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Divergent trajectories of democratic deepening: comparing Brazil, India, and South Africa

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Abstract
This article argues that democratic deepening is shaped by shifting civil society-state relations that can only be understood by disaggregating democratic deepening into its component parts of participation, representation, and stateness. This frame is used to explore the divergent democratic trajectories of Brazil, India, and South Africa. Through the examples of local government transformation and social movement mobilization, I argue that a "project" civil society in Brazil has deepened democracy and transformed the state. In contrast, in South Africa and India civil society is increasingly being subordinated to political society. In South Africa, an active civil society has largely been sidelined as a politically consequential actor (containerization) and in India much of civil society has been fragmented and instrumentalized (involution).

Keywords Civil society · Democracy · Inequality · Local government · Social movements · State

What do we mean by democratic deepening? At a time when neo-liberalism has significantly challenged the regulatory and social capacities of the state, there is a temptation simply to equate deepening with more redistribution, that is, to counterpose democratic power to market power. But as the comparative literature on social democracy has clearly demonstrated (Huber et al. 1997; Esping-Andersen 1990; Sandbrook et al. 2007), the power of the state to effectively tame markets and underwrite social welfare is first and foremost a function of the strength of organized social forces of democracy itself. In this respect, it is important to decouple the dynamics of democratic deepening from substantive outcomes.

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Roberts (1998) does this nicely by distinguishing between *deepening* democracy and the *extending* democracy. For Roberts deepening democracy means "intensifying popular sovereignty in the political sphere, that is moving from hierarchical forms of elitist or bureaucratic control to forms of popular self-determination by means of more direct participation in the decision-making process or more effective mechanisms for holding elected representatives and public officials accountable to their constituents" (1998, p. 30). He distinguishes this from extending democracy, which "pertains to the scope or domain of the social units and collective issues to which democratic norms are applied; that is, it refers to efforts to extend the democratic norms and procedures of collective self-determination from the formal sphere of state institutions to new spheres of social and economic relationships" (1998, p. 30).

In the neo-liberal era, it is routinely argued that we are in a period of retracting democracy, that is, that the people might be sovereign, but only over increasingly limited "spheres of social and economic relationships." As the power over key macro-economic variables shifts from national arenas to global circuits, globalization is seen as inevitably retracting democracy, as people learn, in Przeworski's quip, "that they can vote, but not chose" (1992, p. 56). In the extreme, this can result in democratic retrenchment as "movements of rage" align with authoritarian political formations to attack democratic institutions, including rights-based citizenship, in the name of various imagined cultural singularities (Castells 2003). Trumpism, the Front National in France, and Brexit have become principal exhibits in this argument, but the trend started earlier and is arguably more pronounced in newer democracies, most notably with the rise of Hindu Nationalism in India and Erdogan's Islamist AKP in Turkey.

But there are three reasons why it is important to be weary of facile formulas and in particular not to confound the analysis of retraction with an analysis of democratic deepening. First, the rise of the 1% and the politics of austerity in the EU aside, democracy and development have a far more complex relationship than the critique of neo-liberalism suggests. There is, for example, a solid body of evidence that deeper democracies have experienced far less retrenchment of state power in the neo-liberal period and that some have even experienced an expansion of the social state. Brazil is certainly a case in point (Kerstenetzky 2014; Gibson 2018), but many extend the argument to much of Latin America (Huber and John 2012; Levitsky and Roberts 2013) and some have painted a similar picture for East Asia (Huber and Niedzwiecki 2015). Second, the fate of democracies in the global south is certainly constrained, but not determined by globalization, especially in larger, more established democracies, where internal social and institutional configurations are far more critical in shaping democratic trajectories. Third, and maybe most generally, there is a new recognition in the development literature that development is first and foremost about organizational change, as opposed to accumulation, and that broad based, participatory democratic politics are more likely to produce encompassing and effective institutions.[1] Democratic deepening, in other words, can drive developmental changes quite independently of the constraints imposed by globalization.

[1] This is an argument that has a long lineage in sociology going back to Cardoso and Faletto's (1979) arguments about dependent development, but has recently been more fully developed (e.g., Evans and Heller 2015).

Having made note of the contingent relationship between democracy and globalization, in this article I want to bracket the question of *extending* democracy to focus on the dynamics of democratic deepening and specifically to develop a better understanding of when and how a mobilized civil society can "intensify popular sovereignty." I do so by drawing out some comparative lessons from the three key cases of Brazil, India and South Africa.

Comparing Brazil, India, and South Africa

Before I engage the question of democratic deepening, it is important to situate the universe of cases considered here and specifically to justify the point of comparison between Brazil, India, and South Africa and other developing democracies. The question of democratic deepening only poses itself for democracies that can be said to be consolidated. Most definitions of democratic consolidation follow a Dahlian definition of competition for political power. A democracy is consolidated—that is, generally seen as durable and unlikely to be reversed—when it has passed through electoral regime transitions and all the key organized social forces—in particular traditional elites—have accepted electoral competition as "the only game in town" (Gasiorowski and Power 1998; Linz and Stepan 1996). In the political science literature the "rules of the game" are just that: baseline procedural requirements that include elections, basic associational freedoms, and no arbitrary limits to who can compete in the political process. This provides for a very thin definition and a very low threshold, one that may not be associated with any substantive transformation in the nature or social composition of political power. This is especially true for democracies of the Global South, most of which made the transition in the neo-liberal era of globalization (post-1973). Because many transitions to democracy were elite-brokered or a result of international intervention, one has to be careful not to conflate form with substance (Haggard and Kaufman 2018) especially during a period when democracy emerged as a global norm. A more exacting definition of consolidation would be to go beyond procedural arguments and to point to when and how democracy actually matters and more specifically locks in a new equilibrium of social and political power. If the normative appeal of democracy has always been the idea of bringing the masses into politics thereby effecting some decoupling of social and economic power from political power (Alexander 2006; Usmani 2018) we then have a more robust conception of consolidation. Specifically, we can say democracies are *effectively* consolidated when there is clear evidence that procedural democracy has impacted the distribution of political power.

