

**The Antinomies of Civil Society and Democracy:
Civics as Publics in Post-Apartheid South Africa**

Patrick Heller
Department of Sociology
Brown University

August 2005

DRAFT – DRAFT -- DRAFT

Please do not quote without permission of author

Patrick_Heller@Brown.edu

Acknowledgements: I would like to acknowledge the research assistance of Libhongo Ntlokonkulu and Kenny Hlela, as well as useful comments from Steven Friedman, David Meyer and Ivor Chipkin on earlier drafts.

Correspondence:

Patrick Heller,
Department of Sociology, Maxcy Hall
Brown University,
02912 Providence, RI

(Ph) 401-863-7465
(Fax) 401-863-3213

Patrick_Heller@Brown.edu.

The Antinomies of Civil Society and Democracy: Civics as Publics in Post-Apartheid South Africa

Civil society today is a much burdened concept. Having recognised that formal democratic institutions and practices represent only a first step in realising the full emancipatory potential of a democratic society, democratic theorists have now invested civil society with the historical mission of finishing the task. And in that capacity, civil society has much to do. A vibrant civil society, it is argued, injects new ideas and opinions into public debates, creates new channels and modes of participation and demand-making, amplifies and diversifies sources of government accountability, empowers the marginalized and nurtures citizens= democratic capacities. A vibrant civil society compensates for the deficits of representative democracy.

The increased attention to the democratic effects of civil society is all the more significant because it has emerged from the full range of democratic contexts. In developed democracies, new forms of associational life have been celebrated as the countervailing force to an increasingly bureaucratic and power-beholden state.¹ In developing democracies, where democratic institutions have had less time to mature and the basic political capabilities of citizens remain underdeveloped, the virtues of associational life have come to be treated as the very lifeforce of democracy.² If this convergence of views across such different contexts marks an important move past the limited focus on procedural democracy that has dominated the democratization literature, this renewed attention to understanding how associational life can help deepen democracy has all too often substituted normative faith for empirical analysis. This problem is particularly acute in developing democracies where rather than testing the relationship between civil society and democracy empirically there has been a tendency to evaluate civil society through teleological lenses, that is by what it is destined to do (strengthen and complement representative democracy), rather than by what it actually is or how it does it. Civil society has been vested with a developmental logic of its own, growing and expanding from some innate propensity to associate and participate to functionally complement representative institutions. *Homo associational* is duly celebrated, with the attendant prescription that we must invest in civil society.³

This paper argues that the expansion of associational life and formal democratic institutions are co-determined, but not necessarily mutually reinforcing. While the synergy that a long line of theorists of civil society and democracy have posited is possible and certainly desirable, it is conditional, the product of concrete historical struggles marked by cycles of reinforcing engagement and conflictual disengagement. Civil society can neither be collapsed into the shared value-consensus of communities in neo-Durkheimian theory, or

¹ Key theoretical contributions include Cohen and Arato (1992) who focus on the transformative capacity of social movements and Cohen and Rogers who examine the role of intermediary institutions (1992).

² Rajni Kothari, one of the first and most influential representatives of this view, presents associational life as the “take-off point for humane governance” (1988:3).

³ Nowhere is this more starkly evident than in the zeal with which scholars and policy-makers have embraced the idea of social capital. Harriss provides an extended critique (2002).

reduced to the atomized individuals of liberal theory. To grasp civil society in its full, dynamic, historical complexity it must be treated as a contested space that has a variable relationship to culture (or more specifically the lifeworld), the state and the market. If the civil society/lifeworld distinction has received extensive treatment from Habermas (pivoting on the distinction between normative and communicative action) the focus of this paper is on civil society's relationship to the state and the market. For reasons that will become clear in the case of South Africa, the theoretical legacies of Gramsci and Polanyi, as recently synthesized by Burawoy (2003), provide particularly effective points of analytic leverage.

For Gramsci (1972), civil society is inextricably linked to the state and political society, both as an extension of state hegemony as well as an arena of potential counterhegemony. Civil society can both contain and promote class struggle. If some have taken Gramsci to task for a perceived lack of theoretical clarity (Anderson, 1976), others have recognized the historical sensitivity of his formulation, and in particular his recognition that the primary class effects of civil society (eliciting consent or nurturing counterhegemony) are conditioned by the prevailing configuration of forces and that during certain historical junctures civil society becomes the principle terrain of contestation. With a different focus, Polanyi (1944) makes a parallel argument that the market exists in "contradictory tension" with society. In the 19th century, markets evolved in the direction of greater self-regulation and independence vis-à-vis society, with the consequence, Polanyi argued, that they increasingly threatened the very "substance of society". If, as Burawoy points out, Polanyi had little to say about the actual politics of modern capitalism (and had no theory of domination), he had much to say about the genesis of modern civil society as a "countervailing" force to the market. He thus interpreted the wide range of reform movements that emerged in the late 19th century as so many efforts to protect society from the dehumanizing effects of the market, an argument that has been widely resuscitated more recently to make sense of the global justice movement (Gray, 1998; Stiglitz, 2003; Munck, 2005). Bringing this unlikely pair together, Burawoy argues that society must be conceived as *active society* composed of a range of societal actors engaged in a continuous struggle for self-regulation which takes place along two axes: as a counterhegemonic struggle against state power and as a countermovement to market commodification.

I draw on and develop this framework through a close examination of the post-transition trajectory of South African civil society, arguably one of the most vibrant and transformative civil societies in the developing world. Specifically, I uncover the antinomies of civil society and representative democracy by examining the relationship of South Africa's township associations to the most important associational expression of the urban poor - to new democratic institutions of governance. Drawing on data collected from interviews, participation in meetings and focus groups, I argue that the consolidation of representative democracy has had a decidedly mixed impact on civil society, and particularly civic associations. On the one hand, the ANC's hegemonic politics has significantly reduced the capacity of subaltern civil society to engage the state. The civic movement, which formally scaled up into the South African National Civic Organization (SANCO) in order to shape policy and hold government accountable, has had little impact and has even become an instrument of top-down control. On the other hand, local civics have survived as "civil publics" and in response to the political domination of the ANC and the liberalization

of economic policy, many have become critical sites for resisting commodification and reclaiming democratic spaces.⁴

Unpacking Civil Society

Much of the current literature on democratization presumes a symbiotic relationship in which civil society is by definition good for democracy, and democratic institutions are by definition good for civil society. The classical theoretical case for affirming this affinity is well known. The constitutional protection of basic rights makes unconstrained associational life possible, and a rich and diverse associational life capacitates citizens and ensures the accountability of democratic institutions. But the theoretical case derived from the experiences of Europe and the United States is based on a historical trajectory in which the co-evolution of democracy and civil society was anything but linear and smooth.⁵ Indeed it proceeded through iterated cycles of struggle, with expressions of associational life repeatedly coming into conflict with existing democratic institutions and practices. At the heart of this conflictual logic of co-determination was the fact that while (bourgeois) democracy affirmed the principle of basic individual rights, it also preserved social barriers to their realization, most notably property, race and gender qualifications for voting, as well as restrictions on working class association (various anti-union laws).⁶ The existence of formal democracy and its attendant rights does not of itself constitute citizens. If by citizenship we mean the capability of individuals to engage in public life, and we recognize that all capabilities are constituted interactively, then citizenship is not an absolute right that inheres in individuals, but is rather a social relation.⁷ The constitution of formal democracy is critical to citizenship because it creates the baseline rights and formal protections of association. But *capacitated* citizenship B that is the ability to engage in public life free of social constraints - can only be acquired proactively, that is by putting rights into action. If we recognize that the social inequalities inherited by new democracies are deep and resilient, and do not simply wither away at the moment of transition, then the processes of developing full associational capabilities is an on-going one which insofar as it necessarily challenges

⁴ The research for this paper was conducted with the assistance of ... and Kenny Hlela. The research was conducted between May 2000 and April 2001 in the provinces of Guateng, KwaZulu Natal and the Eastern Cape. For a full account of the research see ...

⁵ Most notably, see Somers critique of Marshall's classic evolutionary treatment of the growth of citizenship rights as tied to the development of modern capitalism (1994). Similarly, working from a historical-institutional perspective, Skocpol argues that much as federal democracy and federated voluntary associations in the US has a positive reinforcing effect for much of American history, the rise of a more oligarchical civic universe in recent decades has weakened the participatory quality of American democracy (1999a and 1999b).

⁶ This fundamental antinomy was itself a source of social change. As Mahajan notes "since the language of rights could be appropriated by subordinated groups to challenge their exclusion from the political arena, it was an important means of empowering individuals" (1999:7).

⁷ For elaborations of the relational approach see Somers (1994), Tilly (1998) and Emirbayer (1997).

existing patterns of domination and privilege is one of struggle and conflict.

The demand for greater associational capabilities has historically taken the form of social movements engaged in struggles to expand democratic rights. Historical hindsight and theoretical reduction have produced a classical social movement analytical framework – the political process model - rooted either in structural or rational actor accounts that implies a certain co-linearity and integration between evolving institutional opportunities (state modernization) and claim-making. But as McAdam, Tarrow and Tilly (2001) themselves have recently argued, this framework cannot grasp the fluidity of interactive processes through which movement formation and success is achieved. Because the “dynamics of contention” approach they develop emphasizes the relational mechanisms through which opportunities and actors constantly shape each other, it is particularly well adapted to the circumstances of transitional societies. In South Africa, the boundaries and definitions of democracy and civil society remain uncertain and highly contested, and key actors (especially the civics movement) are continuously redefining themselves. Unlike the Western pattern of gradual (if uneven) extension of formal rights - which tracks the broader social process of lower-class incorporation - many post-colonial transitions to democracy have been marked by ruptures of inclusiveness, that is the one-time comprehensive extension of political rights to all citizens. The birth of new democracies have been accompanied by the simultaneous birth of legally (if not socially) unfettered civil societies, bringing the antinomies of civil society and formal democracy into sharp relief.

Disaggregating Civil Society

Civil society is conventionally defined as all voluntary forms of association B formal or informal B that are not part of the state or kinship systems. Defined as such it is little more than a residual category that provides little analytical leverage. If we are concerned with the question of how civil society, and more specifically how certain expressions of civic life contribute to democratic deepening, we have to begin by exploring the relationship between associational life and the *practice* of democracy.

In the standard liberal narrative, civil society and democracy are happily and productively coupled through a double move. First, a liberal, democratic constitutional order, all other things being equal, promotes associational life. From this it is then inferred that all forms of associational life are good for democracy. At first glance, this is hardly problematic. Certainly, the right to freely associate and speak is the most important bulwark against tyranny and usurpations of power. An open associational life promotes diversity and pluralism, which are not only key expressions of democratic life, but also inject vitality into the democratic process. The problem begins when we consider the *effects* of different forms of association on democracy.

