Mediation: The Missing Middle in South Africa. ANC Party Dominance, Social Movements and Participatory Governance in South Africa

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1. Introduction

State-society relation in South Africa appeared marked by significant conflict, not least to dramatic levels of protest against poor service delivery and governance by local government. Further, despite clear popular dissatisfaction with ANC led municipalities, popular support for the party at the polls endures. This we argue is the legacy of a liberation politics which may appear to insulate the ANC from formal oppositional parties, but also exposes it to internal ideological competition and especially clientelistic factionalism. In a paradoxical sense, the more the ANC succeeds in dominating formal representation in local electoral politics and state-society relations, the more its failure in government creates the conditions for its contestation, externally but especially internally. It was this logic which drove the change in national leadership in the ANC at Polokwane in 2007, but as this paper will hope to show, infects most local branches too. In sum, the dominance of the ANC in local state-society relations cannot hold, as it continues to create it own grave-diggers – and the most immediate are likely to come from within its on ranks.

This paper looks to explore the character of local state-society relations in South Africa through exploring the interaction of two independent processes. The first concerns the relative empowerment of political parties (and especially the ANC) and the disempowerment of civil society (especially social movements) by the democratisation process in South Africa. The second concerns the introduction of new institutions of public participation in local governance. While latter are portrayed as ‘invited spaces’ for communities to engage constructively the local state, the poor design of these spaces, a lack of genuine will from elites, and the relative power of the ruling party and alliance partners over alternative social actors means that, in practice, they are either meaningless processes or simply co-opted by elites. Indeed, a key claim of this paper is that the ANC party, especially at local branch level, seeks to dominate both representation of citizens in civil society (invented) spaces and in the formal (invited) spaces of local governance.

Nevertheless, the local branch ambitions to establish a party-society dominance alongside the party-state are likely to be undone by its inability to meet the expectation of citizens, and especially ANC supporters. This frustration has fuelled significant competition for office within the ANC and the alliance, creating factions of networks which compete for office from national to local level. It also provides the basis for external organisation through social movements in the face of growing popular disgruntlement at poor delivery
of public goods by local government, and evidence of the growth of new crop of local and organic community-based organisations which could form the basis of future social movements. In short, popular mobilisation at the local level in South Africa remains dominated by the ANC despite new participatory institutions, although we are witnessing the creation of conditions for new and powerful forms of popular mobilisation into the future.

In making this argument the chapter begins with theoretical literature on state-society relations, and the character and relationship between ‘invented’ and ‘invited’ spaces. It then moves to the received views in the literature on popular mobilisation in recent South African history, and the nature and purpose of new forms of ‘participatory governance’ at local government level.

2. Theorising State-Society Relations through Invented and Invited Spaces

In recent years almost every democratic country in the world, regardless of economic development or democratic robustness, has witnessed attempts to enhance public participation in governance, especially local governance. The reasons for this are many and complex, and can be traced to new theories and practices of development (World Bank 1996); new theories and practices of democracy (Cohen 2002, Habermas 2002) and democratisation (Mattes 2002); and at the intersection of all of these, new theories and practices of citizenship (Cornwall 2002). Following Cornwall (2002:17), these new participatory institutions and practices can be termed the ‘invited spaces’ of participatory local governance. These invited spaces would include Hendricks’ (2006:486) ‘micro deliberative structures’ and Fung and Wrights’ (2001:5) ‘empowered deliberative democratic structures’. Examples are the participatory city budgeting in Porto Alegre, Brazil; functionally specific neighbourhood councils in Chicago, USA; village governance in Kerala, India; and citizen’s juries in the United Kingdom.

Initiated by the local state, invited spaces typically look to draw local communities into process of consultation, deliberation and sometimes joint decision-making on key local issues. Perhaps just as important in understanding emergent local state-society relations is popular mobilisation led ‘from below’ by civil society or local communities. Hence Cornwall (2002:17) contrasts the ‘invited spaces’ created ‘from above’ by the state with ‘organic spaces’ created ‘from below’ by those outside the state. The latter include spaces created from popular mobilization, as well as spaces in which ‘like-minded people join together in common pursuits’. Holston and Appadurai (1999) describe the emergence of a right-based citizenship amongst the urban poor marginalised by neo-liberal governance, and mobilized through social movements, which looks to transform social relations from the ground up. Miraftab (2006) paints a picture of ‘invented’ spaces opposing ‘invited’ spaces in the South African, but also elsewhere in the world, and also for the same reason, the globalization of neo-liberal economic policy.

