



Synthesis Report:

PROBLEMATISING CIVIL SOCIETY: ON WHAT TERRAIN DOES XENOPHOBIA FLOURISH?

by Patrick Bond, Mary Galvin, Mazibuko Jara and Trevor Ngwane

The
ATLANTIC
Philanthropies

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Introduction to the notion of civil society

Is there a need to reconceptualise civil society organisations (CSOs) given the fragmented, uneven, varied and sometimes contradictory responses of CSOs to the May 2008 violence? The typical catch-all definition of civil society is that it is the space between the state, the market and the family. It includes groups that came together to incite xenophobic impulses and act on them, groups that assisted their victims, and groups that take wider positions to challenge the structural conditions that fed the attacks. Asks Gordon White, 'Surely a concept with this degree of elusiveness should be sent back to its coffin in the great church of political theory?'¹ Michael Edwards agrees: 'An idea that means everything probably signifies nothing... A glance through civil society literature would leave most people rapidly and thoroughly confused.'² Are we justified in jettisoning 'civil society' as a defining concept, given that it is a container with such different kinds of organisations? Or instead, do we need more nuanced typologies to work through complex CSO divisions?

While highlighting the socio-economic context in which people find themselves, we believe **CSOs do indeed present an appropriate lens through which to view xenophobia**, and to understand how to act against it.

¹ Gordon White (2004), 'Civil Society, Democratization and Development: Clearing the Analytical Ground in Civil Society in Democratization', in P. Burnell and P. Calvert (eds), Frank Cass, London.

² Michael Edwards (2009), *Civil Society*, Polity Press, Cambridge.

But we must begin with the way civil society is treated in the most relevant social theory, and relate this theory to international trends and new civil society typologies, as well as to changes in urban and regional/continental political economy associated with structural adjustment and social grievances (1.2). Of special importance is the tension in analysis between CSOs that support the *status quo*, and those that oppose prevailing power relations, often on socio-economic grounds. That literature applied to South Africa permits us to raise critical questions about the nature of 'civil' and 'uncivil' society, and their impact on socio-political and economic challenges such as xenophobia. At that point we can more insightfully enter South African civil society, including the intense social protests in communities which are increasingly associated with attacks on immigrants (1.3). In Johannesburg, Cape Town and Durban, as well as some smaller cities that have witnessed 'service delivery protests', we find a conjuncture linking rising social anger about structural conditions to ongoing attacks on immigrants, especially in small-scale township shops and retail outlets. One reason, we conclude, is the failure of CSOs to adopt a broader vision of society, and of potential solutions that can be found in the sphere of collective action. Without strong analysis and an inspired vision, CSOs will continue to play the ambivalent role in relation to xenophobia that we have observed to date.

Social theory, international trends and the changing urban/regional context

Social theory and political economy

Innovations in social theory encompassing civil society include an awareness of interrelationships and networks, and a growing sophistication in typologies of civil society. These are both important as we address whether a 'networked society' can cope with stress associated with amplified global capital and labour flows, especially in the acutely unequal Southern African region.

Our premise is that **civil society fits into various organisational forms that have high levels of networkability and flexibility**, yet that face structural forces of both an inclusive and exclusive nature.

On different occasions, in other words, civil society can be a force that turns grievances into progressive social change, or alternatively that generates reactionary politics. There are ideal-type theories of social organisation which can assist us in understanding how xenophobic collective action can rise, and likewise can be fought.

Within his notion of a 'network society', for example, Manuel Castells describes civil society organisations as a field of 'decentralised concentration where a multiplicity of interconnected tasks take place in different sites'.³ Also seeking an ideal-type, Michael Hardt and Antonio Negri insist that

³ Cited in Helmut Anheier and Hagai Katz (2004), 'Network Approaches to Global Civil Society,' in Helmut Anheier, Marlies Glasius, Mary Kaldor (Eds), *Global Civil Society 2004/05*, London, Sage, pp.207-08.

their category 'the *multitude*' (as distinct from the 'masses') might 'be conceived as a network: an open expansive network in which all differences can be expressed freely and equally, a network that provides the means of encounter so that we can work and live in common'. Under optimal conditions, the network form provides 'the model for an absolutely democratic organisation that corresponds to the dominant forms of economic and social production, and is also the most powerful weapon against the ruling power structure.'⁴

While there are certainly organisations and movements that work against dominant socio-economic systems, as described by Hardt and Negri, there are many more that work to strengthen existing relationships. This contradiction between the oppositional and *status quo* role of civil society is highlighted in the work of early 20th century theorists Antonio Gramsci and Karl Polanyi. As reformulated by Michael Burawoy, civil society is either an active, countervailing force against excesses especially associated with economic oppression, as the Hungarian Polanyi argued in *The Great Transformation* (1944), or, in contrast, a sturdy bulwark supporting conventional wisdom and existing power relations, as the Italian political theorist and activist Antonio Gramsci insisted in his *Prison Notebooks* (1930s). Part of Gramsci's analysis of hegemony depicted social organisations serving as state proxies that ultimately protect and extend the very property relations that are at the heart of social conflict. This dichotomous reading of civil society - as a stabilising, conservative force (Gramsci), or instead as a 'new social movement' challenge to market excesses (Polanyi) - returns in contemporary times, and assists us in working through South African and regional responses to xenophobia.

Inserting a "supremist category", David Sogge updates this dichotomous reading. He divides civil society organisations into three categories according to their normative values or ideology: "emancipatory", or Polanyi's challenge to market excesses, referred to later in this chapter as social change CSOs; "self regarding or inward looking", or Gramsci's *status quo* groups, referred to later in this chapter as "technical" CSOs; and supremacist:

- *An emancipatory camp.* A diverse category populated by those pursuing aims consistent with covenants of social, economic, cultural and civil rights. Having been vigorously discouraged for decades by outside powers and their local clients, it is a minority, often a besieged minority.
- *The self-regarding or inward-looking.* The bulk of voluntary associations and nonprofits may best be categorised as instrumental, as vehicles for service delivery, political self-advancement, etc., or merely inward-looking, as with the most religious and cultural associations, clubs providing services to members and so forth.
- *A supremacist category.* Also in a minority, these groups routinely pursue domination over others, denying or subverting emancipatory aims, as agents of economic or violent crime, promoters of xenophobia, ethnic hatred, denial of rights to women and girls, etc. However, in some settings they can be well-positioned and enjoy the protection or outright support of those holding state and corporate power.⁵

⁴ Michael Hardt and Antonio Negri (2004), *Multitude*, New York, Penguin, pp.xii, xiii, 88, 135.

⁵ David Sogge (2004), 'Civil Domains in African Settings: Some Issues,' Discussion paper prepared for the Hivos Africa Consultation, Arusha, 7 June. He draws chiefly on Jude Howell and Jenny Pearce (2001), *Civil Society and Development - A Critical Exploration*, London, Lynne Rienner.

Yet it is clear that there is constant movement, definition and redefinition, in the normative values of CSOs. Instead of fitting within any clear dichotomy, they shift and move along a continuum, as discussed in the following section. Tracking individual organisation's movement, or more powerfully, CSO overall shifts along this continuum within national and local contexts, is critical to understanding their position and role engaging with challenges such as xenophobia.

Indeed, the positioning and work of many CSOs together are contributing to the gradual development of a counter hegemonic ideology to engage in Gramsci's "war of position". During the 1930s, while in prison, Gramsci analysed the rise of fascism and the failure of liberatory political movements in Italy and other Western societies. He explained, capitalist hegemony depended upon not merely repression, but also consent via social institutions:

When the State trembled, a sturdy structure of civil society was at once revealed. The State was only the outer ditch, behind which there stood a powerful system of fortresses and earthworks... The massive structures of modern democracies, both as State organisations, and as complexes of associations in civil society, constitute for the art of politics as it were the 'trenches' and the permanent fortifications of the front in the war of position...⁶

Burawoy interprets: 'Civil society smothers any attempt to seize state power directly, so that revolutionary activity involves the slow, patient work of reorganising associations, trade unions, parties, schools, legal system, and so forth' - i.e., Gramsci's 'war of position', in contrast to a more insurrectionary 'war of movement'. Polanyi's most powerful idea, meanwhile, was probably that of 'a double movement' in which 'the extension of the market organisation in respect to genuine commodities was accompanied by its restriction', as society periodically resisted excessive commodification, today increasingly invoking the idea of 'rights' as an antidote to market disempowerment.⁷ While there are all manner of problems with 'rights discourses',⁸ they do parallel the kinds of reactions to rampant market penetration now underway across the world, in the sphere of 'reproduction' of the broader social system, since civil society organisations are expected to stand in when neoliberal policies shrink the state. In such situations, according to Isabella Bakker and Stephen Gill,

Reprivatisation of social reproduction involves at least four shifts that relate to the household, the state and social institutions, and finally the basic mechanisms of livelihood, particularly in poorer countries:

- › household and caring activities are increasingly provided through the market and are thus exposed to the movement of money;
- › societies seem to become redefined as collections of individuals (or at best collections of families), particularly when the state retreats from universal social protection;

⁶ Antonio Gramsci (1971), *Selections from the Prison Notebooks*, New York: International Publishers, pp.238,243.

⁷ Karl Polanyi (1957), *The Great Transformation: The Political and Economic Origins of Our Time*, Boston, Beacon, p.76.

⁸ For example, see Mark Tushnet (1984), 'An Essay on Rights,' *Texas Law Review* 62.

- › accumulation patterns premised on connected control over wider areas of social life and thus the provisions for social reproduction; and
- › survival and livelihood. For example, a large proportion of the world's population has no effective health insurance or even basic care.⁹

The state remains the primary agency through which social welfare is delivered, through government's command over significant fiscal resources, but because government control over policy is increasingly challenged by international financial and trade agencies, multinational corporations, and foreign donor governments, a great many social welfare functions have devolved to households and communities, with some NGOs reproducing the ideology of neoliberalism so as to maintain their own relevance. In reaction, especially since the 1980s, the world has witnessed social movements rising to contest public policy. Some do so in sectoral terms, on matters of housing, water, energy, healthcare, education and numerous other areas of reproduction. Others have emerged geographically, as Franz Schuurman reports, as 'social organisations with a territorially-based identity, striving for emancipation via collective action.'¹⁰

At this stage it is important to distinguish immediately between 'organisations' - particularly those that emerge in the implementation of formal social policies (such as welfare agencies or implementation-oriented NGOs) or in the reproduction of daily life (mutual aid groupings) - and *movements*. The latter are both protest-oriented and utopian, in the sense of attempting to construct the community of a future society in the decay of the old, in the manner posited in the classic studies by Castells and by Andre Gunder Frank and Maria Fuentes.¹¹ But these tend toward the ideal types or the extremes, grounding the continuum that, as explained in more detail below, permits us to understand changes in position of civil society organisations as new financial, political, ideological and other pressures come to prevail.

International trends

From the 1980s, NGOs received growing attention as organizations with potential to salvage the 'Development Project'. Fowler¹² lists sixteen advantages of NGOs including the perception that NGOs have strong relationships at the grassroots level, giving them greater legitimacy to engage in development.¹³ Proponents also argue that their small scale allows them to control costs and promote efficiency. As a result of their comparative advantages, the NGO sector boomed and there was a great increase in the number of NGOs as well as in their budgets and visibility. Hulme and Edwards

⁹ Isabella Bakker and Stephen Gill (2003), 'Ontology, Method and Hypotheses,' in I. Bakker and S. Gill (Eds), *Power, Production and Social Reproduction*, Basingstoke, Palgrave Macmillan, p.36.

¹⁰ Schuurman, F. (1989), 'Urban Social Movements: Between Regressive Utopia and Socialist Panacea,' in F. Schuurman and T. van Naerssen (Eds), *Urban Social Movements in the Third World*, London: Routledge, p.9.

¹¹ Manuel Castells (1983), *The City and the Grassroots*, Berkeley, University of California Press; Frank, A.G. and M. Fuentes (1990), 'Civil Democracy: Social Movements in Recent World History,' in S. Amin, G. Arrighi, A.G. Frank and I. Wallerstein, *Transforming the Revolution: Social Movements and the World-System*, New York, Monthly Review.

¹² Alan Fowler (1992), 'Distant Obligations: Speculations on NGO Funding and the Global Market.' *Review of African Political Economy*.

¹³ Michael Edwards and David Hulme (1995), *Non-Governmental Organisations-Performance and Accountability- Beyond the Magic Bullet*, Earthscan, London, p. 40.

suggest that Southern NGOs followed in the footsteps of Northern NGOs, which nearly doubled in number from 1980 to 1993 and whose budgets had risen to \$5.7 billion in current prices.¹⁴ It can be expected that this trajectory continued since.

Since the 1990s, analysts have increasingly argued, with more or less vigour, that the virtues of NGOs were exaggerated. These analyses served as an important corrective to the earlier literature. However they failed to acknowledge that some of the virtues of NGOs were eroded from the time they began to be trumpeted as a ‘magic bullet’. Analysts generally ignored how shifts in the political and economic environment have helped change the nature of NGOs, diminishing their comparative advantage. In short, these shifts to market dominance not only affected developing countries at the governmental policy level, but also affected civil society organisations.

Over the past decades, developing countries have become highly dependent on aid due to worsening economic divisions between North and South and rapidly escalating levels of debt. In many cases, their precarious economic position essentially forced governments to adopt neoliberal economic policies advocated by international financial institutions (IFIs). Proponents of neoliberalism expect the opening up of the economies of developing countries to provide the answer to social ills, removing the need for the state to intervene in social welfare or development issues. Where development interventions are considered necessary, IFIs and donors have supported the strengthening of civil society organizations so that they can replace the state in the delivery of development services. This logic has even affected the approach of the more ‘alternative’ or progressive donors that have not consciously embraced it. As a result, civil society organisations, specifically development NGOs, have faced pressure to take on roles that previously belonged to the state and to adopt a more efficient approach consistent with the private sector.¹⁵ In the process, the nature of civil society has become increasingly technical, and this compels a more detailed categorisation of different typologies.