First, the *right* to associate must be disentangled from the *capacity* to associate. To associate effectively in the pursuit of interests (be they narrow or collective) requires overcoming collective action problems as well as the costs of transacting with authoritative institutions. Obviously, not all citizens are equally empowered or resourced to do this. The problem is not, moreover, simply that some groups shout louder than others because they are better organized or more connected, but that some forms of associational life can crowd out other forms, and even discourage citizens from engaging in public life. Many forms of

association achieve their interests through strategies of ‘opportunity hoarding’ that effectively raise the costs of participation for non-members (Tilly 1998). The *realization* of formal rights is relational and situational. In contrast to liberal theory which equates formal rights with a levelling effect,⁸ a sociological view recognizes that rights operate on the one hand in a social context of power relations and on the other hand within institutional contexts that rather than being neutral arenas are fields in which actors deploy various accumulated capitals in pursuing their interests (Bourdieu 1984). As such, the effects of formal rights are more often than not asymmetrically distributed. In this perspective, the history of democracy-enhancing movements can be read as the practical activity through which the gap between formal and realized rights is closed.

Second, even when formally free, associational life does not always support democratic norms and practices. Many forms of association are governed by relations of dependency that reproduce hierarchy and can become breeding grounds for anti-democratic ideologies. Robust civil society structures played an important role in the rise of European fascism (Rueschemeyer, Stephens and Stephens 1992; Berman 1997; Riley 2005) and Hindu nationalism has grown through the communalization of civil society (Hansen 1999; Jaffrelot 1996). The common denominator in both of these cases is that illiberal elites nurtured mass bases of support by tapping into paternalistic, hierarchical and militarist traditions and social structures.

And finally, associational life can, as Hegel and Marx argued, be geared to the pursuit of particularistic interests. Such pursuits are of course perfectly compatible with democratic politics, but when particularistic or sectoral interests are not counterbalanced by more encompassing interests or contained by effective institutions, they can degenerate into rent-seeking, crippling the ability of democratic authorities to provide public goods and in effect vacating the substantive ideal of democratic decision-making.

From this it then follows that in understanding what role civil society can play in deepening democracy, we need to take as a point of departure the simple observation that different forms of association have different implications for democratic life. It bears emphasis that the problem is not in the fact of association itself, but in how particular forms of combining promote democratic or authoritarian norms, and how particular civil society formations impact the associational playing field (by restricting or expanding other associational opportunities) and the state’s ability to manage public affairs.

At an even more fundamental theoretical level, we can follow Habermas by distinguishing between forms of action that are geared to economic gain or political power and that are as such systemically governed by the distribution of resources and forms of action that are motivated by the telos of reaching intersubjective understanding. The latter presumes that actions are coordinated (and integrated) not through power (property or coercion) but through the active production of consent based on “the force of the better argument.” Critics of Habermas contend that he fails to appreciate the extent to which the efficacy of speech itself is a function of power. But such critiques ignore the crucial distinction Habermas draws between actors who *use* the public sphere and those *use and deepen* the public sphere:

⁸ For a typical and much cited example of the liberal view of civil society as applied to the developing world see Hadenius and Ugglå (1996).

... actors who support the public sphere are distinguished by the *dual orientation* of their political engagement: with their programs, they directly influence the political system, but at the same time they are also reflexively concerned with revitalizing and enlarging civil society and the public sphere as well as with confirming their own identities and capacities to act (1996:370).

This notion of the self-reflexive stance of civil society actors towards the public sphere is critical because it allows us to differentiate between those forms of associational life that instrumentalize the political arena and those that promote inclusion and more encompassing modes of opinion formation.

But to fully grasp the antinomies of civil society and representative democracy, especially in new democracies, we need to take the Habermasian idea of the public sphere one step further and disaggregate it into multiple publics. Building on Habermas, Emirbayer and Sheller provide the following definition: Apublics signify rational-critical argumentation and collective will-formation regarding the paths along which the state, economy and civil society itself are to develop@ (1999:155). Introducing the idea of multiple publics is crucial on two grounds. First, as Fraser has argued, though Habermas' (1989) does recognize the highly bounded class and gender character of the bourgeois sphere, Fraser (1992) makes the sociologically compelling argument that in the face of pervasive social inequality "arrangements that accommodate contestation among a plurality of competing publics better promote the ideal of participatory parity than does a single, comprehensive, overarching public" (1992:122). Second, in the absence of mature democratic institutions, civil society formations may face severe transaction costs for participating in civil society, but may nonetheless have significant political effects by creating counterpublics.⁹ Emirbayer and Sheller make a useful distinction between three types of publics. *Political publics* influence decision-making in the state, *economic publics* influence justice and fairness in economic affairs, and *civil publics* are defined as Acommunicative networks that turn critical attention back upon and, ideally but necessarily, aim further to democratise civil society itself Y@ (1999:145). Most of the literature on civil society in new democracies has focussed primarily on political publics and to a lesser extent on economic publics. Relatively little attention has been paid to civil publics. Yet in the developing world, where much of associational life is rooted in exclusionary and hierarchical identities, the democratising potential of civil publics is all the more significant. As we shall see, while the civics movement in South Africa has all but collapsed as an effective political public, its role as a civil public has become all the more important.

Civil Society and Democracy in South Africa

By any standard of comparative evaluation, civil society in South Africa is clearly in good shape. South Africa has a vociferous and independent press, a plethora of organized interest groups, a constitution that is widely considered to be a model of civic and human rights and a powerful, independent and proactive judiciary. Though South Africa is marked

⁹ Fraser defines counterpublics as "discursive arenas where members of subordinated social groups invent and circulate counterdiscourses to formulate oppositional interpretations of their identities, interests, and needs" (1992:122).

by some of the highest levels of inequality in the world,¹⁰ the configuration of class power in South Africa is highly favorable to democratic stability and a strong civil society. Most notable is the strength of the organized working class. Not only does the labor federation COSATU boast some 1.8 million members, but it also enjoys a degree of popular legitimacy that rivals that of the ANC.¹¹ The white business community's minority racial status gives it a particularly big stake in maintaining an independent civil society and because of its virtual monopoly over productive property it has enormous power (the threat of capital flight in an open economy) to resist state encroachment into civil society. On the other hand, because of the legacies of Bantustan rule and what Mamdani (1996) has called "decentralized despotism" (the colonial-inspired form of indirect rule used by the apartheid state), rural areas have remained under the sway of rural elites (traditional leaders), who in some areas (most notably in rural KwaZulu Natal) have carved out quasi-authoritarian redoubts. But on the whole the legitimacy of traditional leaders is waning and at the national level they carry little political weight.

Understanding post-transition civil society in South Africa requires exploring the legacy of South Africa's anti-apartheid struggle. The constellation of forces that constituted the anti-apartheid movement was marked by diversity and richness of its organizational forms, deep and broad mass support, and a dominant discursive mode of non-racial nationalism (championed by the ANC) that was quintessentially inclusive and celebratory of the normative ideal of civil society. The movement as such created the "minimally solidary community [that is] a prerequisite of democracy" (Rueschemeyer 1998:18). But the movement also generated highly robust, autonomous and local arenas of self-organization. Because the apartheid state systematically and fastidiously excluded blacks from political society, opposition to the apartheid state grew in the trenches of civil society. The most coherent and organized form of opposition, the labor movement, grew from the point of production, carefully exploiting opportunities for organizing that opened up with the modernization of the industrial economy in the 1970s. The labor movement eschewed direct political confrontation (until the final stages of the struggle) and instead pursued a strategy of painstakingly building shop floor organizations in which the leadership was directly accountable to the rank-and-file. In the final decade of the anti-apartheid struggle, the labor movement expanded beyond workerist issues to embrace broader questions, producing a form of social movement unionism that spanned both production and civic politics (Seidman, 1994). As the apartheid state attempted to decentralize its structures of urban control in the 1980s by delivering resources through local "black authorities" oppositional activities shifted to making townships "ungovernable" through boycotts, stay-aways and non-payment strikes.

¹⁰ With a GINI score of 6.0, South Africa is the most unequal society in the world. Households in the top decile receive about one hundred times the average household income of the bottom decile. A review of the literature found that inequality has changed little since the end of apartheid, and may even have worsened (Nattress and Seekings 2001). In asset terms, the inequalities are even greater given the virtual monopoly over productive assets by whites institutionalized under apartheid.

¹¹ For the most influential statement of the importance of the organizational autonomy and strength of the working class for democratization, see Rueschemeyer, Stephens and Stephens (1992).

Thus even if the liberation struggles had articulate and well organized national organizations – the exiled ANC and the domestic federation of anti-apartheid groups, the United Democratic Front - the mobilizational strength of the anti-apartheid movement was located in communities and most notably the township associations known as civics. Episodes of internal intolerance and violence notwithstanding, the civics movement was very much a school of mass participatory democracy that cultivated the ideal of citizenship. Because of absolute exclusion of all blacks from political society, issues of race and class were co-joined and the civics developed their own organic leadership as well as dense ties to other anti-apartheid structures including unions and progressive professional NGOs. By the early 1990s, this configuration of urban social movements had “Y created a particularly propitious conjuncture in which the mobilisation skills and affinity for egalitarian grassroots politics of the activists would be combined with policy knowledge to produce a unique and potentially workable approach to governing the post-apartheid city” (Friedman 2000:8). In 1992, over 2,000 local civics banded together to create SANCO, a unitary umbrella organization. SANCO promptly took a lead role in shaping the Local Government Transition Act and South Africa’s foundational development program – the Reconstruction and Development Programme (RDP) – laid out a central developmental role for civics.¹² Indeed, it has been remarked that the strength of the civics was such that South Africa stands out as the only case of democratic transition in which local government negotiations were integral to the process (Swilling and Boya 1997).

Despite these uniquely favourable conditions of transition, the consolidation of representative democracy has actually witnessed a visible contraction of civil society, and in particular a decline in the more contentious forms of public engagement. At the broadest level three developments have weakened subaltern civil society. First, the ANC has consolidated its hegemonic position, asserting its right, as the agent of the “National Democratic Revolution” to demand political subordination of mass organizations. Both ideologically and organizationally, the ANC has sought to assert control over civil society, and especially black civil society. As early as 1991 the ANC demanded that civics recognize its role as the leader of the liberation movement and asserted its primacy in all matters of political concern. Five years after the first national elections and on the eve of local government elections, a key party theorist deplored the “dichotomy between political and civic matters” that the very existence of SANCO represented, and called for ANC branch committees to supplant SANCO by engaging directly in civic activities (Makura 1999:17). Though COSATU has retained significant autonomy and has in particular criticized the government=s adoption of neo-liberal economic policies (to little effect), as a national organization SANCO has become a pliant extension of the ANC (Heller and Ntlokonkulu 2001).

