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Introduction: The Crucial Role of Mediators in Relations between States and Citizens

Laurence Piper and Bettina von Lieres

Introduction

This book sets out to answer a deceptively simple question: how do citizens and state engage in the global south? The answer is not simple; it is indeed complex and multifaceted, but we argue that much of the time this engagement involves a practice of intermediation. From local to international level, citizens are almost always represented to the state through third parties that are distinguished by the intermediary role that they play. These intermediaries include political parties, non-governmental organisations (NGOs), community-based organisations, social movements, armed non-state actors, networks and individuals. For its part, the state often engages citizens through intermediaries from private service providers to civil society activists and even local militia. Intermediation is thus both widely practised and multi-directional in relations between states and citizens in the global south. Indeed, so significant is the role of intermediaries in the engagement between states and citizens that it may well be useful to unpack the commonplace conception of 'state–society relations' in terms of the term 'state–intermediary–citizen' relations.

Of course, the observation that third parties play a role in representing citizens to states and vice versa is not a new one, and indeed it is central to the mainstream conception of civil society in democracies, where trade unions, interest groups and lobbies champion the interests of their constituencies in the political process (O'Donnell 1999). While clearly important, this book draws attention to a different kind of intermediary between states and citizens, that is, actors that 'speak for' citizens without formal or even explicit authorisation (Pitkin 1967; Mansbridge 2003). Thus unlike politicians or trade union leaders who can point to

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an election or legally based authorisation to speak for a constituency, mediators claim legitimacy to speak or act for citizens on a variety of grounds, but none of them is institutionally recognised by formal political authority. Examples include militia who claim to provide security against drug gangs that the state cannot, or professionalised NGOs that speak for the health rights of poor people on the basis of expert knowledge, or advocacy groups that speak for marginalised groups as they would otherwise have no access to power.

Key objectives of this book are to highlight the importance of mediators to state–society relations in democracies of the global south and to raise the question of what this means for understanding politics in these contexts, most of which are new democracies. As illustrated in different ways in the chapters that follow, mediation is a practice that sometimes reflects, and indeed may reinforce, a lack of democratic relationship between states and citizens. This is most obvious in the case of coercive mediators like militia, but also applies to forms of brokerage where the interests of the mediator are served by becoming the main conduit through which engagement between groups of citizens and states happens. Sometimes, however, mediators may work to overcome democratic deficits, such as the social marginalisation of women or minority groups, or to empower citizens to live better and claim their rights from the state. In sum then, mediators may be coercive, clientelistic or democratic, but the possibility of practising mediation reflects a context-specific form of democratic deficit.

The reason for this, simply put, is that in many contexts in the global south, accessing the democratic state through elected representatives or bureaucracy or formally authorised civil society actors like trade unions or some social movements is simply not effective for large swathes of citizens. The book identifies a range of different potential reasons for this democratic deficit. Some point to lingering forms of pre-democratic representational practices such as the role of traditional and religious leaders; others to enduring relations of social exclusion for minority groups like Uyhgur in China or the lack of a shared social contract between majority and minority nations as in Brazil; others to new forms of political exclusion for the urban poor who cannot live by the rules of the neoliberal city; others to a lack of recognition as citizens bearing rights as in women's organisations in Delhi, pro-democracy NGOS in Angola and NGOs working with the rural poor in Bangladesh. Whatever the reason, mediation emerges where the efficacy of democratic representation through formal institutions or formally authorised actors is limited.

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Notably, we are not the first to use 'mediation' in this way in the context of state–society relations; we borrow the term from Lavalle, Houtzager and Castello (2005) who identify mediation as one of a range of representation claims advanced by civil society formations in Sao Paulo to justify their right to represent the poor. The other grounds commonly cited were 'electoral', 'identity', 'membership', 'proximity' and 'service'. The appeal to 'mediation' was understood by Lavalle et al. (2005) as 'open[ing] up access to public decision-making institutions that otherwise would remain inaccessible', capturing the sense of 'third-party' intervention we like. Notably, for Lavalle et al. (2005), mediation is used in a very specific sense of overcoming marginalisation, and in some kind of constructive or democratic way according to the self-understanding of civil society actors.

This conception of mediation stands in some contrast to the much broader way it is used by most authors in both the mainstream democratisation and participatory democracy literatures. Thus, in respect of democratisation, Peruzotti (2012: 1) follows O'Donnell in arguing that the 'delegative democracies' of executive rule in many Latin American countries should be deepened through both enhancing 'horizontal accountability' by introducing more liberal-democratic institutions and 'vertical accountability' by enabling 'adequate linkages between society and the state to ensure political responsiveness' to citizens (2012: 18, footnote 19). Peruzotti (2012: 13) understands all of this as deepening democracy through extending representational politics, thereby enhancing accountability, beyond the idea of elections through 'the promotion and development of a broad field of mediated politics'. On this view mediated politics includes 'private interest representation'; 'public interest representation' including new actors and themes; new state institutions like policy councils, indigenous councils and institutionalised participation; and the combination of the above in 'an autonomous and pluralistic public sphere' (2012: 14). This broad conception of mediation as encompassing all the forms of representation and accountability between state and society is echoed in a recent work on participatory budgeting in Brazil (Baiocchi et al. 2011).