Today, the significant diversity amongst civil society organisations, their roles, origins and variety of country contexts, and an increasing variety of hybrid organizations leads many authors to conclude that it is not possible to characterize the sector due to its diversity.

Analytically **this leaves us ill equipped to grapple with civil society**, short of concluding that they are complex.

We are either left to conclude that all CSOs operate in the same fashion or that each needs to be examined on its own. A classification of CSOs is necessary in order to analyze the impact of the sector systematically.

Organizational classifications could be based on one of three dimensions: material base, organizational expression, or ideology and guiding values.¹⁶ Existing classifications tend to be based

¹⁴ David Hulme and Michael Edwards (1997), *NGOs, States and Donors*, Macmillan Press, p.4.

¹⁵ Ibid.

¹⁶ Andrew Clayton (ed) (1996), *NGOs, Civil Society and the State: Building Democracy in Transitional Societies*, INTRAC, Oxford, p.15.

on organizational expression. NGOs are classified according to their scope or size; whether their function is advocacy, development or relief; or whether they are run by their members or by a group of professionals. Other classifications are based on an organization's material base: whether it is a northern or southern NGO, whether it depends on volunteers, or what type of funding it receives. While these are important differences, such classifications sometimes fail to differentiate between what role NGOs play and how well they play it. Differences of management, structure, or stage of organizational development are relevant to considering how well CSOs meet their aims. However they fail to address the role played by organizations.

Classifications based on organizational approach come closest to addressing the role played by organizations. However, they tell us more about the development era in which they were formulated and the approach then seen as critical, than about organizations themselves. Their utility has been diminished by the fact that many organizations have adopted similar 'best practice' approaches. For example, references to participation are becoming meaningless as all CSOs claim to embrace such approaches.¹⁷

The third dimension of ideology helps explain why some NGOs became technical organizations and others maintained a focus on social change. All organizations may have shifted in response to the global context and in response to donors, yet they have maintained important differences due to their ideological bases. The term 'ideology' is used in radically different ways depending on one's academic orientation. Gramsci uses ideology to describe the terrain of the wider political struggle for hegemony. However his theoretical approach is applicable in the context of development. Development is, of course, a cornerstone of politics in the developing world. Put simply, the development ideology of modernization and neoliberalism is presently hegemonic, yet is challenged by the counter-ideology of alternative, grassroots development. One sign of the struggle for hegemony in the development realm is how proponents of this counter-ideology are infuriated by the World Bank's absorption of NGOs into its work¹⁸ and its appropriation of concepts such as participation and social capital.¹⁹ The ideology of modernization and technicism, as characterized by James Scott²⁰ in *Seeing Like a State*, has maintained its hegemony to such an extent that critics such as Arturo Escobar often equate development itself with this ideology, or treat the two as inseparable. This has been compounded by the fact that most of the development literature is program-oriented, treating ideology as a given rather than openly examining or even acknowledging it. Over the past decades this ideology has been adopted by proponents of neoliberalism, giving it a new source of power and, as discussed in the previous section, infusing most organizations to some degree.

A competing grassroots ideology of development has been developed and adopted by activists, a segment of the international NGO development community, and many local CSOs. It developed out of the 'alternative development' approach of the 1970s, which emphasizes participation and empowerment.

¹⁷ David Hulme and Michael Edwards (1997), *Op cit.*, p.10.

¹⁸ Carmen Malena (2000), "Beneficiaries, Mercenaries, Missionaries and Revolutionaries: 'Unpacking' NGO Involvement in World Bank-Financed Projects", *IDS Bulletin*.

¹⁹ *Ibid.*

²⁰ James Scott (1999), *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, Yale University Press, New Haven.

More recently, development gurus like Robert Chambers have essentially advocated a new ideology of development that emphasizes participation as an end in itself and the significance of recipients driving the process.²¹

In *Democracy and Development in Latin America*, Lehmann²² describes how this ideology, which he terms ‘bassimo’ from the word ‘base’, interacts with the ideology of modernization.

Although it is not referred to directly, the development literature acknowledges ideology as a significant feature of organizations in two ways. First, literature has focused on organizational values and organizational culture, asking what makes CSOs distinctive and what they share with the private sector.²³ Ideology is essentially the way that organizations express their values and culture through activities or practice. Second, the differences between Northern and Southern NGOs have been the focus of many analyses. However the geographical location of differences in values and cultures is misleading. As the geographical location of these characteristics has faded, we have essentially been left with two ideologies. The international development literature has produced classifications that include organisations whose nature is either ‘grassroots-social change’ or ‘technical-private sector’. CBOs can be accommodated in existing classifications as grassroots organisations. This has been captured in a powerful way recently by Sogge, who contrasts the ‘mainstream lineage’ with the Polanyian ‘alternative lineage’ of divergent civil society organisations:

Typologies of civil society - Sogge

	Mainstream lineage	Alternative lineage
Membership of civil society	Local and intermediary NGOs, anti-government media, nonprofit service bodies such as missions, charities, professional and business associations	Social movements, non-establishment political parties, trade unions, activist community-based organisations, knowledge-based NGOs, independent media
Main problems for civil society to tackle	Imperatives of markets, competition and modern life break natural social bonds. Tensions increase, threatening political instability. Lack of trustful relations in society sets limits to exchange and to security of private property – thus setting limits to economic growth. The state ‘crowds out’ private economic actors. Bad governance stems from oversized state apparatuses and from behaviour of government elites.	Domination by national and foreign state and private actors (often in collusion) generates socio-economic exclusion and insecurity. These set limits to equitable development and growth, weaken tax-based redistributive measures, frustrate democratic politics and generate dangerous social polarisation. Bad governance is a cumulative outcome of national and global politico-economic and military forces.

²¹ Robert Chambers has produced an extraordinary body of work, which can be accessed through the Institute for Development Studies. One early example is *Rural Development- Putting the Last First* (1993).

²² David Lehmann (1990), *Democracy and Development in Latin America*, Temple University Press.

²³ Jenny Pearce (2000), ‘Development, NGOs, and Civil Society: The Debate and its Future’ in *Selected Essays from Development in Practice*, Oxfam, Oxford.

Wider roles of civil society	Civil society fosters bonds of trust, thus lowers business transaction costs and widens market relations. It compensates for loss of traditional social bonds, strengthening social consensus and consent to rules, thus helping prevent conflict.	Civil society promotes the ethic and practice of solidarity and emancipation, animating and inspiring action toward state and toward private business interests. (Nonviolent) conflict seen as a necessary motor of social change.
Organisations' positioning and tasks	Organisations together form a 'third sector' complementing the state and business sectors, though they are separate from the state in political terms. Via 'advocacy and lobbying' they hold the government to account. They promote decentralisation and reduction of central state powers. Via public-private 'partnerships' some NGOs provide social services, conflict mediation &c. as alternatives to state providers.	Organisations distinct from state and from business interests. Social movements may however crystallize into parties contesting for state power. Otherwise, primary tasks are to aggregate countervailing power through mobilising and forging alliances among groups of the poor and excluded via routine and non-routine political, judicial and media channels.
Level and scope	Mainly local and national	Local, national and international
Political premises	Approach is premised on notions of 'weak publics' where opinions are formed but no active political leverage is pursued.	Approach premised on notions of 'strong publics' where opinions develop and political leverage actively pursued.
Contemporary origins and backing	Approach associated with family of ideas centred on 'community', 'social capital' and 'trust' promoted chiefly by US academics and large research projects based at US universities. Major financial and intellectual backing since around 1990 from the World Bank & USAID.	Approach associated with activist movements of 1970s and 1980s confronting authoritarian, often western-backed regimes. Latin American, anti-colonial and some European intellectuals.

There appears to be a consensus in the literature, allowing for different terminology. The chart below outlines classifications of four other authors. Friedman, in reference to Villegas' classification, distinguishes between popular organizations, politically progressive NGOs, professionally oriented NGOs, and parastatal NGOs.²⁴ These relate well to the types of organizations referred to above. Similarly, Clark's typology refers to Advocacy Groups and Networks, Grassroots Development Organizations, and Popular Development Agencies, which would all fall on the Grassroots Organizations-Social Change end of the continuum. His remaining organizations, public service contractors, technical innovation organizations and relief and welfare agencies, belong alongside the technical-private sector and state organizations end of the continuum.²⁵ Korten's typology is straightforward, ranging from people's organizations to governmental NGOs.²⁶ Yet the requirement that voluntary

²⁴ John Friedmann (1992), *Empowerment: The politics of Alternative Development*, Blackwell Publishers, Oxford.

²⁵ John Clark (1991), *Democratizing Development: The Role of Voluntary Organizations*, Earthscan, London.

²⁶ David Korten (1987), "Third Generation NGO Strategies: A Key to People-Centred Development." *World Development*, Supplement, p.145-159.

organizations depend on voluntarism pushes many different NGOs into the public service contractor type by default. Finally Smillie refers to stages through which organizations move back and forth.²⁷

Ways of categorising civil society – Villegas, Clark, Korten, Smillie

Author	Grassroots-Social Change	Technical-Private sector or state
Villegas	Popular organizations, politically progressive NGOs	Professionally oriented NGOs, parastatal NGOs.
Clark	Advocacy groups and networks, grassroots development organizations, popular development agencies	Public service contractors, technical innovation organizations, and relief and welfare agencies
Korten	People’s organizations, voluntary organizations	Public service contractors, governmental NGOs (GONGOs)
Smillie	Community based voluntarism, institutionalisation	Professionalisation, welfare state

What is the basis for classifying organisations as ‘grassroots-social change’ or ‘technical-private sector’? Classification depends largely on the attributes one deems to be important. Although the development literature treats ideology as a significant aspect of organizations, it has not been developed into an organizational classification. Yet an important basis of difference amongst civil society groups is often ideology, or the dominant values, norms, or orientation within an organization.²⁸ In terms of ideology, the typical range of groups can be classified as social change or technical according to the following characteristics:

Ideologies as characteristics

<i>Grassroots/ CBOs</i>	<i>Social Change</i>	<i>Technical outputs</i>
Based in the community	People-centered or driven, bottom up Internal aim of democratic practice	Top down with participation Internal Hierarchy
Community need as end	End as social transformation Empowerment	Process as a means to achieve end, product as end Delivery
Relatively ad hoc	Learning organization, shifting strategies	Blueprint

²⁷ Ian Smillie (1995), *The Alms Bazaar: Altruism Under Fire- Non Profit Organisation and International Development*, Intermediate Technology Publications, London.

²⁸ This refers to the ‘dominant’ ideology, recognising that there are ongoing power struggles within organizations over ideology, as discussed in the organizational theory literature.

CSOs' motivation may differ depending on their location along the continuum. Technical CSOs may help extend the reach of the state's service delivery, which Kotze refers to as the 'efficiency argument', and advocacy CSOs may 'organise against the human fallout of neoliberal policies'.³² Kotze's apparent third option is that communities have formed CBOs or community movements to help them survive in response to desperate economic circumstances and the neglect of the state, or to undertake local political action. This may also serve as the basis for involvement in social movements.

More generally, David Harvey argues,

Eschewing traditional forms of labour organization, such as unions, political parties, and even the pursuit of state power (now seen as hopelessly compromised), these oppositional movements looked to their own autonomous forms of social organization, even setting up their own unofficial territorial logics of power (as did the Zapatistas), oriented to improving their lot or defending themselves against a predatory capitalism. A burgeoning movement of non-governmental organizations (some of them sponsored by governments) sought to control these social movements and orient them towards particular channels, some of which were revolutionary but others of which were about accommodation to the neoliberal regime of power. But the result was a ferment of local, dispersed, and highly differentiated social movements battling either to confront or to hold off the neoliberal practices of imperialism orchestrated by finance capital and neoliberal states.³³

In sum, across the world it appears that some social and political aspects of neoliberalism are being transmitted from donor to NGO and from NGO to the grassroots level.³⁴ There are no straightforward mechanisms that explain how this has occurred. Shifts in legitimacy, advances in technology as well as in control over resources have played a role in transmission. Perhaps the most straightforward mechanism, and one that is particularly relevant to the NGO sector, relates to control over resources. As NGOs have grown in number and size, so has their dependency on official funds.³⁵ This creates all manner of problems, especially within and between these organisations, according to Alan Fowler:

Troubling questions for many Non-Governmental Development Organisations (NGDOs), particularly in the South, relate to their place in society. Do they belong and will they be sustained within an eventually

³² .Hermien Kotze, 'Responding to the Growing Socio-Economic Crisis? A Review of Civil Society in South Africa', *Development Update*, pp. 1-32.

³³ .David Harvey (2008), p.189.

³⁴ . NGOs' 'transmitting' these aspects does not imply passing these aspects down unchanged since transmission also depends on the reception on the receiving side. Petras and Hearn discuss the potentially subversive role played by NGOs.

³⁵ .David Hulme and Michael Edwards (1997) and Ian Smillie (1995), Op cit.

unaided civic institutional ecology? And do other CSOs – either already around or emerging - offer more viable institutional forms allied to a development potential? Tentative indicators suggest that the answers to these two questions may, respectively, be no and yes...

It can be argued that aid has permitted, if not caused, a continued separation of NGOs from the mainstream of civil society in the North and South. Despite concerns for sustainability, there has not been adequate investment in the social and economic rootedness of southern NGOs. A topic for a futures debate is whether this situation is tenable and what does it say about the deep motives and commitments of donor countries? And, an agenda for action among northern NGOs is, surely and at last, to be really serious about the long-term institutional sustainability of a strategically identified group of southern counterparts.