Importantly, as Cornwall and Coelho (2007:1) indicate, the conceptualization of local state-society relations is not exhausted by a binary opposition between top-down, state-driven, invited spaces, and bottom-up, social movement driven invented spaces. Hence
they talk of a ‘participatory sphere’ that lies at the interface of the public sphere and the state, composed of hybrid institutions, some of which are extensions of the state and some of which are claimed from the state. Lastly, and this is the critical point, the relationship of these institutions with the state and the general public is partial: ‘its institutions have a semi-autonomous existence, outside and apart from the institutions of formal politics and everyday associational life… They are spaces of contestation, but also of collaboration and co-operation…’ Lastly, but most importantly, Gaventa (2007: 2) points out that international experience shows that that a functioning participatory sphere or meaningful public participation in local governance requires three things, good institutional design, political will to make it happen and a strong civil society.

These theoretical reflections matter to the South African case precisely because the last ten years have witnessed a process of institutional reform of local governance in the name of greater public participation on issues related to the delivery of key social goods. Hence there are very specific and identifiable ‘invited spaces’ that have the potential, in theory, to both engender more constructive and democratic state-society relations and enhance the delivery of social goods. At the same time, there is a particular history of social mobilisation in South Africa around the liberation struggle which has, crudely—speaking, empowered political parties at the expense of civil society and especially social movements. It is this particular dialogue between ‘invented’ and ‘invited’ that we wish to explore and characterise. In the following section we outline this history of popular mobilisation, and then move to outline the democratic reforms of local governance.

3. Invented Spaces: The Changing Patterns of Popular Mobilisation in South Africa

With the formal deracialisation and democratisation of South Africa in the early 1990s, the fundamental shape of inclusion and exclusion in the political system began to change. Beyond the changes in the formal institutions of rule, were parallel shifts in the patterns of popular mobilisation in the country. During the struggle period, and especially the 1980s, popular mobilisation was channelled into explicitly political anti-apartheid activities. Hence grass-roots organisations that emerged mostly in urban centres to secure basic public goods like education, health and housing, united under an explicitly political formation, the United Democratic Front, which identified clearly with the ideology and organisation of the banned and exiled African National Congress (ANC). Closely associated with the ANC aligned Congress of South African Trade Unions (COSATU), the two organisations captured most popular mobilisation behind the political project of national liberation. In effect then, grassroots and issue-based mobilisation was quickly united and generalised in national and political terms. In a symbolic if not organisational sense, the ANC was the social movement of the 1980s.

While there can be no doubt that this popular mobilisation of the 1980s was tremendously effective and important in hastening the end of apartheid, many have pointed out the demobilising effect that democratisation had on social movements in South Africa (Ballard et al: 1996, 14-17). With the unbanning of the ANC in 1990, the UDF effectively collapsed into the ANC as the latter reconstituted itself as an open organisation in the country. After the 1994 elections the movements which mobilized
people were absorbed into the ANC government or in partnership with government, and most held the view that government would deliver to the poor (Heller 2001: 134). Further the remaining NGO sector came under pressure to 'professionalize' and withdraw from advocacy to a more limited role in service delivery (Ran Greenstein: 2003).

Notably, this demobilisation paralleled shifts in donor funding too, such that most foreign aid money was channelled into and through the new democratic state to build its capacity to meet the many challenges of proper administration and the delivery of social goods eschewed by the apartheid state on racist grounds. The shift of emphasis onto the state in the state-society relationship has been paralleled at local level by an attempt by ANC branches to dominate the representation of communities. Reflecting on her research in Johannesburg on the operations ANC branches, Benit-Gbaffou (2011 forthcoming) argues that the party seeks to monopolise the representation of social interests. Hence she writes (2011:17) that:

First, the ANC deploys its cadres, more or less explicitly, to the main other social structures implemented locally. Secondly, few are the local civic leaders who do not belong to, or at least sympathize with, the ANC.…

She adds

This is not necessarily illegitimate – the ANC often represents a major organization locally, and as such can have representatives in forums aiming at representing civil society in its diversity. It is only logical that ANC members end up numerous in other civic organizations – and sometimes it is not the result of any specific strategy. There is however a difference between deploying an ANC cadre as representing the ANC in a structure (with other stakeholders’ representatives), and deploying an ANC cadre to become the (supposedly non-partisan) executive member of another structure.

