that political equality as conceived within liberal thinking is not enough to ensure their fair representation. Finally, I identify some challenges of adopting Young’s framework of group representation, and I argue that a focus on the case of LGBTQ+ political inclusion can help to respond to earlier objections against group representation.

In **Chapter 3**, I examine Will Kymlicka’s account of minority rights to discuss whether and to what extent it can support LGBTQ+ inclusion in the Canadian context. While an ethnic model of inclusion of the kind that he proposes can provide some protections needed to support LGBTQ+ individuals participation in public life, it may not provide the necessary remedies to the specific injustices that they face. I provide evidence of state-sponsored discrimination against LGBTQ+ individuals in Canada and the injustices they face that are related to the heteronormative culture. This evidence supports the claim of Michael Warner, among other queer theorists, that LGBTQ+ inclusion depends on the advancements in LGBTQ+ equal rights and the implementation of structural changes.

The first three chapters provide a theoretical framework for my analysis. With this framework in place, I turn to making a case for LGBTQ+ special representation. In **Chapter 4**, I set out the specific political interests that require self-representation. I argue that there are two types of LGBTQ+ interests, “legible” and “illegible”, and that these interests are shaped by the heteronormative culture that generates ignorance about LGBTQ+ experiences. I argue that “illegible interests” are unknowable by political representatives that are not group members thus, justifying that LGBTQ+ political inclusion depends on the presence of LGBTQ+ political representatives in parliaments.

In **Chapter 5**, I propose an original perspective about the role of descriptive representatives and their value for inclusive democracy. I argue that descriptive representatives play a key role as what I call “aspirational decision-makers.” I articulate three features of descriptive representatives: 1) they are part of the group affected by certain public policies; 2) they have the range of experiences that provide them valuable judgement about the group’s political interests; 3) they can act to create inclusive public policies for marginalized social groups. These features constitute the criteria to inform the selection of descriptive representatives.

Finally, in **Chapter 6**, I argue that the implementation of mechanisms of guaranteed representation such as quotas is key to admit LGBTQ+ descriptive representatives as aspirational decision-makers into parliaments. Through their presence, they contribute to building an inclusive culture by correcting the effects of epistemic injustices that are produced within parliaments and taking actions that promote the political interests of LGBTQ+ individuals. Finally, I present an exploratory analysis based on public deliberations in Canadian politics that provide some evidence that it may be possible to hold descriptive representatives accountable.

CHAPTER 1 POLITICAL REPRESENTATION AND ITS RELATIONSHIP TO INCLUSIVE DEMOCRACIES

Political representation has long been debated in political thought. Initially unrelated to democracy, the notion has evolved to become a key feature of contemporary democracies. Recent contributions in political theory understand political representation separately from democratic institutions and treat it as a phenomenon in and of itself, independently of elections. In this chapter, I examine the historical contexts that gave rise to this shift, and in particular how political representation as a function of elections is key to political inclusion. In the first section, I provide a historical context about the concept of political representation. In the second section, I examine the function of political representation as discussed by modern philosophers of the liberal and republican traditions, which contextualize the questions addressed in this dissertation regarding the role of political representatives and their democratic function. Finally, I examine contemporary issues related to inclusion as they are treated within the constructivist approaches of political representation. Constructivist theorists, I argue, offer a revitalized understanding of political representation that may be especially helpful in advancing LGBTQ+ political inclusion.

Political Representation in Context

Political representation refers to the notion that elected officials are given authority to speak for a group of citizens in parliamentary contexts and in various political spaces. Today, democratic institutions are expected to be “representative.” However, the way in which the notion of representation has become a key feature of democratic institutions is the result of a long political process. In this section, I show that the concept of political representation emerged independently

from democracy as a political idea and practice in the early modernity, where its function was associated with ensuring the stability of the state, and thus, had little to do with democracy.

A Historical Background

The concept of representation has multiple meanings. Etymologically, representation comes from the Latin term *repraesentare*, which means “to make present” or to “present again” (Pitkin, 1989, p. 133). In French, for example, the word *représentation* can encompass various meanings, such as “to symbolize,” “to illustrate,” “to depict” in the artistic sense; “to personify” on stage; or “to act on behalf of” in legal contexts, such as courts. In comparison, as noted by Hannah Pitkin (1989), German has several terms that convey different nuances of representation, such as *Darstellung* which means “to depict or stand for,” and *Vertretung* which means “to act for as an agent” in someone’s place (p. 132). In everyday life, citizens also attribute distinctive meanings to the word “representation” when they claim to be represented or not by cultural, social, or political institutions.

Democracy did not initially include the concept and practice of political representation (Pitkin, 2004). The term *democracy* comes from the Greek word *demokratia*, meaning government (*kratein*) by the people (*demos*). Ancient philosophers understood the term democracy differently, especially with respect to who counted as a citizen in the first place (Birch, 2007). Both Plato and Aristotle opposed democracy as a form of government. For instance, Plato argued that democracy was the rule of opinion (*doxa*) over knowledge (Plato, ca. 370 B.C.E/ 2002, Book XVIII, pp. 214-233), while Aristotle (ca. 350 B.C.E/1988, Book III, pp. 207-211) considered “democracy” a corrupt form of government, as opposed to “polity,” a virtuous form of government run by the

many³. In Athenian democracy, there was no practice of representation as we understand it today; democracy was conceived as the direct participation of every citizen in decision-making on public matters regarding the city-state (Landemore, 2013). In addition, only free men were considered citizens; enslaved people, women and children were excluded from political participation, and only those regarded as citizens had an equal right to participate in politics (*isonomia*) and an equal voice (*isegoria*) (Urbinati, 2006).

Early models of representative democracy emerged during the period of the Roman Republic, which in practice, did not embody the democratic ideal that everyone could participate in public decisions (Urbinati, 2006; Birch, 2007). In this model, similar to Athenian democracy, only a few counted as the people and were allowed to participate in the political arena. Instead of having all citizens participate in decision-making, only individuals selected as representatives of Roman citizens had the mandate to deliberate on public issues and make decisions in the interest of the common good (Urbinati, 2006). From a modern vantage point, both Roman and Athenian systems of government were only partially democratic; they were not egalitarian as their citizens could not participate in public life on an equal footing (Beitz, 1989, p. 16).

Before the concept of representation truly entered the political vocabulary with the emergence of modern state institutions, it was used in the field of aesthetics, where it had two central meanings (Pitkin, 1989, p. 134; Ankersmit, 2002). Representation could either mean a resemblance – faithfully reflecting the likeness of an object like a mirror, or a substitution of something that is absent. During the Middle Ages, the concept started to be used in an ecclesiastical context (Pennock & Chapman, 1968; Pitkin, 1989). In this context, representation implied a kind

³ The other forms of corrupt governments were “tyranny” and “oligarchy”, together with their counterparts called “kingship”, when governed by one person, and “aristocracy” when governed by several people (Aristotle, [ca. 350 B.C.E]/1988).

of substitution, with the clergy being seen as “the embodiment and image of Christ and the Apostles and occupy[ing] their place *per successionem*” (Piktin, 1989, p. 134). Representation, in the sense of a person acting for the interests of another, entered the political vocabulary in the 13th century. Two developments were associated with this shift: 1) the political struggles of early parliamentarism in England and 2) Thomas Hobbes’s theory of representation.

The development of parliamentarism in England that started with the issuance of the Magna Carta in 1215 followed a long journey that culminated, at the end of the English Civil Wars (1642-1651), in the establishment of a constitutional monarchy. In 1204, King John of England decided to increase the taxation on each shire and borough (Pitkin, 2004, p. 337). The barons opposed the new taxation, starting a rebellion demanding that the king be held accountable with respect to the taxes collected. The Magna Carta was issued as a response to the rebellions of these barons, establishing limits on the power of the king and ensuring that complaints against the king would receive impartial judgement (Holt, 2015, pp. 33-48). After the issuance of Magna Carta, an early form of the English parliament emerged.

Initially, the parliament, where knights and burgesses met with the king and lords, was an institution created for the administrative and political convenience of the king, who would summon knights and burgesses to parliament essentially for tax collection (Pitkin, 1989, p. 136). The role of these knights and burgesses was originally limited to agreeing to taxes and committing their communities to the taxes to be paid. Over time, their role evolved: they became spokespersons for the communities, bringing their grievances to the king, and they were also obligated to report back to their communities on what had happened in parliament (Pitkin, 1989, p. 136). As their role grew in importance, they “started to think of themselves as members of a single, continuing body, ...

[who could] sometimes ... join forces against the king”; they came to be called members of parliament, looking after the concerns of their specific boroughs (Pitkin, 2004, p. 337).

By the mid-17th century, the parliament had become a powerful institution where its members often challenged the authority of the monarch; these conflicts ultimately culminated in the Civil Wars (Pitkin, 2004; Holt, 2015). During the wars, “when there was no king to oppose or consent to” after Charles I surrendered and was later executed, the parliament became the only institution governing the nation and “even pass[ing] judgment on the ruler in the name of the nation” (Pitkin, 1989, p. 137). The monarchy was subsequently abolished, and a republic was proclaimed. The parliament later consolidated itself into a permanent body that managed public affairs, with its members acting both for their specific districts and the nation as a whole (Pitkin, 1989). Political instability in the late 17th century weakened the republic, and the monarchy was reinstated. However, the Civil Wars played a crucial role in limiting the power of the monarchy and expanding the rights of subjects with the Bill of Rights in 1689. This landmark document established principles – constraints on the power of the king and government accountability to the people – that shaped the institutions of representative democracy that would later emerge in other parts of the world.

In his *Leviathan*, Thomas Hobbes offered one of the earliest modern accounts of political representation. Hobbes described political representation as key to ensuring state stability. According to Hobbes, the key to preserving peace and protecting the people from the invasion of foreigners and from the greatest evil – the “war of all against all” – was for individuals to entrust their multiple wills into the hands of one sovereign, “to confere all their power and strength upon one Man, or upon one Assembly of men that may reduce all their Wills, by plurality of voices, unto one Will” – the Leviathan (Hobbes, 1651/1991, p. 120). This authority figure is described as

the *representative* of all the people, and in so doing symbolically embodies their sovereignty. These individuals living in the state of nature can “institute” a commonwealth or state when they surrender the sovereignties to the authority of a ruler. By voluntarily surrendering their sovereignties to a single authority, which could be a monarch or an assembly, individuals grant that authority absolute power to preserve order and ensure their security.

Hobbes’ *Leviathan* was written in the context of political instability in the 17th century in England, amid the English Civil War. Published in 1651, just a few years after the execution of King Charles 1 of England, the work reflects Hobbes’ view on how to achieve peace and stability which he argues can only be achieved through the establishment of a strong and centralized authority. Quentin Skinner (2018) has observed that, by the time Hobbes was writing, several complete theories of representative government already existed. Hobbes drew on these to offer his own account of representation (Pitkin, 1967; Jaume, 1986). Skinner explains that Hobbes’ theory contains elements of these theories, and that the modernity of his thought lies in organizing the theory of government and representation around the state rather than the church or the monarch (Skinner, 1999, p. 2). Skinner explains that, as with some of his contemporaries, Hobbes’ theory challenged the prevailing doctrine of “the divine right of kings,” which established a hierarchy between the rulers and the governed, with kings as representatives of God and above the law (Skinner, 2005, p. 156). This doctrine highlighted that the kings acquired their power through divine ordination rather than from the consent of the people or by being chosen by them. At the time of its publication, Hobbes’ book was met with resistance from various groups of society, in particular from royalists and the clergy who saw it as a critique of monarchy, and support for the rule of the newly emerged parliament (Skinner, 1999, p. 24). Unlike his contemporaries, Hobbes held that there is no pre-given nation or unified community aside of the one generated by a

sovereign power. The multitude of individuals are only bound together by a sovereign who bears the absolute power to make the decision that best preserve their safety. This view, although a challenge to earlier defenses of the divine right of kings, does not imply a form of political authority that is necessarily democratic.

Hobbes defended a “social contract” view of society, where individuals subject themselves to a sovereign in exchange for security and peace. In *Leviathan*, Hobbes proposed that human nature is inherently self-interested, and individuals are not naturally inclined to cooperate. As rational beings, they seek to have their private desires and interests prevail over others. As Pitkin explains, Hobbes believed that the state of nature is one of constant war, with no authority nor mutual trust among men and “that men create a commonwealth by contracting each with every other, to authorize one among them to represent them all” as a way out of this state of violence (Pitkin, 1967, p. 29). Hobbes further explained that this transformation of a multitude into One – of natural people into an artificial community – happens when individuals entrust their multiple wills into a single person, forming a Common-wealth (*civitas*). A commonwealth is generated by individuals contracting with one another; Rather than a pre-given community, unity is achieved because the multitude of individuals and their wills is unified into one authority. As Hobbes wrote:

A multitude of men are made One Person, when they are by one man, or one Person, Represented; so that it be done with the consent of every one of that Multitude in particular. For it is the Unity of the Representer, not the Unity of the Represented, that maketh the Person One. And it is the Representer that beareth the Person, and but one Person: And Unity, cannot otherwise be understood in Multitude. (Hobbes, 1651/1991, p. 114)

According to Pitkin, “the sovereign represents that single, public person; indeed, it is because he represents it that it can be considered a unit” (Pitkin, 1967, p. 30). It is through this contract that the state emerges and can be defined as One.

In Hobbes' view, political representation is an artificial construct that emerges when individuals collectively cede their wills to a representative. Some scholars have interpreted Hobbes' view as offering an account of representation as a constructive process (Brito Vieira, 2017). Hobbes himself articulated this point, stating that the "unity" of the commonwealth is not found in the individuals themselves, but in the representation of their collective will by the sovereign (Hobbes, 1651/1991, p. 114). Fundamentally, as Monica Brito Vieira (2017) explains, the community is artificially crafted in a way that differs from the state of nature, where there are only collections of individuals not bound to each other (p. 188). In another article, Brito Vieira (2017) explains that in Hobbes' claims, "personhood" is "founded upon impersonation" – that is "every act of the person is an act of representation, so that the person is, at its heart, a theatrical fiction" (Brito Vieira, 2017, p. 30).

According to Hobbes, the political authority is fundamentally an artifice. The figure of the Leviathan is made out of the bodies of the citizens and a sovereign as its head, which image represents for Hobbes the ideal government. Hobbes distinguished between "natural" and "artificial" persons and used this distinction to explain his interpretation of representation (Pitkin, 1967, p. 15). A so-called "natural" person is an "author" of their own actions, who can take responsibility for them: a "person is he, whose words or actions are considered, either as his own, or as representing the words or actions of another man, or of any other thing to whom they are attributed, whether Truly or by Fiction" (Hobbes, 1651/1991, p. 111). In contrast to a "natural" person whose actions are considered their own, an "artificial person" is: "when they are considered as representing the words and actions of another, then is he *Feigned* or *Artificiall person*" (Hobbes, 1651/1991, p. 111). As Pitkin (1967) explains, "in Hobbes' terminology, the fiction or artifice about an artificial person is that the actions he is performing are not (considered) his own but those

of someone else” (p. 16). By this distinction between a “natural “and “artificial” person, Hobbes articulated an understanding of how a state, that is an abstraction of individuals, can perform actions.

Hobbes described political representation as emerging through a mechanism of authorization as follows:

This is more than Consent, or Concord; it is a reall Unities of them all, in one and the same Person, made by Covenant of every man with every man, in such manner, as if every man should say to every man, I authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner. (Hobbes, 1651/1991, p. 120)

According to Hobbes, this submission (subjection) of sovereignties to one who embodies the state and the will of the people, if voluntary, leads to the advent of the Republic; however, if coerced, it leads to tyranny (Hobbes, 1651/1991). From this perspective, political representation could be compatible with an authoritarian government and was therefore not limited to democratic forms of government.

Hobbes also explained that a representative derives their function by virtue of being authorised to act by and for the general will of the people. It is one original contribution of Hobbes’ theory, to have stressed that authorization is what defines valid representation of one person by another, so that the actions of representatives would be attributed to the person or people who are being represented (Skinner, 1999, p. 7). For Hobbes, the political representative is authorized by the people “which is as much as to say, to appoint one Man, or Assembly of men, to beare their Person; and every one to owne, and acknowledge himself to be Author of whatsoever he that so beareth their Person, shall Act, or cause to be Acted, in those things which concerne the Common Peace and Safetie; and therein to submit their Wills, everyone to his Will, and their Judgements, to his Judgment” (Hobbes, 1651/1991, p. 120). When men have ceded their sovereignties, the

actions made by the representatives are just as if each individual man “had made it himself; and no lesse subjecteth him to all consequences of the same” (p. 112). Here is Hobbes in his own words on this point:

because the Multitude naturally is not One, but Many; they cannot be understood for one; but many Authors, of every thing their Representative saith, or doth in their name; Every man giving their common Representer, Authority from himself in particular; and owning all the actions the representer doth, in case they give him Authority without stint: Otherwise, when they limit him in what, and how farre he shall represent them, none of them owneth more, than they gave him commission to Act. (Hobbes, 1651/1991, p. 114)

Scholars have described Hobbes’ understanding of representation, by which one party is authorized to make decisions on behalf of another, as a procedural model of representation (Urbinati, 2006). According to Pitkin (1967), authorization is twofold in Hobbes’ thinking: both as “the right to perform the action” and “equally as responsibility for the action” (p. 19). As Skinner explains, by ceding their sovereignties, individuals thereby achieve to transform “themselves into an artificial person by way of authorising some natural person or persons to represent them.” (Skinner, 1999, p. 18), with the Leviathan being the unified force that bound individuals into a Commonwealth. These scholars argue that Hobbes articulates the definition of representatives as artificial persons. This understanding is akin to the legal language of corporations; only that in Hobbes it is the reverse: the person acting for the corporation is the artificial and the corporation is the natural entity.

As Pitkin (1967) explains, “the authorization given to the sovereign is unlimited; anything he does is to be taken as done by subjects; and any decision he makes is binding on them. Each man who contracts ‘authorizes all the actions and judgments’ of the representative ‘as if they were his own’” (Pitkin, 1967, p. 30). When the ‘people’ have authorized the sovereign to act on their will, they cannot remove their initial agreement to and challenge the judgment of the sovereign.

As a result, “although the sovereign has duties, they are not duties to his subjects, and a subject can never justifiably disobey or criticize his sovereign on the grounds that the latter is violating his duty” (Piktin, 1967, p. 31). Hobbes further argued that the sovereign actions cannot be punished or challenged by the subjects, since by their prior actions they have been made ‘One’ and in so doing authorized the sovereign to act for them: “For seeing every Subject is Author of the actions by his Sovereigne; he punisheth another, for the actions committed by himself.” (Hobbes, 1651/1991, p. 124).

In sum, Hobbes’ theory of political representation, as presented in *Leviathan*, challenges traditional conceptions of the divine right of kings and offers a foundational theory of representation based on a distinct understanding of the human nature as self-interested and of the social contract as a trade-off of individual sovereignty for peace and stability. Hobbes’ model of representation is known to be formalistic: it is through the act of authorization, with individuals ceding their natural rights to a representative, that this representative becomes legitimate to act on their behalf to ensure the security and stability of the commonwealth. Although it is not a democratic account, and although it may not have been his intention, Hobbes’ account of political representation is nevertheless a significant step in that direction. As Skinner (1999) explains “the concept of the political covenant is not a means of limiting the powers of the crown; properly understood, it shows that powers of the crown have no limits at all” (p. 27). The concept of representation would undergo further significant developments in the political discussions of the centuries that followed.

Emerging Institutions of Representative Democracy

Political representation and democracy became more clearly linked in the 18th century. The term “representative democracy” was reportedly first used in political discourse during the

American and French revolutions. The institutions of representative democracy that emerged in the aftermath of these two events were adopted as a compromise and aimed to resolve political crises (Podlech, 2014).

In the United States, for example, representative institutions that emerged after the American Revolution (1765-1783) were shaped by concerns of building a form of government that would best preserve liberty. In 1763, the taxation imposed by the British Empire to the thirteen North American colonies sparked protests and fueled political struggles, with the colonies challenging the rule of the British Empire. The political struggles culminated in the proclamation of the Declaration of Independence in 1776 (Cunningham, 2002), and the creation of the Congress of the Confederation, the governing body of the newly independent country known as the United States, where each of the thirteen former colonies had equal representation and veto power. The Congress oversaw drafting a constitution and designing an efficient government.

For James Madison and Alexander Hamilton, key figures in the constitutional era, the role of representatives was essential to ensure a stable democracy and to protect the common good while curtailing the potential dangers of direct democracy. Their views were expressed in the Federalist Papers (1787), in which they proposed a representative government with elected representatives which they called “Republic”, distinguishing this form of government from direct citizen participation (Podlech, 2014). For them, the representatives deliberate to pursue the best interests of the republic by mediating the interests of different factions while protecting the minorities from the tyranny of the majority. During the constitutional period, important debates opposed Federalists and Anti-Federalists. Federalists advocated for a strong central government, arguing that it would prevent the formation of factions and the tyranny of the majority (Pitkin, 1989, p. 145;). Anti-Federalists opposed a central government saying that each state should keep

its autonomy because they feared that a centralized government could infringe on individual liberties. The constitution that emerged accommodated both the Federalist and Anti-Federalist concerns.

Among the key features provided by the new constitution, there was election as a means for citizens to select their representatives. A federal system was established, where power was divided between a strong central government and individual states and separated between three branches (executive, legislative, and judicial). Additionally, the legislative branch, (the Congress), was divided into two chambers of government: a Senate in which each state had equal number of representatives, and a legislative chamber (House of Representatives) in which the number of representatives was in proportion to population (Crick, 2002; Pasquino, 2018). Furthermore, a Bill of Rights was issued in 1789, limiting the power of the federal government and protecting individual rights and liberties. This system of checks and balances was designed to prevent a branch or level of government from accumulating too much power, safeguarding liberty while preventing tyranny through mechanisms that limited the power of the representatives.

Similar changes took place in France, where at the end of the 18th century, the country was undergoing severe political and financial crises. In 1789, King Louis XVI convened a general assembly, known as the Estates General of 1789, where representatives of each of the three orders (the nobility, the clergy, and the Third estate – commoners), that made up the society in the Old-Regime, were invited to approve new taxes (Doyle, 2018). Dissatisfied with the disproportionate influence of the first two estates, the Third Estate (which made up almost 98% of the population) demanded greater voting power and representation and eventually declared themselves as the National Assembly (Black, 2016; Doyle, 2018). The Third Estate challenged the authority of the king, demanding a new constitution that would limit its power. These actions played a key role in

the events that marked the beginning of the French Revolution, with social unrest fueled by economic hardship. Commoners were discontent with the Old Regime, given that the first and the second orders were exempted from taxes and held feudal privileges, and due to the opulent spending of the monarchy; all these elements contributed to exacerbate the financial crisis.

The revolution led to the overthrow of the monarchy and the establishment of a system of government in which representatives of the people were elected (Black, 2016; Doyle, 2018). The representative institutions that emerged in the aftermath of the French Revolution were inspired by the political writings of Emmanuel-Joseph Sièyes (Doyle, 2018). In *Qu'est-ce-que le Tiers-État*, Sièyes (1789/2014) proposed the idea of a representative government made of an elected assembly that would limit the privileges of the nobility while embodying the sovereignty of the nation. The French Revolution left important legacies, including the *Declaration of the Rights of Man and of the Citizen*, and the issuance of a constitution that established both the sovereignty of the people and the election of the representatives (Doyle, 2018). The revolution also marked the end of the monarchy that was replaced by a republic in which the National Assembly alone held the legislative power. Both revolutions, the American and French ones, led to the establishment of republics, where representative governments emerged as a response to political crises driven by the demand for no taxation without representation.

The Specific Context of Canada

In Canada, the emergence of representative institutions was also a response to a political crisis. Whereas the country did not experience the kind of upheavals that took place elsewhere during the 18th century revolutions, like those in France and in the United States, the adoption of its core representative institutions was the result of a compromise (Sancton, 1990; Malchomson et al., 2016). In such a context, the principle of representation-by-population, where the number of

seats in the House of Commons is allocated to the provinces according to their share of the total population, became central to Canadian democracy.

The debate over representation first arose when England considered creating the Province of Canada. In 1840, the British parliament passed the *Act of Union* to unite the Upper and Lower Canada under a central government to tackle the rebellions of the colonies around a new fiscal redistribution policy. A form of representation called “sectional equality” was chosen by the British for the Legislative Assembly of the Province of Canada (Sancton, 1990; Malchomson et al., 2016). Sectional equality aimed to ensure an equal number of representatives from Upper and Lower Canada, regardless of population size. However, the system of sectional equality favoured English-speaking Lower Canada because at the time, Quebec (then Upper Canada or Canada East), had a proportionally larger population than Ontario (then Lower Canada or Canada West), with 59% of the total population. Therefore, Quebec demanded representation by population (Sancton, 1990). However, in 1851, after the population of Canada West had grown significantly, exceeding the population of Canada East, sectional representation was no longer politically advantageous for Canada West, and representation-by-population soon became one of the essential demands of Canada West political parties, aiming to obtain a fairer model of representation. In addition, sectional equality proved to be a problem because East and West tended to vote in opposite directions, resulting in deadlocks in the decision-making process (Sancton, 2010).

Debates about representation resurfaced again in the process of laying the foundation of Confederation. Given the size of their population, New Brunswick and Nova Scotia, were concerned that their political weight would be diminished and that they would potentially lose their cultural distinctiveness if they joined Confederation. To meet their demands, a bicameral system comprising two legislative bodies, the Senate and the House of Commons, was adopted. The two

houses would work as checks and balances, given that sectional equality was not feasible in the context of Confederation, where representation-by-population was eventually adopted as the preferred system. The *Constitution Act* adopted in 1867 specified that provinces would be represented by the share of their population in the House of Commons. Contrariwise, the Senate would be composed of non-elected members, with each region, Ontario, Quebec, and the Maritimes collectively, having an equal number of seats (24) (Sancton, 1990; Malchomson et al., 2016). Through this compromise, it was possible to federate the provinces and consolidate Canadian representative institutions.

The concept of representation acquired its political meaning independently of democracy. As I have shown in this section, the representative institutions in Canada, similarly to those that emerged after the French and American revolutions, were the result of a compromise to accommodate competing interests in order to ensure state stability. These representative institutions later became the essential foundations of our contemporary democratic systems.

Modern Perspectives on Political Representation and the Role of Representatives

Modern philosophers from the liberal and republican traditions, including John Stuart Mill Benjamin Constant and Edmund Burke, suggested that political representation was the best way to preserve the common good. Among the philosophers of the 18th century, Jean-Jacques Rousseau (1762/1947) offered a markedly different perspective, arguing that sovereignty and representation are incompatible. In this section, I discuss these views, tracing key arguments about the significance of political representation that shaped the understanding of the role of political representatives in modern times.

The Representative as a Delegate: Rousseau's View

Like Hobbes before him, Rousseau (1762/1947) offers an account of a social contract, beginning however from a vastly different account of human nature. Whereas earlier political theorists, including Hobbes, described human nature as violent and self-interested, for Rousseau, humans are essentially compassionate. In general, they avoid violence, and their instinct for self-preservation in fact propels them towards cooperation. In Rousseau's state of nature, humans are free and the organizations that they built are likely to be egalitarian. It is the transition "from the state of nature to the civil state" that things change. In this transition, humans give up their "natural liberty" in exchange for "civil liberty" (Rousseau, 1762/1947, p. 167). In so doing, they acquire "moral freedom" which "alone enables man to be truly master of himself; for the impulse of mere appetite is slavery" (p. 167). Yet, says Frank Ankersmit (2014), the passage to civil state is at least partially alienating, since it replaces natural relationships with more formal, legal ones, adjudicated by governmental authorities (p. 28).

It is a "social contract" that forms the collective body politic for Rousseau. As he explains, each individual merges their unique will with others, from which emerges a collective body with a common identity and will. In Rousseau's view, this process does not involve subjection as Hobbes proposed, but rather the creation of something greater than the sum of its parts. As Rousseau stated: "Each of us puts in common his person and all his power under the supreme direction of the general will; and in return each member becomes an indivisible part of the whole" (Rousseau, 1762/1947, p. 164). According to Rousseau, the collective body of the people possess a single, indivisible general will and cannot be thought of as separate factions. It is defined by a community of interests so that it is not possible to harm or attack one member without all feeling

the effects. Like Hobbes, Rousseau believed that the sovereign power is made up of the multiple wills of each individual.

Now, the sovereign, being formed solely by the individuals who compose it, neither has nor can have any interest contrary to theirs; thus the sovereign power need make no guarantee to its subjects, because it is impossible for the body to wish to harm all its members; and we shall see hereafter that it can harm no one as an individual. The sovereign, for the simple reason that it is so, is always everything that it should be. (Rousseau, 1762/1947, p. 165)

Yet, the Sovereign power, in Rousseau's view is not an authority figure which exercises its rule on the people. The sovereign embodies the general will which is composed of all parts of the body politic and is the result of the active participation of individuals in decision-making: the rules and laws are an expression of the general will (Rousseau, 1762/1947, p. 165). Rousseau's view of representation challenges Hobbes' idea that freedom is best safeguarded by an individual or an assembly that has all the power to govern them. He argued that the social contract is only legitimate if it reflects the collective will of the people and ensure their natural freedom.

First, the supreme authority can no more be modified than alienated; to limit it is to destroy it. It is absurd and contradictory that the sovereign should acknowledge a superior; to bind itself to obey a master is to regress to primitive freedom. [...] Further, it is clear that this contract of the people with such or such persons is a particular act; from where it follows that the contract cannot be a law or an act of sovereignty, and that consequently it is illegitimate. (Rousseau, 1762/1947, p. 224)

Rousseau challenged the idea that the general will should be pursued by a supreme authority, as Hobbes suggested. In his view, it is contradictory that the people should need a master to safeguard their freedom.

In Rousseau's view, political representation undermines this active participation of citizens. The social contract results ideally, according to Rousseau, in a civil state in which individuals are active, become citizens and form a people.

This public person, which is thus formed by the union of all the individual members, used to be called a city* and now is called republic or body politic. When it is passive, it is called by its

members State, and sovereign when it is active, power when it is compared to similar bodies. With regard to the associates, they take collectively the name of people, and are called individually citizens, inasmuch as they participate in the sovereign power, and subjects, inasmuch as they are subjected to the laws of the State. (Rousseau, 1762/1947, p. 164)

Rousseau argued that political representation alienates the sovereignty of the people, as citizens only exercise their sovereignty in the moment of electing their representatives. But by doing so, they are also relinquishing this sovereignty to their representatives and slumber into slavery. Individuals, Rousseau argued, become passive and mere subjects to the laws of the State and its representatives. As Rousseau illustrated: “The English nation thinks that it is free, but is greatly mistaken, for it is so only during the election of members of Parliament; as soon as they are elected, it is enslaved and counts for nothing. The use it makes of the brief moments of freedom renders the loss of liberty well-deserved” (Rousseau, 1762/1947, p. 221).

Rousseau also warned against the tyrannical outcomes that could result by self-centered representatives who are given full authority to act on behalf of the people. According to Rousseau, representation undermines the freedom of the people because citizens no longer prioritize public life, their active participation is reduced to a passive one as they become mere spectators and no longer participate in law-making. In addition, safeguarding the general will is left to individuals who are self-interested, further undermining the freedom of the people.

As soon as public service ceases to be the principle concern of citizens, and they prefer helping with their wallets rather than with their persons, the State is already on the brink of ruin. Must they march to battle? They pay troops and stay at home. Is it necessary to go to the council? They appoint deputies and stay at home. Because of indolence and wealth, they ultimately create soldiers who enslave their country and create representatives who sell it. (Rousseau, 1762/1947, p. 221)

Rousseau illustrated this claim within the context of the emerging French Republic. According to Rousseau, the separation into three orders – the Clergy, the nobility and the Third Estate – with the first two estates being ranked above the Third Estate, the people, reflects the alienation of the

general will within modern institutions (Rousseau, 1762/1947, p. 221). In this context, he conceived that citizens are alienated from the general will and that representation being imposed onto such a corrupted civil state leads individuals to lose their civil liberty: “the decline of patriotism, the active pursuit of private interests, the vast size of States, conquests, and the violations of government led to the idea of deputies or representatives of the people in the national assemblies” (Rousseau, 1762/1947, p. 221).

Rousseau has generally been understood to object political representation. Rousseau believed that sovereignty is inalienable and indivisible stating that: “I say, then, that sovereignty, being nothing but the exercise of the general will, can never be alienated, and that the sovereign power, which is in fact a collective being, can be represented only by itself; power indeed can be transmitted, but not will” (Rousseau, 1762/1947, p. 170). However, as Ankersmit (2014) explains, Rousseau claims that sovereignty cannot be represented if representation is understood as the act of a central power that has the authority to make all the decisions on behalf of the people; in such a case, he argued, sovereignty is in fact alienated because decisions are not made by the people (p. 29). For Ankersmit, Rousseau defends the “pristine unity” of the body politic and argues that only a form of representation understood as delegation could be acceptable, since the will of the people is indivisible (Ankersmit, 2014, p. 29). Following Nadia Urbinati’s analysis, who argues that Rousseau challenged the feudal tradition of representation in his *Social Contract*, Ankersmit further explains that Rousseau opposed the “medieval representation and not the modern variant”, instead suggesting that Rousseau in fact embraces modern representation in his subsequent political writings, notably *Considérations sur le gouvernement de la Pologne* (Ankersmit, 2014, p. 24).

Rousseau leaves room for at least one form of representation, what Burke will later describe as a delegate model. As explained by Nadia Urbinati (2006), Rousseau does endorse a delegation model of representation. Rousseau argued for a form of representation that guarantee that individuals are as free as in nature and sovereign (Rousseau, 1762/1947, p. 243). In his view, laws are created by the people and are an expression of their will. When the people nominate delegates, it is for them to execute their will rather than to create new laws or rules. As Rousseau stated:

To explain, however, in what manner the tribunes sometimes represented it, it suffices to understand how the government represents the sovereign. The laws being nothing but the declaration of the general will, it is clear that in their legislative capacity the people cannot be represented; but they can and should be represented in the executive power, which is only force applied to law. (Rousseau, 1762/1947, p. 222)

From this premise, Rousseau defines the role of representative as delegates: “The deputies of the people, therefore, are not and cannot be its representatives: they are merely its stewards and can carry through no definitive acts. Every law the people has not ratified in person is null and void — is, in fact, not a law.” (Rousseau, 1762/1947, p. 263). In Rousseau’s view, the representatives are not making authoritative decisions. They are rather applying or interpreting the rules, executing the will of the people which is the one generative of laws or rules and also from which the judgment of the delegates derives its authority. As Urbinati explains, Rousseau conceived this role of delegates as nothing more than “opining”; they express their judgment or opinions based on existing laws or rules: “judgment, because it is parasitical on laws or rules it does not itself create, is a weak power; this makes it transferable without risking the violation of liberty and equality” (Urbinati, 2006, p. 74). When representatives act as decision-makers, argued Rousseau, they usurp the sovereignty of the people, becoming sovereigns themselves. In this case, the representatives are undermining the general will and, in so doing, they violate civil liberty and equality.

The Representative as a Trustee: Burke's View

Among other modern political thinkers who expanded the notion of political representation, Edmund Burke was particularly influential in opening new directions in the understanding of the role of representatives, viewing them as trustees rather than delegates. In the speech that he delivered in 1774 following his election at Bristol, Burke defended his view that members of parliament are not mere delegates whose purpose is to voice the particular interests of each constituency. Rather, he conceived them as “trustees”, arguing that they should seek to represent the national interest by exercising their superior judgment in making public decisions.

Burke discussed the concept of political representation in relation to the institution of parliament. Burke conceived that parliament is not a collection of representatives who advocate for the specific interests of their constituencies. Rather, in his view, parliament is a deliberative assembly where representatives who are elected by their constituents engage in rational reasoning, exercising their judgment in public matters. Within this deliberative assembly, representatives aim to identify the national interest and to enact the decisions which best serve it. As Burke stated in the oft-cited passage from his 1774 speech:

Parliament is not a congress of ambassadors from different and hostile interests; which interests each must maintain, as an agent and advocate, against other agents and advocates; but parliament is a deliberative assembly of one nation, with one interest, that of the whole; where not local purposes, not local prejudices ought to guide, but the general good, resulting from the general reason of the whole. You choose a member; indeed, but when you have chosen him, he is not member of Bristol, but he is member of Parliament. (Burke, 1774/1975, p. 448)

One reason why representatives are so important in Burke's view is that the capacities required to understand public affairs and to exercise sound judgment are not universally distributed among the masses. In his view, only those who possess superior judgment and wisdom and who are capable of engaging in rational deliberations to achieve the common good, are qualified to serve as

legislators. In Burke's view, representatives are not expected to carry out the specific wishes of the constituents that elected them, and only those wishes, nor to be a mere spokesperson of their interests.

As Melissa Williams (1996) explains, according to Burke's theory of representation, the unity of the multitude of individuals is located in the national interest (Williams, 1996, p. 39). The national interest itself is not a given, yet it is objective in nature and can be identified by individuals who possess wisdom. It emerges when representatives of different parts of the nation come together and deliberate in parliament. The interest of the nation is unitary and finding this national interest depends on taking into account the interests of each part. The national interest is more than the sum of these interests or the result of a compromise between conflicting interests. Finding the common interest depends on representatives of each part to deliberate beyond conflicting interests to find the solution that preserves the unitary interest of the nation (Williams, 1996, p. 30).

Although Burke argued that representatives should be focused on the national interest, he also emphasized that representatives must be in touch with their constituents on a regular basis; ongoing communication with constituents is what ensures that representatives stay abreast of their needs and preferences. As he stated:

Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion, high respect; their business, unremitting attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs; and above all, ever, and in all cases, to prefer their interest to his own. (Burke, 1774/1975, p. 446)

In his view, those who make up the legislative assembly should be the individuals who are able to engage in rational reasoning while putting aside their own private interests and see beyond particular concerns of their constituencies. However, being attentive to the needs of their constituents does not equate that representatives should substitute their own judgment for that of

the people (Pitkin, 1967, p. 169). Burke argued that it is part of their function as representatives to exercise their own judgment in public matters: “But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living. [...] Your representative owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion” (Burke, 1774/1975, p. 446).

Burke conceived of elections as a means to select representatives. As explained by Pitkin and Williams, Burke envisioned representatives as “trustees” who act according to their own judgment and also seek to promote the national interest rather than the particular interests of the constituencies that elected them. He emphasized that competent legislators are individuals who are able to prioritize the common good over their own private interests as opposed to the masses. Elections are a means to identify those individuals who should sit in parliaments as representatives as they possess the quality of being part of the “natural aristocracy” defined by their superior wisdom and aptitude for practical reasoning (Williams, 1996, p. 26). Burke’s view that representatives must be of the class of the “natural aristocracy of merit and judgment” that can preserve the interests of the people, is not in support of monarchy as a form of government (Williams, 1996, p. 26). According to Melissa Williams, “Burke did not ground his claims for a natural aristocracy on any natural or divine right of the few to govern but on the observable fact [...] that government works best when left in the hands of those who had demonstrated ability to govern” (Williams, 1996, p. 28). As Williams further explains, Burke thought that members of parliament must be elected not because it would make them more responsive to the people, but because “it was only by owing their seats to a power independent of the crown” (Williams, 1996, p. 26) that they would be trusted to be free from its influence. In addition, unlike Hobbes, Burke does not believe that representatives are such by virtue of being authorized by the represented. In

Burke's view, neither elections nor formal authorization give rise to representation; instead, representation stems from the communion of feelings between the representative and the constituency. For instance, as Burke illustrated, a metropole can be represented even without having a separate representative elected from this specific constituency; a representative of a metropole with similar features is enough to ensure their representation (Pitkin, 1967, p. 175).

In her article, Williams (1996) offers a contractualist reading of Burke's theory of representation, focusing on the concepts of "virtual representation" and "descriptions" of citizens – groups he believed merited parliamentary representation. According to Williams, these concepts suggest that "the groups that are relevant for political representation are those that have both shared interests and a 'sympathy of feelings', the combination of which creates the capacity to act as a body" (Williams, 1996, p. 39). From this perspective, each part of the nation – its "descriptions" – should have a voice in parliament and be included in deliberations aimed at pursuing the national interest. Parliament, therefore, "ought to include the best individuals from the various 'descriptions' of citizens" (Williams, 1996, p. 140). As Williams further emphasizes, the notion of "virtual representation" in Burke's work is a cornerstone in understanding his view of representation and the constitution of the assembly of representatives. Burke's virtual representation refers to the idea that some particular constituencies can be represented without their being present themselves in parliament; they are represented by virtue of a sympathy of feelings and communion of interests between them and a member of Parliament (Pitkin, 1967, p. 173). Elections in Burke's framework, says Pitkin, serve as the mechanism to provide the "substratum" for virtual representation (Pitkin, 1967, p. 177). According to Pitkin, the qualities required of representatives – "wisdom" and exceptional "judgment" – are derived from experience as they depend on their connections with the interests of a specific part of the nation (Pitkin, 1967, p. 169). In this way, the extension of

suffrage and elections enables the selection of representatives who share the sentiments of politically excluded (but represented) individuals. Burke's view is not only a critical contribution to contemporary interpretations of political representation in contemporary parliamentary systems; as Williams explains, his account of representation can help us to imagine new ways to ensure the inclusion of historically excluded groups in political institutions, including but not limited to national parliaments (Williams, 1996, p. 44), which I will consider later in the thesis.

Two Contrasting Views on Representative Democracy

Modern philosophers from the republican and the liberal traditions proposed a range of arguments emphasizing the significance of political representation. Republican thinkers such as Benjamin Constant (1874) and Thomas Paine (1945) argued that representative government is the best way to ensure the stability of the state and to promote the common good due to modern citizens' conception of political liberty. In their view, modern citizens understand freedom as the maximization of individual liberties. Such interpretation of political liberty is no longer compatible with direct democracy, or at least this form of government may not be suited to ensure the protection of the common good. By contrast, within the liberal tradition, representative government is considered by John Stuart Mill (1861/2015) as the second-best form of government only because direct democracy is unfeasible given the size of contemporary jurisdictions.

