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Peter P. Houtzager and Adrian Gurza Lavalle
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Summary

The growth of participatory governance has had the unintended consequence of spawning complex new forms of political representation. The participatory governance structures that have emerged alongside classic institutions of representative democracy encompass not only direct citizen participation but also political representation by civil society (collective) actors. Using original data from Brazil, we show that many of these collective actors engage in what we call 'assumed representation'. In contrast to political parties and labour unions, these actors lack widely accepted and historically consolidated mechanisms through which their publics can authorise representation or ensure accountability and responsiveness. In particular, most do not rely on formal electoral or membership mechanisms. This layer of collective actors therefore faces a historic challenge – the construction of novel notions of democratic legitimacy that can support their forms of representation. The survival of the democratising current of which they are a part depends in some measure on how this challenge is met. We examine what new notions of representations are emerging in participatory governance structures and trace the historic roots of the most widespread and promising, that focus on remedying inequality in access to the state.

Peter P. Houtzager is a Fellow at the Institute of Development Studies (IDS) and is widely published on the relation between collective action and political institutions, the politics of inclusion, and empirical forms of civil society and citizenship.

Adrian Gurza Lavalle is Professor in Political Science at the University of São Paulo, and a researcher at the Brazilian Center of Analysis and Planning (CEBRAP). He has published extensively on civil society politics, the public sphere and institutional innovation in democracies.

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Acknowledgements

1 Introduction

The growth of participatory governance has led to an unintended pluralisation of political representation in contemporary democracies. Democratic reforms meant to, among other things, enhance citizens' direct role in making public decisions and monitoring their execution, have had the unintended consequence of spawning complex new forms of political representation. Broad spectra of actors, institutional loci, and functions of mediation have emerged alongside classic institutions of representative government to form a new structure of participatory governance that encompasses direct citizen participation and political representation by civil society (collective) actors (Cunill 1997; Dalton, Scarrow and Cain 2003; Gurza Lavalle, Houtzager and Castello 2005a; Isunza 2006; Manin 1997; Novaro 2000; Smulovitz and Peruzzotti 2000; Warren 2003).[1] This process appears to have gone furthest in some of the middle-income democracies, such as Brazil and India.

The new forms of political representation, however, pose a substantial challenge for democracy in low and middle income countries. The democratic reforms that created participatory governance institutions have been advanced on the terms they increase the responsiveness and legitimacy of state action, but the novel forms of political representation they have spawned generally have weaker claims to democratic legitimacy than the representative institutions they are meant to complement or, for some, supplant. Unlike the political parties or labour unions that mediate relations in the institutions of representative democracy, the layer of collective actors that mediate relations in participatory governance institutions, in countries such as Brazil, Mexico, and India, lacks the historically constructed and widely accepted obligatory mechanisms by which their publics can authorise representation or ensure actors' accountability and responsiveness.[2] These actors make a unilateral claim to represent the publics with which or for which they work, engaging in what we call forms of 'assumed representation'.

The challenge of political representation in the new structures of participatory governance is not a rhetoric resource we use for presentational purposes, it is a political and historical challenge faced by the societal actors engaged in the democratic reforms that move democratic representation and participation towards a more complex and diverse set of loci and functions. In the long run, if these actors are not able to contest and institutionalised novel notions of democratic legitimacy that support their representation, the democratising current of which they are such an important part may not last. Part of this challenge is faced in the symbolic realm of our understanding of democratic legitimacy.

The two main literatures that address contemporary democratic transformations and might explore this challenge, that on participatory democracy and on

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1 This new structure is conceived in numerous ways, depending on the particular empirical focus and theoretical predisposition of the authors: stakeholder governance, collaborative or co-governance, networked governance, and of course participatory and/or deliberative democracy.

2 See Houtzager, Gurza Lavalle and Acharya (2003); Gurza Lavalle, Houtzager, and Castello (2005a); Harriss (2004, 2005).

comparative democratisation, do not recognise its existence.[3] Studies of citizen participation do not recognise that political representation takes place in the new governance structures, which are seen as facilitating *direct* citizen participation. Studies of comparative democratisation only accept political representation constructed through the electoral arena or associational membership, and restrict analysis to changes in the party system and parties' relations to labour movements.

We argue in this paper that there are *no* widely accepted historical or theoretical models of political representation that fit the type of representation in which civil society actors engage today (Gurza Lavalle, Houtzager and Castello 2005a). The logic of the political representation by civil organisations is distinct from individual or direct citizen participation assumed in the literature on participatory democracy, and from the political representation of political parties or labour unions examined in the literature on comparative democratisation. Here we argue that, in contrast to what has occurred in these two literatures, the forms of political representation civil organisations undertake needs to be explored on its own terms, and their compatibility with democratic norms and processes assessed.

We examine to what extent the complex new world of political representation is producing changes in the *symbolic construction of democratic legitimacy*. In particular, we advance by focusing on representatives' subjective commitment to the people they represent. This subjective dimension becomes our guide in the absence of well defined or widely agreed on the institutional mechanisms that seek to ensure the behaviour of the representative is congruent with the interests of the represented. As actors assume the representation of their publics – that is, of particular population segments, identities or values – they publicly justify their status as representatives, making implicit or explicit claims about the basis of their *representativeness*. We identify the principal notions of representation these public justifications embody, and whether the actors who invoke these notions engage in actual activities during which representation is likely to occur. Finally, we examine the historical origins of the most novel and widely used notion of representation – that of *mediation*, based on need to redress inequality in access to the state. We do not, in this paper, explore how citizens – that is, the *represented* – perceive the forms of representation under-taken by civil organisations.

Empirically our focus is on the relations between civil organisations, the state, and their publics in the city of São Paulo, where we have conducted fieldwork over the past eight years. Yet parallel research in Mexico City and Delhi, reported elsewhere, shows similar patterns despite the significant differences in the relationship between civil society actors and the state. We report the findings from Brazil because the country is widely considered a global leader in large-scale participatory governance and our strongest findings are for the city of São Paulo, which has a particularly large, highly organised, and influential civil society.[4] Our analysis of the city's civil organisations is based on interviews with leaders of 229

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3   Notable exceptions, that address this phenomenon within political theory, include Urbinati (2006), Urbinati and Warren (2007), Castiglione and Warren (2006); Peruzzotti (2005).

such organisations, conducted in 2002. This sample was produced using criteria that favoured organisations that actively work with (or on the behalf of) the urban poor.

