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# Expert Advocacy for the Marginalised: How and Why Democratic Mediation Matters to Deepening Democracy in the Global South

Laurence Piper and Bettina von Lieres
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# Expert Advocacy for the Marginalised: How and Why Democratic Mediation Matters to Deepening Democracy in the Global South

Laurence Piper and Bettina von Lieres

## Summary

The paper argues that the practice of democratic mediation is an increasingly common, yet under-researched, component of engagements between citizens and public authorities across the globe. While the actors who mediate (and their tactics) are diverse and are not necessarily of the marginalised group, they share a commitment to overcoming representational, knowledge or ideological deficits in decision-making for the marginalised group. While the 'speaking for' nature of democratic mediation clearly opens up critical legitimacy problems, the practice of democratic mediation appears to be remarkably common, and even effective.

The paper demonstrates this by surveying at least three kinds of democratic mediation observed across a large number of cases. First is 'mediation as professional advocacy'. The mediator in these cases is more an 'interested intermediary' in contentious policy politics. In a context of skewed power-relations where certain groups remain systematically marginalised, not least through knowledge and representational deficits, a degree of advocacy is required to get more egalitarian policy dialogue.

Second is 'mediation as representational entrepreneurship'. This refers to engagements between citizens and forms of public authority that stretch from the local to the global level. In more 'global-local' mobilisations, mediators are often experts, professionals, and international NGOs. In more 'local – global' movements, the mediators are 'hybrid activists' deeply rooted in the local identities and associations. However, in either case the actor is distinguished by the taking of initiative to include the voices of the marginalised in a domain of power-relations which is multi-level.

Lastly, 'mediation as citizenship development' refers to forms of activism typically associated with community and capacity development, and usually involves limited advocacy by civil society organisations (CSOs). Hence there

may be little by way of explicit mediation in local governance decision-making in these cases, although the empowerment of communities has a demonstrable and mostly positive impact on local governance.

**Keywords:** democracy; participation; citizenship; representation; mediation.

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# 1 Introduction

This paper addresses a significant set of issues that have received too little attention, so far, in the debates on deepening democracy in the global south, namely the issues of `democratic mediation'. Around the developing world, the practice of 'democratic mediation' is an increasingly common phenomenon in forms of participatory engagement between citizens and public authority which includes, but is not limited to, the state. Notably, almost all successful cases of public participation involve some form of democratic mediation. By democratic mediation we refer to the actors and practices that 'mediate' and link citizens' claims to existing local, national or international policy debates or decision-making processes in order to gain greater legitimacy for citizens' demands.

The actors who mediate on behalf of citizens are often diverse, ranging from local civil society organisations (CSOs) which mediate between citizens and local states, to national advocacy non-governmental organisations (NGOs) which campaign on behalf of citizens around social issues to influence public policy, and international social movements which broker the inclusion of poor communities in decision-making around investments by trans-national corporations. These mediating actors often engage in diverse mediating practices, ranging from advocacy for the inclusion of representatives of marginalised groups to the advocacy of the interests of marginalised groups themselves. Invariably though democratic mediation involves arguments for more inclusive forms of representation in what are nominally participatory processes. It often involves an agent who while ostensible *for* the marginalised, is not necessarily *of* the marginalised – at least not in any simple sense – opening up complex legitimacy questions.

The paper argues that the role of democratic mediation has increasing relevance with the emergence of new and more complex spaces for citizen action in the context of neoliberal globalisation. The emergence of new forms of democratic mediation challenge some of the assumptions that seem to be implicit in relation to many dominant policy drives in the global south and north: assumptions about the likelihood that poor citizens and marginalised communities will necessarily benefit from policies to promote decentralisation and citizen engagement, for example, without access to sources of democratic mediation, facilitation, capacity building and empowerment. Despite the growth of new forms of democratic mediation, however, relatively little has been written which tries to understand their implications for deepening democracy. This paper begins by unpacking the concept of democratic mediation alongside related concepts and goes on to illustrate the varying ways in which democratic mediation (of varying types and at differing levels) can make a difference to the efficacy of citizen action. We show how the significance of democratic mediation for public participation in policy change can affirm theoretical openings of binaries like 'participation' and 'representation, and 'invited' and 'invented' spaces to allow for the recognition of practices that disrupt these easy opposites.

# 2 What is democratic mediation?

While formally 'democratic mediation' could refer to any form of mediation that meets some normative conception of democracy, this is not the concern in this paper. Instead, we are interested in the concept as it relates to practices identified in the extensive case-study work of the Citizenship Development Research Centre (CDRC). The CDRC is a global network of over 60 researchers and practitioners working in nearly 30 countries, coordinated through the Institute for Development Studies (IDS) at the University of Sussex. Together CDRC researchers and practitioners have produced more than 150 empirical case studies on how citizen action shapes states and societies. These cases examine how citizens see and experience states and other institutions that affect their lives, as well as how they engage, mobilise and participate to make their voices heard. Notably however, citizens rarely bring about change on their own. Their actions are often 'mediated' by civil society organisations and other actors which link citizens' demands to existing local, national or international policy debates in order to gain greater legitimacy for citizens' demands.

We show how, despite some important differences, the forms of mediation identified from CDRC case studies share a common feature of activism by a relatively elite third party for the inclusion of the interests of marginalised groups in formal decision-making. More specifically we argue that democratic mediation is characterised not only by a desire to overcome representational deficits, that is to secure the representation of marginalised groups in formal decision-making, but also to advance the specific issues of substance at stake. Democratic mediators are often able to assist this advocacy by providing access to forms of knowledge and an ideological commitment to deepening democracy that marginalised groups may not be able to access. Indeed in respect of the latter point, we suggest that a defining feature of democratic mediators is that they believe that there are groups that are marginalised from formal decision-making who have legitimate interests that are being ignored, and that those groups and their interests ought to be championed. In those small measures then, democratic mediation is a political practice informed by the desire to overcome a representational exclusion.

Hence, while 'democratic mediation' is best understood as a form of activism *for* marginalised groups, it not necessarily a form of activism *of* marginalised groups or practiced *by* marginalised groups. To the extent that this activism advances the representational and other interests of marginalised groups it can be said to deepen democracy, notwithstanding the representational and accountability issues that it raises. In this regard, the democratic mediator offers a form of democratic leadership. This clearly muddies many neat divides, and raises important legitimacy issues. As regards the former, the practice of democratic mediation causes us to rethink the notion that 'public participation' and 'representation' are anathema. Indeed, this paper reinforces emergent work that frames public participation innovations in terms of moving popular representation in more inclusive directions (Houtzager and Lavalle 2010). Further, it asks us to rethink the simple divide between participatory spaces

framed by the state and those framed by citizens in Cornwall's (2002) early contrast between 'invited' and 'invented' spaces as initiated or driven by one of either 'state' or 'society', not least by making the meaning of society more complicated but also by recognising the important role of democratic activists on 'both sides of the equation'. Indeed, Cornwall makes similar moves in later work (Cornwall and Coelho 2007: 1) in which reference is made to a 'participatory sphere' which operates in ways which transcend simple state-society binaries. In short, democratic mediation shifts the focus of enquiry from *who* initiates participation to *how* participation occurs and the resources and capacities required to initiate and sustain it.

As regards the issues of legitimacy, the practice of democratic mediation brings into sharp relief the vexed questions of whose political imaginaries, interests and agendas are truly served in these cases. While significant, such concerns are common to all forms of representation and hence are not unique to this type. It is also notable, that in practice some of these legitimacy questions are muted by democratic mediators working in coalition with groups more obviously of the marginalised and supported by forms of politics conducted by the marginalised. While this kind of coalition politics is both likely to be more effective and less vulnerable to legitimacy crises, it is not the same as democratic mediation. Indeed, there are relatively few pure cases of democratic mediation where advocacy proceeds in the name of the marginalised without any political connection to the marginalised. Another way of making this point is to say that, in practice, advocacy may include mediation moments alongside other analytically different types.

Much of the recent literature on participatory governance acknowledges the crucial role these organisations play in opening up access to public authority for marginalised groups and breaking the monopoly of political parties. Further, much has been written recently on the representational identities of these mediating actors (Houtzager and Lavalle 2010; Peruzzotti 2007) and on the pros and cons of their increasing 'professionalisation' (Chandhoke 2009). Relatively little work has be done, however, on the various forms that mediation takes outside of the Sao Paulo case of Houtzager and Lavalle, and the implications of this for the conception of mediation. Further, little thought has been given to the reasons for the emergence of the newest form of representational politics. This paper looks to engage more systematically with this set of issues, starting with the various forms of democratic mediation, unpacking what this means for the conception of the practice, and exploring some possible reasons for its emergence.

Our survey of CDRC case studies identifies a number of different forms of mediation at international, national and local levels. The identification of levels reflects the sets of case-studies in the CDRC work we examine, and is not analytically significant for the concept of democratic mediation. Further, we do not believe that there is any inherent relation between these levels and forms of democratic mediation. This noted, we did identify at least three different kinds of democratic mediation, namely: professional advocacy, representational entrepreneurship and citizenship development.

Mediation as professional advocacy emerges from work on national policy-making. The mediator in these cases is more an 'interested intermediary' in contentious policy politics, for example the Treatment Action Campaign (TAC) and advocacy for HIV/AIDS treatment in South Africa. The mediation referred to here is primarily about expert advocacy for policy change in partnership with poor and marginalised groups under a civil society coalition. However, this can be read as democratic mediation in a context of skewed power-relations where certain groups remain systematically marginalised, not least through knowledge and representational deficits, and therefore require a degree of advocacy to get into a policy dialogue on roughly egalitarian terms. Once a more inclusive dialogue is underway, the outcome is based on consent amongst the major players. Hence one role of the democratic mediator in this context was to create the conditions for effective policy dialogue through facilitating inclusion with the assistance of expert networks and knowledge. In addition, the mediator may also be involved in explicit advocacy. While the two examples considered are from middle-income, newly democratic countries from the south, it may be rash to assume that this form of mediation will only be found here as there are marginalised groups in all societies.

