Towards a Sociological Perspective on Democratization in the Global South: Lessons from Brazil, India and South Africa

Patrick Heller
Brown University

Abstract:

Brazil, India and South Africa are three of the most successful cases of consolidated democracy in the developing world. They are also characterized by deep and durable social inequalities that have limited the effective political incorporation of subordinate groups. The talk develops a general analytic frame for assessing democratic deepening in comparative terms and identifies distinct trajectories of democratic deepening in each country. These divergent trajectories are in turn linked to patterns of interaction between civil and political society.

Acronyms:

ANC – African National Congress
ARVs –Antiretroviral Drugs
BJP Bharatiya Jananta Party
BSP – Bahujan Samaj Party
CITU – Congress of Industrial Trade Unions (CPM affiliated)
COSATU –Congress of South African Trade Unions
CPM – Communist Party of India (Marxist)
GEAR – Growth Employment and Redistribution
INC – Indian National Congress
MST – Movimento dos Trabalhadores Rurais Sem Terra
NEDLAC - National Economic Development and Labour Council
PT – Workers Party (Brazil)
RDP – Reconstruction and Development Program
RSS - Rashtriya Swayamsevak Sangh
SACP – South African Communist Party
SEWA – Self Employed Women's Association
SANCO –South African National Civics Organization
TAC –Treatment Action Campaign
VHP - Vishwa Hindu parishad

Introduction

The study of third wave democracies has generally been dominated by institutionalist perspectives that define democracy in terms of formal political institutions of representation. Following in the Schumpterian tradition that identifies competitive elections as the central mechanism of democracy, these studies focus on the consolidation of electoral systems, the role played by political parties and the legal structures necessary to underwrite liberal democracy.[1] But even as this literature has had much to say about transitions to democracy and democratic consolidation, it has been relatively silent on questions of democratic deepening. What happens to democracy once democratic institutions are firmly in place and democracy, to borrow Linz and Stepan's (1996) famous definition of democratic consolidation, becomes the only game in town? Does democracy make government more responsive to the demands of the people? Can ordinary citizens, beyond the periodic exercise of their right to vote, make use of their civic and political rights? Can all groups participate equally in the political system?

Asking such questions, scholars of democracies in the global south have become increasingly sensitive to the limitations of the institutionalist view of democracy and increasingly concerned with the deficits of representative democracy.[2] Most fundamentally, this concern has focused on the foundational dilemma of all liberal democracies, namely the gap between formal political equality and factual social inequality, a gap that is especially pronounced in developing democracies. This gap expresses itself at both a societal level and an institutional level. At a societal level, the capacity to participate effectively in the political process – both in terms of shaping and organizing interests – is unevenly distributed across social groups. At an institutional level, the consolidation of formal representative institutions and the introduction of universal suffrage has failed to make the state and the process of making and implementing policies responsive to popular sovereignty. As a result of both these deficits, democracies are marked by both participatory failures (who participates and how they participate) and substantive failures (translating popular inputs into concrete outputs).   This in turn has shifted attention from the study of formal representative institutions to the actual practice of democracy, and a new literature that is variously concerned with the "quality" of democracy and the question of democratic deepening.

What is odd though is that despite the fact that these concerns with democratic deepening have animated a rich theoretical debate and some important empirical work, there have been very few comparative studies of democratic deepening. With the exception of some comparative work within Latin America (Roberts, 1998; Yashar, 2005; Avritzer, 2002)

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[1] The most influential comparative statements are Boix (2005) and Prezworski (2000). In India, key works include Kohli (1990) and Rudolph and Rudolph (1987). For Latin America the classic theoretical statement is O'Donnell and Schmitter (1986). Key works on Brazil include Mainwaring and Ames (2002).
[2] This concern is hardly limited to new democracies. Recent work on the US and Europe also underscores the problem of declining effectiveness of democracy (Bartells 2008; Mair 2006).

no studies have attempted to frame the problems, challenges and trajectories of democratic deepening in the global south in comparative perspective. This shortcoming is all the more remarkable when one considers how important comparative work has been to our understanding of the sources of democratization (Moore 1966; Luebbert 1991; Rueschemeyer et al., 1992; Seidman 1994; Mahoney 2001; Collier and Mahoney, 1997; Collier and Collier, 1991; Wood, 2000). If comparative work has shed much light on the dynamics, sequencing and effects of *transitions to* democracy, comparative work can surely tell us something about how well democracies work. This paper tries to fill this gap through a comparative study of Brazil, India and South Africa (hereafter BISA) that focuses explicitly on their respective trajectories of democratic deepening.

BISA are arguably the most successful cases of democratic consolidation in the developing world.[3] While Brazil has had a rollercoaster ride with democracy, and India did suffer a brief authoritarian interlude - the Emergency of 1975-77 – all three are now widely viewed as highly stable democracies where the likelihood of democratic reversal or even destabilization is remote. Democracy has not only become the only game in town but it has made a real difference. In India it has helped forge a nation from the most heterogeneous social fabric in the world. In South Africa, democratic politics and constitutional rule have managed a transition from white minority to black majority rule with minimal conflict. And in Brazil the transition to democracy has not only neutralized the military, long the institutional basis for authoritarianism, but has seen a Worker's Party come to power. That this has been achieved against a social backdrop of extreme social exclusions (the caste system in India) and the worst maldistribution of wealth in the world (South Africa and Brazil) only underscores the achievements at hand.

But if all three have fared well in consolidating democratic institutions, including the rule of law, and if all three receive near identical rankings in both Freedom House indexes, comparative analysis in fact points to very different degrees of democratic deepening. The basis for this assessment is developed below and rests primarily on evaluating the relationship of civil society to political society. I argue that in both India and South Africa civil society has become subordinated to the instrumental logic of political society. In India this has led to a process that I describe as involutionary: associational life has become increasingly circumscribed by social categories resulting in highly particularistic and zero-sum political conflicts. In South Africa, civil society formations born of the anti-apartheid struggle retain significant capacity but have little effective leverage over political society. This *containerization* of civil society is in turn fueling class polarization in South Africa. In both cases, democratic practices are being eroded and subordinate groups finds themselves increasingly disempowered politically. Brazil offers a very different picture. In what I describe as a case of a *project* civil society, a wide range of associational forms and movements have developed autonomous organizational capacity and rallied around a politics of citizenship. And despite a political system widely seen as dysfunctional, civil society demands have measurably impacted the form of democratic

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[3] Setting aside Indonesia which has been democratic for less than a decade, BISA are the most populous democracies that rate a "free" score in the Freedom House Index with Brazil and South Africa rating a 2, and India a 2.5 in a combined index that runs from 1-3 (free), 3-5.5 (partly free) and 5.5 to 7 (unfree).

governance (specifically through the expansion of participatory structures) and a range of social policies.

Civil and Political Society

As many political theorists have long argued the quality of democracy is as much about civil society as it is about representative institutions. As Kaldor remarks, "For Aristotle, the *poli*s, which was more or less synonymous with civil society, was the *telos* of man as a political animal. It was through political action and public deliberation, through the public use of reason, that ethical life was realized" (2003:23). Though the definition of civil society has changed significantly over time, it has always had the connotation of authorizing the political, that is as providing the normatively legitimating basis for organized political power. Following recent developments in sociological theory (Habermas 1996; Cohen and Arato 1992; Somers 1993; Alexander 2006) I distinguish political and civil society by their distinct modes of social action. These theorists have argued that in modern societies institutional differentiation has advanced to the point that in addition to the two traditional pillars of political sociology – the state and the market – we can now identify civil society as a distinct sphere of action. Political society is governed by instrumental-strategic action and specifically refers to the set of actors that compete for, and the institutions that regulate the right to exercise legitimate political authority. Civil society refers to non-state and non-market forms of voluntary association where the principle mode through which interactions are governed is communicative. As Habermas defines it "[c]ivil society is composed of those more or less spontaneously emergent associations, organizations, and movements that, attuned to how societal problems resonate in the private life spheres, distil and transmit such reactions to the public sphere" (1996:367). The important distinction is that if the telos of politics is legitimate power and its logic the aggregation of interests, the telos of civil society is reaching new understanding by intervening in the public sphere. Communicative practices, it should be emphasized, can be either civil or uncivil, and can either strengthen or weaken democratic life (Alexander 2006).