2 Bridging political representation and participatory governance

The two principal literatures that address the transformations in contemporary democracies – that on comparative democratisation and on participatory democracy – have, each in their own way, conceptualised the changes in progress so as to eliminate rather than address the challenge of political representation in participatory governance. Our approach is to explore empirically the notions of representation that are emerging in the structures of participatory governance, and analyse these in light of a classic debate on political representation, which clearly demarcates the constitutive tension in the relationship between representatives and the represented, and distinguishes between the subjective commitment of the former to the latter and the objective institutional mechanisms that seek to guarantee this commitment.

The response in the literature on comparative democratisation has taken place at two levels.[5] At one level, studies that explicitly focus on political representation attempt to provide interpretations of the transformations in progress at the level of the party system.[6] The changes are summarised as a redefinition of the relationship between elected representatives and represented citizens as political parties lose their centrality in organising the electorates' preferences and as an increasing personalisation of politics that is driven by mass media.[7] Within this perspective, representation is condensed in electoral processes and, at the extremes, may be enhanced by what O'Donnell (1998, 2005) calls horizontal

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4   For a discussion of Mexico City and Delhi, see Gurza Lavalle and Castello (forthcoming) and Harriss (2004 and 2005).

5   The literature on comparative democratisation is vast but includes work on deepening democracy (Roberts 1998; Heller 2001; Santos 2002), the crisis or reconfiguration of political representation (Roberts and Wibbels 1999; Roberts 2002; Hagopian 1998; Manin 1997; Przeworski, Stokes and Manin 1999; Novaro 2000; Miguel 2003a and b), social accountability (Arato 2002; Peruzzotti and Smulovitz 2002), democratic transitions and consolidation (Schmitter, O'Donnell and Whitehead 1986; Linz and Stepan 1996; Mainwaring and Scully 1995), and the quality of democracy (Diamond and Morlino 2005; O'Donnell 1993, 2005).

6   For an analysis of different indicators of the reconfiguration of representation, see Miguel (2003a) and Roberts (2002), in addition to Manin (1997: 193–234). Roberts and Wibbels (1999) provide an assessment of different types of factors that might explain this loss of centrality, including socio-economic structural factors, political-institutional, and performance of the economy.

7   Relations between representatives and represented have been studied exhaustively in the United States, with a particular focus on the relation between legislative decision making and preferences of voters. In this paper we consider a more recent set of studies on the reconfiguration of political representation, including those by Manin (1997); Przeworski, Stokes and Manin (1999); Novaro (2000); Miguel (2003a, 2003b).

accountability relations, the division of power within the state. This position is well represented by Przeworski (2006), who explicitly rejects political representation by civil organisations, because of the absence of any clear and obligatory accountability mechanisms. From this perspective there is no point in exploring a possible role in political representation outside of the well established channels of representative democracy.

The large numbers of studies at the regime-level explicitly explore political representation, but this is understood in terms of what Schmitter (1979, 1992) has called structures of interest intermediation. These studies have a far broader focus than political parties, as democracy is defined as a composite of sub-regimes of representation, which are understood as structures of interest intermediation (Schmitter 1992). The question of representativeness, which is constitutive of the notion of representation, is left largely unexplored.[8] That might be because interest intermediation arguments have a structuralist assumption that interests are objectively located in social structure and therefore emphasise the autonomy of representatives. These arguments see conflict between representatives, such as parties or interest groups such as labour movements, as faithful reflections of structural conflicts between the classes or social groups that are being represented. Thus, representation is said to occur when there is some congruence between the deduced interests and the actions of representatives or policies of government. A number of authors point to a crisis of representation, understood as the progressive effect of the erosion of political cleavages rooted in the world of work and of the connection between political parties and their historic social bases (Roberts and Wibbels 1999).

The literature on *participatory democracy*, in contrast, has focused on the role of civil society in participatory governance institutions, and in particular on direct citizen participation.[9] It has, however, paid little attention to the question of political representation. Direct citizen participation itself negates the idea of representation, as it centres on the direct involvement in the policy process of people possibly affected or benefited by public policies (Pitkin 1967: 8). There is no such a thing as self-representation; it is only possible to make one's-self present. In this case the strong normative commitment to direct participation hides an important empirical reality – that a large share of participants in participatory institutions are leaders of civil organisations who represent particular groups, values, or identities.[10]

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8   Exceptions include Friedman and Hochstetler (2002), and Chalmers *et al.* (1997).

9   The large body of work on participatory democracy includes, in addition to classic works such as Pateman (1970) and Macpherson (1978), that on empowered participation (Fung 2004; Fung and Wright 2003), deliberative democracy (Habermas 1995, 1998; Gutmann 1995); for an overview, see the works in the edited volume Schattan Coelho and Nobre (2004); and approaches to civil society such as Keane (1988) and Cohen and Arato (1992), and in Latin America, Avritzer (1994, 2003), Olvera (2003), Panfichi (2003), and Costa (2002).

10 Even in the case of participatory budgeting in Brazil, which is considered a model for direct citizen participation, leaders of civil organisations make up a large share of delegates and become dominant in successive rounds of the process. In the PB of the cities of Porto Alegre, Belo Horizonte, Recife, Santo André, and São Paulo, Wampler (2004: Table 3) shows, over half the delegates elected during the first round of the PB were leaders of civil organisations.

In studies that examine the role of civil society actors in policy processes or in forms of social accountability, the problematic of political representation by civil organisations is hidden by a view of these actors as a natural (or authentic) extension of the social or life world. The presupposition that civil society actors are a continuous extension of the social world eliminates the need to ask 'in whose name' do civil society organisations speak, and 'through what mechanisms' is their political representation authorised and held to account. The *separation* of representative and represented, a constitutive characteristic of the modern idea of political representation, does not exist in this conception, which conflates civil society with society itself.[11]

Our approach to understanding how civil organisations are attempting to resolve the challenge of representation in participatory governance differs from those taken in these two literatures. We believe there are no satisfactory criteria – either historically established or derived from democratic theory – by which it is possible to assess whether civil organisations are effectively representatives, or not. The existing criteria for establishing the democratic legitimacy of representative democratic institutions are historical products, the outcomes of contingent political contestation in the nineteenth and twentieth centuries that have, with time, acquired both broad political support and carefully elaborated justification in political theory. These criteria have become normalised or naturalised.

