

## Civil Society's Claims to Political Representation in Brazil

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**Abstract** Civil society is laying claim to political representation in contemporary democracies, destabilizing long-standing ideas about democratic legitimacy. The participatory governance structures that have emerged alongside classic institutions of representative democracy encompass not only direct citizen participation but also political representation by civil society actors. Using original data from São Paulo, Brazil, we show that most of civil society actors that work for the urban poor claim political representation of their “constituency.” Theirs is more often than not an “assumed representation,” we suggest, because our data show that most lack formal members and do not select leaders through elections. Civil society actors (in contrast to political parties and labor unions) lack historically settled and politically sanctioned mechanisms to authorize and hold accountable their representation. This new layer of political representatives therefore faces a historic challenge—constructing novel notions of democratic legitimacy that can support their forms of representation. We examine what new notions of representations are emerging and trace the historic roots of the most widespread and promising that focus on remedying inequality in access to the state.

**Keywords** Political representation · Civil society · Brazil

Organized civil society is laying claim to political representation in contemporary democracies, destabilizing long-standing ideas about democratic legitimacy. An assortment of associations and advocacy organizations have long entered the political arena in affluent and middle-income democracies to engage in public

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interest advocacy or to lobby on behalf of particular social groups, interests, or values. The political role of civil society is being recast, however, by the global trend towards forms of what is alternatively called participatory or deliberative democracy, stakeholder, collaborative, or cogovernance. Civil society actors have themselves been at the forefront of democratic experiments that introduce structures of participatory governance alongside, but interconnected with, the classic institutions of representative democracy. Hidden from view by the conceptual opposition theorist of democracy and political actors that have been drawn between citizen participation and political representation, participatory governance combines in dynamic and unexpected ways direct citizen participation with new and plural forms of political representation by civil society actors. In contexts where this democratic renewal has gone furthest, such as in Brazil, India, and the Netherlands, a diverse ecology of civil society actors now engage in varied functions of mediation, at multiple institutional loci (Cunill 1997; Dalton et al. 2003; Gurza Lavalle et al. 2005a, b, c; Manin 1997; Novaro 2000; Smulovitz and Peruzzotti 2000; Warren 2003; Cornwall and Coelho 2007; Isunza-Vera 2006).

This civil society representation, in institutions that make binding public decisions and compete for jurisdiction with legislative bodies, is stirring unease and uncertainty among elected political leaders, theorists of democracy, and indeed among civil society leaders themselves. Participatory governance is advanced as a complement or even alternative to the institutions of representative democracy on the terms that it counters the lack of responsiveness and accountability of the latter (Fung and Wright 2003; Dalton et al. 2003; Avritzer 2003). Political parties and labor unions have come in for particularly strong criticism of their oligarchic and exclusionary tendencies. The unease then stems from the fact that many of the new political representatives appear to fall well short of the long-established and widely accepted formula for democratic political representation. Associations such as political parties and labor unions, notwithstanding their shortcomings in practice, acquire democratic legitimacy as political representatives from two interrelated institutional features: one, voluntary members constitute the association and can exercise the exit option if they disagree with the direction the association is taking; two, members periodically select leaders, usually through an electoral mechanism and thereby authorize leaders to represent the association, and/or ensure the responsiveness of this representation. In the case of the national polity, membership takes the form of citizenship and selection of leaders is through elections by territorially defined constituencies.

A survey of associations that work for the urban poor we conducted in São Paulo and in other southern megacities in 2002/2003, however, reveals that this democratic formula—voluntary members and elected leadership—is *not* widespread among civil society actors.<sup>1</sup> There is evidence that in affluent democracies as well, including in

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<sup>1</sup> Alongside São Paulo, we conducted the survey in Delhi and Mexico City. The survey, conducted as part of the project “Rights, Representation and the Poor: Comparing Large Developing Democracies,” found that in each city a substantial majority of associations had no formal membership and that the represented had little or no role in selecting leaders. “Rights, Representation and the Poor” conducted citizen and association surveys in Delhi, Mexico City, and São Paulo. Our collaborator, John Harriss, was the lead investigator in Delhi with Neera Chandhoke. Comparative findings in English can be found in Harriss (2004, 2005), Gurza Lavalle et al. (2005a, b, c), Houtzager et al. (2003), Castello et al. (2007), Gurza Lavalle et al. (2005b, 2006), Gurza Lavalle and Castello 2008.

the USA, ground zero for work on associational life, the established democratic model is becoming less common as nonmembership formations have taken center stage—social movements, professionalized advocacy organizations, nonprofits, and others (Skocpol 2003: Chap. 4). The new layer of representatives which mediates the relationship between citizens and state in participatory governance structures therefore appear to have weaker claims to democratic legitimacy than those in representative institutions.

On what basis can civil society actors such as neighborhood associations, urban movements, or advocacy nongovernmental organizations (NGOs) claim to represent a “constituency”? What gives these civil society representatives the authority to engage in public decision making, and how, and by whom, are they held accountable for their decisions? From the vantage point of the democratically sanctioned formula, many of these actors (though not all) are engaged in what we call “assumed representation”—their constituencies do not authorize their claim to representation nor ensure accountability through any accepted institutional mechanism.

In this article, we argue that the logic of the political representation in civil society is connected to but distinct from the political representation of parties or unions and must be explored on its own terms. The two recognized institutional mechanisms that credential political representation, we argue, are part of a model of representative democracy that, over an extended period of political contention, settled and in the nineteenth and early twentieth centuries was widely mimicked by nonpolitical, or civil, associations.<sup>2</sup> Contemporary public interest organizations, community associations (that lack formal membership), social movements, and other group formations are unsettling the terrain of democratic legitimacy, calling into question long-standing claims of political representation and advancing new ones.

The approach we take differs from that found in the literatures on participatory democracy or comparative democratization, which for distinct reasons have by-and-large ignored or dismissed the new forms of representation. Studies of participatory democracy see the new governance institutions as facilitating *direct citizen* participation and tend not to recognize that political representation taking place alongside, and sometimes in place of, such participation. Studies of comparative democratization by-and-large only consider political representation that is constructed through the electoral arena or associational membership and restrict analysis to changes in the party system and parties’ relations to labor movements.

The reality of participatory governance institutions, however, appears to trespass the conceptual boundaries that separate participation and representation, and it is not clear that the new layer of representatives is less responsive or accountable than their better-established counterparts.<sup>3</sup> There are no widely accepted criteria with which to gauge representativeness; it can only be inferred from the presence of certain types of institutionalized interactions between representatives and represented constitu-

<sup>2</sup> Cf. Skocpol (2003) on the US case.

<sup>3</sup> Theorists such as Michels, Lipset, Przeworski, and others point out that the democratic credentials of political parties and labor unions (or other types of membership organizations) have many shortcomings and more generally the weakness of elections as a mechanism that simultaneously authorizes and holds representatives accountable. On the latter point, see Przeworski et al. (1999).

encies (e.g., elections and right to exit). There is some evidence that other forms of authorizing representation and holding representatives to account operate in civil society, but the democratic legitimacy of these is contested and their institutionalization (e.g., in positive law in particular) limited.

We therefore draw on work in political theory, on “political representation,” to develop a historical and contextualized approach to tackling the new notions of representation that civil society actors are advancing to legitimize their new political role. In the absence of widely accepted and institutionalized mechanisms for authorizing civil society representation, our focus is on representatives’ *subjective commitment* to the people they represent, rather than on institutional mechanisms of authorization.

We take the claims of representation that the leaders of civil society actors made as an indication of this subjective commitment. Civil society actors may not always understand their new role as intermediaries between citizen and state as a form of political representation. However, when actors assume the political representation of a constituency, they have little option but to offer a public justification for their status as representatives and make implicit or explicit claims about the basis of their representativeness. We therefore also explore these public justifications and identify internally coherent and shared notions of representation from which they arise.

