

The Role of Representative—Trustee

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 opinions high respect; their business unremitted attention. It is his duty to sacrifice his repose, his pleasure, his satisfactions, to theirs—and above all, ever, and in all cases, to prefer their interest to his own.

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. These he does not derive from your pleasure—no, nor from the law and the constitution. They are a trust from Providence, for the abuse of which he is deeply answerable. 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.

My worthy colleague says his will ought to be subservient to yours. If that be all, the thing is innocent. If government were a matter of will upon any side, yours without question, ought to be superior. But government and legislation are matters of reason and judgment, and not of inclination; and what sort of reason is that in which the determination precedes the discussion, in which one set of men deliberate and another decide, and where those who form the conclusion are perhaps three hundred miles distant from those who hear the arguments?

To deliver an opinion is the right of all men; that of constituents is a weighty and respectable opinion, which a representative ought always to rejoice to hear, and which he ought always most seriously to consider. But *authoritative* instructions, *mandates* issued, which a member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the clearest conviction of his judgment and conscience; these are things utterly unknown to the laws of this land, and which arise from a fundamental mistake of the whole order and tenor of our constitution.

Edmund Burke, Speech to the Electors of Bristol (1774), reprinted in Ross J. S. Hoffman and Paul Levack, (eds.), *Burke's Politics* (New York: Alfred Knopf, 1949), pp. 115–116.

The Delegate

I want to express their views rather than my own. On a controversial matter I'll vote the way I think the majority want even if I personally disagree.

I voted once against my own will to favor my constituents. I wrote a letter to the papers about whether they wanted a State Board of Education appointed or elected, and asked them what they wanted me to do. I favored an appointed board, but they, a preponderance of them, said an elected board. When it came to the decision, I voted for the elected board. I feel that when a fellow represents a section, he should represent their feelings and try to find out their feelings.

John C. Wahlke, Heinz Eulau, William Buchanan and Leroy Ferguson, (eds.), *The Legislative System* (New York: John Wiley, 1962), p. 277.