In sum, there is a prima facie case to suggest that social movements may offer better prospects for sustainability as well as legitimacy and the political influence required for structurally oriented development. And, if NGOs could be displaced by associations of poor people as the source and driver of their own structural advance, empowerment in its deeper sense requires more (donor) attention to other civic actors and formations.

But such attention cannot be without very serious rethinking of mechanisms and processes for engagement that do not undermine the dynamic and fluid essence of movement life. As one leader remarked when asked if his movement could become more 'organised' to make it fundable: 'you cannot put a fire in a box'.³⁶

Since the environment or social context provides part of the explanation for behaviour, **how the context affects organizations becomes the interesting question.**

³⁶ Alan Fowler (2005), 'Aid Architecture: Reflections on NGO Futures and the Emergence of Counter Terrorism,' Intrac Occasional Paper 45, Oxford, January.

Resource dependence is the primary theory explaining how this is achieved and, more recently, it has been developed further in the concept of ‘funding chains.’³⁷ Resource dependency theory, as developed by Pfeffer and Salanick, is based on the idea that ‘organizations transact with others for necessary resources, and control over resources provides others with power over the organization.’³⁸ Funding chains show how funds flow from the original donor through one or more intermediary organizations before reaching the final beneficiary. Each actor is able to control the behaviour of the others due to its control over resources.³⁹ Resource dependency theory helps explain why donor attempts to professionalize and standardize NGOs have been successful and why NGOs have been diverted into becoming implementers of donor policies.⁴⁰

However it is incorrect to suggest that NGOs have no agency. Although NGO leaders often resort to blaming donors for the weaknesses and problems in the voluntary sector, donors are not simply external actors who impose their ideology on NGOs. It is likely that the approach of NGOs shifted to some degree independently of donor influence. NGOs adjusted to the neoliberal global context and, in many cases, to their new role in newly democratized societies. Typically an NGO establishes relationships and obtains funding from donors with whom it identifies a ‘fit’ in approach, ideology and practice and its work with the donor becomes a mutually reinforcing effect.

One of the key questions in the development literature is whether NGOs are changing so much that they are losing their comparative advantage or distinctiveness. NGOs that served as progressive forces for social change have faced pressure to engage with or represent neoliberal approaches of donors and states. As a result, we are witnessing a general trend in which there is a blurring of lines between NGOs and private sector organizations. Recent analyses of the NGO sector describe NGOs as losing ‘autonomy, initiative and flexibility that NGO status confers upon them’, losing their role as ‘radical social critics’ because they have been absorbed into the aid industry, and become subordinate in terms of ideology and financial dependency.⁴¹ James Petras goes further to describe NGOs as ‘agents of imperialism’.

To assess the exact nature and degree of change within the NGO sector, we must examine NGOs within a country’s ‘associational culture and context.’⁴² South Africa is a particularly interesting country in which to observe the impact of a changing global environment on the nature of development NGOs.

³⁷ Kees Biekart (1999), *The Politics of Civil Society Building: European Private Aid Agencies and Democratic Transitions in Central America*, Transnational Institute, Amsterdam; Alan Fowler (1997), *Striking a Balance: A Guide to Enhancing the Effectiveness of Non-Governmental Organisations in International Development*, Earthscan, London; David Sogge (1996), ed. *Compassion and Calculation: The Business of Private Foreign Aid*, Pluto Press, Chicago; and Mary Galvin (2000), “We Have Nothing to Lose But Our Chains.” *OD Debate*.

³⁸ J. Pfeffer and G.R Salanick (1978), *The External Control of Organizations: A Resource Dependence Perspective*, Harper and Row, p.147.

³⁹ In South Africa, funding chains can include international donors, international NGOs, South African intermediary NGOs, small NGOs, CBOs, and communities.

⁴⁰ Ian Smillie (1995), Op cit.

⁴¹ Jaime Joseph (2000), “NGOs: Fragmented Dreams.” *Development in Practice*, p.390.

⁴² David Hulme and Michael Edwards (1997), Op cit., p.4.

Instead of being spread over nearly thirty years, as in other developing countries, **the South African context has moved from state-driven development to neoliberalism in less than ten years.**⁴³

Before addressing South Africa, we must look at specific urban processes in the context of structural adjustment that generate both inclusive and exclusionary social processes, and the regional lessons we can draw from post-independence civil society's confrontations.

Changing urban context

Since the 1980s, as globalisation amplified local uneven development, rising inter-urban competition between many of the world's megacities reduced municipal management to the enhancement of competitive advantage, via the heightened efficiency of the city as an export platform. The bottom line was the *productivity* of urban capital, as it flowed through urban land markets (now enhanced by titles and registration), housing finance systems (featuring mainly private sector delivery and a dramatic reduction in state subsidies), the much-celebrated (but often extremely exploitative) informal economy, and (often newly-commercialised) urban services such as transport, sewage, water, electricity and even primary health care services (via intensified cost-recovery). To a great extent, the cities have attracted migrants from rural areas as well as other countries, and this lowers the overall wage rates as well, at a time of increasing labour informality.

Following the Polanyian double-movement, such processes have been vigorously contested by popular movements, agitating around conjunctural social policy decisions associated with structural adjustment, especially cutbacks in subsidies for food, transport or other services. As a result of looking to more structural determinants of the problems instead of just short-term causes of crisis, some such movements began to transcend the traditional dichotomy of urban organisations: between an inward-looking territorial identity, and the rhetoric of a broader emancipation. As James Petras and Morris Morley explain based on Latin American evidence, they seek new alliances that traverse traditional spheres of workplace and community:

*The power of these new social movements comes from the fact that they draw on the vast heterogeneous labour force that populates the main thoroughfares and the alleyways; the marketplaces and street corners; the interstices of the economy and the nerve centres of production; the exchange and finance centres; the university plazas, railway stations and the wharves - all are brought together in complex localised structures which feed into tumultuous homogenising national movements.*⁴⁴

⁴³ For one of the best ten year reviews, see Daniel, Southall, and Lutchman (eds) 2005, *State of the Nation: South Africa 2004-2005*, HSRC Press.

⁴⁴ J. Petras and M. Morley (1990), *US Hegemony Under Siege: Class, Politics and Development in Latin America*, London, Verso, p.53.

In the best cases, the unity of the urban poor and the formal working-class generate the kinds of fused social movements, trade unions and political parties that have come to power in Latin America. The reason for this fusion is the commonality of problems that people suffer especially during economic crisis, Petras and Morley continue: 'The great flows of capital disintegrate the immobile isolated household units, driving millions into the vortex of production and circulation of commodities; this moment of wrenching dislocation and relocation is silently, individually experienced by the mass of people, who struggle to find their place, disciplined by the struggle for basic needs and by the absolute reign of ascending capital.'⁴⁵ Under such conditions, which also apply in South African townships, the social base for urban movements is continually regenerated, and people often find a wider identity in a collective.

Much social theory identifies such collectives as potentially liberatory, and in South Africa during the 1980s and early 1990s in the fight against apartheid, the collectivization of black resistance – especially the fusing of middle-class, workers and poor people – had the beneficial impact of creating a layer of organic intellectuals which provided strong leadership and commitment, directed against official racism. Petras and Morley note that the major urban social movements of the past quarter century, in South Africa and many other middle-income countries,

emerged to break the bonds of authoritarian politics and the constraints of police state regimes, to overcome the passivity and paralysis of the traditional opposition, and to forge a new political reality. What makes these social movements different from those in the past is that they are independent of traditional party-electoral political machines. They are led and directed by grassroots leaders. Policy is constantly debated in democratic popular assemblies. The strong ties to local communities and the intense but profoundly democratic political life has enabled these new social movements to mobilize previously unorganised strata: the unemployed, young women, squatters, indigenous peoples.

The new social movements combine with and transcend the action of organised labour movements; street action surges beyond the wage issues toward enlarging the areas of freedom for people to act and realise their human dignity.⁴⁶

However, economic crisis can also generate potentially fascist and xenophobic impulses, and the South African case provides evidence of both. It is not always feasible to specify the construction of social movement identity in urban settings, where conjunctural features are legion but where overt market processes have torn asunder land relations, rural ties, indigenous culture, and many forms of pre-existing authority and social control. The identity of social movements can be traced, at least to

⁴⁵ J. Petras and M. Morley (1990), Op cit.

⁴⁶ J. Petras and M. Morley (1990), Op cit.

some extent, through their implicit or explicit strategic orientations. From experiences with urban movements in Santiago, Eugenio Tironi conceptualise two fields of strategic polarization: between a sense of exploitation or exclusion, and between the goals of participation within or breaking from the wider political, economic and cultural system. Four categories - and prototypical modes of political organisation - result across this matrix of characteristics.⁴⁷

Identities of Social Movement Constituents

status, objectives	excluded	exploited
participation	1 populists/ social change NGOs and CBOs	2 trade unionists
revolution	4 alternative/ autonomists	3 revolutionaries/ socialists

First, those who feel excluded and are anxious to participate more are often supporters of traditional populism (*pobladores*), who are logically the most prone to xenophobic collective action. Second, those who felt both exploited and anxious to participate more in the system included traditional trade unionists. Third, those who feel exploited by the system and who are interested in its formal rupture include traditional revolutionaries. Fourth, there are those alienated social forces which are excluded from the system and which also desire its rupture - and which are also, in many cases, engaged in collective subsistence activities that aim towards the construction of an alternative life-style based, at least to some extent, on the economy of solidarity.

The point, here, is that a variety of *structural* factors are putting extreme stress on society, and civil society organisations are only coping in uneven, partial ways, and with different strategic orientations. The contribution of social theory is partly to establish how these organisations have come to play a role in not only community but even household reproduction, and how the changing structural context generates new functions for urban organisations. To get to the roots of the xenophobia problem requires us to grapple with these theoretical problems and comparative experiences. Indeed, a great deal can be learned by considering how civil society groupings have emerged over time in this region and continent.

Civil society in Southern Africa and Africa

The Southern African region has been amongst the world's leading examples of super-exploitative social relations, networked through migrant labour and settler colonial power. The result is a legacy of social dysfunction, from searing, gendered violence to deep and degrading poverty standing shoulder to shoulder with high modern luxury lifestyles. These were partially homegrown phenomena, insofar as white settlers accumulated and reinvested capital and established violent means of maintaining state power. They were also partially linked to blatant forms of foreign economic exploitation. Settler control occurred through coercive mechanisms that forced Africans into mines, fields and factory

⁴⁷ Authors have inserted additional labels within the 2x2 presented by Franz Schuurman (1990), 'Modernity, Post-Modernity and the New Social Movements,' in F.Schuurman (ed), *Beyond the Impasse*, London, Zed Books, pp.200-201. See also, in Spanish, E.Tironi (1987), 'Pobladores e Integracion Social,' *Proposiciones* 14.

compounds. The system of migrant labour underpinned apartheid and its variations. In the process, women had the added burden of subsidising capitalism through their own survival systems. Since schools, medical schemes and pensions for urban workers were largely nonexistent, such standard input costs associated with employment and social reproduction were borne mainly by those left behind in the rural areas, not by the state or by firms. This nexus of racism, patriarchy and capitalism was an ingenious way to produce and reproduce cheap black labour.

This is not merely of historical interest, for tragically, the central aspects of migrant labour remain important to this day in many of Southern Africa's extractive-oriented economies, including South Africa. They help explain the vast spread of urban slums and temporary residential accommodation in the most miserable circumstances that, as another chapter describes, were central to the xenophobia of 2008 and to simmering resentments before and after. But the most important complication, according to Burawoy, is that the region's civil society retains a variety of pre-market social relationships, in part through longstanding resistance to settler colonialism:

The colonial order not only failed to destroy indigenous society, it made active attempts to uphold such a society. The colonisers themselves set limits on the intrusion of the market into African communities. Colonial rule sought to protect indigenous communities as reservoirs of cheap labour on the one side and for reasons of political stability on the other. Squeezed into smaller land areas, disadvantaged in their competition with white farmers (who received all sorts of price subsidies and monopolies), and above all subject to taxation, Africans were compelled to seek employment in the towns. Once they arrived on the mines (or other employer), however, they sold their labour power as single workers with limited residence rights in the urban areas. Wage rates were set below subsistence, which ensured cheap labour for capital but also compelled the urban worker to retain ties to the rural community where his family eked out a separate subsistence existence. The longevity of colonial systems of segregation and indirect rule depended on the vitality of an indigenous society to prevent the urban concentration of workers who might have posed (and eventually did) a political threat to apartheid.⁴⁸

In opposition to these fragmenting processes, the region's interrelated civil society and political traditions grew and intermingled. They included vibrant nationalist liberation insurgencies, political parties that claimed one or another variant of socialism, mass movements (sometimes peasant-based, sometimes emerging from degraded urban ghettos), and powerful unions. Religious protesters, women's groups, students and youth played catalytic roles that changed history in given locales. The region's and continent's nationalist movements forged panAfricanism in productive alliances with

⁴⁸ Michael Burawoy (2003), 'For a Sociological Marxism: The Complementary Convergence of Antonio Gramsci and Karl Polanyi,' *Politics and Society*, 31, 2, pp.222-223.

diasporic intellectuals and in the process, established newly empowered relations with northern critics of colonialism, apartheid and racism.

But from that context, lasting through the early 1990s in South Africa, when civil society opposition to apartheid peaked, two processes unfolded. First, the organisations which once had a more radical developmental agenda were subsequently either repressed or co-opted and channelled into serving each new incarnation of elite interest. In some African countries, the reaction to the excesses of exhausted, corrupt and repressive nationalist political parties included a new generation of democratic movements, human rights advocates, NGOs, churches, youth and women's groups, and a variety of other civil society groups across the region.