Brazil, India, and South Africa by this definition are among the most clear cut cases of democratic consolidation in the developing world. In all three cases, the transition to democracy was driven by protracted, contentious, broad-based mobilization. The resulting democratic regimes were politically transformative. In India, democracy has helped forge a nation from the most heterogeneous social fabric in the world and significantly eroded the social and economic power of traditional landed elites. In the post-Congress hegemony period (1977 onwards) the mobilizational base of Indian democracy has been deepened by the "second democratic upsurge," the broad-based entry of middle- and lower-caste groups into the electoral arena (Yadav 2000). In South

Africa, democratic politics and constitutional rule have managed a transition from white minority to black majority rule with minimal violence and brought to power a programmatic, left-of-center encompassing party—the African National Congress (ANC)—a party with deep and extensive roots in social movements. And in Brazil the transition to democracy saw a Workers' Party (Partido dos Trabalhadores or PT) displace Brazil's traditional political oligarchy for well over a decade (2003–2016).[2] That these realignments of power have been achieved against social backdrops of extreme social exclusions (caste, religious, and ethnic divisions in India) and what are arguably the most racially divided societies in the world (Brazil and South Africa) only underscores the achievements at hand.

In this respect these three democracies constitute a small but telling comparison group. Unlike the first wave of democracy, where electoral democracy was introduced after the consolidation of industrial capitalism and its wide material base for class compromise (Przeworski 1985), basic procedural democracy in Brazil, India, and South Africa was introduced against the backdrop not only of deep colonial legacies, but also of some of the most durable and resilient class and status inequalities in the world. Yet in the universe of post-colonial democracies these three stand out as less fragile, thin, or simply elite-dominated, because the transition to democracy in all three cases was made possible through a long, highly contested, and broad-based mobilization that operated through, and at the same time, strengthened civil society. This relationship between mobilization and effective consolidation finds empirical support in recent work that shows that democracies that were born of long periods of mobilization are more durable (Kadivar 2018; Usmani 2018; Kadivar et al. forthcoming). The data Kadivar has collected for eighty post-1960 democracies shows not only that duration of unarmed mobilization during the transition predicts democratic consolidation, but that Brazil, Bolivia, Argentina, Poland, and South Africa stand out as having the longest periods of democratic mobilization (see Table 1, Kadivar 2018). India transitioned to democracy in 1946 and is not included in Kadivar's data set, but by his measure would be part of this group. In summary, these are not only the most consolidated democracies in the post-colonial world, but they share a key historical pattern that is highly predictive of durability.[3]

But if all three have fared well in securing democratic institutions that have supported an effective shift in the distribution of political power, the comparative historical analysis presented in this article shows that they have achieved very different degrees of democratic deepening (measured as "intensified popular sovereignty"), and indeed have followed very different trajectories despite very similar baseline conditions of effective consolidation. The classic models of democratic deepening tend not only to conflate deepening with substantive outcomes (Rueschemeyer et al. 1992; Esping-

[2] The removal of PT (Workers' Party) and Bolsonaro's victory is a clear reversal addressed in the conclusion, but should not obscure the very real realignments of social and political power that occurred in the period under review.

[3] Out of Kadivar's data set of eighty countries that became democratic after 1960, there is not a single case of democratic breakdown (out of a total of forty-eight) in a country that had a period of mobilization for democracy of more than five years. Kadivar puts Brazil at six years of popular mobilization, and this group includes Argentina (7), Bolivia (6), Chile (6), Poland (6), and South Africa (13). There are only three countries with two or more years of popular mobilization that suffered breakdowns: Bangladesh (3), Haiti (4), and Russia (5).

Andersen 1990) but focus heavily on the organization of class interests as the key drivers. While various versions of this argument have been useful in explaining European social democracy, the political significance of the working class is far less salient in the global south. Moreover, they tend to take class formation, and specifically the conditions under which subordinate class interests could be formed, for granted. I focus much more specifically on explaining how and when popular sovereignty could be intensified. The argument revolves around the central claim that democratic deepening has both associational and institutional dimensions, which are co-dependent but also in tension, and the claim that this dynamic is played out in the relationship between civil society and 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 defensive and organized around narrow identities or interests. This in return has resulted in highly segmented and zero-sum political conflict in which competitive rent-seeking has severely compromised the capacity of the democratic state (albeit with subnational exceptions). 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 and has triggered a decade-long upsurge of often violent protest. The South African state, which inherited significant state capacities from the apartheid era and had all the institutional makings of a strong developmental state at the time of democratization, has rapidly disintegrated during the Zuma Presidency (2008–2018) into a quasi-predatory state (Swilling 2017). In both cases, democratic practices are being eroded and subordinate groups find themselves increasingly disempowered politically.

Brazil over the past three decades presents 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 coalesced around a politics of social citizenship. And despite a political system widely seen as dysfunctional, civil society demands have had measurable impacts on the form of democratic governance (specifically through the expansion of participatory structures) and a range of social policies. The term "project" carries a double connotation. Civil society in Brazil has been clearly marked by the specific project of building participatory democracy and in the process has quite literally projected itself into the state. The Workers' Party President Rousseff's deposal in 2016 by a right-wing alliance and Bolsonaro's election in 2018 is a dramatic electoral reversal, simultaneously threatening democracy and the social state but should not obscure what has transpired in the twenty-seven years since the new constitution. Indeed, across all three cases, one can detect significant challenges to democracy but making sense of these challenges calls precisely for a deeper understanding of post-transition trajectories.