In *The Liberty of the Ancients compared with that of Moderns*, Constant (1874) argued that the Ancients and the Moderns had two different conceptions of liberty. For the Ancients, freedom meant protecting the sovereignty of the state from domination and external threats, such as interference from foreign powers. In contrast, the Moderns defined liberty as the exercise of individual agency without interference from others. Constant stated that "the aim of the moderns is the enjoyment of security in private pleasures; and they call liberty the guarantees accorded by

institutions to these pleasures” (1874, p. 269). In contrast, he claimed that the Ancients shared a conception of liberty that emphasized cooperation between citizens. As Constant explained, “the aim of the ancients was the sharing of social power among citizens of the same fatherland: this is what they called liberty” (Constant, 1874, p. 269).

According to Constant (1874), modern citizens no longer accept the constraints of the Ancients’ understanding of liberty, focusing instead on maximizing their individual liberty and private pleasures⁴ (p. 279). Constant argued that given the modern conception of liberty, which is centered on individual freedom, direct democracy would inevitably lead to individuals defending their own personal interests at the expense of the common good. For this reason, says Constant, a representative government is the optimal form of government in modern times needed for preserving the common good:

For from the fact that modern liberty differs from ancient liberty, it follows that it is also threatened by a different sort of danger. The danger of ancient liberty was that men, exclusively concerned with securing their share of social power, might attach too little value to individual rights and enjoyments. [...] The danger of modern liberty is that, absorbed in the enjoyment of our private independence, and in the pursuit of our particular interests, we should surrender our right to share in political power too easily. (Constant, 1874, p. 283)

Thomas Paine (1945) defended a similar view that individuals would constantly pursue their own particular interests, arguing that direct democracy may as a result lead to factionalism and conflict, fostering political instability. In his view, the model of direct democracy would result in an antagonistic and conflict-driven politics, with a direct confrontation between individuals seeking to advance their own particular needs and political interests during deliberations, rather than the cooperation necessary to preserve the common good.

⁴ It should be noted that Constant’s claim regarding the liberty of the ancients and the liberty of the moderns was expressed in support of a constitutional monarchy, and against what he perceived as the excesses of the French Revolution (Albertone and Castiglione, 2018, p. 126).

Constant (1874) also defended the idea of representation as a social division of labour, proposing that the governed should delegate the promotion of the common good to an assembly, just as rich men hire representatives to attend to their businesses. Constant argued that individuals may not necessarily engage in political life; therefore, the necessity of having representatives who come together in a diverse assembly, and can engage in deliberations while setting aside their private interests to pursue the common interest. As he stated:

Hence, Sirs, the need for the representative system. The representative system is nothing but an organization by means of which a nation charges a few individuals to do what it cannot or does not wish to do herself. Poor men look after their own business; rich men hire stewards. This is the history of ancient and modern nations. The representative system is a proxy given to a certain number of men by the mass of the people who wish their interests to be defended and who nevertheless do not have the time to defend them themselves. (Constant, 1874, p. 282)

Finally, Constant emphasized that elected representatives are as prone to exercise tyrannical rule as a single monarch. He therefore argued that the design of representative institutions must include checks and balances to prevent representatives from undermining the freedom of the nation if left unchecked. In conclusion, republican thinkers regarded representative government as the best form of governance, arguing that political governance is best left to an assembly made up of public-spirited men who possess superior judgement and who can engage in rational deliberations aimed at safeguarding the common good.

In *Considerations on Representative Government*, John Stuart Mill (1861/2015) offered a distinct defense of representative democracy that contrasts with the republican view. He argued that a representative government is one in which all citizens participate in law-making. According to Mill (1861/2015), political participation enables citizens to develop political capability and moral capacity, and it is also vital to safeguard individual freedom and the sovereignty of the nation. As he argued, by voicing their individual needs and preferences, citizens form public

opinions on political matters and rather than generating factions, their engagement in public deliberations make them develop a sense of collective interest (Mill, 1861/2015, p. 212).

According to Mill, each individual is best placed to know their own good. As he stated, “each person is the best guardian of their rights and interests” (1861/2015, p. 215). Therefore, ideally, they should have a voice in public matters to safeguard their autonomy which would otherwise be sacrificed over the promotion of a so-called collective interest:

The first is, that the rights and interests of every or any person are only secure from being disregarded, when the person interested is himself able, and habitually disposed, to stand up for them. The second, is, that the general prosperity attains a greater height, and is more widely diffused, in proportion to the amount and variety of the personal energies enlisting in promoting it. (Mill, 1861/2015, p. 215)

Mill proposed that, due to practical reasons related to the size of modern political jurisdictions, it is virtually impossible to devise viable institutions that would gather all citizens in one place for every single decision; thus, direct democracy is unfeasible. He considered that the representative government is only the “second best” alternative.

In addition, Mill argued that a representative government ensures that every class of interests is given a voice in law making, preventing any from being unheard or overlooked. In his view, citizens have a variety of interests, and when these interests have a spokesperson in a representative system, they are brought into the public deliberations. The representatives, therefore, ensure that the political decisions that arise from public deliberations account for the needs and concerns of all citizens:

We need not suppose that when power resides in an exclusive class, that class will knowingly and deliberately sacrifice the other classes to themselves: it suffices that, in the absence of its natural defenders, the interest of the excluded is always in danger of being overlooked; and, when looked at, is seen with very different eyes from those of the persons whom it directly concerns. (Mill, 1861/2015, p. 216)

By giving voice to each class of interest, the representatives ensure that the collective interest is reflected in the institutions of the state. In sum, as Mill argued, a representative government promotes the common good because individual autonomy and national sovereignty are safeguarded. When citizens have equal opportunities to participate in the political process, it protects against tyranny by preventing any government from usurping their voices and interests. At the same time, it enables collective decision-making that reflects the collective interest of the people.

In this section, I examined the views of modern philosophers who defended the value of representative government, highlighting their distinct understandings of the role of representatives. In the view of republican thinkers, a small group of representatives gathered in a parliament is better positioned to set aside their parochial interests to pursue the common good while liberal thinkers such as Mill, contended that every individual should have a voice in political decision-making to ensure that the laws reflect the collective interests of society. Contemporary democracies have incorporated these principles by institutionalizing the election of representatives as a key mechanism for ensuring democratic representation.

Among modern thinkers, two distinctive ways of understanding the role of representatives were identified: as trustees or as delegates. These two ways of understanding representatives were in tension with each other: Pitkin called the dispute the “*mandate-independence* controversy” (Pitkin, 1967, p. 145) that pitted the role of representatives as either trustee or delegate. A representative is conceived as a “trustee,” when acting according to their own judgment of what they believe to be the national interest. As trustees, representatives are deemed capable of exercising superior judgment to govern; therefore, representatives sitting in parliaments should be those wise enough and able to prioritize the common good over their own private interests. On the

other hand, when understood as a “delegate,” the representative has a mandate to faithfully express the opinions, preferences, and particular interests of their constituents. The debate about the role of the representatives – whether they are “trustee” or “delegate” – which was initiated during modernity continued into the 21st century, with scholars proposing nuanced observations about the role of representatives in contemporary institutions (Eulau et al., 1959; Pitkin, 1967; Rehfeld, 2009; Mansbridge, 2011). In the next section, I explain that contemporary political philosophers focus on the political inclusion of marginalized groups as a key role of political representatives.

Fostering Inclusion in Contemporary Representative Democracies

Representative institutions emerged following the revolutions of the 18th and 19th century, with the elections of representatives becoming a key feature of democratic governance. Not all citizens, though, had the right to vote and elect representatives, which led to the emergence of equality-seeking social movements during the late 19th and early 20th centuries. For example, the Suffragettes movement successfully advocated for women’s suffrage, contributing to extending the right to vote to the majority of the adult population in many democratic states. In *Voice, Trust, and Memory*, Williams examines the kinds of representational claims that were made by American suffragettes from the late 19th century to early 20th century, highlighting evolving arguments that emphasized the need of including the point of view of women in politics. One such claim emphasizes women fundamental equality with men: because women are human, they should have equal rights (pp. 119-124). Another claim, which Williams refers to as the “virtue” argument, suggests that women possess superior moral virtue and should therefore have the right to vote for policy options that uphold moral values in society (Williams, 1998, pp. 124-128). A third claim articulates that women perform distinct social roles as mothers and caregivers and that, because

these experiences are relevant to certain policy areas, women's point of view should be accounted for in politics (Williams, 1998, p. 119). As Williams explained, these representational claims sought to value so-called feminine qualities in politics and to challenge the traditional association of political leadership with masculine traits. A final representational claim that Williams identifies is the notion that women possess a distinctive voice which emerges from them "having been excluded from full participation in society and politics" (Williams, 1998, p. 119). As a result of women's historical exclusion from politics, existing laws and institutions are biased against women and these biases can only be corrected by including women's voices in the political process. The claims of the Suffragettes, along with the demands for inclusion of equality-seeking movements, supported a shift in democratic theory which became concerned with fostering the inclusion of all citizens in democratic processes. In the 20th century, contemporary political theorists proposed new conceptions of democracy and political representation, emphasizing the distinctive role of political representatives in fostering inclusion (Schumpeter 1942/2010; Pitkin, 1967; Young, 2002; Saward, 2010). In this section, I focus on the role of descriptive representatives – political representatives of minority groups – in securing the democratic inclusion of marginalized social groups.

New Ethics of Democracy

The 20th century witnessed the emergence of new conceptions of democracy, rethought as a system that accounts for citizens' diverse needs, experiences, and vulnerabilities. Democratic theorists explored how political representation could support an inclusive democracy, focusing on justice and inclusion.

One of the most influential theories of democracy in the 20th century was proposed by Joseph Schumpeter. In *Capitalism, Socialism and Democracy*, Schumpeter (1942/2010) defined

democracy as a method of selecting political elites to govern. According to Schumpeter (1942/2010), democracy is “that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote” (p. 241). His theory proposed democracy as a method for settling the conflicts between competing interests in the public sphere (Schumpeter, 1942/2010). In proposing this theory of democracy, Schumpeter's ([1942] 2010) aim was to describe how democracy works in practice, rather than how it ought to be practiced. His theory also challenged the assumption that there exists a single, universal common good, as suggested by modern political thinkers.

Schumpeter's (1942/2010) theory assigned a minimal role to citizens, limited to selecting the elites who govern them. In his view, citizens' political participation is needed for maintaining the functioning of the electoral machinery; however, he observed that “the electoral mass is incapable of action other than a stampede” (Schumpeter, 1942/2010, p. 251). He assigned a central role to political elites who could be “machine politicians” when referring to individuals, or political parties when referring to a collective, competing for the maximum number of votes from the electors (p. 405; p. 422). Therefore, as he saw it, it is the elites who convert, craft, and consolidate the desires, needs, or wants of the citizens into electoral platforms and public policies. Such electoral platforms are proposed by the elites with the intention of attracting electoral support from the masses and with the objective of winning the electoral competition rather than safeguarding a common good (Schumpeter, [1942] 2010, p. 405).

As the century progressed, democratic theorists began to shift the focus from representation to justice, with a specific attention on how fair representation can support the political inclusion of all citizens. In his influential work, *A Theory of Justice*, published in 1971, John Rawls argued that justice is the “first virtue of social institutions” (Rawls, 1971/1999, p. 3). According to Rawls,

the arrangement of social and political institutions should be based on the principles of social justice which “provide a way of assigning rights and duties in the basic institutions of society and they define the appropriate distribution of the benefits and burdens of social cooperation” principle of social and political institutions implies that these institutions should promote fairness in the “divisions of benefits arising from social cooperation and allot the burdens necessary to sustain it” (Rawls, 1971/1999, p. 4). He underscored that a well-functioning institution is “a system of cooperation between free and equal persons” (Rawls, 1971/1999, p. 12); therefore, his work laid the ground for an understanding of democracy as a system that should actively seek justice through the inclusion of all citizens.

Feminist scholarship explored how the exclusion of minorities and marginalized groups was built into democratic processes, by challenging various assumptions in traditional democratic theory. For instance, in her book, *In a Different Voice*, Carol Gilligan (1982/2003) argued that the idea of the individual as self-reliant and independent, which underpinned much then-contemporary political thought reflects a masculine view of the world. Such an assumption suggests that individuals are motivated by competition rather than cooperation and therefore informs the approach that democracy is a competitive struggle between political interests, with each individual or groups trying to maximize their own interest. Iris Marion Young (1985) challenged the conception of the common good as universal and objective. Such an assumption, in her view, overlooks the gendered experiences that come into play in shaping political interests and the perspectives about public matters in deliberations (p. 253). Finally, in *Engendering Democracy*, Anne Phillips (1991) pointed out that this bias had led to a failure to incorporate women’s concerns and interests. According to Phillips (1991), “politics has to be reconceptualized without the blind spots of gender and democracy rethought with both sexes written in” (p. 3).

In her book, *Inclusion and Democracy*, Young (2002) argued that democracy should aim to include the voices of historically marginalized social groups, leading to public policies that can achieve social justice. Young (1990) defined social justice as “the elimination of institutionalized domination and oppression” (p. 15). According to Young, structural inequalities within democracies are historically reproduced through social relations into conditions of oppression, resulting in the political exclusion of social groups. Those structural inequalities are “for example, inequalities of wealth, social and economic power, access to knowledge, status, work expectations” that are unjust to the extent that they help produce or perpetuate institutional processes which support domination or inhibit self-development (Young, 2002, p. 34). For Young, as I will elaborate in the next chapter, the political inclusion of a diversity of perspectives and experiences, particularly those of historically marginalized groups, is essential in order to dismantle these oppressive processes (Young, 2002, p. 119).

Other feminist scholars have further argued that democracy ought to be inclusive of marginalized citizens, by proposing alternative accounts rooted in care and vulnerability. Generally, vulnerability is treated as the shared human condition of being exposed to the brutalities of life and death. Joan Tronto (2013) took vulnerability as the starting point of her theoretical project, with individuals seen as vulnerable, and not as rational beings seeking to maximize their private interests (*homo economicus*) – a view that is central to traditional democratic theory. According to Tronto (2013), the objective of democracy is settling disputes about care responsibilities. As a form of government, democracy should aim at building caring institutions that provide for the needs of all citizens, especially those who are vulnerable or marginalized. Similarly, Judith Butler (2020) suggested that inclusive democracies should seek to develop public policies that alleviate precarious outcomes such as social insecurity or work precarity, ensuring

that all individuals have the conditions needed to live a dignified life. These contributions illustrate a shift toward an inclusive model of democracy that centres responsiveness toward citizens and support their participation and inclusion in democratic processes.

Inclusive Democracies and the Role of Representatives

In *The Concept of Representation*, Hannah Pitkin (1967) proposed a contemporary theory of political representation, defining it as “acting in the interest of the represented, in a manner responsive to them” (1967, p. 209). For Pitkin, political representation means the representation of political interests, which depends on two mechanisms: authorization and accountability. To be authorized means being mandated to be the legitimate person to speak for and act on behalf of a constituency; to be accountable means being responsive to the wants and needs of constituents. Accountability understood as responsiveness means that political representatives must act in ways that are generally consonant with their constituents’ interests; it does not mean that they must satisfy all the desires of the constituents (Pitkin, 1967, p. 209).

According to Pitkin, a specific institutional arrangement is required to produce these two mechanisms, namely free and fair elections (1967, p. 234). Elections serve as a formal mechanism of authorization: when a person wins the popular vote, they receive the consent of a constituency to represent its will. Elections also create the conditions for responsiveness. Regular elections encourage representatives to align their actions with the preferences of the voters, thus be accountable, as they compete to secure re-election to public office. In this way, Pitkin highlighted the democratic function of elections in fostering political representation.

Over time, following Pitkin’s theory, scholars have expressed concerns that representative democracies have fallen short of meeting the ideal of active citizen participation. Some scholars argued that political representation has supplanted political participation, a shift referred to as the

“representative turn” of democracy (Urbinati & Warren, 2008; Nasstrom, 2011; Disch 2015). For instance, Carole Pateman (1970) initially observed that, in representative systems, the active political participation of citizens seems no longer vital, reduced to a mere “simulacrum” (p. 3). Many scholars pointed out that political representatives are often out of step with the needs of their constituents. They observed that those who are elected to parliament or who dominate political spaces are usually the wealthiest and most powerful individuals (Manin, 1995; Pitkin, 2004; Albertone & Castiglione, 2018). Moreover, with the party system in representative democracies producing an imbalance of resources and information between representatives and citizens, Albertone and Castiglione (2018), like Pateman (1970), argued that citizens had effectively been relegated to the role of spectators rather than being active participants in politics (p. 419).

With respect to these concerns, democratic states have made efforts to implement institutional reforms with the aim of increasing citizen participation within the political process. Electoral reforms such as electoral redistricting and proportional representation have been proposed by political theorists as strategies for ensuring the representation of minority political ideas within legislatures (Mansbridge, 1999; Urbinati & Warren, 2008). Other strategies, such as citizen assemblies, which are group of citizens randomly selected to deliberate or advise on public policy, have been proposed as ways to enhance the participation of citizens in the decision-making process (Landemore, 2020). These strategies are geared towards reducing citizens’ skepticism about representative politics by increasing their participation in it and in doing so, they demonstrate that representative politics can support a democratic culture (Pateman, 1970; Plotke, 1997).

Against this backdrop, scholars such as Phillips (1995), Williams (1998) and Young (2002) also underscored the need to ensure the representation of marginalized individuals in politics. They specifically advocated for the inclusion of *descriptive representatives* — political representatives

who have similar demographic characteristics to those whom they represent and who “look like” them in some key way. Phillips (1995) argued that these representatives can and play a key role in promoting the interests of marginalized groups in democratic spaces. Because these representatives may share similar social experiences with marginalized citizens, they are able to understand their concerns and to speak for them effectively in democratic spaces, ensuring that their interests are not overlooked (Williams, 1998). In addition, Young (2002) argued that descriptive representatives contribute to develop public policies that foster the inclusion of marginalized social groups and dismantle systemic obstacles that prevent their political participation. Therefore, Young (2002) proposed that institutional mechanisms such as quotas should be implemented to guarantee the presence of descriptive representatives in democratic spaces.

However, not all theorists agreed on the value of descriptive representation. These theorists build on Pitkin’s (1967) account of it being a symbolic form of representation (Kymlicka, 1995; Meier & Severs, 2018). Pitkin (1967) distinguished two forms of political representation: “acting for” and “standing for” (p. 61). “Acting for,” which Pitkin argued is compatible with democratic accountability, refers to a form of representation whereby the political representative is regarded as involved in activities such as speaking on behalf of their constituents or developing policy options that address the preferences and needs of their constituents. In contrast, descriptive representation falls under “standing for,” a form of representation in which the representative “does not act for others; he ‘stands for’ them, by virtue of a correspondence or connection between them, a resemblance or reflection” (Pitkin, 1967, p. 61). However, so conceived as depending “on the representative’s characteristics, on what he is or is like, on being something rather than doing something,” descriptive representation is not compatible with democratic accountability (Pitkin,

1967, p. 61). In addition, according to Pitkin, accountability is ensured through elections, where citizens can evaluate the performance of their representatives and decide whether to elect or re-elect them based on how well they have represented their preferences.

While scholars have defended descriptive representation by underscoring its essential role for the inclusion of marginalized social groups, critics argued that this form of representation may undermine accountability and democratic legitimacy. In many cases, given the design of most political systems, descriptive representatives are not selected by the group of electors they aim to represent. Instead, those electors may be scattered across multiple electoral ridings and not attached to a constituency, lacking the direct electoral ties with their representative to hold them accountable for a bad performance at representing their interests (Phillips, 1995, p. 24; Kymlicka, 1995, p. 148). In addition, some descriptive representatives are selected as political representatives via non-standard mechanisms such as quotas, self-declaration, or appointment (Urbinalti & Warren, 2008). In other cases, members of a minority group may be elected and expected to play a role as descriptive representative. In those cases, critics fear that representatives would be elected or re-elected regardless of their qualifications and political records and therefore, not representing the interests of marginalized social groups (Jones, 2014).

Pitkin's framework contributed to expanding the role of political representatives in promoting democratic inclusion in contemporary democracies. While scholars agree that descriptive representatives may be essential for the inclusion of marginalized social groups, this form of representation remains challenged by critics who argue that it may undermine accountability and democratic legitimacy. I aim to respond to these critics by defending the value of descriptive representatives in general, and specifically for the inclusion of LGBTQ+ individuals.

Rethinking Accountability and Descriptive Representation: A Constructivist Approach

Constructivist approaches to political representation offer a compelling opportunity to re-examine the extent to which, and by what mechanisms, descriptive representatives can be held accountable. Political representation, in this view, is a dynamic, performative process that is produced beyond the mechanisms of elections and in any democratic space outside of parliaments (Saward, 2010). These approaches suggest that political representation is continuously constituted through the discourses expressed in the activity of representation itself, emphasizing the role of the representatives in achieving the representation.

Some scholars in political theory have embraced a constructivist understanding of political representation according to which representation emerges through discourses and practices (Saward, 2010; Dutouya & Hayat, 2016). In *The Representative Claim*, Michael Saward (2010) defines political representation as a performative act that is constructed through discourses by and between representatives and the represented. Central to this process is a mechanism Saward calls the *representative claim*, in which an individual or group declares themselves to be the representative of a group or to be the custodian of the best way to promote their interests. According to Saward (2006), representation emerges through this mechanism as follows:

A *maker* of representations (M) puts forward a *subject* (S) which stands for an *object* (O) which is related to a *referent* (R) and is offered to an *audience* (A) (Saward, 2006, p. 302).

Political representation as a claim-making activity includes four components: a maker, a subject, an object, and an audience (Saward, 2006). As Saward explains, an individual or a collective, referred to as the maker, makes a “representative claim” which is defined as “a claim to represent or to know what represents the interests of someone or something” (Saward, 2010, p. 37). They declare themselves to be the representative (subject) of specific constituents (object) and delineate the characteristics of these constituents. The audience is the component that accepts or rejects the

claim to represent. If the claim is accepted, then political representation takes place. In this context, representation is not merely the result of elections but occurs anytime a representative puts forward a claim, which may or may not be accepted by an audience (Saward, 2010, p. 3).

This conception highlights the constitutive function of representative politics, particularly, the role of the political representative in the democratic process. This view is supported by Dutoya and Hayat (2016) who expand on Saward's account by identifying other ways in which representation is constituted through discourse. Other types of representative claims differ from Saward's view, in which representation is dependent upon the audience's approval of a claim to represent: for instance, *representation as imposition*, where representative claims that are expressed by an individual or a collective "impose an identity on the represented" or *representation as composition*, where "the represented exists prior to the representative" (Dutoya & Hayat, 2016, p. 3).

Furthermore, scholars adopting a constructivist approach to political representation have proposed distinctive understandings of the dynamics of political exclusion, as well as the ways to achieve inclusion in and beyond institutional arrangements (Hayat, 2013; Disch, 2015). According to Samuel Hayat (2013), political representation can both exclude and include citizens in democratic processes. Political representation can "exclude" the represented from political participation by making visible only representatives rather than their constituents. In this context, representation reproduces a power dynamic in which the represented cede their sovereignty and will to a representative who acts on their behalf. Political representation can also foster inclusion in various ways, with representatives playing an active role in this process. According to the constructivist view, standard democratic institutions can be conceived as one possible means, among others, to achieve democratic inclusion (Severs, 2010). For instance, Hayat (2013) argues

that inclusion can be achieved through “subjectivation,” which means that “what is to be included cannot be defined a priori, and that inclusive representation participates in the creation of the social identities that it is to include” (p. 118). In this sense, the representative, by presenting themselves as speaking on behalf of a collective, helps to convey that the represented are a cohesive group. Taking a similar approach, Lisa Disch (2015) theorizes that political representation can shape, strengthen, or weaken specific political groups. It means that representatives can mobilize the engagement of groups that are politically excluded, by the relationship that they develop with those groups and by voicing their interests, ensuring their inclusion in democratic processes (Dovi, 2007, p. 729)

These contributions inform the direction I am following in this dissertation, which aims to demonstrate that descriptive representatives play an essential role in securing the political inclusion of LGBTQ+ voices in democratic spaces while arguing that they can and should be accountable. I will argue that descriptive representatives promote the interests of marginalized social groups in the context of public decision-making, and they ensure that members of marginalized social groups feel they are being represented and politically included. Their role is not merely performative as I will demonstrate. Particularly in contexts where they are not elected by the groups they represent, it is valuable to address the accountability of descriptive representatives in light of theoretical developments that provide a constructivist understanding of political representation.

Assuming that political representation is constructed through representation claims provides several avenues to assess the function of descriptive representatives in promoting the interests of marginalized social groups. A constructivist approach encourages us to focus on the deliberations within the public sphere between citizens and representatives, taking as a starting

point, the representative claims made by descriptive representatives. This framework also allows for a broad conception of constituencies, where a group of electors, spanning across multiple electoral ridings, can form a virtual constituency united by their shared collective interests. Using Saward's understanding of the notion of representative claims and audience, representative claims can include the policy options that are promoted by a representative to respond to the needs of marginalized individuals, or statements in which representatives declare themselves legitimate spokespersons for marginalized groups within parliament. Moreover, any group of electors, including marginalized individuals, can be viewed as constituting an audience. As such, they can respond to the claims that are constructed by a descriptive representative, either rejecting or accepting policy options that purport to align with their interests. When political representation is conceived as an activity that occurs beyond elections, it becomes possible to evaluate the role of descriptive representatives as key agents in generating democratic inclusion in various democratic spaces including parliaments.

Conclusion

As I demonstrated in this chapter, political representation has evolved throughout history to become a fundamental feature of democracy. Some early conceptions of political representation describe it as fundamental for state stability, while some modern philosophers describe it as necessary for the advancement of the common good. Contemporary theorists have added to these descriptions of political representation stating that it is also a crucial element of democratic inclusion. This background serves to situate the contributions my dissertation will offer to current discussions of descriptive representation. I aim to reexamine the relationship between descriptive representation and accountability and to show how descriptive representatives meet acceptable

terms of accountability. By adopting a constructivist approach, which allows to consider a group of electors that assemble across electoral ridings as a constituency, I will examine the deliberations between politicians and citizens to assess the mechanisms of performance evaluation and selection of good representatives. In the next chapter, I discuss various ways of fostering democratic inclusion, and I argue that Young's approach of group representation approach can best secure LGBTQ+ inclusion.

CHAPTER 2 REPRESENTATION, ITS MEANS AND INCLUSIVE WAYS

Iris Marion Young (2002) proposes “group representation” as a key way to achieve the inclusion of oppressed social groups, as distinct from interest groups, in democratic society. In her view, oppressed social groups must be granted forms of guaranteed representation in political spaces, in addition to the representation offered by elections, to ensure that their voices are heard and taken into account in the political process. In this chapter, I argue that a form of guaranteed representation, as outlined by Young, can secure LGBTQ+ political inclusion. I first describe the many types of groups that may be entitled to or seek inclusion, according to political theorists. I then outline the merits of Young’s understanding of group representation in contrast to other avenues of democratic inclusion found in liberal thinking. I do so by articulating the conception of political equality that underpins Young’s framework of the inclusion of oppressed social groups. Finally, I examine significant objections to Young’s defense of group representation that are related to social separatism and the danger of essentialism which, critics claim, threaten to reinforce political exclusion rather than foster inclusion. I also highlight reasons to defend group representation for LGBTQ+ individuals notwithstanding these objections.

Groups and Inclusion

Interest groups, cultural groups, and oppressed/marginalized social groups are three main groups considered by political theorists in relation to political inclusion. In this section, I examine each of these groups and I use the insights gained from this examination to highlight how LGBTQ+ inclusion should be approached.

Interest Groups

Contemporary pluralist theorists, such as Robert Dahl (1971) and David Truman (1951/1971), focus extensively on the role of interest groups in democracies. Truman defines interest groups as voluntary associations formed by individuals who share common attitudes and seek to make claims upon the state. He further described them as associations in the public sphere that articulate “what is needed or wanted in a given situation” (Truman, 1951/1971, p. 34). In his words, interest groups are: “any group that, on the basis of one or more shared attitudes, makes certain claims upon other groups in the society for the establishment, maintenance, or enhancement of forms of behavior that are implied by the shared attitudes” (Truman, 1951/1971, p. 33).

Truman gives an account of the formation of interest groups. In his view, they may emerge when individuals with shared common attitudes toward a specific matter voluntarily join together to advocate their interests (Truman, 1951/1971, p.33). They may also emerge in response to a disruption or crisis in the functioning of the state (Truman, 1951/1971, p.33). As Truman explains:

We have seen that many of these groups, the associations, come into being or are activated as a consequence of disturbances – prolonged or intense or both – in the expected patterns of interaction. The associations function to restore a previous equilibrium or to facilitate the establishment of a new one. To a certain extent, depending upon the circumstances, groups can accomplish these goals without recourse to government action – that is, by the successful imposition of claims directly upon another group. (Truman, 1951/1971, p. 104)

Truman emphasizes that interest groups can be best understood when thought of as “a standardized pattern of interaction rather than as a collection of human units” (Truman, 1951/1971, p. 508). He suggests that it is the nature of their “interactions that define [such] groups, not [their] shared characteristics” (Truman, 1951/1971, p. 517). Individuals often have multiple, overlapping interests, and may therefore join as many interest groups as they want to promote their diverse

political agendas. Through their participation in these interest groups, they can exert influence on the policy-making process of legislative assemblies (Truman; 1951/1971; Grant, 2015).

Dahl (1961, 1971) underscores the value of interest groups with respect to democratic inclusion and to the representation of their interests. For Dahl, interest groups constitute key actors in *polyarchies* – which are, as he defines them, democracies in which power is decentralized and shared among a plurality of elites and other bodies in society (p. 8). According to Dahl, the proliferation of interest groups in the public sphere ensures democratic rule by making the cost of authoritarian repression high (Dahl, 1971, p. 15). Through their public contestation and political actions in the public sphere, often in the form of protests, interest groups contribute to government responsiveness to citizen preferences and help to make governments accountable for their decisions. In addition, there is a transition of power from one elite to another due to regular elections that ensure that the different political preferences of interest groups are given voice (Dahl, 1971, pp. 23-32). Finally, when interest groups compete in the public sphere to influence the legislative process, they also ensure the political representation of the various interests that are in the society by making these interests heard (Dahl, 1971).

Cultural Groups

In addition to interest groups, “cultural groups” can play an important role in democratic states. Cultural groups are made up of members who share fundamental characteristics and, sometimes, are shaped by historical processes that differentiate them from other groups or communities (Kymlicka, 1989, p. 135; Sandel, 1998; Taylor, 2003). They are often characterized by shared language, values, beliefs, and everyday practices, among others. Communitarians and liberals differ in their understanding of the significance of cultural groups for democratic inclusion.

Communitarians underscore the importance of cultural membership to individuals, arguing that individuals are embedded in communities (Sandel, 1998; Taylor, 2003). Cultural group membership, they argue, provides individuals with a set of values, norms, and practices that shape their political preferences and determine the criteria by which they feel their interests are satisfied (Sandel, 1998). Communitarians stress the role of the community, seen as the main political unit, and as a counterpoint to the liberal assumption of the primacy of the individual over the community (Sandel, 1998). In addition, according to communitarians, liberal thought neglects to account for the web of social relations in which individuals are embedded. They suggest that liberals only offer a conception of the individual as an atomized, self-determined, and “self-sufficient [entity] independently of any social ties” (Sandel, 1998; Taylor, 2003, p. 236).

Liberals typically do emphasize the priority of the individual, but they do not typically treat individuals as though they are entirely separated from either the community or cultural groups. In *Liberal Community*, Ronald Dworkin (1989) argues that liberal thinking incorporates cultural groups in several ways. For example, he suggests that cultural groups can be seen as political groupings defined by shared responsibilities, or as entities shaped by the actions of citizens (Dworkin, 1989, p. 480). In his view, liberals cannot be thought of as ignoring cultural group membership, but rather, in comparison to communitarians, they simply have a different focus and a different understanding of the community and its role. As Will Kymlicka (1989, pp. 163-171) suggests, liberal theorists generally take into account cultural group membership in their theories, as the context in which individuals are a part, the majority or the nation-state. Moreover, cultural groups have been extensively discussed by liberal theorists such as Joseph Raz (1986), Will Kymlicka (1996), and Alan Patten (2014), who emphasize the need for liberal states to provide protections for cultural minorities within multicultural and multinational states. For instance,

Kymlicka describes the significance of cultural groups in relation to individual agency in politics, arguing that membership in these cultural groups provides individuals with the context they need in which to exercise meaningful autonomy. Therefore, he argues that the liberal state has a duty to put in place special rights and protections for cultural groups which are minorities in a society, for many reasons, including to foster their democratic inclusion. I will further discuss Kymlicka's work in the next chapter.

Pluralist theorists also examine the role of cultural, ethnic, or religious diversity as it relates to democratic inclusion (Lijphart, 1999; Dahl, 2006). Dahl (2006) suggests that culturally homogeneous societies are more likely to function as polyarchies, and that cultural diversity might undermine democratic stability by generating deep social divisions (pp. 91-123). However, Arendt Lijphart's (1999) empirical study of 36 democratic countries worldwide challenges this view, demonstrating that democracies marked by religious, linguistic, ethnic, or cultural diversity do not result in insurmountable social conflicts. Lijphart argues that those countries sometimes adopt a consociational model of democracy, which means a form of government based on coalition-building and consensus rather than competition between factions or political parties (Lijphart, 1999, pp. 34-42). Several factors contribute to effective consociational governments, including the separation of powers among executive, legislative, and judicial branches, the shape of the political system (federal or unitary), the form of the government body (unicameral or bicameral), as well as the characteristics of the electoral system (majority or proportional representation). These institutional arrangements distribute power across institutional bodies and foster social cohesion and democratic inclusion in culturally diverse societies.

Oppressed Social Groups

Iris Marion Young describes some social groups as “oppressed.” According to Young (2002), social groups are “a collection of persons who are similarly positioned in interactive and institutional relations that condition their opportunities and life prospects” (p. 97). Oppressed social groups typically face systemic discrimination, including women, ethnic or racial minorities, and sexual minorities. To understand what specifically defines oppressed social groups, it is useful to compare them with interest groups and cultural groups.

Oppressed social groups differ from the interest groups that are central to pluralist theories in a fundamental way: membership in an oppressed social group is involuntary, while membership in interest groups is voluntary. Unlike interest groups, whose members can freely join or exit, as they see fit to maximize their political interests, membership in oppressed social groups is determined by social structures, which as Young (2001) explains, “consist in determinate social positions that people occupy which condition their opportunities and life chances” (p. 12). These assigned positions operate to constrain individuals’ lives in ways that are beyond their control, creating “systematic constraints or opportunities that reinforce one another like wires in a cage” (Young, 2001, p. 12). Individuals do not become members of oppressed social groups by choice, but rather by circumstances as they are assigned to these groups based on features that others, typically more powerful groups, have identified as relevant or salient in some way. In addition, individuals cannot choose to opt out or change their positions within these structures (Young, 2002, pp. 95-98). Drawing on Heidegger’s concept of “thrownness”, Young explains that the membership in an oppressed social group is experienced by individuals as being born or “thrown” into it: “one finds oneself as a member of a group, which one experiences as always already having

been” (Young 1990, p. 46). Individuals find that their membership in oppressed social groups shapes the opportunities available to them to participate in social and political life.

According to Young, oppressed social groups are also distinct from the cultural groups discussed by communitarians and liberals. While cultural groups are defined by shared identity or values, oppressed social groups emerge as the result of historical social processes of domination and oppression (Young, 2002). These groups are “constituted through the social organization of labor and production, the organization of desire and sexuality, the institutionalized rules of authority and subordination and the constitution of prestige” (Young, 2001, p. 12). Certain individuals are subjected to unjust structural inequalities that reproduce over time and contribute to shaping their lived social experiences (Young, 2002, pp. 94-96). As result, it is not a shared identity that binds individuals who are members of an oppressed social group together; rather, it is their shared lived experiences of oppression (Young, 2002, p. 99-107).

In this section, I examined the characteristics of three types of groups – interest groups, cultural groups and oppressed social groups – that are discussed in democratic theory. Understanding the distinct characteristics of each is key to determining how to ensure their political inclusion, as political theorists have proposed distinct approaches for groups’ democratic inclusion within existing political systems. For instance, as I will discuss in more details in the next chapter, Kymlicka (1995) offers a framework for including cultural minorities, emphasizing that a specific set of collective rights intended for cultural minorities is needed to support their democratic inclusion. In contrast, Young (2002) offers an approach that is appropriate for the inclusion of oppressed social groups, focusing on the elimination of structural inequalities as a way to foster their democratic inclusion. These distinctive approaches suggest that each type of

group may require a tailored strategy that meets their unique challenges within the political system to ensure their political inclusion.

However, determining the most appropriate approach to foster the democratic inclusion of a specific group can present a challenge when the categorical boundaries between cultural groups and oppressed social groups are blurred in practice. In particular, individuals who are members of cultural groups or oppressed social groups may participate in interest groups in the public sphere to voice their demands in the political process, raising important questions about when and whether a distinct approach of inclusion is needed in such cases. LGBTQ+ individuals represent a relevant case study, as they share some similarities with cultural groups and some with oppressed social groups, given their shared identity and experiences of systemic discrimination. They also share some features with interest groups when for instance, LGBTQ+ individuals can be part of various political associations and social movements to promote their interests. In such a context, I examine Young's approach as offering an adequate avenue to secure the political inclusion of LGBTQ+ individuals. To do so, in the following section, I highlight the conception of equality that underlies Young's approach to the fair representation of oppressed social groups in politics.

Thinking Equality and Representation

In order to ensure the fair representation of oppressed social groups, Young defends "group representation", across political institutions. According to this approach, oppressed social groups must be granted forms of guaranteed representation in political spaces, including with respect to the representation offered by elections. In this section, I examine Young's account of group representation, emphasizing that this framework highlights the structural inequalities faced by oppressed social groups that hinder their full political participation. This approach differs from the

understanding of the sources of political inequality found in liberal thinking. In light of this examination, I will later argue in this chapter that Young's account of group representation provides an appropriate framework to ensure LGBTQ+ political inclusion.

Different Conceptions of Equality

The idea of moral equality, by which all individuals possess equal worth, is a cornerstone of Enlightenment philosophy, as exemplified in the work of Immanuel Kant. This notion of moral equality has been expanded in contemporary philosophy, with some scholars examining the premises underlying its original formulations in an effort to broaden the community of equals (Arneson, 1989; Cohen, 1990; Phillips, 2021). Other scholars have focused on formal equality, i.e., the idea that all individuals deserve equal treatment before the law (Rawls, 1971; Dworkin, 1981; Anderson, 1999; Young, 2002). In this section, I discuss the body of work concerned with the actualization of formal equality in social justice.

In *A Theory of Justice*, John Rawls (1971) proposes three principles of justice that focus on the maximization of individual well-being. The first principle, the one that any rational individual would choose under the “veil of ignorance”, calls for an equal distribution of primary social goods, which include a bundle of rights and freedoms, income, wealth, and respect (Rawls, 1971, p. 102). According to Rawls, the second principle of justice, fair equal opportunity (or competitive equality), suggests that individuals with similar talents, capacities, and ambitions must have equal chances to acquire various social positions (Rawls, 1971, p. 103). Rawls's conception of justice goes beyond a simple egalitarian approach by addressing the natural inequality of abilities, circumstances, and needs among individuals. Finally, he introduces a third principle that he calls the *difference principle*, according to which unequal outcomes are unjust, unless they

benefit the least advantaged members of a political community, in which case they can be considered just and tolerated.

Rawls's (1971) theorizations have spurred additional theoretical questions about distributive justice, exploring what goods ought to be distributed, and whether or not redistribution should apply to welfare, resources, outcomes, or opportunities (Dworkin, 1981; Sen, 1985; Arneron, 2017). In response, Amartya Sen (1985) introduces the notion of "capability" in the context of distributive justice, offering a contextualist interpretation of primary social goods. Sen focuses on how these primary goods enable individuals to achieve specific opportunities in different social contexts.⁵ In addition, liberal thinkers such as Ronald Dworkin (1981), G.A. Cohen (1990), and Richard Arneron (1989, 2017) have specifically expanded on Rawls's difference principle. Together with Andrew Mason (2006), their focus has been on considering justice in terms of legitimate and illegitimate inequalities. Dworkin (1981), for example, draws a distinction between unequal outcomes that can result "from tastes and choices of individuals," and those that result from "natural misfortunes and other sources for which individuals are not responsible" (p. 5). For Dworkin, inequalities resulting from circumstances, that cannot be attributed to personal responsibility, are unjust and only these inequalities should be compensated.

In *Equality of Whom?* Iris Marion Young (2001) suggests that theorizing about justice should be done in relation to democratic politics and it should take into account whom – that is to say, which social groups – are being considered for the redistribution of goods. From this perspective, Young (2001) argues that many sources of inequality in democracies are not "transient or accidental," nor simply the result of natural misfortunes (p. 8). Rather, they are structural in

⁵ Martha Nussbaum (2000) further expands on the capability approach by challenging the cultural relativism in Sen's (1985) account and providing a list of ten capabilities including life, health and integrity, emotions and control over the political and material environment.

nature, meaning that inequalities are produced by social structures which are “a set of reproduced social processes that reinforce one another to enable or constrain individual actions in many ways” (Young, 2001, p. 2). According to Young, structural inequality refers to “the relative constraints some people encounter in their freedom and material well-being [...], as compared with others who in their social positions have more options or easier access to benefits” (Young, 2002, p. 98). For Young, structural inequalities operate as “bird cages,” systematically inhibiting the opportunities of affected individuals and preventing them from fully participating in public life.

Young (1990) argues that the cumulative effect of structural inequalities is oppression, which she defined as “the institutional constraint on self-development” (p. 37). As Young explains: “oppression consists in systematic institutional processes which prevent some people from learning and using satisfying and expansive skills in socially recognized settings, or institutionalized social processes which inhibit people’s ability to play and communicate with others or to express their feelings and perspective on social life in contexts where others can listen” (Young, 1990, p.38). Oppression arises from a complex interplay of “different factors, or combinations of factors” that perpetuate and reproduce over time, systematically affecting marginalized groups over generations (Young, 2002, p. 34). As such, the irreducible social and economic inequalities, such as “inequalities of wealth, social and economic power, access to knowledge, status, work expectations” that are produced, affect individuals in a way that they are subjected to unfair circumstances (Young, 2002, p. 34). These circumstances stifle the opportunities of individuals to influence public policies, which perpetuate their social and political marginalization.

