


CRITICAL PERSPECTIVES ARTICLE

Exclusion by Design: Locating Power in Mansbridge’s Account of Descriptive Representation

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(Received 2 November 2021; revised 3 May 2022; accepted 29 July 2022)

A much-circulated image during the Donald Trump administration showed Vice President Mike Pence and members of the Republican House Freedom Caucus discussing the removal of maternity coverage from the Affordable Care Act—with not a single woman or person of color among them. In another image, white men watched approvingly as Trump signed an executive order reinstating the global gag rule, which bans foreign nongovernmental organizations that receive American aid from supporting abortion access. These images contrast with one from early in Joe Biden’s presidency. In his first address to Congress, Biden was backed by two women occupying the second- and third-most-powerful positions in the country, Vice President Kamala Harris and Speaker of the House Nancy Pelosi, respectively. After acknowledging “Madame Speaker, Madame Vice President,” Biden said, “No president ever said those words and it is about time.”

The emphasis on “time” is telling. The exclusion of women and people of color is often explained by appealing to history. Legal restrictions from earlier eras—like restrictions on the franchise or certain kinds of employment—relegated members of these groups to second-class citizenship. With the removal of these barriers, the reasoning goes, the excluded can catch up, discrimination against them will fade, and equality will follow. Harris and Pelosi represent this forward march of progress, as do the women who broke glass ceilings before them.

In her 1999 article, Jane Mansbridge takes historical exclusion as her point of departure, arguing that second-class citizenship justifies temporary investment in mechanisms to ensure political representation on the basis of gender and race. Second-class citizenship has left marginalized groups’ interests off the policy agenda, reinforced notions that certain groups lack the ability to rule, and

fomented distrust between marginalized group members and political elites. As a result, Mansbridge argues, policy makers should hurry history along by ensuring the election of descriptive representatives.

Yet Trumpism laid bare that, among Republican Party elites, white male dominance is not a historical artifact that time and opportunity will eventually correct. Rather, the absence of women and people of color seems intentional, because those with power do not want marginalized groups' identities and interests represented. Reading Mansbridge's 1999 piece in this light raises a critical question: how does the case for descriptive representation change when those in power reject and work against inclusion's normative and substantive value?

We call such efforts "bad faith exclusion," to distinguish them from the path-dependent exclusion that characterizes other accounts of marginalization. For actors practicing bad faith exclusion, second-class citizenship is not a historical artifact, but a foundational and essential element of the political system. Bad faith exclusion existed before Trumpism, but Mansbridge's essay did not examine how the imperatives to preserve patriarchy and white supremacy would cause some political actors to resist, halt, or rewind progress. Mansbridge's articulation of descriptive representation's social goods remains central to understanding why inclusion matters, but in assuming that dominant-group members are willing to hear and learn from marginalized citizens, her essay overlooks power and how it serves to protect entrenched interests. Factoring in bad faith exclusion means that descriptive representation requires strong safeguards, suggesting that mechanisms like gender quotas—about which Mansbridge expressed skepticism—may be needed to secure the participation of marginalized groups.

An Optimistic Take on Exclusion

Mansbridge argues that descriptive representation rebuilds trust among excluded groups, facilitates the articulation of marginalized groups' policy interests, transforms social meanings about which groups can rule, and improves democratic legitimacy by helping all citizens feel represented. For Mansbridge, members of the dominant group are often blind to marginalized groups' concerns and interests, but they are able to "get it right" once descriptive representatives are present.

Take her example of Senator Birch Bayh's failed efforts on the Equal Rights Amendment (ERA). In 1970, Bayh offered an alternative wording that "would undoubtedly have greatly clarified the uncertainty that became one main cause for the ERA's failure to be ratified in the states" (Mansbridge 1999, 643). Yet Bayh could not communicate the benefits of his revision effectively: women's movement leaders did not trust him, especially given his staffer's use of sexist commentary. The historical exclusion of women from the Senate had created a "chasm" between women activists and men legislators that Bayh could not overcome. Mansbridge neither excuses nor minimizes this chasm; its very existence explains why a hypothetical progressive woman senator would have

succeeded where Bayh failed. Nonetheless, Mansbridge implies that Bayh—a progressive and an ERA supporter—acted in good faith.

Mansbridge expresses similar optimism that dominant-group members will learn from descriptive representatives. She describes the 1993 Senate vote against renewing the design patent for the United Daughters of the Confederacy. Carol Moseley Braun, the only Black senator at the time, “argued vehemently against the Senators legitimating the flag by granting this patent, and succeeded in persuading enough senators to reverse themselves to kill the measure” (1999, 646). The point is not that Moseley Braun persuaded all senators—surely the bill’s sponsor, Senator Jesse Helms, remained unmoved—but that she forced a reckoning with Black Americans’ aversion to the Confederate flag. Had Moseley Braun not been present, the sentiments of Black voters would have remained unrepresented in a debate among mostly white senators.

Central to Mansbridge’s argument is that, while inclusion matters for the dignity and belonging of the marginalized group, inclusion also changes the dominant group’s views and leads to better policy. Black Americans did not need Moseley Braun to tell them how to feel about the Confederate flag—white Americans did. Women watching the 1991 Anita Hill hearings did not need six congresswomen charging up the Capitol steps to know that Hill was receiving poor treatment—men did. As Mansbridge (1999, 651) notes, descriptive representation matters for “changing the psychology of the ‘haves’ far more than the psychology of the ‘have nots.’” She assumes (or hopes) that the dominant group’s perspectives will shift, and that inclusion will lead to justice.

