



Revisiting Civil Society in Africa

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Introduction

In recent publications on African politics there has been a marked tendency to deprivilege the state. This has encouraged the belief that the state is not, or is no longer, the main organising principle of politics in Africa. Of course, this deprivileging of the state might well reflect disillusionment with the track record of Africa's failed state but, as Munro (1997:113) remarks, the state is still a pivotal role player in African countries and continues to have a strong political presence in the life of Africa's citizens.

However, there are schools of thought that claim that the state is no longer a major role player. There are, broadly three reasons why academic debate perceives the state to have a limited role. The first reason is the deepening political crisis in the African states; secondly, there is a dissatisfaction with a narrow analytical focus of African state centrism; lastly, the re-emergence and popularity of publications on African civil society as an analytical concept (Munro 1997:113).

The focus of the paper is not aimed directly at the state in Africa as such, but rather to explore the resurgence of civil society in literature and its indirect position vis-à-vis the African state. Lemarch (1992:115) points out that political scientists unnecessarily locate state and society in separate conceptual niches. For analytical purposes, in this paper I will also treat civil society and the state as two separate entities, but with a full awareness of the interrelatedness between the two concepts.

Woods (1992:77) comments on the popularity of the concept "civil society" in contemporary African studies. Perhaps this trend is part of a new expectation that new patterns will emerge in political participation outside formal African state structures. However, although the power base of the (African) state is narrow and the (African) state is weak, this does not mean that the state should receive little serious attention. In fact, the centralist state is very much a dominant actor in African politics, because of its claim and hold on certain dominant resources. Furthermore, the power which a civil society should provide as a counterbalance is weak and fragmented, the result being that civil society is unable to engage the dominant state in a meaningful way.

The inability of civil society to counterbalance the state in Africa is a pivotal theme that Alex Thompson utilises in his publication, An introduction to African Politics, as a central analytical theme. Thompson makes the following claim: "The political problems in most African countries are the result of how the state and civil society have failed to engage one another productively; civil society for its part never really engaged the state productively" (Thompson, 1997:5).

This begs the question: why is civil society in Africa different from its counterparts in liberal democracies elsewhere, who can keep the state inside its demarcated limits? Why is it difficult for African civil society to engage the state as a counterbalance and limit state



power? My purpose, in this paper, is to look at this phenomenon, particular in terms of the differences in the historical origin and shaping of civil society in Europe and in Africa. I shall be using the following subheadings; the rule of law and the constitutional state; the rational-legal doctrine; and the role of civic culture in the creation of civil society.

DEFINING THE CONCEPT “CIVIL SOCIETY”

The popularity of the concept “civil society” amongst academics is one of the reasons for the extensive corpus of theories on civil society in academic literature. As Monga (1996:4) puts it, given the broad scope of recent writing on the topic of civil society, formulating a single definition is an ambitious task. Monga (1996:4) cites Zakaria, who exclaimed that, in the world of ideas, civil society is “hot” and a concept which is debated very regularly.

During the last three decades, a great many publications, some concise and narrow in their focus and others detailed and broad, some classical and other contemporary, have appeared on the academic production line. The purpose of this extensive collection of definitions is to formulate a more precise definition of what we mean by the term “civil society”.

One important analytical distinction that could be made is the difference between the classical perception of civil society as a phenomenon of a capitalist society and contemporary views, where civil society is seen as a mechanism to protect citizens against the state and to insure a degree of government accountability. Habermas points to a further important development (which I will discuss later): both interpretations of civil society become active when civil society is fully developed (Schwedler, 1995:4).

However, before I go on to discuss the distinctive differences between classical and contemporary definitions of civil society, I will briefly outline the concept of civil society. Haynes (1996:16), for example, uses a rather broad interpretation of the concept of civil society as encompassing the collectivities of non-state organisations, interest groups and associations — such as trade unions, professional associations, further and higher education students and religious bodies and the media — which collectively help maintain a check on power and the totalitarian tendency of the state.