But second, the rise of structural adjustment compelled some in civil society to become active in socio-economic advocacy. The apparent explosion of mutual aid systems, Claude Ake reminds, 'is first and foremost a child of necessity, of desperation even.'⁴⁹ Structural adjustment meant the loss of state welfare programmes, and in turn the need for civil societies to pick up the pieces. When amidst the wreckage, alternative political parties emerged from the grassroots and shopfloors (most spectacularly in Zambia, perhaps), the balance of power meant that they too often fell into the trap of deepening the market's rule, at the expense of popular interests. Meanwhile, the inherited duality of power continued: between a centrally-located modern state (sometimes directly responsible for urban order in primate capital cities) and, according to Mahmood Mamdani, a 'tribal authority which dispensed customary law to those living within the territory of the tribe'. This understanding helps us contextualise the struggles for human rights, democratisation and socio-economic justice, as Mamdani links the global-national-local scales:

In the absence of democratisation, development became a top-down agenda enforced on the peasantry. Without thorough-going democratisation, there could be no development of a home market. The latter failure opened wide what was a crevice at Independence. With every downturn in the international economy, the crevice turned into an opportunity for an externally defined structural adjustment that combined a narrowly defined programme of privatisation with a broadly defined programme of globalisation.⁵⁰

Across the region, the 'Washington Consensus' macroeconomic policies, debt peonage and unfair terms of trade intensified the adverse power of neocolonialism. In addition, the micro-developmental and ecological damage done through market-centred policies is now also widely recognised. Where civil society rose to contest these problems, according to Demba Dembele, the Bretton Woods Institutions reacted with a dangerous ideology:

⁴⁹ Claude Ake (2000), *The Feasibility of Democracy in Africa*, Dakar, Codesria, p.47.

⁵⁰ Mahmood Mamdani (1996), *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, Princeton, Princeton University Press, pp.111 and 287.

“ They create the illusion of ‘poverty reduction’ while pursuing the same failed and discredited policies, with even more conditionalities; promote a superficial ‘national consensus’ on short-term ‘poverty reduction’ programmes at the expense of a serious and deep reflection on long-term development policies; drive a wedge between ‘reasonable’ and ‘radical’ civil society organisations in Africa; and shift the blame to governments and citizens for the inevitable failure.⁵¹ ”

All of these regional and continental lessons have bearing upon South Africa, where as discussed below, similar trends can be expected to surface in times of increasing austerity. But they also help explain the out-migration from many desperate sites in the region, given the failure of civil society in most of Africa to generate sufficient advocacy strength to change the policies causing the crises. No matter how many ‘IMF Riots’ or how much participation in ‘Highly Indebted Poor Country’ initiative conferences, civil society has not shifted macroeconomic or microdevelopment policy, with the exception of reducing user fees for schools and clinics. Neoliberalism has proved too durable. The same problem exists in South Africa.

South African civil and uncivil society

Background to a divergent civil society

As we have seen, during the 1980s and 1990s, donors began supporting civil society in developing countries. After decades of providing funds to governments, donors shifted the focus of their funding to build and support NGOs. Not only did NGOs provide an alternative to state involvement in development, but they were also perceived as being more grassroots oriented, sensitive to local dynamics, and accountable to local communities. They were praised for empowering new groups and strengthening civil society.

In South Africa, the situation developed in reverse. At the time of South Africa’s transition to democracy between 1990 and 1994, the number and diversity of NGOs in South Africa was exceptional due to the phenomenal growth of NGOs as anti-apartheid organizations in the 1980s. Local NGOs were formed in South Africa to challenge aspects of apartheid and to channel resources to black people. These organisations were typically run and staffed by white people from radical, progressive and liberal political traditions. International NGOs mainly worked through local NGOs, and did not have a presence of their own.

⁵¹ Dembe Dembele (2003), ‘PRSPS: Poverty Reduction or Poverty Reinforcement?’, Pambezuka News 136, 11 December.

Partly as a result of South Africa's apartheid history, **South Africa has not only a small but influential layer of politically-engaged NGOs but also CBOs** that have periodically united to become social movements.

Local 'civics' that arose in townships were locally-run organisations that responded to the daily concerns of people's lives but also placed them in the larger context, mainly the fight against apartheid and the opportunities for local restructuring as negotiations with white authorities became possible after 1990. The South African National Civics Organisation (SANCO) organised civics as a national movement starting in 1992. Today most CBOs can be characterised as one of the following types: coping or survival; income generation; service delivery, governance, and advocacy; and culture, youth and sport. They have the added value of being closer to the people, being their own spokespersons, and avoiding the patriarchal approach of whites that is often part of the apartheid legacy.

With the end of apartheid, donors were keen to support the new legitimate government and looked to the new government to direct development. The pendulum swung from civil society playing a central role in development to government asserting its control. The expectation that the State Presidency's Reconstruction and Development Programme Office would support civil society through direct or indirect funding was disappointed by 1995. NGOs were left with two main options for indigenous funding: local government or government tenders. The RDP Office envisaged that new local government councils would implement projects, drawing upon NGOs to assist with implementation. Indeed, some NGOs began to work with new councils once they were in place. However few councils were in the position to provide funding to NGOs due to their own lack of resources and capacity, and many NGOs reported that councilors felt threatened by NGOs and preferred to work with consultants.⁵² The main way for NGOs to access government funding was through the tendering process. NGOs struggled to obtain funding from government departments, which often considered them as competition and tried to exert stricter control over NGOs.⁵³

As a result of donors' shift in focus to government, NGOs faced a significant decrease in resources. The survival of NGOs was threatened by more than 60 percent of senior staff moving to government and the private sector after 1990.⁵⁴ At the same time, the shift of funds to government resulted in a loss of funding by many NGOs.⁵⁵ It has been argued that a number of NGOs did not pursue developmental aims and that it was fitting that they were forced to close. However the loss of funding did not discriminate between NGOs, and many deserving institutions also closed. The depth or extent of this pattern is unknown since no comprehensive study has been done on funding to NGOs and no data have been gathered.⁵⁶

⁵² Mary Galvin (1999), "Rural Local Government in South Africa", *Transformation*.

⁵³ Hein Marais (1998), *South Africa Limits to Change: the political economy of transformation*, Zed Books, London.

⁵⁴ Adam Habib and Rupert Taylor (1999), "South Africa: Anti-Apartheid NGOs in Transition", *Voluntas: International Journal of Voluntary and Nonprofit Organizations*.

⁵⁵ A study of nearly 150 NGOs conducted by the Independent Development Trust in the mid-1990s is often referred to as evidence.

⁵⁶ In 1993, the Development Resource Centre estimated that the non-profit sector in South Africa received R10 billion, however it is not clear how this figure was constructed and no comparable data is available for the post-transition period. The state's Development Cooperation Reports have detailed amounts of bilateral aid flows alone. It is hoped that a study being completed through Johns Hopkins University will produce useful data in this regard.

Although it is always dangerous to generalize, many NGOs that survived the decline in available resources were gradually transformed through four inter-related changes: they became less accountable to their constituents, their identity shifted, their relationship with government was redefined, and their capacity to deliver declined. In order to survive financially, NGOs increased their levels of professionalization to compete with private agencies for government tenders. While shaping their activities to meet tender requirements, NGO aims were increasingly subsumed by the agendas of government departments, sometimes stretching mission statements past recognition.

Ideologically, there were also important shifts. As the government shifted right with the 1996 adoption of the Growth, Employment and Redistribution programme, which embodied the neoliberal programmes of the International finance (the World Bank was coauthor), NGOs were also pulled in this direction. Alternatively, NGOs responded to decreases in funding with attempts to become self-sufficient. They began to market their services and treat beneficiaries as clients. Once NGOs began to charge for services, the profile of beneficiaries began to change from the poor to those who were able to pay. Professionalization changed the focus of NGOs away from those they previously served, and made them less accountable to local people.⁵⁷

Gradually these changes resulted in a shift in NGO identities. Although many NGOs tried to hang onto their progressive nature and avoid becoming pseudo-consulting agencies, they often found themselves sliding into a more product-oriented, technical bent.⁵⁸

The level of commitment that previously characterized NGO workers was slowly replaced by **a careerist attitude whereby NGOs were a stepping stone to better jobs.**⁵⁹

A number of progressive NGO workers became disillusioned with NGO dynamics, which tended to include bartering over cellphone and car allowances, and began to act as independent consultants. At the other extreme, some NGO workers found that working as independent consultants would allow them to avoid NGO constraints, while being far more lucrative.

During this period, NGOs redefined their relationship with the government. Michael Bratton and Chris Landsburg argue that government-NGO partnerships are undermining the pluralism and independence of the NGO sector.⁶⁰ Put bluntly, many NGOs have developed a new 'client' relationship with government. With this new role NGOs become an arm of the state or are co-opted to some degree, which has weakened NGOs' ability to provide critical voices and to serve as government watchdogs. They face the danger of being seen, or becoming what Adam Habib terms 'agents of control, of being co-opted to neoliberal agendas, becoming the 'community face' of neoliberalism.'⁶¹

⁵⁷ Adam Habib, Op cit., p.79.

⁵⁸ Brian Murphy (2000), "International NGOs and the Challenge of Modernity", *Development in Practice*, p.330-347.

⁵⁹ Hermien Kotze (1999), "Swimming in a Wild Sea: The New Challenges Facing Civil Society", *In Between Unity and Diversity*, Edited by G.Maharaj, David Phillip, Cape Town.

⁶⁰ Michael Bratton and Chris Landsburg (1998), "Trends in Aid to South Africa", *Indicator South Africa*, p.59-69.

⁶¹ Adam Habib, Op cit., p.80.

One of the main effects of the swing in the pendulum to government control of development was an overall loss of initiative and development momentum. Kotze argues that although some NGOs may have been problem ridden, there was not much else in place, nothing to replace them, and things started to fall through the cracks in terms of delivery. Another effect was the loss of development capacity in civil society. For years, NGOs had been part of international and national networks, and had developed a sense of needs on the ground and of what works. Now the loss of expertise and experience resulted in a general loss of capacity in civil society.⁶²

More radical civics also felt the loss of a layer of NGOs, such as those in the Urban Sector Network, from serving the base to serving the state. That, in turn, meant that the wave of service delivery protests that began in early 1997 in Johannesburg and quickly spread to the East Rand and across the Eastern Cape and many other sites by 1998, had no systemised advocacy or negotiating support comparable to the way civics used NGOs earlier in the decade. Although 'new social movements' emerged in 1999 (Durban) and 2000 (Johannesburg and Cape Town), either they subsequently faded away entirely or at best, in the case of the Anti-Privatisation Forum, did not sustain their radical grassroots networking potential. A gap had opened that a decade later became acute: communities in protest did not tap into a process for consolidation of grievances, formulation of demands, finding leverage and solidarity, and achieving successes in negotiations. They were simply left atomised, to fight in each locale as best they could. In some respects, the turn to xenophobic behaviour within service delivery protests reflects this lack of networked leadership, strategic harmonisation, ideological development and solidarity associated with movements. The paucity of NGOs of the type which had earlier characterised Urban Sector Network support to civics is, in part, to blame.

Hence what was also evident was a shift in political opportunity for civil society organisations to engage in the public sphere. Patrick Heller argues that: 'The consolidation of a dominant nationalist political party, the expansion of representative institutions and bureaucratic power at the expense of more participatory forms of democracy, and the atomizing effects of market liberalization have all contributed to constricting the spaces and channels through which civil society, and in particular the urban poor, can shape the public sphere.'⁶³ So while the liberal notion of NGO engagement with the state was proving highly problematic, and technical NGOs became increasingly engaged in delivery, the focus and identity of civil society in South Africa shifted.

Many advocacy or social change NGOs continued to operate, focusing on the promotion of people's rights, and working in conjunction with the new generation of social movements that arose.

One major reason was the rise of the social protest movement within South Africa, a factor worth a substantial commentary, given the danger that protest becomes an excuse for ethnic cleansing. This raises, first, the question of 'civil' versus 'uncivil' society.

⁶² Hermien Kotze (1999), Op cit.

⁶³ Heller (2007), p.13.

Civil and uncivil society boundaries

Some have tried to come to terms with this wide range of civil society in South Africa by positing a divide between civil and uncivil society. Whether a CSO is civil or uncivil relates primarily to its position vis a vis the state and its tactics. Civil CSOs play by the rules and engage with the state; in contrast Uncivil CSOs work in clear opposition to the state, and regularly engage in social protest. Given South Africa's struggle history and its legacy of seeing the world in binaries, there is a tendency toward this sort of dichotomy. The moral righteousness of Uncivil society is attractive to many; the question is whether 'progress' can be made while sustaining this positioning.

This is a matter of unpacking the grey area along the continuum, between technical and social change organisations. Clearly the assimilation of many CSOs and leaders into the neoliberal state is not the complete picture. As Robins shows, there was also a rise of NGO-social movement partnerships that sought to appropriate the language of rights in order to challenge the state, to assert rights, and to access resources for health, land, housing, water, electricity and other such basic needs.⁶⁴

Advocacy for life-saving AIDS medicines is one of the most interesting cases, because it entailed a highly successful mode of relating to the state and ruling party on the one hand, and the base on the other, via campaigns against global capital, foreign governments and leading elements of the South African state. The South African government's 1997 Medicines Act – which made provision for compulsory licensing of patented drugs – helped to catalyse the formation in 1998 of a Treatment Action Campaign (TAC) that lobbies for AIDS drugs, which in the late 1990s were prohibitively expensive for nearly all South Africa's HIV-positive people (who number roughly 10% of the 50 million current population). That campaign was immediately confronted by the US State Department's 'full court press' against the Medicines Act (the formal description to the US Congress), in large part to protect intellectual property rights generally, and specifically to prevent the emergence of a parallel inexpensive supply of AIDS medicines that would undermine lucrative Western markets.⁶⁵ The pressure included US Vice President Al Gore's direct intervention with SA government leaders to revoke the law in 1998-99. In July 1999, Gore launched his 2000 presidential election bid, a campaign generously funded by big pharmaceutical corporations (which in a prior election cycle provided \$2.3 million to the Democratic Party). As an explicit counterweight, TAC's allies in the AIDS Coalition to Unleash Power (ACTUP) began to protest at Gore's campaign events. The protests ultimately threatened to cost Gore far more in adverse publicity than he was raising in Big Pharma contributions, so he changed sides and withdrew his opposition to the Medicines Act, as did Bill Clinton a few weeks later at the World Trade Organisation's Seattle Summit.