Democratic deepening

The idea of "intensifying popular sovereignty" lies at the heart of all discussions of deepening democracy. Robert's definition in fact has two distinct components that more or less reflect the division of labor in the literature. On the one hand, he points to "popular self-determination" and the actual capacity of subordinate groups to act

collectively. This is the focus of the social movement literature and the expanding literature on participatory democracy. On the other hand, he points to the importance of "effective mechanisms" of accountability that has been the central preoccupation of various forms of institutional analysis as represented in the vast literature on political systems and governance. This division of labor has been useful in isolating the mobilizational and institutional determinants of democratic deepening, but by taking a one-sided view invariably downplays the complex and deeply historical nature of state-society relations. In reconciling these perspectives, I want to propose three distinct, though interconnected, dimensions of democratic deepening that taken together constitute a chain of popular sovereignty.

The first dimension is *participatory democracy*, the process through which "the people" are constructed as a political subject. In recent times, much of the political science literature has come to treat preferences as exogenous, but normative theories of democracy have long emphasized that the formation of preferences and political subjects is inherently political. The democratic ideal in normative theory of what Habermas calls "opinion-and-will formation" is directly tied to broad-based and capacitated participation. Sen's (1999) arguments about development as freedom ("to live the life you value and have *reason* to value") have increasingly placed participation at the center of debates about democracy in the global south. But Sen and many others who celebrate the virtues of participation have actually little to say about the conditions under which participatory democracy might flourish. By definition, participation takes place in the spaces of civil society, which may be more or less autonomous and conducive to facilitating communicative practices or may be fully colonized by social or market power. Obvious preconditions for meeting the participatory ideal include the classic Toquevillian concern with a minimal level of social equality in which all citizens treat each other as rights-bearing, and a certain degree of public legality (O'Donnell 1993), and specifically the capacity of the state to protect basic rights of citizenship, including a degree of fairness in relations among citizens.

The second dimension of "intensifying popular sovereignty" is *representative democracy,* which consists of translating the people's preferences into actual political mandates. Elections are of course the classic mechanism of aggregation, with a plurality choosing the government and sanctioning a stated policy regime. The aggregative mechanism is in practice not limited to elections, but includes other forms of formal influence on government policy such as institutionalized arenas of bargaining (legally supported collective bargaining, corporatism, etc.), participatory structures, and the judiciary. This particular dimension of democratic empowerment has given rise to a wide range of analyses that focus on party systems and party types, differentiating most notably between programmatic and clientelistic parties, as well as a wide range of institutional arrangements that can ensure accountability *between* elections.

The third dimension is *democratic stateness*, which takes its cue from the classic distinction between a government and a state. Huber et al. (1997) note that a key aspect of democracy must be that state institutions, the bureaucracy in general, but also key apparatuses such as the military, must answer to elected representatives. This distinction has been used to recognize cases in which a government has been democratically elected but "the ongoing functioning of democratic procedures is not necessarily assured" (Collier and Levitsky 1997, p. 446). This, it should be emphasized, can be a problem at the national level, but is a particularly severe and endemic problem for the sub-national

state in many developing democracies. Indeed, as I argue in this article, the weakest link in the chain of popular sovereignty in much of the global south is local government. This third dimension of preserving the chain of sovereignty is critical for two reasons. First, if bureaucratic and coercive powers do not answer to democratic authorities then the chain of popular sovereignty is clearly broken. Preference formation (participation) and aggregation (representation) may have been democratic, but the translation of those preferences into outcomes is not secured. Second, if stateness itself is not democratic, be it "neofeudalized" as in capture by powerful extra-democratic cliques or local strongmen, or "governmentalized," as in driven by organizational or disciplinary powers that are constituted beyond democratic control, then the very foundations of democratic life—the effective protection and basic enforcement by the state of basic rights—is compromised. In his influential discussion of the problem of democratization in Latin America, O'Donnell (1993) couches his argument about the weaknesses of public legality (or what I am calling democratic stateness) almost entirely in terms of the day-to-day encounters of the state and its citizens. We then come full circle: the very foundation of democratic life—active participation that supports effective representation—are both predicated on and constitutive of democratic stateness. But how exactly and when exactly are these different dimensions of democracy mutually reinforcing?

A relational view of democracy

Political theorists have long argued that a democratic state is as much about civil society as it is about representative institutions. Although 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 developments in sociological theories of democracy (Emirbayer and Sheller 1999; Kaldor 2003; Habermas 1996; Cohen and Arato 1992; Somers 1993; Alexander 2006; Paschel 2016; Klein and Lee 2019) political and civil society can be analytically differentiated by their distinct modes of social 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. Political actors, much like market actors, "are directly involved with state power and economic production, which they seek to control and manage. They cannot afford to subordinate strategic and instrumental criteria to the patterns of normative and social integration or the open-ended communication characteristic of civil society" (Cohen 2007, p. 43). Civil society refers to non-state and non-market forms of voluntary association where the principal 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, p. 367). These are ideal-types and in practice the line between political and civil society is often blurred.[4] But in institutional terms, political society and civil society have distinctive

[4] For an extended and highly innovative argument about the many ways in which civil society can "infiltrate" the state, see Klein and Lee (2019).

modes of legitimation. 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 participating in the public sphere.[5] 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, the 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 Sheller 1999; Alexander 2006). Whether civil society expands rights-based conceptions of democratic inclusion, serves as an extension of state power, or devolves into inward-looking and exclusionary forms of retrenchment (Castells 2003) is an empirical question, and one that is shaped by civil society's relation to the state and market (Burawoy 2003). Accordingly, I begin with the very general recognition that civil society is fragile and contingent, constituted of multiple publics (Fraser 1992) that can vary dramatically in composition and levels of activity, as well as in their effects. A central insight of relational sociology in general is that traditional sociological categories, like "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" (Somers1993, p. 595). A relational approach as such calls for carefully unpacking the sometimes contradictory relationships between the state and the civil society and the way in which these shifting relationships both reflect societal power and shape the functioning of the state and civil society. And for reasons that I elaborate below, democratic deepening requires striking a delicate balance between the aggregative logic of political society and the participatory logic of civil society. A "proper" balance in turn can deepen democratic stateness by strengthening the receptivity of the state to the demos and strengthening the legitimacy of state action.

