One of the problems of democratic representation has to do with how representatives should choose among competing alternatives in matters of public policy. Are representatives to choose what is in the people’s true interest or are they to choose the expressed desires of the people? People normally understand a representative as someone who does solely what her constituents expressly demand or desire. Sometimes, as a result of lack of adequate knowledge of their true interest, it may turn out that their expressed interest or desire may not capture their genuine or true interest. It is also sometimes difficult to know what people’s desires are with respect to matters of public policy, because there is usually no approximate unanimity or majority agreement on a specific desire or interest. Moreover, their desires or interests may be at odds with the national interest. The contemporary American philosopher J. Roland Pennock addresses these problems regarding political representation. He starts by addressing the question of what it means to represent others. In doing so, Pennock does a conceptual analysis of the notion of representation by articulating what a representative must do in order to be deemed a responsible official who truly represents other people or their interests.

Pennock articulates a set of norms or prescriptions that officials must abide by in order to truly undertake the task of representing others. The set of norms, Pennock argues, applies to all people or officials in government—even those who are not elected. He argues that the normative notion of representation applies to both elected officials in a democratic context and non-elected officials; indeed, all officials in government may serve in representative functions without being necessarily elected. They are representatives in the normative sense of abiding by a set of norms. Pennock argues that a Hobbesian Leviathan or medieval king had some legitimate authority in the sense in which he may be said to be representative of the people he has authority over. The notion of legitimacy or representation has a normative basis which requires that a representative supports, stands for, and is responsive to the interest of the represented, and that the representative is in some sense autho-
rized to act on behalf of the represented—within the context of some stated or implied limits.

In this regard, the notion of representation does not depend on an externally imposed, explicit mandate from the represented. There is an internally imposed moral sanction that allows representatives to have discretionary power to act in a way that may not be mandated by the represented. This is important because the reality of representation is that there is usually no consensus among a large number of people regarding how a representative should act, and there may be a substantial difference between people’s desires and their real interest. Moreover, the desire and interest of people in a locality may be at odds with the interest of the nation, and a representative will have to decide which policy to choose in order to adequately and responsibly represent all people. This requires that the representative make the most informed decision based on the best all-things-considered judgment, which involves weighing advantages and disadvantages. Pennock argues that democratic representation is not a case of being a delegate or trustee, which requires that the representative is powerless and unable to use discretion to make decisions on general issues on the basis of her own rational thinking, informed by discussion and deliberation. So, the nature of political representation depends on the nature and context of the representation. The idea of representation may be couched in terms of accountability and it may be achieved in various contexts through various channels.

As you read Pennock, consider and reflect on the following questions: What is the role of a representative? Is such role different from that of a delegate or trustee? How does the distinction between people’s true interest and desires raise problems for democratic representation? Can there be representatives in a non-democratic government?

“Our common conceptions of representation are obsolete.” So declared Heinz Eulau at a recent meeting of the American Political Science Association. . . .

A few years ago, H. B. Mayo reached a similar conclusion. “Democratic theory,” he wrote, “has little to gain from talking the language of representation, since everything necessary to the theory may be put in terms of (a) legislators (or decision-makers) who are (b) legitimated or authorized to enact public policies, and who are (c) subject or responsible to public control at free elections. The difficulties of policy-makers
are practical,” he continued, “and there is no need to confuse demo-
cratic politics by a theory that makes the difficulties appear to be meta-
physical or logical within the concept of representation.”

Statements like these, coming from both empirical and theoretical direc-
tions, might well give pause to anyone who would give further serious
consideration to the subject. . . .

My argument will proceed along two lines. The first will point out that
parts of the government other than elected representatives (members of the
legislature) serve representative functions and that the concept of representa-
tion then links or relates to each other these various carriers of representative
roles. The second point will be that even the personnel more specifically
thought of as “representatives,” i.e., members of an elective legislature, have
various roles from which frequently emerge conflicting directives that can
be reconciled only by reference to some superior set of norms. It is sug-
gested here that, in some measure, the concept of representation, considered
in the specific contexts in which it is applied, provides this superior set of
norms. Much that would be hopelessly vague considered in the abstract
becomes more precise in actual application. In making this second point I
shall give some indication of the relation between the theory of representa-
tion and certain analyses and empirical studies of legislative roles.