While following Lavalle et al.'s (2005) more specific account of mediation, in this book we use the concept in a slightly broader way. There are several dimensions to this. We do not limit mediation to the self-description of actors only, but use it to describe all actors who behave as third parties in 'speaking for' (and sometimes 'speaking as' citizens to follow Mische 2009), in the engagement between citizens and the state,

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whether they explicitly frame their representation in these terms or not. This is also important because mediation is not necessarily democratic, nor just limited to bringing citizens into decision-making. It is this focus on mediation as a particular practice of 'speaking for' citizens *within* the wider set of intermediary politics that distinguishes our conception from the all-encompassing usage by Peruzotti and Baiocchi et al.

Further, while reminiscent of the concept of 'brokerage' as used in the anthropology literature of the 1960s and 1970s (James 2011), mediation is used here in three distinct ways. First, 'mediation' is used in a narrower sense in being restricted to explicitly political engagements between states and citizens, rather than the economic and cultural dimensions often invoked in anthropological accounts of brokerage. Of course there are economic, cultural and identity aspects to particular modes of mediation, but the field of action described relates to relations between particular groups of citizens and particular forms of public authority or state. Second, the term mediation is used to describe political engagements in formally democratic political systems in the global south, whereas brokerage was used to describe relations under colonial or transitional regimes.[1] Third, the field of practices captured by intermediaries 'speaking for' citizens is much broader than brokerage, although it would include it too.

Notably, the ubiquitous presence of intermediaries at the intersection of engagements between states and citizens, and the frequency of mediation as part of this, suggests that understanding what is currently termed 'state–society relations' ought to explore more significantly the role of intermediaries and the relations between them and other actors – that is networks. This theme emerges in a number of chapters in this volume (Piper and Bénit-Gbaffou, Kingston, Wheeler, Waisbich), but is most obvious in Chopra's account of the politics around the introduction of the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) in India in 2008, an account that also demonstrates how networks define who is considered a political insider and outsider in ways that redefine and help constitute 'state–intermediary–citizen' relations. Thus a focus on the role of intermediaries, including mediators, and their engagement between states and citizens, helps understand context-specific ways in which who is 'the state' and who is 'the citizen' are defined. It also draws attention to the agency of intermediaries who may often be central to animating relations between states and citizens – indeed this is a distinctive feature of mediation where it is the intermediary who often takes the initiative to 'speak for' citizens to the state or vice versa.

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Lastly, this volume demonstrates that mediation can be more than coercion and clientelism. Hence, intermediaries who 'speak for' various groups of citizens can also secure democratic outcomes. Indeed, a key form of this is the attempt to 'turn subjects into citizens' as it were, by explicitly teaching people about their rights in the democratic political system, and organising and mobilising on this basis. Good examples in this book are found in the chapter by Fleisch and Robins on the Equal Education (EE) social movement in South Africa, Huq and Mahmud's work on gender NGOs in Bangladesh and von Lieres' reflections on NGO activity in Angola. The implication of these chapters is that, at least for key groups of citizens, democratic political representation can be facilitated by third-party mediation, either to bring marginalised groups into state decision-making processes or to construct forms of political agency or citizenship among marginalised groups that the state can recognise and to which it will respond. Hence, in respect of the literatures that affirm democratic deepening mainly through the reform of representative institutions (Schumpeter 1942; Dahl 1972; O'Donnell 1999) or through new forms of participatory governance and strongly organised civil societies (Avritzer 2002; Heller 2001; Fung and Wright 2001; Baiocchi, Heller and Silva 2011; Cornwall and Coelho 2007), we suggest that mediation can, at times, be a form of democratic politics, capable of addressing some of the weaknesses of both liberal representative democracy and participatory governance.

In sum then, mediation refers to informal forms of representation by intermediaries who speak for groups of citizens to the state, and vice versa. It is a subset of the wider representational regime in the new democracies of the global south, and mediation thus exists alongside more commonly recognised representational practices that have been formally authorised. Taking mediation seriously is important because it points to the ubiquitous role of intermediaries in engagements between states and citizens, and the agency of these third parties in defining who is included in, and excluded from, decision-making. Consequently it speaks to larger debates about the challenges of democratisation in the global south. This emphasis on multiple actors, each with significant agency, existing in networks of engagement that contest inclusion and exclusion challenges the institutional structuralism and dualism imagined in the notion of 'state–society relations'. Further, recognising the significance of mediation suggests that liberal-democratic institutions do not exhaust the forms of political practice in democracies of the south, and that various informal and non-democratic practices

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endure or have emerged. Crucially, however, mediation is not necessarily undemocratic and indeed may have an important role to play in deepening democracy, as much as it is also a symptom of its shortcomings.