Second, the state, including local government, has become increasingly insulated and

¹² As the RDP noted, “Social Movements and Community-Based Organisations are a major asset in the effort to democratise and develop our society. Attention must be given to enhancing the capacity of such formations... . Attention must also be given to extending social movement and CBO [community-based organizations] structures into areas and sectors where they are weak or non-existent” (ANC 1994:121).

centralized. In the name of efficiency and more rapid delivery, the ANC has managerialized decisions-making processes, reduced the quality and scope of participatory processes created under the RDP and, at the local level, shifted power from civic structures to ANC councillors. A wide range of participatory institutions have been dismantled or hollowed-out, and municipal governance has been centralized into Mega-city structures that have entrenched a bureaucratic and corporatist vision of urban governance (Beall, Crankshaw and Parnell 2002). The privatization or out-sourcing of many government functions and increased reliance on consultants has virtually crowded out community structures. The costs of successfully transacting with the state have increased dramatically. The space for subaltern “political publics” has contracted. Moreover, in the absence of local institutional spaces in which community actors can directly engage the state, the power struggles to represent the community have become much more fierce.¹³

Third, the austerity measures that have accompanied neo-liberal reforms have fuelled what O'Donnell (1993) in the Latin American context has called the “pulverization” of civil society. In 1996, the ANC government made a sudden about-turn, abandoning the redistributive and neo-Keynsian thrust of the RDP in favour of a quite orthodox neo-liberal blueprint, the Growth, Employment and Redistribution Programme (GEAR).¹⁴ Since 1996 the South African economy has actually lost jobs in the formal (and unionized) sector of the economy and changes in welfare spending have been regressive (Natrass and Seekings 2001). Basic services such as water and electricity have been privatized in many municipalities and often priced out of reach of the poor (Bond 2003; McDonald and Pape 2002). A UN report recently estimated that the poverty rate had reached 48% (UNDP 2004). With unemployment hitting 50% in many townships¹⁵ crime has exploded, and a range of business activities have been criminalized. In this climate of uncertainty, people have turned to powerful patrons - gangsters, slumlords, political brokers - for support and protection. Clientelism and dependency are eroding associational autonomy.

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 can have its democratizing effects. A large number of commentators have concluded that a hegemonic ANC and the dominance of the market have all but squeezed out subaltern civil society and particularly civics (Greenstein, 2003; Saul 2001). These general trends however do not capture the full complexity of the dynamics at play. Most notably, they fail to differentiate between political and civil publics. Closer examination reveals a shifting terrain of engagement and the creation of new publics as a countervailing force to the hegemonizing impulses of the party-state and the atomizing forces of the market.

¹³ See Jensen for a description of how community activists steal “clients” from each other (2003).

¹⁴ Key accounts include Bond (2000), Hart (2002) and Habib and Padayachee (2000).

¹⁵ Official national estimates saw unemployment rise from 30 per cent in the 1980s to nearly 40% in the late 1990s (Natrass and Seekings 2001). Case studies of townships invariably put the figure much higher.

Civics as a Counter-vailing Force

As civil society formations, civics defy easy categorization. Because they represent a particularly direct and spontaneous expression of associational life, they have manifested extraordinary variability both across time and space. If they were at one point in time expressions of mass-based resistance to apartheid, many also became instruments for coercively enforcing political compliance to the movement, especially during the years of ANC-Inkatha violence. Mamdani (1996) has carefully shown how civics have been caught in the cross-currents of political alliances, shifting migratory patterns, revitalized ethnicities, the dismantling of apartheid controls and the legacies of decentralized despotism. If many civics (including those in my sample) today are civil publics (governed by democratic processes and open debate), many are little more than vehicles for local strongmen.

My fieldwork produced a particularly salient example of this variability. In adjacent informal settlements where I did fieldwork, two separate SANCO branches had been created. One was the creation of a local strongman who had originally led the occupation of the settlement. The strongman carefully established himself as the link to the ANC, and successfully became the point person of a new housing project that would impact the entire community. Quite literally across the road, another SANCO branch represented residents who were generally older and had not been part of the land invasion led by the strongman. They formed a civic both to counter his growing influence as well as to contest how the housing project (which included allocations of new units) was being controlled by the strongman. What separated these two communities was not ethnicity, class or type of dwelling, as much as the timing of settlement and the different modes of community self-organization that had evolved in both communities. This liminality reflects the degree to which civics are suspended between “communities” in the strong sense of the term (integrated over time through well evolved boundaries and structures) and the state.

Unlike the church and cultural associations, civics did not grow out of traditional social structures but rather in direct opposition to efforts by the apartheid state in the 1980s to devolve governance to unelected “black authorities”. As associations that encompassed all residents and cut across all ethnic groups, the civics were an inclusive expression of community self-organization, fully differentiated, though not necessarily free from traditional forms of authority. Many civics indeed initially arose as direct challengers to the power of traditional leaders. The public was quite literally the mass meeting, and leaders were those with the most associational involvement, often youth activists or union veterans. Because of repression and later township inter-ethnic conflict, the turnover of the leadership was high.¹⁶

As expressions of subaltern civil society, civics were very different from unions, the other major component of the anti-apartheid movement. The workers movement in South Africa had a much longer history of protracted struggle marked by small, but incremental gains in representation. Unions were as such more organizationally mature and subject to institutional logics, including various formal mechanisms of democratic self-organization and an industrial relations system that provided for limited but increasingly significant forms of collective bargaining. Civics, in contrast, were on the one hand direct artifacts of local

¹⁶ Though women were inevitably underrepresented in leadership positions (though not in the rank-and-file), the civics were probably the most important avenue through which women gained political experience.

communities and as such deeply embedded in local networks of sociability, and on the other hand had no viable institutional interlocutors since they existed in opposition to the local “black authorities.” The political form through which civics were constituted has been aptly described as “frenetically participatory ... maintained by wave upon wave of political activity, generated by the heady atmosphere of insurrection against an unpopular, racist regime” (Adler and Steinberg 2000:11). The tension that emerged from political demands to enforce unity in the face of repression and the pluralism of actual communities often degenerated into intense factionalism, and even internecine violence. In this sense, civics were a particularly spontaneous and direct form of a counterpublic, which as Emirbayer and Sheller note, “often exhibit high degrees of internal tension, insecurity, and dispute, and may also come under intense pressures from other publics, as well as from better established social institutions B political, economic, civil B which they aim to transform” (1999:176-77).

If civics were volatile, they were nonetheless the most active component of the domestic opposition movement and deployed a wide range of movement repertoires. And if the civics were oppositional, they were also prefigurative. The efforts by the apartheid state in the 1980s to create representative structures without citizenship (local “black authorities”) nurtured a radical critique, in both strategic and normative terms, of political power. The organizational forms pioneered by the civics - street and area committees that answered to popular assemblies - embodied “a distinctive notion of participatory democracy [and] an assertion that the democracy of the ballot box constituted a truncated and deformed form of citizen power” (Adler and Steinberg 2000: 8). As Adler and Steinberg write: “The tasks of organizing a counter-culture, of inventing novel and dangerous forms of political expression, brought with them the idea – sometimes inchoate, sometimes very loud and clear – that what was being built in the residents’ organizations of South African townships was a new and revolutionary principle of political governance” (2000:2). Remarkably, even as the organic intellectuals of the movement freely invoked Gramsci in making a case for “working class civil society” critics of the civics also invoked Gramsci is arguing for the primacy of the ANC.¹⁷ These tensions between civil society demands for autonomy and participation and political society demands for discipline and unity (required both for opposition to the apartheid state and the success of ANC-led transformation) would develop into full blown antinomies in the post-apartheid period.

During the period of transitional negotiation (1992-94) the civics, now grouped together under SANCO, enjoyed extraordinary legitimacy and were granted significant institutional representation by the ANC, including quasi-corporatist functions. But this moment of incorporation was short-lived. Two broad factors conspired to undermine SANCO. Lacking a secure and independent organizational base (as opposed to COSATU) it was readily subject to cooptation. The leadership was quickly and seamlessly absorbed into the ANC, including many local level leaders who were given party positions.¹⁸ Second, SANCO suffered from a clear legitimation crisis, one that in fact perfectly reflects that

¹⁷ See in particular the debates between civic activist Mzwanele Mayekiso (1996) and communist party leader Blade Nzimande (Nzimande and Skhosana 1992).

¹⁸ SANCO Gauteng Chair Richard Mdakane estimates that 75% of elected ANC councilors in 1995 had civic backgrounds (Interview, June 14, 2000, Johannesburg). For a detailed account of this period see Lanegran (1996).

fundamental tension between formal democracy and civil society. With the ANC claiming representation of the black masses and state power firmly in its hand, the representational function of SANCO was vacated, reducing SANCO to a bridging function between communities and the party/state.¹⁹ Making matters worse, the abandonment of the RDP and the concomitant implosion of local participatory structures left civics with little if any institutional space to form a political public. The cooptation of SANCO as a peak organization coupled with the shrinking of institutionalised participatory spaces has led the media and scholarly commentators to pronounce the movement as effectively dead (Greenstein 2003, Seekings 1996). South Africa would thus appear to confirm the comparative finding that civil society is rapidly demobilized under conditions of negotiated transition in which a single, nationalist party dominates (Hipsler 1998).

But if the civics have indeed been marginalized from political society by the dominance of the ANC and SANCO reduced to little more than a pliant conduit for the ANC (conforming to Gramsci's view of civil society as the "outer trenches" of state hegemony), the most important finding of my research is that at the branch level civics continue to play an important role in community life. In Johannesburg, Port Elizabeth, Pretoria and Durban I found that nearly every township and informal settlement has one or more active civics.²⁰ Most of these are affiliated to SANCO B although some very large and powerful ones are not.²¹ Branch-level meetings I attended had turnouts ranging from 46 in a relatively well-off township in Soweto (Emdeni), to 560 in the East Johannesburg township of Wattville.²² In all the communities where I conducted fieldwork, meetings held by the civic attracted more residents than meetings held by the ANC branch. Popular support for the civics remains strong. In the most careful survey on civics that has been reported, Cherry, Jones and Seekings (2000) found that in two Eastern Cape townships 67% of township residents had

¹⁹ With notable exceptions, the provincial and national structures of SANCO rarely take public positions critical of government or the ANC, despite widespread opposition at the branch level to local government policies. SANCO's national executive committee has been described by its own president as a "dog with no bark", and has become so subservient to the ANC that it submits its policy documents to the ANC for approval (Interview with Mlungisi Hlongwane, SANCO national President, October 31 2000, Johannesburg). And while professing to represent the community, SANCO national and provincial structures (with the exception of the Western Cape) have diligently supported ANC candidates (often at the expense of candidates emerging from the ranks of civics) in local elections. For a similar assessment see Zuern (2004).

²⁰ For details see ...

²¹ SANCO claims to represent over 4,000 local branches (Presidential Address, SANCO National Conference, 2001) and there are many civics that are not affiliated to SANCO. This figure is surely exaggerated and includes many branches that exist in name only. I was however able to verify that the 40 branches that reported paid up membership in Greater Johannesburg at the 2002 SANCO national conference are indeed active.