To guard against misconceptions, certain explanatory notes are in order
here. In the first place, I assume that the word “representation” may not
always have had the same meaning and that it may not always mean the
same thing today in different countries. Where the context does not indicate
otherwise, I am speaking of Anglo-American usage in the twentieth century.

Second, while I shall deal mainly with the “concept” of representation, I
shall refer also to various “theories” of representation. The two may be kept
mutually distinct, but they tend to merge; and just where the line is to be
drawn between them is in a measure arbitrary. For instance, if the word
meant—as it does not—that a “representative” was a person who should do
what and only what his constituents demanded of him, one would not need a
“theory” about his proper role. The substance of such a theory would have
been incorporated into the definition. If, on the other hand, the word meant
that a representative was a person empowered to do whatever he chose on
behalf of those whom he represented, and this was all it meant, then only a
theory about how representatives should behave could supply such a norma-

“Political Representation: An Overview,” by J. Roland Pennock, reprinted from Nomos X: Rep-
tive element. In other words, in default of general agreement upon a single theory, no theory would become part of the definition, but the latter would tend to be supplemented by two or more alternative theories. Incidentally, this explains why I said above that representation “may” not always have had the same meaning. Whether the meaning of the term itself varied depends upon how much of the attendant theory one tries to pack into the definition.

Finally, as has been already implied, it will not be argued that all elements of vagueness can be eliminated from the term. Nor is vagueness always a vice; indeed, in moderation, it may be a virtue! Ponder that popular (and useful) term in modern political science, “consensus”; or consider “power,” “liberty,” “cleavage,” or “the public interest.” Imprecise terms, in this case terms that lay down a standard (as contrasted with a rule) of conduct, often have the virtue of holding together, before the mind’s eye, related though distinct ideas. They show linkages and continuities that might otherwise be overlooked. Synthesis as well as analysis has its uses in contributing to the understanding of systems of all kinds, including political systems. As the use of the word “standards” may suggest, terms with some element of vagueness are especially likely to be required where norms are involved, but the examples of “power,” “consensus,” and “cleavage” show that not only normative terms are difficult to render precise.

**Political Representation Not Confined to the Democratic State**

In considering political representation in its broadest sense, we should remember that the idea of political representation is by no means modern or confined to the democratic state. In a proper use of the word, all legitimate governments are “representative.” Thus medieval kings were thought to be made legitimate not only by hereditary right and divine ordination but also by the acclaim of the nobles. They owed their authority also, at least in some dim past, to the people more generally, or so it was widely held. It was part of their office as well to see that justice was done, “to protect the poor as well as the rich in the enjoyment of their rights.” Even that great apostle of Divine Right, James I, considered himself trustee for the realm, though accountable to no one but God for the execution of that trust.

Thomas Hobbes, absolutist of a different sort, insisted that his sovereign was representative of the polity, having been authorized to rule by the unanimous voices of the citizenry. While, as Hanna Pitkin says, this was “formal”
rather than “substantive” representation, and is an example of the opposite of
the delegate theory of representation, yet Hobbes’ sovereign, like James I,
had a duty to maintain justice and serve the interest of the people, it being
understood (as far as Hobbes is concerned) that their primary interest was
security. . . .

It will be noted that the two main claims of monarchs and dictators from
which their legitimacy appears to have derived were (1) the contention that
they stood for, gave expression to, and supported the interests (and, we
should add, ideals and aspirations) of their people; and (2) the argument that
they were in some fashion authorized to act (generally within variously
stated or implied limits) in their behalf. All this is not of mere historical
interest, nor applicable only to non-democratic states. All regimes obtain
legitimacy by being in some degree representative or at least convincing
their subjects that they are. One of the traditional arguments for absolute
monarchy has been that the monarch could have no interest that conflicted
with that of the welfare of the realm, since his greatness varied directly with
its greatness.