Mediation as representational entrepreneurship refers to engagements between citizens and forms of public authority that stretch from the local to the global level. The nature of mediation is also affected by the origins of the mobilisation. In more 'global-local' mobilisations, mediators are often experts, professionals, and international NGOs. The negative case of this cited below is the state of Andhra Pradesh in India. In more 'local – global' movements, the mediators are 'hybrid activists' deeply rooted in the local identities and associations, for example *Via Campesina*, an international social movement of peasants and small farmers. However, in either case the actor is distinguished by the taking of initiative to include the voices of the marginalised in a domain of power-relations which is multi-level. Further, power itself is soft as much as hard, representation and accountability relationships are more blurred, and the institutional framing is limited. This newer and more fluid space allows much more of a role for leadership and initiative. In the era of 'neoliberal globalisation' where power moves increasingly post-national and to non-state actors, this form of politics is likely to become even more important.

Lastly, mediation as citizenship development refers to forms of activism typically associated with community and capacity development, and usually involves limited advocacy by civil society organisations (CSOs). Hence there may be little by way of explicit mediation in local governance decision-making in these cases, although the empowerment of communities has a demonstrable and mostly positive impact on local governance. This form of mediation can build a strengthened sense of citizenship, an increased knowledge of legal and institutional procedures, a greater disposition to action, more effective social organising skills and network-building. To the extent that these activities deliberately look to empower citizen to engage local government in participatory terms and to deepen the capacity of citizens to represent themselves, as social mobilisation NGOs do, one could suggest that these CSOs are engaging in a kind of mediation as citizen development. This can be termed indirect democratic mediation or democratic mediation by proxy.

It seems safe to assume that we can expect to find most forms of mediation as citizen development in poor communities of the developing and democratic world as this is where the majority of poor people and NGO activity is to be found.

Having identified different forms of mediation we argue, as noted above, that their democratic credentials rest on some version of a claim to advance the interests of marginalised groups using special access to decision-making, knowledge and an ideological commitment not necessarily available to marginalised groups. Moreover, we suggest that while this politics is comparatively new, and our cases have been from the developing world, there is no reason to assume that it is peculiar to the south. One argument for this is linked to the rise of neoliberal globalisation across all democracies, whether northern or southern. Where democracy ought to give real opportunities for poor and marginalised groups to access resources and power through the state, the advent of neoliberal globalisation is read as undermining the democratic state by transferring some power to post-national and private sources. Add to this the rise of personality-based media politics which has replaced party mobilisation as the key means of electoral politics in many contexts, and the rise of new forms of local participatory institution which create opportunities for new kinds of representation and participation. Hence, at the same time as promising unprecedented opportunities for access by the poor and marginalised to public resources, the governance of those resources has become more complex and oblique. In this context, the role of the 'democratic activist' who has the knowledge and networks to access the system, and the ideological commitment to use this for the good of the poor and marginalised, gains greater significance. For these reasons, while democratic mediation may not be the main form that engagement between community and public authority, it is likely to be a growing component of democratic politic across the globe.

# 3 The relevance of mediation to CDRC work

The research of the CDRC has attempted to understand how citizens mobilise to claim rights and to deepen democracy. Broadly speaking, the CDRC research suggests that democracy is often made real through the claims and active struggles of citizens and their organisations, and that strategies are needed that focus on the relationship between states and societies. Much of the work has focused on new forms of citizen mobilisation, democratic practice and institutions that look to enhance the access of poor and marginalised groups to public goods. Furthermore, this politics is not a revolutionary rejection of liberal-democratic or representative institutions so much as a range of supplementary practices which involve marginalised groups participating in collaborative decision-making with elected politicians and officials. Indeed, as suggested in this paper, participatory institutions can be read as introducing new forms of representation into democratic politics.

Nevertheless, the emergent politics of 'popular participation' moves from some account of a 'democratic deficit' in hegemonic liberal-democratic model. This deficit is articulated both explicitly and implicitly. Explicit forms include public claims by activists, movements and scholars that the liberal representative democratic model systematically excludes poor and marginalised groups (for example ethnic minorities and indigenous peoples). Such arguments rely not just on perception but also point to the enduring identities of those who, in almost any society, continue to enjoy the benefits of money, power and status in society, and those who do not (see Cohen 1988 on 'collective unfreedom' for example). Implicit appeal to some notion of democratic deficit is made when civil society organisations, social movements and activists look to new kinds of democratic politics other than formal representative channels, including political parties, to advance their needs and wants.

CDRC work on the politics of popular participation has inevitably led to a focus on the global south, as it is here that much innovative practice by activists, organisations and communities has emerged. Perhaps this is not surprising given the greater extent of poverty in the south, and the relative newness of democratic institutions. In addition however, the work of the CDRC has tended towards a methodology that focuses on citizens rather than institutions, and tries to understand democratic politics from the citizen's point of view. Embarking from this more 'bottom-up' view of democracy has yielded dividends in that it has become very clear in case after case that for many poor communities democracy is made real through the claims and active struggles of citizens and their organisations, and that popular organisation and mobilisation, often in constructive partnership with formal authority, can make a real and substantive difference to citizens' lives.

Already significant work has been done in the CDRC to unpack the difference that popular participation can make to governance, and research has shown important democratic outcomes related to: the construction of empowered notions of citizenship; the strengthening of practices of participation; the strengthening of responsive and accountable states and the development of inclusive and cohesive societies; as well as tangible material benefits for poor and marginalised groups (Gaventa and Barrett 2010). In particular, our work has stressed the importance of non-instrumental outcomes such a strengthened sense of citizenship and more effective citizenship practices, greater political awareness of rights and of one's agency.

In addition to a concern with the outcomes of popular participation, CDRC work has tried to understand how this politics is conducted, and under what conditions it is successful. Given that we are invariably examining forms of engagement between some form of popular organisation or movement and public authority, research has naturally explored both 'sides of the equation' as it were, and affirmed the importance of both popularly-rooted mobilisation on the one hand, and supportive political will on the other to make participatory politics work (Gaventa *et al.* 2007). In addition, some work has been done on understanding how these engagements can be made formal and sustainable (Fung and Wright 2001), and thus a permanent feature of the decision-making process, or even a new sphere of decision-making in the public realm

(Cornwall and Schattan Coelho 2007). Thus a key insight of the work has been speaking to the benefits of working 'both sides of the equation' in the relationship between popular movements and formal authority, and has inspired a number of advocacy related events in the United Kingdom and South Africa.

The great varieties of contexts and varying histories of state-society relations mean that participation takes very different forms in different places. However, an emergent insight of the CDRC work is on the critical notion of 'mediation' for successful instances of public participation. Given that the focus of much CDRC work is on 'constructive' and/or 'collaborative' relationships between popular movements and public authority, perhaps this is not too surprising. A moment's reflection redeems the basic insight that the engagement between these differing and various constituencies is not automatic but requires some kind of ongoing facilitation. The term that emerged organically among researchers at the CDRC workshops was 'mediation'.

Further credence to the idea that public participation requires a particular kind of organising force to assist in initiating, establishing and maintaining relationships is revealed by many negative cases. It is easy to contrast the positive cases with many examples of where popular mobilisation by poor people for legitimate rights is met with state repression, to where elite-driven attempts to unilaterally 'develop' poor communities fails due to ignorance of local conditions, or a lack of support from local communities. Indeed, as Partha Chatterjee (2006) notes, the attitude most common amongst government of the developing world towards the poor as population to be instrumentally managed rather than as rights-bearing citizens.

However, even on the formal Weberian account of bureaucracy it would be reasonable to expect governance to err on the side of instrumentalism, and hence the citizen-centred character of the public participation model, with its very different sense of rights and subjectivities, will invariably demand a significant shift in bureaucratic mind-sets alone. This is before we apply our minds to the popular side of the equation. Further, it is obvious that this is very unlikely to happen without systematic intervention of the facilitative kind captured by the term 'mediation'. Hence, this paper sets out to explore whether this is indeed the case, and more importantly, what mediation typically involves, as well as identifying and characterising the various forms of mediation in the CDRC work. First though, it is useful to start with the term itself.

# 4 Some conceptual and theoretical reflections

As noted above, 'mediation' is a term used much in CDRC work, but perhaps a little too loosely. Nevertheless it does capture the notion that successful public participation requires some process of facilitation by an intermediatory actor between communities or popular organisations and public authorities. As the paper unfolds it will become clear that the role that the intermediary plays may

be actually closer to what we call conciliation, and usually takes the form of advocacy. We will return to this question later, and for the sake of progress continue to use the term 'mediation' in the remainder of the paper.

The term 'mediation' is most commonly used in the fields of conflict resolution and the law, and is common to the fields of labour relations, environmental and development disputes. It is an old notion, having existed since ancient Greece and Rome, and is typically understood as an (impartial) third party assisting two stakeholders to find mutually agreeable solutions to difficult problems (www.mediate.com). Mediation can occur between different levels and contexts from individual marriage through to global peace talks. Central to the notion of mediation therefore are two moments: first, the mediator is called in to assist with some kind of conflict, second the mediator is there to facilitate a process – not to make substantive input (on most versions) – and therefore seen as a neutral player, and must conduct themselves as such. The significance of these two aspects of the concept become clearer in contrast to some family concepts like conciliation, arbitration, litigation, facilitation and representation.