²² I attended a total of 12 branch meetings in 6 informal settlements and townships. An HSRC study of 6 branches in Gauteng province (including one overlap with my sample), found formal dues paying membership ranged from 25 to "more than a thousand" with 3 branches claiming upwards of 500 (Lodge 2001:11).

participated recently in a civic organized meeting and conclude that “there continue to be high levels of popular engagement with self-governing civic structures at the local level” (2000:1). Drawing on survey evidence from Johannesburg, a Human Social Science Research Council study also concluded that “public participation in township-based civic organizations maintained its vigor after 1994 and apparently became more widespread than active membership of political parties” (Lodge, 2001:8).²³ As we shall see in more detail later, the most telling evidence of the *presence* of civics on the ground comes from four focus groups of black urban residents from Johannesburg that I conducted. When each of the groups was asked to discuss the “organization that does the most for the community” all four identified “the civic” and provided extensive commentary on the accountability of civics and their role in daily life.”²⁴

Civics and Democracy

Just how democratic are local civics? To what extent do they actually promote meaningful participation and constitute civil publics? A common critique – that civics have become bureaucratized by the top-down control of SANCO (Mayekiso 1996) – can easily be dismissed. Though SANCO has sought to impose discipline on a highly centrifugal movement, its organizational weakness and lack of resources gives it very little control over local branches. Though branches do sometimes rely on regional structures for advice (especially on policy issues such as housing) they enjoy complete operational autonomy from higher structures and often take positions and engage in actions that are openly in opposition to SANCO’s official positions (Zuern 2004:13, Heller and Ntlokonkulu 2000).²⁵ A second and much more serious critique is that civics have been reduced to little more than organized rackets or vehicles for strongmen. The most influential and theoretically sophisticated inspiration for this argument comes from Mamdani’s (1996) brilliant dissection of the legacies of colonial rule. Mamdani argues that indirect rule – the practice developed by the British of ruling through local intermediaries and “customary law” - tapped into and reinforced local authoritarianism in a pattern of governance he calls decentralized despotism. He goes on to argue that even when formal transitions to democracy have taken place in Africa, these local despotisms have frustrated the effective transition from subjects to citizens. Exploring the transitional period in South Africa, and focusing on the ethnic violence that pitted migrant Zulu workers residing in Hostels and organized by the Inkatha party to ANC township residents, Mamdani provocatively argues that local despotism “infected” townships – “the rural in the urban” – primarily through the extended networks

²³ For case studies of proactive SANCO branches see Beall 2000 and Tshela 2002

²⁴ Each group consisted of 9-12 same-sex participants, ages 25-40, and all met in November 2000. All participants were Johannesburg residents (predominantly from Soweto) who were selected on two criteria: 1) they knew of a SANCO branch in their community and 2) they were NOT SANCO members. Two of the focus groups were drawn from informal settlements (shack dwellers) and two from townships (house dwellers).

²⁵ When I asked a branch official in Diepkloof (Soweto) if they got anything from higher structures he responded: ADon=t make me laugh. We don’t get any support. We don=t even get correspondence from the region@ (Interview, Godfrey Tschello, October 6, 2000).

that tied migrant Zulu workers to rural chiefs. Though Mamdani carefully avoids overgeneralization and assiduously emphasizes the contextual and historical variability of township politics, much of the literature on community dynamics in urban South Africa in recent years has adopted the theoretical frame of local despotism(s). SANCO officials themselves note that in some civics the chairperson behaves “like a chief” and one SANCO organizational document concludes that in many branches, “Individual members form consortia with unscrupulous developers for personal rapid upward mobility and delivery [sic] substandard housing products” (SANCO, 2000:10).²⁶

The frame of local despotisms is an important corrective to the often unproblematic manner in which the concept of “community” is treated. If it is something of a truism that communities are constructed, the more important point is that the construction can and often does operate through a misrecognition of relations of power, both internal relations of class, gender and clientelism, and external relations to the state and market. The communities of the urban poor in South Africa have, if anything, a heightened artifactuality, subject to almost constant political and social-structural pressures of reconfiguration, and hence to contestation and capture. Under apartheid, urban communities were the artifact of the violent and repressive racial vision of state planners. During the liberation struggle, the boundaries of communities were first unified by the political fiat of resistance, only to be torn apart by rapidly shifting political loyalties and the rise of new claimants to power. And, in the post-apartheid period, communities have been fragmented by the decompression of class that has accompanied the dismantling of apartheid labor market and residential controls (Hindson, Byerley and Morris 1994) and the fierce competition for scarce public resources triggered by the state’s increased developmental role. This has unleashed distributive struggles within communities, for example between shack dwellers and home owners who have very different relations to property and to services, as well as to struggles over representation, including between civics and elected councilors, as well as between community activists competing for the right to speak for the community (Jensen 2003). The gelatinous quality of community politics is captured in Mamdani’s terse comment on the experience of squatter settlements: “many began with an emphasis on participation and ended up with a warlord” (1996:299).

Yet this picture of volubility and the presumption that often follows that community structures have inevitably slipped into so many local authoritarianisms (a claim made on well documented cases of elite capture, gatekeeping or protracted violence) produces a reductionism of its own, one in which the reality of power always trumps the possibilities of communication. The resulting canvass depicts a Hobbesian world in which anomie, violence, distrust, self-interest and fragmentation not only predominate but have locked into a vicious cycle. It is a world of clients, not citizens, of strongmen, not democrats. It is a world in which formal institutions (the powers of the state) and informal institutions (norms and values) have all but collapsed and where survival becomes a matter of investing in exclusive, interpersonal, and often extra-legal networks of protection and patronage. The promise of

²⁶ Lucas (2000) provides a detailed portrait of a shacklord in Alexandra, showing the complex mix of traditional authority, patronage, coercion and brokerage through which he controls his fiefdom. White (1995) documents despotic trends in a number of local civics, and Jensen (2003) shows how community activists claim the community for themselves and compete with each other for brokerage rights.

civil society in Africa is once again, in Bayart's (1993) celebrated phrase, struck down by the "politics of the belly".

That many communities in South Africa are suffering from atomization in the face of state and market failures is beyond doubt, but where the Hobbesian view errs is in presuming that atomizing forces necessarily result in desolidarization and awaken latent despotisms. This view not only underestimates the capacity of communities to self-organize, but also has failed to register a countervailing trend in which civics (as well as other civil society organizations) are actively resisting the pulverization of civil society by reinvigorating participatory democracy. Though civil society may have retracted (especially from the political field) it is hardly prostrate.

My research provides clear evidence of civics as reconstituted civil publics in Emirbayer and Sheller's (1999) sense of the term. My large sample consisted of data collected through 90 interviews with officials from 19 civics, as well as civic officials from SANCO regional, provincial and national structures, and countless informal discussions with ordinary township residents. I also attended regional, provincial and national level conferences. The branches were randomly selected from each of the major sub-regions for each of three cities (Greater Johannesburg, Durban and Port Elizabeth), with an effort to balance informal settlements and townships. The sample is by no means representative of all civics,²⁷ but it does represent, as far as I know, the largest sample of local civics that has been studied in South Africa. I also examined 6 branches (hereafter the small sample) in Greater Johannesburg much more closely in order to evaluate actual democratic practices, including the quality and scope of community deliberation.²⁸ I attended a total of 15 local meetings, including branch executive committee meetings, branch councils (in which substructures attend), mass meetings (open to all community members) and conflict resolution meetings. Every request I made to attend a meeting was granted.

The larger sample of 19 civics revealed that SANCO-affiliated civics are constituted through and made accountable to formal electoral processes. Each branch has an elected president, a chair and 8-10 executive committee members, each with a formal portfolio (e.g. housing, community policing, health etc ...). All branch-level SANCO officials are elected every year, with officers from higher structures (regional over branch, provincial over regional) presiding over the process. At the branch level all SANCO members can vote, with the only condition of membership being the payment of a nominal fee. Though only the highest office holders, that is the president and chair, are generally contested, I heard no complaints about election processes. (In contrast, I heard a chorus of complaints of how ANC candidates for local government elections were selected from above and often against locally popular candidates.) I also found no evidence that local branches had been captured by strongmen, and indeed in a number of cases it was clear that support for the civic was

²⁷ The selection was made from lists of active branches provided by provincial level officials of SANCO. The sample did not include non-SANCO affiliated civics for which no comprehensive register exists.

²⁸ The branches were in three townships - Alexandra, Emdeni (Soweto), Wattville (townships) – and three informal settlements - Winnie Mandela Park, Ruth First, and Finetown.

explicitly in opposition to a local powerbroker.²⁹ The four focus groups (all from Soweto) were asked to comment on the electoral accountability of civic officials. The unanimous opinion was that officials were indeed elected and all four groups agreed with the statement that “those who do not perform are not re-elected.”

Based on the smaller sample of 6 branches, I found that civics have adopted surprisingly formal democratic procedures in running their affairs, and that democratic normative discourse pervades their organizational life. Each branch has its own mix of executive, substructure, and open meetings, but on average executive committee and substructure meetings are held weekly and councils are held fortnightly. In some of the larger branches, heads of department from different sub-structures also meet routinely. Branch conferences – in which the leadership is elected – are held yearly. Meeting procedures are fairly uniform, with the reading of agendas, review of attendance, presentation of minutes, and the reading of apologies from absent officials as the basic format. Indeed, I was often struck by the incongruity of the meeting setting – often outdoors in informal settlements, or in dilapidated schoolrooms in townships – and the punctilious nature of meeting procedures.

Weekly branch meetings are for the most part informational sessions which often result in long deliberations, but few actual votes. This is because voted resolutions are more or less reserved for general conferences. Elected officials report back on general or specific actions, which are then openly discussed. When substructures are present (zonal committees in shack settlements, street committees in townships), representatives report on or raise issues from their areas. Actions taken usually consist of requesting a branch official to investigate a problem or to make a representation to the appropriate authorities. The range of issues taken up is broad and diverse, and includes bond payments and evictions, plot allocations, the distribution of housing subsidies, pursuance of criminal cases, complaints about quality of services and billing systems, and water and electricity cut-offs. Meetings thus serve both as a means of providing information to residents, including both general information about government policies and specific feedback on SANCO activities, and as sounding boards and rallying points for popular grievances. And despite the fact that the period of field study coincided with preparations for local elections and SANCO’s official support of ANC candidates, meetings were never used to endorse ANC positions and candidates.

If the formal democratic character of the study branches is beyond doubt, their deliberative character is much harder to gauge. The public sphere, in the Habermasian sense, is constituted through the communicative rationality that emerges from the “unconstrained, unifying, consensus-bringing force of argumentative speech” (1984:1). In its ideal-type the public sphere requires suspending all forms of power that might distort or dilute the efficacy of communicative rationality as the mode of opinion formation. Habermas’ (1989) most famous reference point – the public sphere of 18th century Europe – was made possible by the ascendancy of the bourgeoisie whose material and social circumstances allowed it to freely engage in discussions about the public interest (albeit a limited bourgeois public interest). The conditions in poor urban communities in South African could hardly be more

²⁹ In two of the 6 small sample branches, the civic was engaged in open conflict with local strongmen. One was an ANC councilor widely reputed to be a gangster and accused in court of having orchestrated the murder of two civic activists, the other a shacklord aligned with the ANC councilor.

different. The decompression and differentiation described earlier and sheer economic desperation allow few the luxury of suspending considerations of their private interests. Indeed, much as suggested by the Hobbesian view of local communities, relations of power (and dependence) and need pervade urban communities. But at the same time, and indeed in many ways precisely because of these fragmenting and urgent conditions, civics do constitute civil publics in the sense that they make possible and encourage communicative practices. The opinions formed here are not the hyper-reasoned, abstract, universalizing and exalted ideals of the bourgeois public sphere, but rather the “good sense” (in Gramsci’s usage), grounded, prosaic and noisy claim-making of subaltern counterpublics. Specifically, I show that civics constitute the public through unrestrained discussion about concrete development issues and government policies (paying bills, stopping crime, getting clean water) within a normative framework that has clear and powerful extra-local points of reference, specifically the rights-based language and ideals of a solidary community that evolved out of the liberation struggle.