In the current historical moment, the pluralisation of representation points to the institutionalisation of representation within a new structure of participatory governance that sits alongside the executive, is exercised by a diverse set of actors, and seeks to influence the formulation and execution of public policy, as well as to exercise social accountability over its execution by public bureaucracy (Cunill 1997; Gurza Lavalle, Houtzager and Castello 2005b; Isunza 2006; Smulovitz and Peruzzotti 2000). The contest over what forms political representation by civil organisations should take in participatory governance institutions is, therefore, in full swing. The dust has not settled, so to speak, and no clear single model and accompanying set of criteria exist to assess the democratic legitimacy or quality of these novel forms of political representation.

In the context of this unsettled terrain we seek an analytic approach that allows us to make empirical progress in identifying the forms of representation that are in play *without* assuming a normative model of representation. An older, classic, debate on political representation provides a basis for such an approach: an inductive analytic strategy guided by the constitutive duality of the concept of representation, on the one hand, and the importance of representatives' genuine (subjective) commitment to the interests of the represented, on the other. Political representation has a constitutive tension between the representative's autonomy to act, an element essential to the ability to govern, and responsiveness to the

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11 Parts of the literature on participatory democracy are, however, beginning to address the question of representation (Hickey and Bracking 2005; Cornwall and Schattan Coelho 2007). For a review of the literature on civil society in Brazil, see Gurza Lavalle (2003a). For a critique of the narrow emphasis on citizen participation and civil society, see Houtzager, Gurza Lavalle and Acharya (2003) as well as Pinto (2004) for a similar critique of associative democracy and participation.

represented – that is, the mandate granted to the representative (Sartori 1962; Pitkin 1967). The tension between the autonomy of the representative and the mandate granted by the represented is at the core of political representation and defines its legitimacy or representativeness. How this tension is managed, and in favour of which pole, depends in part on how actors attempt to authorise and sanction representation.

The analytic strategy we adopt consists of shifting the question of represent-ativeness from the actual to the symbolic level, centering attention on the representative's public commitment to representation and the interests or well-being of the represented. It entails taking seriously civil organisations' self-definition as representative: actors' public acceptance or rejection of the idea of being representatives, together with the justifications or congruency arguments used by them to publicly defend the genuineness of their commitment to represent.

Civil society actors active in participatory governance institutions are themselves acutely aware of the challenge and have launched competing efforts to construct new forms of democratic legitimacy. These actors have put forth a diversity of partially constructed notions of representation that are used to publicly defend their representativeness. Examining these efforts can shed light on the emerging symbolic construction of democratic legitimacy.

The constitutive duality of political representation is the autonomy of the representative and mandate given by the represented (Pitkin 1967). The existence of representation does not guarantee representativeness – its correspondence to the will of those being represented – and the strength of representativeness cannot be accomplished by removing the autonomy of the representative. Sartori (1962) and Pitkin (1967) argue that maintaining analytically only one of the two poles in this duality is the quickest way to empty out political representation of its meaning – it either loses its substantive meaning of acting in the interests or on behalf of those represented, or it loses its political nature as institutional crystalisation for governing society.

Publicly assumed representation is not equivalent to effective representation, but commitment to the interests of the represented is a vital component of representation. Ultimately, Burke (1774) argues, the best measure to guarantee authentic representation – that is, its representativeness – is the existence of a genuine representative commitment. Given the contingent nature of this subjective factor, formal institutional mechanisms are both necessary and desirable to ensure this representative commitment is not displaced or lost. Although the subjective dimension of representation has become systematically devalued amongst theories of democracy, institutional rules and designs are powerless when representatives are not stimulated or moved by a 'feeling of representation' (Sartori 1962). More precisely, if representation cannot be reduced to merely assumed representation, representativeness cannot do away with the commitment of representing, and this is found in abundance in civil organisations.

Our analysis centres on the subjective dimension of political representation, which allows us to establish what competing notions of representation are emerging in participatory governance institutions. We examine actors' publicly stated

commitment to the interests of the communities, beneficiaries, members, target populations or other publics with which or for who they claim to work. We tackle the otherwise unanswerable question of whether actual representativeness is taking place by examining different notions of representation civil organisations put forward to justify their role as representatives, and the implicit or explicit claims of legitimacy underpinning these notions.

We tentatively call this unilateral claim of political representation 'assumed representation'.[12] In Brazil there are currently few if any formal (objective) institutional mechanisms to ensure the responsiveness of representatives in governance institutions. We do, however, verify that these unilateral claims of representation are accompanied by actual practices of representation, and examine the levels of participation of actors' publics in the planning and execution of the organisations' activities.

3 Brief comment on case and method

The city of São Paulo is the largest and politically most diverse in Brazil, a country that has, since its democratic transition in 1985, become a democratic laboratory of substantial dimensions.[13] São Paulo has a long tradition of left political parties, urban movements, and community activism, and it is the historical heart of the country's labour movement. The legacy of a formerly powerful progressive Catholic Church can still be felt among these actors. The city also has a tradition of participatory councils linked to left wing actors dating to the 1970s and the municipal government has experimented with a number of participatory institutions, including participatory budgeting. Civil organisations in São Paulo and elsewhere in Brazil have, furthermore, achieved notable influence in various areas of public policy from the 1990s onwards (Avritzer 2004; Lubambo, Coelho and Melo 2006).

Most studies of civil society are case-study based and authors, in order to draw broad generalisations, have tended to engage in forms of 'comparative anecdotalism' – findings from idiosyncratic cases, often not comparable and located in different contexts, are brought together into a single explanation (Gurza

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12 The idea of 'assumed representation' is similar to that which Edmund Burke (1792) called 'virtual representation'. The term 'virtual', however, has been re-signified with the revolution in information and communications technology (ICT) and is often understood intuitively as something that has only imagined or potential effects, rather than real effects. The term coined by Burke is therefore not used here.

13 Alongside Participatory Budgeting, Brazil is known for the array of participatory governance councils that are mandated by the Constitution of 1988 in the areas of health, education, and social services. Cities such as São Paulo have further created an array of municipal councils, such as those on housing and gender, along with a range of more consultative arrangements. For discussion of these and other experiences, see Avritzer (2003), Heller (2001), and Santos (1998, 2002), Lubambo, Coelho and Melo (2006), Dagnino and Tatagiba (2007).

