

Emancipatory spaces in the Post-Colony: South Africa and the case for AbM and UPM.

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By

Thapelo Tselapedi

Rhodes University

Grahamstown

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Abstract

This thesis is about the relationship between local government, grassroots organisations and the organisation of power resulting from the interaction of the two. Exploring this relationship this thesis investigates whether the actions of grassroots movements can bring local government in line with their developmental role as accorded to them by the Constitution. The assumption embedded in this question is that the current balance of power at the local level exists outside of the service of the historically disadvantaged. Following on from that, the thesis explores, through different modes of analysis, theoretical and historical, the policy and constitutional framework for local government, and then it unravels the context set by the political economy of South Africa. The aim is to make a significant attempt at understanding the possible implications of the interventions grassroots movements make in the public space. The thesis does this also by looking at the strengths and weaknesses of the strategies of the UDF to make an assessment of the possible endurance of post-apartheid grassroots movements. Since civil society ‘suffers’ from nationalist politics, with its own corporatist institutions, the thesis searches deep within or arguably ‘outside of civil society’, subjecting AbM and UPM to academic critique, to see how movements embedded among the poor and carrying the political instrument of anger and marginalisation, can dislodge the power of capital. More importantly, the thesis situates the post-apartheid moment within post-colonial politics; navigating through the legacy of Colonialism of a Special Type (CSP), the thesis explores the limits and opportunities at the disposal of grassroots movements. From a different perspective, the thesis is an examination of the organisation and movement of power and the spaces within which power and ideas are contested.

Drawing on the political and economic engagements, dubbed the Dar Es Salaam debates, in the 1970’s and 1980’s spurred on by Issa Shivji, the late Prof Dani Wadada Nabudere and Mahmood Mandani, the conclusions of this thesis develops these engagements, essentially making a case for the continued centrality of the post-apartheid state. However, the thesis also asserts the indubitable role that both grassroots movements and civil society need to play, not necessarily in the democratisation of the state, though that goes without saying, but in taking the post-colonial state on its own terms. Consequently, the thesis puts forward the idea that issue-based mobilisation does exactly this, and in the manner that acknowledges the state’s centrality and makes paramount the self-organisation (popular assemblies) of ordinary people in public affairs. The thesis categorically concludes that the centrality of the post-

apartheid state and its progressive outlook (constitutional values) is contingent on organs of popular assemblies which need to take the state on its (progressive) terms.

Chapter One: Introduction

1.1. Context of the Research

Having emerged out of a divided past, post-apartheid South Africa is without a doubt a society of immense potential and vast challenges. To borrow from Heller, “the staggering inequities of apartheid and its perverse and disarticulated economic and social geographies, the result of decades of determined and brutal racial engineering, has presented the African National Congress (ANC) with what might arguably be the greatest transformative challenge ever faced by a democratic government” (Heller, 2000: 143). It is ironically in these challenges, and out of this emergent past, that the country is provided with a once in a life time opportunity to construct a social contract based on the general will of the people. South Africa’s reconstruction stands to learn from the many experiments of countries on the continent in particular, and in the global South in general. It is against this background that the ANC-led government inherited state machinery that served the interests of the white-minority that must now organise institutional features that serve the interests of all people. Following on from Heller, “state apparatuses that were singularly dedicated to enforcing racial segregation through control, surveillance, repression, and ‘orderly’ development are now tasked with social transformation and economic redistribution through consultation and inclusion.” (Ibid). Nevertheless, the energy and the forces required for such a realignment of the states institutional features – social transformation via consultation – was not difficult to assemble because the anti-apartheid struggle had already mobilised these forces.

The mobilisation of ‘forces from below’ stretches from the 1980’s because contrary to most liberation movements, “the struggle against apartheid developed especially militant and organized social movements at the local level. The township-based civics movement of the 1980s not only cultivated a democratic politics of opposition but also in the dying years of apartheid provided a range of community services” (Heller, 2000: 143). This period, popularly referred to as “the roaring eighties” (Molefe in Seekings, 2000), mobilised under the United Democratic Front (UDF), created strong local democratic structures that, rather than complying, defied the apartheid regime. Accordingly, former officials of the UDF insist that the UDF had “managed to get people to stand up and fight for their rights without any fear and actually challenging authority. This demonstrated not just the efficacy of protest but

also the possibility of challenge” (Seekings, 2000: 2). Consequently, having then achieved legitimacy among the people by the post-apartheid state, the successor to the UDF, the South African National Civil Organisation (SANCO), played a crucial role in the transformation of the states apparatus during the transition.

According to Seekings, civics became influential “in the design and implementation of a range of public policies, including especially those pertaining to development and the reform of local government” (Seekings, 1997: 12). It was in the sphere of local government that SANCO pushed through reforms that served as a launch pad for democratic decentralisation. Constitutionally speaking, while local government demarcation was only finalised before the 2000 local government elections (Cameron in Pillay et al, 2006: 87), it “included decentralisation plus consolidation of each local authority and the consequence is the potential for powerfully autonomous city governments with some officials noting that to an extent the strategic path is carved by the city alone and aligned to national policy” (Mabin in Pillay et al, 2006: 159). However, nine years later, a report assessing the state of local government in South Africa carried out in 2009 succinctly captured the weakening state of local government. Measured against the country’s protest history, this anomaly, notwithstanding the wide range of factors contributing to this, which is beyond the scope of this project, “the rise and consolidation of statism” (in Helliker, 2010: 16) as the late Rick Turner foresaw, the institutionalisation of SANCO and subsequently the demobilisation of local democratic forces played a great role in weakening democratic participation at local government level.

The new “nomos”, (Schmitt in Farred, 2004: 590) as it were, came with its own order, including and excluding elements of the past because the post-apartheid moment, aware of its failure to the South African people, “emerges not from what is absent, but from how the present is overburdened by the incursion of the past” (Farred, 2004: 594). According to Farred, in its attempt to explain the transformation of one historical epoch to another, the nomos or the new post-apartheid moment is excessively constituted by the past (Ibid) and as such, parallels of the two epochs in the building of the nation are bound to exist. As it is, the consolidation of the post-apartheid moment is characterised by the loss of active participation of local democratic forces in decision-making processes. A reading of the 2009 Local Government Report is evidence of at one level, the rise of statism, the inherent parallels of

the past and the present, and on the other, what Beckman refers to as being the “foreign-ness” (1993: 28) of the state. The report sums this up in the following line:

“In respect to community engagement with public representatives, in instances where it was found that there was a lack of a genuine participatory process, due to political instability, corruption and undue interference in the administration, then it can be said that there is a failure to provide democratic and accountable government. This failure is growing as evidenced by the community protests and intense alienation towards local government being expressed by such communities” (COGTA, 2009: 32).

Using Shivji’s formulation, not all protests are legitimate in their demand for democratic development, with some advocating a neo-liberal view of the state thereby stripping democracy of its “social and historical dimensions” (1: 2003). Progressive protests situate democracy (or democratisation) within the socio-political context of their communities. Legitimacy is therefore found in everyday expression of ordinary people. The rise of statism, coupled with the power of the state in legitimising civil society actors, including and excluding those it deems fit to work with (Neocosmos, 2009, 7) and the excessively constitutive presence of the past in the present, among other factors, contributes to the denigration of democracy. Consequently, in this climate the state responds in a manner devoid of any real meaning to issues on the ground and its “foreign-ness thus becomes a means of explaining its irrelevance to the needs of civil society and its failure to establish appropriate roots” (Beckman, 1993: 28). Under such a terrain, portraying the state as acting against civil society, “international agencies present themselves as the spokesmen of the forces of civil society and thus the empowerment of civil society is supposed to lay the foundations of a future, more genuine state, more responsive to the requirements and aspirations from below” (Ibid) as if, to borrow from Heller,...“all forms of association contribute to democracy” (2001: 136). It is patently clear that local government has not lived up to its intended developmental focus and as such, communities and organisations, acting out of frustrations, organise themselves against the local state. Simultaneously, it is also apparent that civil society has not adequately represented those which it claims to represent. Against this background, the paper turns to the two movements that will be used as case studies with the one being the new and still small local movement the

Unemployed People's Movement (UPM), which is in Grahamstown, and the large and well established shack dweller's movement, Abahlali baseMjondolo (AbM), which has a presence in both Cape Town and Durban.

South Africa has the institutions and systems in place required for democratic governance as well as relatively high electoral participation. However the country also has, by some accounts, both the highest rate of inequality and arguably the highest rate of popular protest of any country in the world. A critical analysis is required because, on the one hand, we have the UPM that seemingly espouses a state-centric political orientation aligning itself to a political party and directing its grievances towards the state, whereas on the other hand, we have AbM which seems to revolve around a non-statist form of what Helliker refers to as an "emancipatory praxis" (2010: 10). While the former appears to be in line with South Africa's anti-apartheid protest tradition in that it seeks to build "a democratic people's movement that can win control of the state... supporting the call for a Conference of the Democratic Left" (Kota, 2010), the latter refuses "to vote in all state elections and "compete for electoral office. It specifically refuses electoral politics and aims, instead, to build the power of the poor against that of local elites in and out of the state" (Pithouse, 2009).

It is important to note that any course of action is not the result of imagined circumstances; it is, as with any grievance and demands, the product of structural and institutional limitations. In Cloward et al's formulation, "it is the daily experience of people that shapes their grievances, establishes the measure of their demands, and points out the target of their anger" (1977: 20-21). In view of the preceding background, and in accordance with the need to critically examine the 'emancipatory praxis' of social movements and their contribution to making local government work, the thesis attempts to explore whether the said social movements can deepen democratic practice, restoring the developmental role of local government. This, in effect, means the transformation of the exercise of power, and a shift in the balance of power towards the underrepresented groups in society because "practices and rules defining appropriate behaviour for specific groups of actors in specific situations" (Olsen et al, 1998: 6) invariably work towards benefiting elite networks and spaces. But is there an alternative that can be pursued?

1.2 Research aims and objectives

- To explore whether social power invariably needs to contest state power to provide a democratic politics rooted in real and equitable distribution of resources?
- To assess whether AbM and UPM can move the local state towards tangible and meaningful democratic decentralisation, and if so, is it what contemporary circumstances has already made ready to be conceded?
- To explore the implicit assumption in liberalism's conception of civil society that any association contributes to democracy.

1.3 Theoretical and Methodological Tools

The decision to use AbM and UPM as case studies in this thesis is because while AbM appears to make use of a non-state-centric strategy, UPM appears to make use of a state-centric form of organisational strategy. However, both organisations argue for what Helliker refers to as speaking “not of acquiring state power (either through the electoral system or an insurrection) but of developing counter-power inside the bowels of civil society despite the state” (Helliker, 2010: 1), though there are some nuances with UPM. In any case, some authors have referred to these movements as organisations that “exist outside or, at best, at the margins of civil society”? (Neocosmos, 2009: 11) or “inside the bowels of civil society despite (or *without*) the state” (Helliker, 2010: 1) while others have pointed towards “*political societies* as sites of negotiation and contestation where collective claims must appeal to ties of moral solidarity” (Chatterjee, 2004: 74) as opposed to legally guaranteed rights claimed by members of civil society. Against this background, Chatterjee argues that the execution of government services exposes the fictional idea that in civil society all are equal citizens (Ibid)... a notion to be explored in the thesis. Nevertheless, UPM espouses for “political strategies against the state and proclaims the possibility of emancipation, through and by means of the state” (Helliker, 2010: 1), thus falling into the Marxist tradition of capturing the state. It would therefore appear to be that the two organisations have adopted two different organisational strategies and approaches to emancipation. The thrust of the thesis is to

investigate, aided by theory, an analysis of South Africa's protest history, and by the social movements' emancipatory praxis, whether Abahlali and the Unemployed Peoples's Movement contribute towards restoring a political culture of democratic practice in South Africa, and consequently, restoring the developmental role of local government at the centre of a developmental project.

To align the thesis goals with the research methodology, and operating within a qualitative framework, the thesis has thus adopted the following methodological approaches, namely: the use of primary documents, the use of secondary literature (scholarly and media work), and as a research strategy, the use of case studies. The use of primary documents operates at two levels; firstly, to give a historical perspective of the anti-apartheid struggle because of the need to analyse contemporary problems in their context and search for discernible markers so that even in radical discourses such as these, work is grounded in context. The aim is not so ambitious as to refine theory; rather, it is to use the different theoretical models and situate them accordingly. Secondly, this is to make use of documents that explain the social movements' agenda, what they are about and in what context they exist. The thesis uses secondary literature such as electronic media, print media and academic literature to understand how different theorists have conceptualised the strategies employed by these movements so as to test them and possibly situate their relevance in the democratic project. This is also to unpack the historical and social forces at play and to have a sense of the public perception of these movements.

The case studies used here are to understand the public interventions made by AbM and UPM. In studying the said movements, because of the research limitations, the project has made use of newspaper stories and the organisations' public statements and actions in understanding how they have positioned themselves in the public space. Pre-interview discussions with AbM had assured this author of interviews, but as the time drew closer, calls and emails to AbM were not returned – in fact, at the time this author was in Durban, he was informed that Sbu Zikode was in Grahamstown. More time with UPM was required but the often postponed meetings meant no in-depth interviews took place. Nevertheless, the project focuses on several struggles that both organisations have engaged in with either the local state or the provincial state to understand how they

correspond with their stated aims as articulated in their public pronouncements. The project also makes use of interviews of (local) government officials involved in the study, in this case, the Makana municipality in Grahamstown and the eThekweni municipality in Durban. There were limitations here because as the eThekweni municipality granted access to carry out interviews, the Makana municipality did not grant authorisation. Nevertheless, the project does not disclose the names of the officials interviewed from the Makana municipality. The project's initial "intention was to conduct a qualitative survey, in the form of a questionnaire" (Mc Michael, 2008: 4) so as to focus the work but this was not possible as responses never came through from AbM organisation in particular. UPM has however been helpful with the interviews but there were several constraints in pursuing focus groups interaction with UPM. However, the project has adopted, using Gummesson's formulation, an approach that attempts "to reach a fundamental understanding of the structure, process and driving forces" (2000: 85) that usually results from projects that require multiple levels of analysis. The intention is to enable us "to study many different aspects, examine them in relation to each other, and view the process within its total environment..."(Ibid). This view is adopted on the basis that no one strategy always fits into one theory and as such, the thesis expects, in assessing the different organisational strategies, to encounter overlapping conceptual tools. Following on from Kay, "this type of research is systematic, rigorous, strategic, flexible and contextually based" (2004: 7) and as such, the context is intended on making sense of the literature.

1.4. Chapter Outline

The first chapter explains succinctly the focus and scope of the research project, surveying the goals and methodology associated with the project. The second chapter takes an in-depth investigation of the literature on the state, civil society (political society) and social movements, but it does so mindful of the nuances between the West and the Global South. Situating South Africa within the struggles of the Global South, and, in an attempt to provide insight in the dialectical relationship between the apartheid state and the anti-apartheid movements, Chapter three investigates the form and content of the struggle that eventually brought the regime to its knees. Chapter four, describing in large part the civic struggles that helped shape the post-apartheid state, examines how dissent was structured and obedience institutionalised. Though the 1994 negotiations had depressing implications for the local state, chapter five looks at how the post-apartheid scenario still provides grassroots mobilisation to overcome the institutional limits accompanying the 1994 order. Chapter six is a concluding outline assessing the arguments put forward.

Chapter 2: Literature Review

2.1. The State

A adequate theory of the state is one of the most intriguing and vexing issues modern society has had to grapple with, partly because of the scope of its power, and also partly because of the relationship it has with those that have submitted to it – the governed. To begin with, it is prudent that one examine social contract theory as it forms part of the central founding narratives of Western cultural and political thought (Praeg, 2000). One of the pioneering thinkers on the idea of the modern state, and a beacon that continues to shed light on the state, is Hobbes. Hobbes ventured to argue that “of getting themselves out from that miserable condition of war which is necessarily consequent, as hath been shown, to the natural passions of men (sic) when there is no visible power to keep them in awe, and tie them by fear of punishment to the performance of their covenants, and observation of those laws of nature” (Hobbes, 1651: 144) men must inevitably submit themselves to a central authority. One must understand, however, that Hobbes was writing during a particularly dark period in European history, but also ironically, during a period of serious intellectual engagement. These discussions helped shape the foundations of the modern state which are largely found around the world. What distinguishes this state from its predecessor is its use of law to regulate society, but as we shall later see, the law brought with it its own contradictions that made possible a rift between equity and social justice, liberty and equality.

Hobbes was living in a France fraught with “turmoil after the assassination of Henry IV by Ravailac, a lay Jesuit” (Peters, 1967: 15). Furthermore, as a result of the religious upheaval at the time, war broke out between Scotland and England (Peters, 1967: 25). The issues at hand were divided among religious zealots and religious dissidents. This division was a wall that required a lasting solution wherein which both groups could live together without the one imposing on the other. Peters argues that “political events provided a fitting prelude to the publication of Hobbes' *Leviathan*” (1967: 31). He argues that after the failed attempt by the Presbyterians to establish the king in power, who later was put to death in 1649, the period till 1653 was characterised by strong discussions around the need to find a suitable form of

government to replace the monarchy (Ibid). As a result, the Leviathan, Hobbes' master piece, was his expression of the form of political order that would be appropriate to carry out a lasting solution to the problems of that period. He therefore believed in the rule of an "absolute sovereign, whose commands were laws enforced by judges, bishops, and the military, all of whom should be responsible to him and appointed by him alone" (Peters, 1967: 33). Hobbes masterpiece was then, at one level, an attempt at providing a lasting solution to England's problems and at another level it was a conceptual analysis of the state.

Building on Hobbes, others, like Rousseau have, argued that "for the State, in relation to its members, is master of all their goods by the social contract, which, within the State, is the basis of all rights" (Hall et all, 1973: 179) while Locke has argued that "in order to preserve the public good, the central function of government must be the protection of private property" (Locke, 1690: 201). The latter therefore argued that, as opposed to Hobbes unconditional delegation of power to the sovereign (the state), delegation was conditional only in exchange of guaranteeing fundamental rights and freedoms (De Benoist, 2008: 1). For Rousseau, people in the social contract exclusively concern themselves with the law and contract themselves with the sovereign as far as the social contract is observed (Locke, 1690: 201). Although with differing emphasis on certain aspects, it becomes apparent that while Locke and Rousseau find common ground on the role of the state as that of securing socio-economic interests for the individual and balancing it alongside the collective interest (*general will*, if ever there was such an idea), Hobbes claims that the role of the state is that of guaranteeing security (emphasis on physical) for all citizens. This necessarily translates into the need for a strong central state. It was after the reign of Louis XIV that Rousseau, living in France, was fortunate to have witnessed the evolving development of French society. He was witnessing a society of two economies where great wealth and culture flourished on the one hand while huge disparities between the rich and the poor tore into the fabric of society (France, 1987: 3). In opposition to arbitrary rule and the privileges of a corrupt aristocratic class, many of Rousseau's peers regarded progressive monarchs as comrades in the struggle for freedom (Wokler, 2001: 2) but Rousseau took exception to the rule and broke with mainstream intellectual support for progressive monarchs. A Genevan-born, Rousseau, coming from a nation conscious of democratic rights and duties, believed that much rested on the state to attend to inequalities that separated people. Often painting

“Geneva as a lost paradise in the *Confessions*” (France, 1987: 2) Rousseau seemed to have likened it to the type of society he was advocating.

Rousseau later became one of the most influential historical personalities to have made an intellectual impact on the French revolution. As for Locke, who intellectually came close to Hobbes with regard to the state of nature, he found himself in a period disfigured by religious tension. In this climate, Locke had a strong and sincere hatred of religious and political absolutism” (O’Connor, 1967: 16) which allowed him to argue that the governed can and should rightfully unseat illegitimate governments. True to his hatred of extremes, he said “when any one, or more, shall take upon them to make laws, whom the people have not appointed so to do, they make laws without authority, which the people are not therefore bound to obey” (Locke, 1690: 212). In essence, legitimate governments are those that have the consent of the people. Therefore, any government that rules without the consent of the people can, in theory, be overthrown. However, during such times, when religious tensions spilled onto the political scene it made it difficult to differ with the establishment because these moments were characterised by persecutions. Subversive material written and published meant that people would be charged with treason and were punishable by death. However, together with Hobbes, Locke advocated for an absolute monarchy, making it rather interesting to note that he proposed a theory stretching from consent to an absolute monarchy (Laslett, 1960: 21). It is evident that the contrarian’s political philosophy was shaped by events of the days.

For Rousseau and Locke, men are not as carnal as in Hobbes' state of nature, and for that reason, the mixing of labour with cultivation is deemed socially appropriate and can therefore be legally enforced. Law (contracts), therefore, is the best way of governing a people instead of Hobbes claims that “it is not enough for a man to labour for the maintenance of his life; but also to fight, if need be, for the securing of his labour” (Hobbes, 1651: 305)... eventually giving way to a strong central government with authority. In this instant it is of particular importance to note Rousseau’s idea that it is not between people that conflict arises but it is between things (objects) that conflict finds resonance (Hall et al, 1973: 171). What is meant here is that it is not indeed men (sic), in and of him or herself, that characterises the anarchic conditions in the state of nature but rather the circumstances that they find themselves in. This is particularly important because Rousseau appears to incorrectly dislodge the link

among men and women in having relations with themselves outside of social constraints and men and women who perform particular social roles as a result of the need to preserve themselves. He argues that “war cannot arise out of simple personal relations, but only out of real relations” (Ibid) and real relations, in this context, cannot emanate out of simple personal relations. Real relations are between a citizen, a police officer, a politician, a judge, a soldier etc. The problem with this conceptual distinction is that it is impossible to conceive of men and women outside of their social and cultural networks because to understand the individual is to understand the networks of relations constraining him/her. Everywhere, they perform a function that he or she cannot escape from, and this function or his/her placing within the social stratum is what drives whatever interests that that function requires to sustain itself, as it has significant implications on the survival of the individual.

The idea that it is only out of real relations that war can arise has been developed further, and this conceptual reasoning becomes more apparent when looking at Marxist scholarship, but more particularly, the Marxist-Leninist current. However, in the main, all three ‘social contract’ theorists' combined basic claim is that a power standing above the daily squalor and brutish of social life is required to bring order to social life. It's because they wrote of their context that their work found universal appeal. But it was out of this very appeal that Western Enlightenment thought was found not to extend to all the people of the world. The context was Western Europe, and the universal appeal first found expression in the French Revolution of 1789, but when these ideas spread beyond the shores of the Empire, marked further by sustained Enlightenment thought and writings, their real intentions lay naked. Arguing that colonial society is a world upside down, Fanon further outlines the following description:

“it is a world cut in two...where the settlers town is a strongly built town, is a well fed town and an easy going town, full of good things and is a town of white people, of foreigners” (Fanon, 1967: 38). The other side is the native town, a hungry town starved of bread, of meat, of shoes, of coal, of light...it is a town of niggers [sic] and dirty Arabs [sic]” (Ibid).

Pithouse reveals this bareness when he argues that “when African slaves in Haiti took the ideas of liberty, equality and fraternity seriously and won their own revolution in 1804 it

immediately became clear that the French did not intend democracy to be for everyone arguing that that has been the European position ever since” (2011). Slavery and Colonialism were to be the basis upon which these ideas made it possible for the *uncivilised* to maintain the livelihoods of the *civilised*. The social contract, therefore, appears, following on from Hobbes and Rousseau, to have excluded the weak (the defenceless) and the poor in Europe and the raced people outside of Europe and, because of that, they were not part of the rules and norms characterising the contract.

Colonialism provided evidence of another peculiar social reality; and that is one of racism. In describing the Algerian colonial system, Sartre argues that it “begins by occupying the country, then taking the land and exploiting the former owners at starvation rates” (Sartre, 2001: 39). It is important to understand that at the centre of the world economic system, Western Europe had considerably exhausted any further economic development of their own and the only recourse was to seek markets that would allow them to resume their continued consumption pattern. The problem, however, was that most parts of the world did not practice the same kind of economic and social system that had existed in their societies. What was therefore left as an only option was to turn the rest of the world into markets for their own products. Thus, in less populated areas with large untilled areas, Sartre argues that the stealing of land was inconspicuous and what was apparent was forced labour and military occupation (Sartre, 2001: 34). The difference in the mode of development justified colonial intervention, but it was also used to justify certain dangerous ideas that eventually came to have a global, yet superficial character.

It had appeared as though the colonial system was about the objective economic conditions and the further expansion of West European markets. As this system gained pace, it was understood that the “colonist must export to pay for his imports; he produces for the French market” (Sartre, 2001: 37). This took place by the colonizing state giving land to the colonist and, in turn, the colonist creating produce gained from the stolen land for the French market. The indigenous population, in sharing only a margin of that produce, as they were not regarded as customers by the colonists, are presented with the colonists “civil code” (Sartre, 2001: 35). This is the global, yet superficial character that justified the use of force and consequently defined the colonial system. Sartre takes this notion further and makes the following claim:

“Racism is not a mere ‘psychological defence’ of the colonialist, created for the needs of the cause, to justify colonisation to the metropolitan power and to himself; it is in fact *Other-Thought* produced objectively by the colonial system and by super-exploitation: man is defined by the wage and by the nature of labour” (Sartre, 1960: 1)

What Sartre is saying here is that racism was not only used to justify the colonial system itself, it more importantly emanated objectively from the colonial system. The different modes of development in their eyes demonstrated a lack, an inefficiency, and worse, a sort of barbarism. Sartre takes this reasoning to its logical end by stating that the use of force and the methodical process aimed at taking the lands was without a doubt an “expression of a still abstract racism” (Sartre, 1960: 1). The idea of a need for a civil code was based on the assumption that the indigenous population required some civility to be injected from outside. Therefore the idea of presenting the ‘natives’ with a civil code was a reflection, on the part of the colonists, that they and their mode of development exemplified superiority. As a result, “this racism constituted *the enemy* as inferior rather than as a supposed ‘French citizen – as French colonial rule was practiced in Algeria. They were either ‘devils’ or ‘mindless savages’... which is in itself an affirmation of the conqueror’s superiority” (Sartre, 1960: 1). The social contract that Rousseau, Hobbes and Locke pioneered, therefore, took on another spin in the colonized countries. In this regard, Mills argues that the Racial Contract, that which foregrounds the social contract that the contrarian’s conceptualised, is “a contract between those categorized as white over the non-whites, who are thus the objects rather than the subjects of the agreement” (Mills, 1997: 12). Here Mills attempts to unmask the underlying, underground political project of the supremacy of whiteness that accompanies the transition from the state of nature to the social contract. He argues that the equality supposedly inherent in the state of nature is supposed to be carried over into constructed social order (1997: 32) whereas, in actual fact, that transition is characterised by a setup which establishes white hegemony over the non-white population.

According to Mills, the formation of society entails the rejection “that a society already existed; the creation of society requires the intervention of white men, who are thereby positioned already as socio-political beings” (1997: 13). To this end, Mills calls this project

the racial contract. Once the individual enters into the new socio-political order, it becomes apparent that what was set up was in fact the preserve and benefit of white society, if not white men. This is what, according to Mills, underlies the social contract which has emerged among the founders of liberalism. Therefore, while the West celebrated the triumph of liberal values and ideas that brought about freedom and equality to all men and women, in other parts of the world, more especially those that had direct links with the West, the dawning of these ideas were lamented as they brought about land seizures and dispossessed people of their livelihoods. More critically, “we live in a world that has been foundationally shaped for the past five hundred years by the realities of European domination and the gradual consolidation of global white supremacy” (Mills, 1997: 28). It is therefore important to understand that the social contract that is said to have brought about freedom and equality is a contract wherein which all non-whites occupy society not as subjects but as objects. As a result, the pioneering efforts (political and scholarly) that have emanated from the Dar Es Salaam Debates of the 1970’s and the 1980’s have sought to de-centre the West and move towards endogenous works. Though decolonisation brought about formal political freedom, the Dar Es Salaam Debates have sought to understand the post-colonial state and its anti-imperialist features and locate the motive forces within these societies.

What Mills does is provide a powerful and a descriptive summation of the conflicts that have shaped the character of the relationship between the developed and the developing world. This divide of the world is what Immanuel Wallerstein, who in 1974 published what is regarded as his seminal paper, *The Rise and Future Demise of the World Capitalist System: Concepts for Comparative Analysis*, conceptualised the World Systems Theory, a theory to be later analysed. Mills analyzes this very well when he argues that part of the reason for the transition from the state of nature to the social contract (society), “with its laws and enforcers of the law, is to protect what you have accumulated” (1997: 32). It therefore stands to reason that the transition legitimates domination and oppression, doing the very opposite of what the social contract sets itself out to do in the first instance. But this, Mills argues, is no accident and should not be understood as such. One modern-day example of this is to look at the ontological foundations of the Apartheid regime of South Africa and its exercise of a policy of *apartness*, based not only on fear of being swamped by other larger national groups (Louw, 2004: 29) but also, and more interestingly, on a distorted Calvinist doctrine. Worse

so, it was out of this very same false consciousness that has led them to the belief in the superiority of their *race*.

One of the leading thinkers to have developed a theory of the state and, later to be discussed, civil society was Hegel. Hegel stepped onto the political scene by arguing that the state stood above society and, for that reason, had the advantage of playing the final arbiter on all things under its jurisdiction. It therefore had the responsibility to rise above the foulness of civil life (Avineri, 1967: 100). Hegel was a German citizen who at the time, like many of his peers, lived during a difficult political period. This was a period in which “the fiercest battles between the French army and various coalitions of Germany states ranged against it” (Avineri, 1972: 63). Surprisingly, as a German, not only did Hegel admire Napoleon, he also supported the French and opposed anti-French revolts in 1813. He viewed the French as the modernizers of Europe and had wanted Germany and Europe to benefit from the fruits of modernity (Avineri, 1972: 63). He was undoubtedly among the earliest, having seen that the emergence of the modern world brought with it the bourgeois man (Avineri, 1972: 86), to have spoken of civil society and the responsibility of the state to engineer society towards a more equitable state of affairs. It can thus be understood how Napoleon and his government represented to him instruments required to resolve the stress of civil life. The recurrence of civil life as struggle is one contribution Hegel made to the literature but one which Marx later on came to challenge. Hegel had thought that of civil society as a setting arranged to protect man’s self-interests (Avineri, 1972: 134) but which because of the emergence of the state, could be resolved. The state to him represented the ultimate will and expression of the governed under which the state ruled. It was a unitary apparatus that stood above society in a manner that the conflicts beneath it could be resolved by its demonstration of decisive leadership.