I support these claims first by showing that the civics I studied are characterized by two critical dimensions of publicness – open debate and inclusiveness – and then by documenting what civics actually do.

Regular and mass meetings in branches are characterized by a high level of discursive engagement which frame immediate and concrete problems in terms of community needs. At the height of anti-apartheid movement, civics were Rousseauian popular assemblies, but they were often less than discursively open in that they were severely constrained by the very real and immediate repressive capacity of the state as well as primacy of the unifying logic of loyalty to the ANC. The resulting culture of organizational discipline and deference to leadership is still very much visible in ANC meetings, as well as some of the regional level SANCO meetings I attended. In contrast, the structure, tone and practice of local civics is characterized by a much more fluid and open-ended relationship between officials and members, and is less constrained by ideological strictures. In meetings I attended, participation from the floor was generally built into every agenda item and discussions were often quite animated. Branch officials were often challenged or even rebuked by members. At a public meeting convened in the informal settlement of Ruth First to discuss the implementation of a housing project, I witnessed as many as 60 persons speak from the floor. Though the majority sided with the civic leaders in opposing the terms of the project (on the grounds that the community had not been adequately represented in the planning stages) a vociferous minority supported the project. Many excoriated the ANC councillor (who was present and who supported the project) for not consulting with the community, but the civic leadership was also criticized for not having provided the community with enough information. Most of those who spoke were open about where they stood on the issue, often clearly identifying their political affiliation. The two clear points of agreement that emerged from the meeting was that that the community was being transformed by agents who were seen as unaccountable and out of touch (developers, consultants, technocrats) and that there was an urgent need to have more community participation in implementing the project. A resolution to form a new stakeholder committee (which had originally been appointed by the implementing agency) with more representatives from the civic was adopted by an overwhelming majority.

Though the tenor of meetings I attended varied in accordance with the issues at hand, I was always struck by the vigor of the give and go and the open and forthright manner in which members would criticize elected representatives and challenge civic leaders. Though some meetings were organized around single-issue agendas (for example to discuss new payment methods for electricity) and remained fairly contained, most produced lively and unscripted debates during which speakers not only expressed opinions (including long litanies of complaints) but also formed clear arguments.

These arguments typically contained several validity claims that can formally distilled: First, speakers make a factual claim about a concrete problem, such as broken water pipes or overflowing trash. Second, speakers present normative claims about how the problem impacts the community, including of course an implicit definition of who the community consists of. Generally, the definition is de facto inclusive, covering all those within the territory of the civic (more on this later). Normative claims are almost always accompanied by an attribution of responsibility for the problem (elected representatives, officials, the community). Third, given the immediacy of issues raised in civics, arguments are pragmatic, geared to problem solving, and as such generally contain a more instrumental claim about who can take action (the civic, the ward councillor, a department, the local government). Finally, arguments often contain strategic claims, that is a specific recognition that taking action will have political repercussions, involving for example criticizing the ward councillor or demanding action from the local ANC branch. If the factual and normative claims are often interlaced and emerge directly from floor interventions, the instrumental and strategic claims are often teased out by civic officials or other activists. Here, the political savvy and the knowledge of extra-local dynamics gained from passed movement experience or membership in non-territorial organizations (most notably unions) is noticeable.

To understand how these arguments contribute to forming public opinions, it is important to frame them contextually. In civic meetings, all speech references both immediate, lived experiences (the problems and aspirations of the community), as well as abstract claims of both procedural and substantive justice.³⁰ Procedurally, claims are consistently framed in terms of democratic norms (e.g. transparency, accountability, participation, the will of the people, mandates). Speakers draw on a rich discursive repertoire – including many English words - honed and popularized through the liberation struggle and familiar to all. Interestingly, this need to constantly legitimate practices in terms of democratic norms speaks to the fact (revealed in interviews) that civic members and leaders alike don't take democracy for granted. Even though representative democracy has been consolidated, democratic practices still need to be developed. This is most manifest in the master legitimating claim for civics as arenas of participatory democracy. Substantively, the moral rightness of arguments are formulated in terms of general rights and historically

³⁰ Desai and Pithouse (2004) who provide a very similar description of the public character of meetings in the anti-eviction movement of Mandela Park (Cape Town). Pointer (2004) provides a much more critical analysis of the same movement by pointing to instrumental manipulation by movement leaders. Divergent theoretical frames explain part of the difference of interpretation, but this also highlights the inherent difficulty of empirically gauging the publicness of mass meetings.

developed norms. The points of reference are thus both formal-legal (e.g. the constitution, the RDP, relevant legislation, ANC pronouncements) and normative-historical, that is the “collective will” of the anti-apartheid struggle, represented as “what we fought for” as well as the Freedom Charter (the founding document of the movement).

Even in the much more business-like branch meetings of executive committees the sense of urgency and the pointed nature of the deliberations was striking. These meetings typically consist of sectoral officials or representatives from zones and street committees presenting formal reports to the committee. The health official for example would report on the progress of a door-to-door campaign to promote HIV-AIDS prevention, and the housing official would provide figures on renegotiated housing bond payments. But these formal report backs often also produced heated discussions. At a meeting I attended in Winnie Mandela Park, for example, zones reported a long list of grievances, including accusations of bribe-taking by community liaison officers, reports of broken water pipes and confusion about the allocation of toilets. This in turn led to an extended discussion and critique of the government’s development projects in the area, and was followed by calls for branch officials to be more active in working with zonal committees in addressing these problems and for the civic be more proactive in taking these issues to the ANC and the local government.

The point here is not simply the many civics deliberative. Just as importantly, what bears emphasis is that even as townships and informal settlements are sites of ongoing fragmentation and constantly shifting boundaries of conflict, the very existence of an open, problem-oriented, direct forum for public affairs redefines the community. As Baiocchi (2003) has noted for the case of participatory budgeting in Porto Alegre in Brazil, the orientation to the “good of the community” and the value placed on “collective and pragmatic problem solving” is itself constitutive of the community. Thus, whether in the case of the proposed housing project cited above, or the need to build a local school discussed below, open-ended discussions became both the basis for defining a shared need and evolving a collective strategy for securing a public good.

If branch meetings are discursively open, that are also broadly inclusive. This is a qualified assessment because it is practically impossible to determine with exactitude the representivity of participation in meetings. What I can point to is plenty of evidence of the plurality of civics.³¹ For starters, discussions are conducted across the full range of African languages spoken in Gauteng, and I and my research colleagues (one who was Zulu and the other Xhosa, the two major ethnic groups in South Africa) never observed any actions or language that evoked ethnicity. Despite the overwhelming support for the ANC in these areas, many officials and members did report support for other political parties. The

³¹ Beall has also documented the representivity of SANCO branches in the Meadowlands (2000). Drawing on field work and focus groups she found that the SANCO-affiliated civic was the most prominent community based organization in Meadowlands and that it represented the “more marginalized members of the community”. Respondents expressed faith in SANCO as a watchdog and in its ability to “represent their interests in relation to the local councilors and the ensure the latter delivered on their promises” ... “SANCO was seen as both more accessible and more accountable to the community than local politicians” (2000:20).

attendance register for one meeting revealed the presence of representatives from the United Democratic Movement (UDM), the Azanian Peoples' Organisation (AZAPO), the Homeless People's Party, the South African Communist Party (SACP), and the Pan Africanist Congress (PAC). And as we shall see in more detail below, officials and members readily and openly criticize the ANC. The most likely source of unequal participation, socio-economic background, and specifically residential type (hostel, individual home, backyard shack, shack in a settlement) is the most difficult to evaluate.³² Four of the six branches I researched have fairly homogenous constituencies, being predominantly either townships or informal settlements. But in the two mixed branches - Alexandra and Wattville - the local civics represent a cross section of residents. In Alexandra the SANCO branch has significant representation in squatter areas and hostels, and has been actively organizing women hostel dwellers. In Wattville, which is mostly a township but also has a significant squatter population, the civic leadership comes entirely from the home-owning strata. The squatter camp - Harry Gwala - does however have a SANCO sub-branch which is very active. Residents from Harry Gwala were present at all the meetings I attended and often raised issues. Most importantly though, none of the branches ever raised demands against a specific residential type.

The most observable barrier to equal participation is, not surprisingly, gender. Civic officials point out that women form a disproportionate percentage of the membership, but they are dramatically underrepresented in elected positions. This is especially true at the higher levels of SANCO's structures. By my rough estimate, less than 10% of the delegates present at the 2001 national conference were women. Women are however much better represented at the branch level where in my small sample women constituted 38% of elected leaders, including 2 of 6 chairs. Women's participation in branch meetings is very high, representing (by rough visual estimate) 60% of those in attendance. And unlike what I have observed in India (and what my research assistant had observed in rural KwaZulu Natal), women who spoke out were as direct and as vocal as men.

What do civics do?

³² For a detailed analysis of the tensions between township residents and shack dwellers see (Lucas, 2000).

Given that civics have lost the mobilizational appeal of the anti-apartheid struggle, lack any significant resources and have virtually been excluded from participatory fora, how do they continue to secure community support? They do so not through control or delivery of development,³³ nor through large-scale mobilisations, but through far more prosaic interventions. However mundane, these interventions have powerful legitimating effects because they help build ties within communities and repair fractured solidarities, they resonate with local aspirations for more participatory forms of democracy and discontent with representative structures, and they compensate (in part) for significant state and market failures. If they mark the existence of a civil public, they are also embryonic expressions of economic and political publics. Though the bundle of activities undertaken by civics is very much an artifact of local conditions and levels of organization, with especially marked differences between established townships (where basic service infrastructure exists) and informal settlements (where there is little if any service infrastructure) it is possible to identify three broad, and at times overlapping, areas of intervention: transaction services, conflict mediation and challenging local authorities.

Across a wide range of issues, civic activists provide assistance and guidance to all residents in addressing individual and community needs and complaints. The local state in South Africa remains a distant state. Though it is by the standards of a middle income country a high capacity state (Lieberman 2003), ordinary residents confront high transactions costs in dealing with the local state either because of its physical distance (most government services do not have offices in townships) or because of the difficulties of negotiating with unresponsive and complex bureaucracies (Harrison, Huchzermeyer and Mayekiso 2003). Civics broker this relationship – and in effect attempt to reduce the transaction costs of doing business with local government - by engaging the relevant authorities on behalf of aggrieved individuals or groups. In many communities, SANCO provides assistance with the registration of indigents for service subsidies. In Port Elizabeth, SANCO has responded to the city council's inertia in registering indigents by conducting a door-to-door campaign. In every branch I visited, SANCO officials routinely investigate excessive water or electricity bills. Residents complain of the difficulties encountered in taking such complaints to Eskom, Rand Water and the local council, and prefer as a result to go through the civic. At both the Vosloorus and Diepkloof SANCO branches, one can find on any given day a long line of residents waiting for help in interpreting bills. At the Diepkloof branch there were no fewer than three SANCO officials in attendance when I visited, and a meticulously kept logbook registered dozens of visitors a day. In some communities, the civic meets regularly with Eskom to discuss problems with billing and services. In Wattville, SANCO was meeting bi-weekly with Eskom to review lists of imminent electricity cut-offs and to review contested bills. SANCO also often provides residents with assistance when their goods and property are repossessed by collection agencies hired by council.