Conciliation is sometimes used as an umbrella term for all mediation and advisory dispute resolution processes. Like 'mediation', 'conciliation' is typically understood as a process whereby an intermediary identifies the disputed issues and generates options to help disputants reach a mutually satisfactory agreement. Neither mediators nor conciliators are meant to determine an outcome and both are meant to be neutral third parties. One notable difference between mediators and conciliators is that the latter typically possess expert knowledge of the domain in which they conciliate, and can thus offer informed advice and may actively encourage parties to come to an agreement. On our reading, the 'expert' framing of conciliation better suits most of the CDRC cases than mediation, as most of the research reveals how key individuals, organisations or even states bring significant kinds of 'expert' knowledge to bear in facilitating public participation processes.

Arbitration is also a process of conflict resolution, but is an opposite of mediation in that a third party decides a conflict in favour of one of the parties after hearing and reflecting on the arguments of both sides. Thus the parties themselves do not make the decision. This term has practically no relevance to the CDRC cases as most intermediaries look to establishing a more inclusive and collaborative decision-making process rather than make the decisions themselves. Similarly, litigation is another inappropriate term in that it refers to cases when conflict is resolved in favour of the party with the strongest legal argument. Further, it is often adversarial with no attempt at dialogue, mutual understanding and agreement. While public participation broadly understood often has adversarial moments, the notion of some kind of inclusion in decision-making which is democratic implies significant forms of dialogue, mutual understanding and agreement. Facilitation is common defined as any activity which makes tasks for others easy, and is broad enough to be consistent with the activities described so far – assisting communities organisations and public authorities engage in collaborative and democratic decision-making – but perhaps not precise enough to capture the specifics of the activity undertaken.

Advocacy is typically understood as involving an attempt by and individual or group to influence the formal decision-making process, whether on policy, law or practice. Superficially this concept may not appear relevant, but only if one understands democratic mediation to mean the facilitation of new forms of inclusion and participation in formal decision-making processes. Even then, advocacy for the inclusion of marginalised groups in formal decision-making is still a form of advocacy. Moreover, our work shows that, in practice, advocacy for inclusion is just one component of democratic mediation. As suggested above and demonstrated below, most 'democratic mediators' also explicitly advocate for the substantive interests of the marginalised group too. Thus democratic mediation is typically a form of advocacy both for the inclusion of marginalised groups in formal decision-making processes, *and* for the interests of those groups. Consequently, it is not, strictly speaking, a form of mediation as it typically involves both the expert knowledge of conciliation and the explicit bias to wards one party of advocacy. Indeed, 'democratic mediation' is probably more accurately a form of advocacy, and specifically a form of activism.

If 'democratic mediation' is actually a dually-constructed form of activism, it is also a form of representation as it involves advocacy for a specific marginalised group whose name is invoked in their absence. Representation is broadly understood in the political realm to describe how a minority can act in the name of the majority in formal decision-making processes. Looking at how civil society organisations lay claim to different types of political representation in participatory governance spaces in Sao Paulo, Brazil, Houtzager and Lavalle (2010) argue that 'mediation' has come to play an important representational function. Indeed, they claim that the most innovative and widely deployed notion of representation amongst civil society actors in Sao Paulo is based on the idea of mediating relations between excluded or marginalised groups and the state (*ibid.*: 29–30):

> [The mediation claim] is expressly politic: mediating relations with the state for groups without voices outside of, but not necessarily opposed to traditional channels of electoral representation… 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. The argument presupposes that organizations that invoke it, 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 organizations and their constituencies.

Thus following Houtzager and Lavalle we would frame democratic mediation as a form of representation by a third party, often a professional or expert actor, who advocates for marginalised groups to access state power and for the interests of marginalised groups. Unlike Houtzager and Lavalle though, we

would not restrict 'mediation' to the activities of those groups which use the term to describe themselves. In this paper we will use the term analytically. Thus where Houtzager and Lavale use the term emically, we use it etically. To put it in terms of Abraham Lincoln's definition of democracy as 'government of the people, by the people and for the people,' democratic mediation would be a form of representation by an actor not of the marginalised, nor an activity conducted by the marginalised, but an activity conducted for the poor and marginalised. More specifically, it is primarily a form of advocacy for the inclusion of the interests of those marginalised from formal decision-making.

As Houtzager and Lavalle (2010: 25) note in the case of CSOs in Brazil 'there is no evidence in the argument of any mechanisms that could strengthen the relation between representative and represented', raising questions as to what basis the representation of the marginalised is authorised and held accountable, to use Pitkin's (1967) two aspects of representation as a social relationship of the principal – agent kind. However, it is important to note that the lack of clear mechanisms of authorisation and accountability is not unique to 'mediational' forms of representation as Mansbridge (2003) points out. Indeed, she argues that most forms of the practice of representation in the United States, and by inference across much of the world, invoke forms of representation that do not reflect the 'promissory model' where representatives are authorised by election to fulfil promises, and then held accountable to these (*ibid.*: 516). Instead she identifies a range of different forms of representation, including 'gyroscopic' representation where representatives act like gyroscopes, rotating on their own axes, that is, are accountable to their internal goals or principles, for example, a stand on a single issue like the environment, a good character, or a set of ideological principles (*ibid.*: 520). The idea is to select a representative who will act in the system the way you want them to act because their behaviour is constant and predictable. On the gyroscopic model, representation is not about representatives accounting to a constituency but about a deep predictability linked to an inner set of values.

What we are calling democratic mediation would appear to share much in common with gyroscopic representation in that it is about a third party acting in terms of the normative goal of securing inclusion for the interests of a marginalised group in decision-making. However, it would also differ from gyroscopic representation of the formal kind in that democratic mediators are not necessarily authorised by the marginalised group to act on their behalf, although in practice some may be authorised explicitly through membership (see the case of the TAC below) or implicitly through partnership (see the case of the MNRU below). Rather the justification is ideological and strategic, and linked to the notion of a representational deficit. Thus many democratic mediators will justify their actions in terms of the steps necessary to overcome the exclusions of the system. Houtzager and Lavalle (2010: 21) again:

> the mediation role played by the organization provides access to public decision-making institutions (locus) that otherwise would remain inaccessible. The argument suggests that (1) 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 authorization by its

> public, (2) the actors mediating capacity is used in a legitimate manner – to make claims in the interest of its public, rather than in the narrow organizational interests of the actor itself.

The potential self-authorisation of democratic mediators is thus a feature that creates the potential for ongoing tension and politics around the entitlement to represent. Indeed, given the asymmetries of power in the deficit model of democratic mediation it seems reasonable to expect that tensions around the legitimacy of mediation will endure. By way of caveat though, it is important to note that Houtzager and Lavalle consider just one case of mediation, and it would be mistaken to generalise from this to all cases. Indeed, as noted in many of the cases below, the practice of citizen mobilisation rarely takes a form that is purely one of 'democratic mediation'. Rather democratic mediation is more commonly found in forms of alliance or coalition politics that involve expert or professional actors working with or alongside more popular organisations of the marginalised and also drawing on political practices by the marginalised. The model in practice is usually more one of advocacy partnership than a more hierarchical 'advocate-client' relationship.

One consequence of this analysis is that the oft assumed opposition between representational and participatory forms of democracy is weakened. It is now widely acknowledged that do participatory institutions exist alongside representative institutions, and indeed are embedded in representative democratic institutions in a way which is understood as 'deepening democracy'. The reflections on democratic mediation shed some light on what is meant by deepening democracy here, namely that participatory processes are ways of including otherwise marginalised voices in the decision-making process. Further, such inclusion proceeds not so much through the participation by all affected, as this almost never occurs, but by the active facilitation of marginalised groups by democratic mediators. In short then, and somewhat paradoxically, democratic mediation typically enables more inclusive forms of representation through participatory processes.

In addition to opening up the representation/participation binary, democratic mediation also requires we call into question the simple binary between 'invented' spaces created by the state and 'invited' spaces created by civil society. Part of the reason for this is that while it is less controversial to identify the formal spaces participation created by the state, it is somewhat problematic to lump together the huge variety of ways that citizens, community-based organisations, NGOs and social movements mobilise and organise for rights into one category. It may even be the case that 'invented' spaces are something of a residual category that only make sense in contrast to 'invited spaces'. Further, and as noted by Cornwall and Coelho (2007) even if a space begins as a formal 'invited space' of the state, over time engagement by citizens may transform the space into something it was not originally intended to be originally. Is it then an invented or invited space? A similar line of thought is pushed by the recognition that participatory spaces often involve alliances of actors across the state-society divide advocating for greater inclusion for marginalised groups. In 'working both sides of the equation', democratic mediators transcend simple state-society boundaries, and challenge us to think about inclusion in non-structuralist or proceduralist ways.

In what follows we identify different forms of mediation. We show how despite substantial differences they share something of a common commitment to the representation of the interests of marginalised groups in decision-making. Indeed, the cases shed great light on the increasingly complex and remote character of decision-making in a neoliberal, globalising world, buttressing the claim that democratic mediation is an often much-needed form of activism to overcome substantial representational, knowledge and ideological deficits. In short, our 'mediators' are often expert or more accurately informed advocates for participatory decision-making between marginalised communities and public authority.

# 5 Emergent types of mediation in select CDRC studies

This section looks to survey the various different kinds of 'mediation' found in key CDRC texts. At the outset it is important to note that, despite their impressive global spread, the 150 CDRC cases covered in the entire study were not intended to be a representative sample of forms of citizen mobilisation, organisation and state-society engagement in any particular way. The sample tends to be biased towards the south, and towards the particular interests of project members. Further, the sub-sample surveyed in this paper was identified on the basis of convenience drawing on three major book projects that emerged from the CDRC. Given that the paper is more concerned with identifying and elaborating a hitherto under-appreciated element of public participation processes than making claims about its spread, this is not a constraint. This noted, the substantial empirical evidence of democratic in almost all the cases we surveyed confirms what reason suggests: that is it a practice important to successful cases of public participant across the globe.