Although Hegel had many followers, Marx being one of them, Marx later countered Hegel, who at the time was an immensely important figure among the intellectual establishment. Though more specifically in the Global South, later on Marx came to dominate many intellectual and political projects on the state while Lenin trailed closely behind. It is in this context that we understand the two strands of thought that enable us to understand the development of the theory of the state and the inauguration of the state; emanating out of the Marxist-Leninist literature, they are contained in the following passage:

“it is the admission that this society has become entangled in an insoluble contradiction with itself, that it has split into irreconcilable antagonisms which it is powerless to dispel. But in order that these antagonisms, these classes with conflicting economic interests, might not consume themselves and society in fruitless struggle, it became necessary to have a power, seemingly standing above society, that would alleviate the conflict and keep it within the bounds of order” (Engels in Lenin, 1917).

Before we proceed any further let us discuss what is meant by the Marxist-Leninist variation of Marxism. This variant of Marxist thought is what some have referred to as the old left or eastern Marxism. By that, one can deduce that Marx and Lenin became, in their own right, and single-handedly, the biggest contributors to an emancipatory project in the old world; before the end of the Cold War. Aside from their other contributions, the former contributed historical and dialectical materialism (a theory of the development of society) while the latter contributed democratic centralism (a vanguard party that exercised military discipline). These concepts are, however, Stalinist interpretations of Marxism and as such, should not limit our appreciation of Marx’s contribution to emancipatory literature. With an analytical diagnosis of the system of capitalism and the discovered natural laws of history prompting a scientific operational plan for the workers triumph, the Marxist-Leninist current guaranteed state power. These ideas claimed a scientific method in obtaining the state apparatus and positioning society towards a socialist course. Echoing the Communist Manifesto, Roche argues that “the role of the bourgeoisie, was to eliminate feudal obscurantism, achieve massive capital development, westernize the benighted natives of the Third World, and put out the red carpet for the next stage of the historic drama: socialism” (1984: 9). The next stage of the historic drama is the socialist revolution that develops from the bowels of bourgeois power.

The welding of this variant of the left (or of the old left) is particularly striking when one takes a look at Marx and Lenin’s varying approach to the failures and limitations of the Paris Commune that lasted for two months. Among the many comments on the Paris Commune, there are a few that require some focus when comparing Lenin and Marx on the subject of democracy and the *dictatorship of the proletariat*. Marx argued that one of the failures of the

Paris Commune was that it had “man of different stamp” (Marx, 1871) in that some became over-night revolutionaries whereas before they were brawlers, reactionaries and/or survivors of past revolutions; these men were not true revolutionaries and thus stood in the way of the revolution. He argued that in time these men would be shaken off the revolutionary project but that the Paris Commune was not given this time. One gets the impression that although Marx took issue with the differing political persuasions of the members making up the Commune, to the extent of them hampering the work of the revolution, he had left it up to masses, the organ that replaced the special force in bourgeois democracy, to, in time, shake these people off. Lenin, following on from Marx, and in his usual clinical style, argued that the “socialist proletariat was split up into numerous sects” (Lenin, 1871). For him, however, this was a problem of a lack of leadership not keeping guard of the revolution because the Commune was sidetracked by nationalist inspirations and not with the actual class struggle which Marx had earlier warned against. Instead of allowing the invisible hand of history to take its course, and unlike a special force of armed men, it was up to a structure of like-minded, conscious revolutionaries to take out those who stood in the way.

In *The Class Struggles in France: The Defeat of June, 1848*, Marx warned the French proletariat against nationalist sentiments by stating that “the Hungarian shall not be free, nor the Pole, nor the Italian, as long as the worker remains a slave” (Marx, 1969). Marx’s response to the Paris Commune, however, seems as though he had forgotten about his warning and the need to place the class struggle ahead of the national struggle. This is evidenced by his appraisal of the support the Commune received from Paris society. While for Lenin armed conflict and the extermination of counter-revolutionaries are but one of the primary tools available to the class struggle, for Marx, it appears to have been an incidental tool picked up during the course of the struggle. Therefore, during a revolution, no organ of men and women should have the exclusive exercise of physical force. This is evidenced by his argument that “the Commune, to protect their lives, was obliged to resort to the Prussian practice of securing hostages” (Marx, 1871) as though securing hostages became incidental in the course of the struggle. Referring to the bourgeois system of production, Lenin dug through Marx’s conceptual schema and asserted that “to *smash* this machine, to *break it up*... is the precondition" for a free alliance of the poor peasant and the proletarians” (Lenin, 1871). For Marx, he argued that “the centralization of the state that modern society requires arises only on the ruins of the military-bureaucratic government machinery which was forged in

opposition to feudalism” (Marx, 1852). Marx appears to have believed that the moral pressure exerted by the masses would not *smash* the bureaucratic and administrative aspects of the bourgeois state, but Lenin takes this further, while agreeing with Marx, he argues that instead of exerting moral influence, the French proletariat should have continued the civil war thus ridding Paris and France of all counter-revolutionaries. Lenin argues that that “in certain conditions the class struggle assumes the form of armed conflict and civil war” (Lenin, 1871) to destroy their enemies.

From his analysis of the Paris Commune, Marx seems to have been reluctant to categorise the Commune as a class struggle but at the same time he praised it for being a working class government. At times, he in fact falls short of claiming that it was a socialist struggle because in that vague phrasing, he argues that the Commune was a working class government, the product of a class struggle with the proletariat pronounced the victors (Marx, 1871). After the death of Marx, and at the 20th Anniversary celebration of the Commune, Engels argues that that the Commune was the dictatorship of the proletariat (Engels, 1891). This leaves one with the assumption that, indeed, Marx had no thorough conception of the class struggle or had no idea of what the dictatorship of the proletariat would look like. However, it would appear that in the absence of a clear conception of the class struggle, Marx might have preferred what Luxemburg welcomed as the *spontaneity of the workers* on the part of the Mass Strike Movement in Russia. Luxemburg firmly believed, as a result of the Russian mass uprisings, and with consciousness a product of political activity, in the self-organization of the proletariat. She believed that it was only in such self-emancipatory activities that the workers “experienced a sudden awakening in the process of struggle” (Levant, 2006: 6). So what then appears as an absence of a clear conceptual analysis is actually Marxism’s own break with Leninism. Taking Luxemburg and Engels into account, one is poised to make the approximation that the Paris Commune truly represented the first and continuing socialist foundational block in Paris. It simply was not allowed to evolve and be taken to its logical conclusion.

In *The Eighteenth Brumaire of Louis Bonaparte*, there appears to be evidence of Marx’s support of spontaneity of the workers because he argues that “the tradition of all dead generations weighs like a nightmare on the brains of the living... they anxiously conjure up the spirits of the past” (Marx, 1852). However, while the Paris Commune appears to threaten

Marx's view of the role of the proletariat, Lenin took the baton and deepened the idea of the dictatorship of the proletariat and rethought the notion of democracy in light of the limitations and failures of the Commune. One can suppose that it was precisely these failures that the seeds of the idea of a vanguard party were sown into Lenin's revolutionary mental schema. Because class antagonisms are historically and contextually determined, it is not possible for the proletariat to align its interests with other classes hostile to it. Instead of harnessing the spontaneous activity of the workers and the poor, the task ahead is to push for the socialist revolution by subordinating capital to labour therefore giving the proletariat the responsibility of directing the socialist project. It is on this basis that Lenin, having developed and deepened the conceptual framework of Marx by inserting armed men (sic) in the theoretical schema, developed a marriage between the two. However, for Marx, democracy meant the existence of the self-organisation of the workers and the poor, and the absence of a coercive apparatus standing above this stratum. And so the anarchist theory begins...

For Marx "the state was a superstructure erected on the substructure of capitalism, that is, the executive committee of the bourgeoisie" (Roche, 1984: 9). Bourgeois democracy is only a stage in the evolution of society towards socialism, but in this stage the state is ruled by those who own the means of production. The role of the proletariat in this stage is to mobilise, seize state power, and establish what Marx referred to as the "dictatorship of the proletariat" (Roche, 1984: 17). Marx and Engels had believed that they had discovered the natural laws of history and as such, would be able to establish a socialist society. In their discovery the bourgeois state would not be abolished but would wither away (Roche, 1984: 11). This was the prognosis Marx and Engels offered to the working-oppressed people of the world. It was Lenin, having taken heed of this, and upon recognising the conditions in Russia, who set out to articulate an organisational structure that would yield the forecasts made by Marx. Lenin argued for a vanguard party made up of a small number of revolutionary intellectuals that would inspire the necessary consciousness into the party (Bronner, 1981: 50). This meant that the direction and agenda of the proletariat – the small number available, anyway - would be determined by a small number of skilled individuals. To do this the 'revolutionary intellectuals' instituted a policy of democratic centralism which drew its strength from military discipline in following party decision; in effect, once leadership arrived at a decision it became the responsibility of the members to follow through. Therefore, "Lenin's concept of a vanguard directing the membership along military lines of command" (Roche, 1984: 15)

complemented and, in some way, appeared to complete Marx's maxim of the 'dictatorship of the proletariat'. The organization of the party and the leader at the helm of the party not just represented, but became, the full expression of the will of the proletariat.

Engels and Marx firstly deepen our understanding of Rousseau's idea that "war is constituted by a relation between things, and not between persons" (Hall et al, 1973: 172). They argued this by providing conceptual clarity to the notion of 'real relations' in that men (sic) are born into a network of social and political relations that determine how they to relate to others in that network. More specifically, the appropriation of the concept of classes, bourgeoisie, and capitalism enabled a paradigm shift in understanding better the state and its relationship to its citizens. At a time when many Hegelians conceived the state to be the final expression of the common will of all people within it (Hook, 1962: 158) with Marx forming part of the chorus that praised Hegel, he later on, as a journalist, realized that "political equality was a condition, not the guarantee, of social equality, and that without social equality all talk about the community of interests and the divinity of the state was... empty rhetoric."(Marx in Hook, 1962: 158). In the place of 'things', Marx and Engels referred to classes and how each class, in the development of society, pursues its own interests – i.e. class interests. Therefore, and this is the second understanding, the development of classes – the assurance of its social mobility - is characterised by the pursuit of capital in that these network of relations or 'real relations' is what makes possible class mobility. In the main, the matter amounts to the understanding that, in true Marxist-Leninist tradition, "the state in these class societies is primarily and inevitably the guardian and protector of the economic interests which are dominant in them" (Miliband, 1983: 32), a view close to Locke's conception of the role of the state.

In Engels claim about the inauguration of the state there exists a tacit assumption that within the state there is the capacity to contain and move society away from the disorder of class interests towards the 'general will' of the individual within the collective. The state, in its conceptualisation, seems to have the capacity to bring social conflict in order, not because it can bring an end to the natural inclinations of men because it can't, but because, to borrow from Rousseau, "men cannot engender new forces, but only unite and direct existing ones, they therefore have no other means of preserving themselves than the formation, by aggregation, of a sum of forces" (Hall et al, 1973: 173). As with Engels, Rousseau seemed to be driving the point that as a way of preserving mankind and finding

order in the relations between men, it became necessary that a 'sum of forces' or a central governing authority be engendered. However, Marx's break with Hegel meant that the state was to be "the voice of reason, but its hand was the hand of the privileged." (Hook, 1962: 159). Here, Marx was demonstrating that although by way of reason the state is to perform the general will, in actuality, it gave its obedience to the dictates of the propertied. However, one ought to concede that the state is far more complex than otherwise regarded.

Lenin was working against the background of a feudal economy that had yet to develop into a bourgeois state that had contained in it the seeds for socialism. The circumstances in Russia were that of "a backward economy, a [small] working class and an autocratic, repressive government" (Cliff, 1986: 13), complicating the idea of the transcendental subject (the proletariat). He therefore did not have the millions to begin a revolution, and his only intellectual opposition was Luxemburg who argued that the circumstances in Russia did not need to lead to a vanguard party in the manner he had conceived it (Cliff, 1986: 13). This opposition represented two schools of thought in Marxist literature with Luxemburg representing what some have later referred to as western Marxism. The substance of this current is a firm belief that ideologically orthodoxy is a barrier to adapting and conceptualising innovative theoretical and practical frameworks that new conditions and concerns require. Ernst Bloch calls this the "underground history of the revolution" (Bronner, 1981: 97) because it has, for some time, been ignored by the architects of the old left but has had a strong influence in history. Luxemburg may have been defeated by the old left but her work endures via the work of others like Gramsci.

It was Lenin who subjected the state to a thorough analysis, making the intellectual shift in the following passage:

"because of irreconcilable class antagonisms, its very existence proving that class antagonisms cannot be reconciled. This means that class antagonisms cannot be resolved through the state, which merely legalizes and perpetuates class oppression by moderating collisions between the classes" (Lenin in Neocleous, 1996: 28).

However, in analysing the state, Lenin makes the logical fallacy that because the existence of the state demonstrates that class antagonisms cannot be reconciled, class antagonism cannot

be resolved through the state. As to be later explained, a fallacy that continued in the thinking of Habermas. Although Marx concluded, having witnessed firsthand the actions of the state and how the “very idea of the state - was reduced - to material instruments of private interests” (Marx in Hook, 1962: 160), he came to further argue that the state is but a body established to coordinate the general interests of the bourgeois (Marx et al, CM, 1848). Having said that, let us unpack the fallacy that Lenin lends himself to, that, indeed, class antagonisms cannot be resolved through the state; because class conflict cannot be reconciled, as represented by the existence of the state, it does not therefore mean that class conflict cannot be resolved through the state, even in the context of the state being used as an instrument to guard private interests. The problem here is that the relationship between the state and organised private interests is portrayed in mechanical and simplistic terms; mechanical and simplistic because in this portrayal there is no room for any organisational force occupying the state to engage organised private interests in a dialectical manner. This is to point out that the state and organised private interests are without a doubt not the only institutions making up society. The existence of political factions and fractions of capital that have opposing interests is proof of society’s intricate networks and alliances, and as such, it ought to be understood that influences on the state and private interest are not always unitary and consistent. Miliband attempts to resolve this tension by arguing that the state elite are mixed up in a more intricate association with the (capitalist) system and with society (Miliband, 1983: 32). Indeed, even within the ruling class there are ideological differences that make possible different class positions, and it is out of these relations that one can begin to analyse the state. The relationship between the state and organised private interests plays itself out under circumstantial shifts, but what underpins these shifts depends on the ideological and material forces embedded in society and the social institutions erected to manage these contradictions.

Miliband’s definition of the state accurately unpacks the limitation of the post-colonial state and its intricate relationship with capital (former colonial powers and national capital) and society. It was Rodney that argued that “Africa required the unity of the progressive groups; organisations and institutions rather than states to recognise the right of popular forces to determine the future of the continent” (Nabudere, 2006). According to Nabudere, this call was made in light of the apparent limitations of the post-colonial state and was followed by a call for progressives, wherever they may be located, to mobilise and assume the role of the

motive forces in the struggle for freedom and equality. Following on from this, the thesis will argue that, still, in light of the limitations of the post-colonial state, the state must continue to be the instrument or mechanism by which the energy of the progressives drives the agenda in the post-colony. While this is partly because of the need for the post-apartheid (colonial) state to continue its anti-imperialist outlook, this reasoning is predominantly drawn from Marxist's instrumentalist perspectives on the state. The fissures that Miliband's reveals within the ruling class, made up of the political elites and the economic actors, does give progressives outside the post-colonial state to exploit fractures within this class.

What this means for our understanding of the state is that when we engage Althusser's view, though he focuses more on the coercive aspect of the state, that "the state is a machine of repression, which enables the ruling classes to ensure their domination over the working class" (1971: 10), we must have in mind the idea that because there are divisions within the ruling class itself, talk of the ruling class always seeking to extract surplus-value from working class should be looked at more with a sceptical eye. In the context of Miliband's argument, there are two issues that ought to be considered here; one is that within society, dominant economic interests are continuously engaged in a struggle to preserve and continue their domination over other classes, and secondly, not all classes are cohesive or unified groups – i.e. there is an internal and an external struggle among and between them. There is therefore a definitive and discernible interplay between the mechanical and the organic in our analysis of the state, and because of that, there exists a dialectical relationship between the state and the system (capitalism). Against this background, it is better to turn to Althusser and Gramsci in analysing the state by identifying the different components making up the state, but Gramsci provides a far more comprehensive analysis of the dialectical relation between the state and the system by discovering a third centre of power.

2.2. Civil Society

In his *Prison Notebooks* Gramsci engages with the idea of hegemony as conceived from the works of many socialists, among them being Plekhanov who saw the concept as loosely conveying the idea of working class solidarity. In his engagement with the concept, Gramsci's contribution to Marxist literature, among many, is his situating of it within the realm of civil society. As a result, analysed clearly, hegemony is a "process of struggle, a permanent striving, a ceaseless endeavour to maintain control over the hearts and minds of subordinate classes" (Ransome, 1992: 132). For this to be possible, hegemony is necessarily a two way process by which consent and coercion are exercised by those who have the ability and the means to do so. Although Gramsci concedes to the idea that the distinction between civil society and the state is a package arranged by liberal ideology, he argues that the site for coercive control is situated in the institutions of the state while ideological work is located in civil society (Ransome, 1992: 143). Hegemony therefore operates at two levels; one is at the level where one is brought in line and is coerced by means of violence while the other is brought in line by means of consent; the norms and values of the ruling class are embedded in the social fabric and are normalised therefore deviation from them constitutes a deviation from the normative standards of society. The consent aspect of hegemony, for Gramsci, operates at the level of civil society, while the coerced aspect operates at the level of the state; at the level of the state because the ruling class has access to the state apparatus, which in turn has the legitimate monopoly to violence. Therefore, and although hegemony depends on consent (Buttigieg, 1995: 7), it is not the preserve of civil society alone, it must translate into providing leadership, meaning that the capture of state power becomes a reflection of its hegemony.

By now one would ask what is meant by civil society and its relationship to the state to be understood. While Althusser and Gramsci constructed civil society as a realm containing "private institutions" (Gramsci in Ransome, 1992: 138), (Althusser, 1970: 16), others have proposed that civil society is "an ensemble of free, equal, abstract individuals associating in the public sphere of production as opposed to the private sphere of the family" (Shivji, 2002: 7) or rather that it is presented as such. This is the sphere between the family and the state, but as to whether this sphere of relations is free and can claim an autonomous space is a contentious point. Hegel was among the earliest to suggest that civil society is characterised by free agents in a sphere that is neither family nor state but, because it typifies struggle and

conflict, requiring rule by a public and central authority (Hegel in Neocleous, 1996: 1). Hegel seemed to have invested much faith in the state because he had imagined it to be endowed with the institutional features sufficient enough to stem the tide of the 'uncivility' of civil society and direct it towards a more equitable course.

Hegel made this position by arguing that "classes reflect various stages of consciousness just as do periods in history" (Avineri, 1972: 105). In the development of society, therefore, and by the strength of a central governing authority, classes would inevitably be superseded by a better form of social structure. For him, these contradictions were a regrettable but necessary form of social structure; a structure that tightly formed part of a comprehensive totality (Avineri, 1972: 104). It was clear that Hegel recognised the individual (atoms in society) and the collective (classes) in his analysis of civil society but the overriding idea is that the buck begins and stops with the individual. He appears to arrive at a libertarian conclusion that the pursuit of one's interest ultimately leads to the further development of society. So, in as much as civil society is a place where each member is his own end, where everything else is nothing to him" (Avineri, 1972: 143), the steady hand of a central governing authority, because of what it represents, can lift the masses out of that filth. Gramsci, however, had a different take on the issue.

Against this background, Gramsci used his formulation of hegemony within the context of civil society by suggesting that in order for civil society to organise itself, it must do so by way of hegemonic private groups such as the church, trade unions, schools and the family etc. In this conception, "the agents of hegemony are conscious and reflective human agents; therefore hegemony is actively created, maintained and reproduced by real individuals" (Ransome, 1992: 132). However, and this is where Gramsci breaks new ground and also departs from Hegel: the production and reproduction of hegemony is not open to all individuals in this sphere, and already with an unequal society in place, the manufacturing of consent is not equally distributed in society to the point that not only will some not come to understand how it is manufactured, but will hold the belief that they have freely consented to society's set up (Buttigieg, 1995: 7). The complex nature and mediums under which consent is formulated is hidden from the unsuspecting observer who sincerely believes she/he understands that which is happening around him/her. And although the governed are able to identify a coercive state, the superstructure under which they do so dulls their ability to object outside the ideational points of references that the ruling class govern under.

Gramsci developed this theory to give impetus to the dissipating emancipatory project of the left in Italy, and although immediately after his work Italy fell into fascist hands, the idea of hegemony was to discover a “revolutionary strategy (a "war of position") that would be employed precisely in the arena of civil society with the aim of disabling the coercive apparatus of the state gaining access to political power, and creating the conditions that could give rise to a more consensual society (Buttigieg, 1995: 7). It is important to understand that civil society is not a ‘free’ space for everyone to make attempts at achieving hegemony, but rather for progressives, not intellectuals, to identify spaces that can be used to expand consensus for a left project. A ‘war of position’ in this regard is a strategy employed by tactically-efficient members of civil society to mobilise citizens around a counter-consensus that would bring the legitimacy of the state into question. The idea is to dislodge the ruling ideas masquerading as normative values inherent of bourgeois society so as to unlock the minds of those who’ve naturalised their position in society. Though this is also to presently expose how fundamental liberties were really only “gained by, and for, a particular class bourgeoisie” (Buttigieg, 1995: 10). Moving in line with Mills racial contract thesis, and to develop from Gramsci, it is also to expose the racial character of the class struggle and to argue that it is indeed the political project of white hegemony over the non-white population that these liberties are expressed.

Analysing Gramsci’s notion of hegemony, Althusser’s conception of the Ideological State Apparatus (ISA) removes hegemony out of the realm of civil society and places it within the State apparatus. Within the traditional Marxist conception of the state apparatus, Althusser puts forward the idea that there exists what he calls the “Ideological State Apparatus (ISA) and the Repressive State Apparatus (RSA)” (1970: 14). He argues that within the RSA there are the courts, the army, the judiciary etc that help facilitate the coercive arm of the state but that within the state apparatus there is also an ideological function. He formulates the idea that “the ideological State Apparatus function massively and predominantly by ideology, but they also function by repression” (Althusser, 1970: 17). The placing of the concept of hegemony as a conscious, reflective, and in a way, a praxis, into the domain of the state becomes even more apparent when Ransome reminds us that “since there is an equilibrium of political society (the State) and civil society, it follows that social control must be expressed by both force and consent; hegemony in other words, is constituted by a combination of force and consent” (Ransome, 1992: 142). Althusser basis this notion on the idea that the state is

neither public nor private, and as such, private institutions should not be understood according to how they are recognised but according to how they function as they function to disseminate ideas and information. Invariably, in true Marxist-Leninist thought, dominant ideas and values are the ideas and values of the ruling class.

The works of Hobbes, Rousseau, Locke and Marx are a testimony to the idea that society is rife with conflict. Marx, however, turns Hegel's work on its head and develops the idea further by arguing that "this slavery of civil society is the natural foundation on which the modern state rests" (Marx in Helliker, 2010: 2). Marx had developed this two-fold; that indeed beyond the conflict in civil society, individuals in this domain are not free. Whereas Hegel's basic position was that the State was the solution to civil society's uncivil behaviour, Marx's thesis was that "bourgeois civil society, with its particularistic class-based bickering, could only be overcome by the universalizing and emancipating role of the proletariat" (Helliker, 2010: 3). Therefore, while Hegel looked towards the state for escape, Marx looked within civil society to transform the state and consequently democratise society; he argued that the proletariat must take hold of state power to tear down the existing structures placed by the bourgeoisie and substitute them for proletarian structures; structures that serve the interests of the majority (Althusser, 1971: 13). Somehow this transcendental subject and product of history would claim the means of production and install a new system.

Against this backdrop, this later on led many to believe that civil society would form a counter-current against the abuses of the state; ironically, it was, while turning Hegel and Marx upside down, to democratise the state in particular and society in general, as if to deny what is patently clear as the heavy and unavoidable historical presence of class contradictions/struggles. What is meant here is that "the separation between State and civil society under capitalism mystified class domination, with the State being a particular organisational expression of relations of domination existing first and foremost within civil society" (Helliker, 2010: 3). Conceptualising a homogenous civil society characterised by a common struggle, liberal thought depicted civil society "as the universalizing logic inherent in capitalistic societies that opposes the particularistic interests of the State, and it becomes the driving force behind processes of democratic modernity" (Helliker, 2010: 3). In relation to the nation-state, civil society is conceived as the custodian and bearer of democratic interests with its relationship to the State "portrayed as antagonistic... with civil society as

progressive and the State as regressive” (Helliker, 2010: 3) distorting the intellectual work of Gramsci on the state/civil society distinction.

With this background in place, Shivji argues, that “whereas civil society presents itself as an ensemble of free individuals and as a separate sphere from the state/politics, it is, as a matter of fact, the soil from which is embedded, state power” (2002: 7). He effectively places the idea that the constitutive elements making up the civil society framework are responsible for state power and in fact anchor it. He further goes on to argue that “there is no wall between the state and civil society because social power is the harbinger of, and in turn is secured by, political power, the state” (Shivji, 2002: 7). This analysis better assists us in understanding the ‘whole’ or the ‘meta-narrative’, it better identifies the plots by which capital and in turn the bourgeois construct and piece together a hegemonic front. However, the civil society/state distinction also enables us to understand the different levels and centres of power and how it is organised, exercised and allocated. This becomes much clearer when Shivji argues “that the individualism and freedom associated with that in civil society are abstracted things; that once the social being of the individuals is examined it becomes clear that civil society is neither homogenous nor free but rather an ensemble of contradictory social relations” (Shivji, 2002: 7). Shivji seems to find common ground with Burawoy that behind the idea of consent within hegemony lies “the armour of coercion” (2008: 21). This common ground is apparent in the idea of an “ensemble of contradictory social relations” (Shivji, 2002: 7) because meant here is that there’s the appearance of free individuals, which corresponds acutely to the idea of symbolic violence, pursuing individual interests. The task, therefore, is to unmask this appearance.

Against this background, Chatterjee proposed that according to the legal-political setup of the state as given by the constitution, everyone is a member of civil society and is equal before the law (2004: 38). However, the history of society is all too well documented with many forms and types of protests and struggle for us to regard this statement as a reality. For the moment what is meant by the contradictory social relations will be comprised of class struggles in the sense Marx conceived it in. The basic thread of this position is that the dialectic opposite of the working class is the bourgeois who are the owners of the means of production (Shivji, 2003: 6). The working class are without any means of production and because of that, they have only their labour power to sell while the bourgeois are the propertied class and therefore require the labour of the working class to generate profit.

According to this narration, society is characterised by the struggle of these two historical forces which are products of capitalist logic. On this basis, “property is [or rather becomes] the conceptual name of the regulation by the law of relations between individuals in civil society” (Chatterjee, 2004: 74). Having understood this, the logical question is then what happens to the class without the means of production? If power only speaks to power, how then does the state relate to them as a political group in civil society?

In his investigation of Africa during colonial rule, Mamdani broadens our understanding of the socio-economic dynamics that play themselves out in the current post colony, more especially how race and class combined to form a brutal system of domination and exploitation. As such, does not fall too far from Mills view of the growing consolidation of white power. Mamdani argues that in the colony, natives who played to the conventional values and laws of European society were regarded as civilized beings and, as such, became recognised members of civil society. Centring his argument outside Marxist schemata, Mamdani proceeds to say that anything or ‘anyone’ outside the influence of civil society was considered to be an uncivilized creature needing reform (Mamdani, 1996: 16). As a corollary to this was the fact that property separated the civilized from the uncivilized resulting in a complete vision summed up in “Cecil Rhode’s famous phrase, Equal rights for all civilized men” (Mamdani, 1996: 17). Consequently, property, race and gender were indivisible to any critical comprehension of civil society in both the colony and the post colony. As such, rights were for those in civil society while *natives*, though still governed by colonial authorities, were governed by a different set of laws. Particularly for settler colonies like South Africa, white power, in its consolidation of hegemonic rule, acknowledged the political contract of their forbears but exercised it only among them, creating two separate systems of rule. Arguably, nowhere in the world is this truer than in the South Africa case; though even before it, apartheid was a crystallised affirmation of Mills arguments.

In light of Mamdani’s work on the colony and the post colony, and Mills’ conceptual exposition of the embedded racism in the social contract, any understanding of countries in the periphery (the South) must take the consideration of racism as one of the primary tools employed to justify the mode of development of the metropolis. It was Wallerstein who in the 70’s developed this theory, commonly referred to as the World Systems Theory (WST). The WST was a system “of multiple layers of social status and social reward which roughly correlates with a complex system of distribution of productive tasks based ultimately on the

phenomenon of unequal development” (Wallerstein, 1974: 86). It is centred on the economies of the developed and obtains its thrust on a system of racism. Mamdani explains that the history of civil society in Africa is steeped in racism (1996: 19). Furthermore, a testament of the racial contract embedded in the social contract of the Enlightenment period is exemplified by the two-tier system of civil society and the native society each with different legal and political setups. This manifested itself in such a manner that the language of urban society spoke of civil rights while rural society spoke of community and tradition; in this sense civil society was identified as a place for the protection of rights while rural society was organised to put into effect tradition (Mamdani, 1996: 18). This, according to Mamdani, was later referred to as direct (civil society) and indirect rule (customary society). This differential political system in the colony was not by accident and was not a by-product of the contact between white power and non-white people in the periphery. Indeed, it was this political project that pursued the consolidation of white supremacy. As such, “the hallmark of the modern state was that civil law “governed citizens in civil society” (Mamdani, 1996: 31). Therefore, the modern state was itself, from the beginning, a controversial and a necessarily removed system of alienation for the majority of the colonised subjects.