The next section develops this approach, in light of the existing literatures. Then, we enter the empirical world of civil society actors in São Paulo, Brazil, to explore these claims of representation. We report the survey findings from São Paulo because the city embodies the trends in large-scale participatory governance found in Brazil, a country widely considered a global leader in this area. In addition, our strongest findings are for that city.<sup>4</sup> We examine data produced by interviews with leaders of 229 associations that work for the urban poor, to identify what share of the actors make claims to representation and what public justification they offer for this claim. From these justifications, we derive six notions of representation; the more widespread of which, we argue, have crystallized in São Paulo over the last 20 years.

In the final section of the article, we offer a historical argument for the genesis of the most innovative and widely offered notion of representation—*mediating* relations to the state for groups who otherwise will have no access to public authorities and hence tackling inequality in citizenship (rather than socioeconomic inequity). We argue that the political ferment that triggered the democratic transition of the 1980s helped destabilized both the classic claims of representation and civil society actors’ understanding of their own political role, creating new cultural codes from which novel claims could be assembled. The process of establishing new forms of democratic legitimacy, we suggest, is well underway. What is indeterminate at this moment is which of these notions will survive and ultimately become enshrined in positive law and the practices of public institutions. Notably, the notions with the deepest historical roots, outcomes of earlier political battles fought by different social forces—voluntary membership, electing leaders, as well as identity—are the *least* common.

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<sup>4</sup> See footnote 1 for papers on Delhi and Mexico, as well as comparative assessments.

## Bridging Political Representation and Participatory Governance

Research on the major changes underway in contemporary democracies presents two strikingly different images yet shares a lack of curiosity about civil society's claims to political representation. Recent studies within the participatory democracy literature and in particular those on participatory or empowered participatory governance (Fung and Wright 2003) are forcefully optimistic that democracy is deepening; participatory institutions are opening up access to the state for social groups that have historically had little or no access. Participatory governance is seen as breaking the monopoly parties have enjoyed during much of the twentieth century and thereby countering some of the distorting and exclusionary effects inherent to representative democratic institutions. Studies of contemporary democratization have instead proclaimed the "crisis of representation," interpreting a relative decline of labor-based parties and labor union membership as the end of stable working class electorates, the guarantor of working people's interests in the twentieth century. Working people's political representation, the studies suggest, is severely undermined by postclass forms of representation, from narrow or fragmented issue-based to neopopulist or mediatic.

It is surprising then that these different diagnosis overlap in their view of civil society's claims to political representation. Representation and participation need not be conceived as standing in opposition to each other and may in fact be best understood as complementary (Macpherson 1978; de Santos and Avritzer 2002). Participatory governance institutions in particular mix practices and actors that, until recently, were treated separately in the literature and in the language of social actors. The new institutions dilute the different positions that have organized the dispute between the defense of democratic institutionality and its "exclusive" mechanisms of political representation (representation that is authorized and held accountable through elections) and the advocacy of direct citizen participation or social accountability through extrainstitutional mobilization and pressure. As a consequence, the most common understandings of participation and representation appear to have become antiquated and inadequate to understanding current changes in the terrain of democracy.

The literature on *participatory democracy* explores the role "civil society" plays in participatory governance institutions and, particularly, that of direct citizen participation.<sup>5</sup> At a conceptual level, analytical emphasis on participation tends to neglect issues related to representation. Direct citizen participation itself negates the idea of representation, as it centers on the direct involvement in the policy process of people possibly affected or benefited by public policies, who makes themselves present but do not represent themselves. There is no such a thing as self-representation; it is only possible to make one's self present (Pitkin 1967: 8). In this case, the strong normative commitment to direct participation hides an important

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<sup>5</sup> The large body of work on participatory democracy includes, in addition to classic works such as Pateman (1970) and Macpherson (1978), that on empowered participation (Fung 2004; Fung and Wright 2003), deliberative democracy (Habermas 1995, 1998; for an overview, see the works in the edited volume Schattan and Nobre 2004, and approaches to civil society such as Keane (1988) and Cohen and Arato (1992), and in Latin America, Avritzer (1994, 2003), Olvera (2003), Panfichi (2003), and Costa (2002).

reality—many participatory institutions are designed for civil society associations, rather than individual citizens, and in those designed for direct citizen participation, many of the participants are leaders of civil organizations who come to represent particular groups, values, or identities.<sup>6</sup>

Work on “civil society participation” conceives civil society as a natural (or authentic) extension of the social or life world, thereby hiding from view the problem of political representation (Cohen and Arato 1992; Avritzer 1994, 2003; Habermas 1998; Costa 2002; Arato 2002). This presupposition eliminates the need to ask “in whose name” do these actors speak and “through what mechanisms” are they authorized and held to account. The *separation* of representative and represented, a constitutive characteristic of modern idea of political representation, does not exist in this conception, which conflates civil society with society itself.<sup>7</sup>

The response to the new and plural forms of political representation in the literature on *comparative democratization* has taken place at two levels.<sup>8</sup> Studies that explicitly focus on political representation provide interpretations of the shifting democratic terrain at the level of the party system.<sup>9</sup> The changes are summarized as a redefinition of the relationship between elected representatives and represented citizens as political parties lose their centrality in organizing the electorates’ preferences and as an increasing personalization of politics that is driven by mass media.<sup>10</sup> Within this perspective, representation is condensed in electoral processes and, at the extremes, may be enhanced by what O’Donnell (1998, 2005) calls horizontal accountability relations, the division of power within the state (Przeworski et al. 1999). This position is well represented by Przeworski (2006), who explicitly rejects political representation by civil society associations because of the absence of any clear and obligatory accountability mechanisms. From this perspective, there is

<sup>6</sup> Even in the case of participatory budgeting in Brazil, which is considered a model for direct citizen participation, leaders of civil organizations make up a large share of delegates and become dominant in successive rounds of the process. In the PB of the cities of Porto Alegre, Belo Horizonte, Recife, Santo André, and São Paulo, Wampler (2004: Table 3) for example shows that over half the delegates elected during the first round of the PB were leaders of civil organizations.

<sup>7</sup> Parts of the literature on participatory democracy are beginning to address the question of representation (Hickey and Bracking 2005; Cornwall and Coelho 2007). For a review of the literature on civil society in Brazil, see Gurza Lavalle (2003a). For a critique of the narrow emphasis on citizen participation and civil society, see Houtzager et al. (2003). See Pinto (2004) for a similar critique of associative democracy and participation.

<sup>8</sup> The literature on comparative democratization is vast but includes work on deepening democracy (Roberts 1998; Heller 2001; de Santos and Avritzer 2002), the crisis or reconfiguration of political representation (Roberts and Wibbels 1999; Roberts 2002; Hagopian 1998; Manin 1997; Przeworski et al. 1999; Novaro 2000; Miguel 2003a, b), social accountability (Arato 2002; Peruzzotti and Smulovitz 2002), democratic transitions and consolidation (O’Donnell et al. 1986; Linz and Stepan 1996; Mainwaring and Scully 1995), and the quality of democracy (Diamond and Morlino 2005; O’Donnell 1993, 2005).

<sup>9</sup> For an analysis of different indicators of the reconfiguration of representation, see Miguel (2003a) and Roberts (2002), in addition to Manin (1997: 193–234). Roberts and Wibbels (1999) provide an assessment of different types of factors that might explain this loss of centrality, including socioeconomic structural factors, political-institutional, and performance of the economy.