In every township branch, the head of department for housing is usually the busiest head of department (HoD). Homeowners threatened with eviction for failure to pay their bonds often approach SANCO for assistance. The complaint is investigated and if it is found

³³ In the Eastern Cape, where SANCO is much more powerfully entrenched, some branches have been directly involved in development projects. In Gauteng, I found no examples of a civic being directly involved in the design or delivery of development project or service.

to have merit (e.g. nonpayment was the result of changed economic circumstances) the civic approaches the bank and negotiates an alternative payment plan. The HoD of housing for Vosloorus estimates that his branch investigates as many as 90 bond payment complaints a week, and attempts to renegotiate an average of 40 a week. In informal settlements, securing land title claims for squatters is often the most important role the civic plays. Focus groups respondents also provided many accounts of SANCO negotiating with local authorities to address specific problems of delivery, including the need for trucked-in drinking water and trash removal.

One of the greatest sources of discontent with local government is the problem of dealing with the police, and in particular filing criminal cases.³⁴ Crime, including violent crime has reached pandemic proportions in urban areas. Officers are often unwilling to hear complaints, and even when they do, there is often no follow-up. In most branches there is usually at least one SANCO official tasked with taking up this responsibility, and when the problem is acute (as in the case of violent crimes that are not investigated), SANCO will organize a delegation, and even take the matter directly to an area commissioner. In the case of Alexandra, the SANCO civic has organized night patrols of volunteers.³⁵

If many of these transaction services consist in effect of simply voicing community issues, providing relevant information and creating channels of communication between residents and local authorities, the representation of community interests can also assume a more contentious character, where the civic becomes, in the social movement sense of the term, a challenger. Civics thus often get involved in actually bargaining for the level and quality of services and negotiating over development projects. This inevitably brings them into direct conflict with local officials and ward councilors. These engagements often assume a contentious character because they in effect challenge the ruling party's hegemonic claims to representing the 'people'. These conflicts have become all the more pronounced as the ANC had dismantled participatory structures in which civics had a formal voice and opted instead to channel resources through councilors.³⁶ In many of the branches I studied, SANCO officials have aggressively exposed incidents of corruption and fraud, including instances of the sale of fictitious title deeds, allocations of plots for bribes, manipulation of housing lists and faulty or sub-standard housing construction in Government schemes. The actions taken include exposing the accused officials to higher level structures of the ANC, demanding investigations from provincial officials, obtaining court orders to suspend a

³⁴ In surveys, the urban poor routinely list crime above all other issues except unemployment as their primary concern (Lodge 2001).

³⁵ In many high-crime urban areas, Community Policing Forums have been created as formal liaisons between the community and the local police. Case studies document the intimate involvement of civics in CPFs. For a detailed case study of the Khayelitsha township in Cape Town see Tshehla (2002).

³⁶ In Durban and Johannesburg officials I interviewed who had been charged with providing support to Community Development Forums attributed the demise of CDFs to the first local government elections and the demand by newly instated ward councilors to exert more direct control over local development. The principle of councilor control was subsequently enshrined in municipal legislation that in effect replaces CDFs with Ward committees controlled by councilors.

project and organizing protests. Finally, in some cases where there is no government response, civics have taken matters into their own hand. The most successful SANCO-led developmental interventions I witnessed in Gauteng were moreover all instances of responding to state failures. In Winnie Mandela Park and Finetown (both informal settlements), SANCO branches identified the need for a secondary school (in each case schoolchildren were travelling long distances to school and were often the victims of crime) and lobbied the Department of Education. When these appeals fell on deaf ears (“We got the duck and dive treatment”), the SANCO branches raised money and labor to build a one-room school (or rent space), and then identified volunteer teachers and principals to staff the schools.

In addition to these transaction and advocacy functions, many civics also take on significant conflict mediation functions. These are not, it should be emphasised, the people=s courts of the 1980s, which often dispensed summary and violent justice. Officials do not sit as judges - instead they simply hear disputes brought to them by complainants and limit their interventions to providing advice or referrals. The vast majority of the disputes involve domestic issues, or minor conflicts between neighbours and are handled by sub-branch structures. These meetings tend to be particularly well attended, and point to the fact that civic leaders continue to enjoy significant legitimacy and respect in the community.³⁷ It is notable that many of complainants are actually referred to civics by the police. Focus group respondents repeatedly expressed a preference for “first trying to solve the problem as a community” and “resolving disputes as neighbours” rather than taking matters directly to the police, which was widely seen to be ineffective or corrupt. One mother noted that when it came to dealing with children involved in petty crimes, “I prefer the civic because it disciplines in a parental manner, unlike the law.” Another township resident explained: SANCO ... helps us with our youth when they’ve been involved in crime. Instead of getting them arrested we take the matter to SANCO ... we meet together and the youth get a scolding.

Cherry et al. also found that civics are deeply embedded and implicated in community life:

Asked what you do if a young man in your family does not obey his parents, 41 per cent. of our Guguletu respondents said that they went to the street committee. If a neighbour plays music too loud, 69 per cent went to a street committee. ... Street committees clearly play extensive and important roles in public and even private life. (2000:4).³⁸

Transaction and conflict resolution functions have long been the bread and butter of the civics movement. That this role has persisted - despite the ebbs and flows of the civic movement - points to the degree to which civics have gained a significant institutional

³⁷ In some communities conflict resolution meetings are held weekly and attended by 70-80 persons. Among the cases I heard on one visit was an elderly man complaining about the drug abuse of a nephew and his threatening behavior; a young, married couple, who were fighting over the fact that he had moved into his sister=s household; and a family of sisters who were disputing their deceased mother=s inheritance amid accusations of witchcraft.

³⁸ Seekings also provides an account of civics role in policy and dispute settlement in Cape Town (2000:220-221).

presence in many communities. It also points to the extent to which the post-apartheid state has, in many respects, failed to bridge the gap between communities and government.³⁹ The civics transaction role remains important to ordinary citizens because of the distance and insulation of local government, and the difficulties ordinary residents have in interfacing with local authorities. As one shack dweller succinctly noted, “They (SANCO branch officials) are our mouthpiece to government.” Another noted that “SANCO negotiates better for us than if we go there personally. If SANCO goes as SANCO we get quick responses.” In their discussions, focus groups spontaneously equated the “civic” with the “community” and indeed repeatedly noted that civics were an active force “in uniting the community”.

In sum, interviews with civic leaders, focus groups and participation at meetings reveal the existence, or more accurately the persistence, of a powerful civic imaginary, and specifically a manifest desire to identify and address common interests against a backdrop of increasing social disintegration and political fragmentation. Procedurally, civics are characterized by open debate and inclusiveness. Substantively they are anchored by the norms of social rights and participatory democracy that are the hallmark of South Africa’s historically constituted subaltern lifeworld. And pragmatically, in terms of what they do - providing transaction services, fora for discussion of community affairs and conflict resolution - civics help reconstitute *community* – not in the sense of an essentialist identity, but rather in the moral economy terms of a solidary community.

Beyond civil publics

Because they have limited channels of engagement with the state, civics have a limited impact as political publics. But they nonetheless have political effects which represent an embryonic form of a political public. This repoliticization of civil society is most clearly revealed in the discursive gap that has emerged between the SANCO leadership and branch level activities. The national and provincial leadership defends SANCO’s support for government policies in classic corporatist terms, arguing that it leverages SANCO’s influence with the ANC and government. But this position is almost universally rejected at the branch level as inimical to SANCO’s autonomy. Grass roots SANCO activists as well as leaders of non-affiliated civics are openly critical of the extent to which SANCO has subordinated itself to the ANC and made a mockery of the movement’s tradition of direct democracy. A common refrain is that “at the local level, there is no Alliance” referring to SANCO’s claim to be part of the governing Alliance of the ANC, COSATU and the SACP. Many civics have become increasingly politicized and have organized protests, denouncing government policies and even “officially” declaring their break with the Alliance. The SANCO East Rand regional structure of Gauteng (the most powerful in the province) even refused to support ANC-nominated candidates in the 1999 local government elections.

³⁹ This development is not limited to civics. In a major survey of state-civil society relations Habib points to the rise of what he identifies as “survivalist responses of poor and marginalized people who have had no alternative in the face of a retreating state that refuses to meet its socio-economic obligations to its citizenry” (2003:237).

Most branch activists I interviewed see civics as playing a very distinct role from the ANC. The ANC is about politics, and SANCO is about “development”, “community needs” and “bread and butter issues”. “Party politics” are about power, and specifically about hoarding opportunities. One SANCO official described the process of deploying community leaders to the ANC as “going from the struggle to the gravy train.” Discussing the technocratic and insulated manner in which Johannesburg’s long-term development plan (Igoli 2010) was elaborated one regional SANCO official commented that “they [the ANC] do not speak the same language that brought them to power. They are now used to taking decisions without thorough consultation as it was supposed to be.”⁴⁰

Township residents draw a clear line between participatory and representative democracy. Interviews and the focus groups reveal that while they almost unanimously support the ANC, residents are also very articulate about the democratic deficits of parties. If the civic is a “home to all” and a direct expression of the community, political parties are equated with power. Once you are elected, or you become a government official, “you must answer to the system”. By and large civic officials were seen as more trustworthy, a quality attributed to the proximity and shared life circumstances of “someone who lives in the community” as compared, in the favoured refrain, to the councillor who “lives in the [white] suburbs”. This form of what might be called embedded accountability was described by one township resident:

We have a problem with councilors, we hardly know where they stay. We see them once when there’s a meeting. At the meeting they make all those promises and thereafter no follow-up is made because this person stays in Randburg [a white suburb]. At meetings the councilor makes promises but then you’ll see him again only after six months and he will tell you lots of lies. It’s different with SANCO officials because they are easily accessible. Your presence applies pressure whereas councilors don’t feel the pressure because we do not see them. With SANCO, if they’ve made a promise and don’t report, you are able to call them to a meeting after a week and ask for feedback. If you’ve reported something to him [the SANCO official] he will see that you are desperate, he must feel the pressure because he is your next door neighbor. Every time he steps out of his door he remembers that this person has made this request.

Thus despite the ANC’s claims to speak for the people (a decade after the transition the ANC still proclaims itself as the exclusive representative of the “national democratic revolution”)⁴¹ and despite the extraordinary loyalty it still commands, township residents have both a practical and normative sense of the distinction between civic power and political power. If the SANCO leadership, especially above the regional level, openly endorses and campaigns for the ANC, residents clearly reject organizational ties to the ANC. It is worth reproducing the responses that one focus group had when asked if civics should support the ANC:

⁴⁰ Interview with Aubrey Nxumalo, August 17, 2000, East Rand.

⁴¹ In its most recent organizational report, the Party high command argues that local branches have lost touch with the “National Democratic Revolution” because of rampant patronage and factionalism (the Hobbesian view) and calls for subjecting branches to increased centralized control (see *Mail and Guardian*, August 5, 2005).

No, because it will no longer serve the needs of the community. Political organisations are always fighting over people.

It should be completely apolitical because it represents the community and within the community you have different political organisations. So it cannot afford to align itself with either ANC, IFP [Inkatha Freedom Party] or whatever.