Big Pharma did not give up, and filed a 1999 lawsuit against the constitutionality of the Medicines Act, counterproductively entitled 'Pharmaceutical Manufacturers Association v. Nelson Mandela' (which even *Wall Street Journal* editorialists found offensive). The case came to court in early 2001. By April additional TAC solidarity protests against pharmaceutical corporations in several cities by Medicines sans Frontiers, Oxfam and other TAC solidarity groups compelled the Association to withdraw the suit.

⁶⁴ Robins (2008a).

⁶⁵ Patrick Bond (1999) and Nicoli Natrass (2004), Op cit.

By late 2001, the Doha Agenda of the World Trade Organisation adopted explicit language permitting violation of Trade Related Intellectual Property Rights for medical emergencies. The South African government remained reluctant to provide medicines, however, for a variety of dubious reasons in part related to 'denialism' that HIV causes AIDS. As a result, the TAC was compelled to file a Constitutional Court case which succeeded in mid-2001 in at least gaining access to Nevirapine for pregnant, HIV+ women in public hospitals. At the same time, however, Anglo American Corporation – one of South Africa's strongest promoters of CSR - released a study showing that only 12% of their employees met a cost-benefit test by which supply of drugs was cheaper to the company than allowing HIV+ workers to die early (replacing them from the pool of 40% unemployed). Threats not only from TAC but also the main mining trade union forced Anglo to reverse its decision to deny most workers medicines, in 2002.⁶⁶

But the SA government's footdragging was costly. It was 2004 before the government issued its first tenders for AIDS medicines, and given the drop in prices due to generics since that time, 'by the end of 2007 the government was paying almost twice as much as the private sector for first-line drugs like Nevirapine', according to a United Nations report. In 2008, the South African Joint Civil Society Monitoring Forum of health, human rights and law organisations complained of 'serious shortcomings with the [AIDS medicines] tender process and the specifications', including further delays that would lead to far more paid from public resources than was necessary (IRIN 2008). Hence, even though more than 400,000 South Africans received medicines by that point, this was below the trajectory needed to reach the target of 1.3 million patients with access by 2011. The combination of a lethargic state and persistent pharmaceutical corporate power meant groups like the AIDS Law Project (based at the Wits Centre for Applied Legal Studies, and associated with TAC) continued their campaign for decommodified medicines, gradually winning patent battles in the courts so as to promote local generic production of individual medicines.

While there is some disagreement on how the borders between civil and uncivil society are policed, Michael Neocosmos and many others have found a theoretical way around the realization of post-Gramscian writers that civil-society often functions to directly capture, channel, co-opt radical social impulses in society. Neocosmos (2008) compares TAC and the Durban shackdwellers movement Abahlali baseMjondolo (AbM): 'While TAC has been able to provide the conditions for the access to treatment of greater numbers of people, it has succeeded in doing so ultimately at the expense of reinforcing a culture of political passivity. This has arguably been largely because of its insistence in operating within civil society, within the state domain of politics.'⁶⁷ In contrast, AbM 'politics have remained squarely outside civil society-ie. it has steadfastly refused to enter the realm of state and donor politics-relying rather on the commitment of a leadership drawn from its own ranks, democratic decision-making, and a rejection of state cooption and donor funding when this threatened to compromise its independence.'⁶⁸ By 2008, the AbM approach had changed substantially, but the point is that such differentiation exists as an ideal-type form of Civil versus Uncivil Society.

⁶⁶ Patrick Bond (2005), *Talk left, Walk Right: South Africa's Frustrated Global Reforms*, University of Natal Press, Durban.

⁶⁷ Neocosmos (2008), *Op cit*, pp.48-49.

⁶⁸ *Ibid*.

Arguing that this is a simplistic differentiation, Ashwin Desai observes,

Within the collapsing and trite theoretical world of good civil society versus bad state and market, we now have good uncivil society and bad civil society. While civil society it is argued by people like Neocosmos seeks reform; is essentially plaintiff, if not polite, towards power; is content to work largely within established systems of dispute resolution; and seeks a better market or state share for its sectional interests, uncivil society is the opposite. Uncivil society is characterized by anti-systemic, sometime downright revolutionary impulses and actions; it is militant and confrontational vis a vis power, indeed exercising counter-power of its own; and seeks far-reaching, communal and principled transformation and democratization of market or state interests. Put in classic South African terms, civil-society are sell-outs and collaborators while uncivil-society continue with the struggle the national liberation movements have abandoned to being in government.⁶⁹

Many ‘uncivil society’ groups in South Africa, especially those representing the interests of sections of the poor, begin by posing demands that can scarcely be met without revolution and certainly not without a strong social democracy. These demands are pursued by engaging market and state forces in a militant manner. Desai describes how all the best traditions of the anti-apartheid struggle form part of uncivil society’s imaginary: ‘long marches, silken red banners, burning barricades, martyrs out on bail and threats of ungovernability’. Yet these social movements undergo noticeable changes within a relatively short period. While the form that their politics takes remains true to the anti-systemic, protest-orientated roots, and indeed often is trapped in this method since no other channels are available to them – the substance of their politics liberalizes considerably. Hilhorst highlights a similar phenomenon faced by NGOs:

Once NGOs are formed, they acquire realities of their own, moving away from their founding rationale and often becoming more important for the actors involved than originally intended. NGOs appear as an amalgam of different discourses, relations and ambitions. This multiplicity is partly related to political opportunities, changing state-society relations and changing discourses in the world’s development communities.⁷⁰

In this hotly contested context, the nature of social protest itself must be examined, for the change in political orientation by civil society actors such as NGOs and social movements then leaves gaps filled by potentially progressive, but also potentially reactionary political forces.

⁶⁹ Desai (2010), Op cit.

⁷⁰ Hilhorst (2003), p.217.

Uncivil protest prior to 2000

South Africa has arguably the highest rate of protest action in the world. In the debate on the role and nature of civil society some light might be shed from a consideration of the widespread protests that pepper the South African landscape.⁷¹ Working class communities fighting for the satisfaction of their basic needs are also, sometimes, fighting for the exclusion of others viewed as competitors in the struggle to access state services, whether in demarcation struggles over provincial boundaries, or xenophobic attacks.⁷²

Protests and the social movements that organize them influence and are influenced by a society's political culture, and participation facilitates the formation of new identities and ways of thinking that can contribute to positive or negative social change.⁷³ South Africa has a distinctive history of the use of mass mobilization to achieve popular ends. Protests and mass action characterized its political history from the early 20th century until the present. People have taken to the streets in marches, demonstrations or the erection of barricades, with the aim of winning political, economic or social demands. It is possible to identify and delineate waves of mass mobilization that took place during different periods of the country's political history: military resistance during the 19th century wars of conquest, the strikes and worker action that convulsed the 1920's, the defiance campaign demonstrations of the 1950's, the student uprisings and resurgence of strike action in the 1970's, and the call in the 1980's to make South Africa ungovernable that contributed to the apartheid regime's decision to take the path of negotiation instead of pure repression.

Throughout these struggles we can detect varying forms and methods of organization, discern different and sometimes conflicting political perspectives and, with hindsight, make evaluations of the effectiveness and strengths/weaknesses of the struggles. The struggle in South Africa engendered one of the greatest international solidarity movements in history with many civil society organizations in different countries denouncing apartheid and exerting pressure on their respective governments and corporations to do the same.⁷⁴

The post-apartheid ANC-led government has reshaped South African state-civil society relations.⁷⁵ This reshaping took place in a context where 'a democratic South Africa has restored and advanced the power of capital over society'⁷⁶ and was driven by ANC and state practices that began to 'disable civil society and truncate democracy into a narrow representative form'⁷⁷ leading to a situation where 'a wider conception of participatory democracy was lost in post-apartheid South Africa'.⁷⁸

⁷¹ 'Civil society organizations exist as a cartridge between the state and society'. Steve Ouma, 'Civil society and the nation-state – The case of Kenya', *Development Dialogue*, No. 49, November 2007, p.1100.

⁷² There are protests against the government for lack of 'service delivery', there are also protests against re-demarcation into provinces (and people) viewed as poorer and there are the xenophobic attacks aimed at getting rid of African immigrants.

⁷³ Ron Eyerman and Andrew Jamison (1991), *Social Movements: A Cognitive Approach*, Policy Press, Cambridge. 'Social movements are thus best conceived of as temporary public spaces, as moments of collective creation that provide societies with ideas, identities, and even ideals,' p. 4.

⁷⁴ Dennis Brutus famously organized the sports boycott against the apartheid regime.

⁷⁵ Satgar (2008), Op cit.

⁷⁶ Satgar (2008), Op cit, p.42.

⁷⁷ Satgar (2008), Op cit, p.45.

⁷⁸ Satgar, 2008: 45)

For the majority of South Africans, the end of apartheid was the beginning of a promising new era after decades of struggle. However, once the new government was in place, it developed an ambiguous attitude towards civil society activism and protest politics. Political leaders seemed to consider protest action as an aberration in the democratic 'new South Africa', making a sharp distinction between the old illegitimate government and the new people's government. It was suggested that mass mobilization should be used to support government programmes and positions rather than oppose them. Where people insisted on protesting it was expected that such action would be orderly and 'non-disruptive'. Since protests might weaken 'our' government, other ways had to be found to draw attention to things the government might be missing or doing wrong.⁷⁹ In addition, there was an anxiety about the perceived carry-over of the politics of protest and resistance from the past into the present era. For example, the new government felt it necessary to organize against the 'culture of non-payment' and in this respect launched a special campaign ('Masakhane': let us build together/ each other) to teach people to pay for services and to end the mentality that drove the boycott of service payments during apartheid.

There were certainly some important residues of civil society protest against former allies who went into government in 1994. A list of civil society's critiques of 1994-99 ministerial decisions by civil society reflects the durability of protest strategies in a context of growing grievances and unmet expectations:

Those most often in the firing line were the ANC economic team. Manuel and his bureaucrats were condemned by left critics not only for sticking so firmly to Gear when all targets (except inflation) were missed, but also for sometimes draconian fiscal conservatism; for leaving VAT intact on basic goods, and amplifying his predecessors' tax cuts favouring big firms and rich people; for real (after-inflation) cuts in social spending... Likewise, minister of trade and industry Alec Erwin was attacked for the deep post-1994 cuts in protective tariffs leading to massive job loss...; for... allowing the neoliberal agenda to prevail on issues such as the Multilateral Agreement on Investments and continuing structural adjustment philosophy; for giving out billions of rands in 'supply-side' subsidies (redirected RDP funds) for Spatial Development Initiatives, considered 'corporate welfare'; for cutting decentralisation grants which led to the devastation of ex-bantustan production sites;...

Land affairs and agriculture minister Derek Hanekom was jeered by emergent farmers associations and rural social movements for failing to redirect agricultural subsidies; for allowing privatisation of marketing

⁷⁹ . The management of protests changed under the post-apartheid government. Protests were allowed but had to adhere to strict procedures and regulations.

boards; for redistributing a tiny amount of land... Housing minister Sankie Mthembu-Mahanyele (and her former Director-General Billy Cobbett and indeed Joe Slovo before his 1995 death) came under fire from the civic movement for lack of consultation, insufficient housing subsidies; for 'toilets-in-the-veld' developments far from urban opportunities;...

Welfare minister Geraldine Fraser-Moleketi was bitterly criticised by a church, NGO and welfare advocacy movement for attempting to cut the child maintenance grant by 40 per cent; and for failing to empower local community organisations and social workers. Education minister Sibusiso Bengu was censured by teachers unions, the student movement and movement education experts for often incompetent - and typically not sufficiently far-reaching - restructuring policies; for failure to redistribute resources fairly; and for a narrow, instrumentalist approach to higher education. Minister of constitutional development Valli Moosa was condemned by municipal workers and communities unhappy with the frightening local government fiscal squeeze; for intensifying municipal water cut-offs; for the privatisation of local services (on behalf of which he tried to divide-and-conquer workers and community activists); for low infrastructure standards (such as mass pit latrines in urban areas)... Water minister Kader Asmal earned the wrath not only of unions for his privatised rural water programme, but also of beneficiary communities for whom the majority of the new taps quickly broke (the vast majority of waterless South Africans remained without water, notwithstanding Asmal's RDP commitment to supply all with at least emergency supplies); and he was condemned by environmentalists and Gauteng community activists for stubbornly championing the unneeded Lesotho Highlands Water Project expansion.

Defense minister Joe Modise and deputy minister Ronnie Kasrils were denounced for their R30 billion 'toys-for-boys' approach to rearmament (with obfuscating 'spinoffs' justification); as well as for arms sales to repressive regimes in and beyond Africa. Likewise, intelligence head Joe Nhlanhla was criticised for not shaking up the National Intelligence Agency, which cannibalised itself in spy versus spy dramas. Safety and security minister Sydney Mufamadi was considered weak for not transforming policing services more thoroughly (thus generating active protest from the Popcru union); for allocating far more resources to

fighting crime in white neighbourhoods and downtown areas than in townships; for allowing a top-down managerial approach to overwhelm potential community-based policing; and for failing to sustain his battle with George Fivas.