As certain elements of the realm became dissatisfied with the operation
of this theory, they demanded a more responsive form of representation, one
over which they had control. Thus today the man in the street tends to think
of elected officers and especially of the elected legislature as the representa-
tive body and of its members as the representatives. Elections are thought of
as providing the great sanction for assuring representative behavior. Above
all else, they supply the element of authorization, keeping it current. It is rea-
onable to believe that they tend to secure governmental action in the interest
of those whom they are supposed to represent, both by enforcing account-
ability and by giving some indication of what the people consider their inter-
ests to be.2

THE BUREAUCRACY AND REPRESENTATION
Yet it would be a great mistake to assume that elections are the only means
by which persons in positions of authority are encouraged to act representa-
tively, even today, or that elected officers are the only ones whose behavior
is in a measure representative. Members of the bureaucracy, even though
they may be practically immune from even indirect elective pressure, are
expected to exercise their discretionary authority subject at least to some
guidance by the norms of representation.3 . . . However, in one of its mean-
ings, the concept of representation is normative in the ethical sense; and like
all such norms, it has a certain force of its own, without reliance upon externally imposed sanctions. This, of course, is not to deny that the discretionary powers delegated to administrative officials may not in some cases be so great that internalized norms (either of a representational or of a professional variety) are an inadequate assurance of representative behavior.

In arguing that administrators, especially those having broad discretionary powers or exercising great influence on the making of policy, are acting in a representative role, I do not mean that this is the only role they play or even that the role in this context calls for the same behavior as it would in a legislative context. The circumstances associated with the establishment of the authority in question, especially the terms of the basic legislation, may indicate that the wishes of a particular segment of the polity, perhaps a particular industry, are to be given exceptional weight in the exercise of this authority. Or they may suggest that representation in this case should veer sharply away from the responsiveness-to-desire pole toward that of estimation of public interest.

A rather different situation, which also frequently leads to the demand for a more “representative” bureaucracy, is found where a new policy has been established, let us say for the benefit of some group deemed to be especially in need of governmental assistance. This demand may result in the creation of a new agency, independent of other departments and staffed as far as possible by personnel who are highly sympathetic with the new policy. They may therefore be expected to be especially concerned to find out the desires and interests (particularly the “needs”) of the group in question. The “poverty program” and its Office of Economic Opportunity provide an obvious example.

**Elected Representatives: General Theory**

Let us turn to my second theme, elected representatives, which has already been briefly introduced. First, in speaking of “elected representatives” I am referring to members of a legislature with power, collectively, to make laws and determine national policy. In principle, elected representatives need have no such power. They might be simple advisory or expressive. Thus a modern elective legislator—at least in the Anglo-American tradition—is not simply a representative. He has powers that do not necessarily adhere to representing. Those who seek to represent large numbers of people are bound to find that consensus, even majority opinion, is often lacking. Likewise they may be convinced that what their constituents seem to desire and
what is in their real interest or in the national interest, as the case may be, are far apart. In either case, the optimal performance of their function calls for leadership, for forming or re-forming public opinion, and for building consensus, thus easing the task of representation by lessening the tension between its frequently conflicting norms of reflecting constituency desires and pursuing constituency and national interest. That is to say, the very fact that representatives are severally related to distinct localities strongly implies that they have a special obligation to look after the desires and interests of the people in those localities (or the national interest as seen by the voters in those localities). Clearly, at least in the United States, this is the accepted theory. The difference between the United States and Great Britain will be discussed later on.

We now have the outlines of four distinct theories about the duty of a representative. These theories may be stated in the following propositions:

1. The representative should act in support of what he believes an effective majority of his constituency desires.
2. The representative should act in support of what he believes is in the constituency’s interest.
3. The representative should act in support of what he believes the nation (or an effective majority of it) desires.
4. The representative should act in support of what he believes is in the nation’s interest.

It will be observed that these theories rely heavily upon the distinction between “interest” and “desire.” Because the first of these terms, in particular, is notoriously ambiguous or vague, I must digress to discuss the meaning intended here. I believe that for present purposes the world’s ambiguities can be confined within reasonable limits. When I speak of the “interest” of a person, or a constituency, or a nation, I mean “advantage.” An action, policy, law, or institution is in the interest of a person if it increases his opportunity to get what he desires, including the realization of his aspirations and ideals. To spell this out a little further, the distinction I am intending to make between “desire” and “interest” is the distinction between what is immediately demanded and what in the long run, with the benefit of hindsight, would have been preferred, or would have contributed to the development of the individual into a person capable of making responsible decisions.
If, after the representative has done his best to form an enlightened opinion, he believes that a given measure would in fact improve, for example, the economic or educational level of his constituency, other things being equal he would be entitled to conclude that it is in their interest. Of course, most of the time he will be making the kind of judgments that involve weighing an advantage against a disadvantage (both being incurred by the same course of action), just as an individual tries to decide whether something is in his interest. All that can be demanded is that the representative make this kind of judgment as wisely and impartially as he can. In most cases the standard will not be more vague than the one we all must use for our private choices. The same will be true when a decision must be made between what is judged to be a great advantage for a sizable minority and a lesser advantage for a bare majority. All this must be within the framework of what the society in question has established (whether or not in the form of a written constitution) as proper for the state to do—i.e., it must respect recognized rights.