To grapple with actually existing civil society and its effects on democratization, Habermas' theoretical construction of civil society as a distinct realm of modern social action has to be combined with analytical insights from relational theories of civil society (Somers 1993; Emirbayer and Shiller 1999; Alexander, 2006). As Alexander puts it: "Real civil societies are created by social actors at a particular time and in a particular place." (2006:6). We begin with the very general recognition that civil society is fragile and contingent, that it can vary dramatically in its composition and activity level, as well as in its effects. A central insight of relational sociology in general is that traditional sociological categories, like "class" or "social movements" should be disaggregated and reconfigured into "institutional and relational clusters in which people, power, and organizations are positioned and connected. A relational setting is a patterned matrix of institutional relationships among cultural, economic, social, and political practices." (Somers 1995:595). A relational approach calls for carefully unpacking the sometimes contradictory relationships between the state and the civil sphere and the way in which

these shifting relationships both reflect societal power and shape the functioning of the state and civil society.

This distinction drawn between political and civil society perfectly maps the divide in the democracy literature between aggregative and deliberative theorists. As Shapiro argues aggregative theorists regard "preferences as given and concern themselves with how best to tot them up" and hence focus on formal institutions and the rules of the game, while deliberative (normative) theorists "are more Aristotelian in taking a transformative view of human beings … [and] concern themselves with the ways in which deliberation can be used to alter preferences so as to facilitate the search for a common good" (Shapiro 2003:3). These two perspectives are generally presented as mutually exclusive, reflecting the opposition in political theory between liberal and republican views of democracy and have played out in the empirical literature by creating a convenient, but self-limiting, disciplinary division of labor. Roughly, political scientists focus on electoral systems, formal arenas of decision-making, elected representatives and parties, while sociologists and the occasional anthropologist worry about social movements, social capital, associational life and the whole range of politics that takes place outside of formal political institutions. The institutionalists are right to insist that a necessary condition for democracy is an institutional architecture that protects individual liberties and allows for the selection of political leaders through competitive elections and peaceful transfer of power. But the actual *practice* of democracy, the quality, modality and scope of citizen participation, while of course conditioned in important ways by political institutions, requires that we examine more closely actually existing civil societies. And for reasons that I elaborate below, democratic deepening requires striking a delicate balance between the aggregative logic of political society and the deliberative logic of civil society.

Working within this frame, the historical argument I develop in this paper is that in South Africa and India civil society is increasingly being subordinated to political society and that deliberation is being displaced by power. This is consequential for the sustainability of democracy because a weakened civil society cannot perform three critical democratic functions: 1) provide a space in which citizens can meaningfully practice democracy on a day-to-day basis 2) anchor the legitimacy of political practices and institutions in vigorous public debate and 3) serve as a countervailing force to the power-driven logic of political society. Viewed historically, this weakening of civil society is paradoxical given that the democratic transition in both countries was driven to a significant degree by civil society, including the moral force of arguments based on inclusive and modern claims to democratic citizenship. This paradox alerts us to the fact that civil and political society, though often assumed to be in a mutually reinforcing relationship, are often in tension, and that how this tension plays out has significant repercussions for the possibility of democratic deepening. Indeed, when one juxtaposes the robustness of representative democracy in South Africa and India to the ineffectiveness of civil society, it becomes clear that consolidation may well have come at the expense of democratic deepening.

Why Civil Society Matters for Democratic Deepening

The literature on the deficits of representative democracy is now very large and need not be rehashed here. In the context of developing world countries the core deficit is what I would refer to simply as "effective citizenship". Classical and contemporary theories of democracy all take for granted the decisional autonomy of individuals as the foundation of democratic life. All citizens are presumed to have the basic rights and the *capacity* to exercise free will, associate as they chose and vote for what they prefer. This capacity of rights-bearing citizens to associate, deliberate and form preferences in turn produces the norms that underwrite the legitimacy of democratic political authority. But as Somers (1993) has argued, this view conflates the *status* of citizenship (a bundle of rights) with the *practice* of citizenship. Given the highly uneven rates of political participation and influence across social categories that persist in advanced democracies (and especially the United States) the notion of citizenship should always be viewed as contested. But in the context of developing democracies, where inequalities remain high and access to rights is often circumscribed by social position or compromised by institutional weaknesses (including the legacies of colonial rule), the problem of associational autonomy is so acute that it brings the very notion of citizenship into question (Mahajan, 1999; Fox 1994; Mamdani 1995). A high degree of consolidated representative democracy as we find in BISA should as such not be confused with a high degree of effective citizenship. Closing this gap between formal legal rights in the civil and political arena, and the actual capability (in Sen's (1999) use of the term) to meaningfully practice those rights is what I mean by democratic deepening.

But how do we evaluate the actual character of civil society? I draw on the relational perspective (Somers 1993) which views civil society as a contested historical terrain that exists in dynamic tension with political society and the economy. To make sense of the extent to which civil society is actually constitutive of citizens (that is nurtures associational capabilities) and is differentiated from the political society and the market, we have to examine it along a horizontal and vertical dimension. The horizontal dimension refers to the Tocquevillian view of democracy which focuses on the internal qualities of associational life. Tocqueville argued that democracies function well when citizens make use of their associational capacities and recognize each other as rights-bearing citizens. This then leads us to the sociological question of the extent to which pervasive inequalities within society in effect distort the associational playing field and produce a wide range of political exclusions.

The vertical dimension is essentially a Weberian problem: many new democracies suffer from poor institutionalization and in particular weak forms of integration between states and citizens. The problem is two fold. On the one hand, there is the problem of *how* citizens engage the state. State-society relations in the developing democracies tend to be dominated by patronage and populism, with citizens having either no effective means of holding government accountable (other than periodic elections) or being reduced to dependent clients. In the absence of clear and rule-bound procedures of engagement, citizens can not engage the national, or just as importantly the local state *qua* citizens, that is as autonomous bearers of civic and political rights. On the other hand, there is the problem of *where* citizens engage the state, that is the problem of the relatively narrow institutional surface area of the state. Given that local government is often absent or just

extraordinarily weak in much of the developing world, there are in fact very few points of contact with the state for ordinary citizens. Taken together, the vertical problem of state-society relations and the horizontal problem of perverse social inequalities undermine the associational autonomy of citizens, the *sine qua non* of any effective democracy (Fox, 1994). Just because citizens can vote does not mean that they can they participate consequentially.

Comparing BISA

There are three shared general characteristics of democracy in Brazil, India and South Africa that allow for comparison of their trajectories of democratic deepening. First, and most essentially, the comparison here is between three robust and fully consolidated democracies. Second, BISA all share a similar class structure and economic system that sets limits to what is substantively possible under democratic regimes. Third, in all three countries the path to democratic deepening is obstructed by high levels of social inequality and deeply entrenched practices of social exclusion.

In summarizing the state of democratic consolidation in BISA three points can be emphasized.[4] First, the basic institutions and procedures of electoral democracy have been firmly entrenched. There are no significant social or political forces in BISA who do not accept the basic legitimacy of parliamentary democracy, including in each case politically significant and well organized workers parties.[5] Each country has held multiple national and local elections, and Brazil and India have experienced alternations in the ruling party. The ANC has yet to loose power at the national level, which by some definitions of democracy is problematic. But the ANC has lost elections in two key Provinces (Western Cape and KwaZulu Natal), rules in alliance two other autonomous political forces – the South African Communist Party (SACP) and the Confederation of South African Trade Unions (COSATU) and it has not, in any event, ruled any longer than the INC did post-Independence India. Moreover, internal dissension within the party has recently been vigorous, producing a major internal change (the dismissal of the President Thabo Mbeki) and a break away party (COPE).

Second, the basic principles and institutions for the rule of law, including a forceful constitution and a sovereign judiciary are solidly grounded, and have acted as effective and significant counterweights to excesses of political power. It is notable that formal legal procedures in all three countries have been used to force a Prime Minster (Indira Gandhi) or President (Collor in Brazil and Mbeki in South Africa) to leave power.

Third, for all the obvious measurement problems associated with a concept such as civil society few observers would disagree with the claim that relative to their neighbors all

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[4] For more detail on the historical patterns of democratic consolidation in India and South Africa, see Heller (2009).

