

Rethinking the conception of civil society: the relationship of civil society with democracy¹

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***Abstract:** Liberal democratic theory presents civil society as a sure recipe for democracy. Civil society is conceived as a zone where citizens exercise their right to civil liberties free from state dominance. It is a vehicle for the “empowerment” of citizens and a space for consensus-seeking. Civil society is thus seen as a pre-condition of democracy or “democratisation”. This approach obfuscates the democratic ambiguities of civil society and is incongruent with empirical evidence of existing civil societies. For example, evidence from South African civil society suggests that organisational mechanisms to express participatory democracy can easily reproduce the strictures of representative democracy. It is this tension between normative expectations/ambitions and actual practice of civil society that constitutes the main concern of this paper. The paper advances an alternative theoretical strategy for analysing civil society as a way to overcome the tension between normativity and reality. This alternative conception captures the different expressions of agency that citizens use to engage the state, i.e., state-provided forums and citizen-created spaces. And takes account of how citizens straddle these multiple spaces.*

KEY WORDS: Democracy; Citizenship; Civil Society; State; Participation

The fundamental political dilemma for the liberal democratic perspective of civil society is that it has little to offer in understanding the power equations that shape the boundaries of this participatory sphere. The relationship of civil society with democracy is explained in relation to rational discourse and consensus-seeking (Habermas 1987), and democratic consolidation (Linz and Stepan 1996) without any concrete analysis of how democracy operates within civil society. In addition, it reflects a blatant disregard for the relationship between different groups within civil society in terms of their asymmetrical political, social and material relations. The intellectual tendency in rational liberal democratic discourse overlooks the issue of who find space in civil society and who are banished to the periphery.

However, it's important to note that it is not the attention of this paper to decry or even reject liberal/procedural democracy, far from it. Liberal/procedural democracy legitimates the democratic process of a country through the establishment of democratic institutional frameworks and by securing civil and political rights for its citizenry. Instead, it is the

romanticised and unproblematic representation of civil society which the liberal perspective propounds that is the concern of this paper. Its failure to engage with the power equations of all kind that undergird participation in civil society has produced an imaginary ideal of civil society that does not stand up to an empirical test of how actual reality plays itself out in this sphere. For example, liberal democratic theorists who wax eloquently about the democratic potential of civil society tends to obfuscate the conflict and exclusionary practices that beset this space.

The purpose of the paper is to illuminate this disjuncture between normative expectations and the actual practice of civil society. Drawing on empirical evidence of the political practices of civil society in post-transition South Africa, it confronts the idea that civil society is synonymous with democracy and equality. While civil society is generally identified within development discourse as a vehicle for extending democracy, the assessment of South African civil society suggests that associations of civil society often reproduce the democratic deficits of the representative system.

Drawing on a critical modernist theory of development the present essay employs a participatory notion of citizenship which is active and engaged and grounded in civil society. The critical modernist view moves beyond the formal trappings of citizenship to a more substantive concern which recognises differences and socio-economic rights. Citizens are seen as active social subjects who participate in decision making processes and contest for control over socioeconomic resources (Pont 2004, 127-132).

In this analysis, civil society is defined as a political space that is inhabited by a heterogeneous public², comprising contradictory political projects and ideological orientations. It encompasses a variety of voluntary associations and networks, including trade unions, insurgency movements³, NGOs, CBOs, religious organisations, academics, the media, etc. For purposes of analysis, Business enterprises are excluded from this definition of civil society given that their primary concern is with the economy and profits and not the rights-based politics of citizens. However, it is the contention of the author that the Business sector influences civil society through various mechanisms for expressing agency i.e. the media, business-aligned foundations and networks.

The paper is structured as follows:

- In specifying the conceptual foundation, the first section briefly explores different forms of citizenship and how they impinge on meanings of civil society;
- the second section examines the evolution of civil society in post-transition South Africa; and
- the third section posits an alternative theoretical strategy for conceptualising civil society, one that takes account of citizenship practice.