Lavalle, Acharya and Houtzager 2005).[14] Our study is methodologically innovative to the extent that the data come from a survey that is representative of a particular segment of civil organisations – those who most actively work with the urban poor. The survey captures both organisations that claim to be representatives and ones that do not, organisations that are active in participatory institutions and ones that are not. Nonetheless, there are important limits to the methodological strategy. The larger universe of civil organisations is not knowable because there are no good directories or other sources to this diverse universe.[15] Furthermore, anchoring the analysis to a particular list is equivalent to accepting the list's definition of the universe of civil organisations.[16] Instead we drew a sample using a snowball technique, which relies on 'chain referrals' to build up a sample that is purposefully targeted.[17]

There is therefore no intention here to present our findings as generalisable beyond the segment we interviewed in São Paulo. Nonetheless, the findings do provide us a new and unique view of the challenge set out above and of important trends in the symbolic construction of democratic legitimacy in participatory governance institutions.

4 A new universe of representatives

The sample of 229 civil organisations in São Paulo is drawn from a large heterogeneous universe but includes a layer of actors who mediate relations between distinct social groups and the state. The sample imposes the challenge of unpacking civil society. We distinguish organisations by type of activities they undertake (such as service delivery to individual clients, defining problems as public issues, etc.) and by the nature of the relation to their public – that is, to the beneficiaries or constituencies the organisations define as their primary public. The typology that emerges is *not*, therefore, derived inductively from the data, or from actors' own self-definition. It reflects our analytic criteria.

A majority of organisations do not have any type of formal membership. In most cases the groups of people they represent therefore do not have the right to select leaders, through elections or otherwise, nor an exit option, mechanisms that foster accountability and responsiveness. We therefore include information about the degree to which an organisations' public participates in the planning

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14 One of the most ambitious recent case-study projects was the Ford Foundation 'Civil Society and Governance Project'. The Latin America findings are published in Dagnino (2002), Olvera (2003), Panfichi (2003), and more recently Dagnino, Olvera and Panfichi (2006).

15 There are no censuses of civil organisations that use acceptable criteria and, as a result, the most common methodology in quantitative analyses of civil organisations has been the use of lists or directories drawn up by governmental or civil organisations. For Latin America see Fernandez (2002) and Landim (1996).

16 For a detailed description of the research design, including sampling, see Houtzager, Gurza Lavalle and Acharya (2003).

17 See Goodman (1961) and Atkinson and Flint (2001).

and executing of activities. This provides a sense of the type of relation the actor has with its public, notwithstanding a likely tendency to overstate the true levels of participation, as this is considered an important basis of legitimacy in post-democratic transition Brazil.

Table 4.1 presents the typology and the distribution of each type in the sample. The distribution of the types of organisations is not representative of their distribution in the universe, which remains unknowable for reasons given above. The purposeful sampling technique adopted has produced an over-representation of *coordinators* (which relative to the universe in São Paulo are few) and under-representation of *community associations* (which are many).

Table 4.1 Distribution of types of civil organisation in São Paulo (2002)

Type	Freq	%
Community Associations	62	27
Advocacy NGOs	62	27
Coordinators	45	20
Service non-profits	35	15
Others	25	11
Total	**229**	**100**

Community Associations make up a variety of local and territorially-based actors that normally work on behalf of a territorially defined 'imagined community'. Unlike in some of the richest democracies, and the United States in particular, the number of organisations that have formal membership is relatively small. Instead, a large number of neighbourhood associations in the sample affirm they work for 'the community'. The publics of these organisations do participate in the planning and implementation of activities and at a higher rate than for the general sample: 60 per cent stated community members participate 'almost always' in planning of activities and 52 per cent stated they did in the execution.

Advocacy NGOs seek to transform social problems into public issues, and campaigning around those issues to influence public policy or private behaviour.[18] The relation of Advocacy NGOs such as Ação Educativa (Educational Action) or Geledes (a black women's rights organisation) to their publics is that of a 'target population'. There is nonetheless often direct contact

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18   We created the specified concept Advocacy NGOS after finding that over 40 per cent of our sample
     identified itself as an NGO, despite marked differences in activities, organisational structures, and
     relations to members/beneficiaries. Actors clearly use the label NGO for the purposes of public self-
     representation.

and 40 per cent of *Advocacy NGOs* claimed that members of its target population 'almost always' participated in its planning activities and 66 per cent in execution of activities. There is no formal membership, however, and hence no exit option. Brazilian Advocacy NGOs are different from those in rich countries, where organisations such as Green Peace have a large pool of members (although membership is often limited to episodic monetary contributions).

Coordinators are organisations created specifically to link civil organisations to each other, to mediate relations with the state and coordinate collective action. The 'coordinated' organisations are often formally members of the entity. Coordinators include organisations such as the Union of Housing Movements (UMM), which coordinates a city-wide network of housing movements, the Network of Brazilian Philanthropic Service Entities (REBRAF) and the Brazilian Association of NGOs (ABONG), which coordinate national networks of service providers and advocacy NGOs, respectively. The definition used here covers the types of federated national organisations discussed by Skocpol (1992 and 1999) in the context of the nineteenth-century United States.[19] Coordinators claimed that 63 per cent of their members 'almost always' participated in its planning activities and 76 per cent do so in the execution of activities.

Service non-profits have as their primary mission service provision to the individual clients. Service provision can be undertaken as charity or as part of an empowerment strategy but their beneficiaries are individuals. Service non-profits include actors who provide professional training or employment counseling, food for homeless, medical care, and shelter for battered women. Many in São Paulo have religious roots and deliver public services on behalf of the state. Although the share of service non-profits that stated that their clients participated 'almost always' in planning activities is lower than for *Community Associations*, as one might expect, it is again surprisingly high at 40 per cent. For execution of activities this drops to 31 per cent.

Other organisations include very different actors which combined make up only 11 per cent of the sample and could not be classified in the categories above. These organisations include philanthropic foundations, pastoral organisations of the Catholic Church, and such classic civil society actors as the Lions and Rotary clubs.

Religious organisations such as churches, temples, or mosques are not included in our sample and we do not distinguish civil organisations that have strong ties to religious groups. Although the Catholic Church in particular has a progressive tradition in Brazil and has supported community-level organising, we find in other work that whether organisations have ties to the Catholic Church does not influence whether it considers itself a representative of its public or not (Gurza Lavalle, Houtzager and Castello 2005a).