[5] The PT handily won the recent presidential elections in Brazil. The SACP is officially aligned with the ANC in South Africa, and holds a number of Ministries. The CPM is the governing party in two Indian states – Kerala and West Bengal – and was until the last parliamentary elections part of the Congress-led ruling national coalition.

three have "vibrant" civil societies. The historical reasons for this are not hard to identify. Most post-colonial or post-empire democratic transitions have been driven by a mix of elite maneuverings, massive external pressure and structural crises, generally leading to sudden, often violent ruptures with the old regime. The BISA transitions were clearly domestic affairs that evolved through iterated conflicts over sustained periods and were driven by broad-based, encompassing, secular and pan-racial/pan-ethnic movements. Because political society was the domain of traditional elites, the democracy movements in BISA evolved and mobilized through structures of civil society (unions, schools, civics, peasant associations, religious organizations) and relied heavily on rich, domestic narratives of resistance to authoritarian rule to make their normative and political claims for democratic self-rule. Until it assumed power, the Indian National Congress (INC) was more a social movement than a party, led by the quintessential movement entrepreneur, Mahatma Gandhi. The anti-apartheid movement is generally associated with the ANC, but it was the coalition of thousands of civics, churches, unions and student associations under the organizational umbrella of the United Democratic Front (UDF) that organized mass mobilizations and contested the apartheid state continuously and on every front for two decades. And the "Popular Movement" (*O Movimento Populari*) in Brazil, which had its roots in the progressive Catholic Church in the 1970s, drew together neighborhood associations, women's groups and unions, as well as a wide range of middle class human rights groups and professionals into what Alvarez (1997:92) has described as "new way of doing politics" that focused on community participation and a new politics of citizenship focused not just on legal rights, but "citizens being active social subjects, defining their rights, and struggling for these rights to be recognized" (Dagnino 2007:549).

These movements in BISA unified immensely diverse populations to forge more or less cohesive nationalist blocks that in the name of democracy, but even more specifically in the name of an inclusive, rights-based citizenship, made peaceful transitions to democracy. And on a point that accords fully with the emphasis in recent sociological theories of civil society, all three movements demanded democracy at two levels: they demanded the democratization of institutions of governance (the focus of the institutionalist literature) but also agitated to democratize social relations *within civil society* by challenging inequalities of caste, race, gender and class.

In the post-transition period, a robust rule of law environment has safeguarded and in some cases expanded the role of civil society. In all three countries, overt state repression is rare (and when it occurs vociferously denounced), associational life has largely been free of state interference, the media is diverse and noisy, social movements are tolerated (though begrudgingly in the case of South Africa) and there are clear indications of a dramatic expansion of NGO activity. I will substantially qualify this point about civil society below, but the point remains that by all the standard metrics of democratic consolidation, all three countries have fared well.

A second point of comparison is that BISA occupy roughly the same position in the global economy and are marked by similar configurations of class power. All three are late developers that in the post-WWII period embraced a classic import substitution

industrialization (ISI) strategy of development in which a close alliance between the state and an emerging national bourgeoisie provided the basis for limited industrialization. In all three, growth benefited a small urban middle class and a corporatist labor sector, but largely excluded the rural sector and informal urban labor groups. In South Africa this pattern was legally codified under apartheid, but overall patterns of exclusion were no less pronounced in India and Brazil. In Brazil and South Africa, political enfranchisement was limited to whites in South Africa and upper class and corporatist labor in Brazil until democratization in 1994 and 1984 respectively. In India, the right to vote has been universal since Independence, but lack of organization and acute dependence on upper-caste/class brokers has prevented effective political incorporation of popular sectors, with some notable sub-regional exceptions (West Bengal, Kerala).

In the 1990s, all three adopted heterodox economic reforms and rapidly dismantled the ISI regime and accelerated integration into the global economy. Interestingly, the reforms in all three cases were ushered in by officially social-democratic parties: the Indian National Congress, the African National Congress and Fernando Enrique Cardoso's Social Democratic Brazilian Party (PSDB). Though the Workers Party (PT) has governed Brazil since 2002 it has largely continued the economic reforms. The reforms were heterodox in that despite the embrace of market-friendly policies including tariff reduction and fiscal austerity, the state in all three countries retained significant interventionist powers and has promoted significant anti-poverty programs.

Roughly speaking, the balance of class power in all three countries is similar. The rural sector has little political or economic clout (despite being electorally significant in India) and though organized labor is a significant player in both South Africa and Brazil (though not in India where it is hopelessly fragmented) its opposition to economic liberalization has had little effect despite having nominally pro-labor parties in power. In all three, the size of the informal sector is actually increasing and organized labor is in decline. On the other hand, the post-ISI period has seen a consolidation of a dominant bloc that consists of a large and highly concentrated bourgeoisie and a rapidly growing urban upper middle class dominated by educated professionals.

The important comparative point here is two-fold. On the one hand, BISA share important class characteristics of late-developing but globally integrated economies that do not conform to any of the classic class configurations identified in the comparative literature as conducive to substantive democratization: the liberal path of a hegemonic bourgeoisie that can incorporate the working class (see Luebbert on lib-lab coalitions); the industrial social democratic path of a highly cohesive working class (Huber and Stevens on European welfare states) or the agrarian social democractic path built on the strength of a smallholding peasantry in the global south (see Sandbrook, Edelman, Heller and Teichman on the cases of Costa Rica, Kerala, Mauritius and Chile). If anything, the existing configurations of class power in BISA literature helps explain the distributive limits of democracy in these countries. In his recent work on India's political economy, Kohli (2007) provides a very clear and cogent of analysis of how economic reforms have been less pro-market, than pro-business, secured by an increasingly tight coordination of state policy with large business interests. Similarly, only close attention to class

configurations can explain why parties that came to power on explicitly social-democratic platforms have pursued market liberalization and all but abandoned direct redistribution in South Africa and Brazil (Seekings and Nattrass 2005; De Oliveira 2006; Weyland 1996). On the other hand, we need to recognize that as useful as these class-based analyses are in establishing the limits to what is substantively possible under democratic regimes in the global south, they provide little insight into the quality of democratic practices and little leverage for understanding differences between Brazil, India and South Africa.

The third basis of comparison is that inequality in BISA is pervasive and remains the most difficult obstacle to democratic deepening. Inequalities of course reflect the class structure, but only in part.[6] They are also inflected by a range of what Tilly (1999) has called "categorical inequalities" organized around binary distinctions or ascriptive classification systems. Race of course was the organizing principle of apartheid, and while race was never institutionalized in Brazil (Marx 1998) it has nonetheless had a pervasive role in organizing durable inequality (Telles 2004). In India, social exclusion is deep and complex, organized along caste, sectarian and ethnic lines. Gender-based exclusions, including restricted access to the public sphere are pervasive in all three countries. The problem of how these social inequalities relate to democracy is further developed in the next section.

To sum up this section: in BISA we have three fully consolidated democracies in which substantive democracy is limited by the class distribution of power, and effective democracy is limited by pervasive social exclusions.

Trajectories of Democratic Deepening

In the rest of this paper I bracket the question of substantive democracy in order to focus on the intermediate problem of *effective* democracy, that is the degree to which citizens can actually and consequentially exercise their civil and political rights. As argued above, this is first and foremost a problem of civil society because even where political society is well established as in BISA, it is still in civil society that opinions are formed and solidarities are generated and that the ethical dimension of a *democratic society* is cultivated. It is, in other words, in civil society that modern citizens make themselves by directly and freely engaging in political life in a meaningful manner. I argue that civil society in India and South Africa remains highly constricted, leaving little room for the practice of citizenship. I argue that this problem has less to do with underlying social inequalities that with emerging patterns of civil society and political society interaction. The problem here can be traced along both the horizontal and vertical axis of democratic deepening. I then show that Brazil has broken with this pattern. Although its social structures are as inflected with pervasive inequalities as India's and Brazil's, the democracy movement and the post-transition period have seen the formation of a relatively autonomous civil society that can effectively engage the state.

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[6] South Africa and Brazil are notorious for having the highest Gini coefficients in the world. India officially escapes this distinction, but only because of measurement problems.

Any discussion of civil society in India and South Africa has to begin with the simple observation that associational capabilities are highly uneven across social categories and that they have their roots in specific histories of inequality: the caste system in India and apartheid in South Africa. These have produced what Dagnino (1998) in the Brazilian context has called "social authoritarianisms", deep-seated inequalities of not only income and property, but cultural and social capital as well that permeate social practices and govern social interactions. So deep are these fundamental inequalities that many would question whether such societies can be fertile grounds for a vibrant civil society, predicated as it is on a degree of civic equality. Indeed, this is precisely why Partha Chatterjee (2001) and Gurpreet Mahajan (1999) have questioned the very relevance of the notion of civil society in India, and why Mahmood Mamdani (1996) has so famously shown that the legacies of colonial rule pose significant obstacles to advancing citizenship in South Africa.