To be sure, there were occasions when at least one minister, Dlamini-Zuma, revelled in (and was praised by civil society activists for) taking on extremely powerful corporations and vested interests. Yet as noted, these fights also showed a penchant for going it virtually alone, bringing on board none of Dlamini-Zuma's likely civil society allies. In that context, her public image as a heat-seeking missile was never effectively countered, even though it would not have hard to have positioned herself as intermediary between protesting grassroots social movements and corporate titans. And this indeed sums up the broader character of 'talk-left, act-right' politics; for even the exception proves the rule.⁸⁰

In this context, some commentators argue that the role of civil society itself was reviewed and found not to be always good for 'development'.⁸¹ Many civil society organizations such as student organizations, churches, womens' groups and civics were seen as having played their (anti-apartheid) role and had to give way to the new democratic government to govern. The ANC, as head of the national liberation movement, closed down many organisations that epitomized the characteristic vibrancy and militancy of civil society under apartheid. The biggest and most important organization that was closed down was the United Democratic Front, in 1992; this was justified on the grounds of the 'new balance of forces' and the strategic imperatives of the new political situation. In hindsight, it seems that there was a deliberate weakening of civil society by the new government in order to undermine opposition to its unpopular (pro-big business) policies.⁸² As a result, the vast majority were robbed of their agency and reduced to be either spectators or supporters of the unfolding political process in which ANC leaders knew best and had to be left to lead. A lull in mass mobilization and protests ensued.

Despite the regular claims of a vibrant South African civil society, it is important not to ignore that post-apartheid changes in the social, economic and political power dynamics have negatively affected civil society. In particular, the shaping of post-apartheid state-civil society relations have resulted into a purposeful, smart and energetic state agenda to manufacture consent for the strategic, moral and intellectual leadership of society. As a result, 'counter-hegemonic capacities in civil society'

⁸⁰ Patrick Bond (2005).

⁸¹ 'An oft-asked question by those in power was: what do we need civil society for now that we have a government of the people? ...Civil society organisations were seen as at best a nuisance and at worst a threat to the democratic government.' Xolela Mangcu, *To The Brink: The State of Democracy in South Africa*, University of KwaZulu-Natal Press, Durban, p. 123.

⁸² Vishnu Padayachee and Graham Sherbat (2009), 'Ideas and power: academic economists and the making of economic policy' in William Gumede and Leslie Dikeni, *The Poverty of Ideas: South African Democracy and the Retreat of Intellectuals*, Jacana, Auckland Park. Also, Xolela Mangcu, Op cit.

were 'denuded' and the concept of mass initiative 'has increasingly become constrained and kept out of the policy and political process'.⁸³ Robins also notes the centrality of the ANC and government patronage networks in many of the social movements and civil society activities including those that may even appear to be against the state.⁸⁴ According to Satgar, this represents an ANC-led process of mass demobilisation, instrumentalisation and bureaucratisation which was part of a wider ANC-led neoliberalisation of South Africa.⁸⁵ However Kgara asserts that this process was an 'ongoing process rather than a completely actualized regime' and was characterised contradictions and certain adaptations of neoliberalism in ways that corresponded to prevailing and sensitive socio-political developments. He argues that this saw an ANC and government that articulated neoliberal policies 'more in relation to their projected outcomes and less in relation to their underpinning values and principle'.⁸⁶ The most important political implication arising out of this is how civil society got transformed away from democratic practices and tendencies with sections of civil society organisations and leaders increasingly assimilated into institutional politics within the state.⁸⁷

When the ANC government announced in 1996 that it was abandoning the mildly redistributive RDP in favour of the neoliberal Growth, Employment and Redistribution (GEAR) macro-economic policy, it was clear to many that the post apartheid redistribution of wealth depended on a trickle-down model. This would mean that the people would not agin the economic benefits of freedom and democracy or, in some instances, would involve the loss of benefits enjoyed under apartheid.⁸⁸ This development laid the basis for the rebirth of the protest movement in the new democratic South Africa. The first wave of protests took place around and immediately after liberation. This first wave consisted of the 'popcorn civics' that dotted the political scene for a short while. These groups protested sporadically, but there were enough of them to form a trend. They involved expressing dissatisfaction with what we now call 'service delivery', namely, municipal services, housing, roads, etc. Some of the 'popcorn' protests seem to have been organized by new community organisations that were independent of the ANC and its alliance partners, including its civic arm, the South African National Civics Organisation.

The first wave of protests post 1994 were organised by local civics. Most communities developed local civics during apartheid, whose nature depended on the particular history and dynamics of the area and the character of the local leadership. However, many of these grassroots organizations were gradually hegemonised by the 'Congress tradition' as the struggle against apartheid peaked and it became clear that the ANC was going to be the new ruling party in South Africa.⁸⁹ The ushering in of the new government and the excitement surrounding this raised expectations, a development that might have accentuated frustration leading to protests. The popcorn (or 'mushroom') protests were

⁸³ Satgar (2008), Op cit, p.53.

⁸⁴ Robins (2008). Op cit.

⁸⁵ Satgar (2008). Op cit.

⁸⁶ Kgara (2007). Op cit.

⁸⁷ Satgar (2008). Op cit.

⁸⁸ Many workers lost their jobs when trade liberalization was introduced. Many residents who had untrammelled access to water suffered when pre-paid meters were installed. Communities that had lived in certain areas were forcibly removed. All this was happening under the new government.

⁸⁹ The Congress tradition refers to that part of the national liberation movement that followed the politics of the ANC.

marked by a degree of militancy such as in Tembisa township, on the East Rand, where residents invented 'Operation Khanyisa', re-connecting themselves to the electricity grid after being cut off for non-payment.⁹⁰ It is likely that many creative collective actions were taken by communities responding to the openness of this transitional period. For example, there was a sudden increase in the number of informal settlements in the country as people invaded land and put up their shacks. Some of these new settlements were set up by ANC local leaders inspired by and sometimes seeking or receiving encouragement and patronage from senior leaders, hence the naming of many informal settlements after ANC leaders (Mandelaville informal settlement, Elias Motsoaledi, Ramaphosa, Joe Slovo, etc.) These land invasions can be viewed as a generative form of mass action that went beyond protesting as such.

The response of the state to protest during these early post-apartheid days was to **foster the regimentation, ritualisation and emasculation of the protest action.**

Protest action increasingly took the form of marches which the authorities contained making use of the Public Gatherings Act. Elaborate procedures had to be followed to have a march. This included protest organizers having meetings with the police where the route and times of the protest would be negotiated. The authorities did not always respond positively or with urgency to the obligatory memorandum of grievances that was handed over by the marchers.⁹¹

The one-day anti-privatisation general strikes by COSATU that took place towards the end of the 1990's did not lead to a change in government policy. Privatization continued with many government workers 'outsourced', that is, removed from the government payroll and employed by contract companies and labour brokers. One result of the struggle by labour was the formation of the Anti-Privatisation Forum in 2000 when two struggles against privatization merged, namely, the struggles against the privatization plans of the Johannesburg City Council and those of Wits University. The APF combined community, student and labour organizations in a joint struggle against privatization. It was a body that would be part of the next wave of protest action that took hold of the country organized by the 'new social movements'.⁹²

New Social Movements from 2000-2010

The rise of protest action and mass mobilizations organized by a spate of newly-formed organizations, called the 'new social movements', such as the APF, the Treatment Action Campaign, Landless Peoples Movement and others, heralded another wave of struggle in South Africa. These organizations gained prominence in the early 2000's as the government's change of macroeconomic policy began to have

⁹⁰ This liberation or communing of electricity by communities was made famous by the Soweto Electricity Crisis Committee, an affiliate of the Anti-Privatisation Forum.

⁹¹ The government has acknowledged the failure to respond to communities' grievances over the years. Many communities claim that they erupted into violent protests after knocking many times on the doors of local authorities.

⁹² It is important to note that for a moment the trade unions worked closely with community organizations in the anti-privatisation campaign. That moment was lost.

concrete consequences for the masses; for example, the policy of cost recovery in the provision of basic services meant that people had to pay steeply rising prices for essential services such as water and electricity.

The rise of the new social movements in South Africa coincided with the rise of the anti-globalisation (anti-capitalist) movement that dramatically entered into the history books in Seattle in November 1999.

This global movement **tremendously transformed conceptions** of civil society.

New social movement activism in South Africa shared some of the characteristics, strengths and weaknesses of the global movement, and the decline of the new social movements in South Africa has broadly coincided with that of the international movement. The South African movement adopted some of the approaches and characteristics of the global movement and as a result, shared its failure to transform mass mobilization and support into a power that can influence policy by shaping (or controlling) governments.⁹³ In South Africa the new social movements also faced the hostility of the state with President Thabo Mbeki leading the attack and sternly admonishing Alliance against these movements. As a result the labour movement and the new social movements failed to work together, no doubt weakening the struggle.⁹⁴

The current wave of **mass action consists of local community uprisings and militant national strikes.**

The winter of 2004 appeared to be a crucial breakpoint, as several communities erupted in violent protest beginning with Diepsloot, north of Johannesburg, followed by Intabazwe, Harrismith, in the Free State province, sparking off protests in many other small towns. The struggles were mainly over housing, roads, electricity, water and related issues. Protests spread to the Eastern and Western Cape, Gauteng and to other provinces, notably Mpumalanga. The peculiar characteristics of these community protests were established quite early on: they tend to have broad support and involve a big section of the community, they are often violent and disruptive and their demands relate to the provision of basic services, the accountability of councilors and corruption. However the eruptions quickly became referred to as 'service delivery protests', and they have steadily increased in number since 2004, apparently peaking even after Zuma's election in April 2009 and showing no sign of abating.⁹⁵

The struggle of the Khutsong community forms part of this latest wave, and was crucial because of lessons learned from the activists' victory. This community fought against re-demarcation into the North West Province away from Gauteng. Their grievance was linked to a perception that there would

⁹³ The victory of Morales in Bolivia, Lula in Brazil and Chavez in Venezuela has been seen by some as broadly related to, among other things, the ascendancy of the anti-globalisation movement.

⁹⁴ Trade unions that were part of the Anti-Privatisation Forum pulled out one by one, without explanation, leaving this body constituted by community structures. Student organizations also pulled out.

⁹⁵ Further research is needed to quantify the protests. In the last month or so there has been a spurt of protests.

be 'less service delivery' in the former province and objection to the top-down and 'arrogant' manner the ANC government handled the matter. Khutsong had one of the most militant and successful struggles in post-apartheid South Africa. What is not widely known is that demarcation struggles underlie many more protests than is usually assumed. Although we know of Moutse's and Matatiele's demarcation struggles, the uprisings in Balfour, Harrismith and Standerton also have grievances related to demarcation politics. These are struggles of exclusion and inclusion, and of belonging and non-belonging - about disputes around definitions of political citizenship.

A strike wave accompanied the latest wave of community protests although there is no clear or immediate connection between the strikes and the uprisings. In 2007 workers took to the streets in the biggest public sector strike in the history of South Africa. There were also several important national strikes in the private sector which were mostly bitter, protracted and often violent, such as the security workers' strike during which several workers were killed. This is a reflection of the desperation of the strikers, the legacy of apartheid violence and the failure of the trade union leadership to give proper support to the strikes and to guide the membership.

As a result, there is no united movement of struggle that brings together the various sporadic outbursts. Indeed, even the trade union movement has failed, except with respect to the public sector strike, to co-ordinate a united strike wave let alone solidarity with the community uprisings. A brief assessment of the attitude of civil society to the protests reveals that the labour movement is ambivalent and sometimes hostile to the protests; mainstream political parties such as the ANC are hostile; the churches have not pronounced themselves clearly on this subject; student and youth organizations exhibit a mixed reaction although youth are in at the forefront of the protests; and cultural and sports bodies are also largely quiet on the matter.⁹⁶ Recently we are now seeing repeat uprisings in many areas such as Orange Farm, Balfour and others, indicating that the problems are intractable. New and perhaps more radical strategies might develop as communities realize that setting barricades and burning tyres does not always lead to the desired change. Indeed, the past year has witnessed a transition from service delivery protest to expressions of xenophobia.

From protest to xenophobia

The country and the world were shocked when in May 2008 at least 62 people were killed and thousands displaced due to attacks on 'foreigners', black African working class immigrants. A worrisome development has been the occurrence of xenophobic attacks during anti-government protests around service delivery and related issues.

Although in practice there seems to be **a clear distinction, based on the motives and goals of the action, between a xenophobic riot and community and worker action**, overlaps sometimes OCCUR.

⁹⁶ Prishani Naidoo argues that the student and youth movement in South Africa has been more or less emasculated away from fighting for broader social transformation because of its ties to the ruling party. Please see 'Taming the young lions: the intellectual role of youth and student movements after 1994' in William Gumede and Leslie Dikeni (2009), *The Poverty of Ideas: South African Democracy and the Retreat of Intellectuals*, Jacana, Auckland Park.

In Siyathemba township, Balfour, in the Mpumalanga province, the community has twice erupted in violent protest demanding jobs and improvement in their area. They burnt down government buildings including a library. On both occasions, some protesters attacked shops belonging to immigrants from African countries. The structural conditions that obtain in South African working class communities especially in poorer areas have produced both xenophobic attacks and protests against the government. Some protest leaders have blamed a 'criminal element' that takes advantage of the situation in order to loot under the guise of xenophobia. In a conversation with two leading activists in this township it emerged that the organizers of the protests were against the attacks on African immigrants' shops. But they conceded that some people with xenophobic or criminal intentions took advantage of the situation. One of them expressed the cynical view that if you attack immigrants 'the government will come running' because xenophobia is seen as bad for the country (especially in the light of the World Cup soccer games). In other research it has been reported that in some areas, such as Khutsong, there were no xenophobic attacks during the May 2008 wave, This was partly because the leadership of this community, embroiled then in militant revolt against the government on the demarcation issue, actively promoted tolerance and unity between South African born locals and immigrants in the light of their bigger common struggle to resist re-demarcation into the North West province.⁹⁷ Research in Soweto revealed that some community organizations successfully influenced significant sections of their constituency to adopt anti-xenophobic positions including persuading people to provide moral and material support to immigrant communities in need.⁹⁸ Leadership and agency in civil society organizations can help to mitigate the structural factors that might provide fertile ground for xenophobia.