But how do we evaluate the actual character of civil society? To make sense of the extent to which civil society is actually constitutive of citizens (that is, nurtures participatory 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 civic and 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.

[5] Distinguishing political from civil society, Cohen and Arato write that "The political role of civil society in turn is not directly related to the control of conquest of power but to the generation of influence through the life of democratic associations and unconstrained discussion in the cultural public sphere" (Cohen and Arato 1992, pp. ix-x).

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 cannot engage the national, or just as importantly the local state *qua* citizens, that is, as autonomous bearers of civic and political rights. In this relational view, citizenship becomes the defining characteristic of democracy. As Tilly argues:

> Citizenship consists, in this context, of mutual rights and obligations binding governmental agents to whole categories of people who are subject to the government's authority, those categories being defined chiefly or exclusively by relations to the government *rather than by reference to particular connections with rulers or to membership in categories based on imputed durable traits such race, ethnicity, gender, or religion*. It institutionalizes regular, categorical relations between subjects and their governments." (Tilly 2004, p.128, italics added)

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 for an active civil society (Fox 1994).

Working within this frame, the comparative-historical argument I develop is that over the past two decades the balance of civil and political society in South Africa and India has shifted decisively in favor of the latter and has severely eroded popular sovereignty. In South Africa, civil society has largely been sidelined as a politically consequential actor (containerization) and in India much of civil society has been fragmented and instrumentalized by politicization (involution), a trend that was evident well before Modi's BJP came to power in 2014. This is consequential for the deepening 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 state institutions in vigorous public debate and 3) serve as a counter balance to the aggregative logic of political society. Viewed historically, this weakening of civil society is paradoxical, given that the democratic transition in both countries was driven by broad-based social movements whose communicative power was driven by the moral force of arguments based on inclusive and modern claims to democratic citizenship (Gandhi's Indian National Congress and Mandela's African National Congress). 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. In contrast, the case of Brazil provides clear evidence of how civil society can transform politics

and have a substantive impact on state actions. The particular pattern of political-civil society interactions that marked the process of democratization in Brazil has allowed civil society to project itself into the state and to inflect politics and policy-making with deliberative practices. If this balance resulted in democratic deepening for a quarter of a century (1989–2016), the legislative coup against Rousseff and the election of Bolsonaro are a sobering reminder of how fragile and contingent the balance of political and civil society forces can be (Gramsci 1972).

Pathways to democratic deepening

In the rest of this article, I bracket the question of substantive democracy (extending democracy) in order to focus on the dynamics of democratic deepening. Although the argument is framed by the constellation of civil society, political society, and state developed above, the analysis focuses on civil society because it is there that most of the comparative explanatory leverage emerges. In India and South Africa, despite a history of movements that have pushed for participatory democracy, civil society has largely been ineffective in holding parties or the state to account. I argue that this problem has less to do with underlying social inequalities than with changing patterns of civil society and political society interaction. I then show that Brazil has followed a very different path. Although its social structures are as perversely unequal as are India's and South Africa's, the democracy movement and the post-transition period have seen the formation of a relatively autonomous civil society that can effectively hold political society to account and engage the state.

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 Chatterjee (2004) and Mahajan (1999) have questioned the very relevance of the notion of civil society in India and why Mamdani (1996) has 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, it is just as clear that social movements have played a critical role in expanding associational capabilities. The national-democratic movements in both countries—the Indian National Congress (INC) and the ANC/United Democratic Front—produced rights-based discourses that were direct attacks on social inequality and domination. The organizations that both national-democratic movements created were encompassing, self-consciously cutting across class, race, and caste, and sustained high levels of mass mobilization. Oppositional discourses were anti-colonial, but also explicitly liberal in their support of basic rights of association and representation. In sharp contrast to the incremental extension of political and civil rights that

defined democratization in the United States, Europe, and Latin American countries (including Brazil), in both South Africa and India the passage to democracy was wholesale and comprehensive, conferring fundamental equality in politics and law to *all* citizens.

This moreover was not just a short-lived historical moment when national mobilization 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 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" (1998, p. 137). These movements in other words sought to expand the spaces of civil society by actively removing barriers to participation. In the Southern states of India, these movements fundamentally transformed caste relations, and there is now ample evidence linking these movements to better government performance and better social development indicators (Varshney 2000; Harriss 2003). The case of the Southern state of Kerala (population 32 million) provides a particularly clear-cut case of the relationship between civil society formation and democratic deepening. Against a backdrop of having the country's largest minority religious population (sizable Christian and Muslim communities) and one of the most starkly defined caste hierarchies, successive waves of subordinate group mobilization and high levels of civic engagement have kept political parties and the state accountable, producing India's most competitive party system and its most efficacious state (Heller 1999). 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 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 et al. 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 constitutionally-protected 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. They have, as Habermas would put it, proactively sought to redeem the unredeemed claims of bourgeois society. Thus it is possible both 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 2011). 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 (Desai and Pithouse 2004; Mosoetsa 2005; Chipkin 2007; Greenstein 2003).

The democratic deficit in India and South Africa is found neither in civil society per se nor in the formal character of the state. The state in both is accountable to the

electorate, and social inequalities notwithstanding, subordinate groups have organized in civil society. The more intractable problem has been the vertical axis 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 despite significant mobilizational capacity. There are two interrelated problems here. First of all, 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 communicative practices 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 are dramatically different) than in the political practices and channels that link civil society to the state (which are very similar).