Nonetheless, any dialectician would acknowledge the burden of the past in the present, and its continued change in form and content. Certainly, no one constituted power in history cedes to constituted power without any struggle to maintain some form of it in the new dispensation. Thus racial privilege not only upheld its heavy presence in the post colony, but employed the progressive language of civil and individual rights and institutional autonomy in its defence (Mamdani, 1996: 20). The emergence of constitutional democracies in Africa invariably exacerbated the tension between the civil and customary society distinction that characterised the colonial system, more especially the British colonial system. It is with this in view that Mamdani argues that deracialising civil society must simultaneously occur with detribalizing the rural. In this instant, the basis of democratization, and the possible development of societies in the periphery, must first begin with the will and the ability to deal with the issue of property so as to re-construct and to unearth a more inclusive and representative social contract.

Against the abovementioned background, Chatterjee seems to be able to point us in the right direction by suggesting that property is the regulation by which the law regulates relations between citizens (2004: 74). In better understanding this position, it is important to bear in

mind that this is a material formulation of the law and how the state regulates society. What is meant here is that the ideal society where “everyone is a citizen with equal rights and therefore to be regarded as a member of society” (Chatterjee, 2004: 38) is undermined by the cold reality of the command of the material life to which the state itself must abide by; namely property. Chatterjee argues that “it is over property then that we see, on the terrain of political society... and observe a struggle over the real, rather than the merely formal, distribution of rights among citizens” (Chatterjee, 2004: 75). This is especially more evident in the post colony where most people have been dispossessed of their means of production and thus have no recourse to restitution; sometimes both from the state and civil society. Hegel also understood this well when he argued that “through property man’s existence is recognised by others, since the respect others show to his property by not trespassing on it reflects their acceptance of him as a person” (Avineri, 1972: 136). It therefore stands to reason that the state relates differently to those who do not own the means of production. Those who have no private property to derive respect from and thus have nothing to lose mean that the collective awareness of their predicament inevitably drives the state towards a hostile relationship with these classes. However, one of the problematic features of the working class for the state is that this group is conscious of its location in the capitalist framework and is thus organised around a particular political project that has the potential to do away with the status quo. This class, together with the bourgeois, are a class unto themselves and, as a result, are engaged in a constant and oppositional struggle against each other.

However, the terrain of *political society* which Chatterjee observes, “which is the domain of institutions and activities where several mediations are carried out...[and] the populations that make up this alternative site are neither agents of the state nor civil society” (Chatterjee in Vijay and Gudavarthy, 2007: 143), is the terrain on which democratisation rests on. This observation appears to rest on the strategies employed by this group of people as they “fail the tests of legality and constitutionality set by civil society” (Chen in Vijay and Gudavarthy, 2007: 143). Alternatively, they also fail the political legitimacy and subjectivities imposed on society by the state. Therefore, in this instant, this alternative site must negotiate their survival between the standards set by the state and civil society. A problematic assumption rears its head in this model: the assumption is that both civil society and the state, acknowledging both factions and fissures between and among these groups, always allow the

law and the constitution to mediate their conflicting interests without any manipulation. Moreover, this goes on to further assume that political society operates outside the legal and, at times, constitutional parameters of the state.

While political society may at times operate outside the legal and constitutional parameters of the state and civil society, it is not quite clear as to the always legal and constitutional operations of civil society. For one, the case of Apollo Tyres South Africa, formerly Dunlop, is a case in point of how this sector of the economy engaged in price fixing for a number of years¹. This was clearly an illegal action on the part of the company but they got a slap on the wrist from the Competition Commission of paying a penalty fee “R45 million which represents 4,75% of its 2008 total turnover” (CC, 2011). Secondly, the anti-competitive actions of Pioneer Foods (Pty) Ltd has also made them enter into an agreement with the Competition Commission to, *inter alia*, “pay R250 million as an administrative penalty to [the] National Revenue Fund” (CC, 2010). Last but not least, South Africa will remember the case involving the former Minister of Health, Manto Tshabalala Msimang and the Sunday Times newspaper. In this case, the Johannesburg High Court ruled that while the Sunday Times was found wrong to have in possession the Ministers medical records and should therefore return them, the paper cannot be hampered into pursuing its investigation of the Ministers fitness to hold office (FXI, 2005). While recipients of unfavourable agreements and court judgments, again, received a slap on the wrist, because they are part of the establishment, such actions will not always be a blot on their contribution to society and its functioning.

Having assessed the agreements and court judgments made in the aforementioned, it is important that civil society is understood well. Therefore, though political society is recognised, civil society is not always the domain of legality and constitutionality. As such, not too much primacy should be accorded to political society as particularly distinct from civil society all that much. In fact, one would be more accurate to make the case that organisations that operate within political society, which is, on the whole, part of civil society, bring into question middle class sensibilities. Ellis, in Activate Online, writes that activists from the Unemployed People’s Movement (UPM) and the Students for Social Justice (SSJ) in an ‘Occupy Grahamstown’ protest threw on the ground buckets of human

¹ Apollo Tyres settles its price fixing case with a R45 million fine.

excrement in protests against the apartheid-era bucket system². Though trade union protests have not gone to this extent and are also not part of political society, they have equally challenged middle class sensibilities in their trashing of dustbins. The overriding criterion that captures the domain of civil society, in terms of its operations and outlook, appears to be its ideological orientation which, throughout, the thesis explains.

Although Marxist currents are unapologetically and primarily class orientated, civil society is conflict-ridden beyond the lines of class antagonisms. Moving beyond Mills and Mamdani some have discovered what is regarded as the matrix of oppression. In this regard, Collins introduces the notion of *intersectionality* which posits that the “systems of race, social class, gender, sexuality, ethnicity, nation, and age form mutually constructing features of social organization” (Collins in Anonymous, 2007: 7). Collins provides us with powerful modes of social organisation that enables us to understand life experiences which, in effect, release class of being the singular determinant of the location of power and its distribution. To take this further, these divisions of social organisation are channelled and legitimised by the existing domains of power thus establishing unequal power relations; namely the structural, the disciplinary, the interpersonal, and most importantly, that which brings them all together, is hegemony. The structural “domain sets the structural parameters that organize power relations” (Anonymous, 2007: 8). This domain is made of the economy, the law, the state. The disciplinary is where “the matrix of domination is expressed through organizational protocol that hides the effects of racism and sexism under the canopy of efficiency, rationality, and equal treatment” (Anonymous, 2007: 8). So normative standards are presented as universal and neutral whereas they are manufactured in an environment where there’s an unequal power balance. The interpersonal “is made up of the personal relationships we maintain as well as the different interactions that make up our daily life” (Anonymous, 2007: 9). These are indeed shaped by class, gender and race affiliations. The last and most important is hegemony where “the cultural sphere of influence of where ideology and consciousness come together” (Anonymous, 2007: 9). Hegemony is important because it’s what gives life to all domains of power.

² E. Megan, 2011. Occupy Grahamstown: Kota tells municipality “This is not our Shit”.

<http://activateonline.co.za/2011/10/occupy-grahamstown-kota-tells-municipality-this-is-not-our-shit/#more-270>

In this regard, Collins sees “intersectionality working within a matrix of domination” (Anonymous, 2007: 8). How this operates is that these domains of power respond differently to issues of gender, race, class etc so as to find that the totality of a person is made up of cross-cutting identities that he or she assumes as a result of their relation to the domains of power. These cross-cutting identities are so varied that it becomes difficult to make a general determination about, say, black women. Consequently, these classifications serve to legitimate discriminatory practices. Although in the context of the domains of power, a black woman is statistically expected to be the most oppressed, you will find that in some instances she has assumed, by her thoughts and behaviour, power over others. In this instant, Collins argues that “oppression is filled with such contradictions because these approaches fail to recognize that a matrix of domination contains few pure victims or oppressors” (Collins in Anonymous, 2007: 9). It becomes important, therefore, to acknowledge that victims can be oppressors while at the same time oppressors can be victims; there is no clear line of separation that constitutes an iron curtain over the plain division of the oppressor and the victim. Therefore, Collins conceptualizes struggle as an intricate interchange of an array of forces operating at multiple levels (Anonymous 2007: 9) resulting in the disposal of the primacy of the notion of class struggles as the motive force of history. Furthermore, she also confirms what others have argued; that history takes no one’s side.

The array of contradictions or complexities in society has made social change become more difficult than had been thought in its strict notions of class struggles. In fact, Collins argues that “one of the ideas that comes out of postmodernism and considerations of late modernity is the notion that guided or rational social change is no longer possible” (Anonymous, 2007: 9). What is meant here is that as far as the structural and the disciplinary domains of power are concerned, and the complex nature of resistance is considered, change will not emerge in the form of a manageable engagement with the existing structures but will rather emerge as a rupture against the system. However, the charge levelled against Collins' position is found in Bourdieu wherein which Collins' idea of the matrix of domination obscures the underlying reality. For Bourdieu “domination secures itself through a symbolic universe that defines categories of distinction... thereby mystifying the underlying reality” (in Burowoy, 2008: 22). These categories of distinction are ones in which the state has the legitimate and sole power to create and re-create wherein it has the authority to define what it means to be a citizen, to be employed, educated, or to belong to a tribal group and more recently, what it means to be

a male or a female. Bourdieu therefore concludes that these distinctions, while masquerading as an assertion of cultural superiority which the oppressed accept, serve only to mask the fundamental operations of class domination (2008: 22).

The issue with Collins' analysis does, indeed, obscure class domination and although it presents itself as a relevant agenda in the North, it purports to pursue a progressive agenda in the South. It therefore has the potential of being regressive in the struggles of the South. Shivji points towards this in his argument that in the post-colonial period it was the “(petty) bourgeoisie and workers that acquired some benefits from colonialism... their political and cultural references are to the metropole” (in Neocosmos, 2009: 30). These classes, instead of mounting a class struggle against the colonists, betrayed the masses in the post-colony because they could not destroy the interests they acquired in the system. In the *Pitfalls of National Consciousness*, Fanon blames the intellectual laziness of the national middle class and its cosmopolitan mind set for contributing to the weakness of the national consciousness of the colonies (Fanon, 1967: 119). Because of their point of reference, which is located in the metropole, they not only pursue a position in the likeness of their counterparts in the metropole, though they are no way commensurate with the bourgeoisie of the mother country, they have an inability to rationalize popular action (Fanon, 1967: 120). It is no wonder then that the middle class are primarily concerned about the right-bearing citizens of civil society and are forgetful of the tribalized subjects of the customary society. This closed conceptual framework makes a partial diagnosis of the post-colonial problems thus resulting in a partial and a weakening of democratisation in the post colony.

As a result of the aforementioned, the post-colonial state exhibits social features that characterised the colonial regimes. However, at the height of the struggle against colonialism, a narration outside of the class orientation of Marxist literature took centre stage; “the nation is not race, it is not colour, it is not class, it is not gender, it is not tradition, it is not even state, but it is open to all Africans” (Mamdani in Neocosmos, 2009: 30) regardless of the latter contradictions. The underlying reality that Bourdieu alludes to is suspect because it is primarily interested in policy, in the objective, and has no relation with the subjectivity of domination. What is simply meant by the subjectivity of domination is the cultural and social values absorbed and inscribed onto the fabric of the national conscious. And this is correctly where Collins and Gramsci find common ground in that any authentic resistance against

domination would have to be levelled at an intersection of a variety of forces, but more importantly, that as social beings we are the creators and re-creators of institutions of domination and oppression, and as such, these mechanisms are irrefutably accessible to the conscious.

Not only are the terms 'free' and 'private' in civil society domain dangerously precarious but the idea of the *matrix of domination* must also be looked at in a different light in view of Gramsci's work on hegemony, Bourdieu's work on symbolic violence and Mamdani's analysis of the colony and the post colony. While Bourdieu reverts back to the idea that class contradictions remain the motive force of history, thereby placing them back on the centre stage, for Gramsci, having understood what Collins understood (i.e. that the "structure and the disciplinary domains of power are most resilient to change") (Anonymous, 2007: 10), a "war of position" (Smith, 2010: 3) would help revive a more formidable resistance against domination. The struggle is no longer assembled against capital alone, but is mobilised around all the mechanics of domination. Gramsci argued that an ideological battle, a battle against ruling ideas and beliefs, is fought at the level of civil society; these are the ideas and values of the ruling class. The distinction therefore between civil society and the state, in Gramscian thought, is one of separating sites where power is constructed; power is manufactured at the civil society level and manifests itself at the level of the state. Hegemony, for Gramsci, presupposes conscious consent towards capitalism but one that could be overcome. After having won the ideological battle one must take over the levers of state power and lead; demonstrating leadership to the allied classes and dominating the opposition classes.

However, Bourdieu proposes a different position by suggesting that symbolic violence is when "the bodily inscription of social structure is a habitus that is so at home with domination that it does not recognize it as such" (Burawoy, 2008: 20). This is to mean that domination is at home and thus embedded in individuals precisely because it is inaccessible to the conscious mind. Again, the problem here is that there is no recognition of what Paulo Freire refers to as the *pedagogy of the oppressed* whereby the oppressed are taught to unlearn the domination that they have been taught and embrace full liberation. It's a process of the de-colonisation of the mind which Biko and Fanon also referred to in their seminal works on colonial Africa. Therefore, Bourdieu's claim that "submission to capitalism is deep and

unconscious renders one a passive recipient of history whereas Gramsci's claim that it is conscious and deliberate, but durable nonetheless" (Burawoy, 2008: 34) recognizes individuals as agents of change and acknowledges their symmetrical agency. However, the use of *Symbolic violence* and what Collins refers to as the *matrix of domination* enables the state to legitimize and delegitimize actors within society. But whereas for Collins the varied social roles are all equally important, for Bourdieu they only serve to mask the reality of class domination. In this regard, the state holds these distinctions to be sacrosanct, giving meaning to a citizen, a racial group, a job, a qualification so much so that Bourdieu pronounces the state to have the sole power both over physical and symbolic violence (in Burawoy, 2008: 22). The individuals in this social contract, thinking of themselves as free agents, are in fact not free because domination and submission are inaccessible to the conscious mind.

Although there are striking similarities between Bourdieu's "symbolic violence" (in Burawoy, 2008: 22) and Gramsci's notion of hegemony, ultimately "the organization of consent is intimately connected to the absorption of individuals through their participation in civil society under the leadership of traditional intellectuals – teachers, priests, community leaders, lawyers, doctors, social workers" (Burawoy, 2008: 21). More importantly, the leadership that exercises this consent and makes hegemony possible is from state power. It is out of this synthesis can we understand that the performance of particular social roles immediately translates into consenting to values and rules set out by the ruling class and represented by the state at a particular period in history. Although similarities exist, they have opposing foundational points of departure because according to Gramsci and Burawoy, because hegemony requires a conscious foundation it can be subverted whereas according to Bourdieu's symbolic violence, dominance exists at the unconscious and can therefore not be subverted. Moreover, while Gramsci primarily made use of the concept at the civil society sphere, Bourdieu elevated it to the sphere of the state thus expanding the state. To Gramsci "the state is the primary source of coercive domination, while private civil society is the primary source of consensual hegemony" (Ransome, 1992: 142), although the two are not mutually exclusive; a fact Burawoy is aware of. Therefore, because the two are not mutually exclusive, the state, agreeing with Bourdieu, has the monopoly on both consensual hegemony and coercive domination, and, agreeing with Gramsci, this hegemony can indeed be subverted. This will be the working idea of hegemony and civil society when used here on out.

Though Chatterjee rightly observes a much less well defined site which he refers to as political society, to define civil society as largely a site of legality and constitutionality, as though elite battles don't exist on the terrain of the illegal and the unconstitutional, is problematic and cannot be wholly correct. Therefore, while it is instructive to regard civil society as a site of bourgeoisie strength, it is more importantly a site of ideological contestation, though not always of equal players, but of both material and ideational engagements. One's proximity to the politics of the day enables a strategic emancipatory praxis to develop, and this is possible when it develops from the centre-periphery of state power.

2.3. Social Movements in the Post-Colony

In light of this, the complex question is how do we interpret the notion of the matrix of domination within the idea of hegemony? How do we understand resistance to this domination and where would this resistance emerge from if it is to be a resistance at all? In agreement with Bourdieu and Collins, Neocosmos posits that “the politics of civil society are predominantly state politics, for it is the state which ultimately pronounces on the legitimacy of the organisations of civil society and of their manner of operation” (2009: 4). He states that only outside the bounds, or at the margins of civil society, which is effectively the bounds of state politics, can we perhaps discover a different kind of politics that is sufficiently progressive to enable social change. His point of departure is that to understand civil society one must understand the limitations imposed on it by the state which accords legitimacy to some actors in that sphere (Neocosmos, 2009: 5). Furthermore, the legal and administrative procedures of civil society, whom a few have access to, bars many from exercising their democratic rights. Also, those not recognised by the state simply do not have legitimacy to form part of this society. This power, this ability to exert ‘hegemony’, via legal and political instruments, enables the state to co-opt civil society actors to form part of what he refers to as ‘stakeholder politics’. Neocosmos expands this concept and argues that “stakeholders are the organisations which the state sees as legitimate interlocutors. Being a stakeholder means accepting and operating within the new mode of post-developmental state politics; rejecting that politics means removing oneself from civil society” (2009: 11). The claim here is that there is insufficient political space within this politics to enable social change, thus affirming

Collins' view that the “structural and disciplinary domains of power are most resilient to change; but the hegemonic and interpersonal domains are open to individual agency and change” (Anonymous, 2007, 10)... and because of that, an emancipatory project can operate outside or at the margins of civil society where it is ruled out from the public sphere (Neocosmos, 2009: 11). Looked at from a different angle, the issue being probed here is whether the “war of position” (Gramsci in Smith, 2010: 3) can continue being waged at the level of civil society outside the national project of the state?

For Neocosmos “the importance of thinking politics beyond the realm of the state, of detaching politics from the state” (2009: 15) is critical in advancing an emancipatory project head on. Against this background, one cannot help but note what Marx proposed when he argued that “freedom consists in converting the state from an organ superimposed upon society into one completely subordinated to it...” (In Miliband, 1983: 21). Also this is precisely where Chatterjee and Neocosmos find common ground as they look towards domains outside the realm of the state. These domains would need to be external to civil society so as not to be contained by state politics for a progressive politics to take root organically. In the late 70’s, using Gramsci’s notion of the subaltern, Guha was among the first to conceive of the idea outside of the state but it was Spivak who arguably articulated a more precise definition of that space. She postulated that “in postcolonial terms, everything that has limited or no access to the cultural imperialism is subaltern – a space of difference (Spivak in Raju, 2010: 3) and a space which Neocosmos attempts to revolutionise. One can suspect that Spivak had in mind people or a group of people who occupied a space outside the cultural milieu of capital. This is a space that cuts across all traditional distinctions in society and as a result both Gramsci and Spivak saw it as a space that is “irretrievably heterogeneous” (Spivak, 1988: 284) - meaning that this group of people are particularly context-specific as subalternity meant “a condition to be overcome, a condition requiring an alignment with the [Southern] peasantry” (Gramsci, 2004: 2). This takes us further down the rabbit hole because it is only through their alignment with the peasantry that the subaltern subject can construct a collective conscious engaged in a struggle against cultural imperialism.

The recent theoretical revival of the idea of the subaltern began in India and was a project attempting to narrate history from below... “to rethink Indian colonial historiography from the perspective of the discontinuous chain of peasant insurgencies during the colonial

occupation” (Spivak, 1988: 283). Precisely because this is a political project one needs to ask where the subaltern subject – which occupies a space disconnected from the elite – situates him/herself in light of Collins notion of the matrix of domination. In her polemic article, *Can the Subaltern Speak?*, as though posed to the contrarians, Spivak argues that because of the heterogeneous character of the subaltern subject, any project attempting to construct a meta-narrative of history runs the risk of being counter-productive (1988: 286). In addition to this, the attempt to find that space of difference, to isolate and measure it, “hides an essentialist agenda” (Spivak, 1988: 285). But still in light of this criticism, how do we undo the epistemic violence organized by imperialism fully aware of the contradictions of domination?

If indeed the subaltern subject is heterogeneous, how then can an emancipatory project be advanced by a group that lacks collective awareness of its context? Furthermore, if this is indeed the one group occupying a space outside the politics of the state, and inevitably of civil society, according to Neocosmos, and one that cuts across traditional contradictions of class, gender, sex, etc, then what tools of mobilisation can the subaltern use to fight against this domination? Is not the subaltern subject also subject to the machinations of domination such that the subject is not a victim but is equally a perpetrator, though to a different degree? In effect, because this space, existing “both outside and inside the circuit of colonial production” (Guha in Spivak, 1988: 284), many theorists have looked towards social movements as representing or acting as voices for those spaces. Let us put aside the idea that the subaltern subject is irretrievably heterogeneous and that they require a class alliance to assume a collective conscious position and focus on a type of social movement whose politics are at the margins of civil society, if not outside it. Let us rather turn to defining what we mean by a social movement and distinguish between different types of social movements.

Habermas’ argues that apart from earlier social movements that were characterised by instrumental needs, modern movements focus on symbolic needs, and that the evolution from “industrial to post-industrial society is marked by post-class social movements (in Ray, 1993: 59). By post-social movements Habermas refers to formations that focus on ‘who we are’, ‘what we are about’ and how we represent and give expression to that. It is essentially that which others refer to as cultural politics or identity politics; a trend shared by feminist movements, gender movements, race movements, movements concerned with sexuality and so on. His “colonization thesis is that everyday realms of action are increasingly organized, not on the basis of the norms we have mutually agreed but on the basis of the money and

power that already drive the political and economic system - principles of system integration” (Edwards, 2004: 116). This is where Neocosmos and Habermas find common ground in that in view of this reality for both, the basis of radical change will be found outside the institutional framework (civil society) characterised by the political and the economic. However, this is contradicted by Ntlokonkulu who argues that the performance of social movements should be measured and assessed by their impact in civil society as opposed to the effectiveness of their impact on the state (2001: 7), a claim the paper will come back to. Apart from the analytical differences in the approaches to social and political expressions, one needs to make a historical and contextual distinction.

The problem with Habermas' proposal is that it is 1) Eurocentric and 2) takes no account of literature on post colonial studies. The two problems are not mutually exclusive as they work to reinforce each other. It is Eurocentric because by its definition it excludes many other forms of what are otherwise regarded as social movements in the countries of the periphery, and by doing so, takes no account of the literature and the material conditions that exist in the developing world. Furthermore, it conforms to a form of modernity which positions the developing world as the child or infant of the developed world. His theory, therefore, has no general application. This immediately becomes apparent because social movements in the periphery are marked by struggles to further their material lot, resist abuses by authoritarian governments and struggle for cultural and economic survival. An example of this is the “land struggle currently being carried out by the *Movimento dos Trabalhadores Rurais Sem Terra* (Landless Rural Workers’ Movement, MST) in Brazil and the *Ejército Zapatista de Liberación Nacional* (Zapatista Army of National Liberation, EZLN) in Chiapas, Mexico”(Vergara-Camus, 2009: 365). Both movements have largely struggled against the execution of neo-liberal packages, have contradicted the sanctity of private property and have, in the main, argued against the capricious decisions and policies of the state (Vergara-Camus, 2009: 376) as the primary facilitator of neo-liberal packages. In this case, because many of the MST and the EZLN members are subsistence farmers and peasants, both movements have resorted to grabbing and occupying private land and so a challenge to the role of the local state becomes inevitable.

So what do we mean by social movements? Well, Cloward and Piven argue that these are formally ordered organizations with a huge following made up of lower classes (1977: 1). By

implication they have well thought out organizational structures in line with their struggles. Furthermore, and as a corollary to this implication, a social movement is “a conscious, collective organized attempt to bring about, or resist large-scale change in the social order by non-institutionalised means” (Wilson in Cloward and Piven, 1977: 5). One, however, needs to add that non-institutionalized means is not always exhaustive but is a primary tool of engagement to wield against those on the other side of the fence to effect institutional change. A secondary tool of engagement is the use of institutionalised means by way of the courts, the capture of state power, legally sanctioned protests, lobbying, organising of international isolation against a regime etc. However, it is important to note the different currents within civil society organisations: there are the formally organised and well funded civil society organisations that mediate grassroots anger and frustration as they only look to make minor reforms to the status quo; Then there are those, while organising grassroots anger and frustration of the oppressed, which are made powerful by the use of street power³. Nonetheless, the adoption of any of these strategies is contingent on the form of state regime and on the circumstantial evidence at hand. Although Cloward and Piven place much emphasis on collective defiance, a better point of departure would be to isolate four issues; a social movement is 1) a self-conscious, 2) collective action – mass movement and 3) uses non-institutionalised means of engagement as a primary tool and to lastly 4) effect institutional change. It would seem to be that a collective consciousness is the one tool that can transcend the ideological space. Therefore, social movements, by defying the beliefs and practices laid down by the powerful in society (Cloward and Piven, 1977: 2), are those that have constructed a world view and have worked out a theory and a practice of achieving their struggle. Before we conclude here, this definition might also be misleading because it has not taken account of the ideational power struggles at play.

Piven and Cloward argue that “because the superstructure of beliefs and rituals evolves in the context of unequal power, it is inevitable that beliefs and rituals reinforce inequality by rendering the powerful divine and the challenger’s evil” (1977: 1). By this analysis, one would then need to question the possibility of transcending the superstructure. There is no doubt that struggle, protest, questioning, and probing, all exemplify the ability to pursue a higher ideal and demonstrate a mode of thinking outside conventional thought. Being that as it may, no consciousness evolves out of its own evolution, there must be an externality

³ Conversation with Dr Siphamandla Zondi from the Institute for Global Dialogue (IGD)

supporting the growth of consciousness. Badiou will later on assist in navigating through the problem of what constitutes this externality. Nonetheless, Cloward and Piven argue that because of the unequal power relations in society in favour of those with the monopoly on symbolic and physical violence, social movements, in time, continue to exist because they have become useful to the most powerful in society as it is their resources that these movements use to sustain themselves (1977: 2). In short, the power rooted in wealth and force overwhelms oppositional politics (Cloward and Piven, 1977: 3), and as such, those who continue inevitably abandon this type of politics for a more accommodative type. Especially in the post-colony, there's a need to then imagine oppositional politics beyond the constraints of political parties. Even with the four characteristics pointed out, it seems social movements occupy public space and build social power to serve their members, to transform the state and to bring a national focus to a local situation. Consequently, once the national focus has made compliance possible, social movements need no longer exist. It would again seem that social movements do not need to exist once their demands have been met.

If Neocosmos' idea of 'stakeholders politics' argues that the battle of ideas has been won by the ruling class, that the dialectical outcome of the struggle between the dominant views and the minority views is the permanent triumph of the ruling ideas, then one ought to abandon that space (outside civil society) as a progressive block, especially because that space is unable to attract a sufficient consensus of its politics. In the Gramscian sense, does not one abandon the '*war of position*' when one detaches politics from both the state and civil society? The idea of a politics outside the domain of civil society is rather slippery because social movements are still part of the ideological state and are therefore not immune to its politics. Additional to that, civil society must be understood as an ideologically contested space and therefore any detachment from that space signals a withdrawal from the national political dialogue. More so, as has been earlier and similarly asked, how do we conceive a domain separate from the sphere of the state if what characterise its emergence is that same politics of the state? Those that have limited or no access to cultural imperialism cannot exist outside of the traditional struggle of the working class because it is that too that defines them. Although members of these social movements "lack routine access to decisions that affect them" (Gamson in Zirakzadeh, 1997: 5), they nonetheless have access to them intermittently. The very fact they have limited access to these structures or to their cultural predispositions implies that the issues are by their nature political; access or lack thereof is itself political.

Let's look at things differently; there is the *war of position* which Gramsci makes paramount in civil society, there is Mamdani's argument of the racially divided civil society in Africa, and then there's Mills position of the growing strength of white hegemony and the racial contract. Again, there is no doubt that post-apartheid South Africa is a society of two economies, one white, and one black, and as such, civil society is characterised by these two *disparate* camps. Theoretically, what does the space of difference that Spivak proposes afford us in a racially divided civil society? More so, how do we conceive this politics... would it be an issue of form or of content? If both, then in such a context, detaching politics outside of state politics or operating at the margins of civil society appears to toss one into, in Mamdani's analysis, customary politics of obedience. Not only is one unable to de-racialize society but one stands the chance of re-tribalizing structures at the periphery. If civil society was for civilized persons and not for natives, then operating outside that politics in the present moment has a possibility of placing reactionary forces back on the political centre and reversing the democratic gains made. No doubt the growing influence of stakeholder politics and the growing power of the state of granting legitimacy to certain groups while exiling others feeds into the notion that emancipatory projects can only be found outside or at the margins of civil society. The unfortunate problem here, however, is that while this logic appears progressive, it has a possibility of achieving reactionary ends.

Ray argues that social movements "common feature is the relative exclusion of the movement's standpoint from the prevailing political agenda" (Ray, 1993: 59). This is not a detachment from state politics; it is an attitude of mind that frames a position towards elite politics. This attitude, in its engagement with the prevailing political agenda, is able to construct a counter-narrative to the contemporary agenda precisely because certain political events precipitated it thus sending shock waves to the ruling ideas in the consciousness of the underprivileged. This is exactly where Ntlokonkulu's argument, which suggests that social movements biggest impact is in civil society, comes in because as social movements construct a counter-narrative, effectively building normative values in society, they crowd out the state's ideological justification for whatever agenda they pursuing. The 'counter' is an indication that the hegemonic agenda forecloses possibilities, and as such, a revolution is required to mount an alternative agenda opposing the current agenda. This is "the capacity of a social actor to resist and challenge power relations that are institutionalized" (Castells, 2007: 2) while "anti-power is what comes into being as the power of some over others is

actively reduced and eliminated” (Pettit, 1996: 14). As to what triggers this mental framework Badiou suggests that because humans “lack the ability to both imagine and articulate alternative ways of life” (In Eisenberg, 2009: 3) they require a source external to them to become subjects. On their own they are unable to generate truths that inspire them to search for alternative ways of living and as a result “humans only become subjects when they open themselves up to an ‘event’ and remain faithful to its truth” (Eisenberg, 2009: 4). An event is thus an external source that enables humans to transform from objects to subjects.