<sup>10</sup> Relations between representatives and represented have been studied exhaustively in the USA, with a particular focus on the relation between legislative decision making and preferences of voters. In this paper, we consider a more recent set of studies on the reconfiguration of political representation, including those by Manin (1997), Przeworski et al. (1999), Novaro (2000), Miguel (2003a, b), Plotke (1997), Mansbridge (2003), Peruzzotti (2005), Castiglione and Warren (2006), Urbinati and Warren (2007), Urbinati (2006), and Saward 2006.

no point in exploring a possible role in political representation outside of the well-established channels of representative democracy.

The large numbers of studies at the regime level explicitly explore political representation in terms of what Schmitter (1979, 1992) has called structures of interest intermediation and partial regimes. These studies have a far broader focus than political parties, commonly including influential economic interests such as labor movements and business groups. Schmitter (1992) extends this focus further with his notion of democracy as a composite of subregimes with distinctive sites of representation. Noneconomic interests are expressed through the representational structures of what Schmitter (1992: 430–436) calls the *pressure regime*. However, civil society and social movements are considered organizationally too weak, in particular when compared to economic interests organized along corporatist lines, to play a significant role in architecting democratic institutions posttransition from authoritarian rule (Schmitter 1992: 431, 439).

In this and other regime-level studies of democracy, the question of representativeness, constitutive of the notion of representation, is left unexplored.<sup>11</sup> That might be because interest intermediation arguments make the assumption that interests are objectively located in social structure. These arguments regard conflict between representatives, such as parties or interest groups such as labor movements, as reflections of structural conflicts between the classes or social groups that are being represented. Thus, representation is said to occur when there is some congruence between the deduced interests and the actions of representatives or policies of government. However, a number of authors point to a crisis of representation, understood as the progressive effect of the erosion of political cleavages rooted in the world of work and of the connection between political parties and their historic social bases (Roberts and Wibbels 1999).

Our approach in this article differs from that in the participatory democracy and comparative democratization literatures. We believe there are no satisfactory criteria—either historically established or derived from democratic theory—by which it is possible to assess whether civil organizations are effective representatives or not. The existing criteria for establishing the democratic legitimacy of representative democratic institutions are historical products, the outcomes of contingent political contestation in the nineteenth and twentieth centuries that have, with time, acquired both broad political support and carefully elaborated justification in political theory. These criteria have become normalized or naturalized.

The challenge posed by the classical model of electoral representation to representation by collective actors within participatory governance institutions is twofold: the lack of authorization through sanctioned mechanisms and an unavoidable ambiguity as to who is or should be represented. The new forms of representation are largely but not exclusively exercised by collective actors that lack accepted mechanisms for authorization, that is, are exercised by affinity or in a virtual manner, unilaterally, *surrogated* (Mansbridge 2003), engaging civil society actors as political mediators, *discursive representatives* (Dryzek and Niemeyer 2005), or exercising *mediated politics* (Peruzzotti 2005), or performing *nonelectoral*

<sup>11</sup> Exceptions include Friedman and Hochstetler (2002) and Chalmers et al. (1997).

*political representation* (Castiglione and Warren 2006), *self-authorized* representation, or even including *citizen representatives* (Urbinati and Warren 2007), not to speak simply of *advocacy* (Urbinati 2006; Sorj 2005) or of representation claims (Saward 2006)—to cite some of the growing conceptual repertoire dedicated to capturing and signifying the complex pluralization of representation in progress. It is fair to recognize that all of these new expressions share, to a greater or lesser degree, elements of that which is, over two centuries ago Burke (1792), called virtual representation—that is, the fact that some interest could be represented even if representatives are not recognized or authorized by the intended beneficiaries.<sup>12</sup> As we are dealing with claims and the related notions of representation, we prefer to simply use the descriptive word “assumed” when such notions lack the widely accepted authorization and accountability mechanisms.

The definition of the group or social base that is represented—the *constituency*—in turn is slippery when we consider that the territorial definition of represented groups through universal franchise (electoral constituency) suffers well-known distortions. Aggregating preference using territorial contiguity as a criterion, as opposed to blood rights, novelty titles, land property, and other exclusionary criteria, was revolutionary at the historical moment it originated. However, many voter preferences or values are not territorially concentrated (e.g., minority rights), and such preferences can be significantly disadvantaged by territorially based representation. These are the kinds of interests and preferences civil society actors frequently represent before participatory governance institutions. Above all, however, no clear criteria exist to adjudicate which *constituencies* will or should be represented by civil society actors. The new layer of representatives define their own constituencies and speak implicitly or explicitly in the name of direct or indirect “beneficiaries,” diffuse “publics,” more or less delimited “target populations,” disperse or circumscribed “social bases,” specific or ascribed “communities,” “members,” or “supporters” or simply of diffuse “interests,” the “population,” or “society in general,” depending on the type of actor, its issue focus, political–ideological position, and the political–territorial scale of representation.<sup>13</sup>

The contest over what forms political representation by civil organizations should take in participatory governance institutions has, in contrast, just begun. There is no clear single model, nor a set of criteria with which assess the democratic legitimacy or quality of these novel forms of political representation.

We therefore seek to explore, in a context of well-developed structures of participatory governance, civil society’s *claims* to political representation and the *notions* of representation contained within these claims. We seek an analytic approach that allows us to make empirical progress in identifying the forms of representation that are in play *without* assuming a normative model of

<sup>12</sup> As shown by Burke’s (1792) defense of the extension of franchise to Catholics in Ireland, *inclusion* of interests by nondirectly authorized representatives lies at the core of virtual representation. For the relation between virtual and actual representation in Burke’s doctrine of representation, see Pitkin (1967: 168–188).

<sup>13</sup> The notion that citizens themselves belong to distinct groups that are representable or, better yet, to distinct demos (*demói*) with the right of representation is assuming concrete form in the political processes of the European Union.

representation.<sup>14</sup> We find in an older debate on political representation the basis for such an approach: an inductive analytic strategy guided by the constitutive duality of the concept of representation between autonomy of the representative and mandate of the constituency, on the one hand, and the importance of representatives' genuine (subjective) commitment to the interests of the represented (alongside objective institutional mechanisms that seek to guarantee this commitment), on the other.

Political representation has a constitutive tension between the representative's autonomy to act, an element essential to the ability to govern, and responsiveness to the represented—that is, the mandate granted to the representative (Sartori 1962; Pitkin 1967). The tension between the autonomy of the representative and the mandate the constituency grants is at the core of political representation and defines its legitimacy or representativeness. If this duality is constitutive of political representation (Pitkin 1967), the existence of representation does not guarantee representativeness—its correspondence to the will of those being represented—and the strength of representativeness cannot be accomplished by removing the autonomy of the representative. Sartori (1962) and Pitkin (1967) argue that maintaining analytically only one of the two poles in this duality is the quickest way to empty out political representation of its meaning—it either loses its substantive meaning of acting in the interests of or on behalf of those represented or its political meaning of governing society (e.g., the ability to negotiate and deliberate policy and take into account national and other interests).

How the tension is managed, and in favor of which pole, depends in part on how actors attempt to authorize and sanction representation. The analytic strategy we adopt consists of shifting the question of representativeness to the symbolic level, centering attention on the representative's public commitment to representation and the interests or well-being of the represented. It entails taking seriously civil organizations' claims of representation—that is, actors' public acceptance or rejection of the idea of being representatives, together with the public justifications used to establish the genuineness of their commitment to the represented and hence its democratic legitimacy. Civil organizations can reject or accept the role of representatives of constituencies they identify (and define), but once the latter option is chosen, it becomes imperative to produce justifications that can sustain publically the *genuine* nature of the corresponding relation to the represented.

Civil society actors active in participatory governance institutions are themselves acutely aware of this challenge and have launched competing efforts to construct new claims of representation that can acquire democratic legitimacy. These actors have put forth a diversity of partially constructed notions of representation that are used to publicly defend their representativeness.