In this context, equality means the achievement of social justice, which depends on what enables individuals to participate as equals in democratic life (Young, 1990, p.173; Anderson,

1999). Young (1990) defines social justice as “the elimination of institutionalized domination and oppression”, with its goal being to achieve social equality (p. 15). As Young explains; “equality refers not primarily to the distribution of social goods, though distributions are certainly entailed by social equality. It refers primarily to the full participation and inclusion of everyone in a society’s major institutions and the socially supported substantive opportunity for all to develop and exercise their capacities and realize their choices” (Young, 1990, p.173). Thus, social justice is not a prescriptive set of individual remedies; achieving social justice depends on the systemic distribution of public goods and opportunities (Koggel, 1997; Anderson, 1999). Furthermore, some social groups have been historically marginalized and, have been denied equal respect and status in political, social and economic institutions. For these oppressed social groups, equality requires not only fair access to distributive goods, but also to non-distributive goods, such as respect, status, and recognition. Achieving equality, therefore, often involves challenging the rules that organize the unfair access to these goods (Anderson, 1999). In the next section, I further explore the implications of these conceptions of equality for fairness in political representation.

Liberal Approach to Fair Representation

On the liberal view, political equality depends on guaranteeing equal political rights to all individuals, ensuring that every individual has an equal opportunity to participate in the political process. In addition, political equality requires removing formal obstacles that prevent individual political participation and providing specific protections to cultural minorities that enable them to engage in public life.

For most liberals, formal obstacles within the political system are regarded as the source of inequalities. In this perspective, political inequality emanates from discriminatory laws that place individuals at a disadvantage, thereby limiting their opportunities to participate in politics. These

formal barriers are for example legal provisions denying specific groups the right to vote, or instances where a neutral application of the law imposes a burden on certain individuals who belong to cultural minorities, hindering their political participation. For example, in many countries including Canada, women were disenfranchised and did not have the right to vote or to run for office and seat as representatives in parliaments until the mid-20th century. In addition, the political system may be blind to the practices of some cultural minorities and as result impede their voting rights. For example, without assistance such as multilingual ballots, ethnocultural minorities may face obstacles in exercising their voting rights. Liberals argue that these formal obstacles limit the participation of individuals in politics and undercut their opportunity to make their voices heard in the political process.

According to Dahl (2006), political inequality can arise from a variety of obstacles in the political process. He argues that there are at least six types of obstacles, including the unequal distribution of political resources, skills, and incentives; irreducible limits on time; the size of political systems; the prevalence of market economies; the existence of international systems that are not democratic; and the inevitability of severe crises (pp. 51-76). These obstacles create an uneven playing field where some individuals or interest groups have greater access to political power and to resources which allow them to exercise a disproportionate influence in politics. Overcoming these obstacles, as liberal thinkers argue, ensure the fair competition between interest groups.

According to some liberal theorists, the state plays a key role in ensuring equal political opportunities by maintaining conditions that allow individuals to participate freely in politics (Dahl, 2006, pp. 4-29). Dahl (2006) identifies several basic conditions essential to political equality, including institutional arrangements that ensure free and fair elections, the right to vote,

freedom of expression and association, the right to run for office and political leaders to compete for support (p. 14). Equal individual political rights guarantee that every citizen can form and join interest groups to advance their political interests. In addition, economic policies that allocate resources enable these groups to mobilize in the public sphere and to compete for political influence in the legislative process. These conditions foster fair competition among interest groups, which in turn supports democratic inclusion (Dahl, 1996).

As I introduced earlier in the chapter, pluralist theorists argue that the political representation of various interests results from the competition between interest groups, each vying to achieve an increased influence in the political process to make their interests prevail. In Dahl's (2006) view of political equality, polyarchies require a level of economic development to ensure the conditions of free and fair competition between interest groups (pp. 99-120). For both Dahl (2006) and Truman (1951/1971), fair competition does not require interest groups to have equal resources. Truman (1951/1971) suggests that an interest group capacity to compete is dependent on the group's internal factors (Truman, 1951/1971, p. 506). With uneven distribution of resources, interest groups attempt to gain more influence in the political process than others. As such, fair representation does not mean an equality of influence between interest groups (Dworkin, 1987).

Liberals are divided on whether it is essential to protect cultural rights for ethnocultural groups, in addition to these individual rights, to support their democratic inclusion. These cultural rights include a wide range of policies to accommodate ethnocultural minorities such as language rights or the recognition of religious holidays. Most liberal thinkers believe that universal civil rights adequately protect and ensure the representation of all citizens, including those who are members of cultural minorities and those who face systemic disadvantage in the political process (Miller, 1995; Baumeister, 2000). According to this view, guaranteeing basic civil liberties is

sufficient to ensure political equality and ensure that all individuals are accorded the same opportunities to participate in political life. Some political thinkers, such as Chandran Kukathas (2003), argue that specific protections for cultural minorities are incompatible with liberal justice. Kukathas advocates for a “politics of indifference,” asserting that the state should remain neutral toward cultural minorities. In this specific view, as long as individual rights are safeguarded, members of cultural minorities are free to make choices that ensure the survival of a culture that is essential to the maximization of their interests, without requiring special protections from the state.⁶ Other liberals have built on the notion of liberal neutrality to support collective rights for cultural minorities, arguing that neutrality of treatment means that the state provide rights to equally accommodate cultural groups within its boundaries (Patten, 2014).

A few liberals, such as Will Kymlicka (1995), defend some forms of collective protection for cultural minorities, including special representation rights, as a way of supporting political equality, arguing that they “are consistent with, and indeed required by, liberal justice” (p. 108). In his view, cultural membership provides individuals with the values that support their preferences and with a range of options that allow them to exercise their political agency. Kymlicka argues that protections such as special representation rights can sometimes guarantee that cultural minorities have a say in public decisions, protecting them from being subjected to the economic and political decisions made by the majority that may limit the resources needed for the survival of their cultural group (Kymlicka, 1995, p. 109). However, Kymlicka is cautious about the challenges of implementing such measures for disadvantaged groups in pluralist democracies even though he acknowledges that such collective protections could theoretically be defensible for

⁶ Objections from communitarians have sometimes been directed against this individualistic view, arguing that, in pluralist societies in which there are competing conceptions of a good life, the state has a duty to arbitrate between them in order to maintain social cohesion (Sandel, 2003; Taylor, 2003).

disadvantaged groups to support their democratic inclusion. His concerns center on determining which groups should qualify for such protections, how to mitigate between competing claims of representation and make those rights compatible with democratic principles of accountability. According to Kymlicka, the criteria for identifying such groups that are at a systemic disadvantage in the political process in a way that warrants special protections would be difficult to define, making the implementation of collective protections for disadvantaged groups unfeasible (Kymlicka, 1995, p. 145). Most importantly, Kymlicka does not believe that such collective protections are needed to ensure the democratic inclusion of disadvantaged groups and to correct inequalities. In his view, individual rights would be sufficient to ensure the equal participation of these groups and to address social and political inequalities.

The contributions I discussed in this section provide an overview of the approach to fair representation in the liberal thinking. This approach emphasizes equal individual rights, free and fair competition among interest groups, and specific protections for cultural minorities designed to support the political participation of individuals belonging to these groups.

Group Representation

Iris Marion Young's (1990) notion of "group representation" offers an account by which to achieve the fair representation of oppressed social groups. She argues that "the participation and inclusion of all groups sometimes requires different treatment of oppressed or disadvantaged groups" (Young, 1990, p. 158). Specifically, she advocates for the guaranteed representation of individuals who are members of oppressed social groups in political spaces through institutional mechanisms, which would ensure the democratic inclusion of their political interests. For Young, such inclusion "ought not to mean simply the formal and abstract equality of all members of the polity as citizens" (2002, p. 119), but it also involves to "explicitly acknowledging social

differentiations and divisions and encouraging differently situated groups to give voice to their needs, interests, and perspectives on the society in ways that meet conditions of reasonableness and publicity” (Young, 2002, p. 119).

As Young (2002) notes, dynamics of oppression emerge in various spheres of social, economic, political, and cultural life, resulting in inequalities of material goods, respect and status. These structural inequalities impede the political participation of individuals who are members of oppressed social groups as they face unique obstacles in democratic processes because of their group membership. For example, they may face limited access to economic resources, exclusion from decision-making spaces or stigmatization of their social groups. As Young emphasizes, ensuring the full political participation of oppressed social groups require equal political rights and freedom as conceived by liberals, but it also demands the overcoming of these structural inequalities and the achievement of equal status for the social groups to which these individuals belong.

Scholars who defend group representation observe that the extension of the right to vote and run for office to women and other historically marginalized social groups, has not been enough to guarantee the numerical presence of these groups in parliaments. While the formal barriers that denied them political participation were removed, they remained underrepresented among elected officials. In *Politics of Presence*, Anne Phillips (1995) argues that if there were conditions of fair competition, meaning that no groups were facing undue disadvantages and obstacles, the composition of parliaments would reflect the gender, racial, or ethnic make-up of society. According to Phillips (1995, 2004), the underrepresentation of historically marginalized social groups among elected representatives signals the existence of structural factors that limit their opportunities to participate in politics. Some of these factors are for example, the social division

of labour, gender stereotypes, and the lack of access to the resources including financial resources, professional networks, and role models which may hinder women's ability to run successfully for office (Norris & Lovenduski 1993; Krook, 2009a, 2009b). Similarly, cultural norms that stigmatize sexual minorities can compel LGBTQ+ individuals to conceal their sexual orientation or gender variance or deter them from running as political candidates for fear of "public scrutiny" (Wagner, 2021).

As Phillips and Melissa Williams argue, one way that group representation ensures political inclusion is by compensating oppressed individuals, who face unfair competition in interest group pluralism. This compensation is achieved by taking seriously the impact of structural inequalities on the political process when designing the political system. In *Voice, Trust, and Memory*, Williams explains that structural inequalities, once produced, are reproduced over time, intentionally or unintentionally through social practices, political processes, and state institutions. These dynamics translate into political exclusion in ways that limit the resources that some groups can mobilize or limit the capacity of some groups to compete in making their interests heard or winning an electoral competition (Williams, 1998, p. 16). As Williams argues that the dynamics of systemic marginalization produce "permanent minorities" in the political process (Williams, 1998, p. 82). These permanent minorities are made up of oppressed social groups that are excluded from meaningful political participation and from representation in parliaments.

Furthermore, the absence of representatives that belong to oppressed social groups in parliaments is detrimental for the democratic inclusion of these groups' political interests. As Phillips argues, having legislators from oppressed social groups in parliaments is essential for ensuring that their specific concerns are included in the development of policy options. Without such representation, the unique needs of oppressed social groups are likely to be overlooked,

perpetuating their democratic exclusion. Moreover, the political exclusion of the voices of oppressed social groups means that their needs and concerns go unheard and therefore unaddressed in the political process. At the same time, the overrepresentation of privileged groups in parliaments results in their disproportionate influence on policy decisions, while those who are absent or underrepresented may have little to no say in developing the public policies that shape the circumstances that affect their lives (Young, 2002, p. 116).

According to Young (1990, 2002), group representation can guarantee the political presence of oppressed individuals in parliaments, whose aim would not only be to represent the political interests of their group, but also to dismantle structural inequalities. Group representation entails the guaranteed political presence of marginalized social groups in parliaments. It requires that institutional mechanisms, such as quotas or proportional representation, be put in place to ensure the inclusion of historically marginalized voices in the policy-making process (Young, 1990, p. 184). Similarly, Williams explains that the presence of legislators from oppressed social groups ensure that the voices of oppressed social groups are equally heard throughout the political process. As I have already discussed, in Young's view, oppression shapes distinct lived experiences that create specific needs, preferences, and political interests (Young, 2002, p. 136). From these lived experiences, Young argues, representatives of oppressed social groups can contribute to the development of inclusive policies needed to overcome structural inequalities. Therefore, the presence of oppressed social groups in parliaments is essential to ensure the design of inclusive public policies. Adopting an approach to group representation as outlined by Young can counter structural inequalities and power imbalances between social groups in the public sphere that pluralist scholars often do not account for, by supplementing liberal political systems with institutional mechanisms of guaranteed representation in ways that improve their fairness.

This approach meets the requirements of democratic equality by creating inclusive public policies that enable individuals to participate equally in political and social life.

Politics of Difference and its Limits

In this section, I propose that group representation as a framework is a promising way to secure LGBTQ+ political inclusion, notwithstanding two main lines of objections that have been raised: first, that it may undermine democratic inclusion by institutionalizing social differences, and second, by perpetuating group essentialism, it may generate the political exclusion of diverse interests within social groups. I propose that the examination of the case of LGBTQ+ inclusion will provide answers to these common objections against group representation.

Objections that group representation supports inclusion

Several objections have been raised by political thinkers across the spectrum to Young's approach of group representation to politically include marginalized social groups. These objections challenge that group representation could successfully lead to the inclusion of these groups and support democratic objectives.

Opponents of group representation have objected that this approach risks institutionalizing social differences, which may create rigid and irreconcilable divisions in politics, undermining democratic inclusion (Miller, 1995; Kymlicka, 1995, 2003). They argued that, in general, when there are differences in views, political interests, or public policies, such differences often create venues for people to engage in public debates, express different opinions, and even reach compromises (Truman, 1971; Miller, 1995). For instance, Truman (1951/1971) argues that the overlapping membership within interest groups, when every individual is free to join such groups based on their political interests, allows for diverse interests and demands to be articulated within

the same interest group. This overlapping membership translates into democratic inclusion and stability, with group leaders fostering compromises within the interest groups and holding moderate claims in the public sphere (pp. 157-187). It also ensures cooperation and dialogue across diverse interest groups, diminishing political polarization. In contrast, by emphasizing characteristics such as gender, race or ethnicity, group representation may foster political exclusion. Individuals' autonomy to engage in political action may be reduced, which will encourage divisions rather than building a cohesive political community.

Critics of group representation also fear that this approach will encourage political demands based on group identities, with individuals making particularist claims based on characteristics such as race, ethnicity or gender. Nancy Fraser (1995) points to the types of claims which are related to "identity politics", political demands that pertain to the recognition of identity and cultural differences. According to Fraser, the proliferation of these types of claims may result in the *balkanization* of social activism, i.e., that wide coalitions of social activism may split into multiple subgroups with each advocating for the recognition of their specific identity, resulting in antagonist politics. Groups competing for recognition rather than collaborating for common goals may overshadow demands that are related to the redistribution of resources while also fostering the marginalization of the interests of individuals who do not fit into identity categories, thereby weakening democratic unity. Group representation, critics fear, promote a form of politics which is centered on particularist identities rather than shared citizenship, ultimately fostering social fragmentation and undermining democratic inclusion.

The second line of objection against group representation is the danger of essentialism (Young, 1997, p. 350; Mansbridge, 1999). Essentialism is defined as the idea that entities, whether individuals or groups, possess a fundamental nature or set of features that make them identifiable

as a kind (Stone, 2011). Phillips (2010) describes at least four forms of group essentialism, when a trait or a set of traits are singled out to define a group or individuals who belong to it. One form emphasizes shared biological traits, characteristics, or experiences that distinguishes a group from others. A second form refers to “the attribution of particular characteristics to everyone identified with a particular category” (Phillips, 2010, p. 50). Such an attribution is often based on a stereotypical representation, and members who do not display the attributed trait are conceived as outliers. The third form is when “characteristics are attributed, not to the individuals making up a particular category, but to the category itself” (Phillips, 2010, p. 53), in a way that does not account for the effect of socialization in explaining group differences, naturalizing differences that are generated by social and historical processes. Finally, a fourth form is when certain traits are “defined by reference to an essential defining characteristic,” and then serve as the core criteria for membership in a category. These defining features “cannot be questioned or modified without thereby undermining one’s claim to belong to the group” (Phillips, 2010, p. 57). Both opponents as well as proponents of group representation suggest that it is an approach of inclusion that is vulnerable to essentialism.

Essentialism, it has been argued, can operate to conceal the heterogeneity of interests within oppressed social groups, leading to the marginalization of minority political interests. The idea that there is a heterogeneity of interests within oppressed social groups has been defended by contributions in political theory, with specific attention to lived experiences of crosscutting forms of oppression. Kimberlé Crenshaw (1991) introduces the concept of intersectionality – a concept which was later expanded by Patricia Hill Collins (2019) – to highlight the multiple forms of oppression and the relations of domination that often exist within a specific oppressed social group. For example, Crenshaw explains that factors such as culture, class, race, or sexual orientation can

intersect, thus generating different perspectives, experiences, and political interests among women (Crenshaw, 1991). In this case, where the dynamics of domination that are existing between social groups within the broader society reflect among women, assuming a homogeneity of interests will be at the disservice of the interests of women who are part of minority groups.

Group representation, by assuming that all members of an oppressed social group share similar interests, experiences and perspectives risks marginalizing the voices and interests of individuals whose experiences do not align the presumed homogeneity of the group. Critics have pointed out that the establishment of a cohesive group to be politically included is sometimes achieved through the imposition of “a single, drastically simplified group identity which denies the complexity of people’s lives, the multiplicity of their identifications and the cross pulls of their various affiliations” (Fraser, 1995, p. 112). For instance, political activists in social movements have sometimes resorted to the use of strategic essentialism, by intentionally advancing a common identity that is shared by a category of individuals to achieve a cohesive political goal (Stone, 2011; Spivak, 2010). They did so by defining an essential experience that makes the group membership and its interests, as for example maternity which was conceived as a defining women experience by early feminist activists in the first waves of the social movement (Mikkola, 2017). As such, political activists may engage in the exclusion or repudiation of individuals who do not display a perceived authentic identity or do not conform to the group culture (Phillips, 2010). Similarly, the political interests of the privileged members within the group may be elevated as representative of the collective interest shared by all members of the group (Mikkola, 2017). As a consequence, the political interests of minorities within the oppressed social group can be further marginalized (secondary marginalization) and excluded (Cohen, 1999).

Some of these objections raised by critics seek to reject group representation altogether, while others express reservations about its implications for democratic institutions and principles.

Is Group Representation for LGBTQ+ individuals defensible?

Notwithstanding the objections that I outlined above, I propose that Young's group representation is defensible to secure the political inclusion of LGBTQ+ individuals. First, this approach of inclusion is essential for achieving social justice, as defined by Young. Second, it ensures the fair representation of LGBTQ+ voices within the political process. Finally, LGBTQ+ descriptive representatives can meaningfully contribute to democratic life and thus, their presence in democratic spaces must be secured. These three reasons which I elaborate on below provide a defense for group representation for LGBTQ+ individuals. Moreover, focusing on the case of LGBTQ+ individuals can contribute to dispelling some of the opposition to group representation in general.

The first reason to defend group representation for LGBTQ+ individuals builds on the goal of achieving social justice as understood by Young that I explained earlier. In *Justice and the Politics of Difference*, Young argues that social justice is achieved by overcoming the institutional processes of oppression, so that all voices can be included in political decision-making (Young, 1990, p. 15). One mechanism by which this can be done is by recognizing difference through group representation in public decision-making spaces. Young of course acknowledges the importance of protecting basic civil rights for all individuals but argues that – in key cases – special representation for oppressed groups is also required in order to secure social justice in general, one element of which is their inclusion in parliaments and other political spaces. In particular, oppressed social groups need fair access to both distributive goods as well as non-distributive

goods including respect, status and recognition. Their political presence in parliaments is essential to challenging the processes that produce and reproduce unfair access to these goods.

LGBTQ+ individuals constitute a distinctive oppressed social group, as I will demonstrate in the next chapter. As such, LGBTQ+ individuals as a group are entitled to special representation for the reasons that Young articulates. Earlier in this chapter, I examined the different types of groups that are present in democratic spaces, including interest groups and cultural groups, and oppressed social groups. Whereas interest groups are voluntary associations of individuals who want to advance specific political demands in the public sphere, membership in cultural groups and oppressed social groups is not voluntary and are not created by individuals who self-organize to press for specific political objectives. Moreover, there is an important distinction between oppressed social groups and cultural groups. As highlighted by Young (2001, p. 12), while cultural groups are typically thought to emerge from historical processes of social differentiation, oppressed social groups are defined by dynamics of exclusion based on shared, often immutable traits.

Examining the case of LGBTQ+ political inclusion through an approach of group representation can further support Young's account, in particular by providing a response to the objection of essentialism. As Young (1990, 2002) persuasively argues, the objection against group representation, according to which it contributes to reifying differences, is largely speculative. According to Young (1990), oppressed social groups are not defined by intrinsic attributes of individual members, a shared essence, or identity. Instead, individuals are members of oppressed social groups because they share experiences of historical marginalization, shaped by structurally unjust institutions (Young, 2002). Additionally, LGBTQ+ individuals as a group blur traditional definition of an oppressed social group, which are defined primarily by their involuntary

membership. LGBTQ+ individuals' group membership is both fluid and mutable (Butler, 1999); individuals are part of the group as a result of oppressive gender relations, and they also come to be recognized as members of the group when they publicly identify themselves as such. While scholars have so far considered *ascriptive* groups such as women and racial minorities when discussing the political inclusion of oppressed social groups (Young, 1990, 2002; Williams, 1998), recent research suggests that social groups categorized as ethnic minorities in certain contexts, for example Latin Americans in the United States (Mendez, 2018), or other groups such as LGBTQ+ individuals (Tremblay, 2019a, 2019b) also merit inclusion in politics via protected mechanisms of special representation.

The second reason to defend group representation for LGBTQ+ individuals is to ensure that they have guaranteed representation in politics, which is needed for their fair representation. LGBTQ+ individuals have diverse needs and experiences, and therefore heterogeneous and, sometimes even conflicting, interests. It is essential to ensure that the diversity of their voices is included in the political process. As explained by Phillips (1995) and as introduced earlier, the underrepresentation or absence of elected representatives from oppressed social groups in parliaments can undercut the inclusion of these groups' interests in policymaking, as their needs may be overlooked by other representatives. Instead, having representatives from oppressed social groups in parliaments may ensure that those interests are better represented and more likely to be understood to be important by others.

Guaranteeing representation of LGBTQ+ voices in parliaments requires to overcome the systemic obstacles that limit the presence of LGBTQ+ representatives in parliaments. In a context in which basic liberties and equal political rights for all individuals are safeguarded, LGBTQ+ individuals can join interest groups and political parties to voice their opinions in politics and can

also do so through various forms of civil engagement (protests, petitions, etc...). Yet, LGBTQ+ individuals face forms of oppression that play out in preventing them from participating as equals in public life. To support my claim, I will explain in chapter 6 that LGBTQ+ individuals faced and continue to face economic, cultural and epistemic injustices across a wide range of political spaces, which make it difficult for LGBTQ+ political representatives to successfully run as candidates and get elected. Young proposes, to remedy those inequalities, the political system should be supplemented with specific mechanisms to ensure the presence of descriptive representatives – political representatives who are members of oppressed social groups.

Young's approach to group representation provides a framework to address the structural inequalities within the political process more effectively than the liberal approach, as I will further explain in the next chapter. Young's approach of group representation is better suited to secure the inclusion of LGBTQ+ individuals than is the cultural rights framework proposed by liberal thinkers. As I discussed earlier in this chapter, it is essential to understand the sources of injustices experienced by marginalized individuals in politics I established that inequalities are typically viewed within the liberal tradition as the result of "natural misfortunes" or individual personal choices. According to this perspective, unequal outcomes attributable to circumstances beyond individual responsibility are considered illegitimate injustices, as opposed to injustices that would be legitimate if they benefit the most disadvantaged individuals in society or result from the bad choices of the individuals affected. Young challenges this perspective by highlighting that some inequalities are structural in nature, arising from and being reproduced by institutional processes. As I will further elaborate in the next chapter, LGBTQ+ individuals face structural inequalities that reduce their opportunity to participate in politics; do not result from natural misfortunes, in other words. In addition, while the cultural rights outlined by liberal thinkers can, to some extent,

reduce the stigmatization of LGBTQ+ individuals, these rights do not consider unfair circumstances that arise from within political processes. These rights as conceived for cultural groups are not intended to dismantle the structural inequalities that lead to the political exclusion of LGBTQ+ individuals, and which are state sponsored rather than misfortunes that hinder their full political participation. Young's guaranteed representation, I therefore argue, is a better avenue to foster the democratic inclusion of LGBTQ+ individuals.

Finally, I will defend that democracies should make efforts to ensure the presence of LGBTQ+ descriptive representatives because they meaningfully contribute to democratic life. Along with the two prior reasons, this reason supports group representation for LGBTQ+ individuals in parliaments. Young argues that members of oppressed social groups share similar experiences of marginalization from which they develop distinctive social perspectives. These distinctive perspectives, according to Young, contribute to expanding the breadth of social knowledge available when their representatives participate in public deliberations. Other feminist theorists support this claim, arguing that political voices that emerge from multiple systems of oppressions can speak to the diverse needs of marginalized citizens (King, 1988; Alcoff, 1988, 2006). Therefore, far from creating antagonistic politics, group representation may contribute to democratic inclusion through the presence of descriptive representatives whose presence, Young (2002) argues, enriches deliberative democracies because they can express their distinctive social perspectives.

Guaranteeing LGBTQ+ representatives in parliaments will ensure that their perspectives are included in the development of public policies. As I will argue in chapter 4, the lived experiences of LGBTQ+ individuals shape specific needs as well as perspectives about the dismantlement of oppressive dynamics that exist within the political process. In chapter 5, I will

further argue that LGBTQ+ descriptive representatives can play a key role in inclusive decision-making, by articulating, promoting and defending LGBTQ+ interests and perspectives.

Conclusion

In this chapter, I considered group representation as an approach to securing LGBTQ+ political inclusion. I started by delineating oppressed social groups as a type of group seeking political inclusion in the public sphere, distinct from interest and cultural groups. I then examined how conceptions about inequality inform different approaches to secure democratic inclusion. I argued, fundamentally, that Young's (2002) account of group representation can better respond to the structural inequalities that cause the persistent exclusion of oppressed social groups, in contrast to liberal accounts of fair representation. LGBTQ+ individuals sharing features which each of these groups, they constitute a relevant case to evaluate the merits of group representation for the fair representation of oppressed social groups. Adopting this approach presents several challenges with respect to the representation of LGBTQ+ individuals, namely the reification of differences and essentialism. Despite, these challenges, group representation, I argued, is defensible for LGBTQ+ political inclusion. The defense of group representation for LGBTQ+ individuals rests on justice, fairness and democratic inclusion. In the next chapter, I argue that Young's framework offers an effective avenue for the inclusion of LGBTQ+ individuals in politics compared to liberals.

CHAPTER 3 ON THE LIMITS OF A LIBERAL MODEL FOR LGBTQ+ POLITICAL INCLUSION IN CANADA

Will Kymlicka (1995) proposes a liberal theory of minority rights that outlines a set of collective rights designed for cultural minorities. Kymlicka offers a compelling alternative to the individual rights-based model of inclusion by articulating group rights within a liberal framework. However, his theory does not provide guaranteed representation for oppressed social groups such as LGBTQ+ individuals which, according to Young, is an essential condition for their political inclusion. In the first section, I discuss Kymlicka's theory of minority rights, outlining its key elements as well as some of the major objections raised by its critics. In the second section, I contrast Kymlicka's treatment of representation rights with Young's special representation for oppressed social groups, arguing that Young offers a stronger framework for ensuring the inclusion of LGBTQ+ voices in politics given that her approach addresses historical dynamics of oppression faced by LGBTQ+ individuals. I also demonstrate that one key limitation of Young's framework, the lack of precise criteria for identifying which oppressed social groups merit special representation, is effectively addressed by Melissa Williams. Finally, I examine the case of LGBTQ+ individuals in Canada, demonstrating that they are an oppressed social group with legitimate claims for special representation in the political process. My examination builds on queer theory and on the political history of the LGBTQ+ movement, to explain why LGBTQ+ interests are not best secured through current models of protection and recognition provided by the liberal state.

Examining a Liberal Avenue of Inclusion

Since the 1990s, the issue of the meaningful inclusion of minorities in liberal democracies has garnered significant attention among political philosophers. Among the liberal theorists who have contributed to this literature, Will Kymlicka stands out as a central figure. His 1995 work *Multicultural Citizenship* is widely regarded as a seminal work in liberal theory and continues to shape contemporary debates on multiculturalism (Léger, 2025, p. 5). In this book, Kymlicka defends group-differentiated rights for cultural minorities from a liberal standpoint. While Kymlicka's theory makes a powerful case for accommodating cultural minorities, I argue that the standard liberal approach, as represented by his framework, is insufficient when applied to the claims of LGBTQ+ individuals. My aim is not to reject liberalism in its entirety, nor to generalize this critique to all liberal theorists. In this chapter, I engage specifically with Kymlicka's work for several reasons: his nuanced articulation of minority rights within the liberal framework, his non-essentialist conception of culture and his interpretation of group-differentiated rights including representation rights. By focusing on Kymlicka's framework, I seek to highlight its merits and limitations in contrast to Young's special representation which offers a compelling framework for the inclusion of oppressed social groups.

Acknowledged for his influence in shaping the field of multiculturalism, Kymlicka is also notable for his contextualist approach. In his various writings including *Liberalism, Community and Culture*, Kymlicka draws examples from the case of Indigenous rights in Canada as well as Quebec-Canada relations to underscore the value of cultural membership for individuals. Grounding his theory in the context of Canada, Kymlicka demonstrates how liberal democracies respond to claims for inclusion of minority groups. In *Multicultural Odysseys*, he looks at the global diffusion of multiculturalism, identifying key conditions for its success such as a

commitment toward human rights and the de-securitization of state-minority relations. According to Kymlicka, liberal states across the world face distinct challenges in including minority groups shaped by their unique historical and demographic contexts. For instance, some countries such as Australia and New Zealand have to accommodate the self-determination claims of Indigenous nations as well as the claims of inclusion of various ethnic minorities whereas other countries such as UK or Belgium do not have Indigenous nations within their boundaries and have to mitigate between national and linguistic minorities and ethnic minorities.

This contextualist perspective is especially relevant to my dissertation which aims to make claims about LGBTQ+ inclusion in Canada. As Léger explains, Kymlicka took the case of Canada – a real-world liberal democracy which “typically recognize[s] and accommodate[s] ethnocultural groups, distinguishing between Indigenous peoples, national minorities, and ethnic groups” (Léger, 2025, p. 12). This methodological choice sets his work apart from an American-centric literature on liberalism, which had been dominant in the field of political theory. According to Léger, Kymlicka’s position outside the American liberal tradition “made him acutely aware of the potentiality of liberalism; the potentiality of both its fundamental principles and their justification” (Léger, 2025, p. 11). For the purposes of my dissertation, Kymlicka’s liberal multiculturalism serves as a conceptual starting point to assess the adequacy of a liberal approach to LGBTQ+ inclusion. As I will discuss later in this chapter, unlike national or ethnic minorities, the demands of LGBTQ+ individuals that concern representation, visibility and inclusion are not fully addressed by such an account. Their experiences of marginalization cut across cultural, linguistic and national boundaries.

Kymlicka's Theory of Minority Rights

One of Kymlicka's key contributions is his conceptualization of minority rights within a liberal framework. In *Multicultural Citizenship*, Kymlicka (1995) develops a liberal theory of minority rights, articulating three types of collective rights that can be put in place in liberal states to accommodate minority groups. His theory applies to countries such as Canada, where, given its *multination* and *polyethnic* character, the demands for self-determination for Quebec and Indigenous Peoples intersect with those of various ethnic and religious minorities. Kymlicka argues that protecting individual freedom depends on some forms of group-differentiated rights for cultural minorities. In his view, such rights are not only consistent with liberal principles but are also essential to upholding them; liberal equality and neutrality justify specific protections for minority groups.

Kymlicka distinguishes among two types of groups: national minorities and ethnic minorities. A nation, according to Kymlicka, is "a historical community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and culture" (Kymlicka, 1995, p. 11). A national minority, therefore, is a cultural group that once exercised self-governance within a specific territory but became a minority as a result of their incorporation into the boundaries of a larger state (Kymlicka, 1995, p. 10). The incorporation of such nations into a state, Kymlicka argues, may have been involuntary, resulting from conquest, invasion, or imperialism; at other times, it may have been voluntary, resulting from an agreement to federate or cede sovereignty (Kymlicka, 1995, p. 11). In contrast, ethnic minorities are formed within a nation-state when individuals leave their own national community and integrate into another state, primarily through immigration (Kymlicka, 1995, p. 20). In addition, Kymlicka describes disadvantaged groups as "new social movements," which include "associations and

movements of gays, women, the poor, the disabled who have been marginalized within their own national society or ethnic group” (Kymlicka, 1995, p. 20).

Kymlicka then identifies three types of collective rights, known as “group-differentiated rights,” which are: self-government, special representation, and polyethnic rights (Kymlicka, 1995, p. 27). These rights serve as “external protections”, designed to reduce the vulnerability of minority groups from the economic and political influence of the majority and to ensure their cultural survival (Kymlicka, 1995, p. 38). First, self-government rights enable national minorities to be self-determining. According to Kymlicka, national minorities typically wish “to maintain themselves as distinct societies alongside the majority culture and demand various forms of autonomy or self-government to ensure their survival” (Kymlicka, 1995, p. 10). Self-government rights guarantee specific institutional arrangements, such as the division of competences between levels of government and the devolution of certain powers from the central government. These rights serve to protect the autonomy of national minorities and recognize them as distinctive communities. They are also intended to be permanent, meaning that they should ideally be constitutionally entrenched.

Second, special representation rights are intended to respond to demands for political representation in decision-making processes, with the objective of ensuring that national minorities have a voice in matters that affect their governance (Kymlicka, 1995). These rights are regarded as an extension of self-government rights:

To oversimplify, self-government entails guaranteed representation on intergovernmental bodies, which negotiate, interpret, and modify the division of powers, but entails reduced representation on federal bodies that legislate in areas of purely federal jurisdiction. Since the claims of self-government are seen as permanent, so too are the guarantees of representation that flow from that self-government (unlike representation rights based on oppression). (Kymlicka, 1995, p. 158)

According to Kymlicka, national minorities typically possess societal cultures, which means that the institutions of their cultural practices are established in the territory prior to their incorporation into a larger state. For this reason, he argues, self-representation rights are reserved for cultural groups that aspire to self-governance. I provide a more detailed discussion of special representation rights in the rest of this section.

Finally, Kymlicka proposes polyethnic rights, which are group rights that aim at protecting the interests of ethnic minorities. According to Kymlicka, ethnic minorities have typically established themselves voluntarily in the host society through immigration. As a result, they often lack cultural institutions in the territory to which they have resettled, and they may seek accommodations to preserve some of their cultural heritage. However, they do so with the goal of integrating “into the larger society, and [being] accepted as full members of it” rather than achieving autonomy as a self-governing entity (Kymlicka, 1995, p. 11). Polyethnic rights are “intended to help ethnic groups and religious minorities express their cultural particularity and pride without it hampering their success in the economic and political institutions of the dominant society” (Kymlicka, 1995, p. 156). These rights provide public support and official recognition of distinct cultural practices in order to “protect specific religious and cultural practices which might not be adequately supported through the market (e.g. funding immigrant language programmes or arts groups), or which are disadvantaged (often unintentionally) by existing legislation (e.g. exemptions from Sunday closing legislation or dress codes that conflict with religious beliefs)” (Kymlicka, 1995, p. 38).

Jacob Levy (2003) offers insightful examples of cultural rights, highlighting how they differ from individual rights in order to provide the adequate protections for their intended goals. According to Levy, cultural rights can take several forms. They can be “exemptions from laws

which penalize or burden cultural practices” which “are intended for members of a religious or cultural group that a neutral application of the law would compel [...] to do things that are against their religious or cultural practice” (p. 128). One example is allowing Sikh motorcycle drivers to be exempt from the requirement of wearing helmets (Kymlicka, 1995, p. 38). Cultural rights can take the form of assistance which include measures to enable cultural minorities to engage in civic life on equal footing with the majority (such as multilingual ballots) and affirmations, such as supporting the public celebration of cultural events. Other defensible forms of cultural rights include self-government for ethnic, cultural or national minorities; “representation of minorities in government bodies, guaranteed or facilitated”; and the recognition or enforcement of traditional legal codes within the dominant legal system.

Finally, Levy identifies cultural rights that function as external rules which are restrictions placed on out-group members to protect a minority culture and as internal rules which are restrictions on members of a cultural minority themselves in order to prevent their individual choices from leading to the weakening or the disappearance of their culture (Levy, 2003, pp. 132-151). Kymlicka argues that liberals should be skeptical of and reject certain types of collective rights that undermine individual autonomy, particularly those he calls “internal restrictions”. These involve “the right of a group against its own members, designed to protect the group from the destabilizing impact of internal dissent (e.g. the decision of individual members not to follow traditional practices or customs)” (Kymlicka, 2001, p. 22). As I introduced earlier in this section, Kymlicka supports group-differentiated rights only insofar as they serve as “external protections”, designed to protect minority groups “from the impact of external pressure (e.g. economic or political decisions) of the larger society” (Kymlicka, 2001, p.23).

According to Kymlicka, there are at least three arguments for why the liberal state should provide group-differentiated rights to cultural groups. The first argument is based on the principle of equality, according to which group specific rights are necessary to ensure that all citizens are treated equally. The second argument is based on history, with group-differentiated rights intended to rectify the violations of original agreements that were negotiated for a national group's incorporation into a larger state (Kymlicka, 1995, p. 120). The third argument emphasizes that these rights aim to promote cultural diversity within a dominant culture (Kymlicka, 1995, p. 127).

Kymlicka argues that “group-differentiated rights—such as territorial autonomy, veto powers, guaranteed representation in central institutions, land claims, and language rights—can help rectify a disadvantage for national minorities because of their cultural membership, by alleviating the vulnerability of minority cultures to majority decisions” (Kymlicka, 1995, p. 110). They also ensure that minority group members have the same opportunity as majority group members to “live and work in their own culture” (Kymlicka, 1995, p. 110). For Kymlicka, cultural membership is essential to the formation of self-identity and is instrumental with respect to political participation and individual autonomy. Culture provides individuals with an interpretation of a good life, as well as resources and values on which they can base their preferences and choices. In a society where an ethnic minority's culture is not publicly recognized or valued, the opportunities, choices, and aspirations available to its members are limited. As a result, individuals from devalued ethnic minorities feel a lack of belonging and become alienated from the broader society, which in turn limits their capacity to engage in political action (Kymlicka, 1995, p. 89).

Kymlicka's defense of group-differentiated rights is not at odds with the notion of equal treatment in liberal thinking that, individuals should have equal treatment before the law. Rather, it challenges the consensus among liberal theorists that the liberal state should remain neutral and

refrain from promoting one culture over another nor any conception of the good over another. As Kymlicka observes, “the assumption – generally shared by both defenders and critics of minority rights – is that the liberal state, in its normal operation, abides by a principle of ethnocultural neutrality. That is, the state is ‘neutral’ with respect to the ethnocultural identities of its citizens, and indifferent to the ability of ethnocultural groups to reproduce themselves over time” (2001, p. 23). From this perspective, some liberals such as Kukathas (2003) have endorsed an approach of “benign neglect” arguing that while individuals are free to practice their cultures in their private life, the liberal state bears no responsibility to support or but enable those cultural practices. However, along with other liberal theorists such as Alan Patten (2014), Kymlicka argues that liberal states are not effectively neutral. On the contrary, liberal states “have engaged in this process of ‘nation-building’ – that is, a process of promoting a common language, and a sense of common membership in, and equal access to, the social institutions based on that language” (Kymlicka, 2001, p. 27). Therefore, instead of falsely assuming their neutrality, Kymlicka contends that liberal thinking should take into account that liberal states are almost always upholding a specific interpretation of the good.

Given the inherent cultural bias of liberal states, Kymlicka argues that group-differentiated rights are required for liberal justice rather than in tension with it. Liberal justice, in this context, requires assessing how nation-building processes disadvantage minority groups, and determining how minority rights can mitigate those harms (Kymlicka, 2001, p. 27). As Kymlicka states, this approach implies a focus “not on slogans about a colour-blind constitution, but on how particular educational or employment institutions do or do not disadvantage the members of particular groups, and on how proposed group-specific policies would or would not remedy that problem” (Kymlicka, 2001, p.34). Patten supports this claim through his concept of “equal recognition”

which defends strong cultural rights precisely for the sake of “neutrality of treatment”. According to Patten, neutrality of treatment means that “the liberal state has a responsibility to be neutral toward the various conceptions of the good that its citizens affirm” (Patten, 2014, p. 27). It entails that the state has the duty to create and maintain fair conditions that allow individuals to equally pursue various life ends and to have opportunities to participate in political life. As Patten states, minority rights can be part of those conditions and in fact are often essential to fulfill liberal neutrality: “in certain domains, the only way for the state to discharge its responsibility of neutrality is by extending and protecting specific minority cultural rights” (Patten, 2014, p. 27).

Additionally, by defending the value of cultural membership for individual autonomy alongside other thinkers such as Joseph Raz (1986) and David Miller (1995), Kymlicka offered a third way in the debate between liberals and communitarians. As I explained in the previous chapter, central to this debate was the importance of culture for individuals. Communitarians argue that cultural membership is essential because it shapes individuals’ identities and is therefore inherently worthy of protection. According to this view, the community takes precedence over individual autonomy. In contrast, for liberals, individual freedom is paramount, and individuals are understood as defining their own conception of the good life or their own preferences, meaning that they are free to accept or reject the dictates of their cultural group. As Kymlicka explains, early literature on minority rights was dominated by these opposing views and “defending minority rights involved endorsing the communitarian critique of liberalism and viewing minority rights as defending cohesive and communally minded minority groups against the encroachment of liberal individualism” (Kymlicka, 2001, p. 19). In particular, the prevailing assumption was that liberal thinking could not accommodate minority rights without sacrificing its foundational principles.

Central to Kymlicka's argument is that culture makes meaningful choice possible. Liberal thinkers typically agree that the state ought to secure conditions under which individuals can be free and satisfy their interests; and to be free implies that individuals must have access to an adequate range of options and be able to make choices based on their preferences and life-ends (Patten, 2014, p. 75). As Kymlicka explains in *Politics in the Vernacular*, liberalism "rests on the value of individual autonomy – that is, the importance of allowing individuals to make free and informed choices about how to lead their lives," including the ability to "explore and revise the ways of life" (Kymlicka, 2001, p. 53). Consequently, he argues, the state should ensure protections for cultural groups, as individuals' freedom to make choices and the availability of the meaningful options are tied to their being able to access their culture (Kymlicka, 2001, p. 21).