Given the existence of xenophobic attitudes and practices in South African society, the role of leadership in protest action ideally is to admonish against xenophobia and to espouse a politics that emphasizes co-habitation, tolerance and mutual respect irrespective of country of origin. Research seems to suggest that the possibility of hostile attitudes and attacks is reduced if there is positive social intercourse between different groups in society.⁹⁹ There is also evidence that suggests that the state and the employers sometimes promote xenophobia through the manner in which they interact with and treat Africans not born in South Africa.¹⁰⁰ Active steps need to be taken by civil society organizations to counter xenophobic attitudes and attacks. Left to themselves things will turn xenophobic in certain depressed areas in South Africa given the frustration of the masses and the tight political management of discontent by the government that leaves little room for the masses to ventilate and engage constructively.

⁹⁷ Joshua Kirshner and Comfort Phokela, 'Khutsong and xenophobic violence: Exploring the case of the dog that didn't bark' in *South African Civil Society Response to the Xenophobic Violence of May 2008*, Atlantic Philanthropies – Centre for Sociological Research, University of Johannesburg, 2010.

⁹⁸ Trevor Ngwane and Nonhlanhla Vilakazi, 'Social movement responses to the xenophobia: a case study of the Soweto Electricity Crisis Committee, the Anti-Privatisation Forum and the Coalition Against Xenophobia' in *South African Civil Society Response to the Xenophobic Violence of May 2008*, Atlantic Philanthropies – Centre for Sociological Research, University of Johannesburg, 2010.

⁹⁹ Ngwane and Vilakazi, Op cit.

¹⁰⁰ Police, for example, regularly 'raid' Africans searching for 'illegals' in the country. Another problem is the Department of Home Affairs which issues short-term work or temporary stay permits which makes the life of people unstable. Employers are reported to routinely pay African immigrants less money, treat them badly and work them harder than workers born in South Africa. This emerged from interviews with working class immigrants in the Philanthropies study quoted above.

The xenophobia shows that **organized civil society will not always consistently act in a progressive manner.**

For example, some social movement organizations had their hands full organizing against xenophobia and rooting out the xenophobia virus sometimes from their own members. Some of these were part of a broad coalition against xenophobia that was formed in Johannesburg consisting of more than a hundred organizations.¹⁰¹ At the centre of this initiative were social movement organizations such as the Anti-Privatisation Forum, NGOs such as the Lawyers for Human Rights, refugee groups, and at least one union. The leaderships actively intervened to educate and persuade their members against succumbing to the argument of the xenophobes.¹⁰² It seems that political intervention is necessary to keep civil society organizations and their members on the progressive path.

Xenophobia needs to be fought and eradicated and research suggests that the issue of xenophobia should be part of the mix of things that communities or unions organizing and planning protest action discuss in their meetings. Creative ways must be found to 'mainstream' the issue into protest politics. Active steps can be taken to promote tolerance, understanding and solidarity through well-thought out programmes. For example, the needs of immigrants can be included in the demands of a protest so that their issue becomes everyone's issue. Ideology is important in the type of politics that is deployed in mass action.¹⁰³ Education and ideological training is important in civil society organs such as social movement organizations in order to share and develop the political values of the organization to the benefit of all its members. The struggle against xenophobia traverses all spheres of life and most of our activities can provide avenues for us to challenge and fight this scourge. Protest politics is one such avenue.

Identity is important in the struggle against xenophobia. Some activists who organized against xenophobia long before the May 2008 outbreak saw themselves as Pan Africanist and defined African immigrants as their 'African brethren and sistren'. They rejected colonial borders and embraced Kwame Nkrumah's vision of a 'United States of Africa'.¹⁰⁴ These activists also embraced socialist ideology going beyond the chosen identity 'African' and advocating international working class unity. The slogan of the Campaign Against Xenophobia was NO ONE ILLEGAL! This is a call to defend those who are harassed for papers; giving solidarity and fighting together seemed to be the best foundation for building tolerance and finding a common identity.

¹⁰¹ Ibid.

¹⁰² One of the APF affiliates based in Alexandra, Vukuzenzele, was filmed making xenophobic statements. The APF moved quickly to re-affirm its anti-xenophobic stance, conducted an investigation, took disciplinary steps against the culprits and involved its affiliates in activities promoting solidarity with African immigrants.

¹⁰³ 'Urban social movements take on mixed political coloration', according to David Harvey, because of the axis of class struggle and 'other axes' of revolt and revulsion. 'The vision of possible alternatives is put up for grabs'. *Consciousness and the Urban Experience: Studies in the History and Theory of Capitalist Urbanisation*, Baltimore: Johns Hopkins University Press, p. 2.

¹⁰⁴ Ngwane and Vilakazi, *ibid.*

Assessing the new protests

As witnessed in state statistics showing white people have a 24% higher income since 1994 and black people a -0.01% lower income, no one would disagree that the victory against racial apartheid was truncated. The dreams, hopes and aspirations of millions of people were only partially realized. The response of civil society organizations in South Africa to this development has, among other responses, taken the dramatic form of protests. It is not only communities demanding development, but also students in universities demanding access to education, sometimes it is communities marching against a rapist being granted bail, other times a march to support a local 'leader' in trouble with the courts, church congregations have been known to protest around internal disputes. However, due to time and space problems I will confine my assessment to the community uprisings and strikes in the post-apartheid era.

Anti-apartheid protests died with apartheid. The political culture at the time of the democratic transition promoted the idea that the struggle was over and civil society organizations were even closed down or absorbed into ANC structures. On hindsight this was a mistake by the movement of struggle against apartheid. Organizations such as COSATU and SANCO handed everything to the ANC leaders as if it was the anointed leader of not only the alliance but of the new free society. They and other civil society organizations ceded all power to the ANC including the right to define and circumscribe what is acceptable popular action and activism. In the excitement of transition the movements forgot that there no guarantees in the struggle. Also, a clear class analysis of the transition was confounded by the blurring and confusion of national interests with class interests in a manner that undermined independent working class organization and action thus opening the door for an elite transition.¹⁰⁵

However, as we have shown, the protests did not entirely stop despite the new hostile political culture. They continued despite facing heavy odds and having their own limitations. The early protests faced serious problems in that the hegemony of the ANC was at its strongest as was the anxiety that protest action could undermine the new government. As the pejorative term 'popcorn' suggests, the protests were trivialized, marginalized and demonized. 'Who are these people?' the ANC asked. The popcorn leaders carried forward a tradition of working class combativity, they withstood the demobilization and pacification of the movement that was taking place during the political transition. By doing so they underlined the point that the South African working class was not defeated outright and its fighting spirit was not extinguished despite taking heavy losses during the transition. The ruling class granted big concessions to win the working class into supporting the ANC's unsatisfactory political settlement. Later, the government developed more sophisticated methods of dealing with the protests including regimentation and red tape. The government also set its secret service onto the protests in order to keep them under surveillance. New epithets were coined to discredit the protests such as labeling them 'counter-revolutionary' and accusing them of being organized by the 'ultra-left'.

¹⁰⁵ Patrick Bond (2000), *Elite Transition: From Apartheid to Neoliberalism in South Africa*, Pluto Press.

The birth of the new social movements requires a broader and more wide-ranging assessment because, as noted above, they appeared on stage as part of and hence possesses certain attributes of the anti-globalisation movement. This great movement was born as an expression of disappointment with 'old forms of organising' and a perceived need to invent a 'new' politics. However, it seems as if the baby of tried and tested methods of struggle was thrown out with the bathwater of mistakes and deviations that had severely crippled the struggle in the 20th century. The search for a stronger way forward necessitated a wide-ranging critique of left strategies of social change but this critique was arguably taken too far.

From the anti-globalisation movement emerged a whole body of writing which shed new light on old problems and led to some serious revisions of existing conceptions of civil society, political organization and mass mobilization.

There was an earnest search for new concepts that were more appropriate to the 'globalization' process than engulfing the world.

There was also revulsion not only against capitalist sins, but also against the cardinal sins committed by regimes calling themselves left and Marxist such as the atrocities of Stalinism. However, this healthy dynamic was also undermined by some dubious philosophical and strategic choices of the new movements. There was an attempt to revert back to pre-Marxist ideas and approaches to struggle despite the limitations of these. Form got confused with content; for example, disappointment with left political parties was made into a theory of rejection of political parties as such. The 'iron law of oligarchy' thesis was invoked; not only were political parties bad for the struggle but, politicians, politics, political organization, organization itself, leaders and leaderships, trade unions, the state, state power, and so on, were all concepts and entities that were said to have no place in revolutionary politics. The failures of working class politics provoked a rejection of the notion of working class leadership in the struggle and went so far as to declare the working class dead. The socialist vision was rejected because the very notion of vision was seen as a 'totalizing narrative'. Alex Callinicos and other Marxist scholars have spent a lot of time and ink pointing out the problems of post-modernism and its intersection with left politics.¹⁰⁶ Solid revolutionary insights that were developed over decades and even centuries of struggle were discarded in favour of starting anew. But, as we can see today with the uncertainty of the anti-capitalist movement about the way forward, this over-critical approach did the struggle a disservice despite its noble and revolutionary intentions.

The 'new social movements' in South Africa were influenced by the anti-capitalist movement in a number of respects. Some of the ideas of the global movement were imported into South Africa together with the inspiration, solidarity and support the local movement received. One outcome was that some social movements stopped mourning and started to celebrate their isolation from organized labour and organized politics. They became centres of their own universe. Opportunities to work with unions and political parties were lost or not sought. Some of the movements declared

¹⁰⁶ See for example: *Internationalism Socialism*, "Can we change the world without taking power? A debate between John Holloway and Alex Callinicos", World Social Forum, 27 January 2005.

themselves 'non-political' which, in practice, meant an attempt to sidestep the ANC as ruling political party and to avoid grappling with the difficult terrain of electoral politics. The same tendency to sidestep rather than confront applied to the unions, the movements kept their distance from rank and file union members ostensibly to avoid dealing with the union leadership thus leaving workers in the clutches of the trade union bureaucracy.¹⁰⁷

The issue by issue approach seems to have pared down the vision for an alternative society.

The struggle around localized issues and celebration of localism tended to **discourage the unity of movements** across struggles.

Campaigns increasingly became inward-looking until the political field was filled with small, isolated, fragmented, episodic and ever weaker social movement organizations. By the time the next wave of protest action came along, the community uprisings, the new social movements were not in a position to link up with let alone lead such struggles. Some simply died. On the other hand, the potential of the country's biggest public sector strike to rebuild the working class movement and challenge capitalist power was lost because the worker leaders made a political choice to turn the struggle against the ANC's pro-capitalist anti-working class policies into a struggle to get rid of one leader and replace him with another (Zuma for Mbeki). No attempt was made to unite the public sector strike with the strikes in the private sector, something that could have taken a mere telephone call to achieve. The COSATU leaders displayed a politics that makes them prefer to fight for influence inside the ANC rather than to oppose the ruling party, that inclines them to promote a leader rather than the class, that predisposes them to build bridges between employers and workers rather than build a struggle to defeat the employers. Today COSATU, and its close ally the SACP, is in a difficult position politically because of this politics of class collaboration.¹⁰⁸

With respect to the latest wave of community uprisings taking place in South Africa today, I would say these protests need to be celebrated because they represent the continuation of the tradition of mass action, they also reflect the renewal and re-awakening of working class struggle. But, as the occasional degeneration into xenophobia shows, there is still a dearth of visionary politics in some of the protests. Rather than finding the solidarity and generosity of struggle, the sharing and caring that comes with collectivism, we sometimes find a capitalist competitiveness: 'It must be us who gets, not them. Why do they get – we are supposed to get before them. They are not supposed to get – we are. We were here before them. They do not belong here. If they get, they are taking away from us.' During the days fighting apartheid the slogan of the movement was 'houses for all' because it was understood that if everyone gets a house I too will get a house. But today the idea is that I must fight hard to stop him getting a house because if he does it means I won't get one. This is a problem that weakens the protest movement.

¹⁰⁷ J. Grossman and T. Ngwane (2005) 'Social Movements and the Revival of the Workers' Movement in South Africa' unpublished paper.

¹⁰⁸ COSATU leaders are suggesting that Zuma and the ANC are betraying them. It should be noted that almost all of the COSATU leaders are SACP members.

Those who participated in the struggle against apartheid experienced the power of a working class movement moving forward in action and fired by an imagination of a different kind of future. The political settlement undermined this vision of a socialist future as workers were told that their socialist dream was not realistic and that the South African government had ‘no choice’ but to follow Washington Consensus ideas of development when engaging with globalization. The youth of today have never shared in this dream nor have they experienced the power of a working class movement moving forward in struggle with hope and vision. The most that has ever been offered to them is the hope of a benign leader; of clawing their way upwards away from their class brothers and sisters; of making themselves part of a favoured minority. Many community protests are led by a youth deprived of the chance to imagine a radically different future.

The missing alternative vision

Some commentators have pointed out the need to go beyond protest politics to a transformative or generative politics in South Africa.¹⁰⁹ This is necessary to facilitate the conversion of defensive struggles into offensive attacks on vested interest with a view to laying the basis for a different kind of society.

These authors celebrate protest politics but point out **the need to have a vision of solutions rather than a perpetual struggle for survival**, just to keep where you are. Resistance, it is argued, is not enough.