The nature of mediation

The argument of this book is developed through an emergent analysis from a series of 12 case studies, mostly from countries of the global south (Angola, Bangladesh, Brazil, China, India, Lebanon and South Africa) and one from an underdeveloped community in the Canadian Yukon. Our focus is on *how* citizens and states engage, that is on the actual practice of representing citizens to the state, or related form of public authority, and vice versa. The actors who mediate on behalf of citizens are diverse, ranging from local and national civil society organisations who mediate between unorganised citizens and local states (in Angola Bangladesh, India and South Africa) to international and national advocacy NGOs that campaign on behalf of indigenous groups to influence public policy (Brazil, Canada and China), and social movements that broker the inclusion of poor communities in policy decision-making (South Africa). These 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.

Together our cases take the practice of mediation as the unit of analysis, and our investigation is driven by four research questions; the first two are more descriptive and the latter two are more analytical:

1. What are the shared characteristics across the cases that allow us to constitute the concept of 'mediation'?
2. What is particular to the nature of mediation in each case?
3. How does the context and history of state–society relations help us understand the nature of mediation in each case?
4. What are the processes and outcomes of mediation, and to what extent can mediation be said to be democratic?

In pursuing these questions the project began with cases that the researchers were already familiar with and that seemed to fit an initial description of mediation as a form of 'speaking for' citizens to the state, or vice versa. Then an iterative and dialogical process ensued, via reflections from face-to-face workshops and paper drafting, exploring for

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potential emergent common features and interrogating the appropriate boundaries of mediation in comparison with other forms of representation. Thus our cases explore in depth

(i) the identity of the mediator,
(ii) the objectives of mediation,
(iii) how mediation is practised and thus its nature or 'mode' and
(iv) the outcomes of mediation.

Identifying and reflecting on these questions was a dialogical and imperfect process of concept building. Furthermore, we identified certain typical, though not necessary, characteristics in respect of the goals, style and outcomes of mediatory politics.

In terms of the *identity* of mediators, a significant number of our cases involve some kind of civil society organisation, whether a professional NGO, social movement or more localised community-based organisation. However, in addition to the civil society actors, a range of actors in political society played mediating roles including political parties, state civil servants and the police. In some cases, even individuals were key actors. (Importantly, while political parties and civil servants are formally authorised to represent and act in various ways, these cases show how they can also become mediators when they take on representational roles not formally assigned to them.) Hence, in addition to the range of actors that played a mediating role, a notable feature of mediation is the coexistence of multiple actors playing more familiar representative *and* mediating roles for the same group or in the same place – a plurality probably enhanced by the informal nature of many mediatory politics. In sum then, a key insight of the book is that identity is not a useful means of identifying the practice of 'speaking for' citizens.

Further, as Chopra notes in Chapter 6, reflecting on mediation invites us to think about power relations in procedural rather than structural terms of state versus society, or state versus non-state. Indeed, rather than working with a simple state–society binary, it may be useful to think in terms of networks that include actors from the state, intermediaries and citizens. Further, it is also more effective to think about how representational practices like mediation construct and reconstruct state–society relations in the process of political contest. Mohanty also points out in Chapter 8 how the state responds to the same mediators making the same demands quite differently at national and local levels, confirming the disutility of simplistic assumptions about the coherence

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of state and society as two discrete sets of actors. Thus, as demonstrated in many of our cases, mediation can be both boundary-constructing discursively and boundary-crossing politically.

In terms of the *goals* of mediation, we identified three main kinds in our cases. First are those mediators who look to negotiate and secure access to state decision-making processes in the name of marginalised groups, such as first nations in the Amazon and Yukon, the rural poor in India and the Uyghur Diaspora. These we term the 'diplomats'. Second are those who focus less on accessing the state and more on cultivating forms of citizenship that empower people to solve their own problems and/or engage the state more effectively. This was a common story from women's NGOs in Bangladesh, urban rights NGOs in Angola, education rights movements in South Africa to some disabled movements in the Lebanon. These we term the 'educators'. Third are those mediators who capture power obviously for their own ends. These range from coercive mediators in the favelas of Rio to clientelistic representatives on housing development in Cape Town and paternalistic sectarian representatives in the Lebanon. These we term 'captors'. While it is possible to imagine a wider range of kinds of mediators including, for example, those that look to build networks and alliances or those that intervene as honest brokers in violent conflicts, our range of cases disclosed just 'diplomats', 'educators' and 'captors'.