Alan Patten echoes Kymlicka's defense of the value of culture, arguing that, "to think critically about their own life-plans, and to adopt new life-plans if their current ones are found wanting, individuals need to have meaningful alternatives, including exposure to a range of different views about the good life" (Patten, 2014, p. 74). Culture is thus instrumental in making available this "range of meaningful options" necessary for individuals "to be in a position to form and revise their conceptions of the good" (Patten, 2014, p. 74). As Patten summarizes, "cultures matter normatively to their members because they are consequential for the options that individuals have at their disposal" (Patten, 2014, p. 29). Moreover, "the options available to people are worse when their culture is faring poorly than when it is doing well, and the point of strong cultural rights is to prevent this worsening of options" (Patten, 2014, p. 29). Therefore, according to Patten, the key contribution of Kymlicka's theory of minority rights to the liberal-communitarian debate is his account of culture as a "context of choice" and his defense of minority cultural rights on the

grounds that culture provides such a context necessary for individual autonomy (Patten, 2014, p. 74).

Challenging Societal Culture: Critiques of Kymlicka's Framework

Kymlicka's framework has raised several objections, particularly regarding the distinction he draws between different groups and the corresponding rights that he assigns to them. To recall, Kymlicka distinguishes between national minorities and ethnic minorities. According to his framework, self-government and representation rights are intended for national minorities, while polyethnic rights are intended for ethnic minorities. The concept of societal culture is pivotal to Kymlicka's theory in explaining why some specific rights, such as self-representation rights, should be reserved for national minorities.

Kymlicka defines societal cultures as "shared memories or values, but also common institutions and practices" (Kymlicka, 1995, p. 76). Kymlicka's interpretation of culture is not based on blood or ancestry. Rather, he defines culture as "synonymous with 'a nation', or 'a people' – that is, as an intergenerational community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and history" (Kymlicka, 1995, p. 18). Societal cultures in particular are valuable because they provide members "with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres" (Kymlicka, 1995, p. 76). Moreover, Kymlicka emphasizes that societal cultures are inherently pluralistic, accommodating diversity in religion, ancestry, and values. As he writes, "societal cultures within a modern liberal democracy are inevitably pluralistic, containing Christians as well as Muslims, Jews, and atheists; heterosexuals as well as gays; urban professionals as well as rural farmers; conservatives as well as socialists" (Kymlicka, 2001, p. 25). Therefore, Kymlicka proposes a fluid

definition of culture that acknowledges the heterogeneity within cultures as well as culture's evolving nature.

One merit of Kymlicka's framework is his non-essentialist understanding of culture. By grounding his definition in shared institutions and territory rather than immutable traits, Kymlicka's understanding of culture avoids the common pitfalls of essentialism that often undermine the defenses for minority rights. In chapter 2, I have discussed the problem of essentialism in the context of the representation of the interests of oppressed social groups. In the context of multiculturalism theories, Patten refers to the "dilemma of essentialism" to highlight the drawbacks of both an essentialist and a non-essentialist definition of cultures (Patten, 2014, p. 735). On the one hand, a definition of culture as homogeneous and static fails to account for how cultures evolve over time and the inevitable internal variations within any cultural group. Traditionally, culture has been defined through shared beliefs, values, language or ancestry. Patten emphasizes that such account also generally fails to identify the features that are exclusively shared by members of a cultural group and that uniquely define one cultural group over others (Patten, 2014, p. 736). In her book *Multiculturalism without Culture*, Anne Phillips (2007) also emphasizes how essentialist understandings of culture have undermined claims for cultural preservation made by ethnic minorities. As Phillips explains, a fixed conception of culture supposes that values within a culture are not mutable and that individuals are passive and follow cultural dictates without agency to reform its values. From this perspective, opponents of multiculturalism often justify withholding cultural protections from ethnic minorities that are viewed as illiberal or oppressive to women's individual rights on the ground of preserving gender equality.

On the other hand, as Patten explains, the abandonment of an essentialist definition has its own limitations. If a culture is defined as diffuse and its boundaries are not intelligible, it becomes

challenging to determine when a culture is endangered and merits protection. “When cultures are conceptualized as fluid, interactive, and overlapping and as internally contested and heterogeneous,” Patten says, “they become more acceptable empirically and normatively. But then culture is no longer serviceable within a multiculturalism framework” (Patten, 2014, p.735). According to Patten, a functioning concept of culture should meet both empirical and normative desiderata for a theory of multiculturalism: it should encompass the groups accounted for by liberal theories while also giving ground to the idea that is central to multicultural theories, namely the reasons for safeguarding cultures (Patten, 2014, p. 735). Most importantly, such a concept should enable the assessment of when a culture is faring poorly or even at risk of disappearing, thus justifying needed protections. As Patten explains, “without means of identifying distinct cultures, judgments about how cultures are faring become impossible” (Patten, 2014, p. 738). Additionally, he says, “if there were no way to distinguish change from disappearance, there would be no way of judging the results of multicultural policies, and perhaps no reason to embark on them in the first place” (Patten, 2014, p. 738).

Critics of Kymlicka’s account have raised several objections, one being that Kymlicka’s framework does not directly challenge the historical dynamics of domination and subordination from which cultural groups emerge as well as those still existing in present time between social groups within a given society. One such dynamic is colonialism, which is evident, for example, in the case of Indigenous peoples in Canada (Young 1997a, 2002; Turner, 2006; Coulthard, 2014). Dale Turner (2006) argues that Indigenous nations, in most cases, never ceded their territories nor surrendered their sovereignty to become part of Canada. Consequently, classifying Indigenous peoples as national minorities perpetuates the colonial structure of governance (Turner, 2006, p. 58). In addition, as Yann Allard-Tremblay (2023) suggests, assigning them the status of national

minorities to whom collective rights should be granted as a form of state protection is an inadequate approach to addressing their aspirations for self-determination and contribute to legitimize the authority of the settler state to govern.

Another critique pertains to Kymlicka's concept of societal culture. Critics have challenged the distinction that Kymlicka draws between national minorities and ethnic minorities, which in turn informs the types of rights intended for each group (Miller, 1995; Benhabib, 2018). For instance, Seyla Benhabib challenges the primacy given to particular forms of collective identities over others in Kymlicka's framework and objects to the idea of subsuming the rights or protections of disadvantaged groups under cultural groups while reserving group-differentiated rights only to groups whose cultures are institutionalized. As Benhabib notes, Kymlicka gives primacy to a specific type of cultural group, namely national minorities over others, through his concept of societal culture. She argues that he provides an insufficient basis for designing self-representation rights exclusively for national minorities. As Benhabib explains:

If culture is valuable from the standpoint of political liberalism because it enables a meaningful range of choices in the conduct of our lives and because it forms the parameters within which we form a life plan in the first place, then, objectively, there is no basis for the theorist to privilege national cultures over immigrants' ones, or the cultures of religious groups over those of social movements. (Benhabib, 2018, p. 66)

According to Benhabib (2018), by basing his definition on "territorial concentration, the viability of a societal culture, or a shared language in distinguishing national minorities from ethnic groups," Kymlicka "has conflated institutionalized forms of collective public identities with the concept of culture" (p. 61). This approach, Benhabib argues, overlooks the "dynamic constructions of identity" and the way cultures can emerge through social practices (Benhabib, 2018, p. 64). For example, the presence of a societal culture in a geographic area may be the result of a process by which the institutions, practices, experiences and values of a majority culture have been imposed

on minority groups. Moreover, other entities defined by shared values, history, and tradition – even if they are not institutionalized – can be as central to an individual’s well-being as a societal culture (Benhabib, 2018, p. 60).

Patten articulates a similar critique of Kymlicka’s framework, offering an alternative definition of culture that also addresses concerns raised by earlier critics. Patten argues that, by centering societal cultures – which are territorially concentrated and institutionally embedded – Kymlicka’s framework may inadvertently exclude other meaningful forms of cultural belonging. Patten has supported and echoed Kymlicka’s argument about the value of culture as a context of choice, defending that societal cultures are valuable because they provide the range of meaningful options that are needed for individual freedom. However, Patten believes that there are no reasons to “think that societal cultures are the only kind of cultures that matter normatively” (Patten, 2014, p. 747). He argues that people may seek cultural preservation even for cultures “that are not ‘societal’ in character” (Patten, 2014, p. 747).

According to Patten, culture “is what people share when they have shared subjection to a common formative context” (Patten, 2014, p. 735). In his account of culture, the “social lineage account” as he calls it, he refers to the idea that “members of a culture uniquely share a particular property, namely, the property of having been shaped by a common set of formative conditions” (Patten, 2014, p. 736). As he explains:

A group of people share a culture when and to the extent that they have been formed by a common experience of socialization that is at least partially isolated from the experience of socialization undergone by others. A culture is preserved when its members manage to control the processes in which successor generations are socialized. (Patten, 2018, p. 134)

In his understanding, he emphasizes the notion of socialization, “a broad range of different formative processes that work, in one way or another, to shape the beliefs and values of the persons

who are subject to them”, which ensures the transmission and preservation of a culture (Patten, 2014, p. 740).

While Kymlicka’s notion of culture is central to his argument about which rights should be granted to which groups, Patten is more concerned with providing a definition of culture that can guide multicultural policies aimed at ensuring culture survival. As I introduced above, the socialization from one member of a group to another is conceived by Patten as the key factor for maintaining cultural continuity. As he explains, “so long as one generation of a culture is controlling the socialization of a new generation or group of newcomers, there is cultural continuity, even if the later generation engages in dramatic revision of prevailing values, meanings, and practices” (Patten, 2014, p. 741). In his view, this focus on socialization in his understanding of culture is also essential, “for conceiving cultural continuity in a way that is not essentialist” (Patten, 2014, p. 741). According to Patten, a culture persists when its members retain control over the mechanisms through which future generations are socialized (Patten, 2018, p. 134).

Conversely, cultural disappearance occurs when the transmission chain from one cultural member to another is broken. While culture disappearance can result from individual choices, Patten notes that it is often the consequence of state interference. He observes that “states have intentionally disrupted processes of familial and community socialization e.g., by taking children from their families and communities and placing them in state-run residential schools” (Patten, 2014, p. 740). In other cases, “the weakening (if not the outright destruction) of historical cultures is consciously encouraged by nation-building policy makers, who aim to integrate all citizens into a statewide national culture” (Patten, 2014, p. 740). Patten’s account avoids essentialist assumptions by emphasizing that cultural continuity does not depend on the preservation of

specific practices, beliefs, values, and institutions; rather it depends on maintaining the conditions through which these elements are transmitted and revised by each generation.

In sum, I have outlined the key elements of Kymlicka's theory of minority rights along with some of the major objections raised by critics. Kymlicka's theory has some merits, particularly in its defense of group-differentiated rights within a liberal framework and in its rejection of essentialist understandings of culture. He argues that group rights for cultural minorities are not incompatible with the principles of liberal equality and neutrality; rather they are needed to secure individual freedom. However, his distinction between types of cultural groups has drawn criticism for overlooking historical and ongoing dynamics of domination, as well as for assigning specific rights only to certain groups. These critiques offer a relevant starting point for examining the case of groups that fall outside Kymlicka's definition of cultural groups, particularly oppressed social groups such as LGBTQ+ individuals which differ from cultural minorities. Having highlighted objections regarding the understanding of culture that underpins his framework, in the next section, I will discuss a further set of objections, focusing on Kymlicka's reservation of special representation rights to national minorities, in particular the need to conceive such rights for oppressed social groups such as LGBTQ+ individuals.

An Approach for the Representation of Oppressed Social groups

In this section, I discuss both Kymlicka's and Young's approaches to special representation. Young offers a framework for considering the inclusion of oppressed social groups and her typology of five faces of oppression provides a definition to distinguish such groups that merit special representation. I argue that compared to Kymlicka's, Young's framework provides a better avenue for securing LGBTQ+ political inclusion. To this end, I highlight that Melissa

Williams contributes to refine the criteria for identifying which oppressed social groups should be granted special representation, thereby addressing a limitation in Young's framework.

Special Representation Rights in Kymlicka's theory

Kymlicka offers one of the most comprehensive liberal theories of cultural rights, including an interpretation of representation rights as a type of group rights to put in place for cultural minorities. As I discussed earlier in this chapter, Kymlicka conceptualizes distinct collective rights entitlements for national and ethnic minorities. In particular, he explains that representation rights are intended for national minorities, to respond to their demands for political representation in decision-making processes, with the objective of ensuring that they have a voice in decisions on public matters that may affect their sovereignty. These rights are not intended for ethnic minorities nor for disadvantaged groups. Rather, Kymlicka argues that ethnic minorities should be supported through "polyethnic rights," which are aimed at facilitating their integration into the dominant culture. Polyethnic rights are intended for ethnic minorities to provide public support and official recognition of their distinct cultural practices so that individuals can express their cultural difference without it hindering "their success in the economic and political institutions of the dominant society" (Kymlicka, 1995, p. 156). Kymlicka acknowledges that if a culture is devalued, it can hamper the political participation of ethnic minorities and limit their integration into the larger society.

For Kymlicka, the demands for inclusion from disadvantaged minorities signal their desire to be integrated into the larger society. In response to these demands, individual rights and freedoms are seen as mechanisms to protect individuals from "internal restrictions," defined as limitations on their autonomy imposed by the cultural group to which they belong (Kymlicka, 1995). In Kymlicka's framework, protections for disadvantaged groups such as LGBTQ+

individuals are understood as subsumed under cultural groups (Benhabib, 2018). His framework includes no collective protections for disadvantaged groups such as LGBTQ+ individuals. Kymlicka argues that representation rights could be granted to some disadvantaged groups under particular conditions as temporary mechanisms to counteract the effects of their exclusion from political processes. However, he adds, in the absence of clearly defined criteria for identifying such groups, it is not feasible to extend representation rights to disadvantaged groups (Kymlicka, 1995, p. 145).

Not all liberals agree that representation rights should be granted exclusively to national minorities. Unlike Kymlicka, Levy assesses cultural rights based on the purpose that they serve – whether integration, autonomy or justice – rather than based on the specific groups to which they should be intended. From this perspective, cultural rights in the forms of exemptions, assistance or representation can be intended to promote integration. As Levy explains, ethnic minorities, for example, are often permanently excluded from public decision-making. Pluralist theories have emphasized that culturally diverse countries may adopt a model of consociational democracy based on the sharing of power between various religious, linguistic, ethnic, or cultural groups (Lijphart, 1999). In this context, a guaranteed representation of diverse groups in decision-making spaces may support their integration in order to prevent conflict between factions or oppression (Levy, 2003, p. 151). Furthermore, Levy argues that representation rights may serve a broader scope than simply achieving political presence and may be a means to answer claims of justice. As Levy explains, these rights can support at least three goals: to guarantee the presence of members of the minority group in politics or in parliaments; to ensure that members of the minority group select representatives; and to secure “the protection of the minority group interests” (Levy,

2003, p. 152). Representation rights are therefore not limited to groups that may want to secede from the majority and that seek self-government (Levy, 2003, p. 157).

For Patten (2018), cultural minorities should be granted recognition on an equal basis with the majority culture. As he explains, “on this picture, recognition is something the state does when it comes to the assistance of a conception of the good and so of the people who hold that conception” (Patten, 2018, p. 140). Liberals who have defended group-differentiated rights for minority groups have generally agreed that these rights are crucial to ensure individual freedom. Echoing Kymlicka, Patten argues that culture is valuable to make available a range of meaningful options needed for individual freedom. Therefore, the liberal state should secure collective protections for minority groups to ensure their cultural survival, and, in turn, to ensure that their members can exercise their autonomy. From this perspective, any collective rights, presumably including representation rights, can be understood as a form of recognition when they help to support a group’s conception of the good. These rights should be thought of as measures of recognition when that are implemented to enable individuals who are members of minority groups to participate in politics.

When it comes to the place of disadvantaged groups in Patten’s account of culture, he emphasizes that gender and class regimes are aspects of a culture, though not its “essence”. In line with his social lineage account of culture, Patten defines a cultural group as “a group of people share a culture if and only if they were subjected to a common and distinctive socialization process” (Patten, 2014, p. 744). Patten explains that cultural groups “do not coincide with racial or ethnic groups” even if those groups could be part of it or makes a group (Patten, 2014, p. 745). Additionally, culture is distinct from identity, but the two concepts are related as “a common result of sharing a socialization experience with some group of persons is that one comes to feel a sense

of belonging in, and attachment to, the group” (Patten, 2014, p. 745). Patten argues that a culture can become more liberal and equal because “a group can acquire a more equal social structure – against the grain of powerful norms and traditions – without disappearing as a culture so long as the group itself remains in control of the next generation’s socialization” (Patten, 2018, p. 136). As he states, “the fact that many cultures contain restrictive gender and class hierarchies helps to motivate the need for a non-essentialist understanding of culture” (Patten, 2018, p. 136). Within this framework, the LGBTQ+ community could be viewed as included in this notion of cultural groups for which it is worth putting in place collective rights. Adopting Patten’s view, such collective rights would help ensure that LGBTQ+ individuals feel valued and engaged in political life.

The accounts discussed above serve as critiques of Kymlicka’s reservation of representation rights to cultural minorities. From Kymlicka’s perspective, such rights would not be extendable to LGBTQ+ individuals, who are often embedded across various cultural contexts rather than forming territorially or linguistically distinct communities. According to Kymlicka’s definition at least, LGBTQ+ individuals do not constitute a cultural minority: they are neither a national minority nor an ethnic minority formed by individuals who have left their own national community to integrate into another state through immigration – even though some individuals may belong to each of these groupings. As a group, LGBTQ+ individuals do not fit neatly into Kymlicka’s typology of national or ethnic minorities but are instead considered part of disadvantaged groups. For this type of groups, Kymlicka views representation rights as temporary mechanisms that could be put in place to foster their inclusion in politics. However, critics have typically claimed that such rights have the potential to fragment multiethnic coalitions, may encourage deep political cleavages, and let other representatives off the hook for failing to protect

the interests of all constituents. Others note that representation rights presuppose a unity of viewpoint based on ethnicity and also assume that there is a clear-cut difference of interests among groups (Levy, 2003, p. 154). Moreover, critics argue that representation rights may lead only to a temporary presence, as the representatives could be easily outvoted at any time.

It would be inaccurate to conceive LGBTQ+ individuals as an ethnic minority or as a national minority; thus, the rights that Kymlicka connects to either of those groups are not appropriate for securing LGBTQ+ political inclusion. The limitations of Kymlicka's framework, particularly his treatment of special representation rights, underscore the need for an alternative approach to the political inclusion of oppressed social groups. Young offers such framework, one that is crucial for understanding what kind of group the LGBTQ+ individuals are and therefore what kinds of rights follow. LGBTQ+ individuals constitute an oppressed social group whose exclusion has been historically state-sponsored as I will demonstrate below. Given the structural inequalities they face, collective rights they are granted should be rethought not only as mechanisms for cultural preservation but as tools for dismantling systemic oppression. LGBTQ+ individuals are excluded from the political process in ways that demand expansive forms of justice. In this context, the aim of representation rights for LGBTQ+ individuals would be to ensure their political presence as a means of enabling broader social transformation.

As Kymlicka assumes that individual rights are sufficient to protect disadvantaged groups from the restrictions imposed by their cultural group, one might question the necessity of collective rights for LGBTQ+ political inclusion altogether. Following the logic of an argument of benign neglect, it could be argued that each individual who belong to the LGBTQ+ community should have the choice to accept or reject the dominant societal culture. This kind of objection to the defense of cultural rights has been called the "particularity problem" by Patten, stating that

“technically, as long as a culture, any culture, provides options” there is no reason to believe that a loss of a particular culture “undermines the conditions of anybody’s freedom” (Patten, 2014, p. 76). This view is premised on basic liberal proceduralism whereby if the basic rights are secured for all individuals, if a culture is declining, such an outcome is not an injustice (Patten, 2014, p. 151). From this perspective, any societal culture should be sufficient to enable the political participation of individuals without the need for special protections to preserve their own culture. Transposed to the case of LGBTQ+ individuals, this logic would imply that the dominant societal culture should suffice for their inclusion.

However, Patten offers a counterargument to the “particularity problem”. He points out that some ethnic minorities in the United States—such as Italian or Irish Americans—have successfully integrated into the broader society without the aid of cultural rights or accommodations (Patten, 2014, p. 17). Patten explains that what enabled these ethnic groups to integrate was not the absence of cultural protections but the availability of a dominant societal culture that provided linguistic and institutional resources necessary for full participation in public life. For instance, the Italian American culture lacked the institutional infrastructure – such as education systems, media, or political institutions in the Italian language – needed for full political participation in the U.S. context. As a result, individuals from this group had to assimilate into the dominant American culture to gain access to those tools. Patten uses this to illustrate the instrumental value of a societal culture: it enables individuals with the skills and resources needed for their full political participation.

In the case of LGBTQ+ individuals, however, the issue is not the absence of a societal culture but rather the fact that the dominant culture is oppressive, precisely heteronormative, meaning that it is structured in ways that exclude and marginalize them. Queer theorists such as

Sara Ahmed have emphasized how oppressive cultural norms may limit the agency of individuals who belong to minority groups. In the next chapter, I will further explain Ahmed's account of how the heteronormative culture can limit the opportunities, choices and aspirations of LGBTQ+ individuals and how challenging such a culture is crucial to LGBTQ+ political inclusion. Other theorists such as Judith Butler have argued that challenging such oppressive culture is needed for the recognition of LGBTQ+ individuals' basic human rights and to ensure their full participation in public life. Therefore, their political inclusion requires more than individual rights, and more than the type of collective rights that Kymlicka defends in the context of ethnic and national minorities; it also requires mechanisms for special representation as proposed by Young.

In sum, Kymlicka conceives of representation rights for disadvantaged groups as temporary mechanisms that may be granted under specific conditions to correct their political exclusion. However, he remains skeptical that it is feasible to extend these rights to disadvantaged groups, arguing the lack of criteria to identify such groups. In the following section, I explain that Young has outlined the criteria to identify such groups, and her framework of special representation offers an effective way for their political inclusion.

Young's Framework of Special Representation for Oppressed Social Groups

In *Justice and the Politics of Difference* (1990), Iris Marion Young argued that oppressed social groups should be guaranteed special representation in democratic decision-making spaces. This argument was further refined in her subsequent work, *Inclusion and Democracy* (2002), where Young argues that special representation is key for ensuring the political presence and securing the inclusion of oppressed social groups.

Young (2002) defines special representation as the establishment of institutional mechanisms (including reserved seats and quotas) that guarantee representation, with its scope not

limited to parliaments. Special representation applies to all political decision-making bodies, including political parties, commissions, political committees, citizens' assemblies and associations (Young, 2002, p. 149). As such, institutional mechanisms of guaranteed representation are wide-ranging, and Young (2002) treats them as permanent, rather than temporary. Young (1990) argues that special representation is essential for oppressed social groups, as it guarantees that these groups' political voices are heard in decision-making processes in democratic institutions. Without such representation, the systemic inequalities that lead to the political exclusion of certain social groups in democracies will persist, thereby perpetuating oppression.

According to Young, there are five forms of oppression: marginalization, exploitation, powerlessness, cultural imperialism, and violence. *Marginalization*, defined as "the most dangerous form of oppression," occurs when "a whole category of people is expelled from useful participation in social life and thus potentially subjected to severe material deprivation and even extermination" (Young, 1990, p. 53). Marginalization manifests itself in the material deprivation of individuals as well as "the deprivation of cultural, practical, and institutionalized conditions for exercising capacities in a context of recognition and interaction" (Young, 1990, p. 55). In Young's view, marginalization refers specifically to the conditions that prevent oppressed social groups from participating in political life.

Exploitation is a form of oppression that "occurs through a steady process of transfer[ring] the results of the labor of one social group to benefit another" (Young, 1990, p. 49). This process is systematic as regards oppressed social groups in the labour market, and its effects extend well beyond the labour market. For example, materialist feminists (e.g., Guillaumin, 1981; Wittig, 2001; Delphy, 2009) point to the appropriation of women's domestic labour as a form of

exploitation, instrumental in sustaining a capitalist economic system, which benefit from women's invisible and undervalued work to the advantages of a social organization that privileges men.

Another form of oppression is *powerlessness*, which is directly related to exploitation. A lack of power is a consequence of exploitation as “some people have their power and wealth because they profit from the labor of others” (Young, 1990, p. 56). According to Young (1990), *powerlessness* manifests as an asymmetry of status, whereby individuals occupying a subordinate position in the division of labor within the capitalist system are routinely denied respect, whereas individuals who are members of privileged groups are unconditionally granted the status of equals in public life (p. 56). According to Young, injustices that are associated with powerlessness include “inhibition in the development of one's capacities, lack of decision-making power in one's working life, and exposure to disrespectful treatment because of the status one occupies” (Young, 1990, p. 58). Individuals who are dispossessed or incapacitated are prevented from participation in public life (Young, 1990, p. 56).

Cultural imperialism is a form of oppression where a dominant cultural group imposes its own culture and values on other groups as the universal norm, while simultaneously depicting cultural practices of these groups as inferior or representing them in stereotypical ways (Young, 1990). According to Young (1990), to “experience cultural imperialism means to experience how the dominant meanings of a society render the particular perspective of one's own group invisible at the same time as they stereotype one's group and mark it out as the Other” (p. 59). As a result, the groups that are subjected to cultural imperialism are marginalized and maintained in a subordinate position in society.

Finally, as a form of oppression, *violence* is the “systemic violation of integrity whether physical, property, or psychological” of some social groups marked as Other (Young, 1990, p. 62).

In this context, violence is “systemic because it is directed at members of a group simply because they are members of that group” (Young, 1990, p. 62). In addition, it is not only the acts of violence themselves and the experiences of victimization that defines this form of oppression. Rather, it consists in “the daily knowledge shared by all members of oppressed groups that they are liable to violation, solely on account of their group identity” (Young, 1990, p. 62). Some individuals are subjected to a constant state of fear of being subjected to violence in an arbitrary manner because of their group membership, “living under such a threat of attack on oneself [...] deprives the oppressed of freedom and dignity, and needlessly expends their energy” (Young, 1990, p. 62).

Young suggests that liberal frameworks do not adequately address the structural inequalities faced by oppressed social groups. Overcoming these structural inequalities require strategies of inclusion that go beyond individual or collective rights granted by the state (Young, 1990, p. 173). According to Young, one such strategy of inclusion requires guaranteeing the political presence of oppressed social groups in democratic spaces. These five faces of oppression – marginalization, exploitation, powerlessness, cultural imperialism, and violence – are intended to provide criteria for identifying the groups that merit special representation across a wide range of political institutions. In the next section, I examine a specific limitation raised against Young’s framework regarding the lack of a precise criteria for determining which oppressed social groups have legitimate claims for special representation and I highlight how this critique has been addressed by Melissa Williams (1998).

Which Groups Should be Represented? Establishing Criteria for Special Representation in Democracies

Critics have raised objections to Young's (1990) typology, arguing that it lacks precise criteria for identifying oppressed social groups, whose inclusion should be secured through special representation (Fraser, 1995; Kymlicka, 1995; Williams, 1998; Dovi, 2002). For instance, Fraser (1995) argues that while Young's typology is comprehensive as it combines both material injustices related to the social division of labour and cultural injustices related to social representations, each "face" of oppression "is a sufficient condition for calling a group oppressed [but] none is a necessary condition" (p. 197). Similarly, according to Kymlicka (1995), while the idea of special representation for oppressed social groups could be defensible, Young's (1990a, 2002) typology remains too broad to clearly distinguish which social groups can be considered oppressed and therefore should be guaranteed representation. In his view, many groups, at least "80% of the U.S. population" can be considered oppressed in some respect "even though they may be privileged in others" (Kymlicka, 1995, p. 145).

In response to these critics, I propose that Melissa Williams' work provides criteria for identifying the social groups that are entitled to special representation in at least some political spaces. In *Voice, Trust and Memory*, Williams (1998) articulates criteria that clarify which groups are marginalized or oppressed and therefore have legitimate claims for representation. Williams argues that the groups who have the strongest claims for special representation are "marginalized ascriptive groups" which are defined by the following four characteristics:

- (1) patterns of social and political inequality are structured along the lines of group membership;
- (2) membership in these groups is not usually experienced as voluntary;
- (3) membership in these groups is not usually experienced as mutable; and
- (4) generally, negative meanings are assigned to group identity by the broader society or the dominant culture. (Williams, 1998, p. 16)

According to Williams, the presence of ascriptive features, over which individuals have no control, is key to defining groups which have strong claims to special representation. These ascriptive features are “characteristics such as sex, race, or age rather than a result of [individual] actions” (Williams, 1998, p. 16). Group members typically possess these features across multiple generations, “and the meaning they carry – are neither chosen voluntarily by the individuals who bear them, nor can they be (readily) changed by them” (Williams, 1998, p. 16).

In addition, ascriptive groups which are marginalized are those “whose members are subject to long-standing patterns of structural inequality and whose share a sense of political identity with other group members” (Williams, 1998, p. 14). Williams, thus, proposes two key conditions to identify such groups: a history of state-sponsored discrimination, and a collective memory that encompasses the subjective experiences of marginalization. Together, these conditions provide an objective and a subjective dimension of group identity, which help to distinguish weak from strong claims for special representation. Williams argues that an objective source of group identity is a “history of state-supported discrimination against the group and the continuance of contemporary patterns of social, economic, and political inequality along group lines” (Williams, 1998, p. 14). Subjective sources of group identity, on the other hand, include a shared collective “memory of that discrimination and a conviction of shared political interests in the present” (Williams, 1998, p. 14). From their shared experiences of marginalization, individuals develop a distinct group identity. As Williams notes, “the connection between the history of discrimination and contemporary inequality consists in group members’ internalization of, or struggles against, the negative social meanings that have historically been attached to their group by dominant groups” (1998, p. 177).

Williams' contribution supports Young's approach of inclusion by providing criteria for identifying groups that ought to be granted special representation in democratic institutions. Williams' argument addresses this gap effectively and provides a framework that allows to make a compelling case for LGBTQ+ special representation, as I will demonstrate in the next section.

A Case for LGBTQ+ Special representation

In this section, I argue that LGBTQ+ individuals constitute an oppressed social group with strong claims for special representation. My argument builds on Williams' framework that I outlined in the previous section, according to which two conditions are required for a social group to be granted special representation: a history of state discrimination and a collective memory of group oppression. Looking at the context of Canada, I demonstrate that the LGBTQ+ community meets these conditions. I argue that while some protections have been guaranteed to LGBTQ+ individuals and contributed to reduce the stigma around sexual minorities, those protections fail to remedy other kinds of cultural injustices faced by LGBTQ+ individuals. To do so, I build on queer theory to explain the structural and systemic discrimination faced by LGBTQ+ individuals that translate into politics, requiring Young's group representation framework to foster their political inclusion.

A History of State-sponsored Discrimination against LGBTQ+ Individuals in Canada

Historical evidence demonstrates that the political, economic and social exclusion of LGBTQ+ individuals in Canada has largely been state-sponsored. I draw on Miriam Smith's framework of legal homophobia, which refers to a legal apparatus that actively or passively legalizes discrimination against LGBTQ+ individuals (Smith, 2020). The discrimination took various forms, including persecution, police violence, denial of equal rights for same-sex partners,

and a lack of basic protections for transgender and gender-diverse individuals. State-sponsored violence and discriminatory practices against LGBTQ+ individuals were endemic throughout the 20th century⁷. Documenting the history of state-sponsored discrimination against LGBTQ+ individuals is essential to demonstrate that structural inequalities were generated by such policies.

Before the 1969 amendment to the Criminal Code by the Omnibus Bill, offences of “gross indecency” and “dangerous sexual offender” were provisions criminalizing a range of same-sex activities, specifically anal intercourse (Warner, 2020). From the 1950s to 1992, when they were outed, gay people were dismissed from their jobs in the federal public service and the Canadian Armed Forces. This period is colloquially referred to as the “Gay Purge” (Kinsman & Gentile, 2010, p. 226). During the Cold War, gay individuals were categorized as a “national security threat” because they were viewed as likely to be blackmailed by foreign communist agents (Kinsman and Gentile, 2010). Investigative and surveillance practices targeted gay individuals, initially focusing on key departments such as foreign affairs, as well as the police and military. These practices were later extended to the entire civilian population. For example, gay persons were barred from joining the military until 1992, following the *Haig and Birch v. Canada* human rights complaint regarding arbitrary dismissal. In addition, in 1953, Canada’s Immigration Act was amended to explicitly ban gay persons from entering the country, a ban that was only lifted in 1978.

In addition, multiple episodes of police violence happened in the 1970s, with several of them being significant in the collective memory of the LGBTQ+ movement. One notable episode

⁷ The events reported in this section are documented by Michael Warner (2020) and by Kinsman and Gentile (2010), whose books *Never Going Back* and *Canadian War on Queers* are invaluable archives of LGBTQ+ political history. The works of Line Chamberland and Julie Podmore (2006, 2015), are also valuable contributions to reconstruct the specific political history of lesbians.

occurred in the run-up to the 1976 Olympics when Montreal's Mayor Jean Drapeau launched a morality campaign to remove "undesirable" populations from downtown Montreal (Podmore & Chamberland, 2015; Warner, 2020). Using a "Bawdy Law", which had been adopted in 1867 under the Vagrancy Act and which remains in the Criminal code; police conducted raids targeting saunas, notably the Aquarius sauna in 1975, the Club Baths in 1976, and finally the Neptune sauna that same year. These incidents are collectively known as the "Montreal Clean-Up" (Kinsman & Gentile, 2010). According to Kinsman and Gentile, this "clean-up" campaign was not an isolated action of the Mayor of Montreal, given the involvement of the Royal Canadian Mounted Police (Kinsman & Gentile, 2010, p. 245).

In another important episode, in Toronto, police targeted locations where the gay community was known to spend time, including saunas, bars, and the headquarters of the LGBTQ+ newspaper, *Body Politic*. While the target was primarily gay men, Podmore and Chamberland (2006, 2015) report that two lesbian bars in the downtown area, *BabyFace* and *Jilly's*, were also raided in 1975. Another significant police raid took place at the *Truaxx* bar (and the adjacent bar *Mystique*) in 1977, leading to a massive protest following the arrest of 146 men (Podmore & Chamberland, 2015; Warner, 2020). Police raids were often accompanied by intimidation and threats, such as the public release in the press of the names of those arrested. Furthermore, the police typically took no action in response to reported cases of murder and assault against LGBTQ+ individuals (Warner, 2020). Other significant episodes of violence occurred in the early 1990s in Quebec and Ontario. The police raids at the *Sex Garage* bar in 1990 and the *Katacombes* bar in 1994, led to the arrest of hundreds of LGBTQ+ individuals (Podmore & Chamberland, 2015). These massive arrests during police raids galvanized LGBTQ+ activism in Canada during the 1990s, contributing to the emergence of a collective identity.

LGBTQ+ activism throughout the century contributed to the formation of a collective consciousness and group identity among LGBTQ+ individuals across North America. The processes of industrialization and urbanization following the First World War gave rise to significant social transformations. These processes redefined interactions between men and women, outside the private sphere and in public venues, with urbanization playing a key role in the emergence of a queer subculture (D'Emilio, 1998). Moreover, the Stonewall riots in the late 1960s in the United States sparked early LGBTQ+ social activism. At that time, police raids on gay and lesbian bars were very common in the U.S. and were occurring without resistance. The raid on the Stonewall bar was however a turning point because it led to a series of riots, with the result of initiating the first Pride parade. This event also fostered the development of the LGBTQ+ social movement and community across the U.S., with many organizations emerging afterward in Canada. In major urban centers, the establishment of gay neighbourhoods, community organizations, businesses, newspapers, bars and other entertainment venues specific to the gay community, as well as annual Pride parades, helped consolidate a visible LGBTQ+ community, which came to be identifiable as a quasi-ethnic group (Murray, 1979; Warner, 2020, pp. 165-188).

Rulings in the 1990s and 2000s in the family law domain also indicated that LGBTQ+ individuals had been treated differently and discriminated against by the law. In 1995, a landmark case, *Egan v. Canada*, resulted in the extension of the Old Age Security (OAS) spousal allowance to same-sex partners.⁸ The case was brought by James Egan, who challenged the denial of spousal allowance to his partner, John Norris Nesbit, on the grounds that a “same-sex partner” was not included in the definition of “spouse” under the Old Age Security Act. *Egan v. Canada* was a significant case for LGBTQ+ rights, because it was one of the first cases where it was established

⁸ *Egan v. Canada* [1995] 2 SCR 513

that sexual orientation is a prohibited ground of discrimination under Section 15 of the Canadian Charter of Rights and Freedoms (Warner, 2020, p. 234). *Egan v. Canada* set a precedent for other legal challenges under Section 15 of the Charter, such as the *M. v. H.* case demanding to amend the definition of “spouse”, which hitherto excluded same-sex partners from receiving spousal benefits (Warner, 2020, p. 234). Similarly, the 1996 *Moore and Akerstrom v. Canada* (Treasury Board)⁹, addressed the unequal treatment of same-sex partners regarding social benefits, challenging that federal government employees were not allowed to extend social benefits (e.g., health care coverage, relocation) to their same-sex partners.

Furthermore, marriage between same-sex partners was prohibited by the federal government and, consequently, by the provinces. LGBTQ+ activists employed a range of strategies to obtain the right to marry, including litigation, protests, and symbolic actions (Smith, 2002; Smith, 2007; Nicol & Smith, 2008; Paternotte, 2012; Tremblay, 2013, 2015a). Court cases brought at the provincial level are illustrative of the fact that same-sex partners were excluded from the legal definition of marriage, as seen in the *Halpern v. Canada* (2003) ruling in Ontario, and the *Hendricks v. Quebec* (2002) ruling in Quebec. In 2001, Michael Hendricks and René LeBoeuf asserted that the Quebec government violated the rights protected by the Canadian Charter of Rights and Freedom by refusing to extend marriage rights to same-sex partners. Similarly, several couples, including Hedy Halpern and Colleen Rogers, brought a case to the Court of Appeal of Ontario, seeking legal recognition of their wedding ceremonies that were performed at the

⁹ Canada (Attorney General) v. Moore et al., (1998) 160 F.T.R. 233 (TD)

Metropolitan Community Church of Toronto. These cases will later contribute to extend legal recognition of LGBTQ+ unions across Canada.

The historical events that I outlined demonstrate that LGBTQ+ individuals have faced significant legal discrimination in Canada, while political activism aimed at resisting this discrimination supported the development of a collective consciousness among LGBTQ+ individuals. The history I have just described demonstrates that LGBTQ+ individuals may have a legitimate claim to special representation. They meet the criteria outlined by Williams for a social group to have claims for special representation: to have been historically subjected to state-sponsored discrimination, and to have a shared memory with other group members (Williams, 1998, p. 14).

Documenting State Protection: LGBTQ+ Rights and Equality in Canada

During the period up to the early 1990s, LGBTQ+ individuals were the victims of state-sponsored discrimination, treated as threats to national security and targeted by the police. From the mid-1990s onward, legal, political and social institutions began a slow move towards, first, eliminating overt discriminatory practices, and then towards more substantive forms of inclusion across all these domains.

By the 2000s, the status of LGBTQ+ individuals had shifted, from exclusion to inclusion: LGBTQ+ individuals were no longer portrayed as outsiders and potential threats to the state but instead were recognized as citizens whose rights deserved equal protection (Warner, 2020). Two key pieces of legislation that have been instrumental to the human rights campaign of the LGBTQ+ movement are the 1977 Quebec human rights code and the 1982 Canadian Charter of rights. By adopting the Human Rights Code, Quebec became the first province to include sexual orientation as a prohibited ground of discrimination, making it illegal to discriminate against gay individuals

in housing, employment, and in other social settings. The 1982 Canadian Charter of rights led to a series of legal cases under Section 15, which extended equal rights to LGBTQ+ individuals. In addition, in 1992, Canada became the first Western country to grant refugee status based on sexual orientation and gender identity or expression (SOGIE). By the early 2000s, Canada had emerged as the leading country with respect to LGBTQ+ rights protections, by granting many rights to LGBTQ+ citizens, migrants, and refugees, while implementing inclusive legislation in a context of global homophobia (Weiss & Bosia, 2013).

Additionally, with respect to same-sex marriage equality, Quebec's Bill 84, passed in 1999, legalized civil unions for same-sex partners, thereby equalizing social benefits for both same-sex and heterosexual common-law partners. In 2000, Bill C-23 amended 68 federal statutes to extend equal benefits to same-sex partners (Warner, 2020, p. 244). In other provinces, court rulings, such as those from the Ontario Court of Appeal and Quebec Superior Court, concluded that the traditional definition of marriage as the union of one man and one woman violated Section 15 of the Canadian Charter of Rights and Freedoms. The passage of Bill C-38, the Civil Marriage Act¹⁰, across Canada in 2005 recognized the legal right of same-sex couples to marry (Murray, 2014). As remarked by Martha Nussbaum (2010), the legalization of same-sex unions represented more than a civil act; it was the public recognition by the state of the dignity of same-sex couples (p. 671).

Finally, in the 2010s, other laws further secured LGBTQ+ protections, particularly for trans and gender-diverse individuals. In 2017, Bill C-16 added gender identity and gender expression to the Canadian Human Rights Act and to the Criminal Code, as a prohibited ground for

¹⁰ Bill C-38, S.C. 2005, c. 33

discrimination. That same year, the Prime Minister of Canada issued a public apology for the “gay purge” episode, along with financial compensation to the victims. In 2022, conversion therapy was banned across the country. In recent years, provincial governments in Quebec and Ontario and in Northwest Territories introduced laws that recognize trans and non-binary identities, allowing individuals to modify the sex designation (male, female or X) on identity documents to reflect their self-identified gender (Strong, 2017; Jao, 2018; Morris & Jonas, 2024). The successes achieved in advancing LGBTQ+ equal rights in Canada illustrate that the extension of equal rights can have some merits in fostering LGBTQ+ inclusion.

As I have described earlier in this chapter, Kymlicka offers an account of polyethnic rights as a key component of securing the inclusion of ethnic minorities in democratic states. Polyethnic rights provide cultural recognition to ethnic minorities, enabling individuals who are members of these groups to participate in public life. If this model of inclusion were to be adopted in the LGBTQ+ case, then an equivalent set of “polyethnic rights” might well protect the public expression of LGBTQ+ culture and identities. For instance, episodes of police violence such as the “Montreal Clean-up”, mentioned earlier in this chapter, are seen as state attempts to zone out the public presence of LGBTQ+ individuals, removing them from the public sphere (Warner, 2002). Instead, in *Sex in Public*, Berlant and Warner (1998) argue that the survival of the LGBTQ+ community depends on the visibility of LGBTQ+ culture in the public space, which is expressed through a “public sex culture” (Berlant & Warner, 1998; Warner, 2002). Pride parades, for example, are political mobilizations aimed at overcoming the stigmatization of queer identities (Warner, 1991, 2020). In addition, given that queer identities and sexualities were historically prohibited in most social spheres, public spaces are privileged places for queer sociability and

identity formation. In this context, an equivalent of “polyethnic rights” may serve as protections likely to contribute to an increased tolerance of LGBTQ+ individuals in public life.