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19   In contrast to the United States, however, most coordinators in São Paulo have been created by local or regional associations and are organised in a more horizontal manner (Gurza Lavalle, Houtzager and Castello 2005b). See also Crowley and Skocpol (2001).

5 Assumed representation in participatory governance

We start our analysis by identifying which civil society actors claim to represent their publics. Of 229 organisations surveyed, 73 per cent claimed they were representatives of the groups of people with or for whom they claimed to work. Yet only 17 per cent of this universe affirmed they had membership relations with these groups. A large majority of organisations affirmed that the public they represent is 'the community' (30 per cent) or a 'target population' (44 per cent).[20] This does not mean, however, that there are no mechanisms to authorise representation or ensure some level of accountability. We saw earlier that well over half of the actors asserted that their publics participate in the planning and execution of organisation's activities. In the absence of formal membership, we do not know whether other authorising or accountability mechanisms exist.

There is a clear relationship between claiming to be a representative and the exercise of activities in which political representation is likely to occur. A simple index of four types of such activities shows that actors who engage in these activities are far more likely to have assumed representation (see Figure 5.1).[21] The reasonable premise of the index is that the breadth of representation activities *vis-à-vis* the state is indicative of the extent to which an actor takes on the role of political representation. The index shows that 77 per cent of those which declared themselves representatives in fact undertook two or more types of activities of representation, whereas 66 per cent of the civil organisations that stated they did not represent their publics undertook no or only one type of activity.

Some types of actors are more likely to claim they are representatives of their publics than others. Advocacy NGOs, Figure 5.2 shows, are the least likely to assume political representation, whereas community organisations are the most likely. About half of advocacy-NGOs claim to be representatives of their public, whereas virtually all community organisations (95 per cent), such as neighbour-hood associations and local social movements, make this claim. Three-fourths of coordinators assume the representation of the organisations that constitute their public. Finally, and perhaps surprisingly, three-fourths of service non-profits claim to represent their clients. Service providers in fact stand out because only a small share engages in activities consonant with political representation. Their claim of representation is not consistent with the activities they themselves report undertaking. It is noteworthy that this discrepancy *does not* exist among the other types of actors.

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20 The 9 per cent of organisations left over work with or for 'other organisations' (6 per cent) or the residual category 'other' (3 per cent).

21 The four types of activities are: (i) participation in new arenas of representation within the executive, such as participatory governance councils for health and education and the municipal level participatory budget; (ii) mediating demands to government agency or departments; (iii) influencing policy through electoral means, defined here as supporting political candidate; and (iv) influencing policy through the legislature, defined here as making demands on the municipal assembly.

Figure 5.1 Organisations with activities of representation, by assumed representation (%)
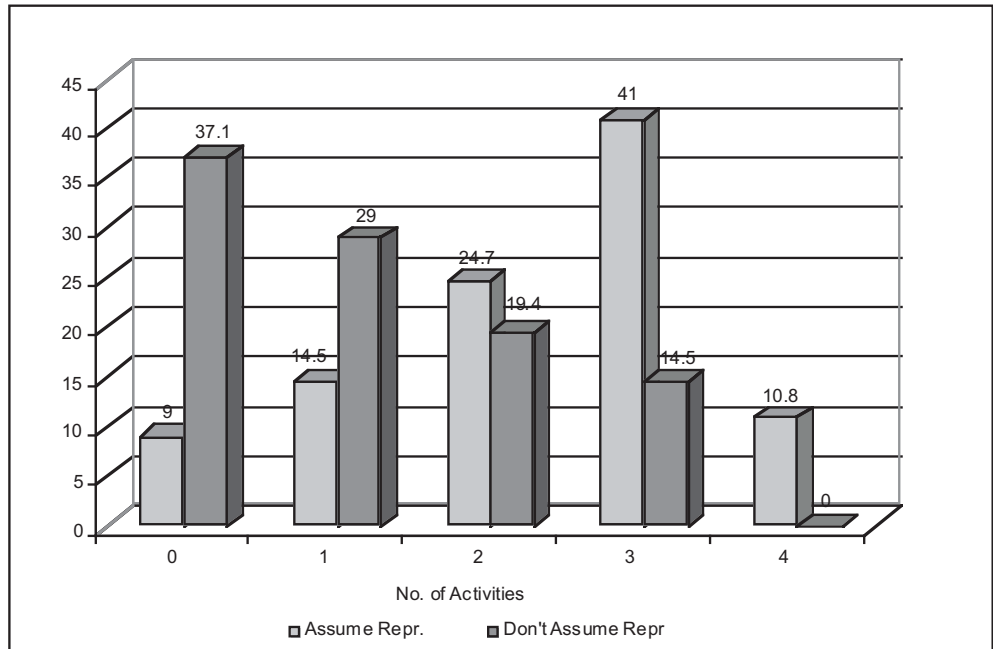
Figure 5.2 Assumed representation, by type of civil organisation (%)
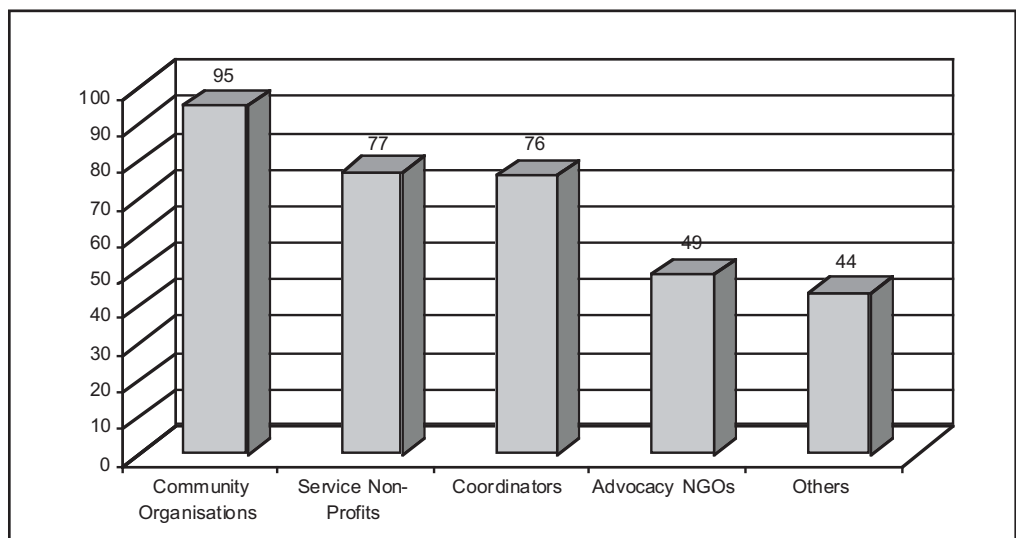
6 Competing notions of representation