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) that reveal the practices of "cultural social authoritarianism" (Dagnino 1998) to demographic and econometric analyses (Telles 2004; De Ferranti et al. 2004) that expose some of severest material and racialized inequalities in the world, inequality is widely seen as a defining characteristic of Brazilian society.[6] Social inequality, moreover, has directly translated into political inequality. In the last presidential election (1960) before the 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 people who are illiterate. This reflects the legacy of what dos 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's 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 South Africa. 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, demanding new forms of citizenship. Moreover, civil society groups have been able to link up with the state, sometimes *through* elements of 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 political system that is widely viewed 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

[6] In his first inaugural address (January 1, 1995), the sociologist-turned-president Fernando Henrique 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.

the world" (Stepan 2000, p. 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" (Hunter 2007, p. 448). All of these analyses suggest that the aggregative functions of Brazilian democracy are highly limited, making reform very difficult (Weyland 1996). Indeed, no government in Brazil in the current democratic period has ever enjoyed anything close to a working majority in the legislature. 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 (Gibson 2018), urban governance (Wampler 2015), affirmative action (Paschel 2016), poverty programs (Kerstenetzky 2014), and the environment (Hochstetler and Keck 2007). These reforms are impossible to explain without reference to changing civil society-state relationships. Observing what they describe as a high degree of "institutionalization of state-society relations" in Brazil (2002, p. 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 processes" (2002, p. 23). Critical to facilitating this interface has been the expanding surface area and the quality of engagement with the state, described in detail below.

In the rest of this article, I demonstrate how democratic deepening has been shaped by the balance of civil and political society by focusing on local democratic government and social movements. The first is significant because it is local arenas that citizens are made, that the surface area of democratic government needs most to be expanded and that the first (claim-making) and the last (implementation) chain of sovereignty has to be secured. In other words, local government is the crucible of democratic stateness. 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 deaf to (Habermas 1996; Cohen and Arato 1992).

Local democracy

The greatest participatory deficit that India faces is the weakness of local government. The average population of India's twenty-eight 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. Until 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 constitutional reforms were designed to empower local government, but with the exception of the state of Kerala, bureaucratic and political elites at the (Provincial) state level have colluded to block the reforms (Sivaramakrishnan 2000). The development functions of local governments, including India's mega-cities,

as a result remain limited to acting as implementation agencies for Central or state-government line department schemes and ordinary citizens are afforded few opportunities to directly engage in or influence decision-making about public allocations. To the extent that local citizens interact with local government they generally do so through the mediations of leaders of caste associations or landed elites in rural India, or varied brokers and fixers in urban India. Overall, 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.

The South African picture is more nuanced. In rural areas, given the legacy of customary rule and the still formidable powers enjoyed by chiefs, Mamdani's (1996) characterization of local government as a form of decentralized despotism is apt. But the picture in urban areas, where the majority of South Africans live and where the anti-apartheid movement was rooted, is dramatically 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, 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 et al. 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. An extensive study based on interviews and focus groups (Heller 2003) has shown that as early as 2001 township residents had developed elaborate critiques of local ANC representatives, broadly painting them as little more than patronage politicians. More generally, 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, p. 488). In summary, 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. 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 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 these eventually coalesced into national movements like the Cost of Living Movement, the Housing Movement, and the Collective Transports Movement (Baiocchi, Heller and Silva 2011). In 1985 full municipal elections were held. A number of mayors were elected from Brazil's newly legal left-of-center parties with ties to these social movements, most notably the Workers' Party (PT). 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). As the discussion for the new constitution began 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 (Holston 2008). The constitution of 1988 empowered local democratic governance in three 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).

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.[7] 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 four-hundred 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

[7] The 1990s has been described as the decade of "council democracy." By one estimate there were at least eighty-four national councils at this time, and thousands of local level councils, including 1167 councils in Sao Paulo state alone (Alvarez 1997, p. 27).

popular participation and "introduces a series of innovative legal instruments that allow local administrations to enforce the 'social function'" (2005, pp. 405–406).

Just how significant these transformations have been in terms of actual democratic practices is revealed by pointing to three very different bodies of research. First, research that I conducted with Baiocchi and Silva on eight Brazilian municipalities found that participatory budgeting (PB) not only significantly democratized the traditional elite-driven budgetary process, but also markedly increased the access of civil society organizations (CSOs) to the decision-making process (Baiocchi et al. 2011). Second, in his important 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, p. 250). Third, Peter Houtzager and his colleagues have 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 (2010) 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 general, 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 have all but ruled out any effective form of participation.

Social movements and democratic deepening

In Brazil, India, and South Africa, basic democratic structures can accommodate social movement formation, and contentious action is widespread. But in India and South Africa social movements 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 had profound impacts on 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, p. 550). There is no better example of this than Paschel's *Becoming Black Political Subjects* (2016) that documents the rise of the black movement that in a deeply racialized society

has achieved significant reforms both in its access to the state and in securing equity-enhancing policies. Similarly, Hochstetler and Keck (2007) argue that the environmental movement in Brazil is by far the broadest and the most successful in Latin America. 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. As Seidman notes, "Brazilian activists have learned to view the state as a site of struggle" (2010, p. 93). Nowhere is this enmeshment of state and civil society more pronounced however than in local arenas and especially at the level of municipal governance.

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, p. 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. 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.

Social movements played a central role in Brazil's re-democratization. Comparative works on transitions to democracy in Latin America are all fairly consistent in attributing a central role to civil society in pushing democratization forward (Avritzer 2002; Seidman 1994). Civil society in Brazil was not just instrumental in bringing an end to the authoritarian regime, but also proactive in shaping the new democratic constitution.