The event that Badiou speaks about is one which exposes the limitations of the status quo “insofar as the prevailing ideology reveals itself to individuals as that which has foreclosed possibilities external to it” (Eisenberg, 2009: 4). As a result, to argue that the state can no longer be the vehicle for an emancipatory project, as Neocosmos argues, or that movements must be disengaged from institutional structures displays a false mode of conceptualization and consequently, displaces and obscures the struggle against domination and exploitation. This is because the prevailing ideology permeates beyond the parameters of institutional life. Badiou maintains “that the real characteristic of the political event and the truth procedure that it sets off is that a political event fixes the errancy and assigns a measure to the superpower of the state” (2005: 145). This political event, this light bulb moment that recognizes the imposed limitations on its freedom, creates the subject who must now live up to that truth and stage a revolution. This analysis has a peculiar manner of insinuating that one is not outside the cultural milieu of imperialism, but for the very fact that the subject can remain truthful to the event and respond to the systems excess, one continues to be very much part of the system. In this instance, following on from Badiou, we are able to understand that the institutionalization of class struggles by way of ‘stakeholder’ politics is what gave way to recognition of other forms of domination that in the final analysis find their origins in the anti-capital struggle waged by labour.

To this effect, spaces created by these events illuminate the extent to which capital, even, has a hold on the subject. Thus these new social movements do not mark a break with the past but are in actual fact new spaces and new ways of continuing old struggles (Edwards, 2004: 122). Identity, and what others refer to as post-class politics are not immune to office politics, and the notion of ‘conditions of work’, ‘decent work’, and such, reflect this reality. Class struggles, which are used interchangeably with labour struggles, have in them the ability to wage symbolic struggles. “Identity and lifestyle *at work* are just as much sites of contention,

colonization and moral defence, as they are outside of it” (Edwards, 2004: 128). Therefore, as to whether these struggles are taken to the streets or not it is a question of tactical strategy. More so, it is a matter that demonstrates the failure, on the part of labour, in understanding that resistance is a complex arrangement of forces operating at different levels. This failure emerges out of labour’s co-option into ‘stakeholder politics’ and as such has serious interests in the status quo. However, in as much as so much is accorded to the state, the state and the economy are not instinctively invasive because of their operation of instrumental logic, but are intrusive because of the need to adapt to progressive capitalism (Edwards, 2004: 121). The “challenge of thinking politics outside of its subjection to the state and outside of the framework of parties or of the party” (Badiou, 2006: 270) is different from putting forward the idea that no longer can the state carry an emancipatory project.

Let us again tweak this perspective and argue that in fact, for the very same reason that the state exposes its excess power, seeing as so much is accorded to it, the exercise of its physical force demonstrates the weakening of the ideological work of the state apparatus and, as a result, must put into operation its coercive armour. Inevitably, this reveals that not everyone has bought into the ideological work of the state and, accordingly, one must be coerced into it. Therefore, the political event or the excesses of the state is merely the manifestation of the failure of the ideological work of the state. Having explained the space of difference (subaltern) and explored what triggers the exclusion of the movement’s standpoint from the prevailing agenda, in as much as members of these social movements “are not proper members of civil society and are not regarded as such by the institutions of the state” (Chatterjee, 2004: 38), they continue to operate within civil society; the state must still respond to them and that very act reveals their connection to the state and civil society. The subalterns are therefore not persons who are socially and politically outside of the hegemonic power structure, but are subjects that are products of the matrix of domination within that structure. In this regard, Badiou argues that “freedom consists in putting the state at a distance through the collective establishment of a measure for its excess” (Badiou, 2005: 145) meaning that it is through collective, conscious efforts to keep the state in check that freedom can be guaranteed.

Furthermore, operating at the margins of, or outside, civil society creates the possibility of misreading the terrain and waging a struggle out of touch with the politics of the elites. Necosmos’ politics may have the unintended effects of turning what ought to be a national

struggle into a sectoral or geographical struggle. A distance from the state should therefore mean operating with your guard on. Noting Gramsci's work on hegemony and civil society, politics is irreducibly concerned with power and the apex of political power is the state, as such, there exists a possibility for an emancipatory project within the state – whether within or outside the state, as long as the state is the apex of power, mobilisation against or within the state means that the (post-colonial) state continues to be the focus of the possibility of an emancipatory project. Gramsci enables one to understand the state as the apex of leadership in society; they hold both the coercive and, to a very large extent, the consensual features of power (alternatively hegemony). This is primarily why there is, and will always be, a possibility of an emancipatory project within the state. If at all the Ideological State Apparatus (ISA) and the Repressive State Apparatus (RSA), that Althusser observed within the state, can be substituted by popular assemblies in a manner that equality and freedom are hegemonic values in that society then we may begin to have a conversation about the hegemony of the oppressed in its purest form. However, the problem with this formulation is that the notion of multiple centres of powers is undermined. Popular assemblies need to batter the state in such a manner that it eventually converts into an administrative arm of the people.

2.4. Conclusion

The power of the state is not to be underestimated, because while it contains within it the power accorded to it by the electorate, which is that of legitimising and setting the agenda, it equally has the power to coerce. It is important, also, to understand that the emergence of the state, in being deployed to manage societal contradictions, rose on the heel and direct marginalisation of certain social actors who did not form part of the original conversation around the formation of the social contract. Therefore, built within the genetic architecture of the state is a general suspicion about those not part of the political order because, while it is them that the system depends on for development and production, it is also them that the systems crowds out. The state therefore has a permanent, cordial yet exploitative relationship with the bourgeoisie but its relationship with the oppressed is one characterised by reforms and concessions. Consequently, democracy is a state arbitrated form of concession won over by the oppressed, but even then, because it secures instruments of bourgeoisie rule (private

property and the rule of law), it results in an empty shell when actually tested. The marching on of history therefore consists of a fluid exchange between these two groups making the state a much more dynamic yet fixed historical entity. Within this analysis, civil society is the ground upon which contests for power struggles play themselves out. These contests either play out their move to claim their stake in the system or usurp the power of actors within the system. Some, having realised the permanence of the struggle for freedom, continually play their move to displace the power of the bourgeoisie over the state.

Consequently, civil society is not a homogeneous grouping of like-minded social and political actors championing the same cause. Struggles are waged, ideas are defended, forces contest but social movements, more particularly grassroots mobilisation, contain the most progressive of the lot. Their relative exclusion from the political order means that political events, and the truth that they engender, become easily receptive to them. The lives of those occupying those spaces are a testimony to the truth that political events set off. For those who wish to reflect back, there's a historical trail of betrayal lying behind them. Therefore, armed with the fidelity to the truth of their existence, fortified with this knowledge, and organised en masse, they can mount an ideological and programmatic struggle towards shifting the ground upon which the state's power rests. The *war of position* and the creation of normative values cannot be abandoned for fear of compromising the fidelity to the truth of one's existence. As much as social movements, particularly those embedded among the poor, are excluded from the political order and sometimes avoid contamination from stakeholder politics, their politics needs to find relevance in the politics of the state they are occupied with. Detachment from civil society should therefore not mean to not engage the state ideologically and practically through its stakeholder forums, more than anything, it should mean that there's an appropriate attitudinal orientation framing how the movement understands and relates to the state.

Chapter 3: Popular Anti-Apartheid History

3.1. The Philosophical foundations of Apartheid

Having gone through Mills' *Racial Contract* in the previous chapter, one needs to clarify the issue of *Whiteness* in light of South Africa's development. Let us juxtapose Dyer's thesis of *Whiteness* against South Africa's apartheid history, but before that, the concept of *whiteness* needs to be unpacked. Without going through all his premises, Dyer argues that "the invincibility of whiteness as a racial position in white discourse is of a piece with its ubiquity" (Dyer, 1997: 3). What is meant here is that white people obtain their superiority status throughout society by their representation of being ordinary human beings, without being racially profiled; they are able to exist everywhere and speak for the entire human race as they are positioned at the apex of human evolution. This is what accounts for Louw's dishonest reading of the emergence of Apartheid when he implicitly argues that Afrikaner sentiments of apartness did not emerge out of resentment for Black people, that because Malan did not bother to mention the *black issue* in his autobiography demonstrates that the sentiments were largely driven by passion for bringing together Afrikaners against Anglo domination (2004: 34). Against this background one is always reminded that what matters about the narration of history is not so much about the content but about who authors that content and with what purpose.

What affords white skin such social capital is because it means occupying the same position of just being human, thus securing it a position of power and allowing it to set standards for what constitutes human to which Dyer argues that "there is no more powerful position than that of being just human. The claim to power is the claim to speak for the commonality of humanity. Raced people can't do that – they can only speak for their race" (1997: 2). In the South African case, British industrialization fractured the unity of *whiteness* by creating classes among them, which meant that the Afrikaners, having lost political control over South Africa, edged too close to occupying the same social status as black people; this social group has historically been understood as the *poor whites*... the name itself is testament to their unfamiliarity to this categorisation because their social status is racially determined. The idea of occupying the same space and acquiring the same social status with Black people provided

sufficient cause for Afrikaners to obstruct and frustrate the development of Black people politically and economically because, alternatively, it would mean that the Afrikaner as a minority group would be overwhelmed by Black domination (Louw, 2004: 29). In some cases, poor whites were seen to be living alongside black people. These circumstances, as will be later outlined, enabled the constituting of apartheid to create what would later on be referred to as the rise of Black civil society. Surprisingly or unsurprisingly, a policy of urban exclusion in an industrialising society proved difficult, if not impossible, though it lasted well over half a century. Not surprisingly, however, it is what gave the policy of apartness its cruel character because it attempted to “artificially deurbanize a growing urban African population” (Mamdani, 1996: 29).

Indeed, it was under the pretext of cultural preservation that Apartheid was justified by religious scholars and leading intellectuals in former white Universities. It seems where industrialization sought to cosmopolitanise society and break ethnic and racial barriers, cultural justifications for apartheid sought to limit this development. This division was not accidental, and is precisely what Dyer alludes to in his notion of *Whiteness* that “white people have a peculiar relationship to race, of not being quite contained by their racial categorisation (1997: 18) because any breakdown of this unity would cast them as racial subjects, unable to speak on behalf of humanity. Further evidence of this is that because the *poor whites* in the 1920’s and 30’s meant that this group was capable of being racially classified and could therefore be contained and measured, apartheid was built to resurrect that wall of racial unity that characterises their superiority complex. Though Cronje argues that apartheid was constituted to erect an Afrikaner political and cultural space outside of all other groups (In Louw, 2004: 29), what he does not acknowledge is that “one of the few contexts in which whiteness is routinely and unquestioningly acknowledged and indeed, headlined, is when the representation is one of *whites under threat from blacks* (Goudge, 2003: 48). This representation is precisely one in which fear plays itself out in much of South Africa’s apartheid and democratic history. It therefore stands to reason that beyond the veil of this imagined threat is the false consciousness of white supremacy. The foundation of the apartheid project was one of a devoted Enlightenment disciple being committed to the cause of white hegemony.

Apart from the overtly racial tones that emanated from the said Enlightenment period, in the context of the South African apartheid it needs to be asked as to what gave rise to this ideational superiority to take on a formal stature. Before any dissection of this question, it is important to note that although apartheid was formally introduced in 1948, racial classification had long established itself in South Africa with just the 1913 Land Act as one of many pieces of legislation to introduce a form of capital accumulation based on race and later on ethnic categories as well. The industrialisation of South Africa was led by the British, creating both Afrikaner and African proletarians and divided people along class lines. It was out of these circumstances that the poor white problem was identified by the Afrikaners as an issue that needed overcoming, and as a corollary effect, it was this problem that provided the general thrust upon which apartheid was erected. These set of circumstances prompted conversations around a sort of Christian-Nationalist ideology to take root among an Afrikaner group called the Broederbond. Based on the belief that “ties of blood and *volk* came first, and that the individual existed only in and through the nation” (O’ Meara, 1997: 41). The *volk*, meaning the nation, was the divinely ordained basic organising unit of society that the individual should give service to (Ibid). Held together by an apparent distortion of the Calvinist doctrine, this ideology galvanised Afrikaner unity to secure state power so that the state acts as the locus of undoing the “historic *century of wrong*” (O’ Meara, 1997: 43) as represented by the poor white problem. On this basis, the edifice of Apartheid was built on the purpose of advancing Afrikaner interests first and, secondly, to afford each nation ‘sovereign’ (separate) development. However, while the secondary interests enabled the regime to present itself as a democratic government because it allowed separate development for ethnic and culturally backward communities (Hudson et al, 1966: 34), these same interests, on the other hand, were not allowed to compromise Afrikaner interests. It’s the latter that was to characterise South Africa as internally colonised as argued by the SACP and Harold Wolpe. 1948 was to be an epoch-making year that crystallised the Broederbond’s interests because it was then that society constructed itself in its most bare form as a society commanded by white values.

Without a doubt Mills' racial thesis, in the context of apartheid South Africa, means that the 1948 social contract established values and norms in a discourse articulated by white South African. The marginalised, constituting the majority, did not participate in the formation of the political contract that characterised the emergence of Apartheid The set-up underpinning

Apartheid South Africa therefore was premised on white hegemony over the *non-white* population. This stands to reason that the institutional framework that came to reflect this discourse was to exclude the majority therefore any negotiated settlement would harbour some components of apartheid remnants. In defence of separate development, the apartheid regime crystallized the contrarian's dream of equality, liberty and freedom, concepts which were hollow for the black majority.

3.2. The Social and Political Formation of the Apartheid State

Apartheid was formally constituted in 1948 with the triumph of the National Party (NP) over the United Party (UP). Although racially exclusive laws were long in place before this period, 1948 marked the triumph, in many ways, of the Afrikaners over the English in their battle over South Africa's mineral resources and over the debate of what to do with the black majority. The beginning of this period consolidated these resources as the preserve of the Afrikaner nation. The national party soon gave Afrikaners positions from those which the British had held in all spheres of government, taking the economy and the companies that the British controlled and managed, and ensuring that the judiciary was occupied by Afrikaners who were loyal and/or sympathetic to the apartheid dispensation. Following on from O'Meara, pro-NP technocrats were employed in senior positions with the goal of propping the civil service with an Afrikaner face (O' Meara, 1997: 61). With apartheid based on fear and religious distortion, as represented by the purges in the state and its treatment of black people, the English purges focused on three departments central to apartheid objectives; the military, native affairs and the police departments (O' Meara, 1997: 61). With restructuring against English dominance, the then new dispensation, still decrying the memory of the poor whites, anchored its strength on the colonisation of the black majority.

The black majority, already without political equality as evidenced by the absence of universal suffrage, were regarded as socially and politically unequal with the white minority. From this flowed "bantus education, pass laws, job reservations and the bantustans which worked to deepen the capitalist exploitation and control over workers, and also over all the oppressed" (Madyibi, 1986: 7). The Bantustans were basically places of rest while white South Africa was a place of rest and economic activity. Though the Bantustans created a growing petty-bourgeois class via public officials whose role was essentially limited to

administering the Bantustans, the logic was to organise the pool of labour in these areas towards the centre and develop it for white South Africa. The sheer number of the black majority provided apartheid with the necessary depth to develop the economy of white South Africa which focused on mining; the economy was labour-absorbing. In essence, black people (Africans, to a lesser degree Indians and coloureds), colonised from within were brought under the authority of this system. Apartheid laws thus gave impetus to Adam Smith's notion of a race of labourers (Smith, 1776). Black people in general and Africans in particular were the race of labourers whose labour power was used to develop white South Africa much like the relationship between the metropole and the colony.

Accordingly, it should be noted that apartheid was a form of colonisation which the South African national liberation movements conceptualised as being a situation where a "non-white South Africa became the colony of white South Africa itself" (ANC in Wolpe, 1989: 29). This articulation was conceived on the basis that 1910 founded South Africa as a sovereign and independent white state with a racially exclusive political system with features of an advanced capitalist system and its relationship with the non-white population as colonial in character (Wolpe, 1989: 29). The non-white population, though being in the majority, lacked the political and economic opportunities that characterised the white population, leading us to view the course of the country's development as dependent on the exploitation and marginalisation of the black majority. Finding themselves at the centre of the intellectual artillery of the liberation movements, these set of circumstances were conceptualised as Colonialism of a Special Type (CSP). Although this idea stretches further back than the liberation movement's conception, what distinguishes it from its predecessor is the linkage it makes between the capitalist economy and the colonial structure. The underlying logic woven here is that racism is necessarily and inextricably linked to the internal mechanics of capitalism (Wolpe, 1989: 31). The liberation movements argued that the laws, practices, social and political institutions are intrinsically extra-economic mechanisms by which capital accumulation is secured to advance white interests (Ibid). A direct indication of the internal thinking shaping the anti-apartheid struggle is articulated by Slovo in the following statement:

Objectively speaking...the objective fate of the black middle section is linked much more with that of black workers and peasants than with their equivalent across the colour line (Slovo in Wolpe, 1989: 31).

The construction of the anti-apartheid struggle was shaped along nationalist lines but interwoven with a class understanding. It is on this basis that Wolpe parts with the liberation movements CSP thesis and argues for a more distinct and precise analysis that better reflects circumstances on the ground. He argues that the relationship between capitalism and racism is contingent, and not a necessary relationship (Wolpe, 1989: 32). Pertinent to Wolpe's formulation is that it attempts to answer critical questions, one of which being whether racial domination unites the black classes. Although apartheid sought to trim African's inevitably growing stake in capitalist production, it nevertheless created a bourgeois class in the form of state bureaucrats emanating from the Bantustans. Though a marginal class, against this background, it is important to acknowledge the petty-bourgeois interests among the black oppressed with some, though wanting political freedom, would be more than happy to not throw capitalism out with apartheid. Hall crystallises this picture and argues that "race is, thus, the modality... in which class is lived, the medium through which class relations are experienced and the form in which it is appropriated and fought through" (Hall in Wolpe, 1989: 52). The unmistakable correlation between the Apartheid state and Mills' conception of the origins of the state is undeniable. It is this formulation, accurately capturing the situation on the ground that exposes apartheid's insidious, protracted and thus intractable nature. Hall and Wolpe's analysis echoes Miliband's theory that indeed there is a dialectical relationship between the state and capitalism (1983: 32). From this vantage point, the experience of class struggles within racial categories enables an understanding of the intricate terrain upon which the anti-apartheid struggle operated in. Against this history, one needs to question whether the existence of capitalism in South Africa will continue the existing apartheid spatial and socio-economic relations by way of property rights.

Although Miliband recognises the dialectical relationship between the state and capitalism, together with Roche, he continues to argue that the state is fundamentally the guardian of the dominant economic interests in society (1983: 32) and (1984: 9). The creation of labour reserves in the form of Bantustans and the continuation of these reserves by the use of Bantu education to limit their skills for the requirements of the apartheid economy only served to

anchor and develop capitalist interests. The liberation movements were not incorrect in arguing that state institutions were used to protect and develop the economic interests of the ruling class, but were incorrect in conflating racial categories on the one hand with capitalism and the state on the other hand. The intersectionality of these oppressive systems, to borrow from Collins, “formed mutually constructing features of social organisation” (Collins in Anonymous, 2007: 7). It stands to reason that the state not only protects the dominant economic interests in a society, it also protects the ruling [cultural] ideas. As evidenced by the pursuits of the Afrikaner nation, in many ways economic organizations is organised along political and social positions. Capitalism, as a system, also reflects the ruling ideas of that society at a particular time. In the South African situation, the capture and use of state power was to secure and advance the interests of the Afrikaner community. The “Christian-nationalism” (O’Meara, 1997: 40) of the Afrikaner nation and its capitalist outlook was premised on the political and social inequality of the black majority.

The belief in a distorted Calvinist doctrine which for the Afrikaners meant that they were God’s chosen people (Mbeki, 1979), the *poor white* condition and the growth of British industrialisation all conspired together to give birth to a rebellious apartheid state, and one not in accordance with the will of the majority. In light of an increasing black majority under an industrialising enterprise, thwarting the political and economic development of this majority meant that the state would necessarily govern by repression and dispossession, enforcing internal migration (Louwe, 2004: 56) where necessary. Where dissent was mounting and consensus was growing against the regime, state sanctioned targeted killings and tortures were used to curb any kind of resistance to the state. Yet after the death of the student leader Steve Bantu Biko, there was a series of internal and external factors that colluded together and widened the political imagination of the governed culminating in what Gramsci neatly referred to as the *war of position* as represented in the formation of the United Democratic Front (UDF). Furthermore, the explosion of the 1976 Soweto student’s revolt reverberated around the world defining the struggle in thick, black colour lines (De Kock, 1998: 89). Although there were other political protests that echoed throughout the country, the student’s revolt precipitated the Apartheid regime to step up its security operations against dissenters both outside and inside the country.

Under the weight of the global triumph of liberal forces after the fall of Soviet Russia and the East European blocks, the South African state was left without any ideological justification for its apartheid and anti-communist stances that propped up its security activities in the region and inside the country. It could no longer hold up apartheid under the pretence of being the last bastion of democracy on the continent. It therefore reacted to these forces by formulating the Total Strategy which was a two-pronged approach that made use of effective security instruments and reformist institutional structures (De Kock, 1998: 89) to offset growing national and international protests against it. The African National Congress (ANC), a South African liberation movement in exile, responded to this by sending out shockwaves around the country and by calling for the masses to “make apartheid unworkable and South Africa ungovernable” (Suttner, 2009: 3). As these scenarios unfolded, the ANC further called for the masses to weaken the reforms and render them illegitimate by replacing them with organs of popular power (Suttner, 2009: 3). This was the turning point in the character of the apartheid regime because, in order for the regime to sustain itself, the situation required that it reveal its repressive face. As it reveals “it’s excess of power, its repressive dimension” (Badiou, 205: 145) it gradually consolidates the ground upon which consciousness grows among the governed to swell up against the state’s power.

The Total Strategy was expressed in the form of a State Security Council (SSC) established in 1977 under the State Security Act and where, under Botha, it became the supreme decision-making body standing above cabinet on all matters (De Kock, 1998: 90) relating to the state. This change had the effect of turning the apartheid regime into a security state characterised by paranoia and fear. Not needing any checks and accountability, the SSC was responsible for all activities under state jurisdiction. It was comprised of officials from the Defence, Intelligence, Air Force and other coercive aspects of the state like the Army and its objective was to wage battle, and to defend the state against any political and military threat in and outside its borders (De Kock, 1998: 89). De Kock became acutely aware of the implications of this transformation because, as he notes, it militarised the state and politicised the military and the police, effectively seizing political power from the civilian rule of the National Party (NP) (1998: 90). But the call in the early 1980’s to make South Africa ungovernable by Oliver Tambo, and, with Operation Vula operational and “aimed at connecting internal and external forces more effectively than had been the case in the past” (Suttner, 2009: 3), the contest between the state and Black civil society (made up of

township, hostel dwellers, trade unions) brought South Africa to a standstill. Though the apartheid regime artificially broke up civil society between the black and white constituents, this standstill later made it clear that the apartheid government had been unable to re-establish governability and its inability to defeat or counteract forces of resistance (Ibid) was in the open. Operation Vula was, in many ways, the ANC's strategy of asserting authority in South Africa so that it, not the UDF, continued to be the primary representative of the people. Connecting internal UDF struggles with MK and ANC diplomatic efforts made the ANC to be seen as the strong hand behind the face of the UDF.

The UDF burst onto the political scene in 1983 to unite specifically against the "National Party's blue print for a new constitution and the implementation of the Koornhof Bills" (Burton in Rhodoe, 1986: 8). These bills, together with the constitution, sought to reform the institutional apparatus of the state in such a manner that South Africans would vote but would not be considered citizens of the Republic (white reserve) (SAHA, 2010). The franchise, however, would be limited to their own nationalities in the form of Bantustans where Africans were allowed to stay. However, the declaration of the UDF, analysing that these new developments had their roots in white minority rule (Burton in Rhodoe, 1986: 8), committed the organisation to struggle against apartheid and all its manifestations. The organisation operated like a federal structure with autonomous organisations and people's institutions affiliated to it. In many ways the emergence of the UDF marked a turning point in the type of political strategies employed by the anti-apartheid movements. The civics, rejecting black local authorities, organised committees that reflected people's interests outside of state institutions. In publicising local struggles and giving them a national character, the UDF was able to break down racial and ethnic divisions that the regime sought to erect and rule by.

The fault lines in South Africa's political and economic system were further split along ethnic lines. As was argued in the previous chapter, Mamdani's distinction between urban society and rural society with the former and its talk of rights bearing citizens and the latter with its enforcement of custom and tradition, sought to divide black people. There was no singular customary law for all black people leading them to be repackaged under the hold of a collection of "autonomous Native Authorities so as to fragment them, and then by policing their movements between country and town so as to freeze the division between the two"

(Mamdani, 1996: 31). While urban society was racially determined and direct rule was exercised over the black majority, rural society was characterised by indirect rule and was fragmented along tribal lines. Tribal politics would pollute urban politics as it found its way via the existence of hostels dwellers that, although residing in the town, were certainly not urbanites (Mamdani, 1996: 263). However, it was in these spaces that serious resistance was mounted against the apartheid regime. Under this context, Mamdani argues that to develop society civil society would need to be deracialised alongside detribalizing the country-side. The inability of the state to establish governability after the ANC call for ungovernability, the securitisation of the state in response to the increase in protests and the formation of the UDF mobilising grassroots organisation all put an end to the fragmentation of black people as a political group. The formation of the UDF had nationalised local struggles and brought Black people into one fold. For the reason that South Africa's level of industrialization was great and because the "centre of gravity of popular struggle was in the townships and not against Native Authorities in the country side" (Mamdani, 1996: 29), black civil society had emerged as a political group to be taken more seriously.

3.3. Nationalist project: From protest to development?

So what was the UDF that it came to symbolise and encapsulate what Gramsci referred to as the *war of position*? What was the struggle about that some have made use of the idea of Black civil society to locate, not only the site of that struggle but, its character? The UDF was a coalition of autonomous grassroots organizations with differing ideological agendas united under an anti-apartheid cause (Houston, 1999: 5). While some fought against reformist governance structures replacing them with popular structures, others struggled against state repression and Bantu education. The level of consciousness and the resulting intervention in the public space culminating in the formation of a federal, yet unitary organisation with regional, provincial and national structures like the UDF was, in von Holdt's view, a clear amplification of Gramsci's concept of the *war of position* (Houston, 1999: 2). Von Holdt's argument holds merit because the formation of the UDF penetrated into every sector of Black anti-apartheid struggle in South Africa, making Black civil society the most politically charged site that set up a defence against further measures by the apartheid regime. While

Black civil society refers to the growing ideological unity and, therefore, strength of the oppressed, it also refers to structures that affected the working class (black people) and stretched across a range of organisations from formal to informal groups such as grassroots movements, trade unions, youth groups, women's groups, civic associations while better developed organs of civil society (white people) are organised around their chamber of business, sports clubs, parent-teacher associations, heritage foundation's etc (Mayekiso, 1996: 145). Against this background, the chief objective of the rise of Black civil society was to abolish the apartheid regime and, upon its ruin, bring about people's institutions. In this sense, Black civil society was an assertion of citizenship and belonging, and it was that which constituted the public. In this sense, the idea of the public was a constitution and a representation of the marginalised and the oppressed; it was the oppressed black against the white privileged.

It was difficult to articulate the type of struggle South African liberation forces were engaged in because of the blend of alliances and influences from the Soviet Bloc and nationalist movements on the continent. However, in an age when national liberatory movements articulated violence and armed struggle as the only mode of struggle left, the 80's pioneered a non-violent form of struggle (Mamdani, 2011) that sought to advance emancipation. Struggle was no longer the sole preserve of professional fighters or armed guerrillas, it was conceived of as a movement of ordinary people as major players in the development of their country (Ibid). The formation of the UDF and its activities enabled the anti-apartheid struggle to take on a nationalist character which drew on all sectoral and spatial grievances to give them a national voice. Although the UDF became the umbrella body for all anti-apartheid movements, this period saw political activists from the BCM (Black Consciousness Movement) and other organisations transfer their allegiance to the ANC (Houston, 1999: 52), a party already in a relationship with the then CPSA (Communist Party of South Africa). Having studied the South African political struggle and drawing from Marxist-Leninist principles, the then CPSA agreed on a *two-stage thesis* that meant that "first there would be a national democratic revolution and, subsequently, a socialist stage would follow" (SACP, 1998: 54). The two stage thesis meant the capture of political power first then, secondly, the use of state machinery to move society towards a socialist course. It meant the democratisation of society and the capture of state power which the UDF triggered, so much so that it appeared to be involved in a developmental project, organised along pockets of

people's institutions based on people's power. In this regard, Mayekiso argues that the UDF wanted to develop parallel power structures that would serve people's interests outside state control (1996: 74). Though the aim was to render apartheid structures illegitimate in the eyes of the people, the erosion of the apartheid structures and the corollary creation of parallel power structures like the people's courts and street committees widened the political imagination of the activists involved.

It was in these forms of struggle that it became inescapable to imagine an alternative political society which was accompanied by a challenge to the dominant economic and political system. Mayekiso places on record that "the more we tried to reduce the power of the market by demanding affordable housing for all in Alexandra and the like, the more we confronted the need to set up an alternative township capitalism" (1996: 154). What this meant before the close of apartheid was a re-engineering of social services as they related to how community resources are to be organized, distributed and managed. The liberation forces could thus tap into alternative political spaces and construct a different type of political society moulded by the activists on the ground. When people's courts functioned well, dehumanized black communities gained knowledge and organizational capacity... restoring cultural values of collective responsibility and respect (Mayekiso, 1996: 159). From Mayekiso's account, these institutions gave communities an opportunity to establish a sense of ownership of their communities and social services, and they formed the rock upon which a people's power emerged. Grassroots street and area committees formed around parts of the Eastern Cape (Seekings, 2000: 161) enabled the formation of organic and strategic resistance against apartheid institutional restructuring. Following on from Neocosmos, this was a politics not concerned with the capture of state power but which saw its objective as transforming the lived exercise and experience of power (Neocosmos, 2009: 264). The UDF age ushered in an alternative form of politics, but as the paper will argue later on, this type of politics was resisted during the course of the transition.