In what follows we identify three versions of democratic mediation: mediation as professional advocacy, mediation as representational entrepreneurship, and mediation as citizenship development. Having suggested above that 'mediation' in CDRC cases is best understood as expert advocacy for participatory decision-making between for poor and marginalised communities and public authority, the following sets of question are used as the methodological frame to organise the analysis, namely:

- Who is the 'mediator?
- Between whom precisely do they mediate?
- What are the objectives of mediation?
- What are the strategies of mediation?
- What is the character of mediation?
- What are the characteristic democratic outcomes?

The following table provides a comparative overview of the three kinds, placed on a continuum of most advocational on the left to the most facilitative on the right.

## Table 5.1 Summary table of forms of democratic mediation surveyed

| | Professional advocacy in policy change | Representational entrepreneurship | Citizen development |
|---|---|---|---|
| **Who is the mediator?** | Professional(s) in a CSO-led partnership mostly based in civil society. May even be in state. Partnership involves highly developed mobilising structures which link national reformers to local groups, the media and expertise. | Highly skilled actors. In 'global-local' mobilisations, mediators were often experts/ professionals. In more 'local – global' movements, the mediators were 'hybrid activists' still rooted in the local. | These were mostly Non-Governmental Organisations (NGOS), but also some Community-Based Organisations (CBOs) too. |
| **Between whom do they mediate?** | Political elites in the state, and poor and marginalised groups on the other, represented through CBOs and social movements. | Political authority and economic players versus citizens. | The community and, indirectly often, the local state. Sometimes the community is represented through CBOs and sometimes engages national or international civil society organisations. |
| **Objectives of mediation** | First, mediators play a supporting role as part of a coalition which advances the needs/ interests of a marginalised group. Second, in some cases the mediator plays a leading role in substantive policy engagements, albeit with the backing of partners. | Various: effective rights claiming; an empowered sense of citizenship; better information and knowledge relevant to policy questions | To build citizens' capacities to act in order to transform social problems into public issues, and campaign around those issues to influence public policies. |
| **Strategy of mediation** | Inclusion and advocacy through intelligent mobilisation: an advocacy politics linking expert knowledge to popular mobilisation in ways appropriate to context and thus requires a subtle variety of tactics. | Various: agenda-setting politics involving multi-level representation and the innovative use of post-national knowledge to reinforce the legitimacy of popular interests | Educate and capacitate local communities to develop themselves as both economic and political actors, including through engaging more effectively with the local state. |
| **Character of mediation** | Expert advocacy for policy change in partnership with poor and marginalised groups under a CSO coalition. | Leadership and initiative, especially in knowledge terms in a context of multi-level and often soft power-relations. | Much of the time there is little by way of an explicit advocacy role play by CSOs, with the emphasis being on community development. |
| **Democratic character** | Advocacy: Multiple outcomes, but most clearly strengthening practices of participation through securing inclusion for poor and marginalised groups in a policy dialogue. | Representational: Mostly about creating opportunities for the inclusion of marginalised groups in a policy dialogue, and empowering those groups to engage creatively. | Facilitation: Empowering citizenship by developing the capacities of local communities to support themselves. Can also strengthening citizens' participation practices where they exist. |

**advocacy** ← → **facilitation**

## 5.1 Mediation as professional advocacy in national policy change

If we analyse the case-studies from *Citizen Action and National Policy Reform: Making Change Happen*, edited by John Gaventa and Rosemary McGee. Zed Books, London and New York, 2010, the picture emerges of mediation as professionalised advocacy, usually by and organisation or individual in a CSO.

Across the case-studies a picture emerges of the mediator as the professional individual or organisations in a CSO-led coalition or partnership, mostly, but not exclusively, based in civil society. The coalition involves complex and highly developed mobilising structures which link national reformers to local and faith-based groups, the media and repositories of expertise. Such structures are built over time, deeply grounded in the societies where they are found, and linked to the biographies of those who lead them. Note that professional allies may even be in the state. Interestingly, whether from national or local levels, these significant movements for change were always led by actors deeply rooted in their own societies, suggesting that international actors, whether the international NGOs or other international organisations, may support national change strategies, but rarely will create sustainable policy reform if the movement for reform does not have deep national roots.

Broadly speaking, mediation is conducted between those who dominate the policymaking process one the one hand, typically political elites in the state, and poor and marginalised groups on the other, represented through CBOs and social movements, although alliances often span state-society identities rather than simply reflecting them (i.e. some in the state support policy reform for poor and marginalised, and some in civil society oppose it). The objectives of mediation are twofold, the first of which applies to all cases, the second more variably. First, mediators look to advance the express needs and/or interests of a particular poor or marginalised group on a particular national policy issue, by assisting with representation and systemic or professional knowledge deficits. This politics reflects the enduring and even systematic exclusion of certain groups from the policy process. Thus competition for formal political power is also central, creating new impetus for reform and bringing key allies into positions of influence, often in synergy with collective action from below. Hence the main task of the mediator is to secure effective representation for poor and marginalised groups such that they are able to participate directly in the policy process themselves, with assistance from professionalised individuals/NGOs where need be. This could also be termed mediation as conciliation. However, there are also cases where the mediator also plays a leading role in the substantive policy engagements, albeit usually with the backing of full CSO coalition. This takes the role of the mediator into substantive advocacy of interests and not just access.

In brief the general strategy this may be summed up as ‘inclusion and advocacy through intelligent mobilisation’. It involves a sophisticated advocacy politics linking expert knowledge to popular mobilisation in ways appropriate to context and thus requires a subtle variety of tactics. Successful policy change occurs not through professional advocacy alone, nor just ‘unfocused’ popular protest. What is required is (i) better representation principally through popular mobilisation, but also through linking popular mobilisation to power through

networks and knowledge of formal processes offered by mediator, and (ii) the double legitimacy of professional knowledge related to the policy domain and the popular legitimacy conferred by organisational base and popular mobilisation. This combines the legitimacy of professional knowledge and standing with the legitimacy of popular representation and mobilisation.

The mediator in these cases is more an 'interested intermediaries' in contentious policy politics. Mediation spoken of here is primarily about *expert advocacy* for policy change in *partnership* with poor and marginalised groups under a CSO coalition. However, this can be read as mediation, or more accurately conciliation, in a context of skewed power-relations where certain groups remain systematically marginalised, not least through knowledge and representational deficits, and therefore require a degree of advocacy to get into a policy dialogue on roughly egalitarian terms. Once a more inclusive dialogue is underway, the outcome is based on consent amongst the major players. Hence the mediation role is one of creating the conditions for effective policy dialogue through facilitating inclusion with the assistance of expert networks and knowledge. After that the mediator may or may nor also be involved in explicit advocacy.

As regards democratic outcomes, the answer is various and complex, not least as there are a continuum of advocacy strategies. As regards (i) the construction of empowered notions of citizenship, it does seem that most cases deliver some benefit like a stronger subjective sense of citizenship, popular solidarities, networks, and the 'thickening' of alliances. Perhaps most clearly these case do (ii) strengthen practices of participation, more specifically in terms of (a) assisting in securing inclusion for poor and marginalised groups in a policy dialogue, and (b) empowering those groups to engage through assistance with key knowledge resources. This seems the minimum and least controversial adjudication of the 'democratic success' of mediation *per se*. In addition, various cases can point to both (iii) the strengthening of responsive and accountable states and the development of inclusive and cohesive societies, and (iv) tangible material benefits for poor and marginalised groups through the process of impacting on policy engagement proper in terms of policy on paper and in implementation.

## *Example:* The Treatment Action Campaign in South Africa (Friedman 2010)

The Treatment Action Campaign (TAC), formed in 1998, is remarkable hybrid organisation which comprises a sophisticated leadership, both networked into political and professional organisation and comfortable in these discourse and knowledge systems, and a mass-base of members living with HIV/AIDS who are mostly working people and the poor. The mediation role is thus played by senior leadership who typically possess or have access to the elite networks and professionalised and systems knowledge, in this case medical knowledge mostly from international sources, but who also appreciate the critical importance of an organised mass-base amongst those living with the disease, and the social mobilisation of this base to effect change, especially given a recalcitrant but popular ruling party (Piper, Bafo and Von Lieres 2010).

Notably, this model of a broad coalition of social groups united around a common political objective and working in a reasonably empowering and democratic way is one which the leadership drew from their own experience in the anti-apartheid struggle, and especially the United Democratic Front (UDF) of the 1980s. It thus draws on these struggle legacies, but also extends them through the active education of membership in medical knowledge around their condition (which it terms treatment literacy), and enjoys some legitimacy by association with this politics.

Further, over the 12 years of its existence, the TAC has looked to partner with other interest groups, including particular professional and/or international organisations to enhance campaigning on specific issues. For example, the TAC joined with professional medical associations and, in this one case at least, the Department of Health, in advocating for the removal of patent rights for HIV/AIDS sufferers in South Africa. Hence, the TAC very consciously looks to combine the legitimacy of representing a particular marginalised group through organisation and social mobilisation with the legitimacy of intimacy with the relevant medical knowledge and formal processes of governance at national, but also international, levels.

Broadly speaking, advocacy occurs between those who dominate the policymaking process one the one hand, typically political elites in the state, and in particular the former President Thabo Mbeki, and AIDS sceptic, and his loyal appointment, the Minister of Health, Dr Manto Tshabalala-Msimang, and those South Africans living with HIV/AIDS who cannot afford private care, who are both the vast majority and also poor and black people. In the process however, the TAC also takes care to build alliances with sympathetic organisation in civil society, including the churches and unions, and not to threaten the power-base of the President, the ruling ANC party directly, but court its leadership, especially those in organisations aligned with the ANC, the Congress of South African Trade Unions (COSATU) and South African Communist Party (SACP).

However, perhaps just as importantly, mediation occurs within the TAC between those middle-class individuals who have access to medical knowledge and state/political networks and the vast majority of working and poor membership who do not. This socio-economic divide is further overlain by significant gender differences (leaders are mostly men and members are mostly women), and some racial divides too. Notably, the success of advocacy is premised on the successful mediation of the more elite and popular worlds, both in respect of representational and knowledge divides.