Exploring forms of citizenship

Much of the attraction of citizenship within contemporary political discourse has been its connection with building democracy. This section is thus specifically concerned with the theoretical interface between citizenship and democracy and how this impact on the meaning and role of civil society.

Citizenship is a contested concept. It lacks a coherent meaning and is often associated with 'participation' and 'civil society' in a common vocabulary but by conflicting political projects (Dagnino 2007, 4-5:549-556). Political theories offer two main formulations of citizenship; one is liberal and the other participatory.⁴ The liberal conception stems from the hierarchical opposition between the public/state and private/non-state. Using the liberal conception, the private is reified as a space for practising individual freedom and equality whilst the state is regarded as inherently repressive. It promotes the idea that citizenship enshrines juridical status that entitles individuals to a set of universal rights which the state grants and protects (Ku 2002, 17:529-548). Critics argue that the universal rights talk of the liberal view promotes a narrow exclusionary conception of citizenship. This narrow conception masks the fact that the sociological realities are those of subjects, clients and consumers, and not those of citizens of equal worth and decision-making capacity (Hickey and Mohan 2004, 59-74).

Recent work on citizenship by Robins, Cornwall and Von Lieres (2008) illustrates this point. They argue that clientelistic political relations are endemic to poverty stricken societies where poor people lack the necessary socioeconomic resources to sustain their livelihoods. Hence, in the absence of resources, the poor will find it difficult to realize political equality and as such will continue to straddle different political identities i.e. as citizens and subjects (Robins, Cornwall and Von Lieres, 2008, 29:1069-1086). This exclusionary conception of citizenship is intimately bound up with the minimalist politics of liberal democracy which reduces political equality to economic liberalisation. The upshot has been a form of democracy that has very little relevance to poor people. In Africa, as in many other systems, the liberal democratic framework promotes an exclusionary form of democracy, which largely benefits the economic aspirations/ideals of external donors/investors and the local upper classes.

Hence, in the context of the liberal citizenship's linear/evolutionary approach⁵ to rights (an approach which sees political and civil citizenship bringing about social and economic citizenship), ideas of equality and universalism will remain a utopian vision for the poor and marginalized. Therefore, whilst citizenship could be considered a hurrah word for some, citizenship without substance is frankly a chimera for the poor. As Abrahamsen (2000) avers, "*to enjoy liberty is not only to enjoy equality before the law, but also to have the capacities, the material and cultural resources to be able to pursue desired courses of action. Political equality, then, cannot be attained without a measure of economic equality, and without it democracy is likely to become a vehicle for the maintenance of elite dominance*" (Abrahamsen 2000, 76).

Furthermore, feminist scholars have stridently challenged the liberal narrative's blindness to differences i.e. gender, sexual orientation, class status, religion, etc. Young (1990) argues that attempts to submerge differences between and within social groups in pursuit of universal citizenship or a mythical common good will lead to privilege for some groups whose voice and perspective dominate the allegedly common public. She contends that citizenship does not exhaust other social and political identities (Young 1990, 117). Hickey and Mohan (2004) endorse this view (ibid, 68). Drawing on the work of Mamdani (1996), they argue that the African populace is simultaneously bearers of ethnic and citizenship identities. These identities coexist within a single political framework.

On the converse, the participatory narrative identifies citizenship as the product of people's concrete political/social struggles against political and economic exclusion rather than an offshoot of formal democracy. It seeks to expand the political meaning of citizenship and to make it legible to the everyday political realities of ordinary people. By extending the scope of citizenship and rights beyond the legal acquisition of civil liberties, ordinary people can claim citizenship and rights through their own political actions. The participatory citizenship drama thus enables social subjects to identify what they consider as their rights and to struggle for recognition (Miraftab and Wills 2006, 8:194-218). Conceived in this way, the direction of development is contested by subjects rather than being shaped by technical prescriptions and formulas from above.