Six distinct notions of representation can be identified in the public justifications civil organisations provide for their assumed representation. The overwhelming majority of organisations who assume representation (or 94 per cent) involve only

one type of notion of representation. This suggests that the six notions are relatively well defined formulations and have stabilised. A similar analysis of civil organisations in Mexico City, for example, shows that 20 per cent of actors used more than one type of notion and more than 10 per cent used three or more (Gurza Lavalle, Houtzager and Castello 2005b).

Each notion of representation is made up of the same three components: *the represented*, some collectivity whose will is bounded and identified; *the representative*, mediator and guardian of interests of those represented; and *the locus*, simultaneously the jurisdiction where representation is exercised and the agent to whom it is exercised. In the case of civil organisations, where assumptions of traditional political representation prove to be inadequate, those represented tend to coincide with the organisations' public – their clients, community, members, or target population. The representative is the civil organisation, which is normally not authorised as such but rather assumes representation by its own initiative. Less frequently the actor is authorised through formal mechanisms such as elections or voluntary membership. The locus is only implicitly specified in most of the notions of representation we identified and as a rule centres on the public authority, and less frequently on other social institutions and other societal actors.

Electoral. The electoral notion of representation offers a formal-procedural argument for establishing its legitimacy – the procedure is the selection of organisation leaders through elections. The argument has an implicit locus, where the elected will carry out their representation. Much of the notion's legitimacy in the case of civil society organisations derives from the widespread acceptance of this mechanism in the political realm. Electing leaders through the vote is the best known and studied mechanism to authorise representation and to ensure accountability in democratic contexts. Notwithstanding the fact that elections within civil organisations lack public scrutiny and the formalisation proper to electoral processes for political office, they follow the same formula and criteria for establishing their legitimacy.

A small share of civil organisations in São Paulo, 4 per cent, argues that the existence of electoral mechanisms for selecting their leaders is evidence of the actor's representativeness. None of the six types of actor makes this argument recurrently.

Membership. The membership claim of representativeness is based on the argument that the creation of the organisation, by its members, simultaneously establishes the interests to be represented. The represented and the representative are produced by the same process. Again, it relies on widely accepted and legitimised principles and it can be supported without having to make its contents explicit. The locus is an indispensable component of the argument as the creation of an actor with representative intentions only makes sense in the presence of predefined interlocutors and institutions which in the majority of cases, although not exclusively, are the public authorities. Dues or other levies, participation in the selection of the directorate and other forms of sanction and control associated with membership, in particular the right to exit, are well known mechanisms that establish and maintain some degree of accountability in the relationship between an organisation and its members.

The membership argument is made by only 7 per cent of civil organisations. It is, however, common among coordinators. Around a quarter of these actors claim their representativeness is based on a membership relation to their public. In contrast, no community organisations, such as neighbourhood associations, make this argument. In the case of coordinators, formal membership is in fact common and the surprise is that the argument is not made more frequently. Instead, as we show below, a larger share of coordinators make the mediation argument.

Identity. The resemblance of existential or substantive attributes of the representative and represented is the basis of the identity notion of representation. Civil organisations which make this argument suggest that the substantive likeness of the leadership and the represented ensures that the interests of the latter are known by the former, and will be faithfully represented because of their shared interests. This type of descriptive representation has a long history: it has historically been an argument made by actors committed to proportional representation in the debates about the proper composition of legislatures (Pitkin 1967; Urbinati 1999). The representative mirrors the will of those represented by virtue of existential qualities that are usually impossible to renounce and are seen to carry objective interests, such as gender, race and ethnic origin. The identity argument in principle does away with accountability mechanisms. Representativeness based on shared identity – women represent women, blacks represent blacks and so forth – the argument suggests, eliminates the differences between the represented and the representative. It is, however, possible to attribute to a representative a gender or race 'perspective' (Young 2002: 121–53), for example, in cases where this quality or attribute is under-represented, *if* we loosen the assumptions that such attributes carry objective or predefined interests, and that the action of leaders who share these attributes will be consonant with these interests. In this limited sense, a soft version of the identity argument by actors in participatory governance institutions is not incompatible with correcting for systematic exclusion from political representation.

A small minority of civil organisations make the identity argument, less than 5 per cent. Only a small smattering of community organisations, coordinators and advocacy NGOs make this argument, suggesting there is no relation between the type of actor and this particular argument. The small share of organisations that make the identity argument is surprising in light of the considerable attention the so-called 'politics of difference' has acquired in political theory, either for its adverse or favourable consequences for citizenship.[22] Identity issues seem hardly or not at all to influence the dynamics of representation among civil organisations in São Paulo. In other contexts, where political mobilisation around ethno-nationalist or religious identities is common, one would expect that the identity notion of political representation is made by a large share of civil organisations.

Proximity. In this notion of representation, actors point to their solidarity with the represented, as signaled by their physical closeness to and horizontality of relations with the represented public. These two characteristics of the relationship

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22   Assessments and critiques of this debate are available in Kymlicka and Norman (1997), Young (2002) and Gurza Lavalle (2003b).

are given as evidence of the actor's genuine commitment and understanding of the interests of the represented. At the centre of the proximity argument is a criticism of the unavoidable distortions institutional structures that mediate between representative and represented create, and their inability to accurately transmit the voice and concerns of the population. It juxtaposes this institutional failure to a genuine or authentic commitment and a set of practices that aim to enable people to act and speak for themselves or to represent their authentic interests. It therefore emphasises proximity or horizontalness of the relationship between representatives and represented, and, in fact, both could work as mechanisms for fostering accountability. Participation and physical proximity constitute, in principle, favourable conditions for reinforcing relations of accountability between represented and the represented. Civil organisations that are close to their publics and open to participation are, without a doubt, more likely to contribute to effective political representation in participatory institutions than those that are distant and hermetic. However, independently of its value, derived from its solidaritistic basis, the argument raises old dilemmas of direct democracy: extreme emphases on participation ultimately nullifying representation itself (Pitkin 1967: 209–40; Sartori 1962).[23]

It is the second most common argument, after the mediation argument, made by slightly over a quarter of the civil organisations surveyed. Community organisations and advocacy NGOs in particular make this argument, almost as often as they make the mediation argument. Although most coordinators make mediation or membership arguments, a significant share (almost 20 per cent) make the proximity argument.