To return now from definitional digression to our discussion of theories of representation, it is well known that American legislators do not all adopt the same theory. At least, when they are asked about how they view their roles, some stress the delegate concept, while others say they consider themselves trustees. . . . The thesis that will be advanced here, however, is that, regardless of what they may say, legislators in fact do not have this wide a choice. It will be argued further that the common understanding of representation itself, shaped partly by the circumstances, provides guidance, even though the area of “common understanding” is not complete.

**Delegate Versus Trustee**

Among these theories, it is probably safe to say that the dichotomy between acting as a delegate and acting as a trustee is most fundamental. It also seems clear that neither pole of this dichotomy is adequate to explain democratic representation in the modern Anglo-American tradition. For a representative to act purely and simply as a delegate would be to make him functionless most, if not all, of the time, for it is seldom clear precisely what a constituency, or even its majority, wishes. Most of the individuals who compose it either do not know enough or do not care enough (or both) about the issues on which their representatives must vote to have clear opinions of their own; and even when opinions are formed, a majority is likely to be lacking. Representing a constituency is not like representing a client, whose wishes, on a single issue at least, are presumably unitary. A constituency, on the contrary,
is rarely unified, even on a single question. Of course, in some cases a clear majority has a definite view on an issue. It might be argued that in such cases the representative should act as a delegate, supporting the majority’s desires even though he believes these desires are contrary to their own interests. Thinking for himself and deliberating on the basis of discussion with others, in other words, should be reserved for cases where no clear majority opinion unopposed by an intense minority exists.

But the interest pole of the desire-interest axis is also untenable... In fact, it appears to be generally agreed that representation in a democratic context makes the satisfaction of popular desire itself a legitimate interest, thus blunting the sharpness of the contrast between representation of desires and representation of interests. It seems clear, then, that the proper role of a political representative today is generally believed to fall somewhere between these poles, as several contributors to this volume maintain. Thus, it is argued here, the prevailing concept of political representation itself gives some guidance for the reconciliation of these conflicts.

As another example, let us consider proposed anti-closed-shop (“right-to-work”) legislation. We shall assume a widespread popular prejudice against the closed shop, while the pressure groups of business and organized labor (the latter being considerably the larger but a minority of the electorate) line up, respectively, pro and con. This case is in some ways similar to the preceding one; but the question of “interest” here is much less susceptible to objective determination, and opinion among the experts is more sharply divided. Assuming that the vote must be “yes” or “no,” the presumption would appear to be for following the legislator’s own instructed judgment of what was in the constituency’s interest.

But now suppose that a substantial segment of business sided with labor on the issue (finding that the closed shop made for greater stability of labor relations). In this situation, even though the two made up only a sizable minority of the electorate, there would be a strong argument that representation of the people (a weighted amalgam of their desires and their interests) called for siding with the minority, unless the legislator’s own instructed judgment of constituency interest pointed strongly in the opposite direction.
The very way in which these hypothetical cases have been discussed indicates that the concept of representation, while giving a fairly clear answer to some of the dilemmas created by the multiple roles that a democratic legislator must play, is bound to leave large gray areas. Two devices for narrowing these areas are open to him. First, he may (and should) exert leadership in his constituency to narrow the gap between effective desire and constituency interest as he perceives it. The second means, likely to be effective in more cases than the first, is to find some accommodation between the opposing groups, some modification of the original proposal that, at best, might accomplish what each was really after and, at the least, might minimize the frustration of one side without seriously alienating the other. In the case of the anti-closed-shop proposal, a law that permitted the union shop might fill this requirement.

Yet even the requirements imposed by the existence of a group of friends in the legislature who frequently support each other’s interests in very informal return for like conduct on the part of other members of the group may be indirectly in the interests of the constituents of each of these members. Thus, whether or not the “consensual role” is thought of as distinct from “representation,” it in fact may, and, I would argue, should, serve the same ends and be subject ultimately to the same tests of correctness. It is useful to point it out as a separate item; but it would be a mistake not to recognize it as a part of a larger whole whose norms help to define its legitimate claims.