In respect of the *modes* of mediation, the main way in which representation is conducted, we identify four kinds: coercive, clientelistic, advocacy and empowerment, and often some combination thereof. Although the rarest of modes in our sample, coercive mediators were found in the militia that dominate important aspects of citizen's lives in the favelas of Brazil, and coercion is an important element in enforcing the right to popular representation in many of our contexts including India and South Africa. Clientelistic mediation was common in the urban politics of many of our cases, including political parties trading support for housing and other social goods and local civil society organisations competing for state patronage. Advocacy mediation included social movements demanding better education in South Africa, land rights in Bangladesh, elite lobbying for rural rights in India and traditional leaders championing self-government in Canada. Empowerment mediation involves the building of forms of self-reliance such as elements of the disabled movement in the Lebanon and rights-based forms of citizenship across many of our cases. Again, some of our cases involved mediators who might have more than one mode or whose mode changes with time – another key finding of the book.

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A key insight in respect of mediation concerns the ambiguous position of the intermediary between the state and citizens, not least as each actor might operate according to different rationalities, reflecting the partial institutionalisation of democracy across the global south. This has at least two implications. First, the 'negotiating' nature of mediatory politics means that it is often a politics of bargaining, negotiating and compromise rather than militant confrontation, although there may be moments when the latter are used tactically or out of frustration. Second, mediators must confront the past and the future simultaneously. What is meant by this is that in an attempt to better understand the 'double-dealing' required of mediators, to use Bénit-Gbaffou and Katsaura's (2012) appropriation of Bourdieu, each chapter locates the practice of mediation in the broader context of relations between states and citizens. In addition to help deepen understanding of each case, this approach also affirms the importance of historical evolution of state–society relations and the enduring forms of pre-democratic practices that linger into the post-colonial order, as best outlined in Shankar's chapter on street trading in Hyderabad.

Lastly, as regards the *outcomes* of mediation, most of our cases identified some kind of benefit for the marginalised group that could be described as democratic following Gaventa and Barrett's (2010) grounded theorising of democratic outcomes as

(i) the construction of empowered notions of citizenship;
(ii) the strengthening of practices of participation;
(iii) the strengthening of responsive and accountable states and the development of inclusive and cohesive societies; as well as
(iv) tangible material benefits for poor and marginalised groups.

At the same time, many of the cases noted significant non-democratic outcomes, not least in the more coercive and clientelistic modes, and several noted the importance of changing roles of mediators down time and the tendency of many to try and cling on to the privileged position of being the 'honest broker' between state and society. While modest, these democratic gains are important because they warn against a blanket postcolonial pessimism about popular democracy and redeem the possibility and importance of democratic agency across class and identity lines.

Our findings suggest that mediating practices and actors can, at least at some times, trigger deeper forms of citizen action and can achieve the empowerment of communities. In particular, they often produce

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non-instrumental outcomes such as a strengthened sense of citizenship and more effective citizenship practices, greater political awareness of rights and of one's agency. Citizen mobilisation brought about by mediating actors can sometimes entrench institutional solutions that favour the 'organised marginalised' – those whose claims are mediated through civil society formations – as opposed to less organised citizens with weaker links to civil society and state actors. Indeed if, as Mohanty argues, neoliberal globalisation increases the likelihood of the fragmentation of state power and the rise of a conservative discourse of 'public–private partnership' where the role of civil society is as service provider, then mediation that produces forms of citizenship and state responsive in these terms alone will simultaneously fail to produce inclusive and cohesive societal outcomes. Thus not only must assessing the democratic nature of mediation involve reflection on both the process and outcomes of representation, but the relationship between these means and ends must be reflected on as well. Indeed, generally speaking our cases suggest that democratic process of representation and democratic outcomes do not necessarily align. Notably not one case in our selection is unambiguously democratic in all respects (Table I.1).

Explaining mediation

Emergent from the chapters in this volume are at least four kinds of explanation for the significance of mediation in the global south. Two of them look to enduring features from the past, and two to new forms of challenge to democracy. The first reason concerns enduring forms of pre-democratic representation as identified in Shankar's chapter on city politics in Hyderabad. Here she makes the compelling case that the political repertoires of slogan shouting, disregard for the law and the use of political party mediators and traders associations have a long history that gives lie to the idea of a political rupture with the advent of democracy in India. While the relative balance between these practices may be changing down time as democratic citizenship and state power grow slowly, the political story is more one of continuity than change.

Notably, this line of explanation echoes aspects of Mamdani's (1996) argument that decolonisation in Africa brought about the deracialisation of the political system with the eradication of white rule, but not necessarily democratisation for those who continue to live under 'indirect rule' by traditional leaders in rural areas. This governance remains authoritarian in nature, perpetuating colonial era imaginaries of rural people as 'subjects' governed by 'traditional law' rather than as 'citizens'

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