Here, unlike the liberal version, participation is directly linked to decision-making and control. Young (ibid) contends that participation through decision-making and control can give persons a sense of active relation to social institutions and processes. Participation is linked to the struggle to extend democracy and deepen the construction of alternative power relations. The aim of this radical version of citizenship is to return popular control over public affairs to the greater majority and reduce the delegation of powers by promoting more direct forms of participation. The direct participation of civil society in decision making processes constitutes one of the most crucial aspects in the redefinition of citizenship.

The participatory narrative also recognizes difference and challenges the homogenous logic of the liberal paradigm. Liberalism conceives homogeneity as a necessary condition of democracy. In order for citizens to be treated as equals they have to partake of a common substance (Mouffe 2000, 37). For example, Habermas' theory of communicative action requires of participants to overcome their "subjectively-based views" in favour of the "common good/substance" (Flyvberg 1998, 2:210-233). Thus, heterogeneity has to be eliminated. This approach presumes that consensus and democracy are inherent to human beings. Consequently, tensions and problems between conflicting identities and social groups concerning gender, sexuality, culture, class, etc, are being disregarded. On the converse, protagonists of the participatory narrative emphasize the importance of recognizing *differences* between social groups. They argue that differences in power and material status are omnipresent in the relations between different social groups

(Foucault 1984, Young 1990, Hickey and Mohan 2004). Citizenship participation is thus characterized by power struggles and conflict between various social interests.

The participatory drama of citizenship is performed not only in formal channels of participation (courts, invited spaces, etc), but also in the streets, neighborhoods, the squatter camps, and any other spaces of everyday life. Supporters of this drama constantly straddle formal and informal channels of participation based on need, conditions and impact. It thus offers prospects of higher quality democratic and substantive outcomes since it recognizes the dynamic way in which people exercise agency within the public sphere.

Both of the above formulations to citizenship presume an implicit understanding of civil society. The participatory project broadens the scope for political practice in civil society based on an expanded notion of politics. By recognizing both formal and informal expressions of agency it promotes an inclusive civil society as a venue for different political projects and a repertoire of voices. On the other side of the equation, civil society becomes the expression of the minimalist politics of the liberal project which confines recognition of citizenship participation to formal channels (i.e. invited spaces). The upshot is that civil society becomes crudely divided between an authentic civil society associated with invited spaces and an illegitimate/criminalized one associated with invented spaces (Miraftab 2004, 1:1-7). The authentic or the 'five-star civil society'⁶ comprises those actors who are accepted by the state - mainly NGOs - , whilst the 'problematic' or 'extremist' elements – grassroots movements - are banished to an outcast civil society.

The evolution of civil society in post-transition South Africa

The ruling African National Congress' (ANC) conceptualization of South Africa's post-apartheid state-society relations is rooted in the liberal citizenship project. For example, despite the ANC's radical talk of popular democracy and people-driven transformation, it espouses a hierarchical and a highly institutionalized relationship between the rulers and the ruled. In line with the liberal paradigm, representative democracy is seen as the high point of political achievement. Leadership and representation is privileged over the spontaneous actions of the masses. The masses and the ANC membership in general, are expected to toe the party line and not to be too critical of leadership and party decisions.⁷

Meanwhile, while citizens are encouraged to participate in state-provided spaces for participation, decisionmaking power resides within elected bodies. The state is conceived as the producer of knowledge endowed with the professional expertise and competencies to make rational policy decisions while civil society is reduced to the apolitical role of implementing directives from above. Civil society organizations are encouraged to move out of the political arena and to engage in voluntary and self-help activities, and to assist the government in service delivery (Johnson 2002, 221-241).