But even as we keep in mind the serious challenges that deep and durable inequalities pose to democratic deepening, we also have to acknowledge that associational inequalities in both countries have hardly been intractable. The nationalist movement in both countries produced rights-based discourses that were direct attacks on caste and racial domination. The associational ties that both national-democratic movements created cut across class, race and caste, and to a significant promoted mass politics. Nationalist discourses were inclusive and promoted a rights-based vision of citizenship. In sharp contrast to the incremental extension of political and civil rights that characterized the US, European and Latin American (including Brazil) trajectories of democratization, in both South Africa and India the passage to democracy conferred fundamental equality in politics and law to *all* citizens. And both supported an array of affirmative state interventions that would correct historical injustices: the "reservations" of government jobs and university positions for "untouchables" (now Dalits) and "tribals" (now Adivasis) in India, and an array of affirmative action and black empowerment schemes in South Africa.

This moreover was not just a shortlived historical moment when national fervor created a sense of solidarity that aligned with ideas of democratic citizenship. These norms of democratic equality have also been sustained by a range of social movements and even sub-regional politics. As Gail Omvedt has argued, in contrast to the reformism of the Congress leadership, the many anti-caste movements in India, both before and after Independence, "fought for access to 'public' spaces of work, consumption and citizen's life" (2003:137). These movements in other words sought to expand democratic civil society by actively removing barriers to participation. In the South, these movements fundamentally transformed caste relations, and Varshney (2000) even credits these movements with the better government performance and better social development indicators observed in Southern states. Also, as I have argued elsewhere (Heller 2000), the extensive social rights and equity-promoting public policies that have been secured in the state of Kerala can be tied directly to its historical pattern of civil society formation. In this state of 32 million, successive waves of social movements, a rich and competitive sector of civic organizations and citizens who know and use their rights have kept political parties and the state accountable, producing India's most competitive party

system and its most efficacious state. Similarly, in South Africa, despite the perverse inequalities inherited from apartheid, large segments of the black population are well organized, most notably the labor movement, and have been able to secure significant redress such as labor protection and the deracialization of formal labor markets. Moreover, a wide array of movements from local civics (Heller 2003; Chipkin 2007) to single issue campaigns and HIV/Aids movements have deployed a range of "in-system" and "extra-institutional" tactics to press both rights-based demands (HIV-treatment) and more counterhegemonic challenges (opposition to neo-liberalism) on the state (Ballard, Habib and Valodia 2006).

The general point here is that though social inequalities are deeply entrenched, and must be foregrounded in any discussion of democratic deepening, they have not, under the conditions of formal democracy and associational rights, precluded political practices and discourses that explicitly challenge these inequalities. In other words, despite pervasive social exclusions, subordinate groups have used the political space created by democratic institutions to make public claims. Thus it is both possible to argue that democratic power in India continues to be concentrated in the hands of elites and intermediaries, while at the same time recognizing that contentious politics played out in civil society have deepened India's democratic culture (Jayal 1999). Similarly, despite the direct subordination of much of civil society to the party/state in South Africa, local grass roots politics and social movements continue to press for the vision of participatory democracy that informed the anti-apartheid struggle (Heller and Ntlonkonkulu, 2001; Chipkin 2007; Greenstein 2003).

The democratic deficit in India and South Africa lies neither in civil society per say, or in the formal character of the state. The state in both cases is a democratic one, and social inequalities notwithstanding, subordinate groups have organized in civil society. The more intractable problem has been the vertical dimension of democracy. Despite the conditions of highly consolidated democracies, with legally guaranteed rights, citizens from subordinate groups find it difficult to engage the state effectively. There are two interrelated problems here. First of all, as we shall see in a moment, the surface area of the state remains quite limited, especially when it comes to local government. Second, in both democracies, political parties not only monopolize the channels of influence but also exert considerable power in setting the agenda, that is determining which issues, claims and even identities enter the political domain. As a result, the public sphere is shaped largely by forms of influence that flow directly from political or economic power (parties, lobbies, powerful brokers) rather than from the deliberations of civil society actors. It is in this sense that I argue that the problem of democratization lies less in the electoral institutions of democracy or the party system (which is dramatically different in both countries) than in the political practices and channels that link civil society to the state.

This point comes into sharper focus when we consider Brazil. The depth of social inequality is probably better documented for Brazil than for any other developing country. From ethnographic studies (Scheper-Hughes 1992, Biehl) that reveal the practices of "cultural social authoritarianism" (Dagnino 1998) to demographic and econometric analyses (Telles 2004; Ferranti et al. 2004) that expose some of severest

material inequalities in the world, inequality is widely seen as a defining characteristic of Brazilian society.[7] And the degree to which social inequality has translated into political inequality is represented in the simple fact in the last presidential election (1960) before military coup (1964) fully 60% of adults did not have the right to vote. Brazil was moreover the last republic in Latin America to grant the right to vote to illiterates. This reflects the legacy of what Santos (1979) has called Brazil's system of "regulated citizenship" (*cidadania regulada*) in which social rights were only conferred to categories of workers recognized by the state. The logic of this graduated distribution of rights is best captured by the dictator Vargas' oft quoted remark: "for my friends, anything - for everyone else, the law."

Yet since the mid-1980s Brazil has traveled a very different path than India and Brazil. Beginning with the democracy movements of the 1970s but then extending into the post-transition period, subordinate groups have actively occupied the spaces of civil society and transformed the public sphere. They have done so on a scale and with a degree of organization that far exceeds what one observes in India and South Africa. But even more importantly, civil society groups have been able to link up with the state, sometimes *through* political society (specifically through the PT, a party that was created by social movements) but more often *despite* political society.

Indeed, what is striking about the effectiveness with which civil society has projected itself into the public sphere and the state is that it has done so in a formal institutional context that is widely viewed in the political science literature as being one of the most dysfunctional in Latin America. The unchecked and uncoordinated power of state governors, for example, has led one commentator to describe Brazil's system as the "most demos-constraining federation in the world" (Stepan 2000: 143). Samuels and Snyder (2001) have shown that Brazil has the highest level of malapportionment in the world. Hunter usefully summarizes the findings of institutional analyses of Brazil's party system: "high party-system fragmentation, low partisan identification, and strong orientation toward personalism and pork barrel. The open-list feature of Brazil's system of proportional representation for lower house elections, a feature that weakens parties as collective organization, aggravates these characteristics" (2007:448). All of these analyses suggest that the aggregative functions of Brazilian democracy are highly limited, making reform very difficult (Weyland 1996). Yet, as we shall see below, and especially when comparatively framed, over the last decades Brazil has experienced significant reforms in areas as diverse as health care, urban governance, poverty programs and the environment, and that these reforms have been driven by civil society-state partnerships (Avritzer 2002; Dagnino, 2005; Alvarez, 1997). Observing what they describe as a high degree of "institutionalization of state-society relations" in Brazil" (2002:27) Friedman and Hochstetler go so far as to characterize Brazil as a deliberative democracy, one in which "state actors facilitate social and political dialogue that is broadly equitable and inclusive, that is regularly engaged in, and that carries weight in elite decision-making

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[7] In his first inaugural address, Fernando Enrique Cardoso noted that "Brazil is not poor: it is unequal." In his autobiography Cardoso predictably paints a rosy picture of democratic and economic progress during his two administrations, but throughout keeps returning to the problem of inequality.

processes" (2002:23). Critical to facilitating this interface has been the expanding surface area and the quality of engagement with the state, described in detail below.

There are many angles through which the general problem of civil and political society relations framed in this section can be explored, but I want to flesh out the argument by focusing on local democratic government and social movements. The first is significant because it is local arenas that citizens are made, and that the surface area of democratic government needs most to be expanded. The second is important because social movements in any democratic society are not only a critical countervailing force to the oligarchic tendencies of political parties, but also because they can raise, define and politicize issues that political society is often insensitive too. As sociologists have long emphasized, social movements are moreover critical to mobilizing citizens that have long been marginalized from political society.