The immediate post-authoritarian period was marked by a ratcheting up of movement mobilization, in no small part supported by the provisions of the constitution that enshrined institutions of participatory democracy. Thus, despite being widely branded as a "neo-liberal" by left critics, 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".[8] The party that succeeded Cardoso, the PT, was at the confluence of the social movements of the 1980s and claimed a patented model of governing (*o modo petista de governor*) that included a substantive commitment to redistribution and a procedural commitment to "incorporating and even institutionalizing popular participation in decision-making" (Hochstetler 2004, p. 8). At the

[8] Interviews with Cardoso in 2008 and 2009.

beginning of his administration the PT president 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, p. 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, enviromental policy, and urban governance without reference to the role of movements. Seidman argues that the poverty-reducing success of the Brazilian government's social programs, and in particular the conditional cash transfer program, *Bolsa Familia*, stem directly from the government's "rights-based approach to social protection" (2010, p. 88). Finally, these movements have engaged with the state while preserving their autonomy. Even during the PT's thirteen years in power, social movements have openly criticized the government's economic policies and continued to engage in contentious actions (Hochstetler 2004, p. 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. A strike wave in 2013 was the largest in the new century and was driven primarily by labor sectors that have not been historically unionized (Braga and Purdy2019, p. 202). The massive street protests in the run up to the 2014 World Cup were clear evidence that, despite over a decade of having the PT in power, civil society had hardly relinquished any of its autonomy. In making claims for higher educational and social expenditures the protests critiqued the corruption and wasteful expenditures associated with the World Cup and explicitly attacked political society. Most notably, the movement successfully blocked efforts by the parties to weaken the independent powers of the Ministerio Publico, a government agency that has received widespread recognition for its efforts in enforcing public law and exposing corruption (Coslovsky 2014). The protests in other words explicitly supported democratic stateness.

The contrast with India and South Africa is striking. 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 affect 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. Although 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.[9]

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 has 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, and concentrated and insulated power.

Tracing the history of social movements in post-Independence India, Katzenstein and 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 loosely aligned around a left frame of democratic socialism, but since the 1980s these progressive movements have had to reinvent themselves 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, p. 3). Indeed, movement activity over the past two decades has been increasingly dominated by forces tied to the rise of Hindu nationalism, 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 proven highly effective in electoral politics—the Hindu-nationalist BJP won the national elections in a landslide in 2014—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.

There however have been important and telling exceptions to this involutionary trend. During the decade (2002–2014) of the Congress-led United Progressive Alliance (UPA) government, an assortment of movements and civil society allies successfully pressed for rights-based reforms to India's fledging welfare state. These included both the Right to Information Act (RTI), which empowers citizens to demand and secure information from Central government officials and the National Rural Employment Guarantee Act (NREGA), a job guarantee scheme for landless laborers that stands as the most ambitious rural poverty alleviation scheme the Indian government has ever undertaken. Both were driven primarily by the MKSS (Masdoor Kisan Shakti Sangathan), a movement that originated in the state of Rajasthan demanding reforms to local state government. In every respect, these movements have been quintessential civil society democratization efforts but the modality of their engagement with the state and their success in pushing reforms underscores just how resistant political society has

[9] The exception here is Kerala, where CITU (the CPM-affiliated labor 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 2013).

been to civil society. The group of activists and movements that converged around these reform movements quite explicitly eschewed engagement with political parties, focusing instead on a range of contentious activities. They successfully translated their demands into legislative reforms only because they were able to access the state through the National Advisory Council (NAC), an extra-constitutional body created by Sonia Gandhi who headed the Congress party but held no state position. Gandhi, determined to push through reforms despite a dysfunctional Congress Party majority mired in internecine conflicts and pervasive rent-seeking, created the NAC as a consultative group tasked with drafting reform legislation. Wielding her considerable internal political leverage and with help from strategically placed reformist senior bureaucrats, the NAC was able to maneuver the reforms through committees and parliament. But however significant the reforms are in their own right, the process through which these reforms was secured reveals the inherent weakness and fragility of the chain of popular sovereignty. First, the reforms were made possible only by a highly contingent and idiosyncratic opening in the sluice gates of government (made possible by the dual power structure of the Congress Party) that in effect bypassed traditional parliamentary channels. The NAC lost most of its influence in the second UPA government as the Prime Minister's office reasserted its control and was completely disbanded when the Congress was ousted. Second, though the leadership of the MKSS has proven exceptionally skilled at working the system, these reforms have not been backed by broad-based mobilization or new political coalitions. Third, the Achilles' heel of the reforms—devised and resourced at the Center—remains implementation at the state and local levels of government. Although NREGA has had measurable impacts on agricultural wages in the aggregate, the variation across states and even blocks and villages in the absence of local stateness has been dramatic (Veeraraghavan 2017). As for the RTI, increased transparency had not necessarily led to increased accountability, and the fact that not a single state has taken up similar legislation limits the impact of the legislation to central government officials.

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 (Seidman 1994). Following a well-documented 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 movements were given. But the degree to which movements have been almost completely neutralized or sidelined requires some comment, especially given that such a demobilization did not take place in Brazil.

First, one needs to address the most confounding case, organized labor. COSATU's strength and cohesiveness stand in sharp contrast to India's fragmented and marginalized labor movement, and they are 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 organizational 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 (Pillay 2013). 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. Pillay has forcefully argued that the labor movement has vacillated between social movement unionism and political unionism, but on the whole has subordinated itself to the ANC. COSATU itself recognizes its political dependency. 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, p. 241).

For other social movements in South Africa one can paint a much simpler 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. Local civics groups remain very active, extremely critical of the ANC's policies, and often engages 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 as a national structure, civics groups have very little influence over the public sphere, much less over government policy. Focus groups with residents from townships and informal settlements in Johannesburg 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 2003). Initially, the extent of dissatisfaction over the quality of local government and persistent unemployment fueled the rise of new social movements in urban areas, including anti-eviction campaigns and various forms of organized resistance to the commodification of public services. But since 2005 there has been a marked upsurge in what have been dubbed "service-delivery protests." In 2005, the Minister for Provincial and Local Government reported that 90% of the poorest municipalities experienced protests. The Minister for Safety and Security put the number of protests in 2004/2005 at almost 6000 (Atkinson2007, p. 58). These movements remain largely local and inchoate and have had little choice but to resort to contentious actions, many directed specifically at elected ward councilors. They have largely been met with silence or outright hostility by the government.