The dominance of the liberal paradigm in the philosophy of the ruling party and the state has had a contradictory impact on the evolution of civil society in the democratic order. The evolution of civil society in post-transition South Africa is captured by three key political outcomes: cooption, bureaucratization, and insurgency. The South African liberation movement comprised of one of the most broadly developed and well organised civil societies of any democratic transition and produced one of the most institutionally robust democracies in the world (Heller, 2007, 3). While the ANC was in exile, a vibrant mass, popular democratic movement under the banner of the United Democratic Front (UDF) emerged inside the country, comprising the trade union movement, civics, NGOs, etc.

Coooption

However, fissures emerged in the structure of the democratic movement shortly after the ruling party attained state power. In line with the post-independence path of national liberation movements elsewhere, the ANC's political strategy promoted greater ruling party and government autonomy. Power came to be centralized in the state allowing the regime to assert its hegemony and control over the direction of the country's nation building project. In addition, senior civil society leaders were co-opted in to the bureaucratic and political apparatuses of the state. This caused attrition in the institutional capacity of numerous civil society organizations and left them vulnerable to state influence.

This can be demonstrated with evidence of the changing capacities in two ANC-aligned civil society formations in the post-apartheid period: the Women's National Coalition (WNC) and the South African National Civics Organisation (SANCO). The Women's National Coalition experienced a leadership vacuum after 1994 since many of its senior leaders moved to parliament and into senior government positions. It has lost contact with many of its affiliates, making it unclear on whose behalf the coalition speaks. In addition, most provincial offices have collapsed or are weak. The evidence suggests that the WNC is not driven by the needs of regional structures but functions in a top-down manner with decisions that are made by a largely Gauteng-based committee (Gershater 2001, 5-28). As for SANCO, local activists argue that it has become so hierarchical and bureaucratized that internal democracy has become a sham and branches have lost their autonomy (Heller & Ntlokonkulu 2001, 12). SANCO has moreover been compromised by its close association with the ANC. Its national office has played a limited role. Because of SANCO's dire financial situation, National Executive Committee (NEC) meetings are held only when sponsors can be found to foot the bill. The national office has little if any capacity to coordinate events between subnational structures leaving local activists in particular uninformed of the activities and positions of the national office (ibid, 18-19).

Bureaucratization

Furthermore, state-civil society relations were institutionalized in a highly bureaucratic fashion. The upshot was a contradictory process of selective inclusion and exclusion in terms of civil society participation in the plethora of invited spaces that were established by the state since 1994. Critics⁸ of South Africa's system of participatory governance argue that these spaces tend to be occupied by civil society actors - COSATU, SANCO, NGO's, CBOs - who are considered close to the ruling party and who had established collaborative relations with the regime leaving opponents of the government without a voice. The institutional environment of invited spaces has also been identified as a barrier to popular grassroots participation, especially for marginalized groups who lack the necessary vocabulary and rhetoric that are endemic in such state-provided spaces of participation. In addition, it is argued that not all groups have the logistics and funds to deliver constituencies that could put their own perspectives forward in invited spaces (Friedman 2005, 13).

Civil society participation in the National Economic Development and Labour Council⁹ (NEDLAC) is a case in point. Participation of grassroots voices was identified as an important strategy to deconstructing the corporatist structure of NEDLAC's predecessors, namely, the National Economic Forum (NEF) and the National Manpower Commission (NMC). Thus, the broader participation was designed to avoid the elite outcomes associated with these institutions. As a result, protagonists of NEDLAC frequently tout it as a quadripartite participatory mechanism by virtue of its incorporation of grassroots voices.