While the rights guaranteed by the state can, to many extents, promote LGBTQ+ inclusion, contemporary queer theorists problematize this approach to inclusion (Duggan, 2003; Puar, 2007; Dryden et al, 2015). They suggest that the protections granted by the state to LGBTQ+ individuals have often been instrumentalized in narratives that serve nation-building goals, rather than pursuing protections for LGBTQ+ individuals, thus maintaining and reproducing oppressive social norms. Scholars have identified several concepts that explain the dynamics of LGBTQ+ inclusion/exclusion. For instance, “political homophobia” refers to the weaponization of homophobia by states in the Global South, where LGBTQ+ individuals are scapegoated as the enemy of the nation in a rhetoric that attempts to construct a cohesive national identity (Awondo, 2010; Weiss & Bosia, 2013). In *Terrorist Assemblages: Homonationalism in Queer Times* (2007), Jasbir Puar introduces the concept “homonationalism,” which explains specific exclusionary dynamics in Western countries. Puar (2007) uses this concept to explain how, after the 9/11 attacks, the state narrative in the West shifted from treating LGBTQ+ individuals as a threat to national security to, instead, representing them as symbols of Western values, progress and civilization. As Puar (2007) explains, a securitization discourse emerged, in which the levels of acceptance and tolerance of LGBTQ+ individuals within a country were used as a barometer of civilization to justify the intervention of Western countries in the internal affairs of countries in the Global South (p. 16).

Another concept is “pink washing” which refers to the way states disguise serious human rights violations that they commit against other minority groups by showcasing the protections granted to LGBTQ+ individuals (Gentile & Kinsman, 2015, p. 142). For example, scholars have

pointed out that the protections against discrimination granted to LGBTQ+ individuals in the Charter of Rights in Quebec and in Canada illustrate one such dynamic (Stychin, 1998; Tremblay, 2015b; Lapointe & Turgeon, 2021). They have argued that protections and legislation have been fundamental in constructing the myth of a progressive Canada on the international stage (Smith, 2007; Jenicek et al., 2009; Murray, 2014). However, those actions and discourses also legitimize the settler state (Sykes, 2016) while enhancing securitization at the borders (LaViolette, 2004; Rehaag, 2008; White, 2013; Murray, 2020).

The provisions of equal rights can, to some extent, promote LGBTQ+ inclusion, but may not fully provide the remedies needed to ensure the equal participation of LGBTQ+ individuals in public life. As argued by queer theorists, remedying the injustices that they face require safeguarding their basic human rights and providing specific protections in the form of affirmations that allow the public expression of LGBTQ+ identities but also challenging the values that inform the social organization based on heterosexuality as the standard. Queer and feminist theorists have provided critical theoretical insights about the oppression of LGBTQ+ individuals, highlighting the forms of injustices they face. I discuss these theoretical accounts in the next section.

Theorizing LGBTQ+ Oppression: Insights from Queer Theory and Feminist Perspectives

In *Is Multiculturalism Bad for Women?* Susan Okin (1999) provides a critique of the liberal model of cultural recognition. Okin (1999) argues that individuals can be oppressed within their cultural group, citing the existence of oppressive gender roles across various cultures as an example. In this context, when the state relies solely on the recognition of cultural differences for the sake of preserving minority cultures, the gender oppression experienced by women within those minority groups may not be adequately addressed or, rather, cultural practices that are

oppressive to them may be tolerated (Okin, 1999, p. 190). Similarly, Young explains that cultural minorities may be oppressed within a majority group. According to Young (2002), in the context of cultural imperialism, a form of oppression in which the dominant group imposes its culture as the universal norm on minorities, individuals belonging to oppressed social groups are expected to assimilate to the dominant culture, softening or abandoning certain of their cultural traits in order to be regarded as equals. For these groups, the recognition of their equal status by the state, which embodies the values of the dominant cultural group, is conditional to them conforming to these mainstream values (Young, 1990, pp. 136-147). According to Young (2002), these oppressive dynamics can prevent the meaningful political participation of individuals who are members of oppressed social groups, thereby generating systemic injustices. As these injustices that result in their unequal status are not strictly cultural or economic (Young, 1997b), they should be remedied by ensuring the presence of oppressed social groups in the institutions of political decision-making.

Queer theorists propose that the injustices faced by LGBTQ+ individuals are related to heteronormativity, according to which mainstream culture and its institutions values and beliefs privilege heterosexuality as a standard and as the basis of social organization (Berlant & Warner, 1998, p. 548). In *The Psychic Life of Power*, Judith Butler (1997) argues that gender norms and the injustices they produce are so intricately intertwined that it is impossible to distinguish between cultural and economic injustices. According to Butler, heteronormativity operates in a way that the exclusion of queer individuals is built in, and its persistence depends on this exclusion (Butler, 1997, p. 274). Therefore, the injustices experienced by LGBTQ+ individuals, Butler (2002) argues, are not merely “cultural”, and the remedy cannot be limited to the recognition of their difference. For Butler (2009), the heteronormative culture proceeds as an “intelligibility grid”, which

organizes all aspects of social life and that shapes the conditions by which one is recognized as a “person” (Butler, 2009, p. 5). For queer individuals, obtaining protections and the equal rights that support their participation in public and social life depends on them conforming to the heterosexual model or stereotypical gender expression.

LGBTQ+ individuals have historically experienced various forms of oppression as a result of a heteronormative culture, which generated injustices. In the 1960s, feminist thinkers distinguished between “sex”, which refers to biological features, and “gender,” which they argued is socially constructed, meaning that the traits attributed to men and women depend “on social factors such as social roles, positions, behaviors, or self-ascription” (Mikkola, 2017, p. 169). Similarly, feminist theorists in the 1970s-1980s such as Colette Guillaumin (1981), Adrienne Rich (1981), Mariana Valverde (1985), and Monique Wittig (2001) began to treat heterosexuality as a social construct. Heterosexuality, they argued, result from an ideological apparatus that enforces *compulsory heterosexuality* through the institution of marriage, alienating all other options for romantic partnership (Rich, 1981; Wittig, 2001). Feminist theorists further considered heterosexuality as a product of an oppressive social structure that manifests economically through the gendered division of labour in the domestic sphere (Guillaumin, 1981).

Contemporary queer theorists, such as Michael Warner (2010), have argued that such oppression persists even in contexts where there is a legal recognition of same-sex marriage. According to Warner (2010), marriage is an institution that gives privilege in terms of status and access to social goods (e.g., social benefits, family rights related to adoption or child custody, inheritance, visitation rights in medical or end-of-life contexts) to those who are married over those who are not (p. 669). In his view, with the legal recognition of same-sex marriage, these privileges were extended to same-sex couples but not to other forms of intimate relationships such as

multiparenthood. Other scholars have supported this claim, arguing that the state recognition of same-sex marriage does not fully address the stigma faced by LGBTQ+ individuals (Gamson, 1995; Fassin, 2001; Smith, 2002). As such, other models of partnerships have been marginalized, with one type of intimate relationship – the one most resembling heterosexual marriage – being prioritized for public recognition (Duggan, 2003; Ghosh, 2018; Warner, 2020). For instance, Cyril Ghosh (2018) argues that the Obergefell v. Hodges decision in 2015, which recognized same-sex marriage in the U.S, exemplifies the extent to which the state decision reproduced two types of heteronormativity: “amatonormativity” and “repronormativity”. Ghosh defines “amatonormativity” as the fact that the state ascribes legitimacy to only one form of partnership – the couple (Ghosh, 2018, p. 45). “Repronormativity” refers to the privileging of “the nuclear family, parenting, and, in some cases, even the begetting of children” (Ghosh, 2018, p. 45).

Heteronormativity also results in the stigmatization of sexual minorities. Stigma, according to Warner (1999), “like its etymological kin stigmata, refers to a mark on the body, like a brand or a tattoo or a severed ear, identifying a person permanently with his or her disgrace.” (p. 27). In *Surveiller et Jouir*, Gayle Rubin (2010) argues that stigma around alternative sexual practices and non-heterosexual forms of conjugality is produced by scientific and legal discourses that devalue homosexuality in contrast to heterosexuality seen as a “good, normal, natural sexuality” (p. 161). For instance, homosexuality was once categorized as a pathology by psychoanalysis and medicine¹¹ and included in the first edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM)¹² (Drescher, 2015). According to Rubin (2010), while the legal recognition of

¹¹ The exception at time is McKinsey's famous 1948 study that placed homosexuality on the continuum spectrum of sexuality (Drescher, 2015).

¹² Homosexuality was classified as a pathology until 1973. Similarly, “transsexualism” was added in the DSM in the 1980s, reclassified as “gender identity disorder” in 1994, which, and then as “gender dysphoria” in 2013. For advocates

same-sex marriage has reduced the stigma against some members of the LGBTQ+ community, it has not deeply transformed the heterosexual norm, as all non-heterosexual practices are still devalued.

As a result, LGBTQ+ individuals' expressions are not tolerated, and their experiences are marginalized from the public sphere. In *The Epistemology of the Closet*, Eve Sedgwick (1990) uses the metaphor of the closet to suggest that a defining feature of the social experiences of LGBTQ+ individuals is the act of “coming out” – publicly disclosing their sexual orientation. Sedgwick (1990) notably argues that coming out is not a fixed or finite act; rather, people may disclose their sexual orientation selectively, in some spheres of their lives and not in others, or at some stages of their lives and not in others. In some contexts, individuals may be constrained to silence. For instance, Cheshire Calhoun (2000) argues that the marginalization of gays and lesbians is best understood as a systematic displacement from the public sphere: only on the condition that they adopt a heterosexual identity expression can gays and lesbians participate in public life and have their needs met (p. 76).

Finally, heteronormativity operates as a structural force that produces violence. In *Gender Trouble*, Judith Butler (1999) argues that the oppression of LGBTQ+ individuals is the combined effect of the “heterosexual matrix,” which prescribes an alignment between sex, gender, and desire. According to Butler, the binary distinction between female and male bodies, which correspond to women and men's gender roles, codifies gender expression in a way that forces individuals to conform to a heterosexual standard, thereby excluding trans and gender non-conforming individuals (Butler, 2012, p. 366). As such, gender oppression “operate[s] as [a] psychic

and activists, while these classifications pathologize identities, maintaining them is the avenue to access gender transition-related healthcare (Robles et al., 2021).

phenomena, restricting and producing desire,” setting fluid and shifting identities as fixed and binary (Butler, 1997, p. 21). Heterosexuality, therefore, is produced through oppressive discourses, as well as through silences, such as the invisibility of bisexuality in legal discourse (Yoshino, 2000). In *Multitudes Queer*, Paul Preciado (2003) describes gender norms as functioning like a “*sexopolitique disciplinaire*,” an ideological apparatus that produces “normal bodies”. In some cases, intersex and trans individuals may be forced to undergo involuntary sex realignment surgeries for their bodies to conform to expected gender expressions (Preciado, 2003).

These theoretical accounts highlight that LGBTQ+ individuals experience specific forms of injustices – cultural, economic and epistemic – produced by a heteronormative culture. Addressing these injustices requires remedies that extend beyond the scope of collective rights to recognize and protect cultural minorities that are outlined by Kymlicka. Young proposes a framework of group representation that address the structural inequalities and systemic political exclusion faced by oppressed social groups such as LGBTQ+ individuals. This framework proposes special representation as a mechanism to foster their political inclusion. In the next chapter, I will further argue why special representation is relevant for LGBTQ+ inclusion.

Conclusion

In this chapter, I demonstrated that Kymlicka’s liberal approach to inclusion has its limits, particularly in relation to the political inclusion of LGBTQ+ individuals. After discussing Kymlicka’s framework, I provided evidence of state-sponsored discriminatory practices against LGBTQ+ individuals in Canada throughout the 20th century, along with an analysis of the limited forms of recognition that can be provided in a context of an oppressive culture that is heteronormative. I described the forms of injustices that are experienced by LGBTQ+ individuals

as a result of such culture. Drawing on queer theory, this analysis suggests that LGBTQ+ inclusion may not be best guaranteed by a liberal model of inclusion. In particular, I show that the state protections entailed in the liberal framework must be supplemented by mechanisms that correct the effects of oppressive cultural norms. I proposed that Young's special representation offers such mechanisms of guaranteed representation, therefore providing a better avenue for LGBTQ+ political inclusion. In the next chapter, I further illustrate the need to provide mechanisms of guaranteed representation to ensure the inclusion of LGBTQ+ political interests.

CHAPTER 4 “WHAT IS IT TO REPRESENT?”: ON LGBTQ+ POLITICAL INTERESTS AND UNREPRESENTABLE PERSPECTIVE

In accordance with Young’s framework of group representation, LGBTQ+ political inclusion necessitates a guaranteed presence of LGBTQ+ representatives in democratic spaces. In Young’s view, the presence of representatives from oppressed social groups is essential for democratic inclusion because, by sharing their perspectives, they can enhance the knowledge available to develop inclusive policies. Young’s notion of social perspective suggests that the interests of oppressed social groups can sometimes be unknown by political representatives who are out-group members. In this chapter, I consider this notion in relation to the representation of LGBTQ+ interests. I argue that some LGBTQ+ lived experiences and values are marginalized from within the shared public culture. These experiences, I argue, shape specific LGBTQ+ political interests, which I refer to as *illegible* interests, that require self-representation.

To develop this argument, I first discuss the feminist critique of traditional accounts of political interests which highlights the extent to which interest-group pluralism, as proposed in liberal thinking, fails to be sensitive to concerns about social justice and thus to fully achieve democratic inclusion. I then draw lessons from existing proposals to justify self-representation with respect to the political interests of oppressed social groups that might otherwise be overlooked, uncrystallized, or unknown. I make a specific contribution to these proposals by providing an argument that considers the inclusion of LGBTQ+ political interests.

Representing Political Interests

Some fundamental assumptions of the pluralist tradition are challenged in feminist theory. As I elaborate in this section, Phillips (1991) and Young (2002) propose an interpretation of political interests that emphasizes the role of experiences of oppression in shaping political preferences. They also argue that the presence of elected officials from oppressed social groups is indispensable for the political representation of these interests.

Defining Interests in the Liberal Perspective

As I introduced earlier in this dissertation, Pitkin (1967) defines political representation as the representation of interests. According to Pitkin, for interests to be “representable,” they must possess two essential features: they must be objective, and they must be of public matters. In Pitkin’s view, interests are substantive ideas that can be brought to rational deliberations and decision-making within an assembly (Pitkin, 1967, p. 212). Pitkin proposes this understanding of interests as a counterpoint to the understanding of modern political philosophers, such as Edmund Burke, who had previously conceived interests as “impersonal” matters that require the judgment of experts to identify and safeguard the common good (Pitkin, 1967, p. 168). For Pitkin, given the nature of political matters, the so-called common good depends on the multiple opinions or attitudes that citizens and their representatives may hold, rather than on abstract reasoning or scientific expertise (Pitkin, 1967, p. 174).

Pitkin’s view of interests derives from her understanding of accountability, according to which political representatives must be responsive to their constituents. Representatives can be held accountable for their actions taken to promote the preferences of their constituents, provided these preferences are expressed in the public sphere. Pitkin’s view of political representation aligns with the public vs. private divide in liberal thinking, for which the role of the representative

government is to safeguard the public interest; with the public interest seen as objective as opposed to the private interest seen as subjective and known only to the individual who holds it (Pitkin, 1967, p. 200). It follows that the interests to be represented are typically those expressed in the public sphere by civil associations and interest groups.

Along these lines, the definition of interests offered by pluralist scholars have typically fallen into two categories: “political preferences” and “policy options.” As I presented in chapter 2, pluralist scholars have focused on interest groups when discussing democratic inclusion. These theorists tend to define interests as political preferences in their analysis of the political activism of interest groups in the public sphere (Dahl, 1961; Truman, 1951/1971; Melucci, 1980; Tarrow, 2022). For example, David Truman (1951/1971) defines “interests” as “shared attitudes” toward a public matter, with individuals voluntarily associating into interest groups to make claims upon the institutions of government or against other groups in the society (p. 33). Truman argues that individuals form these interest groups with the objective of maximizing their given interests and exercising influence over the legislative process (Truman, 1951/1971, p. 34). To do so, they mobilize a variety of resources and a repertoire of actions including the use of collective identities and protests (Melucci, 1980; Tarrow, 2022).

Other pluralist scholars regard interests as the policy options that are proposed by politicians through electoral platforms or public policies (Schumpeter, 1942/2010; Connolly, 1972; Manin, 1995). This definition is found in Schumpeter’s (1942/2010) account, which suggests that citizens are typically limited in their capacity for rational reasoning and have a short-term vision, which makes them poor judges of their authentic needs and interests. According to Schumpeter (2010), political elites are the ones who manufacture wills by developing policy options designed to address the citizens’ needs. William Connolly (1972) and Bernard Manin

(1995) have adopted this interpretation of interests while emphasizing that the retrospective judgment of electors come into play in the development of public policies. Connolly argues that interests are contingent on lived experiences and are best defined in relation to policy outcomes. He proposes the following definition: “Policy X is more in A’s interest than policy Y if A, were he to experience the result of both X and Y, would choose X as the result he would rather have for himself” (Connolly, 1972, p. 472). For Connolly, such a definition highlights the fact that citizens’ preferences may be shaped by the limited range of policy options available rather than reflecting their genuine interests.

From this understanding of interests as policy options, Manin (1995) suggests that the representation of interests occurs through the electoral system, where politicians bargain with voters by aligning their policy proposals with voters’ preferences. According to Manin, politicians make electoral promises or design public policies to satisfy the preferences of voters or interest groups, presenting these options to voters’ judgment. Their objective is to garner the maximum number of votes in order to be elected or re-elected, which means that they must take voters’ preferences into account and represent their interests (Manin, 1995). Taken together, these definitions give a sense of the approach to political interests that prevail in democratic theory. My examination of LGBTQ+ political inclusion builds on these understandings while incorporating feminist interpretation of political interests.

Gendered Political Interests

The representation of political interests as proposed in pluralist theory has been challenged by political thinkers such as Phillips (1991) and Young (2002). As they suggest, social marginalization plays a pivotal role in shaping political interests, and these interests must be represented by political representatives who are members of marginalized social groups.

In *Engendering Democracy*, for example, Phillips (1991) highlights a blind spot in democratic theory: its failure to adequately consider the role of gendered social structures in shaping political interests. These social structures, as identified in the work of Virginia Sapiro (1981), include the gendered division of labor in the workforce and within the domestic sphere, along with social roles as motherhood and caregiving responsibilities (p. 704). These social structures result in distinct social experiences for women, including social and economic inequalities, political exclusion, and vulnerability to systemic violence such as sexual harassment. Therefore, as Phillips argues, women's specific social experiences engender political interests that are markedly distinct from those of men. As a consequence, democratic theory shows significant limitations, particularly in its exclusion of women's interests.

One of these limitations is showed in the traditional liberal distinction between public and private matters. The political ideas of the feminist social movement have been specifically targeted at challenging the claim that women's concerns are private, and by definition have no place into democratic politics. For example, the suffragette movement for women's right to vote during the 20th century challenged the patriarchal notion that women's political interests are by association similar to their husband's, or their family unit (Sapiro, 1981; Pateman, 1988; Phillips, 1991). Additionally, feminist activists have defended the idea that women's interests and needs cannot merely be subsumed under the interests of their ethnic, religious, cultural or national group, nor can they be reducible to class-based interests (Sapiro, 1981; Pateman, 1988; Phillips, 1991). Under the slogan of "the personal is political," feminist activists also redefined issues previously regarded as private, such as access to abortion, the domestic division of labor, and sexual violence, as matters of public concern (Phillips, 1991; Okin, 2008). They asserted that women have distinct political interests of their own, separate from those of other interest groups in the public sphere.

In *The Politics of Presence*, Phillips (1995) further argues that the representation of these political interests depends on the composition of elected assemblies. According to Phillips, the presence of women in parliaments fosters the representation of their interests in key ways: it ensures that they are incorporated into the political agenda; that they can communicate with political representatives who share similar concerns; and that a broad range of policy options, which include their needs, are developed (Phillips, 1995, p. 24). As Phillips notes, the representation of the political interests of women and marginalized social groups cannot be abstracted from their political presence. Rather, “it is in the relationship between ideas and presence that we can best hope to find fairer system of representation, not in a false opposition between one or the other” (Phillips, 1995, p. 25).

Similarly, Young calls for a radical rethinking of the tenets of the liberal tradition, which prioritize competition and adversarial interests in the context of political representation. In doing so, Young (2002) aims to broaden the scope of political representation to encompass “social perspectives” rather than focusing solely on interests, when it comes to the democratic inclusion of oppressed social groups. In her view, “perspectives” are forms of knowledges generated from lived experiences of marginalization (Young, 2002, p. 137). In Young’s view, the representation of perspectives hinges on the guaranteed political presence of members of oppressed social groups as their spokespersons. When a diversity of perspectives is represented in democratic spaces, it contributes to the achievement of social justice by maximizing the “social knowledge available to a democratic public” needed to “make just and wise decisions” (Young, 2002, p. 56).

In sum, these political thinkers have conceptualized self-representation —when individuals who are members of oppressed social groups are spokespersons for their group political interests— as a way to ensure democratic inclusion. In the next section, I examine in detail some specific

arguments that have been proposed in favour of self-representation. This examination is meant to inform the case for LGBTQ+ political inclusion.

Arguments for Self-Representation: Addressing the Diversity of Interests

At least three different arguments have been proposed in favour of self-representation in democratic spaces. Political thinkers argue that for the case of women's political inclusion, the presence of women political representatives can ensure that women's political interests are not overlooked and are given voice (Phillips, 1995; Williams, 1998); that their "uncrystallized interests" are heard in the political process (Mansbridge, 1999); and that "perspectives" that are unknown by out-group members are included into decision-making (Young, 2002). In this section, I examine these arguments to draw insights for the case of LGBTQ+ political inclusion. I also discuss the challenge posed by the heterogeneity of experiences within social groups, which complicates the assumption that shared experiences between representatives and the groups they represent are sufficient to guarantee effective representation.

Overlooked Interests

One argument for self-representation in parliaments, as proposed by Phillips (1995), is that political interests may be overlooked in the political process due to the nature of political mandates. Voters elect representatives based on their support for the electoral platform these representatives propose during electoral campaigns. By electing them, voters confer to these representatives the authority to enact their electoral promises during a fixed term. However, political representatives typically have limited opportunities throughout their mandate to consult with voters and to stay attuned to their evolving preferences. In the case of women's interests for example, the policy options put forward by political parties and candidates during election periods may not fully

address the diverse needs and concerns of women (Phillips, 1995, pp. 69-70). As Phillips remarked, when new issues arise in parliaments during the political mandate, “there is little to turn to other than the people who carry the interests” to understand the political matters or to make decisions about the adequate course of action (Phillips, 1995, p. 70).

According to Phillips (1995), in the absence of women’s representatives, the concerns and political preferences of women that are voiced by interest groups, are less likely to be heard by legislative assemblies and to influence the development of policy options (pp. 66-69). In essence, Phillips’s argument echoes the view proposed by the modern liberal philosopher John Stuart Mill (1861/2015), who argued that each class of interests must have a spokesperson in a representative government, or else it will be neglected (p. 216). When it comes to representing the interests of oppressed social groups, Phillips highlights that political representatives who have lived through similar experiences of marginalization are more likely to understand and advocate for their concerns. Similarly, Williams (1998) has also remarked that when members of different social groups lack shared social experiences, a cognitive bias may emerge (p. 133). In politics, as Williams (1998) argues, due to the lack of shared experiences, some political representatives who are not part of an oppressed social group may not be able to understand their preferences and needs. Having political representatives who share similar experiences with marginalized social groups is therefore crucial.

The lack of shared experiences may hamper the ability of political representatives who are out-group members to effectively promote policy options that meet the needs and interests of an oppressed social group. For example, until the early 20th century, there were laws in countries such as Canada that prevented women from running and being elected in parliaments. Their absence among legislators resulted in the development of public policies that were paternalistic or contrary

to women's interests, despite the best intentions of men legislators (Williams, 1998, p. 132). Conversely, according to Phillips, the political presence of women signals that their concerns are likely to be cared for in legislative assemblies. Moreover, Williams argues that their presence ensures that women's voices are heard throughout the political process and that policy options are designed with their input (Williams, 1998).

Uncrystallized Interests

A second argument for self-representation is proposed by Mansbridge (1999), who emphasizes that the political presence of members of marginalized social groups as spokespersons is essential to ensure the representation of "uncrystallized interests." Mansbridge defines "uncrystallized interests" as issues that affect individuals who are members of an oppressed social group but that have not yet been fully articulated as a collective concern in the public sphere — particularly in ways that can be readily understood by the public, the media, or the political parties as a public matter (Mansbridge, 1999, p. 643). An example of such interests, Mansbridge argues, is sexual harassment, which for a long time was not recognized as a form of abuse despite being a prevalent issue experienced by women in the workplace. Mansbridge cites the case of Anita Hill in the early 1990s, who testified at a US senate hearing about sexual harassment committed by a Supreme Court nominee. Hill's testimony was generally met with low credibility throughout the public hearings. However, women legislators who were well aware of the prevalence of this form of abuse, and its collective effect, were better able to believe the victim's account and to take actions. Mansbridge uses this example as illustrative of uncrystallized interests and to underscore the significance of women's political presence in legislative bodies (Mansbridge, 1999, p. 648).

In Mansbridge's view, when political representatives share similar experiences with oppressed social groups, "they are better able to decipher each other's messages and to

communicate effectively” (Mansbridge, 1999, p. 65). Self-representation is especially beneficial for representing “uncrystallized interests” when there is a “communicative deficit” between political representatives and their constituents. A communicative deficit may occur in certain contexts, such as in severely divided societies or those marked by historical mistrust, where the majority group has historically neglected or betrayed the interests of minorities (Williams, 1998). It can also happen in contexts where “a history of domination and subordination” has fostered “insensitivity and even arrogance on the part of the dominant group, while it breed[ing] distrust in the dominated group” (Mansbridge, 1999, p. 641). In such circumstances, “the shared experience that descriptive forms of representation are able to reflect (however imperfectly) will facilitate vertical communication between representatives and their constituencies” (Mansbridge, 1999, p. 65). Conversely, the absence of political representatives who are members of oppressed social groups in parliaments may prevent marginalized citizens from communicating their needs to political representatives due to the fact that they are less likely to exhibit trusting attitudes toward representatives who are part of the dominant group (Williams, 1998; Mansbridge, 1999). In these contexts, uncrystallized interests may go unrepresented. Later in this chapter, I will provide some contemporary examples of uncrystallized interests by examining the case of LGBTQ+ individuals, further expanding the significance of such interests and their democratic inclusion.

Distinctive Voices or Perspectives

In addition to the preceding arguments, Young argues that self-representation is essential to ensure the inclusion of the distinct “social perspectives” of oppressed social groups (Young, 2002, p. 83). As defined by Young, social perspectives refer to “the point of view [individuals who are] group members have on social processes because of their position in them” (Young, 2002, p. 137). Due to their social position, individuals from oppressed social groups are bound by a

commonality of lived experiences (Young 2002, p. 114). These experiences of social marginalization contribute to the formation of a unique “social perspective” (2002), also called a distinct “voice” by Williams (1998), which is vital for the pursuit of social justice.

Social perspectives constitute forms of situated knowledge that are collectively held by members of marginalized social groups and define their interpretation of social relations. Young describes situated knowledges as follows:

Among the sorts of situated knowledge that people in differentiated social positions have are : (1) an understanding of their position, and how it stands in relation to other positions; (2) a social map of other salient positions; (3) a point of view on the history of the society; (4) an interpretation of how the relations and processes of the whole society operate, especially as they affect one’s own position; (5) a position-specific experience and point of view on the natural and physical environment. (Young, 2002, p. 117)

The idea of situated knowledge is proposed by feminist epistemologists (Harding, 1986a, 1986b; Haraway, 1988; Hill Collins, 2000; Hartsock, 2006). In her work, Donna Haraway (1988) employs the metaphor of vision to illustrate the way in which individuals’ social positions shape which experiences are available to them and what they can perceive regarding social relations. As Haraway explains, individuals perceive the world differently depending on their social locations and embodiments. Knowledge thus always emerges from a particular standpoint; there is no abstract or universal point of view that is detached from a specific lived experience and so-called objective knowledge is necessarily partial. Similarly, what individuals perceive is embedded within a system of knowledge that is culturally defined and situated within specific historical and social contexts (Haraway, 1988, p. 115). According to Haraway, each social group occupies a different position within the social structure in relation to the processes of oppression which inform their needs, interests and perspectives. Given their unique position, oppressed individuals are particular attuned to institutional processes of marginalization. As Patricia Hill Collins (2000) further explains, the situated knowledges of oppressed social groups can include the cultural

impacts of persistent social exclusion, which encompasses a set of knowledge, ideas, and values associated with their lived experiences.

Furthermore, Nancy Hartsock (2019) emphasizes the value of situated knowledges to achieving social justice. According to Hartsock, a situated knowledge as understood in feminist epistemology is not merely an individual's personal experience or opinion, but it is a group's understanding of its collective experiences of marginalization which can also encompass their aspirations to overcome the social dynamics of domination and oppression. Hartsock defines the standpoint of oppressed social groups as an engaged vision because it is critical of institutional processes of oppression. As she writes: "as an engaged vision, the understanding of the oppressed, the adoption of a standpoint exposes the real relations among human beings as inhuman, points beyond the present, and carries a historically liberatory role" (Hartsock, 2019, p. 108). Therefore, the situated knowledges of oppressed groups must be sought for in efforts toward social transformation.

According to Young, different social groups have "different needs, cultures, histories, experiences, and perceptions of social relations which influence their interpretation of the meaning and consequences of policy proposals and influence the form of their political reasoning" (Young, 2002, p. 257). Oppressed social groups hold particular insight, not only into the lived experiences of oppression, but also with respect to the means to overcome social processes of oppression. Members of oppressed groups share social perspectives, because each individual – qua member of an oppressed social group – is "similarly positioned in interactive and institutional relations that condition their opportunities and life prospects" (Young, 2002, p. 97). As Young explains:

Perspective is a way of looking at social processes without determining what one sees. Thus, two people may share a social perspective and still experience their positionality differently because they are attending to different elements of the society. Sharing a perspective, however, gives each an affinity with the other's way of describing what he experiences, an affinity that those differently situated do not experiences. (Young, 2002, p. 137)

For Young, the representation of their social perspectives or voices requires the presence of members of marginalized groups as their spokespersons in parliaments, because social perspectives are by definition unknown by political representatives who are part of the dominant group given their own position in the social structure. These perspectives can be expressed by political representatives who are members of marginalized social groups when they participate in public deliberations.

In sum, Young argues that the representation of the interests of oppressed social groups requires the political presence of descriptive representatives in parliaments; their social perspectives cannot be fully known by political representatives who are not members of the group, making these representatives unable to implement legislation that would correct the processes of historical marginalization.

Considering the Challenge of Heterogeneity of Interests

The arguments that I discussed above offer a powerful explanation for why a commitment to democratic inclusion needs to pay special attention to oppressed social groups. These arguments, based on the shared lived experiences between representatives and members of the same oppressed social group, assert that the presence of descriptive representatives in parliaments is key to ensuring that the oppressed social groups' political interests are effectively represented. However, the heterogeneity of experiences within each oppressed social group calls this premise into question. Individuals sometimes share dissimilar experiences of marginalization with other members of the same social group. As Crenshaw (1991) points out, power asymmetries exist even within oppressed social groups, with some members facing double marginalization as a result of intersecting systems of oppression. In addition, there are also minority groups within these social groups, each of them holding diverse needs and perspectives (Karademir, 2018). Therefore, with

respect to representing LGBTQ+ political interests, I aim to take into account the heterogeneity of experiences within the group in arguing for their self-representation.

As I introduced earlier in this dissertation, one objection to Young's group representation concerns the heterogeneity of experiences within social groups, making it problematic to treat any single lived experience as representative of the collective experience of a group (Kymlicka, 1995, p. 140). This issue has been particularly evident within the feminist social movement and in representative politics, where attempts to define women's interests based on a singular woman's experience have been widely challenged (Alcoff, 1988; Lamoureux, 2016; Gunew & Yeatman, 2019). Phillips confronted this objection, noting that the presence of political representatives who are part of an oppressed social group is not sufficient to establish that the group's political interests are effectively represented. As Phillips states, these representatives may share their concerns but, "the notion that shared experience guarantees shared beliefs or goals has neither theoretical nor empirical plausibility" (Phillips, 1995, p. 53). In spite of this objection, Williams maintains that efforts should be made to ensure the political presence of representatives from marginalized social groups because, given their shared social experiences, there are "good reasons to believe that members of marginalized groups, *on average*, are more likely to represent the concerns and interests of citizens from those groups than are non-members" (Williams, 1998, p. 6).

Young is not intimidated by the challenge posed by the heterogeneity of experiences among members of oppressed social groups. Rather, she says, this heterogeneity simply points to the importance of including a plurality of social perspectives in democratic spaces. A diversity of political representatives is required to ensure the inclusion of multiple group perspectives. Furthermore, according to Young, the perspectives of oppressed social groups may be unknown to out-group representatives because they lack the needed shared lived experiences. As I discussed

earlier, Young argues that social perspectives emerge from the specific positions that oppressed individuals occupy within the social structure. As a result, individuals who do not occupy similar positions, in particular those who are in privileged social locations, are unlikely to share those perspectives and to promote effectively the interests of oppressed social groups. Thus, the guaranteed presence of political representatives from oppressed social groups is essential for bringing these perspectives into democratic deliberation and including them in public decision-making processes.

When it comes to the representation of LGBTQ+ political interests, some may be skeptical that LGBTQ+ representatives are needed in parliaments to represent them, pointing to the diversity of lived experiences within the LGBTQ+ community as barrier to their unified political representation. Throughout the history of the LGBTQ+ social movement, internal political cleavages indicate that the LGBTQ+ community encompasses heterogeneous social experiences, which produce a variety of distinctive and sometimes conflicting interests (Gamson, 1995; Warner, 1991, 2000). For example, the specific interests of certain groups such as lesbians and queer and gender-diverse individuals have often been marginalized within broader LGBTQ+ social activism (Warner, 1991, 2000; Chamberland et al., 2018). At the same time, some allies – those who are not members of the LGBTQ+ community – have played a key role in advancing LGBTQ+ equal rights, as seen in the case of the recognition of same-sex relationships in Canada (Warner, 2020, pp. 222-234). Therefore, critics may think that LGBTQ+ self-representation in parliaments is not needed; however, in the next section, I will defend that LGBTQ+ descriptive representation is still needed given that there are specific interests that cannot be promoted by out-group members, even when they do not hold individual attitudes and biases such as homophobia and transphobia.

In order to make a case for LGBTQ+ self-representation, I will explain below that it is precisely the diversity of perspectives shaped by intersecting experiences of racial, gender and class oppression that underscores why the presence of LGBTQ+ representatives in parliaments is critical to ensure that their voices are reflected in decision-making making. Building on Young's concept of social perspective, I will further explore what may disqualify political representatives who are out-group members from advancing LGBTQ+ interests. As my claim considers LGBTQ+ political inclusion within the existing political system, which depends on the election of political representatives and their responsiveness to interest groups and civil associations in the public sphere, I use the notion of social perspective in this context to refer to the interests that are expressed by oppressed social groups in the public sphere.

Delineating the LGBTQ+ Interests that Require Self-Representation

There are reasons to support self-representation as a means of promoting LGBTQ+ political inclusion. In this section, I argue that LGBTQ+ interests cannot be effectively promoted by non-descriptive representatives because they lack knowledge about LGBTQ+ lived experiences, given that they do not share similar experiences. To do so, I draw upon various conceptual tools borrowed from critical epistemology (Fricker, 2007; Dotson, 2018) and democratic theory (Lenard, 2007, 2012), within the context of queer theory (Warner, 2000). I distinguish between two types of experiences, which I call “legible” and “illegible” experiences, that determine the types of LGBTQ+ political interests that are unknown to non-descriptive representatives. I propose that these political interests are the result of the process of normalization by which, as I will elaborate below, some LGBTQ+ social experiences are marginalized within

the shared public culture. To illustrate my claim, I provide some evidence of political interests that are potentially unknowable to representatives who are not members of the LGBTQ+ community.

The Process of Normalization and its Effects on Public Culture

In *Trust, Democracy, and Multicultural Challenges*, Patti Lenard (2012) introduces the concept of “public culture” to describe the ties that bind individuals together within the boundaries of a political community, emphasizing its role in fostering inclusive policies. According to Lenard, the content of a public culture ideally is constructed, emerging “from contributions from all the segments of society who are subject to it” (Lenard, 2012, p. 77). This public culture is then shared among members of a political community through socialization in the private sphere, such as in families or neighborhoods, or learned through public education or transmitted in public media through “books, newspapers, pamphlets, and more recently the electronic media” (Lenard, 2012, p. 78). As Lenard explains:

A shared public culture provides citizens with information about the motivations that inform the decisions that others make; a shared public culture gives information to citizens about the norms and behaviours that will be subject to both negative and positive sanctions; and, finally, a shared public culture plays a critical role in establishing, among citizens, a sense that they share something important in common. (Lenard, 2012, p. 6)

The function of a shared public culture, Lenard defines, is in fostering a sense of “sameness” that ensures that individuals are committed to look after the collective interest: because people see themselves as all belonging to a same group with a shared destiny, they are more willing to cooperate to achieve common goals (Lenard, 2007, p. 398). In this way, Lenard argues that a shared public culture positively enables the development of inclusive policies. However, I argue that in certain contexts, a shared public culture can be exclusionary. When a shared public culture is shaped by oppressive dynamics rather than being co-constructed by all segments of the society, with the contributions of some members being actively erased or marginalized, it can reinforce

political exclusion. In such contexts, the ignorance about the experiences of others undermines, rather than fosters, the inclusion that Lenard envisions.

Scholars such as Charles Mills (2017) and Kristie Dotson (2018) have explained that ignorance about the lived experiences of marginalized social groups is produced by systems of oppression. For instance, in his account of “white ignorance,” Mills (2017) argues that ignorance is not simply a matter of individual responsibility, such as a lack of motivation on the part of members of a dominant group to learn about the social experiences of marginalized groups. Rather, it is driven by systemic factors (such as colonialism) that contribute to the active erasure of the lived experiences of marginalized groups from the collective imaginary. Other scholars in the field of epistemic injustices have extensively theorized such processes of erasure (Fricker, 2007; Dotson, 2018). In *Epistemic Injustice: Power and the Ethics of Knowing*, Miranda Fricker (2007) defines epistemic injustice as a form of injustice related to knowledge. This form of injustice arises from a lack of shared epistemic resources between individuals in a political community. Epistemic resources are defined as cognitive resources, conceptual and experiential knowledge – such as art, media, and scholarly discourse (Dotson, 2018, p. 9). According to Dotson (2018), shared epistemic resources are needed to help individuals make sense of their lived experiences and to recount them to others; they allow individuals to engage in forms of knowing and to create new knowledge (p. 9). A lack of such epistemic resources limits the capacity of an individual to recount a marginalized experience to others. When epistemic resources are not available, an individual may not be able to articulate their lived experiences, or what they recounted could receive a low level of credibility. Moreover, for Dotson, historical processes of marginalization generate what she calls epistemic exclusion, when the dominant epistemic system which defines what counts as valid forms of

knowledge or epistemic practices prevents the experiences of marginalized social groups from being shared and understood by others (Dotson, 2018, p. 9).

Building on this literature, I seek to highlight the structural mechanisms at play that generate ignorance about LGBTQ+ experiences. I suggest that the process of normalization, whereby LGBTQ+ experiences are marginalized within the shared public culture, produces epistemic injustices that hinder the representation of LGBTQ+ political interests. The idea of normalization has been described as an effect of heteronormativity in the works of prominent queer theorists, including Warner (2000), Butler (2002), Duggan (2003), and Puar (2013). Heteronormativity can be defined, according to Berlant and Warner (1998), as “the institutions, structures of understanding, and practical orientations that make heterosexuality seem not only coherent – that is, organized as a sexuality – but also privileged” (p. 548).

In *Trouble with Normal*, Warner (2000) examines the effect of heteronormativity on lived experiences of LGBTQ+ individuals, focusing on the demands for legal recognition of same-sex unions in the U.S. As Warner suggests, when the right to be in a common-law partnership or to be married was granted only to heterosexual couples, the law reflected a value system that established the heterosexual model as the standard. Consequently, non-heterosexual relationships were characterized as illegal; thereby excluding and marginalizing the lived experiences of most same-sex couples from public recognition. According to Warner, the subsequent legalization of same-sex marriage had the positive effect of destigmatizing same-sex couples. It facilitated the inclusion of lesbians and gays among those who are allowed to be married and to be publicly acknowledged. However, Warner notes that other kinds of conjugal arrangements remained stigmatized and not available for marriage (Warner, 2000, p. 723). Without a radical transformation of the social organization that is based on heterosexuality, the inclusion of all LGBTQ+ individuals and their

diverse life narratives in public life remained limited. For instance, in *Invisible lives*, Viviane Namaste (2000) highlights how the failure of state administrations to legally recognize trans and non-binary individuals results in the erasure of their lived experiences across various social domains, including healthcare and culture representation. In the mainstream culture, as Namaste notes, LGBTQ+ experiences and beliefs are not only systematically erased but also replaced with inauthentic representations or stereotypical depictions of their experiences, furthering their marginalization

For instance, in *Feminism, the Family, and the Politics of the Closet*, Cheshire Calhoun (2000) offers an account of the social experiences that result from a “systematic displacement” of lesbians and gays from the outside of civil society. Calhoun argues that lesbians and gays are effectively excluded from the public sphere by the requirement that “citizens adopt at least the appearance of a heterosexual identity as a condition of access to the public sphere” (Calhoun, 2000, p. 76). When they are denied the opportunity to publicly express their identities, lesbians and gays encounter multiple barriers in their social lives and undergo a diverse range of social experiences, characterized by social invisibility (Calhoun, 2000, p. 76). For example, LGBTQ+ families experienced social invisibility when same-sex unions were not legally recognized and legal restrictions for same-sex parents were in place for adoption and child fostering. Moreover, Calhoun argues, gays and lesbians are “displaced” from civil society’s future “via legal, psychiatric, educational, and familial practices, such as anti-gay educational policies, whose aim is to prevent future generations of lesbian and gay people” (Calhoun, 2000, p. 76). Butler’s (2002) concept of “intelligibility grid” which I discuss later in this chapter also highlights a similar dynamic. According to Butler, within the context of heteronormativity, political demands that are expressed by LGBTQ+ activists, must, to some extent, be assimilated to the dominant narrative in order to

be considered legitimate and be admitted in the public sphere. As a result, some political interests that advocate for a radical departure from heterosexual norms as well as the lived experiences that are attached to those interests are often excluded or marginalized from the public discourse.