Publicly assumed representation is not equivalent to effective representation, but commitment to the interests of the represented is a vital component of representation. Although the subjective dimension of representation has become systematically devalued in theories of democracy, institutional rules and designs are powerless

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<sup>14</sup> Similar shifts towards alternative analytic strategies for coping with collective actors' representation or civil society representation can be found within political and democratic theory (e.g., Peruzzotti 2007; Alnoor and Weisband 2007; Urbinati and Warren 2007; Castiglione and Warren 2006).

when representatives are not motivated by a “feeling of representation” (Sartori 1962: 48). More precisely, if representation cannot be reduced to merely assumed representation, representativeness cannot do away with the normative commitment to the represented, and this commitment is found in abundance among many civil organizations. Ultimately, Burke (1774) argues that the best way to guarantee authentic representation—that is, its representativeness—is the existence of a genuine representative commitment. Given the contingent nature of this subjective factor, formal institutional mechanisms are both necessary and desirable to ensure that this representative commitment is not displaced or lost. Thus, arguing that the subjective dimension of representation matters and can be used to making progress in our understanding of the contemporary pluralization of representation does not go so far to sustain, as for example Saward (2006) does, that representation is, *in its essence*, a claim about a relationship.

As briefly stated above, when there are no accepted and institutionalized legitimacy criteria, we descriptively call this claim to representation “assumed representation.” By assumed representation, we specifically mean the assumption of representative roles *without* authorization or accountability from the relevant constituency through the politically sanctioned methods. In Brazil, there are currently few if any formal (objective) institutional mechanisms to ensure the responsiveness of representatives in governance institutions. We do, however, verify that these claims of representation are accompanied by actual practices of representation and examine the levels of participation of actors’ publics in the planning and execution of the organizations’ activities.

## The Case and Our Methods

Brazil has become a democratic laboratory of continental proportions since the military left power in 1985.<sup>15</sup> The Brazilian Constitution of 1988 in particular creates a series of institutional mechanisms for citizen participation, with the explicit intention of expanding democratic practice into the state. It offers new opportunities for direct participation and representation in the design of public policy and oversight of government action (Article 1). Together with sustained mobilization by a large and diverse universe of civil society actors, this has led to a remarkable proliferation of institutionalized participatory arrangements at all levels of the state (municipal, state, and federal) and across various policy areas.<sup>16</sup> Within the country’s federal and relatively decentralized political system, the city of São Paulo, with 10.5 million residents (municipal boundaries) and a mighty technological–industrial base, stands out as Brazil’s largest and most politically diverse metropolis.<sup>17</sup>

<sup>15</sup> The democratic transition effectively began in 1979. The military left power in 1985, but the democratic constitution was approved in 1988, and the first directly elected president only took office in 1989.

<sup>16</sup> The Constitution of 1988 mandates participatory governance councils in the areas of education, health, and social services. Each level of government has, furthermore, created a wealth of councils and other participatory institutions that differ considerably in legal status, composition, and mandate.

<sup>17</sup> The greater São Paulo metropolitan region is made up of 37 cluster municipalities and according to census data in 2000 had a population of 16.4 million.

São Paulo has a long tradition of left political parties, urban movements, and community activism and is the historical birthplace of the country's labor movement. The legacy of a formerly powerful progressive Catholic Church can still be felt among these actors. The city also has a tradition of participatory councils linked to left-leaning actors dating to the 1970s, and recent municipal governments have experimented with a number of participatory governance institutions, including participatory budgeting (2001–2004).<sup>18</sup> Civil organizations in São Paulo and elsewhere in Brazil have, furthermore, achieved notable influence in various areas of public policy from the 1990s onwards (Avritzer 2004; Lubambo et al. 2006).

The first wave of empirical studies of civil society and participatory institutions took one of two forms: either detailed case studies of particular actors or institutional arrangements, such as participatory budgeting, or surveys of individual citizens. In the case of the former, scholars who sought to make broad generalizations about either civil society and/or participatory governance frequently engaged in forms of “comparative anecdotalism”—they would draw on idiosyncratic, not comparable cases, often located in different political–institutional contexts, to substantiate a particular general statement or to a theoretical claim.<sup>19</sup> In the case of survey research, characteristics of organized civil society or participatory institutions are derived from the characteristics of individual citizens.

Our study is part of a second wave of studies that attempt to situate particular actors or institutions in relation to the larger political field they help constitute.<sup>20</sup> It is methodologically innovative to the extent that data come from a survey of associations, rather than of individual citizens (i.e., who are asked about their associational activity), and the survey does *not* select on the dependent variable, as case studies must (for better and sometimes for worse). The survey captures both organizations that claim to be representatives and ones that do not and organizations that are active in participatory institutions and ones that are not.

Sampling the universe of civil organizations is a fraught task, not least because there is no consensus around a definition of what constitute civil organizations and, even for contested definitions, there are no lists or directories that we can confidently say capture much or most of the relevant organizations. The larger universe of civil organizations is not knowable because there are no good directories or comprehen-

<sup>18</sup> Alongside participatory budgeting, Brazil is known for the array of participatory governance councils that are mandated by the Constitution of 1988 in the areas of health, education, and social services. Cities such as São Paulo have further created an array of municipal councils, such as those on housing and gender, along with a range of more consultative arrangements. For discussion of these and other experiences, see Avritzer (2003), Heller (2001), de Santos (1998), de Santos and Avritzer (2002), Lubambo et al. (2006), and Dagnino and Tatagiba (2007).

<sup>19</sup> One of the most ambitious case study projects was the Ford Foundation “Civil Society and Governance Project.” The Latin America findings are published in Dagnino (2002), Olvera (2003), Panfichi (2003), and more recently Dagnino et al. (2006). But see also, Fung and Wright (2003) and de Santos and Avritzer (2002).

<sup>20</sup> Baiocchi (2003), Baiocchi et al. (2008), Chaudhuri and Heller (2002), Dagnino et al. (2006), Isunza-Vera and Olvera 2006.

sive guides to this diverse universe.<sup>21</sup> Furthermore, anchoring analysis in a particular list is equivalent to accepting the list's definition of the universe.

Our sample was therefore constructed using different methods. We relied on a snowball sampling technique, in which "chain referrals" build up a sample that is purposefully targeted.<sup>22</sup> Our target was a particular segment of civil organizations in São Paulo—those that work most actively with or for the city's urban poor. In addition, we were centrally concerned with the question of aggregation and/or coordination: our sampling began in low-income regions of the city, and we selected all organizations that had multiple referrals within those regions (defined by administrative districts). All referred organizations that aggregated and/or coordinated local actors at a regional, municipal, or even national level, were interviewed. Hence, our sample overrepresents what we call "coordinators" (e.g., federations of associations and forums) and underrepresents community organizations (e.g., neighborhood associations).<sup>23</sup>

There are important limits to this methodological strategy, and there is no intention here to present our findings as generalizable beyond the segment we interviewed in São Paulo. Nonetheless, the findings do provide us a new and useful view of the construction of new claims of representation in the context of participatory governance institutions.

The sample is of 229 civil organizations. The data are composed of "self-declared" responses by interviewees—leaders of the selected civil society associations. Interviewee responses have to be interpreted with care and within the context of their respective political-institutional fields: responses reflect civil society leaders' efforts to *position* their organization or validate their work and draw on the prevailing public discourse. The interviews were between 1 and 2 hours and consisted of closed questions with some open follow-up questions.