With the resignation of the town councillor in Port Alfred, an already existing community central committee community headed by Gugile Nkwinti occupied the leadership vacuum and set up an information centre and a pre-primary school (Rhodeo, 1986: 5). The syllabus in the school would be drawn up by the children's parents and the organisations involved. These were some of the initiatives available to address some of the dismal conditions in the

community. Organising people's power required commitment - Nkwinti repeatedly said that "we are by no means a model community, we just work hard" (in Rhodeo, 1986: 5). It is important to understand, here, that the idea of popular people's institutions was not born out of some desire to be popular for its sake, the latter part of Nkwinti's words point to the reality of the damaging effects of apartheid's policies and the resulting need for black communities to be self-reliant. His words should be understood as pointing out that these initiatives demonstrated the only tool available to them; survival. In another part of the Province, township residents of Grahamstown had formed the Grahamstown Civic Association known as Graca. Its first elected secretary at its founding meeting argued that black local authorities systems "are not designed to serve the interests of our people. They are, in fact, the product of a unilateral decision making system" (Sandi in Rhodeo, 1984: 8). Graca took on these bodies and called for the community to boycott them. It is under these circumstances that the UDF galvanised popular support and it is why many grassroots organisations and community committees affiliated to the organisation.

In this instant, the notion of popular institutions, deriving from populism, takes on a unique character under such circumstances and provides for a circumstantial understanding of the idea of people's institutions. Therefore the form in which populism takes shape is structured by the manner in which a apartheid society is organised. As such, in an undemocratic apartheid South Africa, with its racially exclusive society, popular institutions were of the people and not of the system (Canova, 1999: 2). Canova further goes on to argue that populism is an appeal "to 'the people' against both the established structure of power and the dominant ideas and values of the society" (Ibid). Against this setting, popular institutions like the people's courts, street committees and community committees etc, galvanised the popular sovereignty of the masses to mount, not only a war of position as conceptualised by Gramsci, but a struggle against the institutions that embodied that which was being struggled against. Evoking, to follow from Canova, the redemptive aspect of democracy (Canova, 1992: 8) in an undemocratic society, these institutions demonstrated populism's rational discourse: when Gugile Nkwinti said that what they're doing should not be taken as a model, it was to the effect that they are prepared to mobilise popular power to work and do what is necessary to sustain a reasonable living. In this instant, the popular will was not sought for political mobility or career advancement; it was born out of necessity. Populism must therefore not

always be so easily dismissed and discarded as a reactionary attempt by people that lack regard for state institutions and laws.

The use of street and area committees and well functioning people's courts represented the emergence of a people's power as these structures were accountable to the masses and were in their control in each area (Seekings, 2000: 172). However, one needs to enquire as to whether this perceived 'unity' of struggle was widespread. Mayekiso does give account of other elements in the community that needed political education and, one would suspect, discipline and perhaps suppression. He gives accounts of when leadership was detained "some people's courts were hi-jacked by the tsotsi-thug element in the community and no longer served the interests of the community" (Mayekiso, 1996: 160). It is understandable that an oppressive regime produces both progressive and criminal elements, and that to unify the struggle against oppressive regimes, some amount of suppression and/or education is required. The UDF, as a unifying and national organisation, helped prioritise and give direction to the more progressive elements in the communities. As such, the resistance against apartheid reform and the accompanying developmental character of the struggle as realised by the formation of the UDF opened up a window of opportunity; And Suttner captures this in the following phrase:

"Until recently we have not clearly understood the relationship between the vision of a new society, as found for example in the Freedom Charter, and the possibility of starting to create that society now. In the past rather flimsy ideas for starting to implement the Freedom Charter were offered. People's power itself was generally conceived as something for the future. Now... we have a more dynamic conception. It is something we are learning from the creativity of the masses" (Suttner in Seekings, 2000: 171).

Suttner's statement bears witness to the fact that amidst the dissolution of the apartheid regime and in the bowels of resistance a brave new society was being conceived. Although some within the UDF structures were of the view that a left-leaning ANC government would "need a strong working-class civil society to safeguard a progressive approach" (Mayekiso, 1996: 149), the emergence of the ANC back on the national scene trumped any such thoughts. Thus, "frustrated by the political forces unleashed under the umbrella of an

unbanned ANC” (Seekings, 2000: 261), the organisational and political unity of the UDF was constrained by the emergence of the old guard (the Alliance – COSATU, SACP and the ANC). Opposition, and its subsequent capacity of developing alternatives, seemed to have been unimaginable in the immediate post-apartheid period because Alliance activists like Nzimande and Sikhosana argued that the civics, representing pockets of people’s power, must convert into ANC branches and be engaged in the struggle for democracy only (Mayekiso, 1996: 148). While it became possible to conceptualise a new society under the direct guidance of the masses, UDF discussions with the Old Guard (the Alliance) after their unbanning were characterised by hostility towards organisations not readily aligned to the Alliance. However, the strength of the UDF is also what contributed to its limitations because instead of maintaining the legitimacy and strength of local grievances, the common political project, for which the ANC represented, was what collapsed the front.

Politically, the ANC viewed itself as the authentic representative of the people of South Africa, so much so that in itself it was *the people* and as such, was therefore not prepared to share political power with other organised black groups. Populism, or rather that brand of popular mobilisation of the UDF, was given a back seat. But these kinds of sentiments were also internally held because, as Peter Mokaba, President of South African Youth Congress (SAYCO), suggested that the UDF, which had adopted the Freedom Charter, was not organisationally distinct from the ANC and should therefore form part of its membership (In Seekings, 2000: 260). However, it was not as if populism in the body politic of South Africa was to be altogether done away with. For many who heeded the call to join the ANC brought with it and thus created a populist wing within the ANC. Fastforwarding these set of circumstances to 1995 the Mail&Guardian runs an article titled *Winnie: Now for a purge of the populists*. Winnie, together with Peter Mokaba representing the populist wing of the ANC were to be dealt with by the ANC politically. According to the article, there were worrying and growing levels of corruption within this wing of the ANC (M&G, 1995). The article also draws on Winnie’s criticism of the tardiness of transformation under an ANC-led government (M&G, 1995 and SAR, 1998) as a bone of contention between this wing and the nationalist camp within the ANC. These sentiments reflected and, therefore, pointed towards the ANC relationship with civil society in post-apartheid South Africa. It became evident that the nationalist struggle had unintended negative effects; 1) Allegiance and loyalty to the Alliance was expected, 2) civics were seen less as politically independent organs and more as possible

branches of the ANC because the ANC represented interests of the masses by its Alliance configuration.

3.4. Entry-Point into the 1994 Order

Following on from Badiou, the 1977 event that witnessed the institution of Total Strategy galvanised masses of people throughout the country to unite under the banner of the United Democratic Front (UDF) in 1985. Against this background, it becomes difficult to read the history of the formation of the UDF outside the twin role of the strategy of the ANC-led alliance as well as the local material and political grievances that generated popular unrest. However, the political circumstances that unfolded after the unbanning of the ANC created tensions with and within the UDF. For the most part, although the UDF leadership had wanted “the ANC to assume national political leadership” (Seekings, 2000: 265), any assaults on capital meant the instituting of a *people’s power* whereby South Africans, largely working class, have democratic control over their daily lives... from food to transport, working to schooling conditions and from national policy to housing (Seekings, 2000: 297). Against this backdrop, the UDF had ideologically rejected the notion of a parliamentary-type representation because according to their view, parliamentary-type representation would concede too much ground to the narrow confines of liberal democracy. Unfortunately, the impulse of this project lost momentum towards the close of the decade, in part, because the unbanning of the liberation movements tilted the political centre towards the ANC, providing them with political and financial currency, locally and abroad. The UDF also struggled to rethink and reconfigure itself in anticipation of the post-apartheid dispensation. The ANC later became the only vehicle to contest the political space left by the newly reconstituted UDF in post-apartheid South Africa.

It was on this basis that the UDF found itself having to debate its role in the post-apartheid dispensation though national political authority was given to the ANC (Mayekiso, 1996: 149). After this, the options left for the UDF was either to close shop and fold into ANC branches, organise itself as a civil movement outside of political society and/or form into a political party and contest elections (Zuern, 2004: 6). Although no clear path was chosen, aside from the one of a civil movement outside of political society, the culmination of the debates and reflections led to the formation of the South African National Civics

Organisation (SANCO) which played a key role in the current configuration, among others, of local government. However, the lack of a coherent role/formation would soon haunt SANCO after the ANC's consolidation of its state power. It would be interesting to measure/understand the implications of the debates within SANCO in post-apartheid civil society. More precisely, one wonders what hope these debates provide to grassroots movements like the Unemployed People's Movement (UPM) and Abahlali baseMjondolo (AbM) in both Grahamstown and Durban respectively.

It is important to understand the national political context under which the negotiations were based. The entire anti-apartheid movements and the ANC, in particular, walked into the negotiations with a high moral and political authority. This authority was not only recognised nationally, it reverberated throughout the world and was bolstered by the ANC's stabilising efforts during the negotiations and its immediate effects; most importantly, its ability to avoid a civil war. Continentally, the ANC had the support of many African states and its authority was widely acknowledged. Therefore, ideologically, it would have been difficult for the UDF to contest the ANC at any level. Though the negotiations were wrought with palpable and painful compromises, the task of the ANC was to build a form of nationalist project of non-racial unity "which would not constitute a threat to the security of the white population" (Mbeki, 2010: 7). The inevitable pitfalls of this project, alongside the negotiations, had the corollary effect of suppressing and/or denying certain advances while emphasising others. The compromises were inevitable because the apartheid regime, with the National Party still at the helm, was not yet in a position to immediately surrender to the will of the liberation movements. Mbeki does also point out that the movement had to forego certain gains in order to realize the non-violent transfer of political power (Ibid). The National Party could still make use of its security apparatus to force its concessions through while the ANC could make use of popular unrest to tilt the balance of forces to its side. Both Cronin and Suttner, taking from Gramsci, argued that the overall conjuncture could be characterised as "a state of reciprocal siege" (Cronin, 2006: 2) and (Suttner, 2009: 6) in which the liberation movement's resistance, though uncontainable, could not adequately dislocate or displace the apartheid regime (Ibid).

This democratic state, having been formed on the basis upon which negotiations with the apartheid regime proved inevitable, signalled no clear-cut class victor, creating an uncertain

contested and unstable equilibrium (Cronin, 2006: 3) moving forward. The uncontained resistance did however play a role in driving forward the popular mandate of the majority, and it was this force that the ANC and the UDF/SANCO used to push through transformative state reforms. Notable institutional cultures and practices emerged from the *roaring 80's* that came to shape the state interface with citizens. Of these they “include community policing forums; school governing bodies; and ward committees ...where councils are obliged [by law] to submit budgetary proposals and integrated development plans to popular local assemblies (Cronin, 2006: 1). Although uneven popular organisation also characterised the transition, it helped place the ANC in a stronger negotiating position during the transition. The post-apartheid state was constitutionally founded and organised as the institutional voice of the poor, provided that the people were themselves involved in the activities of the state, which is what democracy demands in the first place. The custom of *Izimbizo* became a regular feature of the post-apartheid state wherein which government officials (president, parliament and/or ministers) held community meetings (Ibid).

3.5. Conclusion

As earlier alluded to, the formation of the apartheid state had serious implications for the negotiated settlement entered into by the liberation movements in 1994. The chapter has further argued that though the anti-apartheid non-violent movement of the 80's contained developmental prospects; the towering presence of the liberation movements thwarted this project. Part of the problem is that the UDF (SANCO) did not imagine past the 1994 political order because they had no thorough conception of the state. Another part is presumably because, having not formed part of the formation of the apartheid state with its white discourse, was the thinking that a discourse of their own making with their own markers would be more favourable and thus less resistant to progressive reforms. As has been and will further be argued in the following chapters, the management of competing interests by the state makes any left government take several detours before it arrives at progressive reforms. But to delay the continued detours of state policy, a sustained movement of the self-organisation of the masses is required.

Chapter 4: Structured Engagement

4.1. Structured Dissent: Bonapartism and the emergence of the post-Apartheid state?

Apartheid South Africa was made unique, in contrast to other colonies, by the fact that the Afrikaner community, believing that they too are an integral part of South Africa, invested the wealth back into the country instead of investing back to the Empire or the Colonial metropolitan centre. This investment, however, was racially and ethnically skewed along class lines meaning that race and ethnicity played itself inside the contours of class struggle. Following on from chapter 3, it is important to note that democratic South Africa's negotiating table was characterised by two opposing interests:

“In the negotiations, the white regime and sections of the homeland elites sought to limit the power of the new majority government by preserving some remnants of their powers and privileges through decentralization of government and by protecting certain communal and individual rights. In contrast, the majoritarian objective was to gain control over the levers of state power in a centralist government that could fundamentally transform a racially skewed society” (Steitler, 2005: 1).

The outcome of these competing interests was that “the constitutional basis was a classical liberal democracy based on individualism rather than on the protection and entrenchment of groups, be they ethnic, racial, or linguistic” (Steitler, 2005: 4). Although progressive grassroots mobilisation enabled negotiators to put forward a democratic agenda, putting many elements of the apartheid regime on its head, the emerging international consensus that an acceptable democratic transition required democratic constitutionalism constrained the ANC (Ibid). It therefore appears that the progressive interests (ideas) of the ANC were forced to take on a liberal outlook because of this consensus and, because of this push, it meant that the post-apartheid state emerged, having observed the limitations of the apartheid state, on the atonement of the apartheid state rather than on the emergence and needs of the popular majority. Therefore, the negotiators, arguably, did not build democratic South Africa on the

ruins of the apartheid state, but rather on the adjustment of the apartheid state. Constitutional democracies, hedged on the rule of law, neutralise power, and because of the associated reverence for private property, the balance of power is tilted towards the propertied class. The state is therefore locked into prioritising the interests of the propertied class at the neglect of the poor. At the local level, this has the added effect of crowding out oppositional politics when the state is unable to deliver on its transformative project. The ruling party, upon interpreting that opposition against it is part of the white propertied class's manipulation, dismiss all association outside its control and management as reactionary and counter-revolutionary. This is, in part, a failure to recognise that opposition to the state is embedded in the system of the constitutional dispensation.

Even with such trappings, the post-apartheid state is founded on “human dignity, the achievement of equality and the advancement of human rights and freedoms, non-racialism and non-sexism and supremacy of the Constitution and the rule of law” (RSA Constitution, 1996: 2). Based on this characterization, it is left to parliament and the executive to enact and enforce a law-based institutional set-up consistent with the constitutional framework. The state is characterized, within its resource limits, as being charged with the responsibility of creating an enabling environment for citizens to gain access to land and to achieve the progressive realization of adequate housing (RSA Constitution, 1996: 7). However, it assumed and had to implement these responsibilities within the parameters of a classical liberal democracy based on individualism. The state, however, in its disaggregated form, as some form of decentralization was used to allay white minority fears, took on features of a developmental state.

One needs to understand that the emergence of the post-apartheid state was largely determined both by the state of reciprocal siege and by the uncontained mass resistance to apartheid, broadly enabling a progressive institutional state apparatus albeit with liberal trappings – noting the individualist outlook of the Constitution. Because of these set of circumstances, some have argued that the post-apartheid state is better understood as a Bonapartist state balancing between minority privilege and majority restitution. The autonomy (authority) of this state, because of the state of reciprocal siege, appeared to have increased in authority. With the absence of a clear class victor, the ANC, thrusting itself upon The Union Buildings on the strength of the popular mandate by the majority, needed to

balance the contradictions brought about by the transition. At the same time, following on from Jordan's 1997 paper, the transitional negotiations entailed a measure of concessions and compromise which took account of opponent's real strength and unexploited power (Jordan, 1997: 1). The balancing of this equilibrium would have to be performed by a "great personality entrusted with the task of 'arbitration' over the historico-political situation" (Gramsci, 1996: 219). Against this description, the deracialised state is best approximated as a Bonapartist state because, following on from Marx, "the bourgeois class had already lost, and the working class not yet gained the ability to govern the nation" (Marx, 1989: 56). However, the equilibrium characterising this state of affairs is not equally balanced on both sides of the ANC (political *majority*) and *white capital* because the one side has leverage over the other. And because mutual destruction is assured under a continued antagonistic climate, both sides are resigned to policing each other.

In this instant, the attempt to govern all things (Fisher, 1907: 18), (Miliband, 1983: 5) demonstrates the state's authoritarian but also popular institutional features. According to Marx, the Bonapartist controls everything from civil and political society to the private life of individuals (Marx in Anderson, 1976: 27) so that while managing these contradictions it is able to develop society. Gramsci argues that as this state manages these contradictions by way of authoritarian rule, civil society loses the autonomy of the state which it once held (In Anderson, 1976: 8). Though the state/civil society is not one of an organic social form, under these circumstances, it becomes necessary as it has acquired a palpable character. The paradigm shift is merely a descriptive exercise. By civil society losing the autonomy from the state, Gramsci therefore meant that the state loses its organic roots, its founding and constitutive blocks. This is further advanced by the fact that the great personality that "stands above" (Gramsci, 1996: 219) society, effectively also standing above political parties, wishes to charter a third way. However, the Bonapartist state does not operate in empty space, nor do its policies "hover in mid-air" (Marx, 1973: 238), against this background, Marx argues that this state, like all its predecessors, continues to represent a class. On this basis, depending on the balance of forces, either a reactionary or a progressive agenda can be advanced:

If a dominant class is effectively hegemonic in all spheres and builds a fortress against popular calls for reforms, the state will be greatly constrained, but if this class is constantly challenged from below, then the state, with pressure from

below, assumes authoritarian features and frees itself from constitutional controls (Miliband, 1983: 5).

It is against this background that the local state was conceived and made to redress apartheid imbalances. The problem with this project is that the Bonapartist state relies on state machinery in wielding power; therefore instead of independent organisations subsumed by society they are subsumed by the state. Therefore this state finds legitimacy in its ability to concede to system reforms for the benefit of both ends of the political and economic spectrum. In addition, since reforms are dependent on available resources (human and financial), weakened further by capacities held by local government, the local state, in retrospect, is set up to fail.

4.2. The Constitutive Idea of Local Government

Although compromises characterised the negotiated settlement, one of the key compromises made there, argues Gentle, is that while the ANC wanted a unitary South Africa to bring closure to the ethnic and racial divisions of the past, the Inkatha Freedom Party (IFP) and the National Party (NP) advocated for a considerable measure of provincial autonomy (Gentle, 2011). And the placing of a provincial structure between national and local government is, according to McKinley, similar to “placing a sponge under a slow dripping garden hose; i.e., it absorbs large amounts of the water before it hits the ground” (McKinley, 2011). The result being that post-apartheid urban planning was to be wrestled and developed within structures produced out of apartheid spatial development planning. Though SANCO’s membership was characterised by the same membership of the now defunct UDF, its new role was measured by its relationship to the African National Congress (ANC), shaped by bureaucratic politics of stakeholder relations, protest politics occupied a lesser role in the democratic dispensation. While SANCO nationally was ineffective because of its post-apartheid conservative outlook, it nonetheless made use of its relationship with the ANC to broadly advance a developmental role for local government. SANCO had, together with the other Alliance partners, contributed significantly to the foundation of a developmental local government. The Constitution outlines its role as follows:

- a) “To provide democratic and accountable government for local communities;
- b) To ensure the provision of services to communities in a sustainable manner;
- c) To promote social and economic development;
- d) To promote a safe and healthy environment; and
- e) To encourage the involvement of communities and community organisations in the matters of local government” (RSA Constitution, 1996: 47)

As the thesis will argue, the developmental role of local government will always be contested by the institutional limits accorded to it by the framework characterising it. The federalist and unitary impulses knitted into the institutional make-up of local government have come with some serious limitations.

4.3. Local Government Institutional Framework

The White Paper on local government describes the developmental local government as a structure that works with organisations and citizens within a community to meet their socio-economic needs (WPLG, 1998: 8). Drawing on from that, a developmental local government is a government characterised by partnerships with the community. The community is therefore jointly involved in the deliberative efforts and processes that the local state is legally obliged to undertake when formulating its integrated economic plans. However, the type of partnership entered into by both the community and the local government, as articulated in section 16 (1) of the Municipal Systems Act of 2000, is one in which the municipality develops “a culture of municipal governance that complements formal representative government with a system of participatory governance” (MSA, 2000: 19). This means that the deliberative processes of elected officials in local government ought to be readily receptive, and structured in such a manner as to absorb community participation with ease. Furthermore, that participation becomes meaningful in such a manner as to find expression in the policy outlook of local government. It is against this background that the White Paper envisages a local government that will one day play a key role in representing communities on fundamental issues as the quality of life and human rights (WPLG, 1998: 23). One would have hoped that local SANCO branches and stakeholders in the community’s

would hit the ground running at local government level. With the ANC conceding to a local government, that beyond being a service provider, would be a developmental entity that would provide for a “democratic and accountable government for local communities” (RSA Constitution, 1996: 47), civil society was left with the important role of guarding and defending that legislative framework.

The balance between community involvement and the elected organ of the state is that while local government develops a consultative culture, as community members are educated in the affairs of the municipality (MSA, 2000: 19), the final arbiter on all matters within the power and function of the municipality rests with the elected officials occupying the local state. This is because in the final analysis the form of state the South Africa government has adopted is a representative governance model. Elected officials, as is mandated by the electorate at polling stations, must assume final responsibility of the policy course in their area. As such, the Municipal Systems Act of 2000 clearly states that the right to participate in the affairs of the municipalities cannot and should not be taken to interfere in the local government’s right “to govern and to exercise the executive and legislative authority of the municipality” (Ibid). This is in some way to protect the unity and coherence of the entire state apparatus as local issues have a national character. Furthermore, local government “is comprised of a mixed electoral system where half of the councillors are elected through a PR list process while the other half is elected through local representation at ward level - that is by a constituency system” (Masiko-Kambala, 2008: 1). In this way, the ward system acts as a direct voice of the community’s participation at local government. However, while the municipality is legally required to make use, and develop the capacity, of public participation, this participation cannot interfere with the municipality’s right to govern wards as per their political mandate given to them by the electorate. Again, while this tier of government prides itself in having adopted constitutionally recognised consultative forums, less can be said about their empowerment, a question the paper will come back to. The question then becomes how do we understand the empowerment of these forums within the idea of a developmental local government? The obvious entry point into this question is to look at the institutional powers and functions of local government and measure how they correspond to the notion of a developmental local government as outlined in the Constitution.

The local municipality (particularly when looking at the Makana municipality), as has been earlier noted, is empowered to overlook and regulate parks, municipal health services, child care facilities (MM, 2010: 8) etc. These powers and functions demonstrate a local state that is empowered, at least at local and district level, to administer the daily running of a city but are severely handicapped in involving public participation to meet the community's basic socio-economic needs. For some municipalities, "their capacity limitations will be so severe that ensuring participation is not their first priority, but rather ensuring the basic functions they have to deliver as a municipality" (DPLG, 2005: 9). This has the effect of prioritising basic functions while possibly neglecting the historic role of local government as envisaged in the framework governing this tier of government. However, the use of development in this context appears to mean meeting the basic needs of the community by overcoming apartheid urban backlogs such as upgrading and maintaining infrastructure in the formally black areas – water systems, roads, traffic, electricity and sewage systems, etc. Though these may have been issues that many South African communities were deprived of as a way of limiting African urban development during apartheid, they do not deal with the primary effects of apartheid. At the same time, this is the same infrastructure required to attract development so that jobs and housing could be a knock-off effect to these developments. While an in-depth analysis will be developed later on, at this point it will be noted that it is against this backdrop that the idea of development must be historically constituted and thus understood.

Looking at the powers and functions of local government, particularly the local municipality (Makana) and the Metro municipality (eThekweni), even the historicity of the concept of a developmental local government in the South African context is plagued by the compromises made at Kempton Park. Nevertheless, post-apartheid local government is made up of the Metro municipality, the district municipality and the local municipality. The powers and functions of municipal districts, in aligning Integrated Development Plans (IDP's) of their local municipalities in line with provincial and national policy objectives, coordinate and facilitate the activities of the local municipalities. Unlike the provinces that require enabling national legislation to impose taxes, municipalities have the original power to impose rates on property and surcharges on user fees for services provided (RSA Constitution, 1996: 51). Furthermore, among other things, the local municipality is to provide for adequate "municipal roads, health services, noise pollution, storm water, control of public nuisance, electricity reticulation, municipal public transport and land distribution" (Urban-Econ, 2009: 100). The

Metro municipality on the other hand moves beyond basic infrastructure and takes on the role of a developer, dealing with issues such as housing, policing and employment etc. As it stands at the moment, South Africa has seven (7) metropolitan municipalities around the country, namely Nelson Mandela, eThekweni, Johannesburg, Cape Town, Tshwane, Buffalo City and Mangaung metropolitan.

While Metro municipalities largely act as “developers”⁴, district and local municipalities are consigned the responsibility of predominantly providing services. District and local municipalities largely play a facilitative role in ‘managing development’. The problem with this structuring is that the basic unit, that is the local municipality, is not empowered to deal with historically and contemporary contentious issues like housing and employment. Furthermore, while metros are located in commercially viable areas of the country, districts and local municipalities are located in areas where infrastructure development is not only lacking, but where housing and unemployment are a widespread problem. Consequently, you then have a situation whereby metros become the focus of government developmental projects, at the expense of districts and local municipals, which in turn exacerbate existing apartheid socio-economic and spatial relations. In a country fractured by apartheid social and economic engineering, where 1994 meant the pursuit of economic freedom, but where local government is inadequately empowered and capacitated, words such as ‘development’, ‘participation’ and ‘land distribution’ at local government level can be misleading. Participation becomes a symbolic exercise and any real pursuit of meaningful participation would be met with strong resistance from systemic material and ideational realities of post-apartheid South Africa.

4.4. A “Developmental” Local Government and its Limits

The supposed devolution of power and the constitutionally embedded notion of local government as the epicentre of development are ironic because the definition of development, as measured by the powers and functions of local government, is both thin and shallow, no

⁴ Senior Manager in the Municipal Managers office: Makana Municipality. By developers he meant that tier of the state that had the added responsibility of just handing out (infrastructural) basic services. This tier of the state had the mandate to confront the spatial and productive sectors of their economies.

doubt owing to the words historic responsibility. When the municipality boasts of land distribution, it lacks the necessary accompanying power to labour on that land (this power and function belongs both to provincial and national government). When it heaps praises to public works programme as a way of alleviating poverty and creating employment, it lacks the power to make those interventions permanent. The upgrading or creation of basic infrastructure provides only periodic relief to locals, as such, local government (district and local level) cannot be argued to be directly creating jobs, or even be managing broad development challenges that have a direct impact on people's socio-economic rights. There appears to be a tension in the political economy of South Africa where political power, as represented by the majority, is stifled and limited by economic power, as represented by apartheid economic power relations. As has been earlier argued, Cronin taps into this conceptual paradigm and argues that this characterizes South Africa as a Bonapartist state.

Although local government restructuring has had the benefit of laying the foundation for a developmental state, the question is whether such a state is largely determined by the type of partnerships the local state has with the community even when participation is not necessarily qualitative as we have observed? Edigheji argues that a developmental state is characterised by its 'embedded autonomy' which forms the basis of the institutional foundation of the state (2005: 9). The embedded feature means that the state attempts to forge strategic and programmatic relations with sections within civil society while the autonomy means that it is simultaneously insulated from popular political pressures. In this regard, underpinned by a merit-based system, there ought to exist a sufficient level of institutional coherency because a developmental state is defined both by its objectives and institutional characteristics (2005: 7). The interview with the Integrated Development Programme (IDP) manager in the Makana Municipality, Mr Mzolisi Pasiya, together with the constitutional requirement of involving the community in the affairs of local government (Pasiya Interview), confirms a clear understanding of the ideological clarity and institutional characteristics required of a developmental state. As head of the IDP, Mr Pasiya is in charge of arranging, organising and coordinating development plans in the municipality in accordance with the municipality's powers and responsibilities. Organisations and citizens are invited and consulted in stakeholder and community forums where the public is provided with the space to engage the municipality on developmental projects and economic planning in the area.

The usage of the concept of development is therefore rooted in the footprint of apartheid South Africa and in the need to unlock the economic and political potential of black urban development. In well-resourced areas with a viable commercial, and therefore, revenue base demarcated for white people, placing no developmental burdens on those areas, (De Visser, 2005: 59) post-apartheid institutional restructuring had to merge these areas with areas that lacked basic infrastructure to engage in economic growth and development. To borrow from Edigheji, people are only able to exercise real choice after they have overcome poverty, squalor or ignorance as each of these constitute stumbling blocks towards equality and freedom (2005: 5). The merging of undeveloped areas with developed areas was thus to bring available resources to be shared equitably, and in manner that participation at local government would be matched by economic development. Heller makes the following observation:

“the staggering inequities of apartheid and its perverse and disarticulated economic and social geographies, the result of decades of determined and brutal racial engineering, has presented the African National Congress (ANC) with what might arguably be the greatest transformative challenge ever faced by a democratic government” (2001: 143).

Reiterating what Robinson and White conceptualised as a democratic developmental state in *The Democratic Developmental State: Political and Institutional Design*, Edigheji goes further and argues that the democratic element in a developmental state, to move away from authoritarian but democratic regimes, as SANCO pointed out as a result of its relationship with the ANC, requires that the type of relationships, judging from the social base of the dominant political party, “forstered by the political system is of crucial importance to both the developmental and democratic outcomes” (2005: 11). This means that the dominant political party, or political society itself, must foster debate among groups within civil society that are grassroots orientated on policy matters to decide the developmental trajectory of the local municipality and the country as a whole. In this regard, the role of the dominant political party is to win the war of position and use that authority to locate and advance grassroots consensus. Grassroots organisations are therefore immensely important to steer the state away from elite stakeholder relations that Neocosmos laments while the states autonomy is secured to drive that agenda. This is to guard the state from sectoral interests that might

hamper the institutional coherency of the state. Local political leadership and its ability to drive a consensus-driven project are therefore central at local government level. So although South Africa's local government's institutional character has elements of a developmental state, the ANC, as the dominant party, has the important responsibility of drawing on the strength of its authority to engage strategic members of civil society to its developmental vision.