Now a word about electoral considerations, a factor that was deliberately put aside in the preceding discussion. Suppose that our model representative, having made the kind of analysis we have been discussing, decides that he ought to vote for X. At this point he considers the probable effect of this course of action on his chances for re-election and decides that they will be decidedly diminished. What effect, if any, should this have on his decision, if he is to stick to the norms of “representing”? In the first place, it might properly serve as a warning to recheck his previous calculations and judgments. Perhaps he had misjudged the intensity of certain desires. Assuming, however, that he found no reason to alter his appraisal, he might have decided to support what he felt to be the true interest of his constituency against its own misguided judgment (for example, in the fluoridation case). Now if indeed he were convinced, after careful study, that this would cost him his seat, should that fact, within the norms of representation, affect his decision? (We must assume that his vote in the legislative body might determine the outcome.) It would appear that the only rational way for
him to go about answering this question would be to estimate the alternative
to his occupying the seat and the balance of representativeness for the con-
stituency, on all issues, if his opponent held it. By this judgment, barring
party and national interest considerations, to be discussed below, he must be
bound. In considering the practical operation of this formula, it must be
borne in mind that if, for example, voting for fluoridation would cost him his
seat, it is highly probable that his opponent would also vote for fluoridation.4

But one must consider the question of whether in certain instances a rep-
resentative may have a higher duty than to represent his constituency (still
putting aside considerations of party and national interest). . . . He faces a
dilemma in which he must choose between ethical norms, a not unusual cir-
cumstance in life, and he must work out his solution by calculating and
weighing consequences or by whatever other means his ethical principles
may demand.

What about the relation of a representative to the minority in his con-
stituency? Do people who did not vote for him and do not expect to vote for
him have any claim upon him? Should he take their desires or their interests
into account? If we speak now of their desires insofar as they are opposed to
those of the majority (and no more intense) and of their interests insofar as
they are in irreconcilable conflict with those of the majority—and this is a
substantial narrowing of the issue, justified by what has already been taken
into account by the preceding analysis—the answer would seem to be that
the minority is entitled to consideration within the bounds set by the underly-
ing consensus in the society in question. In addition to recognized rights, this
consensus would normally include commonly accepted notions of justice.

Thus a geographically isolated minority would have a claim on all rep-
resentatives to supply them with police protection—or bomb shelters—in
the same proportion to need as in other parts of the country. At least as far as
desire rather than interest is taken into account, this may seldom be a real
issue, for one would not normally expect to find situations in which common
notions of justice were accepted and yet the majority desired to neglect a
minority in this way. Still, consideration of the treatment of Negroes in many
places suggests that a wide gap between the implications of generally
accepted standards and expressed desires is quite possible.

**District Versus Nation**

The second big problem for representational theory, after that of desire ver-
sus interest, is that of part versus whole, constituency versus nation. The ten-
sion appears only as one moves toward the interest pole of the representa-
tional standard; for no one would think that a representative should be influ-
enced, per se, by the demands (as distinct from the interests) of any 
constituents but his own, even though they included every citizen of the 
country save his own constituents. But let us suppose it is a question of a 
direct conflict between what he is convinced is the national interest on the 
one hand, and, on the other hand, what both he and his constituents are con-
vinced is their interest. What then?

The situation posed is not likely to occur very often. On most questions 
the constituency will not be looking. That is to say, very few of its members 
will have any opinion; nor would an impartial observer believe that the pub-
lic policy issue involved raised any question of conflict between the con-
stituency and the nation. So we are dealing with the exceptional situation. 
We are not here considering the question of whether the representative 
should act solely as a delegate. As at least a partial “trustee,” he must inform 
himself so that he can determine the constituency interest. As a member of a 
deliberative assembly he should also discuss the matter with his colleagues 
in further search of sound judgment. But beyond all this, does his member-
ship in an assembly with responsibility for national policy imply pursuit of 
what Burke called the “general reason of the whole”? Perhaps it would be 
better to ask, as we did when discussing obligations toward the minority: 
What is the underlying consensus on the subject in this society? Some obli-
gation on the part of all to support the welfare of the whole is implied by cit-
izenship in any body politic. Without it a body politic would not exist. 
Surely, then, persons who are selected to represent others in the government 
of that body politic must, inter alia, be expected to represent their interest in 
and obligation to the whole (even when the constituents themselves might be 
inclined to overlook it).