## A New Universe of Representatives

The sample of civil organizations that work for the urban poor in São Paulo is drawn from a large heterogeneous universe, but it includes a layer of actors who mediate relations between distinct social groups and the state. Most of the associations in our sample have a substantial degree of formalization: only 14% of the 229 associations lack legal registration; 19% lack tax registration; and only 6% reported no budget. The vast majority therefore has a legal identity and tax status as a not for profit, operates all year round, and has some budget ranging from hundreds of dollars per year to more than two millions. A little over half (125 associations or 54%) are registered with some government secretariat or agency, which allows them to receive public funds, and 45% have public contracts to delivery services, ranging from

<sup>21</sup> The most common methodology in quantitative analyses of civil organizations has nonetheless been the use of lists or directories drawn up by governmental or civil organizations. For Latin America, see Landim (1996).

<sup>22</sup> Cf. Goodman (1961) and Atkinson and Flint (2003).

<sup>23</sup> Our snowball began with interviews in four low-income districts, Sacoma, São Lucas, Vila Maria, and Grajau, that differed in the presence of progressive political parties and composition of the working classes (which correlates strongly with the level of urban infrastructure and government presence).

providing milk to school-aged children, computer literacy training to the urban poor, to consultancies to government in areas of education curricula and urban planning. In one way or another, the state looms large for this universe of actors.

As we discuss elsewhere, this universe is also densely networked (Gurza Lavalle et al. 2005b). Actors have an average of 3.2 important formal or informal relations to other civil society actors, adding up more than 800 different civil society associations cited by interviewees in our sample (Gurza Lavalle and Bueno 2009).<sup>24</sup> Furthermore, 59% claim relations to religious groups, 56% to social movements, and 49% to labor unions or professional associations. We would expect an underreporting of ties to political parties because of a general discourse within São Paulo's civil society of nonpartisanship and the legal restrictions on such ties, but even so 82 associations, or 36%, told us they had.

We distinguish organizations by type of activities they undertake (such as service delivery to individual clients, defining problems as public issues, etc.) and by the nature of the relation to their public—that is, to the beneficiaries or constituencies the organizations' define as their primary public. The typology that emerges is *not*, therefore, derived inductively from the data or from actors' own self-definition. It reflects our analytic criteria.

We asked civil society leaders a question battery about their organization's activities and the relationship to their respective constituency. In terms of the latter, we asked with or for whom specific group(s) the association worked (open). How did they define their relationship to this group (the response categories were: members, as a target population, the community, other associations, or another kind of relationship). Does the organization consider itself a representative of this public (yes/no); (if yes) why does the organization consider itself a representative of this public (open).<sup>25</sup>

The survey revealed that a majority of civil society leaders did not see their organization's relationship to its public as consisting of formal membership. Additional questions on their public's role in the organization and sources of funding shows that, in most cases, the people the surveyed organizations represent do not have the right to select leaders, through elections or otherwise, nor a clear exit option, mechanisms that fosters accountability and responsiveness. We therefore include here information about the degree to which organizations' constituents participate in the planning and executing of activities. This provides a partial but useful sense of the type of relation present, notwithstanding a likely tendency to overstate the true levels of participation, as this is considered an important basis of legitimacy in posttransition Brazil.

<sup>24</sup> We asked whether the interviewee's organization had relevant "formal or informal ties to ..." various types of actors that we listed in successive batteries of questions (religious, parties, neighborhood associations, and so forth). The criterion for relevance was the importance of that relation for the working of associations interviewed. São Paulo civil organizations' relational sample fits in to the small-world model developed by Watts et al. (1999), that is networks present high clustering and low average distances, and nodes in any pair are connected a few "steps" from each other, being part at the same time of relatively dense groups. See Gurza Lavalle and Bueno (2009).

<sup>25</sup> We also asked "What criteria are used to define who can benefit from your work and who cannot?" , "Who is your organisation accountable to?" And about the participation of members of the public in different types of activities the organization conducts: planning of programs or activities, executing programs or activities, and public demonstrations or mobilization.

**Table 1** Distribution of types of civil organization in the São Paulo sample (2002)

Type	Freq	Percentage
Community associations	62	27
Advocacy NGOs	62	27
Coordinators	45	20
Service nonprofits	35	15
Others	25	11
Total	229	100

The level of participation in the activities of the civil organizations will likely have a number of consequences, including the level of normative commitment an organization has to the best interest of its public and of subtle social (informal) forms of accountability between the public and the organization. We cannot, however, identify with our data the extent to which participation translates into either higher normative commitment or social/informal accountability.

Table 1 presents the typology and the distribution of each type in the sample. The distribution of the types of organizations is not representative of their distribution in the universe, which for reasons given above remains unknowable. The purposeful sampling technique adopted has produced an overrepresentation of *coordinators* (which relative to the universe in are few) and underrepresentation of *community associations* (which are many).

*Community associations* make up a variety of local and territorially based actors that normally work on behalf of a territorially defined “imagined community.” Unlike in some of the richest democracies and the USA in particular, the number of organizations that have formal membership is relatively small. Instead, a large number of neighborhood associations in the sample affirm they work for “the community.” The constituents of these organizations do participate in the planning and implementation of activities and at a higher rate than for the general sample: 60% stated that community members participate “almost always” in planning of activities, and 52% stated that they did in the execution.

*Advocacy NGOs* seek to transform social problems into public issues and campaign around those issues to influence public policy or private behavior.<sup>26</sup> The relation of advocacy NGOs such as Ação Educativa (Educational Action) or Geledes (a black women’s rights organization) to their constituency is that of a “target population.” There is nonetheless often direct contact, and 40% of *advocacy NGOs* claimed that members of its target population “almost always” participated in its planning activities and 66% in execution of activities. There is no formal membership, however, and hence no exit option. Brazilian advocacy NGOs are different from those in rich countries, where organizations such as Green Peace have large pool of members (although membership is often limited to episodic monetary contributions).

<sup>26</sup> We created the specified concept advocacy NGOS after finding that over 40% of our sample identified itself as an NGO, despite marked differences in activities, organizational structures, and relations to members/beneficiaries. Actors clearly use the label NGO for the purposes of public self-representation.

*Coordinators* are organizations created specifically to link civil organizations to each other, to mediate relations with the state, and to coordinate collective action. The “coordinated” organizations are often formally members of the entity. Coordinators include organizations such as the Union of Housing Movements, which coordinates a city-wide network of housing movements, and the Network of Brazilian Philanthropic Service Entities (REBRAF) and the Brazilian Association of NGOs (ABONG), which coordinate national networks of service providers and advocacy NGOs, respectively. The definition used here covers the types of federated national organizations discussed by Skocpol (1992, 1999) in the context of the nineteenth century USA.<sup>27</sup> Coordinators claimed that 63% of their members “almost always” participated in its planning activities and 76% do so in the execution of activities. Their members are other organizations or movements.

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

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

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

### **Assumed Representation in Participatory Governance**

We start our analysis by identifying which civil society actors claim to represent their publics, in effect defining these as their constituencies. The claim to political representation is reflective of the actor’s subjective commitment to the represented. The accompanying public justification of that representation offers a basis from which to identify the new (and some old) notions of political representation civil society leaders embrace.

<sup>27</sup> In contrast to the USA, however, most coordinators in São Paulo have been created by local or regional associations and are organized in a more horizontal manner (Gurza Lavalle et al. 2005b). See also Crowley and Skocpol (2001).

Interviewees were asked whether their organization engaged in a range of activities related to service delivery, community organizing, making demands on the state, and finally political representation. The last set of questions helped establish what the questionnaire meant by “representation”: “Do you carry out any of the following *representation* activities?” “Make complaints or demands on government agencies or programs; Represent the interest of a community or group in government institutions; Organize or help organize public acts [i.e. demonstrations, protests...]; Other representational activities.” After this last set of questions, the organizations’ leaders were then asked “who they work for,” “whether their organization ‘consider itself a representative of this group of people,’” and if yes, “Why does it consider itself a representative of the interests of this group of people [identified in a previous answer]?” The follow-up question was open and provides the basis for the different notions of representation that we develop later in the article.