Being a political party is about promises and nothing else. [But] the civic delivers most of the time. If the community stands on its own and forms an alliance with the civic, they can be able to deliver things by themselves.

If the civic can get involved in politics there will be a problem because it will no longer be transparent and no one will trust it.

I also think it should remain apolitical. Let it stay out of politics and be for the community.

Blacks in South Africa continue to strongly identify with the ANC as the party of national liberation and as the only legitimate agent of national transformation. But they do not confuse legitimacy with virtue, and indeed explicitly distinguish political society (synonymous in Townships with the ANC) and civic action. This bifurcation moreover neatly replicates Habermas= systems/lifeworld dichotomy, in which political action is governed by instrumental rationality (ward councillors who answer to the party) and action in civil society is governed by communicative rationality (civics represent the deliberated consensus of the community). This representation of the community is not – and this point must be stressed – a form of retrenchment, even if it has defensive elements. While civics clearly fear the encroachment of the party and/or state and its instrumentalizing logic, their call is not for disengagement but for preserving a space for self-determination.

In this sense, insofar as the civil public, as constituted by civics and their activities, has evolved an explicit critique of party “politics” and calls for both more deliberative and engaged forms of politics (restoring community development forums, making councillors more accountable, giving communities a say in development projects) it has also evolved into a grass roots form of a political public. One local civic leader in Pretoria was especially direct in linking the autonomy of civics to the challenges of democratization. SANCO, he noted, contributes to democratization

by maintaining its autonomy as an organ of civil society and taking issues head on and making sure that everybody is taking part in all aspects of government (transport forums, Community Policy Forums, clinic committees). If we don=t have SANCO and organizations of civil society we are going to end up like Zimbabwe or Angola where there is a clear line of national loyalty and everything is politicized.⁴²

Finally, civics are becoming economic publics, again not in the direct sense of influencing economic policy, but clearly in the sense resisting the local-level effects of the ANC’s orthodox neo-liberal policies. In the last decade of apartheid, the civics-led campaigns to make townships ungovernable included bond (mortgage) boycotts and refusal to pay for basic services (the “rates boycott”). When the practice of non-payment carried on through the democratic transition, the ANC launched the national Masakhane (“lets build together”) campaign. What at first was an educational campaign (supported by SANCO) to promote “responsibility” and counter the “culture of non-payment” rapidly escalated into a what McDonald and Pape have described as “a regime of cost-recovery on impoverished residents” (2002:2). Under conditions of economic stagnation and persistent unemployment, most township residents have been unable to keep pace with market driven rates. In Johannesburg in particular, which became the showcase for privatization, cost recovery measures have resulted in wide-spread termination of services.⁴³ Officially SANCO has supported the ANC’s campaign for payment,⁴⁴ but on the ground civic officials have had to

⁴² Interview with Jabu Tshabalala, Pretoria SANCO Regional Secretary, November 8, 2000.

⁴³ Bond (2003) reports that in the first 4 months of 2002 alone over 90,000 households lost their water or electricity connections because of non-payment and McDonald and Pape estimate that since the end of apartheid 10 million South Africans have at some point had services terminated (2002:11).

⁴⁴ This has earned SANCO significant criticism from other civics that have called for outright

deal with the reality of households unable to pay bills. Many of the transaction services described above are in effect efforts to protect residents from the more debilitating effects of the commodification of basic services. In the civics I studied efforts to preserve the local moral economy ranged from renegotiation of bills, demanding just rates and tariffs, negotiating complex credit control agreements, resisting evictions in cases of bond default, or providing assistance to a families in crisis. The issue is moreover taking on clear political tones, and even some SANCO regional structures have endorsed protests.⁴⁵ As the full disciplinary impact of cost-recovery measures have been increasingly felt, resistance has been scaled-up and has taken more open and confrontational forms. In Johannesburg, the Anti-Privatization Forum, a city-wide coalition of unions, civics and anti-liberalization groups, has organized a number of highly publicized protest actions.⁴⁶ Informal and formal acts of “decommodification” have become widespread (Bond 2004). Illegal reconnections (sometimes provided by ESKOM subcontractors for a bribe) have become rampant in townships, and in Soweto, the Soweto Electricity Crisis Committee responded to turnoffs in 2001 by launching Operation Khanyisa (light up) to illegally reconnect households (Khunou 2002). A number of scholars have documented a range of similar struggles in other cities (Desai 2002, Desai and Pithouse, 2003; McDonald and Pape, 2002; MirafTAB and Wills forthcoming). Overall, there is increasing evidence that after a decade of democracy dominated by party politics and marked by demobilization, social movements, in particular in the form of community-based movements, have become increasingly proactive.⁴⁷ Most notably, as Desai sums up, these movements of what he calls “the Pooors” “have come to constitute the most relevant post-1994 social forces from the point of view of challenging the prevailing political economy. The community movements have challenged the very boundaries of what for a short while after the demise of the apartheid state was seen exclusively as ‘politics’” (Desai 2003:12).

Conclusion

Much of the recent literature on civil society has been marked by a certain hubris, imputing to anti-authoritarian movements in Eastern Europe, Latin America and Africa an emancipatory teleology. Mamdani remarks that in Africa this discourse is reminiscent of an

moratoriums on service arrears, advocated non-payment or demanded flat fees (Barchiesi 1998; Khunou 2002).

⁴⁵ In the Wattville civic I attended a 4 hour march of some 2,000 protestors that delivered a petition to the local council demanding an end to cutoffs. The protest was endorsed by the regional structure. A local ANC branch official who attended the march was later expelled from the party for “indiscipline.”

⁴⁶ Most spectacular was a march at the 2002 World Summit on Sustainable Development that outdrew the ANC-sponsored march of official civil society organizations four times.

⁴⁷ See in particular the series of papers produced by the “Globalisation, Marginalisation and New Social Movements in Post Apartheid South Africa” project sponsored by the Centre for Civil Society and the School of Development Studies, University of KwaZulu-Natal. <http://www.nu.ac.za/ccs/default.asp?5,56>

earlier discourse on socialism – “more programmatic than analytical, more ideological than historical” (1996:19). At the other extreme, there are those who see Africa (and much of the developing world) as fundamentally lacking in any domestic civil traditions and requiring wholesale institutional transplantations. Such views, as Comaroff and Comaroff note, “seldom ground their claim in empirical observation: in the interrogation, “on the ground,” of existing forms of association and aspiration, of participatory politics and public life, past and present” (1999:2). Rather than imputing to civil society a normative essence or a necessary affinity with representative democracy, we must recognize that it has both democratic as well as authoritarian possibilities which can be laid bare only through careful contextual and relational analysis. Civil society is, as Gramsci argued, a contested terrain.

Historical sociologists have already explored this contingency and variability, first by recognizing that civil societies (or the politics of citizenship) are formed at the point of tension between formal rights and the inequalities of class societies (Marshall 1964) and that actual associational practices are “more localized and unevenly spatially distributed” (Somers 1994:69) than the conventional nation-state unit of analysis allows for. Thus, as we have seen, associational life in urban, subaltern South Africa is marked by pockets of local despotisms unleashed by state and market failures, and spaces in which civics and other civil society formations struggle to reconstitute solidary communities. If sociology, as a discipline, provides a unique theoretical vantage point for unpacking the logic and the effects of civil society dynamics, it also, as Burawoy reminds us, provides us a different perspective on the state and the market than political science and economics. Sociology, writes Burawoy, “studies the state or the economy from the *standpoint of civil society*” (2005:24).

A civil society standpoint provides unique insight into South Africa’s transformation. As a newly minted democracy born of powerful social movements, South Africa bears full witness to the antinomies of civil society and democracy. Those who focus exclusively on the consolidation of South Africa’s democratic institutions and celebrate the advent of procedural democracy and constitutional rights, risk failing to recognize the extent to which representative institutions and the hegemonic politics of the ANC have contained subaltern civil society and threaten the actual exercise of rights. Those who argue that a dominant party system and market fundamentalism have politically emasculated subaltern civil society, underestimate the dynamism of an active society (Burawoy, 2003). Much of the popular support for civics, and much of the commitment of its activists, flows from moral outrage at the wrenching effects that the market economy and state policy is having on the urban poor. In the civics that have been portrayed here, transaction services, which are a direct response to the disengagement of the state, contribute directly to strengthening local solidarities and reasserting the rights of residents. Community-based mechanisms of conflict mediation and policing fill an important gap in the failure of the state to extend public legality into townships and represent an important countervailing force to atomisation (criminality, domestic violence) and clientelised modes of intermediation or protection (gangs, strongmen). The corollary of these activities is the reconstitution of democratic spaces, and more specifically of civil publics. Through open and inclusive forms of deliberation governed by strong normative commitments to participatory democracy, civics have, with varying degrees of success, struggled to address daily problems of social life in urban South Africa. Even though these publics may fall short of engaging political society, they have important resolidarizing effects. Civics are reclaiming for themselves a vision of society

that not only challenges the crime and conflict within their midst, but also their transformation into atomised clients and consumers. The very fact that the idea of the civic remains powerful in the popular imaginary even as the ruling party incessantly claims a monopoly of representation is extremely revealing. It remains powerful as an expression of solidarity and self-help under trying and de-solidarising circumstances. And it remains powerful because it resonates with popular aspirations for more inclusionary and participatory forms of democracy.

REFERENCES

- Adler, Glenn and Jonny Steinberg. 2000. *From Comrades To Citizens: The South African Civics Movement and the Transition to Democracy*. New York: St. Martin's Press.
- Anderson, Perry. 1976. "The Antinomies of Antonio Gramsci." *New Left Review* 100:5-80.
- Baiocchi, Gianpaolo. 2003. "Participatory Democracy in Porto Alegre, Brazil." *American Sociological Review* 68:52-74.
- Barchiesi, Franco. 1998. "Delivery From Below, Resistance From Above: Electricity and the Politics of Struggle for People's Needs in Tembisa." *Debate* 4.
- Bayart, Jean-Francois. 1993. *The State in Africa: The Politics of the Belly*. London: Longman.
- Beall, Joan. 2000. "Where the Dust Settles: Limits to Participation and Pro-poor Urban Governance in Post-apartheid Meadowlands, Johannesburg." Unpublished manuscript.
- Beall, Joan, Owen Crankshaw, and Susan Parnell. 2002. *Uniting a Divided City: Governance and Social Exclusion in Johannesburg*. London: Earthscan.
- Berman, Sheri. 1997. "Civil Society and the Collapse of the Weimar Republic." *World Politics* 49:401-29.
- Bond, Patrick. 2000. *Elite Transition: From Apartheid to Neoliberalism in South Africa*. London: Pluto Press.
- . 2003. "Politics, Poverty and Uneven Development in Theory and Practice: The Case of Water in Johannesburg and Rural Africa." Paper presented at the *Norwegian Association for Development Research Conference on Politics and Poverty*. Oslo.
- . 2004. "South Africa's Resurgent Urban Social Movements: the Case of Johannesburg, 1984, 1994, 2004." Centre for Civil Society, Durban.
- Bourdieu, Pierre. 1984. *Distinction: a Social Critique of the Judgement of Taste*. Cambridge, Mass.: Harvard University Press.
- Burawoy, Michael. 2003. "For A Sociological Marxism: the Complementary Convergence of Antonio Gramsci and Karl Polanyi." *Politics and Society* 31:193-261.
- . 2005. "2004 ASA Presidential Address: For Public Sociology." *American Sociological Review* 70:4-28.
- Cherry, J, K Jones, and J Seekings. 2000. "Democratization and Politics in South African