The TAC looks to advocate the specific interests and needs of people living with HIV/Aids in South Africa, more especially as regards a commitment from the state to provide education and treatment at little or no cost to poor people. Notably, while the TAC generated legitimacy through fusing its demonstrable popularity amongst those living with the disease though a significant and mobilised mass base on the one hand, with the legitimacy of technical expertise and efficacy of elite networks on the other, its core claim was a moral one based on human rights to health codified in the South African constitution.

Hence the claim to represent was not just based on its membership or expertise, but mostly on it's a claim to rights. The TAC thus presented itself as representing an issue rather than just a marginalised constituency, and a moral issue that the government ought to live up to at that.

As noted above, the TAC's approach was a sophisticated one based on lessons learned during the anti-apartheid struggles. To bolster the legitimacy of its demands before a very popular government sceptical about HIV/AIDS, the organisation looked to demonstrate popularity through organising a significant and mobilised base and combine, build alliances with other organisations in civil and political society, and embrace the medical and technical knowledge around HIV/AIDS, much from international sources. Very importantly, as noted above, the TAC was able to draw on two kinds of internationally and nationally sanctioned knowledges. The first was scientific mainstream view on HIV/AIDS, and especially the treatment of the disease. The second was the moral commitment to human rights, also codified in the constitution. These resources were at the heart of the TACs message and campaign, and were central to its ultimate success.

The TAC also worked hard on propagating popular versions of this knowledge through the media and in its branches. In terms of popular legitimacy the TAC looked to avoid allegations of being anti-ANC in that key leaders came from an anti-apartheid politics and many if not most members were also ANC members and certainly supporters, and framing the issue as a health rights issue that transcended party politics. The strategy of building legitimacy through building a broad-based movement around the issue saw the TAC embrace a huge variety and combinations of tactics down the years, depending on issues and context. In many ways the TAC's success had much to do with being able to win over most in the ANC to its position on the disease, thus isolating President Mbeki and his coterie.

In general the TAC was a broad-based coalition that looked to win hegemony on the debate around HIV/AIDs treatment in multiple social spaces given its marginalisation from formal policymaking processes for most if its existence. This was a classic example of a kind of Gramscian 'war of position' over cultural hegemony. Once it was able to access the formal policy making process, it easily won the resulting 'war of manoeuvre'. In terms of politics within the organisation the embrace of rights-talk and the registers of UDF-style anti-apartheid politics which included significant participation by membership in some aspects of decision-making but especially in raising awareness about living with HIV/AIDS, including the more technical, medical aspects, helped transcend otherwise profound social divides.

As regards (i) the construction of empowered notions of citizenship, the TAC did clearly empower its members through a treatment literacy programme that explicitly linked living with HIV/AIDS to rights as citizens. Further, many members would have directly experienced various aspects of issue-based politics from politicising an issue through to popular mobilisation and protest. In addition, ordinary members both directly shaped the policy agenda and were genuinely empowered as medical citizens (ie. both knowledge and the capacity for agency). This is not to say there were not problems, many of which remain.

As regards (ii) the strengthening of practices of participation, a key objective of the TAC's politics was to open the closed and unstructured processes of HIV/AIDS policy to include civil society, which it achieved. At the same time, the TAC clearly (iii) assisted in the development of inclusive and cohesive societies through effecting a policy change that will positively affect the lives of hundreds of thousands, if not millions, or people. Further, the TAC did reinforce certain civil society relations although how enduring those are remains to be seen, and certainly has enhanced local solidarities, networks and subjective sense of citizenship. Lastly, as regards (iv) tangible material benefits for poor and marginalised groups the TAC made clear gains for people living with HIV/AIDS not just in terms of symbolic recognition brought about by policy change, but through its practical implementation. While there are still problem here, the lives of hundreds of thousands of people have been touched positively by the TAC's work.

### *Example:* The National Movement for Urban Reform (MNRU) in Brazil (Avritzer 2010)

Movimento Nacional para Reformab Urbana (MNRU, National Movement for Urban Reform) is a rare example of national civil society movement in Brazil, and a successful one. It was able to gather popular actors (social movements, trade unions, community-based organisations) and specialists (NGOs and allies in political parties and government) to create an agenda for Brazilian political society, directly influence law, and to influence the Brazilian Congress in the long term. Down time becomes the Fórum Nacional para Reforma Urbana (FNRU, National Forum for Urban Reform), and returns more to local level politics. Nevertheless, it starts out mediating between popular and professional organisations, and engages in sustained advocacy or formal lobbying of political society.

At the broadest level the MNRU advocated for the interests of the urban poor in the national law-making process. In terms of more practical mediation, it was able to combine local popular organisations and national professional associations, along with allies in national government and parties, behind a pro-urban poor reform project.

For the MNRU the objective of the advocacy was to change national law and policy at an opportune time in favour of the urban poor.

Notably this was not a high mobilisation case as with agrarian reforms or budget reform movements in Brazil. Rather then MNRU used classic lobbying tactics through its most important partners to influence the national policy and law-making processes during (and after) the constitution-making process. Key here was the legitimacy afforded by popular support and networks across civil society and party lines in the initial phases, but then also personal progressive networks in the media, parties and government. The MNRU was also able to draw on the financial resources of professional organisations which was important for effective lobbying. Down time lobbying comes increasingly to dominate the MNRUs tactics after the mobilisation moments of the early

engagements. Questions emerge about its relation to the mass base, and inability to affect implementation given its increasingly professional and lobbying character. Indeed, the implementation of pro-poor urban policy turns out to be significantly influence by local urban governance, and the relations between parties and civil society at this level too. At this level the MNRU and its successor are less successful. The urban reform movement is instructive as to the general non-alignment of civil society actors with political society actors throughout Brazilian democratisation.

The NMRU is more of an NGO-led lobby coalition with mass appeal. It ends up lobbying for national law and policy change under particular conditions of fluidity in foundational law: the constitution-making process. It becomes an almost pure case of the professional democratic mediator. This is not to say that popular roots were not important though, especially at the outset. Urban social movements arose in large numbers in the second period of democratisation from 1975–1985. They were limited to the local level however. The MNRU emerged in 1982 with the idea of articulating a proposal for urban reform in the national constitution-making process. The NMRU is atypical of Brazilian civil society of the time as it was national and used professional knowledge, networks and lobbying tactics mostly. The NMRU was thus a hybrid between a social movement and lobby organisation from the outset: a broad coalition of social actors but over time seems to become more and more a professional NGO lobbying national government and less a mass-based social movement.

In terms of (i) the construction of empowered notions of citizenship, it seems that the NMRU's initial process of citizen involvement in developing the inputs to constitution-making was not sustained, and thus the impact would have been limited. However, the substantive gains of the NMRU include a legal securing legal recognition of everyone's 'right to the city', including the right to a decent living which seems likely to positive impact on empowered notions of citizenship. Further, in respect of (ii) strengthening of practices of participation, after an initial period in the campaign that was good for building national civil society networks, including with progressive political and administrative elites, little more has occurred. It is not clear that it has been inherently good for civil society strengthening at the local level. Similarly, as regards (iii) the strengthening of responsive and accountable states and the development of inclusive and cohesive societies the campaign did (a) secure the securing legal recognition of everyone's 'right to the city', including the right to a decent living, (b) subordinate private property to city policy and (c) enhance the democratic governance of cities. It seems likely that these principles could assist in securing more democratic states. Lastly, in respect of (iv) tangible material benefits for poor and marginalised groups, the condition of the urban poor has improved significantly across Brazil not least thanks to the national law. However, the upliftment of the urban poor also depends on the governance in each city, and this has much to do with the configuration of local political leadership and its relationship with civil society too.

## 5.2 Mediation as representational entrepreneurship

If we analyse the case-studies from John Gaventa and Rajesh Tandon (eds) (2010) *Globalising Citizen Engagement*, London: Zed Books, the picture emerges of mediation as representational entrepreneurship in a complex and multi-faceted governance system by 'hybrid' actors.

In general mediators are highly skilled actors who may be individuals, NGOS, social movements, or even the state itself. E.g. Tarrow describes these individuals as 'rooted cosmopolitans' or 'transnational activists'. Alonso prefers to use the term 'hybrid citizens', who maintain deep rootedness to the local, even while moving within and across global arenas. Many cases refer to NGOs, social movements and states. Typically, mediators intervene between, on the one hand, multiple sources of power, at different geographical levels (post-national, national and local), both hard (formal institutions) and soft (emergent practices, dominant forms of knowledge, economic and political incentives) engagement, public and private organisations, and the citizen movements on the other hand.

The objectives mediation vary, but include effective rights claiming by citizens leading to tangible material benefits, but also a sense of empowered citizenship through enabling better representation of citizen's interests in respect of the various forms of power, and better information and knowledge relevant to key policy questions. Similarly, strategies vary but include an agenda-setting politics involving multi-site representation and the innovative use of knowledge to reinforce the legitimacy of popular interests or organisations. The objective of this is to ensure the inclusion of poor and marginalised groups in the decision-making process. In terms of representation, what marked these as distinctive was engaging across a number of levels of power simultaneously (e.g. international, national, local), not just aiming at one level. In terms of knowledge the attempt is to engage seriously with emergent forms of post-national knowledge. The key point here is that in a context of 'soft' power, with often loose accountabilities, the ability to gain political legitimacy depends in turn on whose knowledge is seen as most legitimate and how an issue is framed. Mobilisation involves not only popular action, but also mobilisation of knowledge.