Almost three fourths of the leaders believed their organizations were representatives of the groups of people with or for whom they claimed to work (73% to be precise). Before we explore the claims of representation these leaders made to justify their representativeness, we present a few data on different but interrelated dimensions of the associations’ relations to their constituencies.

First, when asked how they would characterize their association’s relation to “the people for who they work,” only 21% of leaders who claimed representation said these people were members of the organization. A large majority affirmed that the constituency they represent is either “the community” (32%) or a “target population” (43%).<sup>28</sup> Second, when asked who, if anyone, elected the association’s leadership, 37 % of these leaders stated that the organization’s members elect the leadership. This is higher than the share who claimed their organization works for its members, in large measure because coordinators have other organizations as members and tend to hold elections for to fill their leadership positions and, secondarily, because staff in a number of advocacy NGOs are members of their organizations (i.e., effectively constituting advocacy cooperatives). These organizations do not represent their “members” but rather the public interest or specific communities or target populations with which they work.

Third, 9% of the leaders said “the community” elects the association’s leaders. This figure is far below the 44% who stated that their organization’s relationship was with “the community,” but it does tell us that representing a constituency defined as “the community” does not preclude elections for leadership, though it is rare.

This does not mean, however, that there are no other mechanisms to authorize representation or ensure some level of accountability. We saw earlier that well over half of the actors asserted that their publics participate in the planning and execution of organization’s activities. In the absence of formal membership, we do not know whether other authorizing or accountability mechanisms exist.

There is a clear relationship between claiming to be a representative and the exercise of activities in which political representation is likely to occur. A simple index of four types of such activities shows that actors who engage in these activities

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<sup>28</sup> The remaining organizations are with or for “other organizations” or the residual category “other.”

are far more likely to have assumed representation (see Fig. 1).<sup>29</sup> The reasonable premise of the index is that the breadth of representation activities vis-à-vis the state is indicative of the extent to which an actor takes on the role of political representation. The index shows that 77% of those which declared themselves representatives in fact undertook two or more types of activities of representation, whereas 66% of the civil organizations that stated they did not represent their publics undertook no or only one type of activity.

Some types of actors are more likely to claim they are representatives than others. Advocacy NGOs, Fig. 2 shows, are the least likely to assume political representation, whereas community organizations are the most likely. About half of advocacy NGOs claim to be representatives of their public, whereas virtually all community organizations (95%), such as neighborhood associations and local social movements, make this claim. Three fourths of coordinators assume the representation of the organizations that constitute their public. Finally, and perhaps surprisingly, three fourths of service nonprofits claim to represent their clients. Service providers in fact stand out because only a small share engages in activities consonant with political representation. Their claim of representation is not consistent with the activities they themselves report undertaking. It is noteworthy that this discrepancy *does not* exist among the other types of actors.

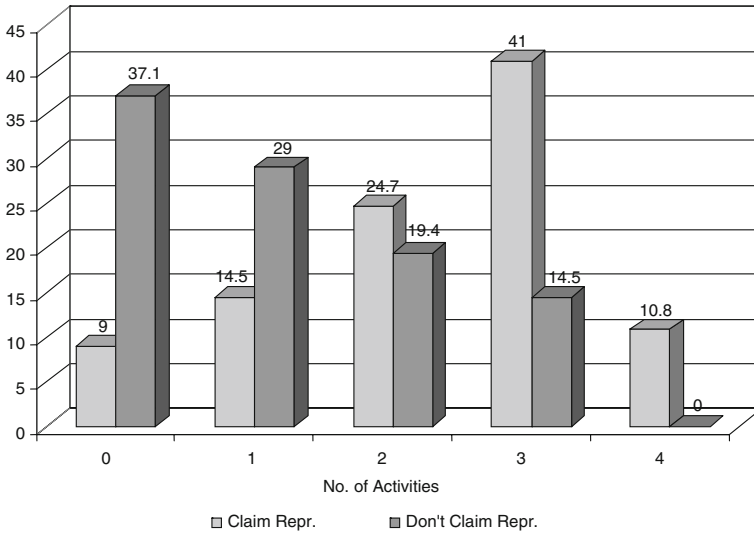
### Competing Notions of Representation

Six distinct notions of representation can be identified in the public justifications civil organizations provide for their assumed representation. The overwhelming majority of organizations who assume representation (or 94%) involve only one type of notion of representation. This suggests that the six notions are relatively well-defined formulations and have stabilized. A similar analysis of civil organizations in Mexico City, for example, shows that 20% of actors used more than one type of notion, and more than 10% used three or more (Gurza Lavalle et al. 2005b; Gurza Lavalle and Castello 2008).

We asked leaders' who told us their organizations were representatives an open question: "Why does the organization consider itself a representative of the interests of this [public]?" Answers ranged from "because we are *elected* to respond politically for this population" to "because we have been *their voice* to public authorities," "because we *work in partnership* with these people" to "because we try to *provide some structure* to the families, distributing milk, basic supplies..."

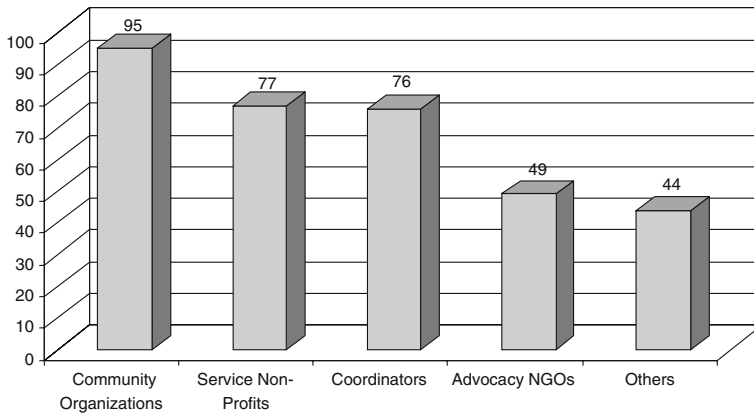
Rather than rely on a priori categories to interpret the answers, we constructed the six claims/notions using ex post textual analysis identifying internal coherence and shared meaning. The notions discussed here are therefore analytic creations of the authors, not "self-definitions." Each notion of representation is made up of the same three components: *the represented* or constituency, some collectivity whose will is

<sup>29</sup> The four types of activities are: (1) participation in new arenas of representation within the executive, such as participatory governance councils for health and education and the municipal-level participatory budget; (2) mediating demands to government agency or departments; (3) influencing policy through electoral means, defined here as supporting political candidate; and (4) influencing policy through the legislature, defined here as making demands on the municipal assembly.



**Fig. 1** Organizations with activities of representation, by claim of representation (%)

bounded and identified; *the representative*, mediator and guardian of interests of those represented; and *the locus*, simultaneously the jurisdiction where representation is exercised and the agent to whom it is exercised. In the case of civil organizations, where assumptions of traditional political representation prove to be inadequate, those represented tend to coincide with the organizations’ public—their clients, community, members, or target population. The representative is the civil organization, which is normally not authorized as such but rather assumes representation by its own initiative. Less frequently, the actor is authorized through formal mechanisms such as elections or voluntary membership. The locus is only implicitly specified in most of the notions of representation we identified and, as a rule, centers on public authority and less frequently on other social institutions and other societal actors.



**Fig. 2** Claims of representation, by type of civil organization (%)

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

A small share of civil organizations in São Paulo, 4%, argues that the existence of electoral mechanisms for selecting their leaders is evidence of the actor’s representativeness. This is far lower than the third of leaders who said that “members” elected the association’s leaders. None of the six types of actor is more likely to make this argument than any other.