Even with a shallow definition of development, the defining feature of local government is its associational life. In this instant, the ruling party identified and instituted corporatist structures through which it could channel people's grievances and deliver services. Consequently, the state conceptualised communities as comprised of stakeholders and partners. Therefore, anybody within this state corporate outlook would be treated as a stakeholder or a partner who, being like-minded made valuable contributions to the democratic process. Against the backdrop of an increasing corporatist structure, community movements were only recognised once they participated in these institutions (Desai in Naidoo et al, 2004: 56). The recognition of the ruling party as a commanding authority on economic and political matters enabled it to present these structures as indispensable to development. It is against this background that for the civics, the possibility of converting massive membership into electoral power diminished as South African democracy took form. As democratic governance was characterised by corporatists and stakeholder relations, the influence of the civics on policy matters declined in part because of SANCO's organisational problems – ideological and administrative – and on the ANC's growing confidence, resulting from its use of power, as a more legitimate representative of the poor (Seekings, 1997: 15). In *SANCO: Strategic Dilemmas in Democratic South Africa* Seekings goes into this thoroughly and formulates a detailed outline of the internal and external problems affecting this decline in influence. As more people pursued government positions, and with the ANC, being the first democratically elected party acting as the gate-keeper, it became clear that it would be party members and/or officials that would run the state machinery. One could assume that this created a disconnect between the ANC in government and its responsibility to co-govern with its more popular stakeholders who, it would appear (or was made to appear), presented a political threat to the ruling party's role as the national liberator.

A developmental local government, in view of the Kempton Park compromises, cannot solely be defined by the symbolic participation described above, but should also be defined by the power and functions of the local state to act and implement policies in accordance with the interests of the local community. Formerly black communities were historically places of residence and not of employment and were places of mass labour supply for the development of *white South Africa*, which meant that they did not in themselves contain urban developmental potential. Therefore, the role of local government, by defining development as a measure of overcoming and rewriting apartheid socio-economic urban design, the mass base of the ANC was to practically thrust government to develop a state capacity that would make these areas places of work, living and of pride. In other words, deracialisation of space would mean enabling townships to positively encroach on formerly white parts of town (Saff in Nemavhandu, 2008: 10) and vice versa. In this instant, it appears that empowering the community means to give real and tangible meaning to the consultative forums characterising local government. The problem with this solution, as earlier stated, is that it would threaten both the ‘legally protected’ interests of the already privileged and the nation-building project. And because elite interests are already built into the institutional fabric of the state, pressure from below will surface outside those forums.

Under the weight of legally protected privileged, Chatterjee’s analysis on state-society relations shatters the ruling party’s attempt at being a “force for cohesion in the centre of a broad range of allied organisations, mass democratic and community based structures” (ANC, 1997). Cohesion beyond the Congress Alliance (ANC, COSATU, SACP and SANCO), as in relations with grassroots organisation like AbM and UPM that were thrust into the public space on the back of people’s frustration with the government’s way of doing things, is non-existence. This force of cohesion, as the argument unfolds, puts forward the thesis that a party-based representative democracy is best able to overcome the inequities bequeathed to a democratic South Africa. A representative governance model emerged most suitably to manage the contradictions that emanated out of apartheid in a coherent manner. Although this model is not without its own limitations, hence the need to buttress it with sufficient public participation mechanisms, it is argued that it is politically suited to restructure apartheid design and construct a South African nation. This is the background against which local government was erected. There have no doubt been problems with local government’s model of governance, perhaps partly owing to its representative governance

side, but protests marches and worker strikes etc have been on the increase as a response to the ‘perceived’⁵ local authorities’ ineffectiveness. Under these circumstances, it may appear that devolving power (decentralisation) would be the best measure, but again the problem with this approach is that “it will entrench pockets of privilege, where dominant social groups contract themselves out of the national agenda under the guise of self-government” (Duncan, 2011). Therefore, the form of representative governance that South Africa devised is structured in a manner so as to guard against these pockets of privilege that will want to contract themselves out of the national imperative as a response to apartheid’s edifice. If devolution of power is ever taken to be the best course of direction, it must be accompanied by tight regulatory controls to monitor and evaluate the performance of the local state as it relates to their national mandate of rewriting apartheid urban and capital design.

While “the South African Constitution chooses unequivocally to make local government the epicentre of development and provide it with a strong institutional status, behind it lying a claim that decentralisation to local government is good for development” (De Visser, 2005: 1), the notion of a party-based representative democracy is also built into the state as having the potential to implement a unified vision of South Africa. In light of this, South Africa cannot simply engage in a wholesale devolution of power, or a clear and prescribed autonomy for local government because the Constitution is mindful of “how the present is overburdened by the incursion of the past” (Farred, 2004: 594), and the need, therefore, to find a unifying future in face of ongoing apartheid contradictions. Even though South Africa has a mixed electoral system, following on from Masiko-Kampala, there’s no “empirical evidence to prove that local government representatives are more accountable than representatives in legislatures around the country” (2008: 3). She goes on to argue that, taking the lead from the Electoral Task Team of 2002 appointed by Cabinet to consider the electoral system, redress cannot be sought in the electoral system (Ibid) as any system can be manipulated by the narrow interests of a determined few. Therefore, though the party-based representative democracy has its own limitations, democracy can still be sought within the system.

⁵ There’s an irony here: while the ineffectiveness is perceived it is also real.

The limitations of the form of representative governance South Africa practices is that there is a strong relationship between the ruling party and their elected officials while the relationship between the elected officials and the electorate is weak. Masiko-Kambala also notes the same limitation when she argues that “the set of this system is the power of the party in determining representation...the scenario creates a political milieu whereby it is in the interests of the aspirant and the elected politicians to behave in ways that please the party leadership, rather than constituents” (2008: 2). Against this backdrop, we therefore need to empower the relationship between the elected official and the electorate, but how do we do so without compromising national imperatives of uniting and building a nation? Or perhaps political parties are no longer required to mediate the relationship between the electorate and the elected officials in executing national imperatives and nation building? There is no doubt that had there been a strong relationship between the electorate and the elected officials we would not be observing and discussing the current form and content of the failures at local government. Following on from Rousseau, power does not rest in the state or in palace politics, but is centred on the state’s ability to guarantee fundamental rights. The common good therefore emerges from a dialectical conformity of the law to the general will (De Benoist, 2008: 3) of the people. Therefore, a large part of the issues outlined at local government can be traced back to the problematic dominance of the party on the state, but more particularly, the party-based representative governance system, which has been at the expense of citizen participation and involvement. The weakened relationship between elected officials and citizens has thus been an associated consequent of this dominance. Therefore, the party-based representative system that South Africa embraces must be linked and re-institutionalised in a manner that strengthens the relationship between the elected officials and citizens but without democratic decentralisation. Against this background, the Local government Municipal Systems Amendment Bill of 2010 is a step in the right direction as it attempts to professionalise the local state by providing a clear distinction between political parties and top managers, those directly elected and accountable to citizens.

Drawing on the liberal outcome of the settlement, Chatterjee argues that contrary to liberalism’s beacon that all are equal before the law, the law, in practice, makes use of property to regulate relations between citizens (Chatterjee, 2004: 74). Indeed it is on this terrain that the distribution of rights (Ibid) can be observed and not merely be asserted in a

constitutional framework far from the daily struggles of the poor. South Africa may be widely acknowledged as having one of the most progressive and liberal constitutions in the world, however, what is often overlooked is that beneath this liberal pose is a simmering agitation of those marginalised from the new order. We therefore need not have an uncritical reflection of South Africa's constitutional dispensation. The capitalist structure is founded and secured by two symbols of power, namely the rule of law and the guarantee of private property. If property is the regulation by which the law regulates relations between citizens, and if those without property are not accorded the protection guaranteed by the constitution, then protest and possibly any invoking of constitutional values is criminalised. Undoubtedly any change to the electoral system will not bring about accountability or any meaningful participation in local consultative forums.

Anderson makes a similar analysis to Chatterjee and argues that the *rule of law* maxim ushered in by a constitutional democracy presents formal democracy as the “terminal point of history” (1976: 21). The conceptually guaranteed claim that all are equal before the law is undermined by the daily struggles of the poor, creating a fissure between the two realities with this separation presented as the oasis the poor have been waiting for. In the context of South Africa, this disconnect carries with it the seed to reverse the political and economic potential heralded by 1994. This potential is succinctly captured in Joe Slovo's articulation in the 1970's:

“It is therefore a fundamental feature of our strategy that victory must embrace more than formal political democracy. To allow the existing economic forces to retain their interests intact is to feed the root of racial supremacy; it does not represent even a shadow of liberation” (Slovo in Davidson et al, 1976: 146).

In many ways and at many times, this reversal can be observed through the use of community protests which have escalated in the past five years but can be argued to have begun around the time after the municipal demarcations were complete and implemented. In 2009 the Department of Cooperative Governance and Traditional Affairs, based on previous government reviews, researched, compiled and consolidated a report on the state of local government in South Africa. Assessing local government in the hands of party activists and corporate partners, the report made the following assessments: that “it is still clear that a

number of stubborn service delivery and governance problems have been identified in municipalities over a number of years” (COGTA, 2009: 4). The following were identified

“Huge service delivery and backlog challenges, e.g. housing, water and sanitation; Poor communication and accountability relationships with communities; Problems with the political administrative interface; Corruption and fraud; Poor financial management, e.g. negative audit opinions; Number of (violent) service delivery protests; Weak civil society formations; Intra - and inter-political party issues negatively affecting governance and delivery; and Insufficient municipal capacity due to lack of scarce skills” (COGTA, 2009: 4).

Although a number of these setbacks can be traced back to apartheid urban policies as they emanate out of structural imbalances, a large part of the problems are as a result of contemporary maladministration and political wrangling. But one would note and ask, even with political differences within the Alliance, as many members of COSATU are also members of the ANC and conversely SANCO and the SACP, and within broader political society, for whom many of the members in South Africa’s political parties all share some varying level of a struggle history, what has estranged the relationships this much and this suddenly under such a historical unity?

In 2011, 17 years after the dawn of democracy, there are still informal settlements without adequate sanitation and housing. The 26th of March the Unemployed People’s Movement (UPM) Grahamstown Township tour bears testimony to this. Touching on local government interface, one of the community members commented that although the Makana municipality continuously promises to install proper toilets, they never do (UPM-SSJ Township Tour, 2011). 17 years into democracy you find citizens making use of mud and cow dung to build houses and you find citizens with self-made toilets (UPM-SSJ Township Tour, 2011) to relieve themselves. As a party in government, unlike opposition that makes promises, the ANC is compelled to make a social contract with communities. These circumstances undermine and threaten the constitutionally-embedded idea of local government as a developmental structure. Ayanda Kota, chairperson of the Unemployed People’s Movement (UPM) mockingly argued that government and party officials are primarily concerned with feeding themselves, and because they are black, they claim to be doing it on behalf of the rest of the

previously disadvantaged (UPM-SSJ Township Tour, 2011). With local government providing primarily basic services, what use is associational life to the community if it has no direct bearing on the attainment of second-generation rights? Especially when housing development, job creation and policing are not a function of the local municipality, which were issues raised during the xenophobic violence of 2008, the powers and functions of local government opens this tier of the state to community unrest. The idea that foreigners are taking locals jobs, are being allocated low-cost housing and the inability of the police force to curb the crimes accompanying this “tsunami” (Coplan, 2009: 2) of foreigners was a persistent theme in Coplan’s analysis of the xenophobic attacks.

McKinley quite correctly points out that the competencies accorded to local government to deliver the basic services much needed by communities could only result in institutional dysfunction (McKinley, 2011). The associational life at local level, and the absence of power to drive this life, has effectively meant that “power has been centralised but responsibility decentralised” (Ibid). Although not yet requiring attention, this partly explains growing contemporary voting patterns where some citizens would vote for the ANC at national and provincial level but vote for opposition at local government level. As such, community protests have largely been in response to national government policy directives. GEAR, “predicated on fiscal and monetary stringency” (Marais, 2001: 163), facilitated the necessary work for patronage and corruption to develop in the public sector. It’s edifice of cost recovery mechanisms resulted in cut-offs for those who could not afford and its cut back on service delivery target because of austerity measures opened a way for parasitic and factional politics, based on patronage, to flourish (McKinley, 2011). However, the advent of democracy, with apartheid retarding the growth of black urban development, presented post-apartheid South Africa with a myriad of entrepreneurs, both in the public and private sector. The lifestyle and wasteful expenditure by some public officials and the collusive and therefore erosive dialectical relationship with their counterparts in the private sector to secure state tenders threatens the Polokwane project. While lacking the skills required in private sector post-apartheid, the state became a site for entrepreneurship for those whom opportunities were denied to under apartheid. The institutional dysfunction is aggravated by these factors, which in turn, negatively impacts on local political leadership.

Moving beyond the local leadership failures of the ANC government, “with the onset of GEAR, national government transfers to local government were drastically reduced, forcing local governments into self-sufficiency that many could simply not afford” (Duncan, 2011). One should also point out that post-apartheid restructuring of local government only occurred in 2000 and its financial and political management took effect in 2004 when the MFMA was enacted, importantly linking up local government budgets with IDP’s (MFMA, 2003: 40) and (Cronin, 2006: 1). Having to look for alternative sources of revenue, local governments, especially those located in the least commercially viable areas, became weak in the face of growing historical problems. Though the above analysis does not explain the ideological turn to GEAR, sharply differing from McKinley that South Africa’s democracy is rooted in “classical liberal bourgeois” (2000) thought, it should stand to reason that because of the internationalist outlook of the Congress movement (non-racialism, non-sexism, prosperous society etc), the liberation movement again sought acceptance to the international community by buying into the triumph of the liberal creed that had engulfed the world after the death of the socialist block.

It would appear that the Alliance configuration, the outcome of the CODESA negotiations, the sunset clause, the growing disillusionment with the ANC-led government because of corruption and slow service delivery, the advent of GEAR, and the party-based representative governance system have all contributed to what is seen at the micro level. The COGTA report, somewhat confirms this by pointing out that the “effective functioning of a municipality begins with its political leadership. In respect to governance the overarching question during the assessment process centred on the effectiveness, capability and integrity of the local political council leadership” (COGTA, 2009: 10). However, following on from the Gramscian and Shivjian schema that social power indicates the coming of, and is secured by, political power (Shivji, 2002: 7); we need to dislodge the artificial distinction between the state and society that the report creates as it only focuses on political society (party and state systems) as having contributed to the maladministration of local government. After all, those who occupy political and government office are the same people who are part of the community. At times people tend to live beyond their means and, as such, corruption becomes about maintaining a living standard. In this context, micro-level (local government) dynamics (system failure, political and social failure) are both contemporary and historical

with issues such as greed and patronage needing to be placed into adequate contextual models to account for them.

The striking reality about this is that the lack of political leadership, of government interface and the disempowerment of local government consultative forums manifested itself along xenophobic lines. While this is not generally applicable, it is most appropriately true in the case Coplan documented⁶. The marginalised “utilised service delivery protests, attacks on foreign nationals and other forms of protests to undermine the ruling elite” (Nelana, 2010: 8). But one wonders as to whether such manifestations of popular anger tilt the balance of forces to the poor? It has been argued, supported by tentative and/or preliminary research, that it was in fact Alliance (SACP, YCL) members that were at the forefront of these protests though it must be cautioned that this did not occur in all cases. Although many of the community unrests based on the lack of service delivery were characterised by violence and destruction of public and private property, the xenophobic attacks in impoverished communities made a mark in the social consciousness of the country. The slow delivery of houses, the costs of energy and water services, corrupt and inefficient police force, and the failure of government to control immigration (Coplan, 2009: 11) in poor communities’ overwhelmed local government and spread across the country like a wildfire. What underlined this and formed part of the constitutive social fabric is the fact that many of these communities are ravaged by high unemployment and low wages which the flow of desperate foreign and illegal immigrants seeking cheap jobs undermine (Ibid). Despite the fact that there is presence of foreign nationals in townships, some communities, notably in the Makana local municipality, unemployment rates are found to be hovering at over 65% - these including those who have stopped looking for jobs – (Urban-Econ, 2009: 37) of the population and this is an occurrence playing itself out in many South African communities. It is precisely these conditions that create a fertile ground for corruption and patronage, and consequently, protest and xenophobic attacks as foreign nationals, being forced to make something of themselves as they are in a foreign country, are scapegoats for fault lines in South Africa’s democracy.

⁶ Copla, D.B., 2008. *Innocent violence: Social exclusion, identity, and the press in an African democracy*. Routledge, Taylor and Francis Group.

When one assesses the xenophobic attacks of 2008, and the media panic about a repeat in 2010, according to the Human Sciences Research Council Report on the attacks, it would appear that there was a sense of loss of political power amongst perpetrators. “Residents raised general issues of concern (i.e. municipal infrastructure and maintenance) and not particularly issues about the presence of African foreign nationals in their communities. These came about circumstantially and not as a necessary corollary of the community’s grievance. In one case this took the form of a criticism with how the government responded to the attacks” (HSRC, 2008: 27). Not to downplay the shameful nature of the attacks, but it appears as though the attacks became a way in which communities wanted to give attention to their struggles. One of the respondents to the interview even enquired as to why the police never bothered to call a meeting with the communities and speak to them instead of focusing on the foreigners attacked (HSRC, 2008: 27 and Coplan, 2009: 13). According to Coplan, witness statements and evidence from many people involved in the attacks placed a considerable amount of responsibility on the doorstep of government (2009: 13). A Sunday Times article of February the 13th reported that “about 90% of the municipalities under ANC control in the North West are dysfunctional, mainly because of political infighting” (Mokone et al, 2011: 4). This is the background against which some poor communities took their demands to the streets and acted against African immigrants.

Another interesting reality about the attacks was that they were also directed at darker citizens towards the north of the country, notably from the Limpopo Province (Coplan, 2008: 9). Although such actions appear to find legitimacy because of the treatment of African foreign nationals by the police and the Home Affairs department (Marais in Coplan, 2008: 71), the general situation speaks to issues of inclusion and exclusion in the country. To give a much clearer picture of the situation, of the 65 people murdered, 21 were South African citizens (Coplan 2008: 2). Who then claims the South African space, and what qualifies exclusion and inclusion in the South African idea of citizenship? The political subjectivities beyond party affiliation confirm Collins argument that oppression is riddled with contradictions. The many community protests and ‘service delivery’ rebellions point out a government that has forgotten its historic duty and has now taken on the role of the oppressor because, in many ways, these protests are reminiscent of the UDF period. Placing this in the continental and historical perspective of the politics of space and identity, it is important to note Mbeki’s words here that the post-colonial state, reflecting the enduring legacies of

polities created amidst the colonialist scramble, continues to confront the vexing question of who is a citizen and who is not (Mbeki, 2010). It is therefore that in moving forward, and in the attempt of incorporating the masses, our institutions reflect a broad and open definition of citizenship. Mamdani argues that “confined to civil society, democratization is both superficial and explosive” (1996: 289). Mamdani was, here, referring to the bourgeoisie aspect of civil society in the post-colony and the need to extend democracy to the rural and semi-rural areas. As such, once civil society is made up of the hegemony of all progressive actors in society, it must consider taking control levers of state power.

Since townships were historically places of residence and not of work, civil society was and continues to be restricted to the urban centres, as such; it is no accident that the attacks were carried out in the townships and that point between the rural and the urban. Having made use of the political/institutional infrastructure erected by the apartheid regime to divide South Africans, it would seem that the issue of provinces, as was lost by the ANC in the CODESA discussions, seems to have created artificial boundaries among the citizenry. It is against this background that Mamdani’s words ought to echo throughout all corners of South Africa.

4.5. The Polokwane answer: Who Represent’s What?

It was clear that something needed to be done, not only to stem the tide against the disenfranchised, but because the contradictions brought about by the negotiated settlement made it sharply difficult to manage the country while still exhibiting some level of credibility. The more popular stakeholders were viewed as a threat, the more the ANC in government marginalised them from policy processes. By 2001⁷ South Africa’s economic policy was disparagingly referred to as the ‘1996 class project’ headed by Thabo Mbeki and Trevor Manuel, former President of the Republic and former Finance Minister respectively. It later on came to be used a political leverage that nearly shattered the back of the ANC partly because this was also during a period that policy processes and makers were insulated from the pressures of popular opinion (Marais, 2001: 162). Although the popular tradition of

⁷ Nzimande, B., 2006. The class question as the fault line in consolidating the National Democratic Revolution. Accessed on the 05 January 2012. <http://www.sacp.org.za/main.php?ID=1858>.

collective political leadership of the ANC was being eroded, the ANC and the Alliance leadership, out of discipline and respect, submitted to GEAR as an ANC government policy package. But as criticisms continued to mount against it, it would later appear that behind the criticisms, lay the foundations for the sharp leadership and ideological debates emanating out of the ANC NGC of 2005 which crystallised in the Polokwane Conference of 2007. According to the Polokwane formation, the ANC elective conference of 2007, commonly referred to as the Polokwane project, was the ANC's decisive break with the 1996 class project with Mbeki unceremoniously rejected by the members of the ANC; his opponent, Jacob Zuma, winning two-thirds of the delegates in Polokwane.

Under the Mbeki presidency, state bureaucrats were insulated from popular policy imperatives as is evidenced by the marginalisation of the left within the Alliance. It was clear that the popular majority were weighed down by the increasing influence of the *patriotic bourgeois* and capital. In this context, it was not difficult to speak of a ruling class, an accord between the political and the economic elite with the popular majority used as a voting fodder. The project therefore hoped to form the basis and means to shift power towards poor communities (Hassen, 2011). It is argued that the Polokwane project was not aimed at objectives outside the constitutionally agreed and politically acknowledged contours of post-apartheid imperatives but was rather aimed at solidifying those contours. As the narrative goes, the project was advanced to align the activity of the state with the historical and political imperatives recognised by South Africa's constitutional democracy. As such, in some quarters it was hoped that a more meaningful participation with social and political stakeholders would be possible, given the limitations of those partnership on the ground. This was not unreasonable because part of that democratic project was to open up policy space for wider debate.

Approached from this vantage point, the project was reasoned to be "an attempt to bring the political class under popular control rather than the dream of doing away with it" (Pithouse, 2011) because representative governance as a political system, as the narrative goes, enables the building of a nation under one territorial boundary; it builds tolerance and engenders an appreciation of difference. This type of governance model, with a strong party-based political system in place, continued to be an attempt to unite a historically fractured society and build a nation-state. Elected representatives are empowered to make law after careful public

deliberation so as to secure the common good as opposed to executing the will of the people (Ekins, 2009: 1) as these may diverge at times. Since South African capital is particularly skewed along racial and class lines, which continue to advantage the historically white privileged class, as such, politics left to non-party (un)elected representatives has a way of exacerbating the existing spatial and economic distinctions created by the apartheid regime. In as much as South Africa's constitution critically acknowledges public participation, executive and legislative power is without a doubt in the hands of elected representatives. The role of the party therefore becomes important in providing leadership to society by executing national imperatives. In this way, their function is to coordinate the different tiers of the state in a manner consistent with national imperatives. The project had thus revived some of the popular power party-based representative democracy narrative.

But what did the Polokwane project signal, who did it actually defeat, who came out triumphant and what opportunities did it open up for grassroots organisations if, indeed, there are any? Will poor people's movements now have a voice in policy debates? According to COSATU, Polokwane represented, among many other developments, the deep-seated and repressed anger, buried by cadre discipline and respect, against the smuggling in of top down policy thinking in the ANC (COSATU, 2010). These are some of the issues that require unpacking as South Africa attempts to reroute the trajectory that GEAR had placed the economy on. Whatever brought together this formation, much like 1994, Polokwane was a rupture that opened up new space to, again, contest policy. At the Ruth First Memorial lecture held at WITS, General-Secretary of COSATU, Zwelinzima Vavi, articulates a new vigilance by saying that it is time to "raise our fingers before down the line no one will be able to raise a finger without it being chopped off... the working class will not wait forever" (Vavi in Khumalo, 2010: 8). In his open letter to Thabo Mbeki after Polokwane, ANC NEC member, Fikile Mbalula, declares to Mbeki that he [you] "left the state apparatus in absolute disarray and the state machinery completely paralysed" (Mbalula, 2009). For some within the Alliance Polokwane signalled a defeat of capital (COSATU, 2010), that post-Polokwane indicated the collapse of the old ruling class and subsequently the reconstitution of a left formation. The unity with which this force organised social capital and installed a working class president was short lived by the unremitting vigilance over the state that soon followed after Polokwane. The vigilance came from many quarters and took different forms ranging from COSATU within their stakeholder relations with the governing party and from AbM on the

streets and courts. Following on from a presentation at an African Conference on participatory democracy, it made the following observation about the post-Polokwane moment: the “old has not yet died and [the] new has not yet been born” (ALNEF, 2008). In the mean time, as the ruling class is busy constituting itself, one must ask who will manage the new trajectory, if there is to be one. In all likelihood, however, the Polokwane project was an attempt to assert the centrality of the Alliance.

It is quite clear that the Polokwane leadership is more realistic about issues on the ground and is forthcoming in admitting failures of governance and lack of political coherency. What characterised the 1996 class project leaders is the aloofness with which official policy was out of touch with realities on the ground, most notably the ANC government’s position on HIV/AIDS. The admission that critical posts at local government were appointed to unqualified officials based on the “strength of their loyalty to one or another faction” (Mokone et al, 2011: 4) is a case in point to which the now secretary-general described the resultant damage as unimaginable (Ibid). The Polokwane transition is characterised by both danger and opportunity because the new leadership must still assert its political and economic power. As it consolidates itself, because it will be overwhelmed by disgruntled and marginalised players in the old period still jostling for power, there is space for “reactionary and unguided forces” (ALNEF, 2008). However, progressive forces, too, will be competing for that very same space. With the ANC appearing more united, more eager to prove themselves to the electorate of their historic mission, the Polokwane project appears to have infected the political environment with the very same potential that 1994 occasioned. Prior to this, however, it is important to note that it is the ANC that was presiding over a corrupt and dysfunctional state apparatus.

However, the Zuma presidency is marred by the jostling for power of over what and who constitutes the agenda of the ruling class. An example of this emerges in a report released by Institute for Race Relations that celebrated the South African government’s performance over its delivery of RDP houses, of having electrified most communities and providing water and sanitation for most households. The report, released in the midst of the nationalisation debate by the Alliance partners, was effectively giving a thumb up to the current policy course the Mbeki administration had brought about. While the nationalisation debate signals a desire to shift the policy course, celebration over government’s performance signals a desire to stay on

course⁸. Against this background, Zuma is pushed, if not pressured, to take heed of both sides' concerns. This in many ways points to an unravelling of this project. And hidden in this analysis lies one of the major criticisms against the Polokwane project; borrowing from Zuern's conceptualisation of 'political society' as a site of political party contestation (Zuern, 2004: 6), the project narrowly focused on this sphere, more specifically in the dominant political party. The project did not have the support of grassroots movements to organise beyond the Congress Alliance. Moreover, According to Edigheji, a democratic developmental state is characterised, most importantly, by the dominant political party's relationship (programmatic and ideological) with grassroots organisations (2005: 11), in this case, not just any association in civil society will do. The project simply cannot be sustained without the buy in of strategic social and political partners. In its attempt to supposedly eclipse capital and shift the balance of power towards the popular classes, the Polokwane project not only came against global systemic challenges, but also against the powerful influence of the Black Economic Empowerment (BEE) compatriot disguised under the cover of a *patriotic class* (Duncan 2011: 4).

4.6. Civil Society Relations and their Contradictory Response

Some background information to civil society relations with the state is important because any relationship with the ruling party is indicative of how grassroots movements organise their demands with the state. The Friedman report on *Civil Society and the Post-Polokwane South African state*, argues that the persistence of poverty and unemployment is partly due to, and should be correctly placed on, the shallow roots of civil society because they are not firmly embedded within/among poor people's struggles (Friedman et al, 2009: 15). Articulated here is that their membership base is largely not drawn up from poor people who reside in the more poorly developed areas of the country. In this instance, civil society lacks sufficient depth to understand and express poor people's concerns in the manner consistent with their struggles. However, in a twist of narrative, the report also argues that civil society is vigorous because government policies are indeed always subject to influence and debate,

⁸ Conversation with Christopher McMichael

enabling civil society to shape both the debate and the outcome of policies (Ibid). However, how are poor people's concerns represented in these debates if civil society organisations have shallow roots? If the answer is in the negative then poor people's politics effectively exist outside of civil society. As a result, the concerns of those who remain outside of civil society do not filter through to policy precisely because civil society does not have the representativeness to articulate their concerns. Apart from movements like the Treatment Action Campaign (TAC) that have been able to represent the views of those living and affected with HIV/AIDS and the now mature Abahlali baseMjondolo (AbM) that have rightly advocated for shack dwellers rights, civil society has not been able to articulate direct grassroots concerns at a policy level. This scenario makes the fight against poverty and unemployment all the more difficult because while democracy and its institutions appear to be working, the outcome of policy debates falls short of directly addressing poverty. But what of poor people's movements?

Poor people's movements, which continue to mushroom in many poor communities, and are increasingly getting organised, are almost initially invariably inundated with activities involved with survivalist collective aid aimed at securing better standards of living rather than advocacy work for social change (Friedman et al, 2009: 19). Emerging in numbers under the Mbeki presidency, they are inevitably cut off from policy debates and consequently from having a sustainable impact on social change as well. At an ideological level, protest politics are also reported away as simply service delivery protests, dislodging them of their inherently political force. Consequently, Kirshner argues that in some instances the absence of public leadership in some communities has opened up opportunities for parallel structures to intervene and exact violence to gain legitimacy in the eyes of the community (Kirshner, 2010: 5). Although this explanation does not adequately explain the protests, it does point out, in some measure, how the state of local political leadership has also given way to opportunists who make use of violence to attain power but are outside, and are frustrated by, the elected leadership collective. However, this is not to delegitimize the legitimate concerns of communities, as issues of basic services are widely acknowledged, but to point towards the absence of a singular explanation for these protests and the mushrooming of poor people's movements. In any case, the emergence of these political forces, in this instant, stems largely from the ANC's absent local political leadership. For these reasons, poor people's movements are bound to stand accused from both right-wing and left-wing groups. Against

this background, while civil society organisations have a voice in policy debates; poor people's organisations are cut off from these debates (Friedman et al, 2009: 19) further giving impetus to Neocosmos' claim that only at the margins, if not beyond civil society, will a progressive and an emancipatory politics be found.