In general, then the character of democratic mediation is one of 'policy entrepreneurship'. Notably, the nature of mediation is also affected by the origins of the mobilisation. In more 'global-local' mobilisations, mediators were often experts, professionals, and international NGOs. In more 'local – global' movements, the mediators were still 'hybrid activists' yet more deeply rooted in the local identities and associations. However, in either case the actor is distinguished by the taking of initiative in a domain of power-relations which is multi-level, power itself is soft as much as hard, presentation and accountability are more blurred, and the institutional framing is limited. This newer and more fluid space allows much more of a role for leadership and initiative.

The democratic outcomes of 'charismatic entrepreneurship' mostly focus on (ii) strengthening practices of participation', more specifically in terms of creating opportunities for the inclusion of poor and marginalised groups in a policy

dialogue, and empowering those groups to engage creatively, set knowledge agendas, and claim legitimacy through assistance with key knowledge resources. However, then there are a number of democratic assessments that can be made in regards of (iii) the strengthening of responsive and accountable states through an impact on policy engagement proper in terms of policy on paper and, (iv) and impact on tangible material benefits through implementation, as well the effects of the engagement on (i) the construction of empowered notions of citizenship through aspects like a subjective sense of citizenship, popular solidarities, networks, and the 'thickening' of alliances.

Note that in the examples that follow, the second one on Unilever and rural women's development in India is an example of what happens in the absence of appropriate forms of democratic mediation by the relevant state.

### *Example: Via Campesina:* small farmer and globalisation (Borras and Franco 2010)

An international social movement, *Via Campesina*, comprised of national and sub-national associations of small farmers and peasants from the north and south, formed in 1993 as a response to neoliberal globalisation. *Via Campesina* is both an actor and an arena of action, hence the concept of 'mediation' applies to its role between the rural poor and policymakers, and within the forum to relationships between various members. We will be examining it more in the former sense as this relationship is more important in terms of actual policymaking, and also characterised by the immense power disparities typical of many instances of mediational politics.

In terns of advocacy, *Via Campesina* engages national governments but especially the global economic institutions in the name of the rural peasantry and small farmers. At the same times, *Via Campesina* is itself a site of engagement between a range of organisations.

In terms of advocacy, *Via Campesina* looks to more properly insert the voice and interests of the rural poor into global programmes around rural development, particularly looking to reject neoliberal, market-based approaches, and typically the defend the role of democratic public authority in rural governance, and especially the democratic rights of those affected. In so doing *Via Campesina* has looked to open new spaces for policy engagement and set new agendas for rural development. In terms of internal mediation, *Via Campesina* has looked to include organisations more properly representative and rooted amongst the rural poor, and marry their various ideologies, personalities and interests to the political demands of engaging with globalising sources of governance on rural development.

In terms of advocacy, *Via Campesina*'s strategy has mostly been one of contesting dominant policy positions and forms of governance at the global level, and advocating for the creation of new, more democratic processes which include the genuine representatives and voices of the global rural poor. It uses a combination of strategies: 'exposing and opposing' neoliberal land policies and the institutions that promote them (principally the World Bank) and

using strategic 'tactical alliances', with friendly institutions or groups within these institutions, for example, the United Nations). Key here is defending a role for the state as democratic intermediatory between global corporations or capital and local communities. It has thus embraced the language of democratic rights, holding that 'rights holders' (poor peasants) are entitled to hold the 'duty bearers' (national governments) and now increasingly international organisations and governance processes accountable for land policies. Further, these rights are explicitly linked to a citizenship at local, national and international levels, with corresponding 'duty-bearers' at each level.

*Via Campesina* has also looked to contest the technical economic knowledge propagated by the World Bank with their own knowledge of the lived-experience of their members. Indeed, the transnational nature of the land reform campaign has partially eroded the traditional monopoly of the World Bank and other international institutions on access to and control over key information related to land and peasantry in different national and international locations. The main forms of action in the campaign include protests in international venues, participation in some official conferences, and non-participation in others, combined with continuing land-related actions 'from below' in national and local settings. Civil society campaigns that are more vertically integrated have become a necessity, as mobilisation of the mass base remains the key source of power.

In terms of advocacy its character is one of 'innovative agitation', which is mostly negatively framed in terms of policy, that is, critical of neoliberal substantive positions, but more positively framed in terms on demanding the inclusion of poor communities and their representatives in decision-making from the local to the global levels. Implicit in this is a defence of democratic public authority against market control. In terms of its internal 'mediation', *Vía Campesina* is a complex mix of movements with differing degrees of rootedness in the poor, ideologies, personality clashes and agendas. Fraternal relations within *Vía Campesina* are primarily defined along the lines of agrarian populism: 'peasant community' versus 'outsiders' and 'them' versus 'us'. Solidarity channels have been quickly forged between different classes of the rural poor: peasants, small farmers, fisherfolk and indigenous peoples. Tensions remain about marrying the technical knowledge and representational networks of professional NGO-type organisations with the mass-base of a social movement. Added to this are the tensions created by mediation between the movement's global leadership and sub-national movements.

In terms of (i) the construction of empowered notions of citizenship *Vía Campesina* can be seen as empowering its members by affirming new forms of political identify through a multi-layered sense of citizenship and new channels of solidarity. Land rights have become reframed as global, national and local citizenship rights. As regards (ii) the strengthening of practices of participation *Vía Campesina* can claim the greatest achievement as its global campaign for agrarian reform has contributed to the creation of a new 'citizenship spaces' in international and national policy making processes. These are termed 'citizenship spaces' because when using such a venue, *Vía Campesina* activists are politically conscious of their 'rights' as citizens, they use this arena

to hold accountable institutions they perceive to be 'duty bearers'. What existed prior to this new citizenship space were institutional spaces used by NGOs and relatively well-off farmers – often claiming they were acting on behalf of poor peasants. Further, the emergence of *Vía Campesina* has not shrunk the relative share of each key civil society actor in the global governance terrain as the space created and occupied by various civil society groups was expanded, and also rendered much more complex in an enriching way. In respect of both (iii) the strengthening of responsive and accountable states and the development of inclusive and cohesive societies and (iv) tangible material benefits for poor and marginalised groups *Via Campesina*'s gains are modest. In terms of changes to actual policies and the lived-experiences of rural development, *Vía Campesina* can claim mostly negative gains, in the sense of stopping further bad policies from being implemented, rather than championing the introduction of new progressive policies which have yielded positive real world results.

### *Example:* Unilever and Rural Women's Development in India (Thekkudan 2010)

In this case the mediator is the Indian state government of Andhra Pradesh – although this case is mostly of asymmetrical or failed mediation by the Indian state. Here the mediator is intervening between on the one hand, Hindustan Unilever Limited (HUL), the Indian division of the Unilever trans-national corporation, and on the other hand, poor women in self-help groups (SHGs) in rural areas of Andhra Pradesh, India. The mediation was aimed, on the one hand, at facilitating HUL's objective of creating income-generating capabilities and improving the living standards of underprivileged rural women through providing a sustainable micro-enterprise opportunity, and on the other, realising government's own objectives of empowering women as entrepreneurs through the self-help group movement.

The state's strategy has been one of assisting the corporation to achieve its objectives without properly considering or consulting the participants in the project, and without sustaining its role in the project. Thus in response to HUL's approach, the Government of Andhra Pradesh (GoAP) entered into a public-private partnership with HUL to initiate Project *Shakti* in 50 villages of Nalgonda District. A livelihood and marketing support agency, Marketing and Rural Team (MART), in collaboration with the State Department for Rural Development's Andhra Pradesh Rural Livelihoods programme in Nalgonda District, proposed the idea of retailing HUL products. After detailed discussions with HUL representatives, details of the collaboration were worked out.

State support was further evident in the fact that the GoAP, through the District Rural Development Agency (DRDA), was jointly involved with HUL and MART in the selection of the *Shakti Amma*. In some cases, DRDA staff and the *mandal* (block, the second tier of Indian local government) officials have also been instrumental. At no time were the participants in the project properly consulted, and neither do forums or mechanisms exist for collective engagement and input into the governance of he project. Further, the state

players gradually withdrew from the role of the facilitator in the second and third years of the project as officials felt that once the project was in place, both the *Shakti Amma* and HUL could manage it on their own.

Other than moments of consultation in the set-up of the project, the state government failed to respond to the initiative from global business in a considered and sustained way that facilitated the inclusion and empowerment of their citizens in this project, and thus effectively missed an opportunity for entrepreneurial democratic mediation. The lack of meaningful inclusion of citizens has meant that the project has succeeded only in the narrowest economic terms suitable to HUL. The social and political potentials of the project have been lost.

Hence, although most participants have benefited financially from the project, women entrepreneurs have stated that they were unable to meet the expected targets since the time and efforts invested in the dealership did not justify the profits. Only where the participant is already a shopkeeper was the profitability of the initiative assured. The project has changed gender relations, but not equalised them. Thus prior to this initiative, many women participants were housewives, teachers, working in their fields or in the family shop. After the initiative, they have started earning money of their own and now contribute to the family expenses. The ability to do so within the confines of their homes has increased their self-confidence and their awareness and knowledge of their surroundings. However, the initiative was time consuming, with the women spending between two and eight hours daily. For most, the dealership was a collective effort of the entire household. Husbands or sons employed outside the village or having means of transport by which they could easily access other villages become primarily responsible for taking orders and delivery of goods to the nearby villages. Many projects are thus being taken over by the men, and so the Project *Shakti* has to a certain extent promoted this understanding of the distinction between the private and public realms – even though its goal may have been just the opposite.

Consequently, the *Shakti Amma* has become the Indian equivalent of the ‘Avon lady’ in Western countries who moves from door-to-door selling the concept of feminine beauty through cosmetic products; similarly, the *Shakti Amma* in their bid to become ‘power mothers’ have in reality become ‘beauty agents’. There has been no promotion of a wider sense of citizenship, not least as there are no opportunities for participants to engage in the decision-making over the project collectively, and the lack of a transparent and democratic governance process once the project got underway has seen a number of civil society organisations withdraw from the project as they felt they had not possibility of impacting positively on practice. This project has also thus missed the potential transformational opportunity posed by Unilever, the parent company of HUL, attempting to transform itself by minimising the negative impacts of it business, and become part of the solutions to crises across the globe. In India more specifically, HUL has endeavoured to be a good ‘citizen’ through its community social responsibility approach.