Notably, not all civil society organisations or spaces for public participation are captured by the ruling party. Some organizations fiercely fight to remain independent from any political affiliations, and even refuse to engage in elections (such is the case with most social movements: Abahlali baseMjondolo, the Anti Eviction Campaign, the Landless People’s Movement). However, invariably this explicit opposition to the ruling party comes with a cost, sometimes extending so far as violent repression. The upshot of this relationship is that the ANC is able to exert significant control over engagements between state and society. As Benit-Gbaffou puts it (2011:23):

Not knowing to what extent one is being watched by the others in those public spaces, and if one’s discourse will be reported to the ANC, participants in public meetings are generally very careful not to associate themselves, or even be perceived as associating themselves, with the political “enemy”- which varies according to local contexts. In some places, the enemy is COPE…; in others it is radical social movements like the Anti Privatisation Forum. Inviting them to public meetings or to forums, engaging with them publically is seen as a betrayal,
and they are fled and ostracized like contagious disease carrying people, even if other organizations might be sympathetic to their struggle.

Yet despite this extensive political control, the weakness of the ANC branch, and this is emblematic of the party more generally, is it inability to deliver sufficiently the basic services and social goods promised in election campaigns, hoped for by most citizens, and expected by ANC supporters. This failure in delivery by local government especially, widely reported and acknowledge, is thus the weakpoint in the ANC’s political ambitions. Clear evidence of the mounting frustration at what is often seen as government incompetence and corruption is found in many popular demonstrations about poor service delivery. Hence, in the year preceding the 2006 local government elections there were 5085 protests against local government nationwide (Daily News 14/10/2005).

Indeed, according to Ballard et al, these protests are representative of a broader shift in state-society relations. More specifically, they hold that from the late 1990s there has been a rebirth in oppositional civil society, although only some of this is framed in terms contrary to the ‘emerging pro-growth consensus’ of Mbeki’s governance, whilst much is framed in broader rights-based opposition (2006:400). In addition, foreign donors are now sending more money on civil society, but mostly on projects that emphasise practical delivery rather than advocacy or challenge. Notably, while there is no neat division between those movements which will engage the state and those which not, the counter-hegemonic movements engagements ‘tend to create crises, which more rights-based campaigns can capitalise on to influence policy and government practice’ (404). Critically however, oppositional civil society is not tremendously strong, and hence Beall et al argue that emergent state-society relations exist in a kind of ‘fragile stability’ that is likely to continue into the medium term until new social actors emerge to change this equilibrium (2005: 681).

In sum then, South African state-society relations are in a state of transition, recovering from the vacuum of mobilisation left by the social movements of the anti-apartheid era becoming the party in government or its allies. This weakness is perpetuated by local party ambitions to dominate the representation of the citizens before the local state. Nevertheless, enduring real world problems mean that the conditions remain for popular mobilisation around social goods, and there is evidence of the growth of more organic and local community-based organisations, civil society in all forms, and especially oppositional social movements, are not particularly strong.

Notably, parallel to these developments in state-society relations, the post-apartheid state has also looked to meet the challenge of better service delivery through reforming local governance to operate in more democratic ways. By creating ‘invited spaces’ for communities to input into key municipal processes like budgeting and development planning, conditions are created for a new and more constructive engagement between state and society. But what are these new ‘spaces’ and how well do they work? The next two sections explore these questions.

4. Invited Spaces: ‘Participatory Governance’ and Local Government Reform
Post-apartheid local government reform has been an intricate and prolonged affair, beginning in the early 1990s and continuing until 2000. Central to the functioning of new-look local government is the requirement for it to operate in a more democratic manner. Thus, Section 152 of the Constitution includes among the objects of local government (1)(a) ‘to provide democratic and accountable government for local communities’ and (1)(e) ‘to encourage the involvement of communities and community organisations in the matters of local government’. In terms of the Municipal Systems Act 32 of 2000, municipalities are required to complement their formal structures of representative government with a system of ‘participatory governance’.

**Participatory governance**

Notably, ‘participatory governance’ is not representative democracy, understood as the regular election of councillors, but refers to the manner in which municipalities govern between elections. As argued by Barichievy et al (2005), there are three substantive aspects to the innovation of ‘participatory governance’: the redefinition of the municipality, requirements for public participation, and ward committees. As outlined in Section 2(b) of the Municipal Systems Act of 2000, the local community is included alongside councillors and administrators in the legal definition of a municipality, a move of great symbolic significance.

The second innovation is really a set of requirements for public involvement in various decision-making processes. Especially important here are the imperatives to public consultation around the annual budget, the IDP review process, the Performance Management System, service delivery contracting and all by-laws, amongst others. These bring community participation to the foundational activities of local governance. Notably, the practical mechanism through which most of this consultation occurs is the mayoral imbizo: a public meeting convened by the mayor on one of the above issues, usually the IDP and budget.