The Persistent Problem of Bad Faith Exclusion

Yet what happens when the dominant group’s psychology is not just sticky for path-dependent reasons, but firmly committed to white supremacy and patriarchy? In our opening examples, certain Republicans exclude marginalized group members deliberately, because they place no value on descriptive representation. When they do include members of historically marginalized groups, they choose representatives whose views align with existing power structures, keeping white supremacy and patriarchy intact—as with the selection of Amy Coney Barrett to the U.S. Supreme Court. We call these maneuvers “bad faith exclusion,” viewing such exclusion as analytically distinct from the historical exclusion that Mansbridge assumes. Those practicing bad faith exclusion want to preserve political power for those who have always been in charge: elite white men.

We concur with Mansbridge that some political leaders do come to appreciate and even champion inclusion. Consider Joe Biden: the Senate Judiciary chair who failed to protect Hill from character assassination became the presidential nominee who subsequently chose the first Black woman vice president. Yet bad faith excluders do not “evolve” and therefore cannot be moved by appeals to descriptive representation’s social goods. Indeed, the Republican Party increasingly maintains its popularity by appealing to white nationalism and patriarchy (Schaffner, Macwilliams, and Nteta 2018).

Of course, exclusion produces the very social ills that Mansbridge warns about, like jeopardizing citizens' trust and undermining democratic legitimacy. During the Trump presidency, for instance, women were less likely than men to trust information from political leaders and public officials (Pew Research Center 2020). More generally, survey respondents view all-male decision-making bodies as less legitimate than gender-balanced institutions (Clayton, O'Brien, and Piscopo 2019). Yet bad faith actors willingly pay these costs, because others' second-class citizenship for them is not problematic—it is essential for preserving a political order that benefits dominant-group members. The veneer of inclusion is acceptable (and even desirable) as long as marginalized group representatives agree with and do not displace current powerholders. The kind of integration that would transform policy outcomes—the kind that Mansbridge envisions—is unwelcome.

Quotas are Less Fluid, but More Protective

The reality of bad faith exclusion challenges justifications for descriptive representation that hinge on changing the dominant group's views. Yet descriptive representation still matters. Descriptive representatives, particularly those whose views challenge existing power structures, remind elites and voters alike about the existence and realities of marginalized groups.

For instance, in 2019, Tim Scott—the lone Black Republican senator during the Trump and early Biden administrations—collaborated with then senator Harris and another Black Democratic senator, Cory Booker, to introduce anti-lynching legislation. Responding to accusations of insincerity, Scott replied, “To be considered a token piece of legislation because perhaps I’m African American ... I can tell you that [on] this day [the fifth anniversary of a shooting at a Black church in South Carolina] to have those comments again hurts the soul” (Sprunt 2020). The anti-lynching bill remained stalled until Biden signed the measure in 2022. That delay notwithstanding, descriptive representation acted as Mansbridge hoped, and was even manifested by a Republican senator within a party that otherwise has doubled down on exclusion.

The importance of descriptive representation—and the fact that bad faith actors can resist or manipulate inclusion—suggests that Mansbridge's endorsement of measures that hurry history along is too tepid. In Mansbridge's (1999, 652) account, descriptive representation entails costs like essentialism, and so “it would be wise, in building descriptive representation into any given democratic institutional design, to make its role fluid, dynamic, and easily subject to change.” Mansbridge therefore expresses the most enthusiasm about “enabling devices,” initiatives like candidate training programs and law school scholarships that help women and people of color overcome the structural barriers to elected office (653). Such measures bring marginalized group members into the electoral pipeline, but, unlike party quotas and legal candidate quotas, they do not lock in any particular form or level of descriptive representation.

Yet enabling devices only suffice if progress always moves forward. When Mansbridge wrote her piece, Congress was just beginning to diversify. Over 20 years later, despite the many pipeline measures in place, progress is

considerably lopsided. The Democratic House Caucus was 81% male and 74% white in 1999, but it had become 62% male and 57% white by 2020—while the Republican House Caucus was still 94% male and 95% white (Brookings Institution 2021).

Accounting for bad faith exclusion means that pipeline measures will never suffice for hurrying history along, strengthening the normative case for candidate quotas. The persistence of second-class citizenship means that quotas—the “less fluid” measures about which Mansbridge expressed skepticism—are central to achieving descriptive representation’s goals. Locking in descriptive representation guarantees minoritized groups seats at the table and ensures the within-group diversity that Mansbridge rightly emphasized. While some descriptive members will identify with existing patriarchal and racist power structures, more descriptive representation likely yields more heterogeneity of views, with those who embrace the status quo sharing space with those more attuned to injustice.

These arguments for gender quotas are echoed by new approaches in gender and politics scholarship, which set aside path-dependent accounts of marginalization and center the maintenance of patriarchal and white supremacist power. Political institutions and the actors who control them resist inclusion unless directly compelled. And though such resistance remains ever-present, descriptive representatives’ presence provides a powerful reminder that the polity is not, in fact, all white and all male.

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Cite this article: Amanda Clayton, Diana Z. O’Brien, and Jennifer M. Piscopo. 2023. “Exclusion by Design: Locating Power in Mansbridge’s Account of Descriptive Representation.” *Politics & Gender* 19, 1251–1255. <https://doi.org/10.1017/S1743923X22000605>