The democratic implications of a lack of entrepreneurial democratic mediation meant that the project is successful only on the lowest bar of tangible material

outcomes. Thus initial research showed that most women were making a living from the project but not at the rate hoped for, and that this did help some individuals feel more empowered and enhance their status. However, as noted above, in the construction of empowered notions of citizenship, the strengthening of practices of participation and the strengthening of responsive and accountable states and the development of inclusive and cohesive societies the project has largely failed. Gender relations, social cohesion, organisations and citizenship are all minimally affected. In short, a huge opportunity has been lost due to the lack of democratic mediation by the state.

## 5.3 Mediation as citizen development

Many theories of democracy discuss the importance of an empowered citizenry who can actively participate in democratic life, hold the state to account and exercise their rights and responsibilities effectively. Learning these skills involves the development of citizens as actors, capable of claiming rights and acting for themselves. As Gaventa and Barrett (2010: 21) argue, 'an important first-level impact of citizen engagement is the development of a greater sense of rights and empowered self-identity, which serve as a prerequisite for action and participation.' Many CDRC case studies demonstrate that a strengthened sense of citizenship and more effective citizen practices are critical building blocks for achieving broader governance and social development goals. An important part of building more effective citizenship practices is to develop greater political knowledge, awareness of rights and agency, and developing social organisation and networks. Gaventa and Barrett (*ibid.*) argue that 'there is a great deal of evidence to suggest that the construction of knowledgable and empowered citizens is one of the most important sets of outcomes produced by citizen engagement'. Building such 'citizenship' capacities can facilitate other democratic and developmental outcomes.

CDRC cases have shown the importance of forms of mediation which build citizens' knowledges of rights and capacities for active participation. If we analyse the case-studies from the Zed volume *Mobilizing for Democracy*, the picture emerges of mediation as citizen development aimed at building citizen capabilities in local governance. These forms of mediation aim the build the capacity of citizens to represent themselves.

These were mostly Non-Governmental Organisations (NGOS), but also some Community-Based Organisations (CBOs) too. Many of these are social mobilisation organisations which seek to build citizens' capacities to act in order to transform social problems into public issues, and campaign around those issues to influence public policies. Within specific contexts these organisations are often highly diverse and display diverse organisational strategies (Kabeer and Mahmud 2010). Some of these organisations play a coordinating role, linking civil society organisations to each other, to mediate relations with the state and to coordinate collective action (Ferreira and Roque 2010). Many of these organisations run training programmes on rights for citizens and work behind the scenes to empower individuals and groups to act.

Mediation occurs mostly between the community, usually poor or marginalised people, and, indirectly often, the local state. Sometimes the community is represented indirectly through CBOs and sometimes the mediation also engages national or international civil society organisations.

The CSOs intentionally educate and capacitate local communities to develop themselves as both economic and political actors, including through engaging more effectively with the local state. The latter is often done independently of the CSO's programmes but sometimes through them. Sometimes the CSOs mediate between these communities/members and national/international CSOs too.

These are various but most centre on some explicit training of community or members to advance their own personal and collective development, including sometimes through engaging the local state amongst other organisations too. The case studies show how different organisational strategies lead to different outcomes when it comes to building citizens' capacities and practices of participation.

Much of the time there is little by way of an explicit advocacy role play by CSOs, with the emphasis being on community development. Hence there is little by way of explicit mediation in local governance decision-making in these cases, although this granted the empowerment of communities has a demonstrable and mostly positive impact on local governance. However, to the extent that these activities empower citizen to engage local government in participatory terms, and are intended to do so, one could suggest that these CSOs are engaging in a kind of mediation as citizen development. This claim is more obviously defensible in the many instances of direct involvement by these development CSOs in engaging local public authority.

At first glance these studies seem to have the least obvious outcomes in terms of (iv) tangible material benefits for poor and marginalised groups. Here the emphasis seems primarily on (i) construction of empowered notions of citizenship with most effort going into directly developing the various capacities of local communities to support themselves. However, some of these cases show how in contexts with fragile democratic institutions and unresponsive states, these forms of mediation can result in more tangible developmental outcomes associated with improvements in livelihoods and challenges to political abuses of power. Mediation as citizen development can have benefits for strengthening of citizens' participation practices where they exist in local government, strengthening of responsive and accountable states and the development of inclusive and cohesive societies through enhancing social capital, and the building of stronger alliances.

### *Example:* NGOs in Bangladesh (Kabeer and Mahmud 2010)

In this case study the mediating role is played by high profile registered development NGOs which are very active in the everyday lives of the country's poorer citizens. They operate in more than 78 per cent of rural villages. Some are national in scope, others are more regional. All rely heavily on foreign

donor funding. Their organisational strategies vary: some focus more narrowly on microfinance issues, and others more on social mobilisation. All work directly with citizens at the village level. Together they constitute an elite group of NGOs in Bangladesh.

Broadly speaking these NGOs mediate between ordinary citizens, on the one hand, and local leaders and the local state on the other. They work directly with marginalised communities through local branches of their organisations. Many of the NGOs mediate their members' relationship with the informal justice system of village communities and in other local decision-making committees. They also mediate ordinary citizens' interactions with locally elected representatives and members of the local administration.

There is a set of common developmental objectives regardless of the overall strategic orientation and organisational approaches of these NGOs. These include the building of health and economic capacities and skills, strengthening capacities for community participation, access to information, and increases in social status for marginalised groups. However, the objectives of the mediation can differ with the overall strategic orientation of these NGO's. Kabeer and Mahmud argue that those organisations associated with microfinance-oriented approaches view their mediating roles in a more restricted way, linked to minimalist approaches to service provision and a narrow economic empowerment agenda. Indeed, perhaps these are not best understood as mediators in the strict sense. Other NGOs however view the objective of mediation in more social mobilisation terms, associated with building their members' capacities to participate in the life of the community, to stand up for their rights and to fight injustice. Again while they may not take this presentational challenge on themselves, these NGOs seem more obviously practising a form of indirect democratic mediation or democratic mediation by proxy.

Strategies of mediation differ according to the overall organisational approaches of the NGOS. Both types of NGOs have group-based strategies, meet on a weekly basis and promote savings by members. However, microfinance NGOs provide micro credit services to its members whereas social mobilisation NGOs are more hostile to NGO provision of credit, on the grounds that it would reproduce old relationship of dependency in a new form. Against this, social mobilisation NGOs stress rights-awareness training. They encourage their members to become more active in community life and to build capacity for self-representation.

Despite these significant differences, the character of mediation can be described as one of another form of 'citizenship development', usually to engage local governance. Some do this more explicitly than others, but there is a general orientation.

In respect of (i) the construction of empowered notions of citizenship social mobilisation NGOs showed greater democratic outcomes associated with the construction of citizenship through their members' increased political capacities for political participation, negotiating skills, working in the legal system and making themselves heard. As regards (ii) the strengthening of practices of

participation, social mobilisation NGOs do encourage active participation in informal justice committees and local committees responsible for the informal governance of the villages. Further their members also engage more in voting and challenging social violence. To this extent they can also be seen to be contributing to (ii) the strengthening of responsive and accountable states and the development of inclusive and cohesive societies. Lastly, as regards (iv) tangible material benefits for poor and marginalised groups, all clearly deliver real outcomes, including the microfinance NGOs.

### *Example:* The NRA in Angola (Ferreira and Roque 2010)

The key mediating actor is a federation of fifteen local associations, the Federation of Representative Associations of Dombe Grande (NRA) in the comuna of Dombe Grande, a small town near the provincial capital, Benguela, Angola. The NRA is a network of local associations which organise their members at the village or neighbourhood level. The majority of these local associations represent small scale farmers. Some of the NRA's local associations are civic associations, offering civic education services to citizens and members of the police force.

Within the NRA there are multiple levels of mediation. The network of associations, the NRA, mediates between communities and local and municipal government. One of its primary functions is to mediate between local government and representatives of local associations. It also mediates between member associations and international NGOs and development agencies. It mediates between civic associations of different municipalities. Member associations of the NRA themselves mediate between communities leaders of ordinary citizens. Within the NRA itself a set of more organised associations act as mediators between the association and newer, less organised associations.

The NRA aims to bring together and represent the demands of its member associations to local government and to donors. It also provides services for its member organisations, such as training, advice on constitutions, mediation with donors, access to technical expertise and monitoring of the associations' credit activity. Central here are forms of capacity building such as strengthening connections between local associations; using formal participatory spaces, networks around, between but not service delivery relations with the state. This is viewed as a mistaken approach which undermines the idea of partnership. Organisational development and membership development through capacity building. Central to organisational development is the establishment of networks and alliances as well as skills and knowledge.

In terms of (i) the construction of empowered notions of citizenship there is a greater awareness of rights, self-esteem and citizenship amongst membership. As regards (ii) the strengthening of practices of participation, there is greater access to new formal spaces for participation, and also increases in mobilisation. In respect of (iii) the strengthening of responsive and accountable states and the development of inclusive and cohesive societies, the NRA and affiliates

report greater access to funding, building relations between associations and ordinary citizens, and the economic and political empowerment of farmer associations. Lastly, as regards (iv) the tangible material benefits for poor and marginalised groups there are clear increases in the capacities of small farmers to support the livelihoods of their poor members.