In the context of political representation, I argue that normalization and its effects on the shared public culture, can result in political exclusion. This process influences the extent to which political representatives are able to promote LGBTQ+ political interests. Normalization generates ignorance, a gap or asymmetry in the epistemic resources, that prevents representatives who are not members of the LGBTQ+ community from understanding specific LGBTQ+ experiences and interests. Therefore, as I argue below, the social experiences and interests of LGBTQ+ individuals may be unknowable to non-descriptive representatives.

Defining Unknowable Interests

Based on the conceptual framework I provided above, I distinguish between two types of social experiences: “legible” and “illegible” experiences, both resulting from systemic marginalization produced by the discriminatory public policies implemented by the state. Drawing on Judith Butler’s theory of gender performativity and Sara Ahmed’s phenomenology of orientation, I attempt to delineate the LGBTQ+ illegible experiences that I mentioned above. These experiences, I suggest, can be grasped through the understanding of LGBTQ+ oppression, as an effect of the heteronormative culture. Furthermore, I argue that challenging the heteronormative culture is key for LGBTQ+ inclusion. For this reason, I advocate for Young’s approach to group representation rather than an approach that seeks to accommodate the recognition of cultural difference while maintaining the existing functioning of the political system.

I define legible experiences as the lived experiences of members of marginalized social groups that are included in the shared public culture and can, therefore, be understood by

individuals regardless of their membership to an oppressed social group. The political interests generated by these experiences can typically be expressed as claims and demands toward the state, and they can be readily translated into public policies. Thus, LGBTQ+ legible experiences generate political interests that can be promoted by representatives, whether descriptive or not. Through the process of normalization, these experiences have become part of the shared public culture in such a way that they can be heard, understood, or known by out-group members.

In contrast, illegible experiences, as I define them, include the lived experiences as well as the life aspirations that shape the preferences, needs, and political interests of members of marginalized social groups. These experiences are epistemically significant for individuals who are members of oppressed social groups, as they may inform their perspectives about the public policies needed to challenge oppression and overcome the obstacles that prevent them from effectively pursuing their life choices. For various reasons, these experiences typically remain unacknowledged by the general public. They may be difficult to comprehend by those who have not had similar experiences, or they may not be expressed in the public sphere due to a social taboo surrounding them (for example, if the law forbids same sex partnership). As a result, these experiences are not integrated into the shared public culture. LGBTQ+ illegible experiences and the political interests that emerge from them are the ones that may be unknown by political representatives who are not members of the LGBTQ+ community.

Some accounts in queer theory that address the effects of oppressive norms allow me to delineate the range of social experiences that I define as illegible experiences. Judith Butler's theory of gender performativity offers a lens for understanding LGBTQ+ experiences of oppression. In *Gender Trouble*, Butler (1999) thinks the interrelation between gender, sex and desire, arguing that gender and sex are discursively produced. In particular, Butler argues, gender

is enacted through a series of performative activities. Through this understanding of gender as performative, Butler suggests that gender is the result of the actions of individuals, what they do, their actions and expressions. These acts are regulated by what Butler calls the “heterosexuality matrix”: a set of oppressive norms that enforce the alignment between male and female bodies, binary gender roles, and heterosexual desire. The codification of gender, Butler explains, shapes all aspects of life because it is by conforming to traditional gender norms that individuals avoid social stigma, gain access to public recognition and social benefits such as access to health care, legal protections, and the recognition of their family arrangements by the state.

Butler argues that conforming to gender norms is a prerequisite for individuals to obtain basic individuals rights and public recognition. Gender norms proceed as an “intelligibility grid”, the lenses by which a person becomes recognized as a subject worthy of basic rights, protections, and public recognition (Butler, 2009, p. 5). Within this framework, only bodies, sexualities, identities, and life choices that align with heterosexuality, the traditional nuclear family, and binary gender roles are recognizable by the state. As Butler explains:

If recognition characterizes an act or a practice or even a scene between subjects, then “recognizability” characterizes the more general conditions that prepare or shape a subject for recognition – the general terms, conventions, and norms “acts” in their own way, crafting a living being into a recognizable subject, though not without errancy or, indeed, unanticipated results. These categories, conventions, and norms that prepare or establish a subject for recognition, that induce a subject of this kind, precede and make possible the act of recognition itself. In this sense, recognizability precedes recognition. (Butler, 2009, p. 5)

In other words, individuals must work to meet the conditions of state “recognizability,” that is, they must conform to gender norms to be eligible for state and public recognition. Butler further suggests that the heterosexual matrix operates “as [a] psychic phenomena, restricting and producing desire” (Butler, 1997, p. 21) because the desire for recognition compels individuals to

repress non-heterosexual desires. This pursuit of recognizability leads individuals to internalize and conform to gender norms (Butler, 2002, p. 24).

The compulsory subjection to the norm produces a range of experiences characterized by invisibility in the public sphere as well as grief and renunciation tied to the repression of one's desires, relationships and preferred life paths (Butler, 2002, p. 29). Butler (1999) illustrates this claim with the case of gender diverse individuals who must often accept a medical diagnosis that pathologizes their identities in order to have access to gender-affirming healthcare. Similarly, queer families may have to live in invisibility when the legal system recognizes only heterosexual families, meaning that they lack parental rights, adoption rights, inheritance rights and other legal protections afforded to heterosexual families. These experiences that fall outside the state's framework of recognition, constitute what I refer to as illegible experiences, and which I argue shape LGBTQ+ political interests and inform their perspectives about inclusive policy options.

Sara Ahmed (2006) also proposes a powerful interpretation of oppression, in particular discussing how heteronormativity can shape or restrict individuals' agency. In *Queer Phenomenology*, Ahmed describes how social norms and historical processes direct individuals toward certain spaces, objects, and futures, and away from others. As Ahmed states, the capacity to act – “doing things” – “depends not so much on intrinsic capacity, or even upon dispositions or habits, but on the ways in which the world is available as a space for action, a space where things ‘have a certain place’ or are ‘in place’” (Ahmed, 2006, p. 153). Building on Frantz Fanon's phenomenology, Ahmed introduces the concept of orientation to refer to directional forces that shape individuals' agency and what lives are valued, imaginable and intelligible. For Ahmed, heteronormativity functions through orientations: individuals are pressured to follow specific normative life paths, which are themselves the product of historical processes and the “repetition

of norms and conventions” (Ahmed, 2006, p. 16). These norms are not chosen but inherited by individuals who are then pressed to reproduce them. As Ahmed explains: “to follow a certain course, to live a certain kind of life, and even to reproduce that life can feel like a physical ‘press’ on the surface of the body, which creates its own impressions” (Ahmed, 2006, p. 17).

Ahmed builds on the notion of “orientation” to reframe the understanding of sexual orientation beyond affect, desire or identity to a form of spatial positioning. She reconceives sexual orientation as a matter of being “orientated” (Ahmed, 2006, p. 69). Using the metaphor of a line, Ahmed illustrates that heterosexuality operates as a normative life trajectory: to be straight is to follow a linear path that is socially sanctioned, with desire being directed toward the opposite sex and the life course following an expected sequence of marriage and reproduction. In contrast, being queer, means to be in an *oblique* position, deviating from this normative trajectory. As Ahmed writes,

In being straight for example, one’s desire follows a straight line, which is presumed to lead toward the ‘other sex’, as if that is the ‘point’ of the line. The queer orientation might not simply be directed toward the ‘same sex’ but would be seen as not following the straight line. [...] The same-sex orientation thus deviates or is off course: by following this orientation, we leave the ‘usual way or normal course’. Conversely, heterosexual desire is understood as ‘on line’, as not only straight, but also as right and normal, while other lines are drawn as simply ‘not following’ this line and hence as being ‘off line’ in the very direction of their desire. (Ahmed, 2006, p. 70)

In addition, extending Adrienne Rich’s concept of compulsory heterosexuality, Ahmed describes how heteronormativity operates by “pressuring” individuals to follow a specific life path, by silencing their expressions – their gender expressions and subversive discourses – and turning queer subjects away from other queer individuals (Ahmed, 2006, p. 91). For Ahmed, norms are “repeated over time and with force” and as a result, bodies are restricted from reaching out toward desires that deviate from heterosexuality: “compulsory heterosexuality diminishes the very capacity of bodies to reach what is off the straight line. It shapes which bodies one ‘can’

legitimately approach as would-be lovers and which one cannot” (Ahmed, 2006, p. 91). Thus, as Ahmed explains, “to become straight means that we not only have to turn toward the objects that are given to us by heterosexual culture, but also that we must ‘turn away’ from objects that take us off this line. The queer subject within straight culture hence deviates and is made socially present as a deviant” (Ahmed, 2006, p. 21).

Ahmed argues that systems of oppression based on gender, race, or sexual orientation do more than mark differences; they pull bodies into specific directions, and affecting “what they ‘can do’ at the same time, it is not always decided which bodies inhabit which spaces, even when spaces extend the form of some bodies and not others” (Ahmed, 2006, p. 60). For example, in “Phenomenology of Whiteness”, Ahmed conceptualizes whiteness as an unmarked, invisible category of experience, the normal against which racialized individuals are marked as others. As Ahmed states, “whiteness could be described as an ongoing and unfinished history, which orientates bodies in specific directions, affecting how they ‘take up’ space” (Ahmed, 2007, p. 150). Whiteness being the norm implies that it becomes the background context, as Ahmed explains, “spaces are orientated ‘around whiteness’, making that those who are white feel at ease because institutions and public spaces are the extension of themselves, while racialized bodies “feel uncomfortable, exposed, visible, different, when they take up this space” (Ahmed, 2007, p. 157). Public spaces and institutions are structured around whiteness, allowing white bodies to “feel at home” while racialized individuals experience discomfort, hypervisibility, and disorientation (Ahmed, 2007, p. 158).

Ahmed’s concept of orientation provides a valuable framework to grasp the notion of LGBTQ+ illegible experiences that I have described earlier. Ahmed explains that orientation pertains to life choices, noting that “certain objects are available to us because of lines that we

have already taken: our ‘life courses’ follow a certain sequence, which is also a matter of following a direction or of ‘being directed’ in certain way (birth, childhood, adolescence, marriage, reproduction, death)” (Ahmed, 2006, p. 21). Within this framework, lives that conform to the heterosexual path are conceived as counting as “good” lives while queer lives which deviate from the normative trajectory are devalued (Ahmed, 2006, p. 21). Heteronormativity thus determines what kinds of lives are seen as “worth living” and deserving of being supported by institutions and public policies (Ahmed, 2006, p. 85). Public policies are oriented around the heterosexual model, concurring to enable heterosexual life choices through individual rights and social protections put in place by the state. In contrast, queer individuals who do not conform with these norms and expectations, are exposed to circumstances where public policies do not reflect their needs and life aspirations, narrowing their opportunities to participate in public life. Their lived experiences, defined by the obstacles they face to live as they desire, or to participate fully and comfortably in public life, fall into what I describe as illegible experiences. These experiences are not recognized by the state and are rendered invisible despite their significance for queer individuals.

In this section, I outlined the concept of illegible experiences as opposed to legible experiences, which encompasses lived experiences and grieved aspirations and futures that are excluded from the shared public culture. These experiences shape LGBTQ+ political interests and perspectives with regard to public policies. LGBTQ+ political interests are best represented if both their legible and illegible interests are promoted, and the latter justify the need for self-representation as I further discuss below.

Illegible Interests and Political Representation: Some Evidence

By delineating illegible interests, I underscore why the political presence of LGBTQ+ descriptive representatives is essential and should be ensured through Young's approach of special representation. In this section, I further discuss the implications of representing illegible interests and I provide some illustrations of these types of interests.

I argue that the inclusion of specific LGBTQ+ political interests, illegible interests, in the development of public policies depends on the presence of LGBTQ+ descriptive representatives as their spokespersons in parliaments. The notion of illegible interests contributes to explaining why out-group political representatives may not fully understand the diverse LGBTQ+ interests and therefore, not be able to effectively promote them. As I discussed above, in the context of heteronormativity, a process of normalization is at play in excluding and marginalizing LGBTQ+ experiences and some of their political interests from the public culture. Once LGBTQ+ social experiences and interests have reached the public sphere, have become legible, LGBTQ+ political interests can be promoted by representatives regardless of their membership in the LGBTQ+ community. However, interests that remain excluded and unaddressed may be unknown by political representatives who are not part of the LGBTQ+ community.

In contrast, given that they share similar experiences of marginalization, the presence of LGBTQ+ descriptive representatives ensures that LGBTQ+ illegible experiences are not overlooked, because these representatives may be able to better understand LGBTQ+ genuine needs, express their concerns and interests, even when those are not fully articulated in the public sphere. Having LGBTQ+ political representatives in parliaments can support inclusion by ensuring that illegible experiences and interests find a voice in the political process. Moreover, LGBTQ+ representatives, who speak from crosscutting experiences of oppression, can contribute to ensure

the inclusion of the heterogeneity of interests within the LGBTQ+ community by building a shared public culture within parliaments that support the development of inclusive policies.

As I discussed earlier in this chapter, queer theorists have highlighted how the heteronormative culture generates the exclusion of LGBTQ+ individuals. Both Butler and Ahmed argue that, in a dominant heteronormative culture, heterosexuality is promoted as the only form of conjugality that is legitimate and valuable, with the couple and a nuclear family as the normative parental model. Within this cultural framework, queer individuals and same-sex partnerships are not only denied recognition, they are also excluded from the conditions of “recognizability,” which are set by prevailing norms. Butler (1997) emphasizes that the exclusion of queer individuals from this regime of recognition is not incidental, it is an intrinsic feature of the heteronormative system: “this is not simply a question of certain people suffering a lack of cultural recognition by others, but, rather, is a specific mode of sexual production and exchange that works to maintain the stability of gender, the heterosexuality of desire, and the naturalization of the family” (Butler, 1997, p. 274). As Butler explains, “nonheterosexual forms of sexuality are [not] simply left out”, but even more than that, “their suppression is essential to the operation of that prior normativity” (Butler, 1997, p. 274).

One way to challenge this culture is by ensuring that the plurality of LGBTQ+ voices is meaningfully included in the decision-making processes that shape public policies and cultural norms. Such inclusion goes beyond simply recognizing the distinctiveness of queer sexualities; it involves transforming the normative and institutional frameworks that uphold heterosexuality as the standard and determine the life paths that are considered legitimate and valuable. Ahmed emphasizes that the term queer “describes a sexual orientation as well as political orientation” (Ahmed, 2006, p. 172). In her view, being queer is a “commitment to an opening up of what counts

as a life worth living [...] a commitment not to presume that lives have to follow certain lines in order to count as lives, rather than being a commitment to a line of deviation” (Ahmed, 2006, p. 178). To be queer, in Ahmed’s terms, is to embrace that disorientation from the norm – to open up new spaces, embodiment, and futurity that refuses to follow a given line. In this context, Young’s theory of group representation is essential as, rather than an approach that would leave dominant institutional structures intact, Young argues that marginalized groups be empowered to transform those institutions themselves. Young’s framework also makes space for the diversity of voices that speak from intersecting experiences of marginalization to be voiced in politics.

Illegible interests can be grasped through a critical analysis of political preferences that are advocated by the LGBTQ+ movement or through public policies developed by political representatives, such as the legalization of same-sex unions, the use of chosen pronouns and gender markers on identification documents, and immigration and refugee policies. For example, various works in queer theory have challenged the idea that the common goal of the LGBTQ+ human rights campaign in Canada and in the US in the 2000s was to achieve marriage equality (Ghosh, 2018; Macedo, 2015; Warner, 2020). At that time, other radical aspirations in terms of same-sex unions and family models that were beyond the state’s public recognition were excluded from public discourse (Polikoff, 1993; Cossman & Ryder, 2001; Josephson, 2005; Hopkins et al. 2013). In this case, the demand for legal recognition of same-sex marriage could be understood as a legible interest, while other issues that were left out of the public debate, including but not limited to multiparenthood and other models of family or partnership, could be conceived as illegible.

The documentary *La politique du coeur* (2005) provides insights into the social experiences of LGBTQ+ individuals in the period leading up to the debates on the legalization of same-sex civil unions in Quebec. In 2002, the passage of Quebec Bill 84 provided partial legal recognition

of same-sex unions and provided legal recognition of parental status. As the documentary shows, prior to this legislation, same-sex couples had no legal recognition and couples who desired to start a family and become parents had no access to medically assisted reproduction, were excluded from fertility clinics, and could only resort to at home insemination. In addition, LGBTQ+ parents were not publicly recognized because administrative forms only allowed the registration of a father and a mother on a child's birth certificate. Prior to Bill 84, same-sex couples and LGBTQ+ families faced multiple obstacles in accessing public services such as education (e.g., issues with registering children for school) and healthcare (e.g., same-sex partner not being recognized as a family member and therefore not being allowed to visit their partner or their children in hospitals or homecare facilities). As shown in *La Politique du Coeur*, these issues and experiences were largely invisible to the general public, who were unaware of the lived experiences of LGBTQ+ families and same-sex couples.

Other experiences illustrate the range of legible and illegible experiences that LGBTQ+ individuals may have. For example, social experiences that are at the intersection of gender, sexual orientation and migratory status may inform the political preferences of LGBTQ+ migrants. For instance, refugees admitted into Canada on the basis of their LGBTQ+ status may have political demands that include same basic protections as queer individuals, in addition of having their sexual orientation and gender identity recognized. Many of them may have endured persecution in their countries of origin and have lived much of their lives in secrecy, therefore they may also have several different needs from those of Canadians LGBTQ+. Moreover, in the process of the refugee determination status, their lived experiences may be erased as they are expected to frame their testimonies in a way that fit within accepted gender categories and dominant representations about sexual orientation (Gopinath, 2005; Rehaag, 2008; Lee & Brontman, 2011; Chbat et al., 2022).

Those experiences that are institutionally erased may still inform their political interests even if they cannot be expressed fully in the public space.

Conclusion

In this chapter, I made a case for the political presence of LGBTQ+ political representatives in parliaments. I expand on existing arguments for self-representation and argue for the need to ensure the political presence of LGBTQ+ descriptive representatives. My claim builds on the critique of the liberal understanding of political interests provided by feminist theory that account for dynamics of oppression in the political process. I define two types of social experiences that result from systemic marginalization produced by the discriminatory public policies implemented by the state, legible and illegible experiences, which inform LGBTQ+ political interests. I define legible experiences as the lived experiences of members of marginalized social groups that are included in the shared public culture and can, therefore, be understood by individuals regardless of their membership to an oppressed social group. The political interests generated by these experiences can typically be expressed as claims and demands toward the state, and they can be readily translated into public policies. Illegible interests differ from legible interests, they include the lived experiences as well as the life aspirations that shape the preferences, needs, and political interests of members of marginalized social groups. They are also crucial because they may equally inform their perspectives about the public policies needed to challenge oppression and overcome the obstacles that prevent them from effectively pursuing their life choices. Also, these experiences typically remain unacknowledged by the general public because they are marginalized from the public culture. I proposed the notion of “illegible” interests to delineate the LGBTQ+ interests that necessitate self-representation to be politically included. These interests, that are those

marginalized from the shared public culture, can be better promoted by LGBTQ+ descriptive representatives given their shared lived experiences with LGBTQ+ individuals while they may be unknown by non-descriptive representatives. It also crucial to ensure that these interests find a voice in parliaments to foster a shared public culture that can generate inclusive policies. In the next chapter, I further articulate how descriptive representatives can secure LGBTQ+ political inclusion.

CHAPTER 5 DESCRIPTIVE REPRESENTATION AND ITS PROMISES

In the previous chapter, I distinguished between two types of interests, “legible” and “illegible” interests, with the latter requiring the presence of LGBTQ+ political representatives as spokespersons in democratic spaces. My argument has implications for understanding the role of descriptive representatives, which I discuss in this chapter, by arguing that the presence of descriptive representatives is a necessary condition for fostering LGBTQ+ inclusion. To do so, I defend the value of descriptive representatives for democracy, particularly in the context of decision-making. I first demonstrate how the function of descriptive representatives in relation to political inclusion has been described in the existing literature. I then argue that descriptive representatives play a key role as *aspirational decision-makers*.¹³ This original articulation of the role of descriptive representatives draws upon recent works in decision theory that inform a critique of rational choice theory. Finally, I consider a possible avenue for assessing the accountability of descriptive representatives.

Descriptive Representation as a Condition for Political Inclusion

In democracies, political representatives play a role as spokespersons, ensuring that the demands of interest groups are promoted in legislative assemblies. In this section, I examine the ways in which descriptive representatives have a specific function in securing the political inclusion of the interests of oppressed social groups.

¹³ My term.

Descriptive Representatives as a Type of Democratic Representative

Political representatives may be considered democratic if they are selected through a fair competitive process, or if they contribute to a well-functioning deliberative democracy. Members of parliaments are typically considered the ideal democratic representatives, given that they are elected directly by the citizens. However, other types of non-elected representatives, who participate in the public sphere, also have a role to play in the functioning of a democracy (Urbinati & Warren, 2008). Such is the case of descriptive representatives.

Descriptive representatives are defined as representatives who “possess similar characteristics or at least similar experiences and interests with the people they represent” (Dovi, 2007, p. 27). While I focus on their role in parliaments for the purposes of my dissertation, these representatives can be present in various political spaces, whether elected or non-elected. As members of parliaments, descriptive representatives perform activities that are associated with the role of an elected official, including consulting with citizens, voicing the demands of interest-groups, or making decisions regarding public policies. In addition, they may also seek to represent the political interests of other groups – oppressed social groups – for which they are not the constituency’s elected representatives.

Critics of descriptive representation describe it as merely symbolic representation, by arguing that descriptive representation is not compatible with accountability (Kymlicka, 1995; Phillips, 1995; Jones, 2014; Meier & Severs, 2018). They claim that democratic representation should involve substantive activities, which are actions that promote the political interests of the represented and for which a representative can be held accountable. As I introduced in chapter 1, this claim draws on Pitkin’s distinction between two forms of representation: “acting for” and “standing for”. The former refers to the substantive representation of interests while the latter,

“standing for”, refers to the symbolic representation of the figurative or physical characteristics of the represented and includes descriptive representation. While Pitkin notes that “descriptive representation is representation”, she argues that descriptive representatives are “making” representations rather than “doing” substantive activities such as crafting public policies or voicing the demands of the constituents. Pitkin assigns only a minimal function to descriptive representatives, defining this function as a kind of transmission belt useful to give information, to make symbols, or to project images (Pitkin, 1967, p. 91). As Pitkin explains:

[T]he view we have been discussing does not allow for an activity of representing, except in the special and restricted sense of ‘making representations’, giving information. It has no room for any kind of representing as acting for, or on behalf of, others, which means that in the political realm it has no room for the creative activities of a representative legislature, the forging of consensus, the formulating of policy, the activity we roughly designate by ‘governing’. (Pitkin, 1967, p. 90)

In Pitkin’s view, any person with the physical characteristics sought for this purpose could stand as a descriptive representative. Such definition of descriptive representation as a symbolic form of representation also predates Pitkin. For example, in the political discourse during the American revolution in the 18th century, descriptive representation was understood as the idea that delegates should reflect the composition of the “nation” as a microcosm (Mansbridge, 1999, p. 631). Griffiths and Wollheim (1960) also defined descriptive representation as a “sense of representation, in which one person represents another by being sufficiently like him” (p. 189).

Political thinkers have since challenged this conception of descriptive representation and enriched it by articulating the substantive function of descriptive representation in relation to marginalized social groups. Proponents of descriptive representation have focused on its instrumental role in promoting the interests of marginalized social groups (Phillips, 1995; Williams, 1998; Mansbridge 1999; Dovi, 2002). In this context, they emphasize the similarity of social experiences, particularly marginalization, shared between the representatives and those they

represent. Numerous scholars in political science have provided evidence that the presence of oppressed social groups in legislatures results in public policies that are responsive to their needs (Celis, 2007; Saalfeld & Bischof, 2013; Reynolds, 2013; Wallace, 2014). In addition, this literature demonstrates that descriptive representatives serve a significant symbolic (though earlier “symbolic” function was seen as a criticism) function as “role models” (Mansbridge, 1999). I examine the notion of role model in more depth in the next chapter. For now, it is sufficient to say that a role model is an individual who inspires others to follow in their footsteps. For example, the presence of women in politics can encourage other women to run for office, as seeing individuals from one’s own group in politics can encourage women, racial minorities, or LGBTQ+ individuals to pursue similar paths. In this way, descriptive representation can lead to positive democratic outcomes.

Countering Political Exclusions; Achieving Social Justice

Descriptive representatives are a type of representative particularly suited for securing social justice. As proposed by Young (1990), social justice “means the elimination of institutionalized domination and oppression” (p. 15). According to Young, domination “consists in institutional conditions which inhibit or prevent people from participating in determining their actions or the conditions of their actions” (Young, 1990, p. 38). She further argues that individuals who are oppressed face systematic institutional processes that constrain their capacities to engage as equals in political life. Under these conditions, oppressed social groups are subjected to norms and legislation that limit their opportunities, and which were set in place without their voices being considered. The achievement of social justice will remedy these conditions, including economic injustices such as “material deprivation or maldistribution”, and cultural injustices such as unequal status and respect that are “issues beyond distribution” (Young, 1990, p. 38).

Young (1990) further suggests that politics is a key operational sphere for effecting social justice. She notes this as a counterpoint to other approaches to social justice that tend toward redistributive justice, understood as the distribution of material goods and resources. These other approaches, Young suggests, have failed to adequately address non-distributive issues, particularly the participation in public decision-making, leaving unchallenged the institutional structures that reproduce inequality and oppression (Young, 1990, p. 20). In Young's (2002) view, political institutions should be at the very centre of social justice seeking because they are the spaces where public policies shaping individuals' social lives are developed (e.g., economic opportunities, civil rights, access to healthcare and education). By being present in parliaments, descriptive representatives can advocate for and help promoting inclusive public policies that correct the structural inequalities generating maldistribution of resources and an asymmetry of status. Moreover, their presence makes it difficult for other parliamentarians to ignore the lived experiences of oppressed social groups.

As I explained in chapter 2, Phillips argues that oppressive social structures limit the opportunity of individuals who are members of marginalized social groups from participating in politics (Phillips, 1995, p. 54). Individuals who are oppressed may wish to participate in the decision-making process or want to have a voice in the very spaces where potentially oppressive policies are made.¹⁴ Their absence may signal the existence of unfair opportunities in the political process for accessing these positions (Phillips, 1995, p. 54). In addition, the lack of descriptive representatives in parliaments is likely to maintain unchanged the unequal distribution of cultural and economic resources. If descriptive representatives were ensured a presence in parliaments,

¹⁴ As Pam Palmater (2019) explains for the case of Indigenous Peoples' participation in Canadian electoral democracy, some groups may not want to participate in representative politics in the context of settler colonial state.

they would be able to vote on laws and public policies; thus, mitigating the structural obstacles that continue to result from a systemic and unfair distribution of cultural and economic resources for the group they represent. Therefore, descriptive representatives may be necessary to ensure a process of social change that can correct the legacies of social injustice.

Because political exclusion is also linked to cultural injustices, such as unequal social status, descriptive representatives may also be needed to break down systems of oppressive beliefs. According to Young, oppression is enacted “to a large degree through feelings” that are “beyond the reach of law and policy to remedy” (1990, p. 124). In Young’s view, one key feature of oppression is stigma, whereby historical processes of marginalization have fostered an aversion toward individuals who are part of specific social groups (Young, 1990, p. 140). Members of such oppressed social groups are then regarded with contempt by others, rather than being treated as equals. For example, these individuals may not be tolerated in public life unless they exhibit attitudes that are associated to those of the dominant group (Young, 1990, p. 140). In addition, this stigma can manifest into biases and prejudices about the capacity of individuals from marginalized social groups to act as competent legislators, hindering their chances of being elected as members of parliaments. Therefore, the under-representation, or absence of descriptive representatives, can reinforce these negative social representations of marginalized social groups (Mansbridge, 1999).

In the absence of descriptive representatives, the needs and perspectives of oppressed social groups, especially those pertaining to structural obstacles that prevent them from participating in public life, may go unheard or be overlooked (Young, 2002). In addition, negative social

representations of oppressed social groups are likely to remain unchallenged¹⁵, perpetuating oppressive dynamics by and through the political institutions.

What Democracy can Expect from Descriptive Representatives

Scholars have argued that democracy benefits from the presence of descriptive representatives in at least three ways: by enhancing the representation of political interests, by furthering the democratic inclusion of marginalized social groups, and by strengthening democratic deliberations. First, descriptive representatives can effectively promote the interests of marginalized groups, with which they share similar social experiences. They are better positioned to understand their needs and interests while marginalized citizens are likely to communicate these needs to them because of an enhanced trust toward these representatives (Mansbridge, 1999). The presence of descriptive representatives makes it harder for their political interests to be overlooked and it ensures, to some degree, that their concerns are being addressed in the process of policy making (Phillips, 1995). By ensuring a strong voice for marginalized groups in parliaments, descriptive representatives guarantee that diversity of experiences and perspectives about political matters are voiced and receive attention in public deliberations (Williams, 1998). As a result, their presence in parliaments can provide a broader range of policy options that are likely to speak to multiple social needs and realities (Phillips, 1995; Williams, 1998).

Second, descriptive representatives can foster the inclusion of marginalized social groups in democratic processes by voicing their interests or perspectives and mobilizing their political

¹⁵ Jaby Mathews (2017) argues that B.R. Ambedkar provides an effective way to conceive how the presence of oppressed social groups' descriptive representatives generates social transformation in politics. His claim for guaranteed representation of Dalits in India's representative institutions is based on the idea that individuals need to participate in joint activities and in-person deliberations to develop a kind of likemindedness. Through these interactions with those previously regarded with disgust, the dominant group is forced to confront its contempt, which leads to overcoming "a visceral phenomenal barrier" that has prevented recognition of others as full and equal persons (Mathews, 2017, p. 183).

participation. Young (2002) argues that descriptive representatives may improve citizens' feeling of being represented, which is essential for democratic inclusion. In parliaments, the presence of descriptive representatives not only informs inclusive public policies and decisions, but also supports citizens' feelings of being represented. As Young emphasizes:

What do I mean when I say that I feel represented in the political process? [...] First, I feel represented when someone is looking after the interests I take as mine and share with some others. Secondly, it is important to me that the principles, values, and priorities that I think should guide political decisions are voiced in discussion. Finally, I feel represented when at least some of those discussing and voting on policies understand and express the kind of social experience I have because of my social group position and the history of social group relations. (Young, 2002, p. 134)

According to Young (2002), descriptive representatives can give voice to the distinctive social perspectives of oppressed social groups within democratic spaces. These perspectives emerge from their shared experiences of marginalization with oppressed social groups. In addition, these experiences of marginalization make descriptive representatives attune to "particular kinds of social meanings and relationships to which others are less attuned" and provide them insights about the effects of oppressive structures and how to dismantle them (Young, 2002, p. 136). Similarly, Dovi argues that descriptive representatives maintain mutual relationships with the dispossessed social groups (2002, p. 729). As such, they are able to promote the inclusion of oppressed social groups in public deliberations and to encourage their political participation.

Finally, descriptive representatives play a vital role in enriching democratic deliberations. According to Young, in the context of oppression and domination, the voices of privileged groups often dominate the public discourse; they may impose their political priorities passing that representative of the collective interest while marginalizing alternative perspectives. The political inclusion "of otherwise excluded social perspectives reveals the partiality and specificity of the perspectives already politically present" in the deliberative space (Young, 2002, p. 144). As a

result, by bringing the diversity of social perspectives in public deliberations, descriptive representatives expand the “social knowledge available to a democratic public” which leads to “just and wise decisions” (Young, 2002, p. 115). The policy outcomes of such inclusive deliberations are more likely to create, or at least, further inclusive social conditions that enable the democratic participation of all citizens. Thus, more than having a mere symbolic function, descriptive representatives may improve the political inclusion of historically marginalized groups while strengthening the legitimacy of democratic institutions.

The descriptive representative as an aspirational decision-maker

In this section, I draw from the case of LGBTQ+ representatives, to propose another way in which descriptive representatives secure political inclusion. I argue that a descriptive representative plays a role as an “aspirational decision-maker”. In my account, a descriptive representative should have three features. First, a descriptive representative should be a member of the affected group; I use the term “affected” to refer to the unique effect of public policies on the realities of individual members of an oppressed social group. Second, a descriptive representative should possess a range of lived experiences that provides them valuable insights concerning the political interests of the affected group. Third, a descriptive representative should act to create enabling conditions for democratic participation. I will elaborate on each of these below. Aspirational decision-makers, I argue, expand the value of descriptive representation for both the inclusion of marginalized social groups and for democratic objectives, by meeting the requirements for democratic accountability. Furthermore, I suggest that given their role as “aspirational decision-maker” and the benefits to inclusion that they can generate, efforts should be made to guarantee the presence of descriptive representatives in parliaments.

Affected Representatives and the Legislative Process

A descriptive representative is a member of a minority or marginalized social group and, thus, a part of the public that they represent. By “public,” I mean those directly affected by the actions or inactions of the state, as defined by John Dewey. According to Dewey (1991), the public “consists of all those who are affected by the indirect consequences of transactions [of the state] to such an extent that it is deemed necessary to have those consequences systematically cared for” (p. 17). The public that is represented by a descriptive representative, I propose, are marginalized social groups whose constituency can be dispersed across multiple electoral ridings.

This understanding of the public that ought to be represented by elected officials is slightly different from the one found in pluralist theory. Pluralist scholars conceived the represented as voters in a single electoral riding, or groups of individuals, forming an interest group (Schumpeter 1942/2010; Truman, 1951/1971; Dahl, 1961). Truman suggests that interest groups are “a segment of a public that shares a similar view of, or attitude toward, the consequences under discussion” (1971, p. 218). Other scholars such as Saward (2010), who understand political representation as produced by the discourses and claims to represent expressed by political candidates, argue that the represented are somehow performatively constituted. Saward (2010) suggests that the public of electors to be represented can exist beyond the boundaries of an electoral riding. These notions of the public can contribute to define the group that are represented by a descriptive representative.

My conception of a public to be represented by a descriptive representative expands these notions further by taking into account the effects of historical processes of marginalization that have been so far overlooked. As I discussed in the previous chapter, scholars such as Manin (1995) describe the representation of interests as the result of a bargaining process between a public of electors or interest groups and the political parties and candidates. However, this claim is premised

on the idea of a unified “public” of electors that policy options are intended to satisfy. Fraser (1997) and others have challenged this claim in democratic theory (Warner, 2002a), pointing to historical and systemic processes of oppression to suggest that not all publics are equally recognized and heard in the political process. They define those marginalized publics as “counter publics” (Fraser, 1997; Warner, 2002a, 2002b).

Pluralist scholars conceive the relation between the representatives and the represented as one in which the represented use bottom-up channels of communication to express their needs and concerns to their representatives. Truman suggests that through this relation, elected officials aim to obtain relevant knowledge needed for public policy making (1971, p. 333). Such knowledge, he argues, is of two types: “*technical knowledge* that defines the content of a policy issue; and *political knowledge* [which refers to] the relative strength of competing claims and of the consequences of alternative decisions on a policy issue” (Truman, 1951/1971, p. 334). Interest groups in the public sphere are considered a prime source of political knowledge because they provide information about preferences, policy options, and policy effects, that are different from the technical information that can be provided by experts (Truman, 1951/1971, p. 338). To effectively represent interests, Truman argues, it is an advantage for an elected official to also be a member of an interest group or to have first-hand access to different interest groups through a network of relationships and connections (1951/1971, p. 333).

Treating descriptive representatives as part of the affected group implies rethinking the relationship between represented and representatives, a shift that is especially necessary when addressing the representation of the interests of marginalized social groups. Descriptive representatives are likely to have similar lived experiences or to be subjected to the unjust effects of public policies as the groups that they seek to represent. They may also be able to project

themselves as potentially harmed by the outcomes of public policies in the future. In this way, these representatives are part of the affected groups, and the knowledge of their political interests may be informed by such membership. For example, feminist scholars have argued that the lived experiences of marginalization provide members of oppressed social groups with a shared knowledge about the dynamics of oppression (Young, 2002) while also defining a distinctive group consciousness or perspective that is manifested into their political organizations within the public sphere (King, 1988; Hill Collins, 2000; Young, 2002). These experiences of marginalization, such as the “illegible” experiences that I described in the previous chapter, are shaped by public policies, and the impact on the lives and the aspirations of affected individuals may be invisible or not accounted for in the political process.

In addition, being part of the affected groups, descriptive representatives may be attuned to the concerns and political interests of marginalized social groups by having privileged access to civil associations that advocate for the interests of these groups. In the public sphere, these types of associations commonly employ non-mixed organizational structures reserved for members of the group as safe spaces, and as a strategy for political organizing. Membership or access to these groups can provide descriptive representatives with a political knowledge that can support effective representation of the interests of marginalized social groups. In sum, as part of the affected groups, descriptive representatives possess knowledge about the lived experiences and political interests of marginalized social groups that may be difficult to acquire or may be simply inaccessible to out-group members.

Experience as a Source for Making Judgments

I argue that descriptive representatives, as members of the marginalized social groups that they seek to represent, generally possess the range of social experiences critical and necessary to be responsive to the needs of these groups.

A longstanding debate in the literature on political representation pertains to the role of representatives with respect to promoting the interests of their constituents. As I discussed in chapter 1, this debate engages two opposing roles for representatives, either as “trustee” or “delegate.” The dispute is described by Pitkin (1967) as the *mandate-independence* controversy, and it concerns the extent to which representatives act on their own judgment or substitute it with their constituent’s judgement. In trying to settle this dispute, Pitkin (1967) suggests that representatives, in contemporary democracies, ought to be responsive to the needs of their constituents: representatives act based on their own judgement while taking into account the opinions and judgement of their constituents. The way in which they achieve this role has been further conceptualized by other democratic scholars (Manin, 1995; Rehfeld, 2009; Mansbridge, 2003, 2009).

For instance, Jane Mansbridge (2003, 2009) proposes two forms of representation, “promissory representation” and “anticipatory representation”; both defined as forms of representation in which candidates or elected representatives base their judgments on what they believe will be valued by voters in the next elections. Mansbridge also outlines two other forms of representation: “Gyroscopic representation,” intended as a form of representation in which the representative bases their judgment on their own values and conceptions of what constitutes the interests of the voters”; and “surrogate representation,” as a form of “representation by a representative with whom one has no electoral relationship” (2009, p. 522). In most contexts, and

with the exception of instances where elections for reserved seats are held, descriptive representatives engage in a mix of these two forms of representation, given that they are typically not elected (only) by the marginalized social groups that they represent.

In democratic theory, political representatives are often assumed to act as “delegates”, meaning that political representatives are spokespersons for their constituents’ preferences (Urbinati & Warren, 2008; Rehfeld, 2009). However, in practice, the relationship between elected officials and the represented is often mediated by third parties (e.g., political party or experts), who influence the decision-making (Rehfeld, 2009). Representatives do not simply voice preferences directly communicated by their constituents. Instead, they often rely on third parties to interpret and promote what is perceived to be in the best interests of the constituents. In some instances, policy needs and priorities may be determined by the judiciary rather than by the constituents, and the multi-stage legislative process may produce policy outcomes that are not dependent on the judgment of the elected officials alone (Wilson-Raybould, 2021, p. 122). Furthermore, in a partisan system, elected officials are often expected to follow party lines when voting on bills.¹⁶ An impending election may also pressure political parties to prioritize issues or propose policy options

¹⁶ One challenge related to party structure when it comes to the representation of LGBTQ+ political interests is the party discipline. Party discipline refers to the expectation that members of parliaments will follow their political party line when voting on specific issues and policies. Party leadership enforces discipline through incentives or penalties to ensuring that parliamentarians vote as a unified bloc, subsuming their personal views or even the interests of their constituents to their party’s political stance. On some occasions, a political party may allow free vote, permitting individual members of parliament to vote according to their own beliefs without penalty, even if they diverge with the political party stance. Free votes in the House of Commons have occurred on some questions involving moral or ethical considerations. A notable example is the 2006 debates on same-sex marriage, when some parties permitted their members to vote freely, exempting them from party discipline. As Alex Marland and Jared J. Wesley (2016) note, party discipline “conflicts with the principle that members of a legislature are meant to represent the views of the people who elected them” (p. 228). Party discipline may also limit descriptive representatives such as LGBTQ+ parliamentarians from advocating for legislation that promote LGBTQ+ interests. Despite these challenges, descriptive representation remains vital. The role of LGBTQ+ representatives extends beyond casting votes. They can influence policy by proposing legislation, offering testimonies in support of LGBTQ+ initiatives, and challenging harmful biases and stereotypes.

that are likely to gain public support, sometimes at the expense of the long-term needs of their constituents. These dynamics demonstrate the complexity of public decision-making and that elected officials do not solely rely on the preferences of their constituents.

Against this backdrop, I propose to account for the subjective values that descriptive representatives may possess, in the understanding of decision practices in democratic representation. By drawing upon recent contributions in decision theory (Paul, 2016; Callard, 2018), I argue that the lived experiences of descriptive representatives can foster their responsiveness toward the needs of marginalized social groups. This claim is motivated by accounts in feminist theory that have emphasized the role of shared experiences of oppression between descriptive representatives and the groups they represent in ensuring effective representation. Young (2002) argues that members of marginalized social groups possess a “social perspective,” a shared insight on what is needed to dismantle the reproduction of oppressive norms and structures. From this view, lived experiences of oppression shape the knowledge of affected political representatives, enabling them to make judgments that are likely to promote policies that are in the best interests of marginalized social groups and that can achieve social justice.