However, critics have challenged the rationale of this move. Friedman challenges the criteria used for selecting the civil society groupings to participate in NEDLAC. He observed that all of them are linked to the ruling party. He argues that their incorporation into NEDLAC could serve to insulate government from the full range of interest associations in society, by placing an artificially selected civil society between them which forms a buffer between the broader range of interests comprising civil society and the state (ibid, 12). Interestingly, the organizations identified for participation in NEDLAC were chosen by a government Ministry charged with reconstruction and development.¹⁰ While it may be correct to argue that there was no alternative method at the time, the idea of a state-imposed civil society questions the type of interests that are being represented and through whom.¹¹ As Chandhoke (2005) avers, "*those who do the representing are seen as participating in the construction of political interests, needs, and problems rather than registering the views or the opinions of others*" (Chandhoke 2005, 3: 308-330). Thus the type of interest that is being represented is invariably shaped by the political outlook and ideological orientation of the representative rather than the represented.

Apropos this, a recently conducted review of the organizations comprising the civil society component of NEDLAC paints a bleak picture of their internal democratic practices. In sum, most of the organizations interviewed demonstrated considerable weaknesses in the way they renew their mandates and account to their members. Discrepancies were established in the

frequency of membership meetings; in some cases membership meetings were delayed for up to four years (Cebekhulu, 2008).

Similarly, concerns about representation and accountability also abound in COSATU – South Africa’s largest trade union federation. For example, union affiliates complain that COSATU does not always consult members when matters relevant to their sectors are being discussed in the various forums in which COSATU participate¹². A union analyst opined that COSATU’s practice of democratic centralism or ‘majoritarianism’ disregards minority/dissenting views (Mr. D. Sikwebu, pers. comm.). Minority positions are not recorded in COSATU minutes and so cannot be revisited even if they make up a substantive minority when aggregated. In addition, union leaders gripe about a disregard for different political and ideological perspectives by the national leaders of COSATU, especially the views from non-ANC card carrying union leaders (Mr. R. Ronnie, pers. comm.).

Emergence of new insurgency movements

The final pivot to the post-transition evolution of civil society pertains to the rise of an assortment of new insurgency movements since the late 1990s. As highlighted above, South Africa’s liberation movement consisted of a mass-based and robust civil society. However, the first two outcomes (cooption and bureaucratization) contracted civil society in the immediate aftermath of 1994 and eviscerated the radical grassroots activism reminiscent of the UDF and the civic movement in the 1980s and early 1990s. As a result, communities were left without the organizational mechanisms that became their vehicles of struggle in the pre-1994 period (Ballard et al 2006, 16).

This situation soon became untenable, especially after the government started to conform to the neoliberal prescriptions and the imperatives of the global capitalist economy as articulated in its 1996 “Growth, Employment and Redistribution” (GEAR) strategy. It was eminently clear that the market-based approach of GEAR was going to privilege profits over people as opposed to the re-distributional thrust of the Reconstruction and Development Programme (RDP). In addition, the ANC government became increasingly intolerant of dissenting voices, fearing that they will unsettle its nation-building project. This reality gave rise to the emergence of an assortment of insurgency movements – Treatment Action Campaign, Concerned Citizens Forum, Anti-Privatization Forum, Soweto Electricity Crisis Committee, etc - to assert the constitutional rights of poor and marginalized communities and to struggle against political and economic exclusion.

Although they all strive to push back the bounds of commodifying influences in social services, these movements vary in size, location, goals, political positions and tactics. They are particularistic and oriented to specific issues. The focus of insurgency movements is mainly on distributional issues and democratic politics.¹³ The main goal of their democratic struggle is to reduce the delegation of powers to the political elite and to place in the hands of the people more control and decision-making power over issues of public policy. Their engagement in mass

action is usually triggered by disenchantment with formal channels of participation. For example, in a study of the Anti-Eviction Campaign, Miraftab and Wills (2006) observes that “*members of the Anti-Eviction Campaign are disenchanted with the main formal channels allotted to them for voicing their concerns and making demands: the local government and its councilors. Much of the hope that local activists had in these recently established decentralized, formal structures to facilitate their greater participation in decision making and inclusive governance has weathered in the past*” (ibid, 207).