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

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

*Identity* The resemblance of existential or substantive attributes of the representative and represented is the basis of the identity notion of representation. Civil organizations which make this argument suggest that the substantive likeness of the leadership and the represented ensures that the interests of the latter are known by the former and will be faithfully represented because of their shared interests. This type of descriptive representation has a long history: it has historically been an argument made by actors committed to proportional representation in the debates about the proper composition of legislatures (Pitkin 1967; Urbinati 1999). The representative mirrors the will of those represented by virtue of existential qualities

that are usually impossible to renounce and are seen to carry objective interests, such as gender, race, and ethnic origin. The identity argument in principle does away with accountability mechanisms. Representativeness based on shared identity—women represent women, blacks represent blacks and so forth—the argument suggests, eliminates the differences between the represented and the representative. It is, however, possible to attribute to a representative a gender or race “perspective” (Young 2002: 121–153), for example, in cases where this quality or attribute is underrepresented, *if* we loosen the assumptions that such attributes carry objective or predefined interests and that the action of leaders who share these attributes will be consonant with these interests. In this limited sense, a soft version of the identity argument by actors in participatory governance institutions is not incompatible with correcting for systematic exclusion from political representation.

A small minority of civil organizations make the identity argument, less than 5%. Only a small smattering of community organizations, coordinators, and advocacy NGOs make this argument, suggesting there is no relation between the type of actor and this particular argument. The small share of organizations that make the identity argument is surprising in light of the considerable attention the “politics of difference” has acquired in political theory, either for its adverse or favorable consequences for citizenship.<sup>30</sup> Identity issues seem to hardly or not at all influence the dynamics of representation among civil organizations in São Paulo. In other contexts, where political mobilization around ethnonationalist or religious identities is common, one would expect that the identity notion of political representation is made by a large share of civil organizations.

*Proximity* In this notion of representation, actors point to their solidarity with the represented, as signaled by their physical closeness to and horizontality of relations with the represented public. These two characteristics of the relationship are given as evidence of the actor’s genuine commitment and understanding of the interests of the represented. At the center of the proximity argument is a criticism of the unavoidable distortions institutional structures that mediate between representative and represented create and their inability to accurately transmit the voice and concerns of the population. It juxtaposes this institutional failure to a genuine or authentic commitment and a set of practices that aim to enable people to act and speak for themselves or to represent their authentic interests. It therefore emphasizes proximity or horizontalness of the relationship between representatives and represented, and, in fact, both could work as mechanisms for fostering accountability. Participation and physical proximity constitute, in principle, favorable conditions for reinforcing relations of accountability between represented and the represented. Civil organizations that are close to their publics and open to participation are, without a doubt, more likely to contribute to effective political representation in participatory governance institutions than those that are distant and hermetic. However, independent of its value, derived from its solidaristic basis, the argument raises old

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<sup>30</sup> Assessments and critiques of this debate are available in Kymlicka and Norman (1997), Young (2002), and Gurza Lavalle (2003b).

dilemmas of direct democracy: extreme emphases on participation ultimately nullifying representation itself (Pitkin 1967: 209–240; Sartori 1962).<sup>31</sup>

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

*Mediation* The mediation notion of representation is based on a perceived need to remedy an inequality which is not directly related to socioeconomic status but in access to the state. It points to a deficit in political institutions ability to “hear” interests and respond to the petitions or demands of “politically excluded” segments of the population. This notion defines for the actor the role of connecting excluded segments to the state and the political–electoral arena.<sup>32</sup> It explicitly recognizes the importance of mediating interests with the State and hence the need to open channels to the state for claims that lack such a channel.

Of the six notions, the mediation argument is exceptional in that it focuses not on the actor’s relationship with the represented constituency but on its relationship to the locus of representation. Representation presupposes mediation between a represented public and a locus of representation, but this is not the same as making the activity of mediation itself the basis of legitimacy of the representative. Nonetheless, this is precisely where the emphasis lies in this notion: the mediation role played by the 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 actor’s relationship to its public, the represented, is left unclear or unspecified; hence, *no* accountability mechanism are attached to this notion. Nonetheless, the argument seeks to make the political actors and institutions responsive to populations who do not have access to channels of mediation. As we will see in the next section, in historical terms, this is the newest argument.

<sup>31</sup> The proximity argument is constructed from diverse elements and from their multiple possible combinations: emancipation or the commitment to enhancing the ability of members of its public to organize themselves, hence encouraging their agency; empathy or a profound commitment to the beneficiary by affinity, solidarity, and real identification with their problems and needs; openness or the disposition to garner and stimulate direct participation and the opinions of their public in the planning and direction of the work of the organization. Finally, the last component is recognition, which makes the organization say it acts as a representative, not because it believes it is a representative *per se* but because it deduces this status from the fact that their public frequently seeks them out and praised their work. Although it does not necessarily coincide with the public authority and there is not a locus specified or suggested, clearly there is an implicit locus in the logic of this argument, since favoring the protagonism, demand-making, and problem-solving capacity of the beneficiary points to an assumed interlocutor.

<sup>32</sup> Not only are there numerous criticisms of the inability of parties to eliminate the representation deficit of contemporary democracies (Chalmers et al 1997; Friedman and Hochstetler 2002; Roberts 2002), but there are convincing arguments about the structural weaknesses of political representation in representative government, resulting from the fusion of roles of representation and government in the same individuals and in the same institutions (Sartori 1962; Manin et al. 1999).

The mediation argument is the one civil organizations' make most often to legitimize their assumed representation. Coordinators and advocacy NGOs are most likely to make this argument. These actors also make this argument more than any other. But the mediation argument is also the most widely distributed across the six types of civil organizations. Around a quarter of community organizations and service nonprofits also invoke their role in providing people access to the state as the basis of their representativeness.

*Service* The actor's claim of representativeness is based on a public demonstration of its authentic or at least effective commitment to the interests (as interpreted by the actor) of the represented. This commitment is manifest by provisioning services to the represented, who as a result experience concrete gains in quality of life. These services, in the case of São Paulo, range from diverse medical treatments to distribution of staple foods and including skills training, scholarships, moral support, and other various forms of assistance. At the center of this notion lies an implicit criticism of the ineffectiveness of traditional representation to make a real difference in the lives of those who are represented. Effectiveness links the argument to those notions of representation Pitkin (1967) analyzes under the heading "acting for," in which representation is defined in substantive terms or by achieving something expected concrete that benefits those represented. Although service nonprofits channel resources from government and other organizations to their public, the locus of representation is entirely omitted in this notion; the mediating function is canceled out. The absence of mediation and of the locus eliminates the essence of representation itself.<sup>33</sup> The argument's projection into the political arena is, from the vantage point of democracy, clearly not desirable.

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

### **Historical Construction of the *Mediation* Argument**

The notions of political representation we identified in São Paulo are the product of successive political contests to transform, in one way or another, the institutions of mass democracy.<sup>34</sup> In Brazil, the historically settled notion of political representation has

<sup>33</sup> Perhaps not surprisingly then, organizations that made this argument scored the worst on activities in which representation is likely to occur—40% did not carry out any or only one activity in which representation is likely to occur.

<sup>34</sup> The dominant notion today—membership and elected leadership—emerged from the medieval practices of representing the interests of private landlords before the monarch through an extend period of political conflict. The membership argument in particular draws on both nineteenth century ideas of political association and the labor-based representation that became prominent in the twentieth century. The identity argument first appeared in the debates between those who favored majoritarian or proportional representation in parliament and then reappeared in the 1960s as part of the politics of difference (Gurza Lavalle et al. 2006).

been particularly vulnerable to challenge in the aftermath of the democratic transition. Twenty years of military rule (1964–1985) led a broad swath of actors to develop a strong commitment to democracy and citizenships rights that went far beyond selecting political leaders through competitive elections. For significant segments of the left, progressive wing of the Catholic Church and other groups that witnessed the emergence of a powerful authoritarian state, as well as close ties between state–oligarchic elites–economic groups, the state’s bureaucratic–administrative apparatus itself was seen as profoundly authoritarian.