It is in this context that a gender activist argued that to engage with the Polokwane leadership only adds to its power, that in disaggregating the state, and approaching it strategically, can one make much needed democratic advances. She argues that one has "to analyse what is changing in the environment that will hinder or enhance your goals but you do not position yourself and define yourself and react to what the ANC is doing" (White et al, 2010: 82). The point being raised here is that, as the report reads further down, were one to engage with the ANC government, questions of what, with whom and/or with which agenda is being engaged with remain unanswered. The Unemployed People's Movement of Grahamstown have decided not to engage the state via stakeholder forums because in the words of Ayanda, the legally recognised community forums are "used to manage the anger of [our] people"⁹. This view also finds expression in Hassen's argument that even communities that have an activist core remain outside of decision making in local government (Hassen, 2011). The Grahamstown community, particularly the townships, having an activist record evidenced by their regular protests outside the High Court and Municipal offices, remain undeveloped with protests discouraged in the form of arrests after the protests. In this context, what role do movements like the UPM in Grahamstown and Abahlali baseMjondolo in Durban play in light of the weakness of the Polokwane project?

Dissent is invariably structured, not just by legal and political realities, but by the ideational ground upon which rests the mobilisation and organisation of society. The nature of the negotiations and the settlement entered into by the ruling party with the apartheid regime has in many ways set the tone for post-apartheid South Africa. The result of this settlement was that power became neutralised in such a way that every facet of South African institutional life represented this compromise in one way or another. While the institutional framework that governs local government makes much of community participation, practically that participation is symbolic. However, even this neutralised power, the Bonapartist state

⁹ Personal interview with Ayanda Kota

continues to largely represent the interests, and deepen the privilege, of the apartheid order. Undoubtedly, there are objective and subjective economic and political actors maintaining this order, but, as the Khutsong demarcation and anti-xenophobic struggles point out, ‘street mobilisation’ (or grassroots organisation) has the potential to shift the ground upon which the post-apartheid dispensation rests. They do so when they signal electoral strength and crowd out the ideas of the ruling elite by intervening in the public space through the construction of normative values as is evidenced by the intervention of the TAC in the Aids debacle.

Further decentralisation or doing away with the party-based representative democracy will not consolidate emancipatory spaces nor, for that matter, shift the balance of power towards the marginalised. Institutions will undoubtedly have limitations because entrenched in their social constitution is access and limitation to access which is an inherently political exercise. Lack of access can result in the very destruction of those institutions, whether for practical or symbolic reasons, because then, they are not viewed as serving the interests of the excluded. Democracy, as practiced by the Khutsong demarcation forum, suggests that popular assemblies or popular mobilisation converted into “democratic organs of self-government” (Cronin, 2006: 1) running parallel to the state have a better chance of securing emancipatory spaces. A society containing multiple centres of power, buttressed by popular organs of self-government, is one in which democracy is sustained because only democratic organs of self-government can keep the state in check. Accountability means reflecting on the struggles waged and the values learned along the way. More importantly, it is how that reflection is used to remind those in power of their historic duty to the politically excluded and measure their actions against that reality.

4.7. Popular mobilisation: Lessons from Khutsong

An example of what Edigheji refers to as a democratic developmental practice is the Khutsong demarcation struggles. Interestingly, Khutsong has a conspicuous amount of African foreign nationals. In *We are Gauteng people”: Challenging the politics of xenophobia in Khutsong, South Africa*, Kirshner argues that Khutsong defies the often made relationship between poverty and violence towards foreign migrants; that, indeed, it was local political leadership that resisted Xenophobic attacks in Khutsong. The basic thesis that

Kirshner constructs is that Khutsong's municipal demarcation struggles created opportunities for local political leadership and organised political subjectivities to resist Xenophobia (2010: 2). Since Khutsong refused to form part of the North West Province as part of government's plan to do away with cross-border municipalities, the community organised itself against the Cross-Border Municipalities Act which threatened their identification with the province of Gauteng. In the main, the issue was that the governing party did not consult the community of Khutsong. A notable feature about the Khutsong demarcation upheaval is that local elected officials were absent during this period therefore together with the local SACP, the Young Communist League (YCL), SANCO and COSATU, a demarcation forum was organised to facilitate peaceful protests and channel the community's grievances with the relevant government structures (Kirshner, 2010: 10). This meant that ordinary citizens provided alternative leadership, framing the issues and responses of the community (Ibid). Though the demarcation was characterised by violence and an interruption of services, the creation of parallel governance structures was used to facilitate a collective consciousness around the matter. This unity in turn, organised along identity politics, enabled popular democratic practices of community meetings and forums be used as platforms, to make it clear to the community that Xenophobia should not find expression in Khutsong.

Khutsong is therefore a good example of a deepened notion of citizenship and community organising for service delivery. Against this, its demarcation struggles and its resistance to the xenophobic attacks conjure a nostalgic reminder of the UDF-like Gramsci schema of the *war of position*. The struggle against elected officials (in the UDF case of the 80's) in representing them, the absence of elected officials (in the Khutsong case) and the general discontent among poor communities as demonstrated by community protests and Xenophobic attacks suggests a systemic failure with the institutional setup of the post-apartheid state. What then becomes the role of social movements engendering inspiring practices of community organization – services delivery – and citizenship? Although some argue that an accurate assessment of social movements is to measure their impact on civil society as opposed to state policies (Ntlokonkulu et al, 2001: 10), it is however, state policies that formalise the direction and course that society takes. It is without a doubt that social movements engender deeper notions of citizenship and social cohesion, radically impacting on the character of civil society. However, it can only be those social movements with deeper and wider links to the poor, embedded in social struggles, whose concerns government

cannot ignore (Friedman et al, 2009: 20). Impacting on civil society and involvement in advocacy work is not mutually exclusive work; the latter is propelled upon the shoulders of the former. Within civil society these movements offer modes of participation and demand-making, amplifying and diversifying “sources of government accountability, and nurture citizens democratic capacities” (Ntlokonkulu et al, 2001: 2). They nonetheless must provoke political tones that send shockwaves in political society to signal electoral strength if they are to be taken seriously. And it was precisely around this point, as the country approached the 2009 general election, that the ANC succumbed and reversed the decision to incorporate the community into the North West. How else does any formation cause the formal direction of society if it is to operate outside of civil society? In light of this, what opportunities does the Polokwane project present for civil society?

The coalescing of the SACP, of former UDF members and other organised members of the Khutsong community made it possible for people’s demands to be heard. Although not a governing party, the role of the SACP (particularly in Gauteng) is not to be understated because the coordinating efforts, and the political connections, of an already established political party enabled the Khutsong organisers to unite under one voice. It is also clear that once the ruling party opened dialogue with the community and their representatives, an amicable solution was sought because at that point the ‘organised streets’ of Khutsong had been able to appropriate their sovereign civil space and the state had come to appreciate that space. There are three lessons that the paper wants to draw from this case study; 1) is that the signalling of electoral strength changed the character (policy) of the state and 2) that the ideational environment engendered by the demarcation struggle enabled the community to crowd out xenophobic elements that possibly could have surfaced during a time in what appeared to be nation-wide attacks against foreign nationals and 3) lastly that the community’s demarcation struggle had brought about groups of people from disparate political and ideological backgrounds together. In sum, this ties in rather well with Edigheji’s thesis that crucial to a democratic developmental state is when the governing party partners up with grassroots organisations. It is at the point that the state can be steered away from elite brokering. It is against this background that the question of civil society’s response to the Polokwane project is asked, but more particularly, how grassroots movements hope to engage the Polokwane dispensation.

4.8. Conclusion

In many ways the social and political life of a society is structured by the economic and legal framework governing that society. Additional to that, in an unequal society, these frameworks are not without their shortcomings. This chapter has argued that while local government's institutional framework – its stakeholder and party-based representative system – is burdened with historical and contemporary challenges, the self-organisation of the marginalised with a politics doubtful of, but engages, the state is what will radicalize the relations of power. It is not the ballot boxes that will determine the form of governance of a particular society but will be the self-organisation of the forgotten that will push for a more egalitarian society. Such a society will not be sought within the constraints of a formal democracy as the true meaning of words such as freedom, equality and restitution can only be won outside the constraints of revolving elite politics. The Polokwane project, unlike the Khutong struggles, does not have the support of grassroots movements, and because the project will soon unravel as a revolving elite project, it won't be sustained; at least not under the material circumstances engulfing the country.

Chapter 5: Discourse of the Disempowered

5.1. Grassroots Mobilisation Response to Polokwane

Chapter three captures what the Polokwane project was and is really about. But, just to reflect back, the project, with its telling reference to the 1996 class trajectory, is an attempt to re-conceptualise the 1994 state that emerged out of a negotiated constitutional dispensation, characterised by compromises that arguably eclipsed the potential that the anti-apartheid UDF struggles brought about. Indeed, to some this project is not possible without shaking the separation of powers as some tinkering with the country's constitutional democracy is unavoidable. This is evidenced by the recent call for a national dialogue by the Afrikanerbond to engage the ANC on the interpretation of South Africa's constitutional democracy (Vorster, 2011). As noted some within the stakeholder structures of the state, including those forming part of state-sanctioned civil society, have chosen to respond to the Polokwane opening conservatively, arguing that they do not know who and what is being engaged with (White et al, 2010: 82). From the latter statement it is clear that there continues to be a policy contest meaning that unity was not the outcome of Polokwane. Given this pressure, contest in the legal and political terrain emanating out of frustration and impatience with economic compromises and Alliance marginalisation, the democratic left within the Polokwane project, if they are to win, will necessarily have to assert themselves. But this authority cannot be asserted without a wide consensus from the state (progressive) social partners.

In light of *Towards a Poor People's Movement?*, Harris postulates a convincing argument that while there is great diversity within post-apartheid's social movements, grassroots organisations will not be able to articulate a strategic front if they are not to agree on a joint progressive objective (Harris, 2006: 1). The reality is that the post-colony, because of its ongoing struggle with colonial interests that want to make markets of the Global South serve the consumerist interests of the metropole, there are a few options open to social movements in the South. If the Polokwane project has served as a rallying call to progressives within the Congress Alliance, against this background, it is important to critically engage social movement responses to the project. Because grassroots struggles are geographically-driven in that local concerns drives their agenda (Pithouse, 2011) therefore solidarity with struggles

beyond their locality can only be made possible if there is a “common ideological current running through them” (Harris, 2006: 26). Furthermore, by addressing struggles beyond their locality, movements grow organisationally and politically. The question is whether the Polokwane project can bring all these forces together? How grassroots organisations respond to the project will depend on how their emancipatory project can be implemented and sustained. Although the project would be an ideal platform on which grassroots organizations can make appeals against injustice and inequity, whether it is the Polokwane project or not, this cannot happen on its own. There’s a need for people to use the project, much like how the Freedom Charter was used for the 1950’s generation, to return politics back to the people. What will be important about a construction of a common project will, in the main, be about deepening and consolidating democracy. However, in coalescing around a common political project, to avoid the limitations of the UDF, there is a crucial need to maintain local issues as the guiding light upon which national change is brought about.

Against chapter three’s background, a corresponding question to the circumstances outlined therein is what then is the response of civil society to the Polokwane project? The attempt by the ANC to resuscitate itself after the Polokwane defeat is patently evident as this ANC is trying to liken the Zuma administration with the Mandela administration, thereby painting President Zuma as a reconciliatory political figure. No doubt the sins of incumbency have contributed to the deteriorating position of local government and the increase of political infighting. Moeletsi Mbeki, former President Thabo Mbeki’s brother, argues that the ANC is dodged “mostly by over-ambitious members scrambling wildly for top jobs” (Mbeki in Uys, 2009). That the unity pre-Polokwane is collapsing under the weight of over-ambitious, *it’s my turn* mentality among those able to get in via the flood-gates opened up by Zuma’s climb to power. However, how much of this narrative plays into the Mbeki faction, as if only after Zuma ascended to the helm of Luthuli House did all hell break lose. How much in this opening, presenting both danger and opportunity, are we perhaps witnessing the attempt to curb corruption and place the state machinery on a developmental course? The scrambling for top jobs, patronage and the creation of factions cannot have been a phenomenon emanating prior to Polokwane. It is indeed something that has been consolidating itself and in turn establishing a parasitic relationship with the state. The confusion of the post-Polokwane moment, notes COSATU, appears also to emanate from the inability to identify those who were for Polokwane and those who were against it (COSATU, 2010: 18). In this scenario,

civil society must be able to lend support to the energy of the progressive force within this confusion. Using Zuerns formulation of political society, the fissures within the Congress Alliance should come together with progressives within civil society to achieve hegemony and take lead.

As has also been discussed in the previous chapter, CSO response to the Polokwane project is summed up in the following:

“We found CSOs, particularly those committed to human rights and social equity, largely pessimistic about life after Polokwane. Most felt the change in ANC leadership promoted a social conservatism that threatened key rights protected by the constitution. They complained of what they saw as increased pressure for loyalty to the government and ruling party, and argued government talk of a new willingness to listen was an illusion” (McKaiser et al, 2009)

One wonders whether this strategic defence from civil society advances the Polokwane project or demobilises its strategic thrust. However, the Friedman et al report also points to the shortfalls of South African civil society arguing that it is vibrant but lacks membership depth. Although the report proceeds, and takes as its point of departure, from civil society, thus adding to its silence on government’s engagement with civil society from the states point of view, it nonetheless provides an interesting critique on the role of civil society organisations. A civil society that is vibrant, subjecting public policy to scrutiny, but not representing nor articulating the views of its alleged constituent, fails on its role as guarding and making accountable, the state. And if civil society is not sufficiently positioned to represent the views of the poor, the question then is, outside of civil society, if such a space exists, are there organisations that can adequately subject public policy to grassroots views? Furthermore, what view do these organisations take in contrast to their counterparts in civil society as it relates to the Polokwane project? It is in this context that Abahlali baseMjondolo (AbM) and the Unemployed People’s Movement UPM, both grassroots organizations and both firmly embedded among the poor (UP, 2011) and) serve as case studies for this project.

5.2. Case studies: The UPM and AbM project

AbM is a grassroots movement that began in 2005 after a road blockade that changed the political life in Kennedy Road Settlement, Durban. Instead of narrating a long story, what gave way to the blockade and subsequently the emergence of a grassroots movement was the municipality's broken promises over the years. As disillusionment set in, morphing into anger and leading to frustration when not mitigated, from as simple broken promises as cleaning toilets and "promising to build formal houses" (Bryant, 2005: 4), the brim was reached when an elected councillor lied about having reserved land for development use for the community while it was instead reserved for private commercial use. For the many community members of Kennedy Road Settlement it had become apparent that, at that moment, municipal decisions were made without their input. Though anger and frustration had been piling up in the community over the years, the events prior, during and post the road blockade became moments of reckoning for the frustrated members of the Kennedy Road Settlement. In many ways, this moment reflects Badiou's political *event* thesis; that it was the road blockade *event* that put into perspective the imposed limitations of the community's freedom, and it was this *event* that subjected the community to the damning truth to which they had to remain faithful to from then on. It is also this truth that came to apportion a measure to the power of the state (Badiou, 2005: 145) and which turned passive recipients of government deliverables to active revolutionaries in a struggle. For the members of AbM there is, on principle, no problem with the idea of [formal] democracy, the issue was that government policies did not represent their interests (Bryant, 2005: 5); a demonstrable claim reached by the Friedman et al report.

Continuing on the other side of the country, UPM, in Grahamstown, is a grassroots social movement that has recently emerged on the political scene against the backdrop of Grahamstown's lack of service delivery and the town's unemployment levels. The unemployment rate in Grahamstown is over 65% of the working age and there's a housing delivery backlog of roughly 17 000 as compared to the Nelson Mandela Metro of over 70 000 (Ganza Interview) and (Urban-Econ, 2009: 34). Nonetheless the intermittent, and sometimes lack of, access to water and electricity is a service delivery issue that formally black community's in Makana have struggled with over the years. UPM has now made what ought to be a basic right form part of a political programme of developing communities within the municipality. From the failing workmanship of RDP houses in Vukani to the lack of adequate toilets in Ethembeni (Kota, 2010), the Makana municipality appears to have closed off its

ears and shut its eyes to the prevailing conditions within Makana. However, it is against these circumstances that UPM has sprung and begun to mobilise communities within the local municipality. Although the central issue for this movement is to struggle for the right to work and to widen the political and social capital base from which the poor can develop their lives (Mali, 2010), it nonetheless runs parallel campaigns that are associated with unemployment and lack of adequate housing. Among these are the state of housing that lack appropriate sanitation, the existence of the bucket system, and the social withdrawals that these conditions offset.

It is important to note that while the Makana municipality in Grahamstown is a local municipality with limited functions and powers pertaining to social and economic development, the eThekweni Municipality in Durban, while a metro, is formally accredited with level 1 accreditation. The municipality is still waiting to be accredited with level two accreditation¹⁰. Although district and local municipalities are institutionally not empowered to be developers, this does not mean that all metropolitans are developers, but eThekweni, out of its own budget, provides housing between those that are eligible for RDP houses and those that qualify for housing loans. Conversely, while the Makana municipality is capable of coordinating and sufficiently benefitting from ward committees, stakeholder and community forums, the eThekweni municipality, because of its vast geographical spread and uneven policy (by-laws) regimes, public participation becomes incredibly difficult¹¹. It is in this context that eThekweni grapples with public participation at a zonal level wherein which each zone contains 5 wards to engage the IDP and the municipal budget. Lastly, the difference between the two municipalities is the level of budget each has at its disposal. Metropolitans in general have a wider pool of resources to drive socio-economic projects (local and foreign investment) while local municipalities like Makana are usually insulated from possible external sources of income so the challenges between the two are rather different. However, in many cases a large portion of municipalities depend on the sale of electricity to generate income.

¹⁰ Interview with a senior manager in the eThekweni Municipality.

¹¹ *ibid*

5.3. The Politics of the Poor

Interestingly, while both AbM and UPM share a broad strategic political outlook, there are nuances in their respective politics that are worth noting. But both movements have opted to disengage local government in community and stakeholder forums where municipal IDP's are discussed and formulated. Both also share, with some inconclusive differences, the same ideological orientation and outlook. Although reasons for the latter vary, strangely, both these organisations, in resisting stakeholder politics, have primarily denounced the dominance of the state in civil society (party dominance). Following on from Neocosmos, civil society, because of the power the state has over it, is coordinated, arranged and directed by the states political subjectivities (2009: 10). What this means is that civil society is structured and arranged according to the dominant and hegemonic ideological orientation of the ruling party. What AbM and UPM have attempted to do is to disengage from this political arrangement. Taking the latter organisation, UPM has repudiated the IDP process in the Makana local municipality because, according to UPM chairperson, and as earlier stated, "those platforms are used to manage the anger of our people"¹². Kota is saying that these platforms frustrate many of the expectations that people have of them. A consequent of subjecting grassroots organisations to the legitimising power of the state means that the content, nature and form of the debate are structured by the states political subjectivities. It is no surprise, therefore, that movements operating outside these institutions and exercising alternative political praxis (a *living* politics in the case of AbM) also come to reason that IDP processes are against the people. However, beyond the political subjectivities of the state, objectively, the institutional framework of local government does not empower these platforms, making it difficult for communities and organizations to organise local government towards accountability.

In the context of disempowerment, Neocosmos argues that because political subjectivities of the state crowd out dissenting and critical voices, meaning that the state becomes unaccountable, progressive politics exist at the margins, or outside, of civil society (2009: 11). Furthermore, rejecting stakeholder forums and its politics places one outside civil society where the state cannot exercise the power to legitimate and endorse members of civil society (Neocosmos, 2009, 7). Theoretically, Neocosmos' analysis of South African political society is markedly state-centric and indeed falls short of a diagnosis of the dialectical relationship

¹² Interview with Ayanda Kota in Grahamstown

that exists between the state and civil society, and the complexity of shifts underlying the behaviour of actors within and among these power centres. However, its state-centric orientation should appreciate the reality that civil society is not sufficiently representative of grassroots politics. AbM and subsequently UPM are proponents of a grassroots politics they call a *living politics*. AbM articulates this politics in the following statement:

This politics “starts from the places we have taken. We call it a living politics because it comes from the people and stays with the people. It is ours and it is part of our lives... It is the politics of our lives. It is made at home with what we have and it is made for us and by us” (S'bu Zikode in AbM, 2008).

A *living politics* in a large way defines the character and work of AbM and in this manner defines that work and character as its own and not borrowed from some academic, organization or political party. As such, because of this politics, engagement with the state at stakeholder and community forum level is not always collegial. Following on from Wolpe, state laws and the form of state structures the content, form and organisation of poor people's struggles (1989: 57). Therefore, engagement at the level of stakeholder and community forums can blunt the organisational and ideological thrust of movements focusing on socio-economic rights, thus serving to contain their frustrations. If this has been a strategic defence against being swallowed by the state-civil society machinery, what has been the strategic offence of the movement? Apart from the extensive use of political schools that both UPM and AbM undertake, more especially AbM with the Abahlali University, there's the use of protest marches being employed to publicise poor people's struggle. Bursting on the public political scene dominated by the ruling party but contested by neo-liberal economic power, these movements interject in a polarised space to lend voice to the emergent contradictions bedevilling South Africa.

Although ideologically and practically both UPM and AbM have removed themselves from the state-civil society equation, or they have been characterised as being located in that space, there is no a doubt that the form of struggle exercised by both movements will differ according to their response to the structure and content of the law (Wolpe, 1989: 57). As a result, in as much as both movements can remove themselves out of the equation, they need to subject their emancipatory praxis to the constitutional and political context they operate under. In this instant it is important to note, as we develop an understanding of the spaces

upon which emancipation is advanced, that outlets for defiance are mediated by institutional and organisational structures within which society is organized (Ibid). This enables us to understand the dialectic between social movements organised outside of state structures and the state. Furthermore, there appears to be another distinction among social movements and the formally organised and well funded Non-Government Organisation (NGOs); while NGOs mediate the anger of the disenfranchised and organise towards reforms, social movements organise it this anger, provide it with a placard¹³, and work towards a transformation of the entire system. This is evidence by the policy and lobbying focus of the Centre for Development and Enterprise (CDE), the Centre for Policy Studies (CPS), and the Democracy Development Programme (DDP) while grassroots movement like AbM and UPM are focused on transforming the power balance between the state and society. This is what the thesis refers (and will refer) to as the *organised streets* because these grassroots organisations power lies in their use of the anger of the people. Though it is not said, both AbM and UPM can be situated in the democratic and strategic traditions of the UDF. However, neither organisations share the same strategic thrust of the UDF but approximations can be made about their comparisons.

The difference, however, between both UPM and AbM is in political society wherein which both differ on approaches to political and electoral politics. While UPM is in line with South Africa's anti-apartheid protest tradition of the 80's in that it seeks to build "a democratic people's movement that can win control of the state... supporting the call for a Conference of the Democratic Left" (Kota, 2010), AbM refuses "to vote in all state elections and "compete for electoral office. It specifically refuses electoral politics and aims, instead, to build the power of the poor against that of local elites in and out of the state" (Pithouse, 2009). These are two social movements with the same political vision in mind but with different strategies. UPM, on the other hand, is a centre-left political project that believes in the old left traditional strategy of attaining political power, hence its support of independent candidates in the 2011 local government elections. It therefore makes use of voting as a strategy to occupy the state and drive its agenda towards a pro-poor outlook. It is interesting to note that UPM, while it is said to exist outside civil society, has chosen to involve itself in political society. Also, noting that UPM is a much younger grassroots organisation than AbM, both organisations, like the UDF, have made serious attempts at exporting their struggles to other

¹³ Conversation with Dr Siphamandla Zondi from the IGD

sections of society, most notably student formations. There exists a student's movement in Grahamstown called the Students for Social Justice (SSJ) that has emerged out of solidarity with the plight of the disadvantaged in the surrounding communities. This solidarity has thus been linked up with the struggles of the UPM. As in the UDF era, and in fact, from the mid 1970's onwards, liberation politics ushered in a non-violent form of struggle where ordinary people, instead of armed men, took into their own hands the means to liberate themselves (Mamdani, 2011). However, there appears to be limitations to UPM's political outlook and engagement.

5.4. The throbbing work of consolidating post-apartheid democracy

As has been earlier outlined, the central issue championed by UPM is the right to work and to widen and deepen the economic and political base from which disadvantaged people build their lives on. In other words, the organisation wages struggles to build an open and equal opportunity society wherein a person's political and economic standard of living is at an adequate level. Coupled with South Africa's unemployment levels and the level of economic inequality characterising the economy, UPM has called on the ANC-led government to immediately guarantee a monthly income of R2000 for the unemployed and the underemployed (UPM, 2010). Ayanda Kota acknowledges that the issue of job creation is framed by a country's macro and micro economic and trade agreements as noted by Kota when he argued that theirs is to fight macro-economic policy deliverables¹⁴, as such, UPM should be able to influence policy decisions at a national level where agreements there have local ramifications. The 2011 Massmart/Walmart agreement is an example of a (speculative) Foreign Direct Investment (FDI) having serious implications for job growth. What this means is that it would be more appropriate for UPM to involve itself in the very kind of stakeholder relations they reject at local government level. And herein lies one of the problems that beset the organisation; although a local municipality may grapple with some issues emerging from unemployment, like primary health care and adequate housing etc, it is not able to respond to issues of job creation. Indeed, no grassroots organization should mobilise around what its local municipality is empowered with, but struggles that carry with them national aspirations must have a solid material and local base (Pithouse, 2011). This means that struggles that

¹⁴ Interview with Ayanda Kota in Grahamstown

have a national outlook must resonate with basic issues that exist at the level of the local. But surely unemployment is a solid and material basis from which struggles can be waged?

The struggle for the right to work and the right to dignity, with the latter enshrined in South Africa's constitution, has a solid base from which the unemployed experience directly at the level of the local. However, following on from Piven & Cloward, people can only defy institutions they have access, and make contributions, to (1977: 23). And the problem with unemployment is that, except for the easily observable failings of policy packages, it has a wide number of variables, objective and subjective, that make it difficult to isolate the actual institution or institutions that reproduce and produce unemployment. More than anything, because of the complexity of policy and social issues involved with unemployment, UPM inevitably assumes the organisational praxis of a political party. This is partly because a large part of the project of reconstruction and the guaranteeing of socio-economic rights through legislative means is the primary role of the South African state. Consequently, the attempt to construct an alternative and a comprehensive developmental regime by a grassroots organisation, as is usually the nature of opposition parties, is tantamount to contesting a democratically-elected ANC on an ideological front. This therefore partly explains why UPM continues to be accused of harbouring reactionary and counter-revolutionary elements. While questions of whose interests are being advanced are a consequent to the absence of a clear emancipatory praxis, the organisation politics appear to be like those of a political party but characterizes itself as a grassroots movement. Participatory democracy, whether symbolic or practical, should "enable grassroots constituencies to have a greater say in democratic processes through assemblies that would run parallel to conventional governance structures" (Farouk, 2011) which South Africa already has in the form of ward committees and street committees. Although both conventional and parallel structures would be used concurrently, the use of both would enable communities to subordinate the state to society.

Part of the problem with party-political formation in post-apartheid South Africa is that it is almost impossible to gain political legitimacy in the eyes of the electorate without some struggle credential (whether it is in the apartheid era or the post-apartheid era, the thesis argues). Furthermore, following on from Steytler, a liberal democratic political culture is necessary to enable healthy opposition and competition (2005: 24). But because this culture is yet to be adequately cultivated, social movements bear the potential to effect change because as they struggle, they steadily gain struggle credentials sufficient enough, on condition of

issue-based mobilisation, to have political legitimacy. In the end, social power becomes the harbinger of political power. However, in the current ideational and material juncture “multiparty politics poses a challenge to South Africa’s constitutional democracy” (Steytler, 2005: 24). While Steytler argues that decentralisation provides an opportunity for entrenching South Africa’s constitutional democracy (Ibid), the argument here is that organised grassroots movements must be able to lead development. Cultivating a liberal democratic culture is not solely or primarily about defending South Africa’s constitutional democracy, it is about finding areas of mutual respect and engagement, otherwise a constitutional democracy would merely be about protecting one group against another.

If UPM is unable to evoke political reverberations in the institution or institutions that powerful groups have large stakes in, then the struggle for the right to work will not always be acknowledged (Piven & Cloward, 1977: 24). This means that the organisation, by virtue of the issues it takes on, inevitably finds itself entertaining the idea of, if not pursuing, state power as we have seen with UPM in its support of preferred independent candidates. Loewe of the *Makana Moon* ran a story on 2011 May 16, alleging that UPM says election barricades should be expected, but that the organisation will support voters voting for any person not of the ruling party and those who have registered but have chosen not to vote or spoil their ballots (Loewe, 2011). The problem with this position is that it “epitomises the individualistic nature of liberal democracy, therefore, the poor vote, not as a working class, not as a social force contesting power relations in the country, but as discrete individuals (Gentle, 2011). UPM, though a grassroots movement, continues to operate within liberal democracy's mantra of the ‘citizenry’, so instead of mobilising against the concentration and movement of capital, as is the nature of class struggles, it looks for transformation within the political system but does not challenge the class structure of that system.

Therefore, if UPM is to credibly take on the issue of unemployment, it must do so understanding that access to various institutions must be part of their political programme. Such positioning gives off the impression that unorganised feelings of anger and of marginalisation characterise UPM because the sense is that, instead of political education guiding the organisation on its political programme, the anger of its members greatly shape the emancipatory trajectory of the organisation. Though UPM makes mention of Trotskyism and Fanon, it does not appear as though their works have played a significant role in praxis. More than anything, there’s a sense that the material circumstances that have given way to

UPM have been understood and interpreted, verbatim, from the point of these intellectual projects. Therefore, there is a need to understand the limitations and opportunities presented by the political context within which grassroots organisations mobilise.