Last are ward committees. First mentioned in the 1998 White Paper on Local Government, but it is the Municipal Structures Act which outlines them in some detail. This act provides for ward committees to be established in each ward of a Category A or Category B municipality, (i.e. cities and towns) if the municipality so chooses. Chaired by the ward councillor, ward committees are intended to consist of up to ten people representing ‘a diversity of interests’ in the ward, with women ‘equitably represented’. In respect of their role, ward committees are mostly advisory bodies to ward councillors but may enjoy greater powers if the council sees fit. Notably, the ‘Guidelines for the Establishment and Operation of Municipal Ward Committees’ (Notice 965 of 2005), specified that the ‘duties and powers’ delegated to ward committees may not include executive powers (Section 5(3)(d)), and instead emphasised their role in communication and mobilization.

**Participatory in theory, captured in practice**
While the democratic reform of local government is a worldwide trend, especially in the developing world, where the ideas of decentralisation and democratisation have World Bank and donor backing, there is little doubt that in South Africa the poor performance of local government is an additional reason for participatory governance. As already noted, there were 5085 protests against poor service delivery and corruption in local government in 2005. The question naturally arises, did the reforms work?

The answer to date is simply no. As indicated in arrange of studies (Hemson 2006, DCOG 2011), while poor people do use these spaces to some extent, the majority feel frustrated at the lack of efficacy in securing their needs, wants and rights. Further, in a fashion parallel to the behaviour of the ANC branch towards alternative representatives of citizens, there is much evidence that these spaces are quickly captured by local elites. This is almost inevitable in the case of ward committees which are chaired by the ward councilor, inevitably the leader of the local party branch (Piper & Deacon 2008). In this context ward committees, Community Policing Forums and IDP processes tend to be spaces that exclude rather than include alternative social voices, and extend rather than challenge the power of the ruling party, thus reducing rather than enhancing political pluralism in state-society relations in South Africa.

Notably then, the paper argues that, in the same way that the local ANC branch looks to dominate the representation of the community by colonisation or marginalisation of civil society, it also looks to capture the invited spaces of public participation in South Africa local governance. To some extent this can be understood simply as the given imperative of political parties to seek political office, and to mobilize as much resource and organizational capacity behind this objective. However, it also reflects, as suggest by Glaser (2011) and Hamilton (2011), a political imaginary which portrays the ANC as the only legitimate liberator of the oppressed in South Africa, and hence the only party entitled to govern into the future. Space provides the development of this argument in this paper, but it is a relatively widely observed point amongst scholars of South African politics. At best then the ANC’s commitment to political pluralism in the post-apartheid era remains partial.

A less commonly observed point is that that this view of the ANC is also shared by its rank-and-file activists, who thus have must higher expectations of its ascent to power than other citizens. It is the frustration of these expectations, not only by poor governance, but at least in part, which has driven much of the factionalism and network-based competition for office (factionalism) in the party. Importantly, this frustration has also fuelled much of the popular protest – hence Piper and Africa (2011 forthcoming) note that the vast majority for protestors have also engaged in invited spaces of local governance and know the ward councillor – unlike the majority of citizens. This raises the possibility that public protests may be just as much driven from within the ANC family in some way, as from without by social movements, or ‘insurgent citizens’, and maybe more about a sense of clientelistic betrayal than democratic entitlement. This remains a hypothesis that requires further interrogation, but there is already significant evidence to take it seriously.
5. Conclusion

Our paper confirms the view in the broader literature on the centrality of political parties, and particularly the ANC, to popular mobilisation in South Africa – both in the ‘invented’ and invited spheres of state-society relations. Moreover we make the claim that this is not just a historical accident but the result on an ongoing push for local dominance driven in part by the political imaginary of resistance politics. This noted, the failures of the party to deliver through the local state to the public generally and to its own membership creates conditions for counter-mobilisation and organisations. Indeed, there is also evidence of significant civil society and social movement mobilisation, even if the latter is somewhat uneven across the country. Add to this the incapacity of the new institutions of participatory governance to change much and it seems safe to conclude that the failure of ‘participatory governance’ can only exacerbate dissatisfaction, and so the pressure for change can only grow. Importantly though, there is also reason to assert that such change may not be being led from without the ANC family, and often takes the form of network competition for office and clientelistic politics within the former liberation movement. Thus it is not certain that dissatisfaction will necessarily feed into the growth of oppositional movements to the ruling alliance, but may destabilise the party from within.

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