The social movement field that emerged in the 1980s and helped push the military from power was supported and heavily influence by the liberation theology wing of the Catholic Church and the postcommunist left, both of which emphasized active participation and deliberative decision making. It had little faith in political parties and representative democracy, which for historical reasons is seen as the vehicles of regional oligarchies and as unrepresentative and unresponsive to the needs of most people. In Brazil, the party system has historically been weak and oligarchic, with much politics and public decision making running outside of the party system itself, through personalistic or clientelist networks, technobureaucratic circles, or corporatist structures that directly connect state and labor union (with no party intermediation). Unlike in Mexico or India, political parties prior to the democratic transition had not established their monopoly over public authority.

This view was powerfully reinforced when the first civil president who took office in 1985 was a member of a northeastern oligarchy and that leading figures in the Congress/Constitutional Assembly seated the next year were part of the political elite deposed by the military in 1964. As these actors returned to Congress and other representative institutions, left parties with organic ties to labor and social movements and with a presence in low-income areas grew substantially but had limited electoral success.<sup>35</sup> It is only in the late 1980s, and in particular as the 1990s progressed, that the Workers’ Party (known by its Portuguese acronym PT) accumulated electoral victories in municipal and then state government contests.

This broad movement was the core force behind participatory governance experiments such as in budgeting and popular health councils and the constitutional reforms that mandate participatory governance councils in health, education, and social services.<sup>36</sup>

In this historical context, it is no coincidence that São Paulo has seen a proliferation of notions of representation. The six competing notions of political representation reflect this historical context and the newness of the structure of participatory governance in which civil society political representation occurs. The fact that these notions have crystallized into relatively clear and coherent formulations suggests in turn that the process of establishing new forms of democratic legitimacy is well underway. What is indeterminate at this moment is which (if any) of these notions will survive and ultimately become enshrined in positive law and the practices of public institutions.

<sup>35</sup> The prominent exception is the election of a PT mayor in Porto Alegre, who would initiate the participatory budgeting experiment.

<sup>36</sup> Already under military rule, various groups experimented with citizen participation in local popular councils in urban areas, in small government health and development projects in rural and smaller urban centers, and in a variety of Church programs.

Tellingly, the notions with the deepest historical roots, the outcomes of earlier political battles by a different cast of social forces—voluntary membership, electing leaders, and also identity—are the least common. The legitimacy of political representation authorized through elections in particular has been effectively contested, and the heterogeneous layer of civil society actors who mediate relations between social groups and the state has varied types of relations to their constituencies. This heterogeneous universe of actors furthermore favors new forms of political engagement with the state, which either circumvent representation entirely (as with direct citizen participation) or civil society participation, rather than political representation constructed along classic lines. The latter, we have argued, in reality reflect varied forms of civil society representation, as the idea of civil society participation presumes that associations of diverse kinds can be equated with society itself.

The services argument is among the most common, and it is a hybrid of half-new and half-old ideas about representation. On the one hand, the argument is clearly rooted in the kind of roles service nonprofits have played throughout much of Brazilian history, in particular in the area of social assistances; on the other hand, conceiving assistance benefit for the marginalized and vulnerable in terms of representation seems at odds with the philanthropic tradition of this type of civil society actors. The proliferation of participatory governance institutions appears to be contributing to a substantial shift in how parts of civil society interpret such traditional (philanthropic) roles as the provisioning of social assistance.

The most innovative and widely deployed notion of representation is based on civil society actors' *mediating* relations between excluded or marginalized groups and the state. Although used more often by advocacy NGOs and coordinators, precisely the two historically most recent types of civil organization, the mediation argument is used by *all* the actors in the sample. The mediation argument is in fact the only argument that all types of organizations make relatively frequently and do so despite the existence of a general relation between particular types of notions and types of organizations. Its importance reflects both the consequences of civil society actors' struggles for opening new spaces for participation (institutionalized for example in the 1988 Constitution) and of state reforms that have decentralized and pluralized the public sector. The resulting institutional reordering of the state has brought civil society actors into public decision making, implementation, and oversight on an entirely unprecedented scale.

The mediation claim embodies within it these processes which are reconfiguring political representation—that is, enlarging the function and locus of representation to include the executive and for the purpose of designing and oversight of public policies.<sup>37</sup> It is expressly politic: mediating relation with the state for groups without voice outside of but not opposed to the traditional channels of electoral representation. Assuming publicly the exercise of political representation on these terms could not have been predicted a decade or more ago, either by the literature or

<sup>37</sup> Dobrowolsky and Jenson (2002) analyzed a similar connection, although with a negative tendency, in the case of political representation carried out by gender organizations in Canada. This connection was also the motive for analysis in the work published in Chalmers et al. (1997) and in Houtzager (2003) as well as in other work referred to in footnote 3.

by the civil organizations themselves. 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.

The mediation argument therefore appears fresh and novel in Brazil's historical context. The legacy of the country's long history of authoritarian rule and highly unequal access to the state remains powerful even today. During the twentieth century, sectors of the population in the fast-growing formal labor market, through a corporatist union movement, and the larger sectors outside of this labor market had forms of clientelist access to the state for particularistic goods. During Brazil's 21 years of military dictatorship (1964–1985) and the period of democratic transition, many civil organizations took a strong oppositional stance against the state, alongside their stalwart commitment to working at the grassroots. A decade and a half after the military left power, the *most used* justification by civil organizations in São Paulo for assumed representation focuses on the capacity to mediate relations with the state.

It also marks an evolution of the proximity notion, which was a powerful ideological feature of much of the work by civil society actors with marginalized and vulnerable social groups under authoritarian rule. The proximity argument today remains the second most common notion of representation and is closely related to the grassroots organizing by left-leaning activists and Catholic Church clergy and laity inspired by liberation theology and undertaken during the military dictatorship in the 1960s and 1970s. More precisely, this argument in São Paulo reflects the lasting impact of the extraordinarily influential role of the progressive Catholic Church on the symbolic and material construction of civil society actors, as well as the intense participation of activists of the left who sought refuge in grassroots community activism from the circumscribed political arena under the military regime (Doimo 1995; Landim 1998; Houtzager 2001; Sader 1988). The forms of social activism the liberation theology-inspired sectors of the Church saw as correct—renouncing one's own interests, empathy (compassion), and silent work alongside the oppressed—remain clearly visible. In the case of the secular left, the focus was on emancipation, guided by a strong belief in the ability and need to identify the *real* interests of vulnerable social sectors.

## Final Comment

Civil society political representatives have a dominant presence in many participatory governance institutions—and hence in the design, execution, and monitoring of public policies. Despite the awareness of a significant share of the organizations

surveyed that they are not an alternative to traditional representative institutions but a new layer of institutional mediation that can link the needs and demands of particular segments of the population to public decision-making centers, no criteria have been consolidated to strengthen the legitimacy of the new actors involved in tasks of political representation. The most common notions of representation analyzed here, furthermore, do not come with clear mechanisms of accountability.

This situation is contingent, however, and a process has been set in motion to define these new criteria of democratic legitimacy and recast a part of the symbolic universe of democracy. The absence of a consensus on such criteria today should not be a basis for dismissing, or ignoring, the forms of political representation civil organizations undertake. It is wiser to assume that the construction of these criteria of legitimacy, independently of whether it is successful or not, is and will be the object of political contestation in the medium term. In the long run, if civil society actors who claim political representation are unable to contest and institutionalize novel notions of democratic legitimacy that support their representation, the democratizing current of which they are such an important part may not last.

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