Thompson (1997:6) provides a very concise, but broad scope of civil society as being those organisations that arise out of voluntary association within a society; these organisations are found somewhere between the extended family and the state. However, Monga (1996:4) cautions against a too wide definition of civil society, because the problem with general definitions such as “intermediate institutions” and “private groups that thrive between the state and the family” is that they include almost everything --- this definition could include the Mafia! Monga (1996:4) cites Zakaria who also warns against the tendency to generalise the intermediate groups between state and family as part of civil society (ie those groups which form a buffer against the state). Zakaria cites the development, in America and elsewhere in the world of small groups with illiberal and undemocratic agendas; such groups do not constitute the traditional focus of civil society.

However, there is a consensus on the role of civil society in establishing and maintaining democracy, because of its apparent position (ie to keep the state in its place). Fukuyama (1993:4) echoes this with his observation that all serious observers understand that liberal



political and economic institutions depend on a healthy and dynamic civil society for their vitality. Fukuyama (1993:4) then defines civil society as a complex welter of intermediate institutions, including businesses, voluntary organisations, educational institutions, clubs, unions, media, charities and churches. This broad spectrum of associations and organisations are based, in turn, on the family, the primary instrument by which people are socialised into their culture and given the skills that allow them to live in broader society. The family is also the means through which the values and knowledge of society are transmitted across the generations.

From both the broad and narrow definition of civil society, one characteristic emerges of paramount importance: civil society exists outside the state and exercises restraint on the state. It also seems that, for a democracy to thrive, a robust and healthy civil society is an important prerequisite. This brings us back to Africa and the role of civil society on the continent. As I have already said earlier, Thompson (1997:5) attributes the political problems with development in post - colonial Africa to:” On a whole it is a story of how the state and the civil society have failed to engage one another productively.”

In other words, the absence of a properly developed civil society in Africa, or the inability of civil society to engage the state in a productive manner, is one of the major factors for the failed or weak state in Africa. There are variety of reasons why civil society is inherently unable to function properly. In this paper, I will first focus on the constitutional/historical reasons and then on concepts such as authority and civic culture.

CIVIL SOCIETY IN CLASSICAL POLITICAL THEORY

The term “civil society” began to appear regularly in political theory during the Enlightenment era in Europe (Burns, 1974:115) One central theme, evident from the discussion above, is the important role that civil society plays in securing a domain in the channel adjacent to the state. In other words, that place where private enterprise could exist, free from state interference.

In the work of the 17th century philosopher, John Locke, civil society played a critical role in the sphere of social activity; Locke regarded civil society as a means of protecting the individual’s property rights (Schwedler, 1995:3).

It was German philosophers who developed the concept of “civil society” further, when they used the term in their discussions of capitalism. The organisations they first identified as civil society were trade unions and employer organisations. Hegel’s discussion of civil society involves the concepts of a market-based society and strong elements of individuality within the context of a civil society. For Hegel (1971:256-7), civil society embodies the ideas which subsequently acquired the elements of liberal individualism. Hegel identifies the political community as the domain in which individuals can pursue their own conceptions of the good life.

Hegel’s view of civil society included an early conception of self-regulating, free market forces; according to Hegel, civil society was a mechanism by which individuals could satisfy their needs. (Hegel, 1971:256). For Hegel, civil society was also the sphere of mutual recognition and reciprocity; its purpose was to keep the state from interfering with the



interests of the members, these being the privileged bourgeoisie. Civil society was exclusively a sphere dominated by economic interests and was distinguished from political society. Civil society was free from political interference by the state (Schwendler, 1995:4). In essence, the creation of a public domain (state) versus the private domain was essential if the individual was to pursue his or her endeavours; association was the means by which civil society protected its interests from the state. A broad definition of politics is one that moves beyond the narrow realm of government to what is thought of as public life or public affairs, which obviously excludes the private domain. This viewpoint corresponds with the traditional distinction between the public realm and the private realm (which reflects the division between state and civil society). The institutions of the state, the apparatus of government, police etc are regarded as public in the sense that they are responsible for the collective organisation of community life and are funded at the public's expense (out of taxation revenues). In contrast, civil society include institutions such as private businesses, trade unions and community groups funded by individuals or groups of individuals (Heywood, 2000:9).