- Townships." *International Journal of Urban and Regional Research* 24:889-905.
- Cohen, Jean L. and Andrew Arato. 1992. *Civil Society and Political Theory*. Cambridge, Mass.: MIT Press.
- Cohen, Joshua and Joel Rogers. 1992. "Secondary Associations and Democratic Governance." *Politics and Society* 20:393-472.
- Comaroff, John L. and Jean Comaroff. 1999. *Civil Society and the Political Imagination in Africa: Critical Perspectives*. Chicago: University of Chicago Press.
- Desai, Ashwin. 2002. *We Are the Poors: Community Struggles in Post-apartheid South Africa*. New York: Monthly Review Press.
- Desai, Ashwin and Richard Pithouse. 2004. "'But We Were Thousands!': Dispossession, Resistance, Repossession and Repression in Mandela Park." *Journal of African and Asian Studies* 39:239-296.
- Emirbayer, Mustafa. 1997. "A Manifesto for a Relational Sociology." *American Journal of Sociology* 103:281-317.
- Emirbayer, Mustafa and Mimi Sheller. 1999. "Publics in History." *Theory and Society* 28:145-197.
- Fraser, Nancy. 1992. "Rethinking the Public Sphere: A Contribution of the Critique of Actually Existing Democracy." Pp. 109-143 in *Habermas and the Public Sphere*, edited by C. Calhoun. Cambridge: MIT Press.
- Friedman, Steven. 2000. "A Quest for Control: High Modernism and its Discontents in Johannesburg." Centre for Policy Studies, Johannesburg.
- Gramsci, Antonio, Quintin Hoare, and Geoffrey Nowell-Smith. 1972. *Selections from the Prison Notebooks of Antonio Gramsci*. New York: International Publishers.
- Gray, John. 1998. *False Dawn: the Delusions of Global Capitalism*. New York: New Press: Distributed by W.W. Norton.
- Greenstein, Ran. 2003. "State, Civil Society and the Reconfiguration of Power in Post-apartheid South Africa." Paper Presented at the WISER seminar, August 28, University of Witwatersrand.
- Habermas, Jürgen. 1984. *The Theory of Communicative Action: volume I*. Boston: Beacon Press.
- . 1989. *The Structural Transformation of the Public Sphere: an Inquiry into a Category of Bourgeois Society*. Cambridge, Mass.: MIT Press.

- . 1996. *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*. Cambridge, Mass.: MIT Press.
- Habib, Adam. 2003. "State-Civil Society Relations in Post-Apartheid South Africa." in *State of the Nation: South Africa 2003-2004*, edited by J. Daniel, A. Habib, and R. Southall. Cape Town: Human Sciences Research Council.
- Habib, Adam and Vishnu Padayachee. 2000. "Economic Policy and Power Relations in South Africa's Transition to Democracy." *World Development* 28:245-263.
- Hadenius, A and F Ugglä. 1996. "Making Civil Society Work, Promoting Democratic Development: What can States and Donors Do?" *World Development* 24:1621-39.
- Hansen, Thomas Blom. 1999. *The Saffron Wave: Democracy and Hindu Nationalism in Modern India*. Princeton, N.J.: Princeton University Press.
- Harrison, Philip, Marie Huchzermeyer, and Mzwanele Mayekiso. 2003. *Confronting Fragmentation: Housing and Urban Development in a Democratic Society*. Cape Town: University of Cape Town Press.
- Harriss, John. 2002. *Depoliticizing Development: the World Bank and Social Capital*. London: Anthem Press.
- Hart, Gillian Patricia. 2002. *Disabling Globalization: Places of Power in Post-apartheid South Africa*. Berkeley: University of California Press.
- Heller, Patrick and Libhongo Ntlokonkulu. 2001. "A Civic Movement or a Movement of Civics? The South African National Civic Organisation (SANCO) in the Post-apartheid Period." Centre for Policy Studies, Johannesburg.
- Hindson, D, M Byerley, and M Morris. 1994. "From Violence to Reconstruction: The Making of an Apartheid City." *Antipode* 26.
- Hipsher, Patricia. 1998. "Democratic Transitions as Protest cycles: Social Movement Dynamics in Democratizing Latin America." Pp. 152-172 in *The Social Movement Society*, edited by S. T. a. D. Meyer. New York: Rowan & Littlefield.
- Jaffrelot, Christophe. 1996. *The Hindu Nationalist Movement in India*. New York: Columbia University Press.
- Jensen, Steffen. 2003. "Claiming Community: Government, Township Politics, and the Spectre of Crime." Institute for International Studies, Copenhagen.
- Khunou, Grace. 2002. "'Massive Cutoffs': Cost Recovery and Electricity Service in Diepkloof, Soweto." Pp. 61-80 in *Cost Recovery and the Crisis of Service Delivery in South Africa*, edited by D. McDonald and J. Pape. Cape Town: Human Sciences

Research Council.

- Kothari, Rajni. 1988. *State Against Democracy: in Search of Humane Governance*. Delhi: Ajanta Publications.
- Lanegran, K. 1996. "Civic Associations in Transitional Local Government Structures in South Africa: Death of a Social Movement." *Critical Sociology* 22.
- Lieberman, Evan S. 2003. *Race and Regionalism in the Politics of Taxation in Brazil and South Africa*. Cambridge, UK; New York: Cambridge University Press.
- Lodge, Tom. 2001. "South African Politics and Collective Action, 1994-2000." Human Sciences Research Council.
- Lucas, Justine. 2000. "Civic Organization in Alexandra in the 1990s: An Ethnographic Approach." Pp. 145-174 in *From Comrades To Citizens: The South African Civics Movement and the Transition to Democracy*, edited by G. Adler and J. Steinberg. New York: St. Martin's Press.
- Mahajan, Gurpreet. 1999. "Civil Society and its Avatars: What Happened to Freedom and Democracy." *Economic and Political Weekly* 34:1188-1196.
- Makura, David. 1999. "The MDM, Civil Society and Social Transformation." *Umrabulo* 7.
- Mamdani, Mahmood. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press.
- Marshall, T. H. 1964. *Class, Citizenship, and Social Development; essays*. Garden City, N.Y.: Doubleday.
- Mayekiso, Mzwanele. 1996. *Township Politics: Civic Struggles for a New South Africa*. New York: Monthly Review Press.
- McAdam, Doug, Sidney Tarrow, and Charles Tilly. 2001. *Dynamics of Contention*. Cambridge; New York: Cambridge University Press.
- McDonald, David and John Pape. 2002. *Cost Recovery and the Crisis of Service Delivery in South Africa*. Cape Town: Human Sciences Research Council.
- Miraftab, Faranak and Shana Wills. forthcoming. "Insurgency and Spaces of Active Citizenship: The Story of Wester Capate Anti-Eviction Campaign in South Africa." *Journal of Planning Education and Research*.
- Munck, Ronaldo. 2005. *Globalization and Social Exclusion: a Transformationalist Perspective*. Bloomfield, CT: Kumarian Press.
- Natras, Nicoli and Jeremy Seekings. 2001. "Democracy and Distribution in Highly Unequal

- Economies: the Case of South Africa." *Journal of Modern African Studies* 39:471-498.
- Nzimande, Blade and Mpume Sihosana. 1992. "'Civil Society' and democracy: A Rejoinder." *African Communist*:65-71.
- O'Donnell, Guillermo. 1993. "On the State, Democratization and Some Conceptual Problems: A Latin American View with Glances at Some Postcommunist Countries." *World Development* 21:1355-1359.
- Pointer, Rebecca. 2004. "Questioning the Representation of South Africa's 'New Social Movements': A Case Study of the Mandela Park Anti-Eviction Campaign." *Journal of African and Asian Studies* 39:271-294.
- Polanyi, Karl. 1944. *The Great Transformation*. New York, Toronto: Farrar & Rinehart.
- Riley, Dylan. 2005. "Civic Associations and Authoritarian Regimes in Interwar Europe." *American Sociological Review* 70:288-310.
- Rueschemeyer, Dietrich. 1998. "The Self-Organization of Society and Democratic Rule." Pp. 9-25 in *Participation and Democracy: East and West*, edited by M. R. a. B. W. Dietrich Rueschemeyer. New York: M.E. Sharpe.
- Rueschemeyer, Dietrich, Evelyne Huber Stephens, and John D. Stephens. 1992. *Capitalist development and democracy*. Chicago: University of Chicago Press.
- SANCO. 2000. "SANCO. 2000. Gauteng Provincial Organisational Report. (March)."
- Saul, John. 2001. "Cry the Beloved Country: the Post-Apartheid Denouement." *Monthly Review* 52:1-51.
- Seekings, Jeremy. 1996. "The Decline of Movement Organizations." *Critical Sociology* 22:135-157.
- . 2000. "After Apartheid: Civic Organizations in the 'New' South Africa." Pp. 205-224 in *From Comrades To Citizens: The South African Civics Movement and the Transition to Democracy*, edited by G. Adler and J. Steinberg. New York: St. Martin's Press.
- Seidman, G. 1994. *Manufacturing Militance: Workers' Movements in Brazil and South Africa, 1970-1985*. Berkeley: University of California Press.
- Skocpol, Theda. 1999a. "Advocates without Members: the Recent Transformation of American Civic Life." Pp. 461-510 in *Civic Engagement in American Democracy*, edited by T. Skocpol and M. P. Fiorina. Washington, D.C. New York: Brookings Institution Press; Russell Sage Foundation.

- . 1999b. "How Americans Became Civic." Pp. 27-80 in *Civic Engagement in American Democracy*, edited by T. Skocpol and M. P. Fiorina. Washington, D.C. New York: Brookings Institution Press; Russell Sage Foundation.
- Somers, Margaret R. 1994. "Rights, Relationality, and Membership: Rethinking the Making and Meaning of Citizenship." *Law and Social Inquiry* 19:63-112.
- Stiglitz, Joseph E. 2003. *Globalization and its Discontents*. New York: W.W. Norton.
- Swilling, Mark and Laurence Boya. 1997. "Local Governance in Transition." Pp. 165-91 in *Managing Sustainable Development in South Africa*, edited by P. Fitzgerald, A. McLennan, and B. Munslow. Cape Town: Oxford University Press.
- Tilly, Charles. 1998. *Durable Inequality*. Berkeley, Calif.: University of California Press.
- Tshehla. 2002. "Non-state Justice in the Post Apartheid South Africa: A Scan of Khayelitsha." *African Sociological Review* 6.
- United Nations Development Program. 2004. *South Africa: Human Development Report 2003*. New York: Oxford.
- White, Caroline. 1995. "Democratic Societies? Voluntary Association and Democratic Culture in a South African Township." Center for Policy Studies Research Report no 40, Johannesburg.
- Zuern, Elke. 2004. "Continuity in Contradiction? The Prospects for a National Civic Movement in a Democratic State: SANCO and the ANC in Post-Apartheid South Africa." Centre for Civil Society and the School of Development Studies, University of KwaZulu-Natal.