# 6 Conclusion: The character and consequences of democratic mediation

The above survey reveals the myriad ways in which very different kinds of actors play an intermediary role between marginalised communities and various forms of public authority in pursuit of democratic objectives. Indeed, even the emergent analyses of the forms of mediation as professional advocacy, representational entrepreneurship and citizen development conceal important differences within the sets of cases, and there are other ways of reading the collection of cases. Nevertheless, it is hopefully clear by now that there is something substantive to the notion of 'democratic mediation' as loosely embraced in CDRC work, and it refers to the key intermediatory role played by 'expert' third parties in advocating for the inclusion of marginalised groups, and their interests, in the decision-making processes of public authority.

The following ten points summarise the analysis of the paper. First, mediators are defined by the role they play rather than who they are as actors. Thus mediators can be individuals, civil society organisations, or even states. Second, mediators intermediate between (marginalised) communities, on the one hand, and forms of public authority on the other, but may be from either 'side of the equation' or neither. Third, mediation involves some form of representation, including in participatory spaces. Communities sometimes participate directly and freely in engagements with public authority, but almost invariably are represented by CBOS and NGOS and often though a combination of both, opening up familiar problems of representation, inclusion and accountability between communities and their leaders. Importantly, different practices of mediation take different representational forms, throwing up a range of legitimacy challenges.

Fourth, it is critical to note that public authority can exist from the local to the global and indeed across several of these at a time on an issue like farming for example. Further, public authority need not be literally always the state or government, but any authority sanctioned by the state or government, including 'public-private partnerships' between government and business, or 'public-community partnerships' between governments and civil society formations. Hence the nature of public authority is more complex and less formal than government (for an excellent discussion of this see Introduction to John Gaventa and Rajesh Tandon (eds) 2010). Indeed, a key claim of this paper is

that the growing complexity of governance creates a need for 'experts' who have the contacts, knowledge and commitment to access decision-making more effectively.

Fifth, mediation occurs both in the 'invited' and invented' spaces of state-society engagement. Generally-speaking public participation processes which are driven 'from below' by organisations rooted in communities typically require mediation that can interpret and relate legitimate popular concerns to the formal systems of power, with their particular representational and knowledge conditions. Conversely, public participation processes which are driven 'from above' by well-intentioned elites typically require mediation that can connect systems of formal power and knowledge with community needs legitimated through democratic means such as formalised representation and widespread participation in processes. Where the former face challenges of how to speak to power, the latter face challenges of how to engage communities democratically. Notably though, mediators may be from either side of the equation or neither, calling into question the simply state-society divide, but more on this below.

This very general insight into the mediation challenges linked to the agenda-setting trajectories of public participation raises the background question of why mediation is necessary at all. One response, and this is the sixth point, is to say that any form of social action requires a degree of initiative and coordination and thus leadership, and that in the case of public participation processes leadership takes the form of initiating, establishing and maintaining complex collaborative relationships between multiple partners in state and society. Perhaps this is obvious, but for many proponents of participatory democracy the idea of leadership leads to easily back to the elitist justifications of exclusive representational rule. Consider Burke's arguments on the 'trustee' model of leadership for example. However, acknowledging the importance of initiative, organising capacity and vision, especially in establishing new relationships, is also demanded by the research and the lived experience of politics. Further, while individuals will always matter, arguing that mediation amounts to a form of leadership is not the same as saying that mediation is always driven by individuals, mysteriously set apart by some genetic or developmental X factor. As revealed above, the mediation role is more often played by organisations that rely on training and socialisation rather than just individual aptitude, and usually engage in collective forms of decision-making rather than solely relying on individual ability or charisma. More specifically, the cases surveyed above illustrate that 'democratic mediation' typically occurs as part of a broader politics of social mobilisation and/or policy engagement that involves agency by the marginalised group too. In practice then the 'expert leadership' offered by democratic mediators is usually a contribution to a partnership where other agents have significant power too.

Seventh, the necessity and much of the legitimacy of democratic mediation, and hence its generic character and typical dynamics, are framed in terms of the 'democratic deficits' typically faced by poor and marginalised communities across the world. To the extent that democratic mediators posses the knowledge or resources to assist in overcoming these deficits, they can be

termed ‘experts’. There are three kinds of such deficit, namely, representational, knowledge and ideological. Representional deficits refers the failure of the formal institutions to include certain groups properly; knowledge deficits to the gaps in information and understand required to secure the rights of marginalised groups in the system, and ideological deficits to the lack of commitment by many elites (and citizens) to human rights and democratic principles.

Eighth, these deficits will exist in different degrees and in combinations across different cases. In the case of the TAC, the representational deficit refers to the refusal by the Mbeki-led government to even engage about HIV/AIDS treatment policy, and the heart of the struggle was to open the policy process so that those representing people living with HIV and their interests, could impact on its formulation and implementation. Much technical scientific knowledge was required to engage in the public and policy debates but also to empower membership through treatment literacy work. Lastly, the TAC’s politics was framed in terms of a commitment to health rights as part of human rights, captured in the South African constitution, and which it criticised government for failing to respect. In the *Via Campesina* case, the organisation looks to access key decision-making forums and processes at international and national level, build ‘tactical alliances’ with friendly institutions or groups within these institutions, understand and interpret the technical economic knowledge propagated by the World Bank, and contest these processes with the language of democratic rights. They argue that ‘rights holders’ (poor peasants) are entitled to hold the ‘duty bearers’ (national governments) and now increasingly international organisations and governance processes accountable for land policies. In the case of the NRA in Angola, the representational deficits refer to the failure of political parties to adequately champion the interests of marginal groups in urban areas, and the poor representation of the interests of these groups. Hence, using knowledge about the new democratic system and the internationally available forms of democratic assistance resources the NRA looks to build the capacity of civil society to represent these interests, invoking the discourses of democratic responsiveness and citizen rights.

Ninth, this brings us to the question of why these deficits exist, and what it tells about the character and trajectories of democratisation globally. As noted by Gaventa (2006: 8–9) the literature on democracy presents a paradox. On the one hand is the triumphalist view, perhaps most famously stated by Samuel Huntington, that the we live in the democratic age as the vast majority of countries of the world have become electoral democracies in the last 30 years. On the other is the view that the quality of democracy is often poor, with various forms of deficits emerging across both developed and underdeveloped parts of the globe. There a substantial number of explanations offered for dropping levels of political participation in the north, including arguments about the rise of systems of mass communication and their effects on civic life, political communication, professional political actors, and the declining role of parties (for examples see Putnam 2000, Skocpol 2003; and Houtzager and Lavalle 2010: 6).

The reasons for the emergence of a deficit regime in the global south centre on the simultaneous advent of three trends. First is the relatively new introduction of electoral democracy with its promise of better representation and responsiveness to the majority, who are poor. Second, is the undermining of the exclusive grip on power of the newly democratic state due to neoliberal globalisation, that is, the shifting of some state power upwards to post-national forms of decision-making and practice, especially around economic issues, and also sideways to business with the increasing emphasis on market-driven governance. Third, alongside democratisation and neoliberal globalisation, and perhaps even linked to it through globally sponsored notions of decentralisation, are new forms of public participation in local governance. Thus at the same time as democratisation has creating new opportunities for poor and marginalised groups to pursue their rights, neoliberal globalisation has made governance more complex, layered, de-centred and, at least in part, responsive to market logics as much as popular will. In this complex opportunity context the expert or professional democrat becomes an increasingly important player.

The claim therefore, is that the democratic mediation is both a relatively new and growing phenomenon that can be explained in terms of this conjunction of the increasing opportunities for democratic engagement and the growing complexity and remoteness of governance. There is also no reason to believe that this tendency will change any time soon – nor is it confined to the south as the three constitutive elements are also present in many northern contexts too. We live, on the one hand, in the era where the idea of democracy is hegemonic and yet the promise of a better life for the global poor and marginalised appears no closer to fulfilment. Hence the demand for democratic responsiveness is only likely to grow. At the same time the tendency to supply increasingly post-national forms of governance to facilitate the better economic integration of the globe means that decision-making will continue to be pulled upwards, albeit substantially constrained by national interest and hence it will endure as complex.

In sum, there is good reason to believe that the context conducive to democratic mediation will endure, and perhaps even grow. Our argument is not that we are entering the age of the expert democrat, but rather than democratic mediation will continue to be an important, and even growing, form of democratic politics. Further, given the legitimacy weaknesses of democratic mediation we are unlikely to see it manifest in pure form, so much as part of a larger politics which includes more traditional representatives of the marginalised in a coalition or alliance, and which draws on forms of politics practiced by members of the marginalised group too. Hence, the expert democrat will rarely work on their own for the people, but more commonly as a strategic partner in a team which includes representatives of the people and is supported with a politics practiced by the people.

Tenth, this brings us to further implications of the practice of democratic mediation for theoretical reflection on some favourite binaries, namely representation and participation, and invented and invited spaces. By now the notion that representation and participation must exist in some kind of opposition should have been dismissed. The paper has shown how in many

cases democratic mediation has the objective of enhancing the representation of marginalised groups in decision-making, including participatory decision-making processes. As David Plotke puts it, 'the opposite of representation is not participation, the opposite of representation is exclusion'. Similarly, drawing attention to the role of the mediator in participatory engagements, confuses the simple dichotomy between 'invited' and 'invented' spaces as the mediator may come from either side of the equation or neither – indeed the mediator may be a member of the state in some cases of 'invention' or a member of civil society in some cases of 'invitation'. Further, participatory spaces may involve alliances of actors across the state-society divide advocating for greater inclusion for marginalised groups. Further, and as noted by Cornwall and Coelho (2007) even if a space begins as a formal 'invited space' of the state, over time engagement by citizens may transform the space into something it was not originally intended to be originally. The analysis of democratic mediation affirms this push beyond these powerful but limited binaries, opening up the theorising of democratic engagement in new ways. In short, democratic mediation shifts the focus of enquiry from *who* initiates participation to *how* participation occurs and the resources and capacities required to initiate and sustain it.

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