Meanwhile, the political practices of insurgency movements are frequently condemned as illegal by the ruling party and the state. This objection to participatory actions chosen by citizens themselves must be taken seriously. The approach of the ruling party and the state intimates that only citizenship participation in officially sanctioned channels (invited spaces) is lawful.¹⁴ It thus promotes another state-centred perspective. Consequently, the state not only becomes the granter of citizenship, but also defines the spaces where citizenship is practiced (Miraftab 2004, 4). As a result, a binary outlook is constructed for civil society actors to engage in invited spaces and for those that do not compromise with the citizenship that is granted from above to create and occupy invented spaces.

Interestingly, while earlier movements such as the APF and the SECC adopted a one dimensional approach to struggle, more recent movements such as the Anti-Eviction Campaign, Abahlali baseMjondolo, etc are struggling and mobilizing within a wide range of spaces of citizenship. These more recent movements present demands and deploy actions that are contextually effective in gaining results i.e. protest actions¹⁵, courts, laws, local councils, etc (Miraftab 2004, ibid). For example, the Abahlali baseMjondolo engages in mass mobilization, media work and court action in its struggles against evictions and forced removals. It has also used the Promotion of Access to Information Act with great success to force the City of Durban to reveal its removal plans (Birkinshaw 2008).

Meanwhile, as Miraftab and Wills’ study of the AEC reveals, these movements engage in a range of capacity-and-awareness building initiatives to enhance the skills necessary for active participation in the processes of citizenship construction. For example, some AEC activists have received specialized training in video communication and basic journalism as a means to document their communities’ suffering and to disseminate information (ibid 2006, 207). But more importantly, people’s concrete social struggles to realize their socio-economic rights become a political school for collective learning and building consciousness. It thus subverts the normative ways of how knowledge and information are produced. Here, knowledge originates from the everyday realities of people. In this way, citizenship acquires a more substantive meaning, transcending legal/civil citizenship.

However, while insurgency movements ushered in new ideas about how to develop and implant democracy; their internal democratic practices are not uniform. Empirical studies suggest a contradictory trend between the democratic practices of some of the earlier movements in

contrast to more recent ones. For example, Egan and Wafer's study of the Soweto Electricity Crisis Committee indicated that founding members still maintained a large degree of influence in the leadership structure even though they were no longer card carrying members of the Committee (Egan and Wafer 2006:48). In contrast, Birkinshaw's study of the Abahlali baseMjondolo illustrates more direct control by members over the movement's internal democratic processes. Meetings are usually attended by around 30-40 elected representatives from settlement development committees as well as local settlement residents. Office bearers are elected at branch, settlement and movement levels. They are recallable, rotated and mandated to act on specific issues at open weekly meetings (Birkinshaw 2008). While this might hardly be a convincing way of gauging the internal democratic dynamics of these largely heterogeneous movements, it does reflect a paradigm shift in their organizational character. Whereas the emergence of the earlier movements was heavily influenced by the role specific individuals such as Zackie Achmat (TAC), Patrick Bond and Trevor Ngwane (SECC) played, the recent movements are more self-organised. Meanwhile, concerns have also been raised about the way differences are accommodated in insurgency movements. For example, Mirafab and Wills' study of the AEC found that internal dynamics with respect to gender are not much different to the practices of other community-based organization (ibid, 206). Her findings show that while it is mostly women who are at the centre of the campaign's participatory activities; their presence in leadership positions is thin.

The sample of empirical data cited above illuminates the democratic ambiguities of civil society, and thus contradicts the liberal notion that civil society is synonymous with democracy. The evidence intimates that the organizational mechanisms of civil society that are used to express participatory democracy can themselves easily fall victim to the strictures of representative democracy which often replicates the inert bureaucratic institutional norms of participation. In addition, it draws attention to the contested meanings of civil society, and the exclusionary tendencies associated with the constitution of this sphere. It lends validity to the proposition of Chandhoke (2005) that "*there is nothing in civil society that automatically ensures the victory of democratic projects. All that civil society does is to provide actors with the values, the space, and the inspiration to battle for democracy*" (ibid, 613). Therefore the achievement of democracy should also be considered a project of civil society!