In *Transformative Experience*, Laurie Ann Paul (2016) describes the role of subjective values in rational decision-making. According to Paul, subjective values encompass the state of knowing “what it is like” to have a specific lived experience. They refer to a judgment of taste, or to the qualitative aspects of an experience that can only be grasped by going through the experience itself. Paul calls “transformative experiences,” types of lived experiences that are epistemically transformative, such as having a child or becoming a parent. These experiences, she argues, generate an “epistemic transformation,” whereby a subjective point of view is modified by the

experience itself and where new abilities to “cognitively entertain certain contents...to understand things in a new way, [and] gain new information” are generated (Paul, 2016, p. 11).

Transformative experiences also facilitate the acquisition of new abilities “to remember, imagine and recognize,” as well as to conceive and perceive the world (Paul, 2016, p. 11). According to Paul, “once you’ve had an experience of the right sort, you have the knowledge you need to be able to make inferences about similar future experiences [...], and thus you have the knowledge you need to assign future subjective value of that type” (Paul, 2016, p. 14). Paul also suggests that in some cases, rational decision-making requires to rely on the subjective judgment of the decision-maker. Such is the case of major life decisions, as Paul illustrates, for which the person has a privileged perspective about their present preferences and their future aspirations and therefore would be more effective as a decision-maker than a third party (expert).

Along these lines, I argue that their lived experiences of marginalization may provide descriptive representatives with the kind of subjective values that can support the democratic inclusion of marginalized social groups’ interests. Because these subjective values are provided by not just any experience, but by specific experiences of marginalization, they enable descriptive representatives to be responsive to the needs of marginalized citizens in relation to institutional processes that generate oppression. In addition, the idea that subjective values are acquired through experience supports the claim that decision-makers become more efficient as they accumulate a multitude of social experiences of marginalization. If this claim is accepted, descriptive representatives speaking from crosscutting experiences of oppression may be expected to enrich democratic deliberations and support inclusive policies that respond to the broad range of needs of oppressed individuals. In the next section, I further elaborate how the role of descriptive representatives is specifically tied to social justice.

Acting as Aspirational Decision-Makers

I argue that descriptive representatives act as aspirational decision-makers. I define this role as aspirational in relation to their abilities to develop public policies that can achieve social justice, meaning to overcome the obstacles that prevent the participation of oppressed social groups in public life and to create inclusive public policies that can further enable their political participation. In this way, they are not only symbols or role models that other oppressed social individuals look upon to be inspired to participate in politics.¹⁷ Rather, I suggest that descriptive representatives act as mentors, they draw on their experiences to advise, guide and provide resources or public policies that will correct social injustices.

In *Aspiration: The Agency of Becoming*, Agnès Callard (2018) offers an insightful analysis about how it is possible to make a rational decision in a context of achieving transformative changes. Callard outlines a specific type of rationality that informs the aspirational agent, a decision-maker who “[is] directed at the acquisition of values” (Callard, 2018, p. 5). “Proleptic rationality” as she proposes, means that decisions about a future outcome, aspirational or transformative, are regarded as one of multiple and incremental steps towards that outcome, with the aspirational agent engaged in a series of actions that leads to the transformative change (Callard 2018, p. 72). From this perspective, even with incomplete information about the values they seek to acquire and the outcomes of their choices, the decision-maker engages in a rational process of decision-making. As Callard explains: “I call this kind of rationality ‘proleptic’. [...] Proleptic reasons are provisional in a way that reflects the provisionality of the agent’s own knowledge and development: her inchoate, anticipatory, and indirect grasp of some good she is trying to know better” (Callard, 2018, p. 72). The proleptic reasoning applies to my conception of the aspirational

¹⁷ I will further examine the function of role models in the next chapter.

decision-making of descriptive representatives, being especially relevant when these representatives propose policy options that address the needs and realities of oppressed individuals in contexts where those needs are not known by other legislators.

By proposing the notion of aspirational decision-making, I aim to expand on the role of descriptive representatives and how their lived experiences of oppression support inclusive decision-making. Previous contributions have suggested that representatives who are members of marginalized social groups can play a crucial role in driving transformative change by providing testimonies about their lived experiences (Gutmann & Thompson, 1996). Their testimonies are compelling because they carry genuine emotions supported by their lived experiences and can shift the opinions of a deliberative public or other members of parliaments about the realities of the oppressed group. They bring visibility to issues that might otherwise remain ignored or misunderstood, allowing for informed and empathetic decision-making within political institutions. This has been argued by Manon Tremblay (2019a, 2019b), highlighting that LGBTQ+ elected officials, through sharing their own experiences, can influence the outcomes of political decisions related to LGBTQ+ issues. In my account, I focus on how descriptive representatives leverage their social knowledge in the decision-making process to promote the interests of marginalized social groups.

Descriptive representatives, I argue, have gained knowledge from their lived experiences of marginalization, which have also provided them with insights about what actions are necessary to counter the reproduction of dynamics of oppression. As members of the affected groups, these representatives may be able to make decisions based on their ability to imagine the outcomes of a policy and its effects on their own lives, as well as on the lives of those who are similarly situated. As a result, in public decision-making, they can support the development of inclusive policies that

are responsive to the needs and the interests of marginalized social groups while limiting policies that may have negative outcomes or result in political exclusion. For example, LGBTQ+ descriptive representatives could ensure that public policies create opportunities for LGBTQ+ individuals to enter politics or address the needs of individuals who follow a family model distinct from the heterosexual standard.

Scholars in decision theory have argued that decision-makers, as human beings with “bounded rationality”, always proceed from incomplete information and limited cognitive capacities in rational decision-making when gathering information, developing options and evaluating alternatives (Simon, 1955, 1997). Paul (2016) has redefined the decision-making process as based “on the expected subjective value of an act, determined in turn by the weighted subjective values of the experiential outcomes of our possible actions” (p. 15). Furthermore, Paul has highlighted that a decision maker typically starts from a position of ignorance when it comes to decisions that have a transformative effect. With such decisions, the decision maker cannot assign a subjective value to possible outcomes of their choices and is in a position where they must make a choice without knowing what to expect, to what extent the choice will transform them, or what the future will look like after the experience.

I suggest that these kind of contexts of ignorance emerge in parliamentary settings when it comes to crafting public policies and understanding their outcomes for marginalized social groups. As ignorance can be present at different stages of the decision-making process, the presence of a descriptive representative could be key to ensuring inclusionary decisions. For example, in her memoir *‘Indian’ in the Cabinet*, Jody Wilson-Raybould (2021) provides insights into the real-life policy-making process from her lived experience as a Member of Parliament in the House of Commons. As Wilson-Raybould (2021) points out, elected officials receive an inordinate amount

of information from their constituents, the legislative process is complex, with power politics and electoral payoffs sometimes determining the choices a representative is encouraged to make (Wilson-Raybould, 2021). In this context, the value or relevance of an issue to a socially oppressed group may be ignored in the absence of (descriptive) representatives who grasp the potentially negative implications of a policy option for them. The same applies when some of their interests are not fully known, either because they involve their “uncrystallized interests,” or are based on “illegible” interests that I described in the previous chapter. In these contexts, the effects of public policies on the lives of LGBTQ+ persons or the outcomes may not be clear to non-descriptive political representatives. Representatives who can authentically voice the interests of marginalized social groups limit the risk, in these cases, of unjust decisions being taken.

In summary, the features of descriptive representatives as members of oppressed social groups are: they are personally affected by public decisions regarding the group, and they share social experiences with the group that provides them with a set of shared subjective values. These two features inform the knowledge of a descriptive representative and thus contribute to the goal of democratic representation by making them able to be responsive to the needs of marginalized social groups. Additionally, descriptive representatives also act as aspirational decision-makers with a role of mentor and proleptic reasoner for the interests of oppressed social groups that they represent in politics. Taken together, these three features provide an argument for democracies to actively promote the presence of descriptive representatives.

The role of aspirational decision-maker adds another dimension to the account of descriptive representation that goes beyond the strictly symbolic role ordinarily accorded to it, by stressing the significance of descriptive representatives in the context of decision-making. Unlike individuals who are members of marginalized social groups, and who may want to act as political

representatives or be role models without wanting or having the capacity to take care of the interests of these groups, descriptive representatives who are aspirational decision-makers are accountable to those they represent in terms of seeking to overcome the obstacles to their political inclusion and building an inclusive democracy. In these ways, descriptive representatives are instrumental to furthering the goal of political and social inclusion. Understood as such, the substantive role of descriptive representatives makes them accountable not only to the marginalized group members they represent, but also to other political representatives.

A Framework for Evaluating the Accountability of Descriptive Representatives

Marginalized social groups that are underrepresented in parliaments are also numerical minorities in electoral districts. For example, LGBTQ+ individuals as a constituency are not attached to a single electoral district, nor concentrated within a specific territorial boundary. Rather, they are dispersed as minorities across electoral districts. This distribution can present challenges for assessing the accountability of their descriptive representatives. In what follows, I propose that deliberative accountability is a useful framework for examining how LGBTQ+ descriptive representatives can meet the democratic principle of accountability in these conditions.

The Model of Electoral Accountability

A central principle in democratic governance is accountability, according to which political representatives must justify their decisions to their electors. Pitkin understands accountability as “responsiveness”, meaning that the representatives listen and take into account the preferences or needs of their constituency and act in a manner minimally consonant with their interests – and if not, provide reasons for not doing so (Pitkin, 1967, p. 232). In Pitkin’s view, elections produce the “conditions of responsiveness,” as they allow the represented to express their interests and

preferences, and they motivate representatives to listen and take into account these preferences given that they seek to be elected or to be re-elected (p. 234). For Pitkin, elections – and their recurrence at regular intervals – constitute a key institutional arrangement that guarantees the accountability of political representatives in democratic institutions.

Following Pitkin, elections have primarily been conceived as a “sanction” mechanism, by which voters can either punish the poor performance or reward the good performance of a political representative (Przeworski et al, 1999). Mansbridge (2009, 2011) suggests that elections may also serve as a “moment of selection”: voters use the moment of elections to select a “good” representative. This view treats voters as rational agents who do not want to risk being subjected to poor political decisions and paying the price of choosing an inadequate representative during the many years of a mandate (Mansbridge, 2009). Voters select representatives they can trust, who, they believe, will not break the electoral promises they make, and who will act in the voters’ best interests even without constant monitoring (Manin, 1995; Mansbridge 2009, 2011). Elections can, thus, operate simultaneously as a mechanism of sanction and of selection during the electoral period, to help ensure that political representatives produce good performance. They also help to ensure that representatives do not deviate too far from their electoral promises once elected and continue to act in the interests of constituents throughout their mandate (Fearon, 1999, p. 56).

Because it is based solely on the convergence between a constituency and an elected representative, the model of electoral accountability based on responsiveness as defined by Pitkin, has limits when it comes to assessing the accountability of representatives who are not elected by the group that they aim to represent (Mansbridge, 2014). For instance, in those bicameral legislatures such as Canada where there is an elected legislative assembly, the House of Commons, and a non-elected one, the Senate. The members of the Senate are typically not elected by the

citizens, but they are accountable to them for their political decisions. Similarly, the government is not only accountable for its policies toward citizens but also toward parliamentarians. Such is also the case of descriptive representatives. In most political systems, descriptive representatives are not elected directly by the oppressed social groups they aim to represent. Those groups are affected by political decisions beyond a specific riding or territorially-bound political interests; thus, their representation must be cross-cutting and extend beyond the defined boundaries of their electoral districts.

As I have argued, the fact that descriptive representatives are not elected by the oppressed social groups they aim to represent does not mean that they are not “representative”; as Mansbridge (2003) suggests, and as I have defended, they are types of surrogate or gyroscopic representatives, representing others beyond a formal mandate or by shared values or experiences. In addition, being a “good representative” is not simply an effect of being elected and electoral selection is not the only criterion for effective representation (Przeworski et al. 1999). Good representatives, according to Fearon, are those “who are principled, competent, and share the electorate’s end, independent of re-election incentives.” (1999, p. 82). Indeed, representatives may have reasons, other than being re-elected, to promote the interests of a social group. One of those reasons could be, as I argued earlier, that they are themselves part of the groups potentially affected by public decisions which can drive them to advocate for the interests of these groups even in the absence of electoral ties.

Elections, when interpreted in a procedural sense, provide an effective mechanism of accountability of political representatives in conjunction with other institutions in democratic states (Webber & Townsend, 1998; Breux & Couture, 2018; Olsen, 2015; Serban, 2023). Therefore, electoral accountability is not the only approach that can be taken to ensure or assess

that political representatives are responsive to the citizens (Warren, 2014). Moreover, focusing exclusively on electoral accountability fails to account for the deliberations between citizens and representatives that occur throughout the electoral cycle, including during electoral campaigns or in parliament, and beyond this institution following post-elections. These deliberations, I propose, also operate as a mechanism of accountability.

Deliberative Accountability: A Robust Alternative

In the absence of electoral ties, deliberative accountability can offer a framework for assessing the performance of descriptive representatives. The notion of deliberative accountability is proposed by Gutmann and Thompson as a process in which “representatives must justify their actions not only to one another but also to citizens, [and] their justifications must appeal to the general public” (Gutmann & Thompson, 1996, p. 137).

Deliberative accountability is defined as a reason-giving process by which “representatives [are required] to give reasons to citizens and to respond to the reasons citizens give” (Gutmann & Thompson, 1996, p. 138). Gutmann and Thompson suggest that deliberative accountability is also an ongoing process of evaluation of performance that happens beyond the moment of the vote. They describe this process as one of *reiterated deliberation*. Reiterated deliberation “continues through stages, as [elected] officials present their proposals, citizens respond, officials revise, citizens react, and the stage recur” (Gutmann & Thompson, 1996, p. 143). This notion of *reiterated deliberation*, say Gutmann and Thompson, encompasses all the moments of deliberations throughout the electoral cycle, including electoral campaigns, as well as the continuous interactions between citizens and members of parliament after an election period. Another feature of those deliberations is the way in which they operate to sanction or reward good performance of representatives.

I now illustrate some examples of deliberations between citizens and politicians and ways in which those deliberations are reiterated. During an electoral campaign, candidates make political promises that they believe will address the needs of the electors. Candidates who seek re-election defend their past performances and they justify their decisions made during their mandate to demonstrate that they were taken in the interests of the citizens, in particular if they have deviated from their past electoral promises (Bovens, 2007, p. 451; Mansbridge, 2014). During an electoral campaign, political candidates may also use political communications to outline their position, defend their actions, and generally market themselves, emphasizing facts (e.g., their partisan affiliation, their political background, and their personal experience) that will be perceived positively by the electors and that will differentiate them from their political opponents (Manin, 1995, pp. 201-204).

Throughout the electoral cycle, citizens who are organized in interest groups often express their support or opposition of policies to elected officials by various means such as opinion polls, protests, or other forms of actions, such as letters, petitions, or briefs. According to Manin, during the electoral campaign, electors exercise a *public judgment*, meaning that they evaluate an electoral platform, and the extent to which it is designed to satisfy their preferences (Manin, 1995, pp. 228-243). In regard to candidates who seek re-election, electors evaluate their performance based on a party's past political record and follow-through on electoral promises, and they express their approval or disapproval with regard to the outcomes of a set of policies that have been pursued (or which are promised in the future). Andrew Rehfeld suggests that voters may be also evaluating who is or has been, or who will be, a good representative (Rehfeld, 2005, pp. 11-12).

This deliberative approach can be useful for assessing the accountability of descriptive representatives with respect to the interests of oppressed social groups. Scholars in political

representation conceive that groups of electors sharing a similar interest, whether territorially attached as a single constituency or not, concentrated in specific boundaries of an electoral riding, are just audiences that a candidate pretends to represent (Rehfeld, 2005, 2009; Saward, 2010). Primarily during electoral campaigns, but at other times too, voters spanning multiple electoral ridings can coalesce into one entity to support a political candidate who speaks for them in a meaningful way. It also applies to members of an oppressed social group scattered across multiple ridings. In the absence of electoral ties, examining the deliberations between those groups and a descriptive representative can provide a way to assess the quality of the representation. In the next chapter, I undertake such examination, providing evidence of deliberative accountability in practice, by focusing on the representation of LGBTQ+ political interests.

In their articulation of the concept of deliberative accountability, Gutmann and Thompson describe a challenge faced in contemporary representative democracies, which they call the problem of specialization, where “[r]epresentatives become specialists in deliberation, while citizens become spectators” (Gutmann & Thompson, 1996, p. 132). As they explain, this problem of specialization produces as well as reinforces an asymmetry of information between political elites and citizens. Voters may often lack the complete information they need to assess political performances, which may diminish the efficacy of voting as a mechanism to make representatives accountable (Prezworski et al., 1999, p. 44). In this respect, descriptive representatives can contribute to enhance communication with marginalized citizens, bridging the gap between representatives and their constituents and facilitating responsiveness (Mansbridge, 1999). This idea suggests that, rather than undermining it descriptive representatives can strengthen accountability.

Conclusion

In this chapter, I argued that descriptive representatives are a type of democratic representative that can contribute to achieve social justice. As such, they promote the political interests of oppressed social groups and secure their inclusion in the political process. I specifically argued that descriptive representatives can secure political inclusion in parliaments given their role as aspirational decision-makers, especially in the contexts of ignorance. Because they are part of the affected group and possess the range of social experiences that provide them with relevant subjective values in the decision-making process, they can contribute to the development of inclusive public policies while taking actions to overcome the obstacles that prevent the participation of marginalized social groups in public life. This articulation of the function of descriptive representatives as aspirational decision-makers defends that they fulfill democratic aims. I proposed that descriptive representatives do not merely serve a symbolic function; they conduct activities for which they can be held accountable. Finally, I outlined the framework of deliberative accountability, which interprets accountability as a reason-giving process that unfolds throughout the electoral cycle and across various democratic spaces. Drawing on this framework, I suggested that reconciling descriptive representation and accountability is possible. In the next chapter, I discuss the implications of my claims, and I provide an empirical case to illustrate deliberative accountability in action.

CHAPTER 6 ACCOUNTABILITY AND DESCRIPTIVE REPRESENTATION

As I argued in the previous chapters, democracies should ensure the presence of descriptive representatives because they can act as “aspirational decision-makers”. In this chapter, I discuss what LGBTQ+ political inclusion means in democratic institutions. First, I explain how strategies for guaranteed representation such as quotas ensure the presence of LGBTQ+ descriptive representatives by compensating the obstacles that they faced in entering and running successfully as candidates. Second, I stress the key role that descriptive representatives play in deliberative spaces such as parliaments. Here, I explain that epistemic injustices within those spaces risk undermining the contribution of descriptive representatives and for that reason strategies of political inclusion should aim at ensuring their presence and also their participation in decision-making. Finally, I argue that LGBTQ+ descriptive representatives can be accountable for representing the interests of LGBTQ+ individuals. Using Gutmann and Thompson (1996)’s deliberative approach, I provide evidence that it is possible to assess the accountability of descriptive representatives. I do so by analyzing the public discourse in Canada, demonstrating that mechanisms to evaluate the performance of representatives of LGBTQ+ political interests are at play in the public deliberations between political representatives and LGBTQ+ citizens.

Remedying Political Exclusion

In 2016, Gerry Taft, a white cisgender man won the New Democratic Party’s nomination process for the provincial riding of Columbia River-Revelstoke in British Columbia. His nomination was questioned because, earlier that year, the political party had adopted an equity mandate aimed at increasing the number of candidates from minority groups, including LGBTQ+

individuals, stating that “any departing MLA [is] to be replaced by a woman or equity-seeking candidate” (McElroy, 2016). Taft initially did not disclose the reasons for his eligibility. However, given that the opponent who lost the nomination race was a woman with disability, pressure mounted, with several pundits arguing that it should be mandatory that “candidates who benefit from an equity-mandate designation should come from a publicly identified group” (Smyth, 2016; Leyne, 2016). Taft eventually publicly declared his bisexuality; he was, effectively, forced to come out. I attempt to illustrate from this case that strategies for guaranteed representation, such as quotas, requires that one has to explain what their identity is in order to ground an equity-claim, which can be challenging when it comes to sexual orientation or gender identity. As I will discuss in this section, the merits of strategies for guaranteed representation outweigh this challenge, and they should be implemented to secure LGBTQ+ political inclusion.

Political exclusions

A growing literature has focused on examining the obstacles faced by LGBTQ+ candidates in politics, building on the frameworks developed to explain the underrepresentation of women in politics (Albaugh & Baisley, 2023; Everitt & Tremblay, 2023; Lapointe et al., 2024). For example, the supply and demand model has been used to explain how systemic barriers in the political process, particularly in the selection of female candidates or their election to office, result in women’s political exclusion (Krook, 2010). Scholars have explained that the absence of role models and resources intertwined with societal expectations that women assume caregiving responsibilities, limit their opportunities to run in politics (Norris et al. 1992; Norris and Lovenduski, 1993; Krook, 2009a, 2009b, 2014). In addition, they have underscored the effect of gender biases, which often result in women candidates being likely to be dismissed by political parties due to assumptions about their electability (Dahlerup, 2007, p. 74). These assumptions give

rise to “strategic discrimination,” whereby the beliefs that a candidate’s stigmatized identity will attract fewer votes or will garner limited financial sponsors from donors inform a political party’s decision to refuse to nominate candidates from marginalized social groups (Bateson, 2020). Moreover, the “sacrificial lamb” explanation contends that political parties tend to have women candidates running in ridings where the political parties do not have strongholds (Thomas & Bodet, 2013).

Based on these frameworks, research has addressed the case of LGBTQ+ political candidates, who face additional bias, including homophobia, transphobia, and heterosexism. Homophobia refers to individual attitudes and prejudices about homosexuality, while heterosexism describes the systemic devaluation of homosexuality within institutions and culture (Bastien-Charlebois et al., 2011). Scholars have demonstrated that, citizens’ attitudes towards sexual orientation influence how they perceive gay and lesbians’ candidates, i.e., whether they are competent to be political representatives in general (Doan & Haider-Markel, 2010; Everitt & Camp, 2009, 2014; Riggle & Tadlock, 1999; Tremblay, 2022). These existing biases among the population influence whether LGBTQ+ individuals choose to run for office or not and shape their decision to conceal their sexual orientation or gender identity, fearing public scrutiny from voters and the media (Wagner, 2021).

While the number of LGBTQ+ candidates running as an “out” candidate (i.e., running while having sexual orientation or gender identity publicly known) has increased in recent years, their electoral success has remained low (Tremblay, 2022). Recent empirical studies provide evidence that the “sacrificial lamb” hypothesis also explains the limited electoral success of LGBTQ+ candidates, with political parties more likely to field LGBTQ2S+ in ridings where they are unlikely to win (Albaugh & Baisley, 2023; Everitt & Tremblay, 2023; Lapointe et al., 2024).

Furthermore, data suggests that, in ridings where their political party has a strong hold, cisgender men are more likely to be nominated than cisgender women or trans/non-binary or 2-spirit candidates among sexual minorities (Everitt & Tremblay, 2023).

So far, I have outlined various obstacles that LGBTQ+ individuals face in entering politics, and how these barriers contribute to their exclusion, either preventing them from running as candidates or from being successful if they do so. These obstacles reflect systemic processes of marginalization that prevent individuals from marginalized groups from getting elected to parliaments. Young (2002) introduces the concept of “internal exclusion” to refer to how, even once members of marginalized groups have reached parliaments (whether by quotas or by election), they continue to face barriers that prevent them from effectively contributing to public decision-making. As Young explains, “having obtained a presence, [marginalized] citizens sometimes find that those still more powerful in the process exercise, often unconsciously, a new form of exclusion: others ignore or dismiss or patronize their statements and expressions” (Young, 2002, p. 55). Therefore, though formally included in parliaments, LGBTQ+ political representatives might experience unequal opportunities to contribute to deliberations within decision-making spaces.

In this respect, the term “tokenism” is often used to describe “the practice or policy of admitting an extremely small number of racial (e.g., African American), ethnic (e.g., Latino) or gender (i.e., women) groups to work, educational, or social activities to give the impression of being inclusive, when actually these groups are not welcomed.” (Ricucci, 2013, p. 197). Tokenism is a harmful practice, as rather than encouraging their genuine inclusion, minorities are sometimes pressured to conform to stereotypical roles (Perez & Strizhko, 2018; Childress et al., 2024). Additionally, such practice does not dismantle the structural obstacles that prevent the

presence of marginalized social groups in various professional settings, including politics (Kanter, 1977, 1987; Yoder, 1991; Puwar, 2004; Riccucci, 2013; Davis, 2024).

I propose that tokenism in politics can lead to epistemic injustices¹⁸, particularly “testimonial injustices”. As defined by Fricker (2007), testimonial injustice is a form of epistemic injustice that occurs when a speaker is unfairly granted a low degree of credibility due to prejudices about their social group, which in turn makes that their testimony (or experiences that the speaker is recounting) may not be understood by others (p. 18). Emmalon Davis (2016) also suggests that stereotypes about marginalized social groups can hinder their ability to contribute meaningfully to deliberations. Sometimes the inclusion of women, racialized individuals or sexual minorities in deliberations is conditional upon them adopting the role of a spokesperson of a supposed monolithic experience of their group (Davis, 2016, p. 492). When they are invited to participate in exchanges, their contributions are narrowly confined to “topics stereotypically associated with their social group” (Davis, 2016, p. 488). This conditional inclusion in decision-making spaces can impede the ability of the spokesperson to voice their perspectives.

Evidence of the types of epistemic injustices and their detrimental effects are exemplified in the memoirs published in 2021 by two former members of Parliament in Canada, recounting their experiences as MPs from minority groups. In *Can you hear me now?* Celina Caesar-Chavannes (2021) recounts her experience as an elected official for the riding of Whitby from 2015 until her resignation in 2019, the only Black woman sitting in the House of Commons at that time. As she emphasized, she aspired to act as a “role model” and as an advocate for the interests of her constituents and those who are marginalized. Her motivation was overshadowed by a feeling

¹⁸ I propose the concept of “tokenization” to capture the fact that a descriptive representative may enter politics with a commitment to take actions to foster the inclusion of marginalized social groups, but their capacity to do so may be curtailed due to epistemic injustices, reducing them to a symbolic role as tokens.

of being a “token,” playing a mere symbolic function. She perceived that she could not act in a meaningful way as a descriptive representative due to limited speaking opportunities during the Question period (Caesar-Chavannes, 2021, p. 150) and being invited to attend events for the Black community with little substantive role (Caesar-Chavannes, 2021, p. 172). Despite her advocacy for better inclusion for minority groups, for example when voicing criticism towards the newly formed cabinet for not being inclusive enough of various minority groups (Caesar-Chavannes, 2021, p. 150), she faced resistance from her political party and from the media (Caesar-Chavannes, 2021, p. 210). Her feelings of being tokenized ultimately brought her to leave public office (Caesar-Chavannes, 2021, p. 243).

A similar experience is recounted by Jody Wilson-Raybould in her memoir *‘Indian’ in the Cabinet*. Wilson-Raybould was elected as a Liberal Party MP for the electoral riding of Vancouver Granville in 2015.¹⁹ She resigned in 2019 and continued to sit in parliament as an independent until 2021. Then a member of the Cabinet as Minister of Justice and Attorney General, she reported a heightened feeling of being “tokenized,” especially during the political scandal known as the SNC-Lavalin affair in 2019²⁰. During the SNC Lavalin controversy, media reports used this case to portray her under sexist and racist lenses, with stereotypical representations of First Nations that were published in the press (Deer, 2019). She resigned from the Cabinet, stating in her memoir:

¹⁹ Jody Wilson-Raybould’s memoir is one of the few recent accounts of the real-life and everyday experience of a minority member of parliament in the House of Commons, who is actively advocating for interests that are typically marginalized from parliaments, specifically Indigenous political interests. The discussion in this section is not meant to address the particular experiences of two-spirits, gender or sexual diverse Indigenous individuals.

²⁰ The SNC-Lavalin affair is a political scandal in Canada involving a Quebec-based engineering company that was charged with bribery and fraud in February 2015. The scandal took a political turn in 2019, when *The Globe and Mail* reported that the Prime Minister’s Office had attempted to interfere with and influence the Attorney General Jody Wilson-Raybould in an effort to help the company avoid a criminal trial. The affair sparked a national debate, raising concerns about political interference in the justice system.

I went to Ottawa to be an indigenous woman in the Cabinet and contribute teachings and learnings from the Indigenous experience in this country to making good decisions and setting better policy. I ended up being treated as the 'Indian' in the Cabinet, became the 'Indian' out of the Cabinet and finally the 'Indian' out of the party. An unusual tale? Perhaps not so much. (Wilson-Raybould, 2021, p. 296)

As these illustrations have shown, injustices experienced within decision-making spaces can result in limiting the capacity of descriptive representatives to contribute meaningfully to advocating for the interests of marginalized social groups. Furthermore, when those representatives leave politics to escape these injustices, their underrepresentation is perpetuated and their political inclusion compromised.

When it comes to the case of LGBTQ+ inclusion, biases about sexual orientation and gender identity can shape similar experiences for LGBTQ+ political representatives. Their presence as elected officials in parliaments may be undermined by stereotypes and discrimination, which can contribute to their social marginalization. To address these issues, strategies for their inclusion must focus not only on increasing the number of LGBTQ+ candidates and elected officials in parliaments but also on dismantling the structural barriers that limit their participation and influence in decision-making while building an inclusive culture within parliaments.

In defense of LGBTQ+ guaranteed representation

Descriptive representatives play a significant role to promote the political interests of marginalized social groups. As I have argued, as aspirational decision makers, they achieve this role by voicing the perspectives of minority individuals who are often absent from the political process and by advocating for their political interests in the contexts of decision-making. In the case of LGBTQ+ descriptive representatives, the job is of voicing LGBTQ+ specific priorities and experiences, with a view to ensuring that political decision-making takes them into account. I propose that the presence of LGBTQ+ political representatives in parliaments should be ensured

through mechanisms of guaranteed representation that will tackle the obstacles that they face, and that I discussed above, in running as candidates and in getting elected in parliaments. They will also ensure an inclusive culture that enable their meaningful participation in decision-making spaces.

There are various institutional mechanisms that can be implemented to ensure guaranteed representation of LGBTQ+ individuals in politics. According to Jane Mansbridge (1999), these mechanisms can be grouped from the most rigid to the most flexible, in this order: legislated quotas, redistricting, voluntary quotas, proportional representation, and enabling mechanisms (e.g., financial support to candidates, politics that support work life balance and education) (Mansbridge, 1999, p. 653). As forms of affirmative action(s) in politics, these strategies all aim at reducing the obstacles that marginalized social groups face in participating in public life, concurring to ensure the presence of disadvantaged groups in parliaments. Quotas are the most commonly used strategy to improve the numerical presence of members of marginalized social groups in elected assemblies (Htun, 2004; IDEA, 2024). In the following discussion, I focus on how quotas can support LGBTQ+ political inclusion, suggesting that if the most rigid strategy for guaranteed representation can be defended, other more flexible strategies are also defensible.

There are different types of quotas including reserved seats and candidate quotas, depending on the stage of the political process. Reserved seats are intended to guarantee the presence of ethnic minorities by setting aside a number of seats in parliaments for the targeted groups, with representatives to fill those seats either being elected in the same way as other parliamentarians or by a separate electorate made of the specific minority designated by the legislation (Dahlerup, 2007, p. 78; Krook & Norris, 2014). Candidate quotas, legislated or voluntary, can be implemented to ensure that candidates from diverse backgrounds are selected to

compete in elections by requiring that the party lists of candidates include a proportion of women or minority groups. Many countries around the world have put in place gender quotas to increase the presence of women in politics, recognizing the historical, systemic barriers that women have faced in getting elected (Bacchi, 2006; Dahlerup, 2006b; IDEA, 2024).

In Canada, there are not legislated quotas for oppressed social groups. Mechanisms of guaranteed representation, including reserved seats, have been proposed for various minorities, without success. For example, the creation of an “Indigenous-only” electoral district has been proposed to guarantee Indigenous representation in the House of Commons (Beaudoin & Dobbie, 1992). Reserving a number of seats in the Senate for specific groups such as Indigenous People, women, and official language minorities has also been proposed in the context of the demands to reform the nomination process for senators (de Bruin & McIntosh, 2022). The imposition of candidate quotas on party lists through financial penalties has also been unsuccessful (Maillé, 2015, p. 123). Some political parties have adopted quotas, but only on a voluntary basis, at the level of the nomination process and they have been instrumental to increase the recruitment of diverse candidates (Hoard & Bascaramurty, 2019; Stone, 2020).

Strategies of guaranteed representation such as quotas have typically generated several objections regarding the extent to which they can effectively secure the inclusion of the political interests of marginalized social groups. Some have argued that reserved seats may work against the interests of marginalized social groups. The perception that there is a designated representative for that group may result in other representatives being disengaged from advocating for the interests of those groups and paying less attention to the promotion of their political interests and needs (Kymlicka, 1995, p. 132; Mansbridge, 1999). Others have argued that, as their implementation require individuals to identify with particular groups (rather than the entire

country), quotas can institutionalize differences within the political community leading to deep divisions (Bacchi, 2006).

In this way, their implementation may also promote essentialism which means to take a single characteristic as the defining feature of a group and its members (Mansbridge, 1999; Phillips, 2010, p. 49). In the case of LGBTQ+ individuals, the implementation of quotas may require that to be selected as the representative of the group, individuals self-identify publicly as LGBTQ+. However, the variety of experiences within the LGBTQ+ community are not captured by the fact of disclosing publicly their sexual orientation or gender identity. From this perspective, as I discussed in chapter 2, essentialism can result in marginalizing some of the LGBTQ+ political interests, by concealing the heterogeneity of experiences within a social group.

Yet, quotas for LGBTQ+ individuals are defensible with respect to arguments that can be found in the literature and that have tried to answer these objections. Scholars have defended that mechanisms for guaranteed representation such as quotas will diminish the importance of identity rather than leading to social divisions, by mitigating the processes that perpetuate the marginalization of individuals due to their group membership ((Mansbridge, 1999; Dworkin, 2002). For example, Dworkin (2002) argues that the political exclusion of marginalized social groups will persist as long as the persons in position of making decisions remain those who belong to the dominant group. In that context, mechanisms such as quotas ensure the presence of marginalized social groups in key decision-making positions, counteracting domination and structural inequalities that are reproduced by legislation and paternalism.

In addition, mechanisms such as quotas ensure the “role model effect,” by which seeing people who look like them in various positions can send a positive signal to members of a minority group that they themselves can achieve success in pursuing their aspirations (Mansbridge, 1999;

Dworkin, 2002, p. 104). In politics, role models play a pivotal role in removing the stigma attached to a marginalized social group by demonstrating that members of marginalized social groups can be competent leaders (Nater et al., 2023). Additionally, such role models can also inspire members of marginalized groups to run as political candidates, rather than opting out due to low self-esteem and negative perceptions about their qualifications (Mansbridge, 1999, p. 649). Evidence of the role model effect supports this claim for the presence of women in historically male-dominated positions as in politics, in education or in sports (Owen, 2017; Vander Jeugd et al., 2024; Allison et al. 2024).

Quotas for LGBTQ+ representatives are defensible in particular if, rather than emphasizing their function as role models, such defense emphasizes their role in decision-making. The “role model argument”, sometimes used to justify the presence of members of marginalized social groups in various contexts such as education and politics, has been challenged by scholars as Anita Allen (2002) who argue that such argument has several costs. For one thing, she says, the role model argument tends to underestimate the value of would-be descriptive representatives by creating the perception that they are selected without consideration of the set of required qualifications for the position (Allen, 2002, p. 159). For Allen (2002), descriptive representatives, especially selected via quota, risk contributing to the reinforcement of prejudices and biases against social groups. Strategies to select a descriptive representative as role model, “can easily result in the search for someone’s stereotype of the best or the most ‘positive’ minority” (Allen, 2002, p. 160). As such, focusing on role models may undermine the inclusion of the interests of marginalized social groups. By stressing the role of descriptive representatives in decision-making shift the focus on the actions that they take in democratic spaces, for which they can be held accountable.

A reason to focus on the descriptive representatives' role in decision-making is provided by the literature on guaranteed representation, which focus has shifted from seeking a "critical mass" to underscore the significance of "critical acts" (Dahlerup, 2006a). Scholars had initially paid attention to a "critical mass," which refers to a desirable proportion of women or members of marginalized social groups to include in parliaments for social change (Dahlerup, 2006a; Childs & Krook, 2008; Krook, 2015). According to the critical mass view, a minimum percentage of women (or other minority group) representatives must be present in legislative assemblies to be able to build coalitions and exert sufficient influence on policymaking that can secure the social inclusion of those groups (Dahlerup, 2006a; Childs & Krook, 2008; Krook, 2015). However, there is not much evidence that the critical mass effect is real, either in political spaces or in corporate environments (Gidengil & Vengroff, 1997; Torchia et al., 2011; Guldiken & al., 2019). "Critical acts" instead, refer to the actions taken by descriptive representatives that can lead to social and political transformation (Dahlerup, 2006a). Therefore, scholars have underscored the presence of descriptive representatives who can be critical actors, defined as "those who initiate policy proposals on their own, even when women [or representatives from marginalized groups] form a small minority, and embolden others to take steps to promote policies for women, regardless of the proportion of female representatives" (Childs & Krook, 2006, p. 528).

Strategies for guaranteed representation should go beyond simply a matter of adding members of marginalized groups into democratic spaces such as parliaments. They should also aim to address epistemic injustices and oppressive conditions within decision-making spaces (Dovi, 2009, p. 1183). Recent theoretical works suggest that a form of recognition that remedy epistemic injustices is to grant each individual equal worth in contributing to the production of knowledge (Connolly, 2015; Congdon, 2018; Giladi, 2018; Fricker, 2018; Giladi & McMillan,

2023). I believe that this can be done by countering stereotypes that curtail their epistemic agencies in contributing to deliberations. Therefore, stressing that descriptive representatives play a key role as aspirational decision-makers can serve this purpose. In addition, arguing that descriptive representatives contribute to an inclusive democracy in more than a symbolic way lends support to the implementation of quotas to guarantee their presence in parliaments, while avoiding reproducing tokenism.

In my view, LGBTQ+ inclusion depends on overcoming the obstacles that prevent the presence of LGBTQ+ descriptive representatives in parliaments and their participation within those spaces, so that they can ensure the development of inclusive public policies and culture. Strategies of guaranteed representation such as quotas should be implemented to meet this goal. I hope that I have provided a persuasive defense that these merits outweigh the challenges associated with the implementation of quotas. In the next section, I propose that it is possible to assess the accountability of descriptive representatives.

Assessing Accountability in the Public Discourse on LGBTQ+ Issues in Canada

In this section, I demonstrate that descriptive representation may be compatible with accountability. I employ Gutmann and Thompson's (1996) framework of deliberative accountability to examine the case of the representation of LGBTQ+ political interests in Canada. As I introduced in the previous chapter, this framework suggests that accountability emerges through the discourses between representatives and citizens that occur at any moments before, during, after elections. I propose that this framework is useful to assess the accountability of descriptive representatives, even in the absence of electoral ties between politicians and LGBTQ+ individuals.

The analysis is based on the dataset of 448 articles from the Canadian press that I gathered from various sources for the time period starting from 2008 to 2022, and that captures the deliberations on LGBTQ+ issues happening in the public sphere. Drawing on Saward's (2010) understanding of political representation as constructed through discourses, and that I presented earlier in chapter 1, I analyze "representative claims" made by political actors and LGBTQ+ individuals and spokespersons. For the purposes of the analysis, I treat any statement made by political actors pertaining to the representation of LGBTQ+ interests as a relevant representative claim.

In order to identify representative claims, I developed a typology that I illustrate in the table below based on which the coding dictionary was designed. In this table, I distinguish between two categories of representative claims, based on who makes them. On the one hand, there are statements made by LGBTQ+ individuals, activists or organizations referring to their representation or the promotion of their political interests in parliaments (category 1). On the other hand, there are statements that could be made by elected officials, candidates, or politicians in which they either declare themselves as legitimate representative of LGBTQ+ interests or when they say that another representative is ill-fitted for the role (category 2). Furthermore, each category includes two types of statements: some referring to the political inclusion of LGBTQ+ interests (type 1); some to their political exclusion (type 2). For example, by cross-matching category 1 with type 1, the output code is "interests, needs and realities of LGBTQ+ political interests to be included in public policies." When cross-matching category 2 with type 1, the output code is "bills proposals, supporting stances or legislative changes to answer the needs of LGBTQ+ individuals."

Table 1: Typology of representative claims coded using NVivo for the discourse analysis

Types	Categories of representative claims	
	Category 1	Category 2
	Statements made by LGBTQ+ activists or spokespersons about political representativeness of LGBTQ+ citizens and their political interests	Statements made by a person (elected official or candidate, or appointed or self-declared representative) declaring themselves or declaring other representatives as fitted or ill-fitted to represent LGBTQ+ citizens
Type 1 Statements referring to the inclusion of LGBTQ+ individuals	▪ Interests, needs and realities of LGBTQ+ political interests to be included in public policies ▪ Demands for inclusion of diverse LGBTQ+ persons among MPs and MLAs or candidates or within political parties ▪ Enumeration of enabling mechanisms in the political process (e.g. quotas in the nomination process in political parties or in the electoral system) to increase the number of LGBTQ+ elected officials	▪ A claim of being a legitimate spokesperson of LGBTQ+ interests in the House of Commons or national/legislative assemblies such as a claim of knowledge based on identity or shared experiences with LGBTQ+ citizens ▪ LGBTQ+ elected officials or candidates' statements about their motivation to enter politics ▪ Bills proposals, supporting stances or legislative changes to answer the needs of LGBTQ+ individuals
Type 2 Statements referring to the exclusion of LGBTQ+ individuals	▪ Statements reporting an insufficient attention to LGBTQ+ interests ▪ Description of obstacles to political participation of LGBTQ+ persons in politics, or that refer to their underrepresentation in parliaments ▪ Calls for exclusion of MPs or MLAs or candidates who are detrimental to the promotion of LGBTQ+ interests	▪ Claims about LGBTQ+ political interests or concerns that are overlooked in current legislation ▪ Description of a MP/MLA, a candidate, a political party or an organization as an illegitimate representative for LGBTQ+ interests ▪ Reasons for the ineligibility of a candidate to represent LGBTQ+ interests

The dataset was coded in NVivo. The analysis allowed me to identify a set of political demands expressed by LGBTQ+ individuals, spokespersons, and representatives including the recognition of diverse family models, the use of chosen pronouns and gender markers on identification documents, and issues related immigration and refugee policies, which I discussed in chapter 4. In addition, using the conceptual framework of deliberative accountability proposed by Gutmann and Thompson, the critical discourse analysis show that LGBTQ+ individuals and activists across various electoral ridings can express their preferences, approve or criticize public

policies that affect them, and select legitimate representatives. Moreover, the findings provide evidence that descriptive representatives can take meaningful actions for which they are accountable, while also holding other representatives accountable for promoting LGBTQ+ political interests. I discuss these findings in greater details in the sections below.