During the late Middle Ages in Western Europe, the idea of a social space independent of the state, and the emergence of the rigidly organised guilds, became the liberal view of the economy. As Woods (1992:80) explains, with the rise of private interests based on the principle of exchange, the old order built on estates which had *a priori* duties and privileges, was undermined. The importance of the market as an organisation system in society was very important. The market organised society's private domain in the form of economically self-interested property owners operating within an autonomous social sphere. However, we need to understand that the liberal conception of civil society stretches beyond the development of specific rights.

In support of this development it was left to the constitutional state, the rule of law and other mechanisms, to constitutionally guarantee this private domain in which civil society could develop without interference by the state. A combination of historical factors enabled the West to develop the modern state in tandem with viable civil societies who were able to counterbalance the power enjoyed by the state. The constitutional state assists the development of a civil society, because of the protection given to the private domain (Diamond, 1997:7).

The creation of a private domain which could accommodate a civil society has a long historical tradition in Western Europe which reaches back to the Middle Ages. This development of civil society was triggered by the late 1200s, when mercantile capitalism was beginning to develop and make its presence felt in northern Italy and Flanders. From the 16th century onwards, the mercantile groups began to regard themselves as a separate and a powerful interest group who were prepared to take on the state when necessary (Vincent, 1997:113).

Anton Gramsci, an Italian political theorist of the 1920s, developed the idea of civil society further. For Gramsci the state (political society) is directly responsible for violent and coercive methods of control. Civil society, in contrast, enables capitalists to exert control over social and economic practices through nonviolent means in the private domain (Schwendler, 1995:5)

CIVIL SOCIETY IN CONTEMPORARY DEBATE



The important contemporary debate on civil society marks a very important shift in the basic understanding of what constitutes civil society. Schwendler (1995:5) stipulates that much of the recent theoretical work on civil society now claims that civil society is not the result of capitalist expansion, but that civil society is the sphere of democratic social interaction. The important difference is that the purpose of civil society is no longer exclusively to allow the bourgeoisie to protect their interests against encroachment from the state, but to enable citizens to insist on at least some measure of state accountability.

For Habermas the boundaries of civil society have broadened in contemporary usage to include all nonviolent associational activity between the individual citizen and the state. Edward Shils's exposition of contemporary civil society is typical, that is, that civil society equates to a sphere of pluralist activity, much of which seeks to directly challenge or limit the arbitrary use of state power (Schwendler, 1995:6).

For Larry Diamond (1994:7) the civil society is a voluntary and self-generating sphere autonomous from the state, but bound by a legal order (this is an important point). In spite of this, civil society is still a vulnerable commodity and defenceless in the face of political opportunism. Legal order and the constitutional state are therefore of critical importance in creating and sustaining a civil society.

CIVIL SOCIETY, THE RULE OF LAW AND THE CONSTITUTIONAL STATE

Constitutional law and contract theories, which emerged during the 17th and 18th centuries, played an important role in institutionalising the normative space that developed between the state and civil society. It must be appreciated that this development in Western Europe, with historical roots that reach back to the early Middle Ages, created a private domain which was able to serve as a "seedbed" for the development of a civil society. It was Germanic law and the feudalisation of European society, albeit at an elementary level, which laid the important groundwork that allowed civil society to take its first steps. The emergence of feudal society in continental Europe, circa 400, strengthened constitutionalist trends which in turn were based on the customary law tradition. The importance of the feudal system was that it imposes, from the beginning, restraints on the unlimited power of the ruler. It does this through a contract which is, in effect, a system of mutual obligations and reciprocities. The king, the lords and their vassals were bound in a hierarchical fashion, which contained strong elements of decentralisation in the context of a feudal political system.