Towards an alternative conception of civil society

The evidence above regarding the emergence of insurgency movements in South Africa illustrates the changing patterns of citizenship participation or shifting modes of political participation. In this new participatory paradigm citizens are using a mixture of direct and indirect forms of participation to engage the state, straddling invited and invented spaces. This new style of political action, not only changes the level of participation, but seeks to place more control over political activity in the hands of the citizenry (Dalton 2008, 56:76-98). In this way, citizenship participation becomes linked to citizen influence.

In tandem with this new style of political participation, I propose a multi-relational conception of civil society that not only analyse civil society in relation to the state, but also takes account of the political practices that citizens use to engage the state. This approach seeks to fill the gap that exists in liberal and Marxist conceptions of state-civil society relations. Both perspectives are rooted in a top-down/state-centric conception of civil society (Ku 2002, 530-532). This top-down/state-centric approach conceives civil society as a realm of action without citizenship practice.¹⁶ They both intimate that citizenship is a category of status attached to the state without agency.

Such a broader conception of civil society promotes a more expanded notion of politics that recognizes the different political arenas - invited and invented - of citizenship participation. It captures the broader range of sociopolitical practices or expressions of agency that citizens use to claim/demand rights. Conceived in this way, civil society becomes a venue of political practice for a heterogeneous public containing a plurality of voices.

Furthermore, it also promotes a more substantive and radical political conception of citizenship participation. Firstly, citizenship becomes a product of political struggle/practice in civil society. Secondly, citizenship practice not only includes a more inclusive notion of rights, but extends to decision-making power over socio-economic rights. For example, people cannot realize their right to housing if they cannot exercise their democratic right to participate in decisions relating to the delivery of houses. Meanwhile, the process of rights claiming and making is itself a product of contestation and struggle among the politically and ideologically diverse actors who inhabit civil society.

Apart from its more inclusive view of civil society, this multi-relational conception of civil society which the paper advances has another merit. Civil society becomes the terrain where citizen and non-citizens can establish solidaristic ties or networks. The response of the Abahlali movement to the recent attack on non-citizens that erupted in different townships of South Africa is a pertinent illustration in the gestation of such solidaristic ties. The first part of its statement reads: *“There is only one human race. Our struggle and every real struggle are to put the human being at the centre of society, starting with the worst off. An action can be illegal. A person cannot be illegal. A person is a person where ever they may find themselves. If you live in a settlement you are from that settlement and you are a neighbor and comrade in that settlement. We condemn the attacks, the beatings, rape and murder, in Johannesburg on people born in other countries. We will fight left and right to ensure that this does not happen here in KwaZulu Natal...”*(Abahlali baseMjondolo Statement on the Xenophobic Attacks in Johannesburg, Wednesday, 21 May 2008)

Conclusion

Recent participatory and democratic discourses show a welcoming appreciation for the importance of building ethnographic knowledge, especially of how people perceive themselves as citizens and the actions they use to express agency. To this end, a broader conceptual approach to civil society widens our horizon of the political opportunity structure for citizen participation in public affairs. This paper highlights both the ambit of invited and invented spaces and actions that citizens use to exercise agency. The analysis promotes a more inclusive understanding of citizenship, and of civil society as a space for democratic politics. Consequently, state-civil society relations are analysed through the empirical lens of citizenship practice in civil society, confronting the top-down conception of civil society – that serves to legitimize the existing order - which the state-centric approach tends to promote.