Local Democracy

The institutional space for the exercise of local citizenship in India is highly circumscribed. The average population of India's 28 states is roughly 37 million. Indian states enjoy significant powers and play a central role in development. But local elected governments – that is municipalities and Panchayats (rural governments) have few resources and very limited authority. The first chief minister of Kerala, E.M.S. Namboodiripad, made this point succinctly when he noted that "if at the level of centre-state relations the constitution gave us democracy, at the level of state-panchayat relations the constitution gave us bureaucracy." Until the passage of the passage of the 73rd and 74th constitutional amendment in 1993 most states did not even hold local government elections on a regular basis. The development functions of local governments were limited to acting as implementation agencies for line department schemes and ordinary citizens were afforded few opportunities to directly engage in or influence decision-making about public allocations. The insignificance of local government in India is readily summarized: annual per capita expenditures at the local level in 1990-95 was a paltry Rps. 45, about one dollar (Chaudhuri 2006). The actual presence of local government has been so thin both institutionally and financially, that it has not provided a usable platform for public deliberation or action. To the extent that local citizens interact with local government they generally do so through the mediations of various brokers and fixers, often leaders of caste associations or landed elites. And when the state is present in a more robust form, it often becomes little more than an instrument of dominant interests as in the case of local police forces that actively harass and prey upon lower castes (Brass 1997: 274). In sum, the form of the local state and the mode of its interface is so institutionally weak and so thoroughly permeated by social power and extra-legal authority as to vacate the actual practice of citizenship.[8]

The South African picture here is more nuanced. In rural areas, given the legacy of customary rule and the still formidable powers enjoyed by chiefs, Mamdani's (1996)

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[8] The 73rd and 74th amendments to the Indian Constitution in 1993 significantly strengthened the formal democratic character of local government. In some states, significant progress has been made, but by all accounts the problem of local democracy remain acute.

characterization of local government as a form of decentralized despotism is still probably apt. Recent legislative reforms have in fact buttressed the power of "traditional authorities" and as Lungisile Ntsebeza (2005) has carefully documented, reversed many of the democratic gains of the post-apartheid period. Institutional weaknesses moreover make most local and district governments largely dependent on Provincial line departments. But the picture in urban areas is quite different. Here, South Africa is quite unique, having inherited municipal structures that in comparative terms enjoy significant governance capacities and fiscal autonomy, especially in the three megacities of Johannesburg, Cape Town and Durban. It is even possible to talk of a local developmental state (van Donk et al. 2008). The democratic character of that state is another matter.

At the time of transition, South Africa's foundational development document, the Reconstruction and Development Program (RDP), reserved a central role for community participation in promoting local development. Subsequent legislation mandated a series of participatory processes in local governance. But with the shift in 1996 to a more market-driven vision of development (GEAR), the government came to see the local state more as an instrument of delivery than a forum for participation. As many commentators have noted, over the past decade local government has become increasingly insulated and centralized (van Donk et al. 2008). In the name of efficiency and more rapid delivery, the ANC has managerialized decision-making processes and reduced the quality and scope of participatory processes created under the RDP. A wide range of participatory institutions such as community development forums have been dismantled or hollowed-out, and municipal governance has been centralized into Unicity 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. At the ward level elected councillors and their hand-picked ward committees have been given a new role and new resources for coordinating local development. Because of the electoral dominance of the ANC and the very tight control it exerts over the selection of councillors, the new ward committee system feeds into ANC patronage. In interviews and focus groups I conducted in 2001, township residents complained bitterly that their ward councillors were more interested in advancing their political careers than in serving their communities. More broadly, as Oldfield remarks, this "focus on development as a delivery process has framed the substantiation of democracy as a procedural policy rather than political challenge" (2008:488). In sum, the local spaces in which citizens can practice democracy and exert some influence over South Africa's very ambitious project of local government transformation (i.e. deracializing the apartheid city and closing the service gap) have narrowed.

Brazil has long been one of the most decentralized countries in Latin America, but state and local governments have long been dominated by local oligarchies.[9] Beginning in the late 1970s however, social movements for democracy had become increasingly proactive in Brazil, demanding not only political reforms, but also accountability and improved governance. Throughout Brazil participants in these

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[9] This section draws significantly from Baiocchi (2006) and Baiocchi, Heller and Silva (forthcoming).

movements sought ways to organize various local neighborhood associations and social movements into common blocs that could make demands on city and state government, and eventually coalesced into national movements like the Cost of Living Movement, the Housing Movement and the Collective Transports Movement (Silva 1990). In 1985 full municipal elections were held. A number of notable Mayors were elected from Brazil's newly-legal left-of-center parties with ties to these social movements. The Workers' Party (PT) emerged as the most distinct and consequential new political force of the time. With its deep ties to movements, the PT self-consciously projected itself as a vehicle for translating civil society demands into party platforms, with a commitment to democratizing state institutions (Keck 1992). With the discussion for the new constitution beginning in 1986, urban social movements successfully made demands for more accountable forms of city governance, calling for decentralization and citizen participation in the running of city affairs as a basic right of citizenship (Holtson 2008). The constitution of 1988 empowered local democratic governance in 4 key respects. First, local governments were given significantly more political autonomy from their district-level and national counterparts including the freedom to develop 'organic laws' – in essence, municipal constitutions that were more responsive to local needs. A number of cities in Brazil organized mass public debates on the new municipal constitutions, including Recife and Porto Alegre. Second, local and state governments were given greater fiscal autonomy from the union, as the constitution codified a number of mechanisms of transfer of resources toward subnational government. Third, local governments were given the responsibility (or co-responsibility) for a wide range of services including for health, transportation, housing and primary education. There is now wide agreement that Brazilian municipalities are the most autonomous and most resourced in Latin America (Samuels 2004; Baiocchi 2006; Baiocchi, Heller and Silva forthcoming).

The most significant participatory reforms came in the form of the various sectoral councils (health, transport, education, environment) that were mandated by the constitution. At the national level as well as in all municipalities the councils include representatives from sectoral interests, government and civil society. The councils are essentially neo-corporatist deliberative arenas with significant binding authority, most notably the right to veto the allocation of federal monies to municipal budgets.[10] Reforms have also consisted of innovative programs in which some form of civil society participation was institutionalized in areas as varied as municipal planning, environmental regulation and housing programs (Baiocchi 2006). The most significant of these local experiments has been participatory budgeting, a process that involves direct involvement of citizens at the neighborhood and city level in shaping the city's capital budget. Over 400 Brazilian cities have now adopted some form of participatory budgeting. Finally, in 2001 the Brazilian government passed new legislation - the *Estatuto da Cidade* (City Statute) which not only "incorporates the language and concepts developed by the urban social movements and various local administrations since the 1970s" but requires that all urban policies be subject to popular participation

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[10] The 1990s as the decade of 'council democracy'. By one estimate there were at least 84 national councils at this time, and thousands of local leve councils, including 1,167 councils in Sao Paulo state alone (Alvarez 1997:27).

and "introduces a series of innovative legal instruments that allow local administrations to enforce the "social function"" (Caldeira and Holston, 2004:405-06).

Just how significant these transformations have been in terms of actual democratic practices is revealed by pointing to three very different types of evidence. First, in research conducted with Gianpaolo Baiocchi and Marcelo Silva in 8 Brazilian municipalities we found that participatory budgeting (PB) not only significantly democratized the traditional elite-driven budgetary process, but that is also markedly increased the access of civil society organizations (CSOs) to the decision-making process (Baiocchi, Heller and Silva 2007; forthcoming). Second, in his recent book, *Insurgent Citizens*, the anthropologist James Holston follows the history of the struggles of workers on the vast periphery of Sao Paulo. Lacking even the most basic rights ("citizens without a city") these workers struggle to secure titles to their land and to demand social services. What were essentially highly prosaic localized struggles to gain a foothold in the city merged into the broader stream of the democracy movement to become highly politicized struggles for citizenship. As urban movements scaled up a "new pedagogy of citizenship" emerged, and "the language of human rights became a general idiom of citizenship during this period" (Holston 2008:250). Third, Peter Houtzager and his colleagues have actually measured the degree and quality of associational engagement with the local state. Using original survey date from Sao Paulo, Mexico City and New Delhi, Houtzager and Acharya (2008) find that only residents of Sao Paulo act as citizens. In contrast to Delhi where the urban poor depend entirely on political patrons to make demands on the city and in Mexico City where urban residents have resorted to self-provisioning rather than demand-making to address their basic needs, a majority of residents of Sao Paulo seek redress by directly engaging city authorities.

In sum, CSOs and citizens in Brazil have direct access to local government and in many cities play an active role in shaping public policy. Citizens enjoy and use their associational autonomy. In contrast, at the local level Indians have few if any points of meaningful interface with the state, and to the extent local government does play a role the mode of intermediation is exclusively through party-based patronage. In South Africa, local government and local democracy matters, but the dominance of the ANC and its embrace of increasingly technocratic modes of government has all but ruled out any form of participation.

Social Movements and Democratic Deepening

A second critical space of state-civil society engagement is the political opportunity structure for social movements. In all three countries the broad institutional space is favorable to social movement formation, and generally quite permissive of contentious action. But in India and South Africa social movement have run up against political party systems that have either been immune to social movement demands or have sought to instrumentalize them. In contrast, social movements in Brazil have profoundly impacted the public sphere, problematizing and politicizing a wide range of social justice claims, engaging directly with the state to shape policy, and most importantly, redefining "citizenship by challenging the existing definition of what constituted the political arena

– its participants, its institutions, its processes, its agenda, and its scope" (Dagnino 2007:550).