Democracies compared

I am arguing in this article that in South Africa and India civil society has been subordinated to political society, whereas in Brazil, the post-democracy period (1989–2016) has been marked by a more balanced relationship between political and civil society. But other than pointing out that civil society and more participatory modes of politics play a more important role in Brazil, why does this relationship matter to the depth of democracy? I want to conclude here by showing how the antinomies of political and civil society in India and South Africa are undermining both participatory democracy and stateness, the twin pillars of democratic citizenship. At the time of writing this, Bolsonaro's election in Brazil might be taking Brazil in a similar direction though the circumstances of this reversal confirm important implications of my argument.

As I show here, 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 the political sphere and on the state. This then leads to a critical question: if citizens cannot practice democracy, what happens to citizenship?

Local democratic government in India is very weak, 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. Recent research has underscored that this is as much an urban as a rural problem (Bertorelli et al. 2017). The political party system has become highly fragmented, increasingly organized around regional and ethnically defined vote-banks. On a day-to-day basis then, the Indian citizen engages the state more often as a supplicant or as a member of a group than 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 patronage 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 patronage. 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 scarce resources (Jaffrelot et al. 2019,198). As Mehta has argued, the language of rights, justice, and universalism is ubiquitous in Indian political discourse, but these concepts are deployed to justify access to power by particular groups, "not acknowledgement of the due claims of all" (2003, p. 47). "Democracy in India has advanced through the competitive negotiations between groups, each competing for their interests, rather than the diffusion of democratic norms" (2003, p. 48). In summary, representative democracy remains robust and the electoral mechanism as well as interest-group politics undergird a vibrant civil society. But the fundamental weaknesses of the state, and most notably the local state, have constrained participatory democracy. Between elections and outside of party-brokered bargaining, there is little room for democratic civil society to engage with the state.

The rise of the BJP and Hindutva (Hindu nationalism) and the proliferation of identity politics mark 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 mass-based cultural and social associations to achieve electoral power.[10] It is a direct response to the failures of the Nehruvian modernization project. The

[10] Most notably the cultural organization the Vishva Hindu Parivad (VHP) has nurtured and propagated the ideology of Hindutva (Hindu nationalism) and the paramilitary Rashtriya Swayamsevak Sangh (RSS) has provided training and social support to Hindu youth and a pipeline of cadres to the BJP, including Modi himself.

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 coalitions. Chandra (2000) 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 sub-national regimes in Tamil Nadu, Kerala, and West Bengal (Corbridge and Harriss 2000).[11] This involutionary logic may now have also hardened into a new dominant bloc. The BJP government that came to power in May 2014 is supported by a coalition that includes a pro-market urban middle class, a corporate plutocracy with some of the most concentrated economic power anywhere in the capitalist world (Gandhi and Walton 2012) and mostly rural social conservatives from the upper castes. This unseemly but historically not uncommon marriage between economic liberalism and political illiberalism has two de-solidarizing logics: rejecting the affirmative, equity-enhancing state, pithily captured in Modi's electoral slogan of "more governance, less government" and strengthening the role of the state as guardian of a singular ethno-national identity.[12]

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; Hart 2014). 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 (BEE) 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. Constitutionally mandated participatory spaces in local government have been hollowed out or altogether dismantled, and state-society relations are increasingly bureaucratized and politicized. At the national level, corporatist structures are all but defunct. The state still transacts significantly with civil society, but

[11] As political theorist and public intellectual Pratap Bhanu Mehta surmises, India's identity politics are increasing "creating a culture where each life is reduced to, and completely foretold in, its identity." *Indian Express,* Op-ed, Feburary 24, 2019.

[12] During the campaign Modi himself strategically downplayed his traditional communal rhetoric, but at the level of parliamentary constituencies the BJP actively played on communal divisions. Most remarkably, of the 282 BJP candidates elected to parliament in 2014, not one was a Muslim, marking the first time in India's democratic history that Muslims have no representation in the ruling party. During Modi's government, there has also been a marked uptick in nationalist discourse, including use of colonial-era sedition laws to silence critics and the use of national security laws to detain human rights activists.

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.

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, p. 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. Competition among local factions of the ANC for control of local government has become increasingly fierce (Olver 2017), leading to an alarming increase in political assassinations.[13]

Finally, the ANC's 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 was 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, p. 5).

[13] "The assassination surge on those fighting corruption" *Mail and Guardian,* October 3, 2014. Accessed July 1, 2017. https://mg.co.za/article/2014-10-03-the-assassination-surge-on-those-fighting-corruption

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 Hart argues, new social movements are giving way to "movement beyond movements" increasingly disparate, angry, and inchoate protests, including a horrifying wave of xenophobic murders in 2008 (2014, p. 3).[14] Disillusionment and discontent, especially among unemployed youth, have fueled the rise of demagogic, hyper-nationalistic, and anti-democratic political leaders such as the former ANC's youth leader, Julius Malema. The triple Alliance of the ANC, the SACP, and COSATU is moreover beginning to fray. Although the ANC handily won the most recent national elections (April 2014), it lost control of major cities in the municipal elections of 2016. The ouster of President Zuma in the aftermath of serial corruption cases that revealed the workings of a tightly knit cabal of ANC officials and private interests extracting massive rents from the state—all summarized in an extraordinary document issued by the national prosecutor's office titled "State Capture"—underscores just how much the dominance of the ANC has led to the erosion of state institutions (Swilling 2017.).