This much would appear to be clear. The strength of the obligation of a 
representative to support the national as opposed to the local interest, where 
the two clearly conflict, is a function of several factors. First of all, it must be 
judged in terms of some inevitably crude estimate of the strength in the par-
ticular case of each of the interests involved, local and national. Second, the 
system of government itself is relevant. In Britain, Parliament (including its 
“Government”) is the only vehicle for representation in the legislative pro-
cess. In the United States, on the other hand, the division of labor and 
responsibility among President, Senate, and House of Representatives some-
what alters the situation, the implication being that the representatives of
lesser areas than the whole have some special obligation to espouse local interests. Finally, it is partly a matter of the strength of the particular national consensus. It would appear at least a priori probable that the national consensus in Great Britain is stronger than it is in the United States.

Furthermore, it is perhaps fair to say that where a strong and highly visible local interest seems to be opposed to the national interest, the representative may have to face the possibility of defeat at the next election and thus be forced to make the kind of calculation of alternative that has been described here. Frequently, too, it may be fruitless or detrimental for the representative to vote for the national interest against that of his constituency. Take the case of pork barrel legislation. It may be assumed that the net effect of the legislation will be detrimental to the national welfare but beneficial to the constituency of the representative in question. It is likely that if, during the bill’s formulation, he refused to commit himself to support it, he would lose his district’s “pork” while not defeating the bill. Under such circumstances, the only effective line for the representative to take is to try to combine with other representatives to create institutionalized procedures to inhibit this sort of legislation. It is a measure of the “national” consensus in Britain that, in the form of the procedure for private bill legislation, just such action has been taken.

In conclusion, it will be recalled that this essay began by considering the way in which a regime as a whole is representative. It now appears that the representativeness of a modern democratic government is not achieved through any single channel. In the United States, three sets of constituencies elect representatives at the federal level alone. Moreover, the bureaucracy, and an informal but effective additional form of representation, that of organized groups, provide other avenues of representation. There is good reason for this variety. For a person to be represented with respect to all of his interests with which government concerns itself is immensely difficult and inevitably partial and inaccurate, as Rousseau recognized with typical hyperbole. Accountability enforced by elections is one device, a crude one, for making government representative. It has been suggested here that an idea of what representation means, a set of ethical norms, also plays a role. The existence of numerous and varied avenues of representation, each by virtue of its own peculiar nature, seeing, reflecting, attempting to effectuate a slightly different facet of that great conglomerate of desires and interests that make up the electorate, probably produces a more tolerable result than could be accomplished by any one of them alone.
ENDNOTES


2 Hard data on such questions of causation are difficult to secure. It was V. O. Key’s cautious conclusion, after surveying the data, that constituency opinion is one of the factors influencing the votes of legislators. He also concluded that legislators frequently have considerable freedom of choice (freedom from constituency pressure) and that they tend to exercise this choice in a way that suggests a relation between the votes they cast and the characteristics of the constituency (as revealed by demographic data).

3 It is at least an arguable position to contend that, as the policy role of bureaucracies in both England and the United States has increased, and as this role has become more widely recognized, the ideal of administrative “neutrality” has weakened and the demand to strengthen popular control over those administrators who in fact make policy in important matters has grown. One thinks, for example, of Britain’s recently created specialized select committees for the supervision of administration. . . .

4 It is because electoral considerations do play this role, which it is argued here they should, that the matter of apportionment . . . is important. It must be recognized, however, that evidence may be found in support of the proposition that well-apportioned and malapportioned legislatures arrive at very similar policy results. Insofar as this finding is generally true, it is at least consistent with the proposition that ethical norms of representation are not without effect.

5 To have considered the judiciary, especially in the United States, as itself being, in a measure, a representative organ would not have been inaccurate but would have extended the essay beyond reasonable limits. It should at least be noted, however, that in the very decisions considered in this volume—those dealing with the apportionment of legislative representatives—the court was acting in a way it considered representative of the democratic ideals. It attributed these ideals to the Constitution, but perhaps one may be forgiven for suspecting that it found them in the evolving Constitutional morality of the nation rather than in the words of the document or the intention of the framers.