In India, there is a long and rich post-Independence history of social mobilization, but with the possible exception of the farmer movements that emerged in the 1980s, few social movements have been able to scale up and impact the political arena. The farmer's movement successfully mobilized relatively well-off farmers to secure significant rents from the state. But its agenda has been a narrow corporatist one, more lobby than movement, and certainly not interested in expanding social rights. Other class-based movements have had even less success. Though landless laborers constitute by far the single largest class category in India, and are overwhelmingly Dalit and lower caste, nothing even resembling a sustained movement has ever emerged, except in the state of Kerala. If anything, movements of the agrarian poor have taken place largely outside the democratic arena in the form of various Maoist-inspired local insurrections which are now active in a number of states. India's industrial labor movement has been especially weak. From the very beginning of Independence, India's labor federations were dominated by the state and as Chibber (2005) has shown were outmaneuvered into accepting an industrial relations regime that subordinated labor's interests to the imperatives of promoting capital investment. Operating in a highly bureaucratic and quasi-corporatist environment, the federations have for the most part become instruments of political parties and it is telling that they have never expanded their presence beyond the confines of the protected organized sector, which accounts for less than 9% of the workforce.[11]

Other movements, including those of Dalits, Adivasis, women and environmentalists have developed innovative and effective forms of contention and built strategic ties with transnational advocacy networks, so it is difficult to downplay the richness and the vibrancy of the social movement sector. Yet none of these movements have developed effective and sustainable ties to political society, and indeed, many have taken an "anarcho-communitarian" turn, embracing communities and rejecting engagement with the state (Corbridge and Harriss 2000; Bardhan 1999). This reflects the degree to which civil society formations have come to distrust a political society increasingly characterized by corruption, personalism, short-term calculations and concentrated and insulated power. Mary Katzenstein and Raka Ray point to a decisive shift in how the political opportunity structure shapes the character of social movements in India by delineating two distinct periods. In the Nehruvian period, the state, political parties and movements were aligned around a left frame of democratic socialism, but since the 1980s these progressive movements have had to reinvent themsevles with the "ascendance of its [the Nehruvian period] institutional mirror image on the right, the similarly synergistic nexus of state, party, and movement now organized, however, around religious nationalism and the market" (2005:3). Indeed, movement activity over the past two decades has been increasingly dominated by forces tied to the rise of Hindu nationalism,

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[11] The exception here is Kerala, where CITU (the CPM-affiliated federation) has made significant inroads into the informal sector (Heller 1999). In a very different pattern, new non-aligned movements have emerged in the informal sector, most notably SEWA (Self-employed Women's Association) and small but significant organizing efforts in the construction and bidi industries (Agarwala 2006).

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including various "elite revolts" (Corbridge and Harriss 2000) against the new electoral power of the lower castes. Insofar as these movements seek to affirm traditional privileges of caste, male authority and the Hindu majority, they are in effect deeply illiberal. And though they have not proven a threat to formal democracy – as evidenced by the BJP's tenure and departure from power – they have arguably had a deeply perverse effect on civil society by stoking inter-community violence, legitimizing old and new exclusions, communalizing schools, unions and associations and in general reinforcing the involutionary logic of exclusionary identity politics.

In South Africa, social movements played such a critical role in the anti-apartheid struggle that they entered the democratic period with significant organizational capacity, enormous popular support and a lot of momentum. Following a well-established pattern (Hipsher 1998) a certain degree of demobilization was inevitable with the transition to democracy, especially considering the formal representation through various corporatist structures that the labor and civics movement were given. But the degree to which movements have been almost completely neutralized or sidelined requires some comment.

First, one needs to address the most complicated case, organized labor. COSATU's strength and cohesiveness stands in sharp contrast to India's fragmented and marginalized labor movement, and is a testament to the depth and breadth of labor organizing that took place under apartheid.   And despite its alliance with the ANC, COSATU has retained its autonomy, often voicing criticism of the state and staging broad-based and well organized strikes across sectors to leverage labor's bargaining capacity (Habib and Valodia 2006). COSATU has moreover shown itself to be a powerful kingmaker, having played a critical role in Jacob Zuma's defeat of President Mbeki for control of the ANC at the party's December 2007 Polokwane conference. Yet most assessments of labor's role in South Africa's corporatist structures, and specifically NEDLAC, are critical, arguing that the ANC has largely set the agenda. Most notably, COSATU failed to block or even modify the ANC's shift from the redistributive RDP to the quite orthodox neo-liberal GEAR. COSATU itself recognizes its political marginality. In a policy document, the federation complained that the ANC National Executive Committee has no active trade unionists or social movement activists and goes on to complain that "Once elections are over we go back into the painful reality of being sidelined for another five years" (cited in Webster and Buhlungu, 2004: 241).

For other social movements in South Africa one can paint a much more simple picture. The national civics movement – the South African National Civics Organization (SANCO) which was next to labor the most important component of the anti-apartheid movement – has become little more than a compliant ANC mouthpiece. As I have argued elsewhere (2001), local civics remain very active, extremely critical of the ANC's policies, and often engage in contentious action. They also serve as vital and vibrant local public spaces. But with the dismantling of local participatory structures and the cooptation of SANCO, civics have very little influence over the public sphere, much less over government policy. Focus groups I conducted in Johannesburg with residents from townships and informal settlements consistently painted a picture of a distant and

insulated ANC and a pronounced distrust of ward councilors as more beholden to the party than to communities (Heller, 2001). In recent years, the extent of dissatisfaction over the quality of local government and persistent unemployment has fueled the rise of new social movements in urban areas, including anti-eviction campaigns and various forms of resistance to the commodification of public services. In 2005, the Minister for Provincial and Local Government reported that 90 per cent of the poorest municipalities experienced protests. The Minister for Safety and Security put the number of protests in 2004/2005 at almost 6,000 (Atkinson, 2007:58). These movements remain largely local and inchoate, and have had little choice but to resort to contentious actions, many directed specifically at ward councilors. They have largely been met with silence or outright hostility by the government.

A third movement of note has been the Treatment Action Campaign (TAC), which has received international recognition for its resistance to the government's disastrous neglect of the HIV/AIDs epidemic. This movement, which enjoys a very high level of professional capacity and some very innovative leadership, has scored a number of legal and moral victories over the government, including a new commitment to roll out ARVs. But what is most telling in this case are the extraordinary challenges the TAC has faced in engaging the government. For years the movement was subjected to thinly veiled claims of racism, routinely denounced by government officials as beholden to foreign interests, and often actively harassed, including prosecution of grassroots activists for providing anti-HIV transmission treatment to rape victims. That the TAC persevered and ultimately helped change government policy is a testament to its tenacity and efficacy as a movement. But it needs to be underscored that this is tragic triumph. After years of claiming HIV did not cause AIDs and completely ignoring TAC and other HIV/AIDs organizations, not to mention international pressure and COSATU's protests, South Africa has the highest per capita infection rates in the world.

Social movements played a central role in Brazil's re-democratization. Well before the military had introduced reforms, no less an observer and protagonist of Brazilian politics than Cardoso predicted in the early 1970s that democratization in Brazil would be "civil-society" centered. Comparative work on transitions to democracy in Latin America are all fairly consistent in attributing a central role to civil society in pushing democratization forward (Stepan, O'Donnell). As already noted moreover, civil society in Brazil was not just instrumental in its constestatory function, but also in proactively shaping the constitution.

What decisively differentiates Brazil from South Africa and India is that social movements at the national level have remained politically engaged and politically efficacious. This observation holds true across a wide range of sectors. The examples of the environmental movement and the HIV-Aids movement capture the key dynamics at work.[12] In their comprehensive study Keck and Hochstetler (2006) argue that the environmental movement in Brazil is by far the broadest and the most successful in Latin America. The movement encompasses a broad coalition of professionals and local grass roots groups actors, including indigenous groups, organized labor and urban movements

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[12] See also Khagram's (2004) study of the anti-dam movement and Holston (2008) on urban movements.

and has engaged environmental issues across the full spectrum ranging from pollution and conservation, to GMOs and dam construction. Born in the crucible of the democracy struggle, the movement quickly scaled out into what Keck and Hochstetler dub "socio-environmentalism" a strategy that links environmental sustainability with sustainable livelihoods (Hochstetler and Keck 2007:13). The movement has moreover self-consciously combined contention (*ecologia de denuncia*) with pragmatic engagement with the state (*ecologia de resultados)*. This itself has been made possible by the dramatic expansion of the policy surface area through both constitutional provisions that mandate engagement on environmental issues with CSOs and through the proliferation of a range of councils that have given environmental groups direct access to policy making. The responsiveness of the state is most notable in the increasingly proactive role of the "Ministerio Publico" which has been responsible for filing 97% of civil suits in the environmental arena. By 2002, there were more than two thousand prosecutors specializing in environment. Only the US has made more use of legal tools in environmental politics (Hochstetler and Keck 2007:56).