What lessons can we draw from this comparison of India and South Africa? First, though both have successfully consolidated the institutional and political foundations of electoral democracy, democratic deepening has proven more elusive. Although both democracies have secured the associational space for civil society, including contentious movements, the actual pattern through which political society has consolidated has undermined participatory democracy. Local spaces for citizen engagement have been subject to increasing control from above or simply shrunk, and social movements have had limited access to the state. In the absence of an active civil society, mechanisms of accountability have been weakened and narrowed and sectoral or identity-based interests have largely displaced more rights-based forms of claim making. Overall, even as representative democracy has gained tremendous traction and provides a critical baseline of inclusion in what are highly diverse and unequal societies—a tremendous achievement in its own right—the democratic trajectories of India and South Africa suggest that politics dominated by parties can come at the expense of developing more effective forms of citizenship. Participatory democracy has been thwarted, which in turn has all but crippled efforts to increase democratic stateness, especially through decentralization.

Second, the account 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 and the transparency movement led by the Mazdoor Kisan

[14] In October 2012 the government released a report that claimed that protest activity had increased dramatically that year and that 80% of the protests were violent (Hart 2014, p. 49).

Shakti Sangathan) 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's reminder that "social movements crystallize around normatively liberating perspectives for resolving conflicts that had previously appeared insoluble" (2001, p. 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 at times combative 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, but can also be linked to the expansion of the social welfare state (Seidman 2010; Kerstenetzky 2014; Wampler 2015).

A postscript: Beware of presentism

The election in 2018 of a President in Brazil who has raised fears of a return to authoritarianism is a stark reminder that a vibrant, pluralist, and mobilized civil society is, in itself, no guarantee against democratic backsliding (Riley 2005; Berman 1997). Even though it is highly improbable that Bolsnaro could actually undermine representative democracy—among other obstacles he does not have a strong party in Congress—it is clear that he is determined to reverse the gains of democratic deepening. Having recognized this, it is important to avoid the temptations of presentism and lose sight of the fact that the balance of civil and political society that Brazil experienced for over two decades did secure and institutionalize democratic practices that strengthened popular sovereignty. This is true in two respects. On the one hand, participatory practices have nurtured the intensity of citizenship. The rights-based culture in Brazil is deep and widespread and while it has hardly vanquished the hierarchical instincts of elites or the exclusionary fantasies to which Bolsonaro has so successfully appealed, there is little doubt that subaltern democratic culture has been massively strengthened in the post authoritarian period. Second, the balance of civil and political society has clearly contributed to a thickening of democratic stateness. Although the police have remained an island of authoritarianism and higher elements of the judiciary orchestrated the legislative coup against Rousseff, almost all other major institutions have been radically rationalized and democratized, including the vast public health and education sectors (Gibson 2018; Paschel 2016; Tarlau forthcoming). As the emphasis I give here to the actual depth of democratic statesness (in O'Donnell's sense of diffusion of public legality) suggests, the democratization of the local state through decentralization and participatory practices is the most important and least likely to be reversed legacy of this period of democratic deepening. Taken together, both these

developments have fundamentally transformed the social infrastructure of Brazilian democracy. If, as I have argued, genuine democratic consolidation brings the masses in politically (as it surely has in all three cases), in Brazil the period of democratic deepening has measurably incorporated the masses.

During this period, Cardoso's governments followed by Lula and the PT expanded the welfare state with marked redistributive effects. Most notably, the income of the bottom grew by 42% in real terms between 1998 and 2010 (Gethin and Morgan 2018). Poverty fell dramatically as did the Gini co-efficient, reflecting a significant transformation in class structure (Braga and Purdy 2019; Evans 2018). That this happened in a period of heightened neo-liberal globalization and increasing global inequalities of wealth (Piketty 2014) is all the more remarkable. But this is not all. The lower classes and other traditionally excluded groups not only improved their material conditions but also penetrated what have historically been highly insulated and elite-dominated institutions. Thousands of union members were absorbed into the state (Galvao 2014); health activists from the Sanataristas movement penetrated municipal health bureaucracy (Gibson 2018); and affirmative action policies saw historically white public universities dramatically desegregated (Paschel 2016). Towards the end of this period, popular mobilization hit a critical threshold. Not only did labor militancy as measured by strikes reach a historical high point in 2013 but mobilization was broad and deep, driven mostly by precarious service-sector workers and workers in the private sector (54% of the total)(Braga and Purdy 2019, p. 202). Distributive conflicts moreover morphed into racialized status conflicts as the increased purchasing power of lower classes fueled mass consumption and saw predominantly black workers "invade" rationed (predominantly white) middle-class spaces such as shopping malls and airports.

Given such power and status shifts in a deeply hierarchical society, the Bolsonaro backlash, with its sharp class, racial, and gender inflections, is hardly surprising. Even as the incomes of the bottom 70% grew between 2002 and 2014 and the incomes of the 1% soared (Gethin and Morgan 2018), the "squeezed middle class" not only saw its share of national income decline and but also saw its once exclusive preserves of privilege opened to the popular sectors. Barga and Purdy (2018) have argued that the collapse of Lula's hegemony "was caused to a significant degree by the radicalization of the distributive struggles between the social classes," a radicalization made possible by the deepening of Brazil's democracy. Bolsonaro's election certainly underscores the vagaries of representative democracy, especially in a democracy with a notoriously weak and fragmented party system.[15] But this should not distract us from recognizing the clear gains that Brazil had made in terms of participation and stateness and, in particular, the strengthening of rights culture and local government.

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[15] The centrist parties that most observers assumed would benefit most from Rouseff's removal and Lula's imprisonment were in fact decimated in the election. Bolsonaro's party was itself entirely new and has no coherence other than opportunistic ties to Bolsonaro and his family. The only major traditional party that secured a significant vote share was the PT, the only Brazilian party with roots in organized civil society.

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