UPM's protests (in the streets, in public debates etc) to keep the High Court in Grahamstown for fear of possible negative impact on the socio-economic profile of the Makana municipality, though a success as a number of powerful stakeholders were of the same view, is indicative of the need for the organisation to have access to influential and relevant institutions. The unison between Rhodes University and the ANC Region in support of UPM no doubt expedited the matter. However, in as much as access is required, the type of access is equally important as some access may function to isolate activists from one another and individualise conflicts (Wolpe, 1989: 57). As such, any social movement must be able to carefully navigate through the difficult terrain of stakeholder politics if it is to take issues as big as the economy on. But not all protests are about jobs and unemployment, together with the Women's Social Forum (WSF) UPM has also taken the proverbial problem of gender-based violence (GBV) in Grahamstown to the streets. Last year in December alone Grahamstown was rocked by roughly 40 cases of rape and a number of deaths (UPM, 2011) making it an issue that resonates with the locals. With no street lights, insufficient visible policing, visible policing in the townships is to primarily protect people from themselves while in urban areas policing is about protecting people from one another. The 'problem' is that while social movements politicise poverty, the state resorts to criminalising it to mask its institutional limits and its inability to manage societal contradictions. Cacadu region arguably contains the highest number of rapes and murders in South Africa (SAIRR, 2011: 1) Therefore, part of the logic of criminalising poverty presents the poor as a danger unto themselves and hence the need to keep them away from the 'serenity' of urban living and from tampering with democracy.

Not only from a capacity point of view but also from an institutional point of view, as it relates to powers and functions of the Makana municipality, UPM does not have access to a constitutional claim to employment as opposed to AbM with housing. Lack of capacity at an institutional level leaves local government (in some respects) of falling short of facilitating public participation let alone securing employment. Dissatisfied with the levels of rape and lack of water in parts of Grahamstown, UPM applied to the municipality for permission to protest against GBV but the municipality prohibited the march. However, the organisation

nevertheless defied the ban and went ahead with the march and staged a sit in at the municipal offices (UPM, 2011). After a successful protest, a sit-in in the municipal building with candle light burning through midnight, the following morning Grahamstown residents, particularly in Phaphamani, Joza and Phumlani, continued to protest on the streets burning tyres and digging up new tarred roads. At this point the UPM leadership was called to the areas but were immediately arrested on the spot by the police present at the scene. Four UPM members, including Ayanda Kota, were arrested and detained overnight and were released on bail conditions that were reminiscent of the old apartheid regime;

“They can't participate in any march or demonstration and they can't address any crowd; they must stay at least 100m from the Makana Municipality and the Magistrates Court; they must never been seen inciting people to protest” (UPM, 2011).

These bail condition give weight to the speculation that the state colludes with the courts, compromising the separation of powers between the three estates; i.e. the legislature, the executive and the judiciary. This is because the bail conditions do not fit the alleged crime nor do they respect the supremacy of the clauses contained in the South African constitution making them inherently political. The unconstitutionality of these conditions raises questions about the involvement of the political subjectivities of the local state. Much like what the apartheid regime did with many anti-apartheid activists, the accused, later to be referred to by the local media as the ‘Grahamstown four’, were unconstitutionally denied their right of association, freedom of public expression and speech by the Magistrate Court ruling. After an uncertain and possibly unconstitutional six months, the ‘Grahamstown four’ were released and the charges dropped (UPM, 2011). It appears that if local government is able to reach and influence decisions at that level of the state, compromising the responsibility and role of the courts, grassroots organisations like UPM must inevitably struggle against these systemic issues in a manner that threatens powerful interests. It is against this backdrop that these movements must necessarily engage in stakeholder politics. However, the problem with the UPM is that because of the issues (unemployment primarily) it tackles and the chosen centre of its focus directed at elected officials in Makana (and its denunciation of stakeholder relations), its praxis amounts to an un-strategic positioning as it does not threaten the interests of those who are pleased with the status quo. It is clear that there’s an absence of unity of strategy, but this lack compromises the entire political project. While UPM appears to have

largely been influenced by liberation politics of the 1980's, it has uncritically juxtaposed them with post-colonial politics.

AbM has however engineered and opened up new frontiers of struggle by negating and struggling against elite politics. The argument that AbM is a prime example and an exemplary of post-liberation politics can be made at this juncture. The public positioning of AbM has been, in Hollywood terms, 'award-winning' in the sense that they have managed to build a reputation of a grassroots movement with a strong sense of social justice. During the 2008 Xenophobic attacks widespread across the country AbM publicly articulated that although actions can be rendered illegal human beings can never be argued to be illegal (AbM, 2008). Representing despondent members of those whom they share a community with, building AbM branches outside Durban, finding common ground, and establishing solidarity networks with struggles and movements in and around the country, AbM has been able to carve out a new space within civil society. Their most public interventions in the public imagination were the inaugurating protest that launched the organisation and the constitutional struggle waged against the Provincial slums eradication Act in the Constitutional Court. Mobilisation against the Provincial slums eradication Act took on various organisational forms; AbM elected committees to read and explore the contents of the Bill to understand it and disseminate that understanding throughout the community, they built solidarity networks with the Western Cape Abahlali baseMjondolo, the Anti-Eviction Campaign, the Rural Network and the Landless People's Movement, broadening coalition to also draw in middle-class and religious bodies that are concerned and involved in issues of social justice (AbM, 2008) and (AbM, 2009). The strategy was one of establishing hegemony in and outside the state, and spreading Abahlali consciousness in all provinces that the Act would find expression.

Having extensively gone through the Act and what then had later become law, the KZN Provincial Legislature, as is required by law, engaged the community on the Bill. However, the public engagement sought by the state was manipulated to appear as though members of the community had agreed to the contents of the law¹⁵. It had become clear that the consultative aspects of regulation governing public involvement in local government affairs

¹⁵ See AbM Press Statement, Invitation to the Celebration of the Abahlali baseMjondolo victory against the notorious and now buried slums act. 29 October 2009.

had been distorted to favour the decision making processes of elected officials. Furthermore, the regulation and administration outlined in the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (PIE) of 1998 had been sidestepped. In this manner, the courts became a site for emancipatory struggle against the Provincial government and were required to vet the constitutionality of what was essentially a political matter. But, following on from AbM, “progress in courts and conferences doesn’t always mean progress in ordinary people’s lives” (Zikode, 2011). The judgment on the administration of justice is, as was the case in the matter of AbM vs the Provincial government, by essence a judgment on the interpretation of the spirit of the law. Politics enters the legal terrain at the level of the ‘intent of the law’ as it is at that point that decisions are arguably subjective¹⁶. Therefore, the KZN High court made a political judgment. This is further confirmed by the following statement contained in the judgment:

“The province of KwaZulu-Natal must be applauded for attempting to deal with the problem of slums and slum conditions. This is the first province to have adopted legislation such as the Slums Act. The Slums Act makes things more orderly in this province and the Act must be given a chance to show off its potential to help deal with the problem of slums and slum conditions. This Court cannot strike the Act down before it has even been (sic) properly implemented.” (AbM, 2009).

The problem with this line of reasoning is that it does not measure the intention of the Act with how it is to be achieved. Having not done so, the High Court judgment did not carefully consider the regulations contained in the PIE Act of 1998. In 2009, however, after having lost at the Durban High Court over the KwaZulu-Natal Elimination and Prevention of Re-Emergence of Slums Act 2007, AbM took their cause further to the Constitutional Court (CC) arguing that the Durban High Court had erred. Although the constitution contains its own tensions, the use of the CC appears to have been strategic as the court is, among other things, vested with the final power to weigh the constitutionality of an Act; whether it is in sync with the intentions and democratic aspirations of the people of South Africa. Weighing the KZN High Court Judgment, by October of 2009 the Constitutional Court ruled in favour

¹⁶ Conversation with Awethu Zumana: ANC Eastern Cape policy coordinator

of AbM arguing that because the Act is unconstitutional it is therefore invalid (AbM, 2009). Politically, this means that the judiciary is increasingly becoming a site for political struggles, but more accurately, it has the potential to advance emancipatory struggles for the poor. In this way AbM has carefully managed to distance themselves from elite politics and, by their praxis, have demonstrated the belief in the need to build a centre of power outside the state (executive and parliament). Although both UPM and AbM conceive of their struggle as a popular struggle, as supposed to armed struggle, situating theirs in the same struggle tradition as the UDF, AbM breaks new ground in several ways, not without its own limitations, however.

Abahlali appears to be clear about what its struggles are about and has been careful about how it projects and carries out its strategy. Following on from Harris, AbM members insist that the organisation is not a political party and that they are not fighting the ANC (Harris, 2006: 16). The organisation has also been rather careful, as difficult as it is because of how the media frames stories, to distance itself from anti-ANC politics and rhetoric. For them the struggle continues until shack settlements in South Africa have been done away with (Harris, 2006: 28). But at the source of shack dwellers rights is the ultimate struggle for freedom, so issues like privatisation and commodification will necessarily force the movement, after having understood their locality, to have a global struggle outlook. But how do we understand Neocosmos's conceptual models, and to what extent does it enable us to understand these movements better? Neocosmos's distinction does not enable us to understand these movements ideological posture. Removing the emancipatory space outside an ideologically contested arena, Neocosmos effectively strips these organisations of their ideological position. It is therefore important to situate AbM correctly, moving beyond how they've articulated themselves in the public sphere but also making an assessment of their actions. There are two rather glaring differences discerned here; 1) while AbM's roots can be traced back to popular politics, 2) UPM's roots are situated in a misplaced reading of their material context and the misapplication of intellectual projects.

The notion of power for AbM is important because democracy does not transpose the protesting masses before the elections into active citizens at the ballot boxes. The social and economic position of people does not change during the elections so what is being conducted here is the construction of an alternative centre of power to counteract the passive effects of liberal democracy. Power, by definition, is "the structural capacity of a social actor to impose

its will over other social actors” (Castelle, 2007: 2) and both UPM and AbM have an interest in power because not only of the premium they place on public participation in decision-making processes, but also because of their insistence on the state being driven by ‘organised streets’, though different understandings of this are apparent. This reminds one of the Marxian cliché that freedom is realised when the state becomes an organ completely subordinate to society (in Miliband, 1983: 21). The problem with the vertical power model, however, is that this would only relocate the problem of ‘power over’ and not resolve its organizational features. Though AbM’s Cape Town counterpart appears to advance an anti-power, liberal horizontal project¹⁷, AbM KZN appears to champion a centre-left project to subject the state to societal demands. Even as this humanist left project attempts to subject capital to human thinking (Zikode, 2011) and not vice versa, its end goal is to “challenge the power relations institutionalised in society” (Castells, 2007: 11) as such, it advocates a political strategy of counter-power. Therefore, instead of ‘power over’ being actively reduced and eliminated, which anti-power promotes (Pettit, 1996: 14), AbM’s strategy might only eliminate one power only to institute another. The rise and fall of the UDF is a strong testament to the political limitation of this strategy because once political freedom was attained, the principle of ‘power over’ enabled the UDF to acknowledge the ANC as the centre of national authority, effectively giving away the mantle of a people’s history to the ruling ANC. It is therefore important that AbM think beyond shack settlements. Fundamentally, while UPM involves itself in [the attainment of] state power, AbM appears to occupy itself with the notion of power relations.

5.5. Strategic Offence in the Post-Colony

The anti-colonial struggle was typified by specific lines of resistance or collaboration while the post-colonial context is characterised by a familiarity between the governors and the governed (Mbembe in Ballard, 2005: 77). Although to be critically welcomed, appreciating the critical role of the liberation movements in the anti-apartheid struggle, it is not the ANC alone that unites the country but it was importantly the ‘organised streets’ that encapsulate the

¹⁷ Poni, M., 2011. Open Letter to Mayor Patricia De Lille Re; Backyarders. Abahlali baseMjondolo of the Western Cape.

symbolic history of our struggle; it was the UDF that enabled and coordinated the ‘organised streets’. And although “the task of a democratic government is not to shape a country’s destiny... it is to position its people and its assets as best it can in an unpredictable world” (Steinberg, 2011), there must nevertheless be a balance between the two in the post-colony. To chip away at the *familiarity* of the post-colonial scenario, opposition towards a democratic government and a national liberation movement requires issue-based struggles that would incrementally impose limits to state power and, as a result, empower alternative spaces and centres of power outside of the state and its hegemonic linkages. Issue-based mobilisation links politics to people on the ground because it politicises their most direct and immediate struggles. These struggles, if sustained, inevitably link up with broader and national struggles, making apparent the importance of the locality of struggles. Although varying considerably from place to place, the momentum of struggles from 2004 contained prospects for a committed popular formation (Pithouse, 2011) of a nation-wide civic organisation. Pithouse further observes that these protests were widely local but that their localism threatened the interests of those whose aspirations had national and international implications (Ibid). The sovereignty of the state is not total and the throbbing of grassroots movements enables the state to focus its attention on issues which history and its people have bestowed upon it. In this way, too, the state benefits from grassroots chipping away of its power. However, it is important that both the state and civil society respect and appreciate each other’s role, if not, and without a strong judiciary, the supposed post-colonial dream will result in a political nightmare.

The rationale behind issue-based politics is to remind the ruling elites of their promise of “a better life for all” (ANC, 2011) as opposed to driving alternative visions for the country in the face of a democratic popular party. Issue-based politics also enables civil society organisations to be removed from the possible political challenges that might accompany an organisation organised along the lines of a political party. Therefore, this reminder would be characterised by a contradictory and complementary (SASCO, 2009: 13) relationship wherein which the organised and common interests of grassroots organisations are advanced. Therefore, and as has been earlier stated, “the dominant thrust of popular energies here remains an attempt to bring the political class under popular control rather than... doing away with it” (Pithouse, 2011). Part of democracy is about demarcating sovereign civil spaces and guarding them so that they can exist beyond the reach of the states hegemonic networks or

the liberation movement. The struggle waged by the Treatment Action Campaign (TAC) to force government to acknowledge the urgency of a mass roll out anti-retrovirals was part of the broader struggle for civil society in its entirety to guard the sovereignty of the civil sphere. Issue-based struggles carve out necessary and sovereign spaces in democracy to identify, and make responsible, those accountable. Mbembe argues that in the post-colonial context, if development is seen as a technical exercise instead of a political and ethical project, demobilising social movements, the post-colonial project will amount to a “*Zombification* wherein which the dominant and the dominated are left impotent” (in Ballard, 2005: 77). Consequently part of democratic consolidation is to protect sovereign spaces of, and for, emancipation.

Consciousness occurs when the spontaneity of the masses is developed and shaped in the course of struggle and, in the post-colony, this is the best sustained in the form of issue-based mobilisation. When Luxemburg argued that emancipatory activities can be sought in the spontaneity of the masses, it was not only to counter the extent of Lenin’s democratic centralism, but to point to an end in itself. In the end, ‘organised streets’ become democratic organs of self-organisation, not to counter the weight of the state, but to deepen spaces of mutual respect and genuine democratic engagement. In the context of a popular government, judging from its electoral strength, issue-based mobilisation sends enough signals to [civil] society of the limits of the state. However, this will not always be conducted in a free and open manner but will enable power brokers - parliament and the judiciary - in society not to be politically compromised. AbM’s constitutional court battle demonstrates the ability of the courts to remain independent and judge in a fair and non-prejudicial manner.

It is without a doubt that the judiciary will soon be embroiled in heavy political currents which might threaten its independence. Under these conditions, to secure the credibility of our democracy, the judiciary will inevitably have to continue playing their role of also demarcating those sovereign civil spaces. AbM may not always be able to directly influence the local state or the provincial state, for that matter, but the use of the courts, of solidarity networks with the Centre for Applied Legal Studies and other social formations, and of popular protest in the street, goes a long way in moving the state towards democratic practice. Taken in context, a large part of democratic practice is not only to secure the participation and influence of the popular majority within local decision-making processes, but is also to

force the state to acknowledge the role of grassroots organisation in combating the foundational power of the propertied class within the state. If the state continues to not acknowledge the role and 'sovereign spaces' of these organisations, then South Africa would enter a neo-colonial scenario where local post-apartheid elites turn against their own constituency. While Abahlali argues that they "are not fighting capitalism... we are not fighting Bush, the IMF is far away from us, our struggles are on the ground, they are local struggles." (Harris, 2006: 27), they are in actual reality shaking the foundations of capitalist structure and formation. Part of the ruling party's criticisms against grassroots organisations is because the state understands that it must manage the interests of the propertied against those of the poor. The problem is that in many cases, the propertied interests are also harboured by strata's within the party itself, which is the opening a cleavage through which neo-colonial politics enters the post-colony (Fanon in Nyong'o, 2002: 4). There are, therefore, only a few scenarios that the post-colonial dispensation offers to South Africa's grassroots organisations.

Once the strata that facilitates colonial interests within the party gains political hegemony over the party and society, a disconnect is created between the local post-colonial elites and their constituency (popular majority). Following on from Mbembe, the *familiarity* of the post-colonial dispensation will have been smashed. Grassroots organisations need to avoid this from happening because familiar ground can be managed and left concessions be won. Indeed, there is one scenario on offer here: to keep alive the anti-colonial struggle within the post-colony while contradicting the state when it exceeds its limits. Granted, settler colonialism exposes some limitations, but the unity in the post-colony, to avert neo-colonial entry, needs to be sustained. Neo-colonialism, according to Fanon, is when "nationalists take leave of their national identity and consciousness and become the conveyor belts for foreign interests and values" (Fanon in Nyong'o, 2002: 4). Coupled with a lack of ideological clarity, an untrained political elite and a frustration of post-independence failures, foreign interests are able to easily penetrate and undermine the project of restitution. While the political is intensely local, waged and defined by everyday struggles, national politics of unity and development are primarily about governance. Therefore, there is a need to coalesce around a common political programme.

5.6. Conclusion

Change will not be made possible if there is no common ideological strategy forged. Organised social and political power, especially those organised in societies characterised by South Africa's history and contemporary challenges, need not always contest state power to provide a democratic politics rooted in real and an equitable distribution of resources. The Polokwane project, though lacking in mass character, needs to be the glue that enjoins civil society and grassroots mobilisation in a democratic struggle. It is important that while courts and other legal avenues can serve as emancipatory spaces, they should be accompanied by a thorough search for mutual areas of respect and engagement. The Polokwane Project is one way of doing it. And these areas can only be found if the state, civil society, and more importantly, grassroots movements recognise each other's sovereign spaces in the democratisation of society. Also, a good way of securing such spaces is to find them through issue-based mobilisation because then the state acknowledges the right and authority of an organisation to speak on a particular issue. Disaggregating, and not decentralising, the state is arguably a good way of including as many political actors as possible in the process of democratisation. AbM demonstrates a capacity and a willingness to democratise the local state and move it towards its constitutional role as a developmental tier of the state.

Chapter 6: Conclusion

The aim of this thesis has been to assess the impact of grassroots movements on the institutional behaviour and character (objective and subjective factors) of local government in post-apartheid democracy. In a country with arguably the highest rate of popular protest in political society and with one of the most vibrant civil societies, the thesis has sought to search deep within or outside civil society to understand how these movements can overcome this impasse. It had set, as its objectives and goals, to explore whether social power, in the form of grassroots organisations, invariably needs to contest state power to provide a democratic politics rooted in real and equitable distribution of resources. Secondly, to see whether AbM and UPM can move the local state towards democratic practice or if this manoeuvring is essentially what contemporary circumstances has already made ready to be conceded. Lastly, the paper set itself out to investigate the liberal assumption that all civil society organisations contribute to deepening democracy.

The thesis has since weighed the institutional (legislative framework) power accorded to local governments, more particularly the local municipality of Makana in Grahamstown and the Metropolitan municipality of eThekweni, against the vision envisaged by the constitution with regard to public participation. The irony in the federalist features of the state is that while the constitution recognises local government as a sphere of government in its own right, the developmental role of local government is partly symbolic, thus owing to the states strong central features. As a corollary of the aforementioned, the paper has described the political opportunities (its limitations and enablement's) available to grassroots organizations in deepening democracy in post-colonial South Africa. In doing so, the paper has reflected on the *roaring 80's* grassroots (civil society) strategies to draw attention to their limits during the transition. Therefore not only are there apparent ideational limits to the strategies of post-colonial grassroots organizations, but because South African capital is pegged to global capital (as it also importantly relates to the ruling ideas), there are also contemporary limitations imposed on grassroots strategies that stand a chance of making those symbolic gestures more tangible.

To understand this enquiry, there are a few qualifications to take into account which have been engendered by the conceptual models the paper has made use of to articulate the political and social juncture characterising South Africa's democracy. The paper has made use of Miliband's theory of the state which argues that there exists a dialectical relationship between the state and the system (capitalism), and because of that, the ruling ideas are hegemonic. However, the paper argues that owing to the ideological (historical) and continuing poverty of the black majority, there are fissures between the capitalist class, whose capital is pegged to global capital, and the political elites. This ideational cleavage is the political opportunity that enables grassroots organizations to complement, where possible, the political elite because, indeed, ideological power rooted in wealth and force overwhelm oppositional politics. On the other hand, the drifting away of the struggle credentials, principles and objectives of the political elites presents grassroots organization with the ability and capacity to contradict the ruling party. Against this background, the thesis has argued that issue-based mobilisation, and not a proliferation of political parties, is best able to secure sovereign civil spaces that can advance an emancipatory project. Organisations within political society, though constitutive of civil society, have the capacity to make favourable the ideological orientation of civil society. The strength of issue-based mobilisation rests on the fact that different localities share common struggles, no doubt some more than others. "People of the South demand a global system based on the concept of multiple centres of power that can be supported by local powers and local communities" (Nabudere, 2007). Also, it avoids the status of a civil society organisation being cast as a pariah among the political elites while managing to secure its organisational autonomy. In this way, because circumstances do not just present themselves, but are fought over, democratic credentials are achieved. Therefore while decentralisation may provide an opportunity for entrenching and deepening democracy, like providing local government with stronger institutional powers therefore making public participation more meaningful, in South Africa, it could possibly maintain the apartheid racial and economic spatial designs.

A tension in South Africa's form of governance is the practice of representative democracy viewed at against popular participation. South Africa has a local governance system that "complements formal representative government with a system of participatory governance" (MSA, 2000: 19). This system, in the context of the ruling party's dominance over the state and political life, tilts the balance of power towards the political elites and results in a strong

relationship between the ruling party and their elected officials while the relationship between the elected officials and popular mobilisation is weakened. It also crowds out, as evidenced by Kota's submission on community forums, open and genuine dialogue among community stakeholders. Representative democracy, as much as it makes discernible strides in overcoming a racially and ethnically divided society, and buttresses the centralist features of the state, has come at the expense of strengthening the relationship between popular mobilisation and elected officials. Compounded with the tide of poverty, feelings of entitlement and the dominance of the party over political life, the state has become more responsive to the political subjectivities of the ruling party and its membership, more especially at the level of the local state where patronage and factional infighting is rife. Any emancipatory project capable of rolling back the balance of power towards progressive popular organisation must be able to overcome the limitations accompanying party-based representative democracy.

It would be better to pursue a vibrant civil society, with all its contradictions, closely linked to popular politics, rather than pursuing democratic decentralisation as the nation building project is developed. Although local government is institutionally disfigured and lacks financial powers, post-apartheid South Africa's inheritance of a deeply divided society has made the nation building project require a strong central state to steer a unified vision. The limitations at the local state, however, must be overcome by a resilient, active and unified civil society which counteracts the authoritarian features of a strong central state. While Neocosmos has argued that an emancipatory project can only be exercised outside, or by the borders of, civil society because civil society derives its legitimacy from the state's political subjectivity, following on from Shivji, a rejoinder to this argument is that civil society is the "soil from which is embedded state power" (2002: 7). What this contextually translates to here is that active engagement in civil society is an indication of political strength and a foreshadowing of state power. However, the thesis adapts the use of the concept of 'state power' to mean the ability to convert the state into an organ completely subordinated to society (Marx in Miliband, 1983: 21) because the state, regardless of the organisational force occupying it, has features within it that will always be in existence. It becomes crucial, therefore, that in conceptualising and participating in civil society, progressive organisations, as not all mobilisations contribute to a deepening of democracy, are not artificially divided, which Neocosmos attempts to do. The division of within and outside civil society becomes

artificial and is not mindful of the *familiarity* acknowledged by Mbembe in the post-colony. This owes simply to the reality that hegemony cannot be exercised outside of this stratum because civil society continues to be an ideologically contested space. Therefore, that space cannot be given over to the state uncontested. Although grassroots organizations are more embedded among the poor, there's a need for them to avoid viewing spaces outside civil society as progressively better than those within civil society.

The argument is not one that seeks to suggest that location determines one's impact in civil society and the state. A social movement can exist at the periphery or outside of civil society but still make a qualitatively bigger impact on the state than an organisation within civil society. The paper argues that civil society is an ideologically-laden space, where ideas are born, struggled for and consolidated. It is a fluid state of affairs such that while ruling ideas are being consolidated, opposing ideas are being struggled for while many others are being born. This all happens concurrently, and to give up this space is to remove oneself from the political conversation. Furthermore, removing organisations outside the sphere of civil society means consigning them into a constant state of opposition towards the post-apartheid state - something which may, again, lend them to the accusation of reactionaries. And since the local is the ground upon which ideas are experienced, exchanged, challenged, distributed and born, the local is intensely political, necessitating a need for social movements to engage the local state on issues relevant to their ward. Local issues therefore have a propensity to reverberate nationally, and this is why, perhaps, social movements carry with them serious emancipatory potential because they organise the anger of the oppressed while NGOs and other formally organised civil society organisation mediate them. Neocosmos articulates a politics outside the state-society nexus and refers to AbM as existing outside civil society beyond political society's influence. On the other hand, though, there's a need to mount an ideological battle (war of position). Taking a look at the history of the UDF and how it exercised its emancipatory praxis, there's an unfolding revelation that ideas are born out of events and it is those events that will forge, in those separate, issue-based struggles, a common ideological framework.

The thesis has, throughout, maintained that events play an important role in the deepening of the political outlook of political and civil society actors. In this regard, Badiou maintains "that the real characteristic of the political event and the truth procedure that it sets off is that

a political event fixes the errancy and assigns a measure to the superpower of the state” (2005: 145). Political events either demonstrate a link between theory and practice or they expose the hidden disconnect between the truth from a lie, demanding fidelity to the truth of that event. In this manner, sovereign civil spaces are appropriated, maintained and defended against state power encroachment. The paper argues that social movements need to separately engage the post-colonial state on an issue-basis as opposed to engaging the entire ideological project of the ruling party. This is not simply about dislodging the hegemony of the state, but rather about drawing lines between which and what roles one takes in democratic development. Issue-based mobilisation is partly because of the *familiarity* that Mbembe talks about of there being a close relationship between the political elites and the ordinary citizens, making political dissent appear to be a foreign, and worse, a neo-colonial project. This especially makes it intricate when the oppressed must learn to live with the oppressor, more so when the oppressed continue to benefit from the spoils of apartheid. The new “nomos”, (Schmitt in Farred, 2004: 590) as it were, came with its own order, including and excluding elements of the past because the post-apartheid moment, aware of its failure to the South African people, “emerges not from what is absent, but from how the present is overburdened by the incursion of the past”. Farred argues that the democratic dispensation (and transition) bears fractures because of its failure to the South African people, but failures largely resulting from the old guard maintaining power in the new dispensation through a combination of mutually agreed arrangements with the liberation movement.

Using Mills' conceptual lenses, the paper argues that the incursion of the past is, in the main, made possible because the transition is characterised by a setup which establishes white hegemony over the non-white population. It is against this background that issue-based mobilisation as opposed to political party formation is a better mode of navigating through the nomos of the post-colonial society. Following on from Steytler, South Africa's multiparty system therefore poses a challenge to South Africa's constitutional democracy (2005: 24). Though Steytler broadly argues that the challenge emanating from the coalition government in the KZN province between the ruling ANC and IFP suggests that there is no liberal democratic political culture to sustain a multiparty system (Ibid), the thesis further goes on to argue that at the moment no political party can weaken the ideological and psychological legitimacy the ruling ANC currently enjoys among the electorate. It is therefore important to build a liberal democratic culture to find common areas of respect and engagement, and one's

which UPM and AbM can hold genuine conversations with their representatives. This simply owes itself to the reality that the ruling party was once a national liberation movement. The paper argues that the transition from a liberation movement to a political party is also accompanied by an active citizenry assigning a measure to the power of the state. In this way, discernible lines are drawn between the role of civil society and that of the state. Democracy, in the final analysis, rests less on the form of government, and more on the participation of organised people in public life. Though South Africa's institutional framework around local government presents both limitations and opportunities, constitutionally recognised pursuits of a democratic developmental local government will largely be won over by 'organised streets'.

Both UPM and AbM carry the same limitations the paper outlines as political outlooks to be avoided: 1) while the former clearly organise against unemployment and the latter against shack dwelling, both appear to make use of their platforms to wage political struggles against the state. There is no doubt that unemployment is an inherently political issue that can be challenged on a political front, but when UPM argues that "communist democracy is popular democracy" (Kota, 2011), signalling a left formation, it places them in direct competition against the SACP and the ANC for political space. Again, while AbM has only been demanding a better way of doing away with slums, and political as the issue is, the creation of a "new kind of communism" (Zikode, 2011) is indicative of a centre-left project. The problem with this struggle, as has been made clear from the collapse of the UDF under the weight of a national political authority, is that it's not about the state over society or society over the state, but is about how one relates to power that can bring a long term strategic solution. "Getting rid of certain forms of domination without putting any new forms of domination in their place" (Pettit, 1996: 14) must be borne in mind as local political struggles are thrashed out. Nevertheless, as this is borne in mind, circumstantial variables must be considered while strategic retreats are kept in mind.

As 'organised streets', buttressed by political education, direct their strategies on this course, forging a common ideological position, it is important that both UPM and AbM bear in mind the centrality of their commonality; and that is the locality of their politics. Although civil society movements have expressed ambivalence towards the Polokwane project and/or its representation, a nation-wide political programme is needed to sustain the project of moving

the state towards a pro-poor outlook. Popular people's assemblies need to organise alongside legal and economic institutions to add political weight to their interests. Instead of a focus on judicial battles against the state, grassroots organisations need to also build and strengthen mobilisations outside of state structures that run parallel to them. However, there is a need to guard against unconsciously serving neo-colonial interests. Also, once parallel structures have been organised and have some permanency in the community, there is a need to guard them away from the influences of the already mobilised state and its politics of submission and authority. The post-colonial (apartheid) state, with its anti-imperialist outlook, can only be strengthened by the self-organised masses of its people.

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