The HIV-AIDS movement in Brazil stands out as the most broad-based and effective of its kind. From the outset social movements in Brazil took the lead in publicizing HIV-AIDS and demanding state action. Most significantly, they explicitly defined the crisis as a human rights issue and demanded comprehensive treatment including free access to ARVs. Cardoso's administration responded by making HIV-AIDS treatment a priority. The government forced pharmaceuticals to provide ARVs at favorable prices and secured a World Bank loan to fund a massive roll-out program. Rather than entrusting the program to the Health Ministry and its ossified and patronage-driven bureaucratic structures, over 500 NGOs were entrusted with implementation and especially with the task of outreach to marginalized populations. In one of the most detailed studies of the AIDS program, Biehl observes that "AIDS activists and progressive health professionals migrated into state institutions and actively participated in policy making" (1087). Biehl concludes that: "Against all odds [for a poor, developing country] Brazil invented a public way of treating AIDS" (1084). Rates of mortality had fallen by 70% in 2004 (Biehl 1088), and Brazil's strategy of universal treatment is now "widely touted as a model for stemming the AIDS crisis in the developing world." The contrast with India – where the response has been slow, highly bureaucratic and focused on prevention rather than treatment – and South Africa – where the lack of response for so many years stands out as one of the great policy disasters of any democratic government – is a testament to just how decisive civil society engagement can be.

The fact that movements have played such a powerful role in so many different sectors in Brazil points to the significance of broader factors at work. In comparison with India and South Africa it is the nature of civil society-political society relations that stands out as decisive. In Brazil, social movement emerged largely *in opposition* to political society. As Dagnino argues, movements acted against "the control and tutelage of the political organization of the popular sectors by the state, political parties and politicians. Their conception of rights and citizenship embodied a reaction against previous notions of rights as favours and/or objects of bargain with the powerful (as in the case of citizenship by concession, *cidadania concedida*" (Dagnino 2007: 553). But even as movements

sought to redefine the meaning and the modalities of the political, they were also driven by very practical demands for inclusion and determined to shape public policy. It is quite telling that in contrast to observers of Indian and South Africa, Brazilian scholars often emphasize the extent to which movements effectively defined a new "political-ethical field," generated a new public morality and exerted tremendous normative pressures on the state to redeem constitutional claims. The local state and the national state have had little choice but to respond to these demand-side pressures.

Despite being widely branded as a neo-liberal by the Left, Cardoso's two administrations were noted for their openness to civil society. Cardoso himself attributes the success of his social reforms to close collaboration with civil society, and has described the relationship of the Brazilian state to social movements as "porous". Ruth Cardoso's proactive work in founding and leading a state sponsored civil society forum (the Council of the Solidary Community - CCS) has been widely acclaimed by even the administration's fiercest critics. The current ruling party, the PT, was at the confluence of the social movements of the 1980s and has a patented model of governing (*o modo petista de governor*) that includes a substantive commitment to redistribution and a procedural commitment to "incorporating and even institutionalizing popular participation in decision-making" (Hochstetler 2004:8). At the beginning of his administration Lula met with labor, indigenous, anti-poverty and religious groups, as well as with the mass-based and highly militant and rural landless laborers movement (MST - Movimento dos Trabalhadores Rurais Sem Terra). The meetings were highly publicized and gave these movements significant prominence (Hochstetler 2004:10). This blurring of the traditional boundaries between state and civil society has moreover had substantive effects. One cannot account for changes in Brazil's health sector, including the response to AIDs, the environment and urban governance without reference to the role of movements. Finally, these movements have engaged with the state while preserving their autonomy. Even with the PT in power, social movements have openly criticized the government's economic policies and continue to engage in contentious actions (Hochstetler 2004:21). Many movements moreover supported the formation of a left-of-PT party (the party of socialism and liberty – PSOL) in response to the PT's perceived shift to the right and various corruption scandals. Following Ancelovichi (2002) work on the French alter-globalization movement, this combination of autonomy with effective engagement is usefully described as "associational statism".

Towards A Crisis of Citizenship?

By focusing on local government and the role of social movements, I have argued that in South Africa and India civil society has been subordinated to political society, whereas in Brazil, political and civil society have a more balanced relationship. But other than pointing out that civil society and more deliberative modes of politics play a more important role in Brazil, why does this relationship matter to quality of democracy? I want to conclude this paper by showing how the antinomies of political and civil society in India and South Africa are threatening the very ideal of citizenship.

As I have shown, both the space for local democratic practices and encompassing social movements has contracted in South Africa and India. While there is still plenty of room for vibrant associational forms and even contentious action, the nature of civil society's relationship to political society has severely restricted the impact that civil society can have on public decision-making. This then leads to a critical question: if citizens can't practice democracy what happens to citizenship?

Local democratic government in India is very week, even non-existent in many states. For the urban and rural poor, sightings of the state (to borrow from Corbridge et al. 2005) are intermittent at best, and when they can or must engage with the local state, citizens work through intermediaries or powerful political brokers. The political party system has become highly fragmented, increasingly organized around regional and ethnically defined votebanks. On a day-to-day basis then, the Indian citizen engages the state either as a client or as a member of a group, but not as a rights-bearing citizen. Engagement is predicated on exchanges, not rights. Demands on the state are made through bribes, by appeals to caste or communal solidarities or through the influence of powerful interest groups. The logic of these exchanges is democratically perverse because it either privileges - and in the process reifies - primary identities or powerful lobbies, or is predicated on clientelistic relations that compromise political autonomy, as when labor federations become appendages of political parties. It is hardly novel to remark that the Indian state, including and especially the local state, is fraught with corruption and clientelism. But what is more often treated as a problem of institutions (e.g. the literature on good governance) must in fact be viewed as a problem of how *politics is transacted*. Politics in India, has been increasingly instrumentalized, shorn of its normative and deliberative qualities, and reduced to little more than a competitive, mutually-exclusive, scramble for scare resources.

This marks a significant transformation of political society. In the Nehruvian period, all classes, castes and regions in India, with the exception of the religious right, embraced the Nehruvian normative frame of secularism and promoting equality. The concept of the national was clearly and powerfully inscribed with the ideal of the democratic citizen, and underscored by a social contract in which an affirmative state would promote equality and inclusion. This democratic vision did not, as we have seen, bridge the enormous gap between the liberal urban middle classes and the more community-oriented rural masses. But it did allow for an inclusive, secular and democracy-enhancing definition of the nation and political life. Today, that definition is under threat, both from the revival of identity politics and market liberalization.

By equating the nation with "Hinduness" the Hindutva movement (which includes the BJP, the VHP and the RSS) has directly challenged the norm (if not the rules) of Indian secularism, and by stoking the politics of sectarianism and demonization it has subverted the ideal of citizenship. This involutionary logic in which civil society is folded back into society and its myriad fragmented solidarities is not confined to Hindutva. As Jayal (2007) argues,

> Hindu nationalism and OBC [other backward castes] politics … are curiously
> similar in their strategy of deploying the political to entrench or transcend the

social. The politics of Hindutva seek out the political domain to consolidate Hindu identity (BJP), while the backward caste assertions have been chiefly preoccupied with providing the people with *samman* [respect] and *izzat* [honor] through representation in governance institutions. Another important similarity between them is they both reject the idea of a civic community that is not inflected by particularistic identities. The idea of universal citizenship enjoys little purchase within these political arguments, as cultural citizenship has acquired pre-eminence, and social citizenship is compromised (Jayal 2007:13).

The rise of the BJP and Hindutva and the proliferation of identity politics marks the involution of civil society. The BJP is in every respect a social-movement party having risen from the trenches of civil society through the activities of the VHP and the RSS to achieve electoral power.   It is a direct response to the failures of the Nehruvian modernization project. The resurgence of communalism and casteism in India is not as such the resurgence of deep, primordial loyalties but rather a failure of political society to link up with the more democratic impulses of civil society. It is precisely this failure that has opened the space for the politicization of identities with parties constantly seeking the electoral edge through the formation of new, but inherently, unstable ethnic alignments.[13] Chandra makes the interesting argument that because political entrepreneurs are constantly reconstructing identities for electoral gain there is less of a danger that identities might harden into permanent exclusions. Maybe, but the process is nonetheless involutionary and as such stands as a clear obstacle to the formation of the type of stable, lower class-caste programmatic coalitions that have been associated with the more successful redistributive regimes in Tamil Nadu, Kerala and West Bengal (Corbridge and Harriss, 2000).

