



Asian pictograph for river – Chuan

International Ombudsing: Navigating discursive channels

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Eventually, all things merge into one, and a river runs through it.

The river was cut by the world's great flood and runs over rocks from the basement of time.

On some of the rocks are timeless raindrops. Under the rocks are the words,
and some of the words are theirs. I am haunted by waters.

Norman MacLean, A River Runs Through It

Abstract

This is a study about ombudsing. Ombudsing may be said to provide a rare, often fair-minded mechanism of protection for the individual with a grievance. My thesis question is as follows: What is the problematic for which the practice of ombudsing is constructed as the answer and how do practicing ombudspersons address it? I posit that, whether in public, private or social sectors, ombudspersons are required to navigate the currents, the winds, and sometimes the storms that flow through institutional discourses. I examine ombudsing in the context of institutional power relations and with a consideration of channels through which to facilitate voice, give feedback to the governing and allow for *parresia*, or frank and fearless speech, for ordinary citizens. I explore currents in international ombudsing by analyzing existing literature and interviews with fourteen practicing ombudspersons working in different sectors, around the globe. Using a theoretical perspective of relational constructionism, I examine the practice of ombudsing against the backdrop of governance and institutional power relations in public, social and private sectors. I shift the lens of analysis away from traditional political science perspectives to institutional and discourse theory in order to understand ombudsing in operation through the responses of practicing ombudspersons. I identify some shared historical imperatives and also challenge some perspectives on historical separations between modes of ombudsing, such as the division into classical, industry and organizational models. In each of these contexts, silent citizens often have much that needs redress through dialogue. It is not just an offer of participation, but a request for justice. There is often an absence of adequate channels for citizens to provide feedback to civil authority to obtain justice and the resulting silence – such as the silence produced by fear or retaliation – necessitates the construction of legitimate channels such as the ombuds office. In this study I use discourse theory to look at the discursive spaces in

which the practice of ombudsing takes place. I also introduce the idea of discursive channels through which issues might be addressed. In order to identify these discursive spaces and channels I designed a method of inquiry to carefully listen to practicing ombudspersons. The study adds to historical discourses in the field by analyzing the relational field in which ombuds must work. In particular, ombuds must establish for themselves a position between the governed and those who govern. Here they can help facilitate and legitimate the voice of the ordinary citizen. Whether through a complaint, a grievance or a conflict, ordinary citizens need a sanctioned opportunity to speak up without fear of retribution. Finally, I propose the use of narrative mediation as one navigational tool that can help ombudspersons traverse both the professional discourses and the work in practice. Stories from the field suggest that ombuds offices often make a difference for ordinary people. The nature of that difference lies in the addition of an official sanction to the voice of the ordinary citizen. Ombudspersons can listen to the voices of the ordinary citizen, protect the confidentiality of those who visit the office, and also help provide information or make suggestions to those who govern to do their job better. The ombudsperson legitimates the ordinary person's concern in a situation where it otherwise risks failing to rise to the level where it gets addressed by those who govern and administer.

My argument here is that while there are notable differences in ombudsing situations and practices, there are also important shared principles and ideas that strengthen the role and further the professional dialogue. These ideas include the conceptualization of ombudsing as safely navigating the discursive field between the governed and the governing. Such navigation requires the intentional exploration of discursive spaces and the establishment of discursive channels where those often marginalized and left out of dominant institutional discourses may find voice and redress.