We can see how important civil society movements and organizations are in the struggle for a humane and just society. The struggle against apartheid was won because protests contributed to the overall fight against the racist social system. Today’s protests are an attempt to defend and deepen the victory against apartheid. The new challenge for the masses of South Africa is the ANC government’s economic policies that favour the rich. The protest movement represents a critique of the trickle down model of development adopted by the ANC. Increasingly, the protests will be seen to herald the birth of a new type of society; a society where all forms of exploitation and oppression will be eradicated. This movement will succeed if, among other things, it is imbued with a vision of alternatives.

The lessons from this overview of contextual terrain are numerous. First, as the varied responses to the May 2008 violence illustrated, there is something quite vital and inspiring about civil society. The big march held by CAX through the City of Johannesburg, the food parcels and tents supplied by faith based organizations, the proactive work against xenophobia by the SECC and the MDF, together represented the silver lining in what was a horrible period in post-apartheid South Africa.

However, it is more appropriate to move now to the shortcomings observed in civil society, based upon a less than optimal context in which divisions of labour, ideological differences and other

¹⁰⁹ Michelle Williams (2008), *The Roots of Participatory Democracy: Democratic Communists in South Africa and Kerala, India*, Palgrave Macmillan, New York.

disputes remain important. One of the significant challenges for leaders of social movements is to sustain a vision that inspires and is actually subscribed to by its members. One danger is for leaders of social movements to claim they subscribe to or are promoting an ideology, when their members have little commitment or understanding of it—they simply want services or an improved lifestyle. These tensions are evident in the mixed actions and positions of CSOs on xenophobia.

Nor have responses within communities by CSOs been in any ways monolithic. Khutsong, after a long spell of violent protests particularly in 2006, has highlighted the ability of residents themselves to mobilize a peaceful counterforce which could defend foreign nationals against xenophobic attacks. As the research paper on Khutsong illustrates key here was the way in which community-based organisations have framed their demands, not against a minority group within Khutsong, but against a common cause to get Khutsong incorporated into Gauteng Province.

While the APF, the SECC and, to some extent CAX attempted to ground their response to xenophobic violence in a critique against capitalism and the adoption of GEAR, the case of the APF in Alexandra indicates that CSOs themselves are multi-layered. The Alexandra Vukuzenzele Crisis Committee, an affiliate of the APF itself, has reflected xenophobic attitudes and did not develop a clear anti-capitalist framework within which to deal with the issue of xenophobia. In fact, the APF's claim, in Alexandra and beyond, that the constitution declares that all South Africans have the right to housing has provoked new discussions among leaders in the APF as to how to deal with the question of access to housing beyond South African citizens. COSATU too finds itself in a cross-fire of contradictory impulses despite its public statements condemning the attacks. Many African foreigners were acting as a cheap supply of labour and undercutting many gains of the movement. In addition, it has supported a 'Buy South African' campaign which could easily be said to feed into xenophobic sentiments, as Mondli Hlatshwayo's research on COSATU reveals.

Stated in another way, we find a dynamism or positive energy in some areas when issues have a direct relevance to people's lives. When people are struggling for survival, they will respond to a clear agenda that promises to assist with meeting these needs. However, the more complex the issues, the more difficult it is to mobilise civil society. This explains, to some degree, why organisations responded to the immediate aftermath of the attacks, but otherwise engaged weakly with wider structural issues.

The most important criticism that can be made of civil society is that **it saw its response mainly restricted to the crisis in the immediate aftermath of the May 2008 violence**. Can we expect any component of CSOs to fashion a response, when society as a whole was at a loss? **Does civil society lead or is it a mirror of society?**

As the case studies show in some areas, CSOs were able to prevent attacks through incredible door to door campaigning, and also able to mobilize South Africans to protest xenophobia and provide support from tents to food to those in the camps. They have been less successful in supporting

those affected by the violence in terms of making fundamental inroads into xenophobic attitudes, or in reversing the structural conditions that lead to xenophobia. Although the resource dependence literature clearly helps to explain the strength and success of civil society organisations, it is a partial explanation at best. Having resources can clearly strengthen an organisation, but it is not a given that it will do so. Plenty of organisations have instead been torn apart when coping with funds. And of course there are many civil society organisations, particularly social movements, that have few or no outside resources and are incredibly strong.

Instead we need to consider the history of the local area, and its reserve of committed individuals. If the area has such individuals or groups and a local ideology that is not closed to change, referred to as a 'social foundation for change', it is well positioned for change. So whatever the type of CSO, linking up with outsiders or obtaining support or resources can act as the spark for promoting the direction in which the area is poised to move. It is the socio political nature of the community rather than the type of CSO that ultimately matters.¹¹⁰

Indeed, civil society in South Africa cannot be located outside of the social crisis of reproduction. As Du Toit argues, this social crisis is also about the poor being subject to local power structures and patronage systems from which it seems intractable to escape. This requires civil society to be located in broader processes within which household livelihood profiles and choices have their existence. 'This includes the need to properly understand intra- and inter-household conflicts and struggles, as well as inequalities of power and conflicts and interests.'¹¹¹

Comparatively, formal associational life amongst 'culturally' and 'politically' marginal poor households is 'thin, and often appears fragile and subject to conflict.'¹¹² This lack of participation by the poor shows that political democratisation, transformation and service delivery has been in terms of far more powerful and vested interests. Part of the explanation lies in the incomplete transition of the poor from being 'subjects' into being 'citizens' of the democratic order and the post-1994 turning of the poor into 'objects' and passive recipients of development. More fundamentally, the state of being poor undermines the ability of poor people to participate fully in their own lives: poverty and the lack of power of poor households mutually reinforce each other. Whilst poverty may not rob the poor of their agency, however, it 'circumscribes and limits the forms of agency that are available to them.'¹¹³ This political disempowerment of poor communities weakens their capacity to challenge the very social, economic and political processes which marginalise them. Instead, poor people are integrated into the circuits and networks that marginalise them thus undermining their ability to control and impact upon the systems into which they are locked.¹¹⁴

Given the generalised marginality of the poor, the ruling party and government officials can easily dismisses existing civil society as elitist. This has the potential to delegitimise and weaken civil society. An important factor to account for the vulnerability of civil society and social movements is the absence of a politics of sustained mass participatory organising.

¹¹⁰ Mary Galvin (forthcoming, 2010), "Survival or Advocacy in Rural South Africa?" in Maharaj, Desai, and Bond (eds), *Zuma's Own Goal: Losing South Africa's 'War on Poverty'*.

¹¹¹ Du Toit (2004).

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid.

What determines the social mobilisation of, and active public participation by the poor? What can be learnt from the example of social movements, which despite other problems, seem to have been able to move significant strata of poor people into engaged agents for social change?

Contrary to this political marginality, Desai argues that we have also seen the 'galvanisation' of the poor who 'have opposed water and electricity cut-offs and evictions (consequences of the privatisation of public services), and have begun making connections'. A variety of social movements arose in response to these consequences of state policy as well as the conditions of poverty and marginality. These social movements have focused on the immediacy and locality of their issues. These social movements can be thought of as embryonic elements of the 'counter-movement demanding protection'. The demands and actions of the social movements have been classified as 'direct action' focused on the state. Desai also recognises that many of these social movements have structural weaknesses when they have not been able to achieve tangible outcomes in the process of struggle.¹¹⁵

According to von Holdt and Webster, the significance of these social movements is their potential to re-socialise the crisis of social reproduction which is privatised into private crisis, distress and conflict in households and communities. They can do this by 'building social solidarity around it, projecting it into the public arena, mobilising support and action, and influencing the state and public policy'.¹¹⁶ Desai is more dramatic: 'these movements have created a political scandal by deliberately engaging in actions that create instability and disorder'. He also imposes a massive historical task on these movements: according to him they 'have come to constitute the most relevant post-1994 social force from the point of view of challenging the prevailing political economy'. Indeed, the poor people's movements 'are challenging the very distribution of power in society' and are 'a source of tremendous potential counter-power, if not counter-politics'. Related to the rise of social movements, Desai also identifies the onset of 'quiet encroachment' by ordinary people onto those who are propertied and powerful as a means to ensure survival. This may take the form of land occupation, stock theft, etc.¹¹⁷

Despite the rise of social movements and the prominent civil society organisations, ultimately, **the above situation confirms weak popular forces that are capable of acting outside the state, the market and the family.**

In the South African reality that is so dominated by the ANC, we also need an understanding of its political contestations that are largely about 'grievance' and 'conspiracy' politics combined with masked calls for the inclusion of an elite group in decision-making. This kind of dramatic politics inevitably spirals up to schemes, plots, counter-conspiracies, hype, sensation and doing everything to deliver the next blow against the other side. In this drama, the 'walking wounded' doubled up as

¹¹⁵ Desai (2003).

¹¹⁶ von Holdt and Webster (2005).

¹¹⁷ Desai (2003).

'emotive forces' (and not motive forces) and aligned in the now infamous 'coalition of the wounded': the bloc that dislodged Thabo Mbeki from state power.

All this potentially leads to the systemic political demobilisation of popular forces, the forsaking of democratic values and the undermining democratic impulses in broader society. In this scheme, politics becomes a kind of theatre in which the majority of the people are reduced to disempowered spectators whilst some of them are drawn into vocal players on the stage. The majority do not have much of a choice: they cannot choose not to watch the show, they have a choice when to applaud, failing which they can fall asleep or, at worst, grumble in muted protest. In such a plot, we see the death of a progressive democratic politics. Such politics have a debilitating effect on the extent to which popular forces can boldly and confidently struggle for the deepening of democracy.

Many strata amongst the popular forces have not completed the transition from being 'subjects' into being 'citizens'. Instead, many have become 'objects' and passive (dissatisfied) recipients of development. More fundamentally, the state of being poor undermines the ability of poor people to participate fully in their own lives: poverty and the lack of power of poor households mutually reinforce each other. Whilst poverty may not rob the popular forces of their agency, however, it 'circumscribes and limits the forms of agency that are available to them'. This political disempowerment weakens popular capacity to challenge the very social, economic and political processes which marginalise them. Instead, poor people are further integrated into the circuits and networks that marginalise them thus undermining their ability to control and impact upon the systems into which they are locked.

Despite South Africa's celebrated constitutional framework, we have to ask what are the structural limitations on accessing constitutional rights? These are identified and discussed below as structural inequality, the lack of a comprehensive social security system and the limited nature of a democratic system. Discussing these is to also suggest that the key (potential) drivers for change in South Africa derive from effective strategies that can overcome the given structural limitations. Absent in South Africa's 'miracle' is wider economic transformation that brings significant material changes in the lives of a large sections of society. Instead the overall trend of human development and inequality indicators has pointed to growing misery and inequality. This shows how many of the positive human rights and constitutional changes will ultimately be hemmed in by the systemic and structural features of our socio-economic system.

What are the real systemic and structural limits to human rights even though South Africa has an impressive human rights infrastructure in place?

Structural and systemic foundations of inequality remain intact even in conditions of restored profitability.

Civil society in SA has only rarely focused on challenging the systemic and structural foundations of inequality. This perspective and voice are sorely needed. The unemployment problem in South Africa is systemically rooted in apartheid under-development, but it may also be related to the global restructuring of production and the increasing global inability of capitalism to absorb working-age

people into formal employment. To what extent can the strengthening of civil society also concern itself with debates and activities that seek to address the systemic and structural foundations?

Current economic policy debates in the ruling ANC are important here. In these debates, there is a clear shift away from private sector led growth towards the notion of a developmental state. This is important. It is less certain whether such a move will necessarily address structural inequality and unemployment particularly given the silence on the role that ordinary people must play in economic transformation. Also absent in the public debate on economic policy are well-researched and well-informed voices of civil society. Are there spaces to build the voice of civil society in economic policy debates and actual implementation? Access to rights and services hinges on the extent to which there is sustained economic growth, development and transformation.

One other key absence in the human rights infrastructure is pluralities of democratic social power of the people: many sites of power where ordinary people recognise their social power, build their social weight, have effective multiple social voices and impact on all aspects of their lives. What is civil society doing to optimise and deepen democracy through building the social power, voice and weight of the constituencies that they work with? How to overcome the fragmentation of social movements and bring together broader coalitions for social justice? How should social movements engage with formal political structures and formations? How do we grow a new generation of activists?

Also, what degree of engagement with a broadly neoliberal state is appropriate? The detail of the case studies undertaken reveal that while some organisations have built a partnership with the government, as in the Gift of the Givers (GoG), churches and NGOs in various communities, other organisations have been described as part of uncivil society given their potential to challenge fundamental economic policies of the government, as well as the militancy that they display, using even illegal means such as the Soweto Electricity Crisis Committee's (SECC) reconnection of electricity and the Anti-Privatisation's advocacy of the removal of water meters in places like Phiri. Furthermore, the cases of Coalition Against Xenophobia (CAX) and the APF, as opposed to many NGO and faith-community responses, point to the difference between structural analysis and more immediate relief. On the one hand, the reactive responses by NGOs such as the Gift of the Givers have been necessary to mitigate the grief and suffering caused by the xenophobic violence in May 2008. On the other, COSATU, CAX and the SECC have attempted to deal with the issue of xenophobia in a more systemic and long-term manner, but these responses have varied across time and space.

Applying the above implications to the local context, civil society has to go beyond the limits of assimilation by the state, its constrained 'service delivery' frameworks, rights-based approaches and local power dynamics. Since the national policy framework has significantly institutionalized neoliberalism in the governance of localities, 'community struggles in the local terrain cannot be isolated from or successfully prosecuted without linkages with struggles against neoliberalism at a national level'.¹¹⁸ In the local scale there are possibilities to break some new ground.

¹¹⁸ Kgara (2007), Op cit.

Critical here is the need for civil society to **understand the spatial economic dimensions of neo-apartheid cities**, and therefore seek to build a political approaches that challenges this.

Critical here is the development of a localised approach to sustained mass participatory organising which would go beyond clientelism, rights-based approaches and assimilation by the state. But this is not possible if civil society is not self-critical and is not based amongst those who are on the peripheral social, economic and political zones.