Interestingly, the ANC's Polokwane Elective Conference of 2007 was widely touted as a "democratic opening" by hucksters of the new leadership. However, whilst the official statements and speeches of the present incumbents reflect a rhetorical commitment to popular democratic participation,¹⁷ a cursory assessment of political practice since the Polokwane conference suggests a conspicuous continuation with the palace politics of the old regime. For example, the fixation with leadership remains the focal of political debate within the ANC. In addition, popular influence in decision making on public matters seems heavily skewed to party activists inside the ANC, ostracizing a repertoire of plural voices. The Polokwane conference decision to dissolve the Scorpions is a case in point. It is inconceivable for the 4000 and odd delegates who attended the ANC's conference to have represented the voice of the South African citizenry on this issue. And whilst Parliament in theory might have the final say on whether to retain or disband the Scorpions, we can hardly expect the outcome of the parliamentary participatory process to alter the decision of the ruling party. This reality undermines civil society as a space for democratic politics and threatens the democratic promise of the Polokwane conference.

The theoretical strategy which the paper advances challenges us to interrogate notions of politics to establish what is considered political and what is not. It also requires of us to challenge legalistic and institutionally bound perspectives of civil society, which tend to limit the boundaries of civil society to those actors who enjoy the institutional recognition of the state. Meanwhile, from a research perspective, we need to increase our ethnographies of the different forms and patterns of citizenship participation, and refine our understanding of citizenship in accordance with the everyday political realities of citizens.

Endnotes

¹ This paper is attributed to the memory of **Miss Irene Grootboom** who passed away on the 30th of July, 2008. Miss Irene is famous for the Grootboom case of 2000 which produced a groundbreaking judgement, calling on the state to design and implement a comprehensive and co-ordinated programme to realise the right to access to housing. Hamba Kahle!

² I borrowed the term from Iris Young (1990)

³ It refers to movements or campaigns that emerge on the fringes of bureaucratic institutions in resistance to the limitations of formal channels of participation and demand inclusive and transparent service delivery processes- see Young (1990) politics of difference, pp.81-82

⁴ Recent work by Dalton (2008) offers an alternative categorization, namely, *duty-based citizenship* (circumscribed to electoral participation and adherence to formal/legal norms) and *engaged citizenship* (encompassing a repertoire of political action which stimulate more direct popular influence in the political process)

⁵ I borrowed the term from Faranak Miraftab (2004)

⁶ Comment by Silva (2001), quoted in Dagnino (2007)

⁷ As Raymond Suttner avers, “*since the 1990s, centralisation has made people who desired positions mute their individual views and wait to hear what their leader would say....the leadership has not actively encouraged popular agency...since 1994 the role of the masses of South Africans, and the ANC membership in general, has been mainly that of spectators*” (Need real debate on S.A.’s future, City Press, Sunday, August 3, 2008).

⁸ See Friedman, S. (2005) On whose terms? Participatory governance and citizen action in post-apartheid South Africa: paper prepared for International Institute of labour Studies Workshop, 9-10 December 2005, Geneva

⁹ NEDLAC is a social dialogue institution where Government meets with Organised Business, Organised Labour and Organised Community Groupings to engage and try to reach consensus on issues of social and economic policy.

¹⁰ See Maxine Reitzes’ presentation on how civil society formations relate to structures of representative government, Centre for Policy Studies Conference, 1995

¹¹ Interestingly, the convenor of the NEDLAC civil society component is a senior member of the ANC.

¹² See resolutions of COSATU’s 9th National Congress, September 2007

¹³ Unlike NGOs, these movements are ‘action’ rather than ‘project’, oriented and function through the participation and mobilisation of their members rather than via rigid or hierarchical institutional structures

¹⁴ According to Dalton (2008) protest action is simply another political resource for mobilizing public opinion and influencing policy makers

¹⁵ Almost 6000 protests were recorded in South Africa during the 2004/05 financial year (Citizen, 13.10.05, quoted in Mail and Guardian, 04.11.05)

¹⁶ This perspective promotes a state-controlled system of popular participation

¹⁷ For example, see the ANC’s January 8 statement: <http://www.anc.org.za/ancdocs/pr/2008/pr0108.html>

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