Preferences and Responses to Public Policies Related to LGBTQ+ Issues

In this section, I show that LGBTQ+ individuals express their interests and preferences at various moments throughout the electoral cycle, in response to policy options such as those proposed by the federal government and provincial governments. In this way, they assemble as a unified constituency with diverse political interests for which they seek representation across electoral ridings.

By the mid-2000s, the LGBTQ+ social movement had made significant advancements in ensuring equal human rights for gays and lesbians, including the legalization of same-sex marriage in Canada. With the achievement of marriage equality for gays and lesbians, advocacy efforts increasingly focused on securing equal legal protections for trans and gender-diverse individuals (Oger, 2015). While these efforts fostered tolerance and increased the public opinion's support towards the social inclusion of trans and gender-diverse individuals, they also faced opposition from various sectors of society. In this process, the LGBTQ+ movement expressed diverse needs and demands; such heterogeneity of political interests was already evident in the domain of equal marriage rights and they pertain to reinventing family structures and conjugal arrangements (Macedo, 2015; Ghosh, 2018; Warner, 2020). The critical analysis of the public discourse on LGBTQ+ issues that I performed highlights this heterogeneity of interests.

In 2016, Bill C-16, an *Act to Amend the Canadian Human Rights Act and the Criminal Code*, was introduced by the federal Justice Minister Jody Wilson-Raybould. The bill aimed to

amend the Canadian Human Rights Act by adding gender identity and gender expression to the list of prohibited grounds for discrimination, alongside age, race, sex, religion, and disability. Moreover, it modified the Criminal Code to add protections for gender-diverse individuals from hate speech and hate crimes. The Justice Minister defended Bill C-16, describing it as a powerful symbol and “a message of hope to ensure that we recognize gender identity and gender expression and provide the ability in our country for people to feel safe and secure in who they are”; suggesting that “in practice, the courts have already considered gender identity to be covered, but this new legislation would remove any doubt” (Montreal Gazette, 2016). The Justice Minister therefore justified her decision to propose this bill to both other elected officials and the public, emphasizing how it supported LGBTQ+ political interests. Bill C-16 was passed with strong support from the LGBTQ+ community, but not without the opposition of actors from various organizations and political affiliations.

Those who opposed Bill C-16 did so for the same reasons they opposed other similar bills aiming to protect gender-diverse individuals from discrimination²¹. One of these reasons was related to a broader societal debate about freedom of speech (Cossman, 2018). At the core of this debate, there was the proposed addition to the Criminal Code of the offense of hate propaganda based on gender identity and gender expression, which some opponents argued could lead to the prosecution of individuals who choose not to use a gender-neutral language. They feared that misgendering individuals or using incorrect pronouns would be treated as a hate-based offence (Pardy, 2017). Additionally, those who expressed opposition to Bill C-16 comprised Conservative political representatives and various civil society organizations, including feminist groups. They

²¹ Previous attempts to pass similar legislation to Bill C-16 were unsuccessful. For example, an Act to Amend the Canadian Human Rights Act and the Criminal Code was proposed in 2009 by MP Bill Siskay under Bill C-389, and in 2011 by MP Randall Garrison under Bill C-279; both defeated in the Senate (Levinson King, 2015; Tasker, 2017b).

worried that under the interpretation of gender identity and expression as protected grounds against discrimination, individuals would take advantage of the legislation to gain access to sex-segregated spaces such as prisons or public washrooms, which are safe-spaces for women and girls, thus undermining their protections (Schnurr, 2017; Tasker, 2017a; Pour les droits des femmes, 2019).

The LGBTQ+ community interpreted Bill C-16 as a signal that trans and gender diverse individuals “deserve basic human rights and protection against discrimination” and as a step towards the recognition of their dignity and status as full citizens (Hinkson, 2016). LGBTQ+ activists from various areas rallied and took actions to support the bill, voicing that it promoted their interests. For example, LGBTQ+ spokespersons and LGBTQ+ organizations, including Mosaïque de Genres and Nova Scotia’s Youth Project, were present at the press conference when Justice Minister Wilson-Raybould announced the bill. The press conference was held on May 17th, 2016, a date of symbolic significance as it coincides with the International Day against Homophobia, Transphobia, and Biphobia (Buzzetti, 2016). Moreover, Egale Canada, a leading organization that advocates for LGBTQ+ interests, expressed its support in an open letter that sought to demystify misconceptions about the bill (Egale, 2017). They wrote that “gender identity” and “gender expression” are distinct concepts from “sex” and that adding them as prohibited grounds for discrimination would help protect trans and gender diverse individuals across Canada. In their view, the fear that Bill C-16 would curtail freedom of speech or undermine the rights of women and girls is unfounded. Rather, they asserted, the bill would provide targeted protections for gender diverse individuals from hate propaganda as outlined in the Criminal Code, while supporting measures to protect them from violence and marginalization (Egale, 2017). At a later stage of the legislative process, when Bill C-16 was reviewed by the Senate Committee in May

2017, several LGBTQ+ activists organized a demonstration to show their support to the bill (Robertson, 2017).

LGBTQ+ public demonstrations often serve as platforms for LGBTQ+ activists to express their political demands to elected officials or government bodies, offering a vital context for examining mechanisms of accountability. For instance, in June 2020, an Edmonton-based group (Raricanow) which supports LGBTQ+ refugees organized a march that, as stated by the event spokesperson Chris Adebayo, aimed to “highlight racial injustice, transphobia and police brutality” (Boothby, 2020). Among the political demands, the group called for increased “legal protections for QTBIPOC (Queer, Trans, Black, Indigenous and people of colour) in healthcare, housing, employment, public spaces, and for more mental health supports” and “that refugee status be given for LGBTQ people at risk in Canada, without being forced to come out” (Boothby, 2020).

These demands were expressed as a response to policy proposals which effects would increase the vulnerability of marginalized LGBTQ+ individuals across Alberta. The passing of Bill 8, the Education Amendment Act, in July 2019, weakened protections for LGBTQ2S+ students in schools. Under this bill, schools can inform parents if their child joins a Gay Straight Alliance (GSA). GSAs are peer-support groups for LGBTQ+ students that are essential for their mental well-being, and activists argued that the bill created a barrier to accessing these safe spaces (Tran, 2022). The bill was proposed in the context of the pushback against teaching topics about LGBTQ+ individuals and gender diversity in schools, as well as heated debates over Bill 207. Titled *The Conscience Rights Act for Healthcare workers*, Bill 207 sought to allow healthcare professionals to refuse to provide medical services, including trans-affirmative healthcare, if doing so conflicted with their conscientious beliefs. Bill 207 was voted down in 2019, but had it passed,

it would have severely limited access to essential healthcare for LGBTQ+ individuals (Embensadoun, 2019; Heidenreich, 2019).

In Quebec, with the goal of ensuring equal rights for LGBTQ+ people and trans and gender-diverse individuals in particular, the Justice Minister Simon Jolin-Barrette proposed in October 2021, Bill 2 (an *Act respecting Family Law Reform with Regard to Filiation and amending the Civil Code in relation to Personality Rights and Civil Status*). The bill sought to amend family law to provide a legal framework for assisted reproduction, including through third party donors (e.g., sperm donors, egg donors, surrogates). It also aimed to amend the Civil Code to address the discrimination against trans and gender-diverse individuals and their families, following a 2021 decision by the Quebec Superior Court in *Centre for Gender Advocacy v. Attorney General of Quebec*. The court ruled that some provisions of the Quebec Civil Code – those requiring to be a Canadian citizen and to obtain a health professional’s attestation for individuals over 14 to change their name or gender in the civil registry – violated the rights guaranteed by the Canadian Charter of Rights and Freedoms (Levine, 2021). These requirements prevented a person from changing the sex listed on their birth certificate to reflect their gender identity, effectively precluding them from modifying IDs such as passports, driver’s licenses, health cards as well as their children’s birth certificates (Nerestant, 2021). While the Justice Minister claimed that Bill 2 was a response to the concerns of LGBTQ+ individuals and organizations, the bill faced strong opposition from these groups (Carabin, 2021; Elkouri, 2021). This opposition ultimately led to the repeal of the bill in December 2021, with the Justice Minister declaring: “J’ai entendu les critiques et j’en prends acte. Je vais réfléchir à tout ça, mais je peux vraiment vous dire que je suis en mode solution pour faire en sorte que la communauté LGBTQ [et] la communauté trans se sente à l’aise avec tout ça” (Pilon-Larose, 2021b).

LGBTQ+ organizations across Quebec had expressed strong discontent regarding the Bill's provisions from several different perspectives, reflecting the heterogeneity of political interests within the community (Pilon-Larose, 2021a; Pilon-Larose, 2021c). The Center for Advocacy against Gender Oppression, a Montreal-based organization, described Bill 2 as transphobic, stating that it is “[le projet de loi] le plus transphobe de l’histoire du Québec et même du Canada” (Elkouri, 2021). They viewed the bill as a setback, because it required individuals to undergo gender reassignment surgery to be allowed to change the sex designation on their birth certificates whereas a law that was passed in December 2013 by the Quebec National Assembly had removed such requirements for Canadian citizens (Elkouri, 2021; The Canadian Press, 2021). In addition, organizations such as Conseil Québécois LGBT, a Quebec collective that represents 62 LGBTQ+ organizations, expressed concerns that the Bill would exacerbate discrimination against trans and non-binary individuals. Bill 2 proposed to create a “gender identity” rubric, distinct from sex, to be filled based on self-identified gender; a mention of sex as indeterminate would be reserved for intersex individuals (Ashley, 2021; Singer, 2021). LGBTQ+ activists argued that the bill would “out” trans individuals by a discrepancy between their sex and gender identity being displayed on IDs.

Activists also argued that Bill 2 failed to recognize non-binary individuals. There is an ongoing debate within the LGBTQ+ community over the best way to provide recognition on IDs for non-binary and gender-diverse individuals (Ashley, 2021). Some advocates propose offering non-binary individuals, the option to choose “X” as an alternative to “female” or “male” on IDs, while others advocate for the complete removal of sex identification altogether (Ashley, 2021). An activist from TransEstrée, a Quebec-based organization, expressed one such view in the context of the debates about Bill 2 as follows:

Séré Beauchesne Lévesque demande ainsi au ministre de la Justice de revoir son projet de loi 2 afin de le rendre plus inclusif et sécuritaire pour les personnes trans et non-binaires. La demande est notamment le retrait de toutes exigences médicales pour changer une mention de sexe, le retrait de l'ajout d'une mention de genre, le libre choix pour tous de la mention parentale (père, mère ou parent) sans égard à la mention de sexe ainsi que la possibilité de retirer la mention de sexe sur les pièces d'identité. (Lavoie, 2021)

On a different note, the Conseil du Statut de la Femme, a Quebec governmental body that advises the government on women's rights, opposed Bill 2 arguing that it insufficiently considered the experiences of cisgender women in discussing the issue of assisted reproduction. One of their objections was the use of gender-neutral terminology in the bill, a claim that highlights the tensions between so-called women's rights and trans rights that is manifested in wider public debate (Richer, 2021). For example, in a series of open letters published between 2020 and 2022 by feminist organizations, a Quebec feminist group, *Pour les droits des femmes*, opposed the use of gender-neutral terminology instead of "woman" when discussing gendered experiences, arguing that it erases women's issues. In response, other feminist organizations argued that such a position promotes violence and discrimination against gender-diverse and trans women, defending the need for inclusive terminology in public policies (Durocher, 2020, Elkouri, 2021).

A long-standing political demand expressed by LGBTQ+ organizations such as the LGBTQ Parenting Network (Toronto), and that was the key focus of the 2018 Trans March, has been to address the specific needs of transgender parents (Ocampo, 2018). According to organizations such as the Coalition des familles LGBTQ+, Bill 2 failed to address the needs of transgender parents to be able to change their sex designation on their child's birth certificate. In addition, LGBTQ+ organizations argue that the bill overlooked the need for gender-neutral terminology on birth certificates (i.e., using "parent" instead of "mother" or "father"), which would better accommodate non-binary parents. Finally, advocates expressed that the bill failed to

recognize multi-parent family arrangements, namely those made of more than two parents, leaving the children involved without protections (Plante, 2021). Without legal recognition of such households, some parents could lose their parental rights in cases of divorce or separation, which would put the best interests of the children at risk. Following the concerns raised by LGBTQ+ organizations and activists, Bill 2 was significantly amended and later adopted in 2022.

The analysis of the public discourse highlights the heterogeneity of LGBTQ+ political interests and shows that LGBTQ+ individuals self-organize into cohesive constituencies across electoral ridings to express their policy preferences. First, accountability is achieved when these preferences and interests are voiced in the public sphere. Second, by responding to public policies that directly affect them, LGBTQ+ activists hold political representatives accountable during their political mandates.

Evaluating the Performance of Descriptive Representatives

In *The Good Representative*, Suzanne Dovi argues that good descriptive representatives are preferably good democratic representatives. Dovi defines good democratic representatives as those who “successfully advance public policies with the aim of fostering civic equality” (2007, p. 101), with civic equality understood here as “intentionally protecting and advancing the equal political standing of all [...] citizens” (2007, p. 101). In her view, good democratic representatives should possess three virtues: “fair-mindedness,” “critical trust building,” and “good gatekeeping”. In relation to LGBTQ+ individuals, the virtue of fair-mindedness means that LGBTQ+ descriptive representatives should advocate for inclusive policies in a way that support the legitimacy of democratic rules and institutions and that “contribute to the proper functioning of democratic institutions, and thereby to the continuing viability of those institutions” (Dovi, 2007, p. 90). The virtue of critical trust building requires that LGBTQ+ descriptive representatives should be

“willing and able to mobilize [LGBTQ+] citizens and engage them in public deliberation of policy alternatives” by promoting their “capacities [...] to be informed and critical of the actions taken by representatives” (Dovi, 2007, p. 91, p. 138). Finally, as for the virtue of good gatekeeping, LGBTQ+ descriptive representatives should foster inclusive democracies by developing mutual relationships with marginalized groups including LGBTQ+ individuals. By reaching out and incorporating them into democratic processes, they “enable citizens to be and to feel a part of the democratic polity” (Dovi, 2007, p. 92). Dovi’s framework provides a useful lens to examine the cases of LGBTQ+ descriptive representatives and candidates. I provide evidence which suggests that LGBTQ+ descriptive representatives promote LGBTQ+ political interests and take actions that ensure their democratic inclusion; by looking at their actions, it is possible to evaluate if they are fulfilling their roles as good representatives.

On various occasions, LGBTQ+ MPs have demonstrated a strong commitment to representing the interests of the LGBTQ+ community. Their commitment is often highlighted in statements made by LGBTQ+ representatives, especially when they announce their retirement from politics, where they summarize their accomplishments during their time in office. For instance, two MPs, Bill Siskay and Scott Brison, were described as tremendous role models for their contributions to advancing LGBTQ+ inclusion (Smith, 2010; Bryden, 2019). Bill Siskay, who retired from politics in 2010, proposed three separate bills to amend the Criminal Code to add gender identity and gender expression to the list of prohibited grounds of discrimination. While these bills did not pass the House of Commons, they were instrumental in seeking to protect gender-diverse individuals from discrimination (Smith, 2010). Scott Brison who left politics in 2019 was the first openly gay federal cabinet minister and the first federal MP to marry his same-sex partner. His decision to publicly come out is said to have fostered LGBTQ+ visibility and

acceptance, providing a positive representation that resonated with LGBTQ+ individuals across Canada (Curry, 2019; Gorman, 2019).

LGBTQ+ descriptive representatives have also taken actions to foster LGBTQ+ inclusion. In 2016, MP Randy Boissonnault was appointed as a Special Advisor to the Prime Minister on LGBTQ+ issues, leading a newly created LGBTQ2S secretariat aiming to identify and generate support for government initiatives on LGBTQ2S issues (Premier Ministre du Canada, 2016). Upon accepting his appointment, Boissonnault expressed his commitment to addressing the needs of LGBTQ+ individuals and correcting the injustices they continue to face:

C'est un honneur et un privilège d'être nommé à ce poste. Je vais travailler fort avec le premier ministre et la communauté LGBTQ2 en vue de faire avancer et de protéger les droits des personnes LGTBQ2, et de corriger les injustices dont la communauté a été victime par le passé. Je suis impatient de travailler avec Égale et d'autres organismes au cours des prochains mois afin de mettre en œuvre le programme du gouvernement en faveur de l'égalité. (Premier Ministre du Canada, 2016)

As a descriptive representative, Boissonnault initiated several key actions to foster LGBTQ+ individuals' feeling of inclusion and their sense of belonging within the political community. For example, during the opening of the Pride week in 2016, the rainbow flag – a powerful symbol for visibility of the LGBTQ+ community – was hoisted for the first time at the Parliament of Canada's building (Hannay, 2016). MP Boissonnault, who presided over the ceremony, gave a speech emphasizing the historical significance of that moment for LGBTQ+ inclusion, stating that “we remember those people who lived and loved in silence, who have fought for the cause of LGBT rights and died for that cause. Today we say that we all belong” (Hannay, 2016). In November 2017, following Boissonnault's advice, the Prime Minister Justin Trudeau, on behalf of the government of Canada, issued a formal apology to civil servants and militaries who lost their jobs in the public service during the period known as “LGBT purge”, as I described in the chapter 3, as

well as to all Canadians who were criminalized for their sexual orientation (Muzyka, 2017). Boissonnault emphasized that the apology marked the closing of a dark chapter for the LGBTQ+ community in Canada. The apology was praised by LGBTQ+ organizations as a crucial step toward building an inclusive society for LGBTQ+ individuals (Muzyka, 2017).

LGBTQ+ MPs have also been at the forefront of advocating for LGBTQ+ interests, in particular in the domain of healthcare. They did so while taking actions to overcome the stigma against LGBTQ+ individuals. For instance, Eric Duncan, the first openly gay Conservative MP, strongly advocated for the end of the ban on blood donations from men who have sex with other men. In June 2021, he proposed the motion M-92, Ban on Blood Donations by Homosexuals, claiming that “discrimination like this should not take this long to resolve” (Woolf, 2022). A life ban on blood donation for men who have sex with other men (MSM) was instituted in 1992; it was progressively loosened, with the time to abstain from sex with another man before being allowed to donate blood reduced to five years in 2013, and then to three months in 2019. In support of this motion, MP Rob Oliphant made a testimony in which he “shared that his first partner had died of AIDS 30 years ago” and he urged to end the stigma against gay and bisexual men, stating that “my blood is as good as anyone’s blood in this room” (Woolf, 2022). In September 2022, Canadian Blood services officially ended the restriction on MSM blood donations (Tait, 2022)²². In this way, LGBTQ+ descriptive representatives can play a vital role in advocating for policies that promote the rights and inclusion of LGBTQ+ individuals.

²² In 2024, the Canadian Blood services apologized to the LGBTQ+ community for its discriminatory past policy (Tunney, 2024).

LGBTQ+ descriptive representatives have also led efforts to ban conversion therapy²³. Conversion therapy is based on the false premise that homosexuality is a pathology that needs to be cured, and it encompasses a set of harmful practices aimed at making someone who is homosexual, for example, to become heterosexual or to conform to a cisgender identity or expression (Treisman, 2021). In 2021, Bill C-4, an Act to amend the Criminal Code (conversion therapy), was proposed by Justice Minister David Lametti and the Minister for Women and Gender Equality and Youth, Marci Ien, aiming to make it a crime to coerce or convince someone to consent to conversion therapy. MP Randall Garrison emphasized that passing the legislation was crucial for the well-being of vulnerable LGBTQ+ individuals, stating that “failing to get this legislation passed now will leave the most vulnerable among us at risk, especially 2SLGBTQ+ youth. It is beyond time that this extremely harmful practice is finally banned” (Brooke, 2021). Canada’s first openly two-spirit MP Blake Desjarlais also called other parliamentarians to support the bill, stressing that the failure of past attempts to pass similar legislation had already cost lives (Aiello, 2021). Bill C-4 was passed in December 2021, effectively banning conversion therapy.

As I showed in this section, LGBTQ+ descriptive representatives can contribute to develop policies that are inclusive of the needs and interests of LGBTQ+ individuals. By performing this role, they also fulfill Dovi’s criteria of good democratic representatives that I outlined earlier. According to Dovi, good democratic representatives ensure the legitimacy of democratic institutions, by “helping to keep their fellow representatives accountable” and by themselves “being good role models” (2007, p. 140). LGBTQ+ descriptive representatives being elected

²³ Bill C-4 is the third attempt to ban conversion therapy in Canada. A previous version of the bill, Bill C-8, was introduced in 2020 by Diversity Minister Bardish Chagger and Justice Minister David Lametti but the legislative procedure to approve it was halted due to the prorogation of the Parliament. Another version, Bill C-6, was introduced in 2021 but it was halted again when the federal election was called. All the proposed bills had gathered consistent efforts from various LGBTQ+ MPs to advance the legislation (Brooke, 2021).

representatives ensure the social inclusion of LGBTQ+ individuals through formal democratic channels. They take actions that are responsive to the needs of the LGBTQ+ community while challenging exclusionary beliefs and catering to the LGBTQ+ constituents' feeling of being represented by democratic institutions. Finally, as members of the group that they represent, they hold the government accountable for its inaction on LGBTQ+ issues, and by sharing their personal experiences and acting as role models, they mobilize the engagement of LGBTQ+ communities in democratic processes.

Selecting Good Representatives

As I propose in this section, descriptive representatives who are elected or selected through quotas can be held accountable. Electoral accountability is based on the citizens' evaluation of the performance of political representatives in relation to the promotion of their interests; citizens would reward or sanction representatives by (re)electing them or not. Examining deliberations between LGBTQ+ citizens and politicians, I provide evidence that throughout the electoral cycle, LGBTQ+ citizens apply various alternative strategies that operate similarly to election, in selecting those who are good representatives in promoting LGBTQ+ interests and excluding those who may curtail their representation.

During electoral campaigns, some candidates were excluded from running for public office following claims voiced by political actors calling to exclude them. These claims are noteworthy as ways in which LGBTQ+ individuals select legitimate representatives, those who can contribute positively to the goal of inclusion. Several instances highlight this dynamic. For example, during the 2015 general election campaign, a significant number of candidates withdrew from running after being criticized by LGBTQ+ activists because they had expressed homophobic views (Urback, 2015). Similarly, during the 2019 federal election campaign, at least two candidates were

ousted from running for office after that LGBTQ+ individuals and parliamentarians pointed their poor political record and LGBTQ-phobic statements made in the public sphere or on social media. For example, a candidate from Burnaby North-Seymour riding was criticized for their anti-LGBTQ+ political record as they had opposed same-sex marriage and promoted conversion therapy (Benedictson, 2019; Boynton, 2019). Similar occurrences of exclusion of candidates are noted in provincial elections in Alberta, Ontario, Quebec and British Columbia, where candidates were called to step down for homophobic comments (Clancy, 2018; The Canadian Press, 2018a; Solyom, 2018; Crawford, 2020).

Outside of the electoral cycle such as in the context of the Pride parades, LGBTQ+ activists hold representatives accountable in the process of gatekeeping their safe spaces. In these contexts, LGBTQ+ activists can exclude illegitimate representatives and challenge opportunistic claims to represent LGBTQ+ interests. Pride parades, held annually across provinces, have become politically significant venues for the LGBTQ+ community (Phair & Wells, 2006; Warner, 2020). Discussions surrounding the organization of the events have increasingly focused on the involvement or not of political parties or of groups with specific political affiliations. For instance, in Ontario, in the 2015 Ottawa Pride parade, a petition was presented to demand the exclusion of the queer conservative group, LBGTory, from attending the parade. The petition stated that “while (a) progressive movement within conservative elements of Canadian politics is a wonderful ideal, LBGTory supports politicians who have actively attempted to repeal same-sex marriage, blocked important human rights legislation for the trans community and marginalized sex workers” (Feibel, 2015).

Similarly, in Alberta, organizers of the Calgary Pride parades came to the decision that representatives should provide evidence of their record and actions in promoting LGBTQ+

interests before being admitted to participate in the events (Smith, 2019). For example, during the 2015 federal election campaign, the participation of Calgary-Centre riding's Conservative candidate at the Calgary Pride sparked controversy (Stark, 2015). Several trans activists and LGBTQ+ advocates opposed the participation of the candidate to the Pride given her voting record, which included a vote against Bill C-279 (a bill to amend the Canadian Human Rights Act and the Criminal Code to include gender identity and expression as prohibited grounds for discrimination). In 2016, the organizers of the Calgary Pride implemented a requirement for politicians to sign a statement affirming their commitment to take actions for LGBTQ+ rights. Elected officials were required "to write a one-page narrative that outlines how they have supported the LGBTQ+ community in the past through bills or policies in any level of government" (Farooqui, 2016). By 2019, Calgary pride banned the presence of political parties in the parade (Gilligan, 2019).

Political representatives, descriptive or non-descriptive, are rewarded for their good performance in promoting LGBTQ+ political interests if not by election, through award ceremonies. For example, Fondation Émergence, a Quebec LGBTQ+ non-profit organization, offers various awards to LGBTQ+ personalities and activists for their efforts to support the well-being of LGBTQ+ individuals. Additionally, awards such as Prix Alliés (renamed Prix Janette-Bertrand) or Prix Laurent McCutcheon honor allies – individuals who are not members of the LGBTQ+ community – for their actions to combat homophobia and transphobia. The Prix Laurent McCutcheon was awarded to politicians such as Christiane Taubira, former French Minister of Justice from 2012 to 2016, for her role in advancing a same-sex marriage bill, *Mariage pour tous*, and Canadian Prime Minister Justin Trudeau for his commitment as a political leader to advocate for LGBTQ+ interests (The Canadian Press, 2018b).

When speaking from crosscutting experiences of oppression, LGBTQ+ descriptive representatives and activists often play a key role in holding other representatives accountable for their inaction toward marginalized political interests within the LGBTQ+ community. They can demand meaningful actions in response to the needs of marginalized LGBTQ+ individuals, calling out failure to address their concerns, and criticize poor representation of their interests. For instance, on the 2019 Transgender Day of Remembrance, a well-known activist in the LGBTQ+ community, Fae Johnstone, wrote an opinion letter urging the federal government to take more actions to protect trans people. While acknowledging that passing policies such as ending the blood ban against gay men and banning conversion therapy had advanced LGBTQ+ rights, Johnstone emphasized that targeted actions for trans and gender diverse people were still needed, questioning, “Have the lives of trans people tangibly improved in Canada because of the[se] actions? Mine most certainly hasn't, and I believe that sentiment is shared by many in my community” (Johnstone, 2019). As politicians and MPs made posts on social media to show solidarity with trans persons, Johnstone criticized their inaction in response to the needs of trans individuals by stating: “all I see is window dressing to mask their continued inaction in the face of the daily violence we trans people experience” (Johnstone, 2019). Therefore, LGBTQ+ descriptive representatives can be held accountable for not acting to promote the inclusion of other oppressed social groups or for their wrongdoings that undermine such inclusion²⁴ (Passafiume, 2024).

²⁴ For example, in November 2024, MP Blake Desjarlais, who is Métis and Two-Spirit, called for the resignation of MP Randy Boissonnault from Cabinet after claims about Boissonnault’s Indigenous ancestry were proven to be false. MP Desjarlais emphasized the importance to hold him accountable and “to kick someone like that out” of the Cabinet, arguing that false claims of Indigenous identity are insensitive to the experiences of Indigenous people who have been oppressed and faced systemic obstacles due to their identities (Passafiume, 2024).

In this analysis, I demonstrated that, throughout the electoral cycle, political representatives are held accountable for their political records in promoting the interests of LGBTQ+ individuals, receiving either sanctions or rewards. There are three main takeaways from the analysis above. First, I showed that those who are affected by specific policies can mobilize across and beyond jurisdictional boundaries to express their preferences, offering support and disapproval of public policies. Second, I highlighted the role of descriptive representatives, and how they can and do hold the government accountable to promote LGBTQ+ political interests. In so doing, they contribute to the feeling among LGBTQ+ persons of being represented. Finally, I identified mechanisms for determining who are and who are not legitimate representatives of LGBTQ+ interests, including calls for the exclusion of politicians who hold anti-LGBTQ+ views from running for office. The formal rewarding of good performance with respect to advocating for and defending LGBTQ+ rights is, likewise, such a mechanism. My analysis focused on assessing the accountability of elected representatives through public discourse in the media, which may not be feasible for other types of representatives, especially those who are not elected. The results suggest that it is possible to hold accountable LGBTQ+ descriptive representatives who are elected or appointed through strategies of guaranteed representation for their political representation of LGBTQ+ interests in parliaments.

Conclusion

In this chapter, I outlined my argument that LGBTQ+ descriptive representatives should be guaranteed representation in parliaments. LGBTQ+ individuals face obstacles when running as candidates and in getting elected to parliaments. Strategies of guaranteed representation should be used to ensure their numerical presence and their participation in decision-making processes. My focus was to address the objection that descriptive representatives are not accountable because

they are not directly elected by the groups they represent. Since descriptive representatives play a key role in decision-making, they can be accountable for the results of their activities. They can also support the legitimacy of democratic institutions by fostering the inclusion of oppressed social groups in democratic processes. I show that alternative mechanisms, specifically discursive, can be deployed by LGBTQ+ citizens to hold representatives accountable even without electoral ties with them. My analysis of the public deliberations in Canada in relation to LGBTQ+ political issues using Gutmann and Thompson's deliberative accountability suggests evidence that as unique democratic representatives, descriptive representatives can further political inclusion of LGBTQ+ individuals while meeting democratic accountability. Overall, having showed that descriptive representatives can be accountable and that they are valuable representatives, I argued that democracies should ensure their presence in parliaments.

CONCLUDING REMARKS: THE CASE FOR LGBTQ+ SPECIAL REPRESENTATION

In this dissertation, my objective has been to provide a perspective on the role of descriptive representatives in securing political inclusion while meeting democratic principles. By focusing on the case of LGBTQ+ individuals, I argued that descriptive representatives play an *essential* role in securing the inclusion of LGBTQ+ voices – ensuring that LGBTQ+ persons not only have the “feeling of being represented” in democratic spaces but also are in fact adequately represented within them. They play this role in a way that meets the standard of deliberative accountability. In making my argument, I delineated the particular kind of LGBTQ+ political interests that justify self-representation. I also argued that descriptive representatives play a pivotal role in decision-making, thereby contributing to both democratic representation and political inclusion. My arguments, if they are accepted, have significant implications for the appropriate and just institutional mechanisms that democratic states ought to adopt to further LGBTQ+ political inclusion. Below, I summarize the key insights that I have developed regarding LGBTQ+ political inclusion.

Let me recall the problem. LGBTQ+ individuals are underrepresented among elected officials in parliaments across Canada in comparison to their proportion in the general population (Tremblay, 2022). In my view, this under-representation reflects the broader conditions of systemic marginalization that prevent LGBTQ+ individuals from fully participating in public life, with equal status and respect. Therefore, the underlying issue may well be related to how democracies can successfully address the systemic processes at the root of political exclusion. I

have argued that the way forward is to increase the proportional representation of LGBTQ+ people in democratic institutions.

Representative institutions have become a key feature of democracy as the result of a long historical political process, with contemporary political philosophers emphasizing the role of political representatives in building inclusive democracies (Pitkin, 1967; Manin, 1995; Young, 2002). Parliaments are the political institutions where legislation that governs our lives is made, and if poorly made, this legislation may perpetuate social inequalities and precarious social conditions for some citizens. For example, the laws and policies that maintain heterosexist norms define the experiences and conditions of social marginalization of LGBTQ+ individuals.

In Canada and in many countries around the world, the history of state-sponsored discrimination against LGBTQ+ individuals has prevented their political presence in parliaments while fostering a culture that perpetuates their political exclusion. Therefore, the political presence of marginalized social groups in this specific sphere is crucial for achieving social justice, since by their very presence, they can support the development of an inclusive culture. I have argued that such inclusive culture depends on guaranteeing equal civil rights and state protections for marginalized citizens, enabling them to voice their perspectives in politics while challenging oppressive norms and beliefs.

The problem that has motivated my work is particularly pressing given the current context of LGBTQ+ policies in Canada. In the past few decades, significant milestones have been achieved with the adoption of legislation focused on protecting the equal rights of LGBTQ+ persons, with at least incremental progress with regard to protecting such rights for trans and gender diverse individuals. However, recent years have been marked by a considerable backlash against basic protections for LGBTQ+ individuals. Several Canadian provinces, such as Alberta, Saskatchewan,

and New Brunswick, have recently adopted legislation that restricts the protections previously accorded to LGBTQ+ individuals, effectively limiting access to gender-affirming care for trans and queer youth (Armstrong, 2024). In addition, these provinces have enacted policies aimed at banning the teaching of LGBTQ+ topics in schools and the use of preferred names or pronouns for gender diverse students (Ibrahim, 2023; French, 2024; Haak, 2024). As a further cause of concern, hate speech against trans and non-binary individuals is pervasive in public discourse, while the legislation implemented in the above-mentioned Canadian provinces proposes actions intended at restricting LGBTQ+ safe spaces and the display of inclusive symbols such as Pride flags or rainbow crosswalks in the public sphere (Whitten, 2018; Vastel, 2020; Viren, 2022; Cheese, 2023; Simes, 2024). A worrisome trend is also observable in the United States²⁵, where there has been an increase in anti-trans legislation proposed in various states: in 2023, approximately 142 bills were introduced with the intention of restricting LGBTQ+ rights (Farrington, 2023; Funakoshi & Raychaudhuri, 2023).

These contextual considerations underpin the importance of guaranteeing the presence of LGBTQ+ political representatives in parliaments. Political thinkers have offered a number of arguments defending descriptive representation, and these arguments remain compelling. It remains true that descriptive representatives can ensure that the interests of marginalized social groups are not overlooked, that their voices are heard in the political process and that their perspectives are included in the development of public policies. Nevertheless, it is imperative to reassess these arguments in light of the backlashes I have just outlined, which are unfortunately gaining prominence across democratic societies including in Canada. New interpretations of social

²⁵ The latest developments in the U.S. are particularly concerning due to executive orders passed or announced by the newly elected president (Londono, 2025; Green & Montague, 2025)

identities provided by Queer and feminist theory have led to a greater recognition of the heterogeneity of experiences and interests within social groups, but have also presented theoretical challenges for any defense of descriptive representation. Yet, I contend that the benefits of descriptive representation for democratic inclusion outweigh its potential limitations.

In this dissertation, I made a case for LGBTQ+ guaranteed representation and argued that such representation does not reproduce essentialism; any defense of descriptive representation that enables essentialism would, I argue, undercut its ability to challenge oppressive gender norms. In addition, in my view, a commitment to deliberative accountability, a modification of standard democratic accounts of accountability, can ensure that descriptive representatives tend to LGBTQ+ interests and priorities while strengthening the legitimacy of democratic institutions. What can be expected from LGBTQ+ political presence is a contribution to building a shared, inclusive, public culture, at least within the space of representative institutions, that will in turn translate into inclusive public policies. In the next sections, I summarize the practical implications of my contribution.

Political presence as a condition of inclusion

Ensuring the presence of LGBTQ+ political representatives in parliaments can foster the social inclusion of LGBTQ+ individuals while sustaining their “feeling of being represented” in democratic institutions. Doing so requires removing the obstacles that prevent members of marginalized social groups from being present in major political institutions, as I have argued. In the case of LGBTQ+ individuals, political exclusion is the result of oppressive norms and values that impose heterosexuality as the standard. Therefore, stigma, hate (i.e., homophobia, transphobia, or LGBTQ-phobia), and negative social representations about LGBTQ+ individuals have

prevented them from participating in political life on an equal basis. One solution I have put forward is to implement institutional mechanisms such as quotas, which aim to compensate for the additional challenges members of marginalized social groups have historically faced in being selected as candidates for elections and for getting elected. Mechanisms of guaranteed representation aim to ensure the presence of political representatives from oppressed social groups, in the hopes that doing so will contribute to fostering an inclusive public culture in the present and over the long term.

Having LGBTQ+ political representatives in parliaments ensures that LGBTQ+ political interests and perspectives are voiced. In this dissertation, I specifically delineated the range of LGBTQ+ political interests that are critical in the context of representative politics, which I defined as “illegible” interests. In my account, these interests result from the systemic marginalization of LGBTQ+ individuals and encompass the lived experiences, as well as the life aspirations that shape their preferences, needs, and concerns. Those experiences may not be fully known by the public and non-descriptive representatives because they are not integrated in the shared public culture. Existing literature in political theory has proposed that descriptive representatives are valuable for securing democratic inclusion because, given their situated knowledge, they can express the distinctive social perspectives or voices of marginalized social groups (Williams, 1998; Young, 2002). I build on this claim by arguing that LGBTQ+ representatives in parliaments can promote their “illegible” interests; therefore, contributing to develop inclusive public policies. For this reason, there should be a guaranteed representation of LGBTQ+ descriptive representatives in deliberative spaces.

Finally, the political presence of LGBTQ+ representatives ensures that an inclusive “shared public culture” can emerge (Lenard, 2012). This inclusive culture develops when LGBTQ+

representatives contribute to expanding shared social knowledge, by speaking about experiences that not everyone shares, and which have historically been excluded from public conversations – typically because they do not fit the script of heteronormativity. Enabling LGBTQ+ voices requires that LGBTQ+ political representatives are seen and treated as equal participants in democratic political institutions. It means to recognize the epistemic agency of descriptive representatives, rather than reducing them to tokens, i.e., mere symbols to showcase diversity in political institutions. Recognizing the active role that descriptive representatives can play supports the pursuit of democratic equality and does not (as some critics have claimed) essentialized their identity.

Descriptive representation with an ethic of accountability

In this dissertation, I argued that descriptive representatives play an essential role as *aspirational decision-makers*, meaning that in the public decision-making process, they can take the actions needed to create the conditions for social inclusion of LGBTQ+ individuals. Democracies should therefore ensure the presence of LGBTQ+ descriptive representatives in parliaments.

I propose that descriptive representatives should possess three features: be part of the affected groups, have acquired certain values because of their lived experiences, and act as *aspirational decision-makers*. Acting as an aspirational decision-maker means, as I have argued, to be responsive to the needs and the interests of marginalized social groups. Moreover, it implies making decisions that support the development of inclusive policies which enable marginalized people to participate in political life while limiting policies that may result in their political

exclusion. It is with respect to those features that descriptive representatives can be valuable for decision-making in democracies, especially in contexts of ignorance.

The legislative process is inherently characterized by some level of ignorance, with respect to the lived experiences of LGBTQ+ individuals, and perhaps this is inevitable given that these experiences are not available in the public culture and considering the complexity of the institutional environment. Political interests may be uncrystallized, or as I claim, related to “illegible” lived experiences. Such is the case for family models experimented within LGBTQ+ communities, which have been historically marginalized and are not legally recognized in heteronormative society. Failure to take these realities into account when developing family policies could jeopardize the social inclusion of LGBTQ+ people. In these contexts, descriptive representatives can ensure the presence of LGBTQ+ voices to combat this ignorance while taking actions that will support LGBTQ+ diverse aspirations.

I propose a defense of descriptive representation that emphasizes the substantive function that political representatives can fulfill for political inclusion. The role model argument has often been used in favour of political presence and for the adoption of quotas for women and marginalized social groups in politics. Social science research has demonstrated that role models can play a pivotal role in professional workplaces that have historically excluded marginalized groups, fostering positive outcomes such as increasing the presence of members of those groups in position of power. The role model argument sometimes rests on essentialism which generate exclusion, by promoting the practice of tokenism. This practice refers to individuals from marginalized social groups being sometimes included in various professional settings to project the appearance of inclusion rather than offering substantive inclusion. Additionally, I described

that this practice can produce epistemic injustices, reducing descriptive representatives to merely symbolic role as tokens.

The role model argument is challenged by proponents of descriptive representation, including me, who argue that it does not guarantee effective representation. I believe that role models are valuable in politics, particularly when the presence of descriptive representatives help citizens feel included or “feel represented” by democratic institutions. However, their presence may not contribute to meaningful representation, when the features that are sought for role models are based on stereotypes. Most importantly, it is certainly challenging to hold any descriptive representatives accountable for their role-modeling function, which may sometimes occur without their own awareness (Wang, 2023). In contrast, I offer a distinct argument: being defined by their role as “aspirational decision-makers”; descriptive representatives fundamentally play a substantive function, by which I mean that they ensure the development of inclusive public policies when partaking in decision-making. They take actions across a wide range of political spaces, defending and advocating for policies that will protect and promote the political interests and preferences of the groups in which they are a member. They can, I also argue, be held accountable for their actions in these spaces.

This conception of descriptive representation is compatible with a specific deliberative interpretation of accountability, which borrows from Amy Gutmann and Dennis Thompson. Typically, in democracies, elected representatives are held accountable to their constituents via elections. However, this form of accountability is not (always) available with respect to descriptive representatives, since there is no electoral relationship between them and those they represent. I therefore argued that we should rely on deliberative accountability. As I demonstrated in the final chapter, a deliberative accountability approach can be employed to evaluate the performance of

descriptive representatives, and then to hold them accountable. I showed how, using the tools of deliberative accountability, it is possible to sanction poor performance and recognize good performance of descriptive representatives. Moving beyond an exclusively procedural understanding of democracy, I provided insights into how LGBTQ+ individuals as a public can express their preferences about public policies, and how they can identify illegitimate representatives. As a result, I demonstrated how descriptive representation can be made compatible with accountability, understood deliberatively, in democracies.

In conclusion, in this dissertation, I made two important claims. First, I provided criteria for recognizing descriptive representatives and defended their contribution to the inclusivity of democratic states. With this claim as a background, I defended the importance of the political presence of descriptive representatives in general, and for the LGBTQ+ community, in particular. Second, I acknowledged the importance of accountability in democratic states and then offered an interpretation of deliberative accountability that is suitable for holding descriptive representatives accountable. My contributions deepen the existing literature in the political theory of representation, and they enrich the ongoing conversations about how to best build an inclusive culture within democratic institutions.

In the end, I hope I have shown that the recipe for political inclusion requires at least the presence of descriptive representatives, the destruction of conditions that continue to generate systemic exclusions, and an ethic of deliberative accountability.

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