Mediation. The mediation notion of representation is based on the need to remedy an inequality which is not directly related to income, but of access to the state. It points to a deficit in the institution's ability to 'hear' interests and respond to the right claims of 'politically excluded' segments of the population. It defines for itself the role of connecting these excluded segments to the state and the political-electoral arena.[24] It explicitly recognises the importance of mediating interests with the State, and hence the need to open channels to the state for claims that lack such a channel.

Of the six notions, the mediation argument is exceptional in that it focuses not on the actor's relationship with the represented public, but on its relationship to the

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23   The proximity argument is constructed from diverse elements and from their multiple possible combinations: emancipation, or the commitment to enhancing the ability of members of its public to organise themselves, hence encouraging their agency; empathy, or a profound commitment to the beneficiary by affinity, solidarity and real identification with their problems and needs; openness, or the disposition to garner and stimulate direct participation and the opinions of their public in the planning and direction of the work of the organisation. Finally, the last component is recognition, which makes the organisation say it acts as a representative, not because it believes it is a representative *per se* but because it deduces this status from the fact that their public frequently seeks them out and praised their work. Although it does not necessarily coincide with the public authority, and there is not a locus specified or suggested, clearly there is an implicit locus in the logic of this argument, since favouring the protagonism, demand-making and problem-solving capacity of the beneficiary points to an assumed interlocutor.

locus of representation. Representation presupposes mediation between a represented public and a locus of representation, but this is not the same as making the activity of mediation itself the basis of legitimacy of the representative. Nonetheless this is precisely where the emphasis lies in this notion: the mediation role played by the organisation provides access to public decision-making institutions (locus) that otherwise would remain inaccessible. The argument suggests that (i) the actor is playing a *de facto* representative role in its relations with public authority and, probably because this role is not derived from a vote or other authorisation by its public, (ii) the actor's mediating capacity is used in a legitimate manner – to make claims in the interest of its public, rather than in the narrow organisational interests of the actor itself. The actor's relationship to its public, the represented, is left unclear or unspecified, hence, *no* accountability mechanisms are attached to this notion. Nonetheless, the argument seeks to make the political actors and institutions responsive to populations who do not have access to channels of mediation. As we will see in the next section, in historical terms this is the newest argument.

The mediation argument is the one civil organisations make most often to legitimise their assumed representation. It is an argument that coordinators and advocacy NGOs are most likely to make, more than any other argument. But the mediation argument is also the most widely distributed one among the six types of civil organisations. Around a quarter of community organisations and service non-profits also invoke their role in providing people access to the state as the basis of their representativeness.

Service. The actor's claim of representativeness is based on a demonstration of its authentic or at least effective commitment to the interests of the represented. This commitment is manifest by provisioning services to the represented, who as a result experience concrete gains in quality of life. These services, in the case of São Paulo, range from diverse medical treatments to distribution of staple foods and including skills training, scholarships, moral support and other various forms of assistance. At the centre of this notion lies an implicit criticism of the ineffectiveness of traditional representation to make a real difference in the lives of those who are represented. Effectiveness links the argument to those notions of representation Pitkin (1967) analyses under the heading 'acting for', in which representation is defined in substantive terms or by achieving something expectedly concrete that benefits those represented. Although service non-profits channel resources from government and other organisations to their public, the locus of representation is entirely omitted in this notion; the mediating function is cancelled out. The absence of mediation and of the locus eliminates the essence of representation itself.[25] The argument's projection into the political arena is, from the vantage point of democracy, clearly not desirable.

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24   Not only are there numerous criticisms of the inability of parties to eliminate the representation deficit of contemporary democracies (Chalmers *et al.* 1997; Friedman and Hochstetler 2002; Roberts 2002), but there are convincing arguments about the structural weaknesses of political representation in representative government, resulting from the fusion of roles of representation and government in the same individuals and in the same institutions (Sartori 1962; Manin, Przeworski and Stokes 1999).

The service argument is one of the three most common, following the mediation and proximity arguments. It is made by almost a quarter of the actors. For service non-profits it is the most common argument. Nonetheless, more than a quarter of community associations make a service argument, likely reflecting the historic role neighbourhood associations have played in delivery services on behalf of the state, and in particular those of social assistance programmes. A small but important share of advocacy NGOs also make the service argument.

7 Historical construction of the *mediation* argument

The notions of political representation found in São Paulo all have historical roots and are the product of distinct political contests to transform, in one way or another, the institutions of mass democracy. The contemporary dominant model of political representation through competitive elections – that of representative government – was once a disputed notion of representation that emerged from the medieval practices of representing the interests of private landlord before the monarch. The membership argument draws on both nineteenth century ideas of political association and the labour-based representation that became prominent in the twentieth century. The identity argument first appeared in the debates between those who favoured majoritarian or proportional representation in parliament, and then reappeared in the 1960s as part of the politics of difference (Gurza Lavalle, Houtzager and Castello 2005a).

It is not coincidental that the notions of representation with the deepest historical roots are also those cited least frequently in early twenty-first century São Paulo, Brazil. In contrast to the political parties and labour unions that inhabit classic institutions of representative democracy, the heterogeneous layer of civil society actors who mediate relations between social groups and the state have distinct types of relations to their publics, engage in new functions of representation, and have to navigate new loci of representation – the array of participatory governance institutions where this mediation takes place. The relative newness of this arena of representation is visible in, among other things, the existence of the six competing notions of political representation. These notions have crystallised into relatively clear and coherent formulations, suggesting the process is well underway. What is indeterminate at this moment is which (if any) of these notions will survive, and ultimately become enshrined in legislation and the practices of public institutions.