If the reassertion of caste politics threatens civil society, so does the desolidarizing logic of marketization. Market liberalization has empowered a new middle class (Fernandes and Heller 2006) and opened room for a much more assertive and aggressive bourgeoisie (Kohli 2007; Chatterjee 2007). This class bloc has emerged as the electoral base of the Hindu-nationalist BJP thus consecrating an unseemly but historically not uncommon marriage between economic liberalism and political illiberalism. If the Congress system allowed for class accommodation, liberalization has polarized class positions. The dominant classes, which benefited the most from developmental investments of the Nehruvian state (especially in state employment and support for higher education) now actively reject the very notion of the affirmative, equity-enhancing state. Kaviraj summarizes the resulting democratic conundrum:

> The more education and health are prised away from the control of the state in the process of liberalization, the more unequal their distribution is likely to become. The political equality of democracy would then lose its capacity to exert pressure towards social equality (1999:114).

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[13] One of the more telling examples of this process came in the 1990s when in response to the BJPs mobilization of upper caste Hindus, the Janata Dal recalibrated caste identity by creating the OBC (other Backward Caste) category (Chandra (2005:245).

South Africa's democracy is of course much younger, yet there are already troubling signs of a slide from civic to ethnic nationalism (Chipkin 2007; Mangcu 2008). Subaltern civil society in South Africa has also become estranged from political society, but through a different process. Civil society has become deeply bifurcated between an organized civil society that effectively engages the state and a subaltern civil society that is institutionally disconnected from the state and political society. Business groups, professionalized NGOs, the middle class beneficiaries of South Africa's "Black Economic Empowerment" policies, and organized labor continue to be well positioned to engage the state. But subaltern civil society, and especially the urban poor, has more or less been sidelined from the political process in South Africa. This containerization has taken place through a complex set of institutional, political and discursive practices.

In institutional terms, the surface area of the state in South Africa has dramatically shrunk over the past decade. As I have shown, participatory spaces in local government have been dismantled, and state-society relations increasingly bureaucratized and politicized. At the national level, corporatist structures are all but defunct. The state still transacts significantly with civil society, but does so in a highly selective and controlled manner. Across a wide range of sectors, the preferred mode of intermediation has become "partnerships" with professionalized NGOs that carry out contracted services. Conditions for engagement with the state are increasingly set by complex standards for meeting performance targets and accounting practices that all but rule out community-based organizations. High-paid consultants, often working for "non-profits" now occupy much of the terrain between the state and society. Katzenstein and Ray's characterization of the shifting nature of state-civil society relations in India might well have been written of South Africa: "Economic liberalization has been accompanied by the massive NGO-ification of civil society arguably crowding out some of the more protest-oriented forms of organizing within the social movement sector" (2005: 9).

The political terms of engagement for civil society have eroded as a result of the ANC's increasingly centralized and dirigist style of politics. Since coming to power, the ANC has sought to consolidate its electorally dominant position by asserting its right, as the agent of the "National Democratic Revolution" to demand political subordination of mass organizations. For example, on the eve of local government elections in 1999 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). Direct political control over civil society has been exerted through a range of mechanisms. Much of the leadership of the civics movement was recruited into ANC positions or government jobs. Control over ANC list nominations has been streamlined and centralized, with provincial committees closely vetting lists of local ANC candidates. In some cases, local civil society organizations have been taken over by the ANC. Others that have questioned or protested government policy have simply been frozen out, or even subjected to harassment. At the grass roots level, ANC ward councilors are often locked into very contentious conflicts with local community leaders, and in some cases have even resorted to violence (Heller and Ntlokonkulu 2001).

Finally, the ANCs relationship to civil society has shifted frames, moving from a democratic conception of the citizen to a nationalist conception anchored in an essentialized African identity. The idea of the nation championed by the anti-apartheid struggle and popularized in the Freedom Charter was of one populated by democratic citizens united by their opposition to apartheid. But during Mbeki's presidency there has been a marked drift towards a conception of the nation rooted in "racial nativism" (Mangcu 2008). Not only does this mark a shift from what Habermas (2001) calls patriotism of the constitution (solidarity is constructed through shared ethical commitments to the rights of citizens) to a patriotism of the flag (solidarity rooted in an essentialized identity) but it has also been clearly inflected with a political content. During the anti-apartheid movement, the term "black" was a political term referring to those excluded and oppressed by the state. But as Chipkin (2007) and Mangcu (2008) argue, being authentically "African" has increasingly become associated with being loyal to the ANC. In this logic, the ANC is the sole carrier of the "National Democratic Revolution" and any attack on its policies is construed as an attack on the NDR's transformative goals. The ANC thus routinely denounces critics, including contentious social movements, as "ultra leftist" and "counter revolutionary" and in one notorious case denounced its alliance partners COSATU as being racist for opposing the government's economic policies (Mangcu 2008:5).

To date, the dominant party status of the ANC has pre-empted the type of involution that one sees in India. Yet the problems of having containerized civil society are becoming increasingly evident. As discontent over increasing social and economic exclusion increases, new forms of resistance have emerged. On the positive side, new social movements that have inherited South Africa's powerful tradition of civic contention have emerged both to challenge the ANC's political dominance and to champion more participatory visions of democracy. More alarmingly, excluded and disenchanted segments of the population have forgone "voice" for either loyalty (clientelistic ties to the ANC or local powerbrokers) or exit (rampant crime), a dynamic that has its own involutionary logic.

What lessons can we draw from this comparison of India and South Africa? First, a consolidated democracy is not necessarily conducive to democratic deepening. Though both democracies have provided the associational space for civil society, the actual pattern through which political society has consolidated has in fact impaired social movements, limited the spaces for effective citizenship, and resulted in the increased bifurcation of civil society. While one can certainly understand the value that political scientists accord to stable political orders, especially in highly diverse and unequal societies, the trajectories of India and South Africa also suggest that democratic and national consolidation can come at the expense of developing more effective forms of citizenship. This is moreover not simply a problem of sequencing. The problem, as O'Donnell has already pointed to in the case of Latin America (1993), is that the failure of political society to effectively embed itself in civil society and to make itself accountable to citizens, and not just interests, can severely undermine the legitimacy of democratic rule.

Second, the analysis provided here could be read as a version of path dependent arguments, in which an initial imbalance of political and civil society, of elite and mass interests, has locked-in a highly self-limiting form of democracy. In both cases though, this lock-in should be treated more as a conjunctural balance of power than as a stable equilibrium. In India, the demise of the Congress system – once lauded as a model of democratic stability – was as rapid as its consequences have been unpredictable. The current involutionary trend in the direction of politicization of identities does not bode well for democratic civil society, but is one that is almost by definition incapable of becoming hegemonic given the very malleability of the identities being mobilized. Subnational trends (e.g. Kerala) and new social movements (e.g. the Self-employed Women's Association) suggest moreover that other, more inclusive and citizen-centered solidarities are possible. In South Africa, the political dominance of the ANC in the medium term seems assured. But the very source of its ideological hegemony – its claim to represent the "national democratic revolution" – sets a very high standard. For large numbers of South Africans the promise of a more just and inclusive society continues to inflect the meaning of politics with a transformative thrust that by definition leaves much to be redeemed. In both cases, it is worth heeding Habermas' reminder that "social movements crystallize around normatively liberating perspectives for resolving conflicts that had previously appeared insoluble" (2001:112).

The case of Brazil underscores the historical contingency of the balance between political and civil society. Brazil was no less unequal at the time of transition than South Africa or India, and if anything its political institutions were more fragile and more dysfunctional. Yet the post-transition period has witnessed not only the strengthening of an autonomous and vivacious civil society but also clear instances of civil society projecting itself into the state to shape policy. Most notably, civil society pressures have resulted in the institutionalization of a wide range of participatory structures and the strengthening of local democratic government.

I have not explored the specific historical patterns that might explain the divergences between Brazil, India and South Africa. Clearly, the actual circumstances of the transition to democracy and the nature of the authoritarian regimes that democracy movements confronted has much to do with explaining divergent trajectories. But this is a subject for another paper (Heller 2009). This paper has rather been concerned with the more modest goal of making the case that in trying to explain patterns of democratic deepening we must pay closer attention to the relationship between civil and political society and that doing so calls in particular for a better understanding of how democracy is practiced both within and outside the formal institutions of democracy.

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