The *mediation* notion of representation is the most common and is made by actors who in fact exercise high levels of activity in which representation is likely to occur. The mediation claim of representativeness is specifically a politic one:

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25   Perhaps not surprisingly then, organisations that made this argument scored the worst on activities in which representation is likely to occur – 40 per cent did not carry out any or only one activity in which representation is likely to occur.

mediating relation with the state for voiceless interests outside of but not opposed to the traditional channels of electoral representation. Assuming publicly the exercise of political representation could not have been predicted a few years ago, either by the literature or by the civil organisations themselves.

The mediation notion reflects, on the one hand, the institutional innovations of participatory governance in recent years and the medium term dynamics of the reconfiguration of representation, and on the other hand, the changes set in motion within civil society actors in response to reforms of the state. That is to say, the mediation argument expresses both the consequences of social actors' struggles for opening news spaces for participation (institutionalised in the 1988 Constitution) and of the decentralisation, and pluralisation of the state that has come with the reforms of the last 20 years.

The mediation argument in São Paulo has its roots in the last quarter of the twentieth century. It refers to acting in someone's name, but it does not refer to a substantive concept of representation defined in terms of any particular activity or specific benefit or outcome. Rather, the argument is focused on the importance of the political representation of poorly represented sectors on its own terms. Remedying inequality in access to the state is the principal publicly articulated justification. It presupposes that organisations that make the argument, one, occupy a privileged position in this unequal distribution of access to the state *and*, two, have a normative commitment to use their privileged position to help those who lack such access to acquire some form of access to the state. There is no evidence in the argument of any mechanisms that could strengthen the relation between representative and represented – the organisations and their publics – and this brings to the fore the challenge of representation of interests by civil organisations within participatory governance institutions.

The notion, however, emerges as part of a historical evolution of democracy in Brazil that shares many characteristics with that in other low or middle income countries. The legacy of the country's long history of authoritarian rule and highly unequal access to the state remains powerful up until today. During the twentieth century sectors of the population in the fast growing formal labour market, through corporatist union movement, and the larger sectors outside of this labour market had forms of clientelist access to the state for particularistic goods. During Brazil's 21 years of military dictatorship (1964–1985) and the period of democratic transition many, if not most, civil organisations took a strong oppositional stance against the state, alongside their stalwart commitment to working at the grassroots.

The mediation argument appears fresh and novel in this context. A decade and-a-half after the military left power, the *most used* justification by civil organisations in São Paulo for assumed representation focuses on the capacity to mediate relations with the state. It also marks an evolution of the proximity notion, which was the dominant logic of societal actors during authoritarian rule. The proximity argument – the second most common – is clearly related to grassroots organising by leftwing activists and Catholic Church clergy and laity inspired by liberation theology undertaken during the military dictatorship in Brazil of the 1960s and 1970s. More precisely, this argument in São Paulo reflects the lasting impact of the extraordinarily influential role of the Catholic Church, inspired in liberation

theology, on the symbolic and material construction of civil society actors, as well as the intense participation of activists of the left who sought refuge in grassroots community activism from the circumscribed political arena under the military regime (Sader 1988; Doimo 1995; Landim 1998; Houtzager 2001). What the liberation theology-inspired sectors of the Church saw as the correct forms of social intervention are clearly visible – renouncing one's own interests, empathy (compassion), and silent work alongside the oppressed. In the case of the left activists, the focus was on emancipation, guided by a strong belief in the ability and need to identify the *real* interests of the vulnerable social sectors.

Although used more often by NGOs and coordinators, precisely the two historically most recent types of civil organisation, the mediation argument is used by *all* the actors in the sample. The mediation argument is in fact the only argument that all types of organisations make relatively frequently, and they do so despite the existence of a general relation between particular types of arguments and activities. This lends credence to the idea that the argument's importance comes from a wider institutional reordering of the state and of the politics of political representation. The mediation argument embodies within it the processes that are reconfiguring political representation – that is, enlarging the function and locus of representation, to include the executive for the purpose of designing and supervising public policies – and producing a redefinition of the profile of civil organisations.[26]

8 Final comment

A large majority of civil organisations in São Paulo represent their publics in processes of participatory governance, but in contrast to political parties and labour unions, they lack widely accepted and historically consolidated mechanisms through which this representation can be authorised and held accountable. In the absence of such mechanisms, these actors engage in what we call 'assumed representation'. This poses a substantial challenge: the creation and institutionalisation of new notions of representation that provide democratic legitimacy to the particular types of representation offered by civil organisations. The democratic legitimacy of these notions will depend in some measure on how they reconcile the constitutive tension between the autonomy of the representatives and the mandate authorised by the represented.

Among the notions of representation reconcilable with democratic principles, the *mediation* argument appears the most promising. It is also made by the largest number of actors in the survey conducted in São Paulo. The logic that is implicit in the argument made by roughly a third of the actors, is that the representation exercised by civil organisations is not an alternative to that of traditional

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26   Dobrowolsky and Jenson (2002) analysed a similar connection, although with a negative tendency, in the case of political representation carried out by gender organisations in Canada. This connection was also the motive for analysis in the work published in Chalmers *et al. (1997)* and in Houtzager (2003) as well as in other work referred to in footnote 3.

institutions of political representation, but rather an additional form of mediation that connects segments of the population otherwise poorly or under-represented in the State and in electoral politics. Actors who make the mediation argument overwhelmingly engage in political activities in which actual representation is likely to occur. The organisations which most often invoke the mediation argument are Advocacy-NGOs, Community Associations, and Coordinators.

Notwithstanding the dominant presence in participatory governance institutions – and hence in the design, execution, and monitoring of public policies – and despite the awareness of a significant share of the organisations surveyed that they are not an alternative to traditional representative institutions but a new layer of institutional mediation that can link the needs and demands of particular segments of the population to public decision-making centres, no criteria have been consolidated to strengthen the legitimacy of the new actors involved in tasks of political representation. The most common notions of representation analysed here, furthermore, do not come with clear mechanisms of accountability. Hence we face today the paradox of political representation by civil society actors in participatory governance institutions.

This situation is contingent, however, and a process has been set in motion to define these new criteria of democratic legitimacy and recast a part of the symbolic universe of democracy. The current absence of a consensus on such criteria should not be accepted as a basis for dismissing, or ignoring, the forms of political representation civil organisations undertake. It seems wiser to assume that the construction of these legitimacy criteria, independently of whether it is successful or not, is and will be the object of political contestation in the medium term.

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