The feudalisation of society and the simultaneous development of a "private contract" between the individual and the ruler was also emphasised by Previere Orton (1977:418). Orton describes feudalism as a system which both inherited past law and created it (feudalism) by a rapid growth of custom that was based on present arrangements. In one sense feudalism may be defined as an arrangement of *society based on contract* (my emphasis). The idea that individuals had rights outside the corridors of feudal state power in a private domain was a very important idea. It was, as Previere Orton (1977:419) describes it, "a genuine safeguard of the vassals' interests and the fruitful parent of constitutional progress in joint resistance to arbitrary kings in later days".

This arrangement triggered a process whereby the centrifugal forces of feudalism were



counteracted by the emergence of representative institutions carved out of tradition and based on law. These representatives were focused around the king or emperor in the so-called Ständestaat.

Notions of the ancient law as well as feudal law concepts were intermingled, and provided the bedrock for constitutionalist ideas about the need for limits on royal power and central authority. This constitutional arrangement to a large extent limited central authority and centralisation and created a guaranteed constitutional space next to the state.

Two other, very important fundamental developments underpinned the concept of constitutionalism and were instrumental in creating a private domain. Firstly, the constitutional limits that were placed on the state. This was done not only to protect political and economic rights, but also to protect civic rights. Secondly, the implementation of the separation of powers (legislative, executive and judicial) within the state, which also limited the powers of the state (Burns, 1974:115). Both ideas were of paramount importance for the establishment and maintenance of a civil society. The first principal was an external one, which defined state power in relation to civil society. The second principle was an internal one, and ensured that no state body, organ or person could prevail within the state.

The combination of these two ideas formed the core of constitutionalism and strengthened the concept of confining the state; the basis was legal, rational grounds (Webers assumptions of a legal, rational authority). The resulting constitutional protection and respect for human rights (civic, political and economic) then created the space in which civil society could develop. At the same time, the separation of powers increased functional specialisation and promoted the decentralisation of power which, in turn, kept a check on the power and the centralising tendency of the state.

Klug (2000:24) also emphasises the importance of constitutionalism in the historical development of the state, because of constitutionalism's inherent respect for human rights. It is not only the acceptance of the liberal paradigms of individual human rights and multiparty democracy that are important here. The simultaneous inclusion of a range of alternative constitutional elements, including socioeconomic and cultural rights were also important, otherwise the inclusion thereof would be meaningless. The constitutional state thereby created the constitutional space and time needed for the development of a civil society.

Klug (2000:24-25) also emphasises the three very important sets of values which support traditional notions of constitutionalism: federalism or the spatial division of power; the separation of powers between the different branches of government; and the notion of constitutional rights. Each of these sets of values addresses different aspects of the problems of (political) power, and the way it is allocated, applied and restricted within a nation state. Each of these values, in turn, complement the historic development of a civil society in Europe simply because it restricted political power.

The role of contract theorists such as John Locke and John Hobbes also gave the relationship between the individual and the state an intentional character to overcome the nature of the state. This was the formulation of a set of laws that governed the relations of power and that guaranteed the rights of the individual (Burns, 1974:115) (Von Leyden, 1982:101).

In other words, the relationship between parties was governed on rational-legal principles. In



the case of traditional or charismatic authorities, the basis of relationships is tradition and loyalty. This is the focus of my next discussion.

WEBER'S RATIONAL LEGAL DOCTRINE AND THE PITFALLS OF CREATING THE CIVIL SOCIETY DOMAIN

According to Max Weber (1946:115) and the sociological tradition, the very essence of modern economic life is the rise and proliferation of rules and laws in a political system governed by rational legality. The advent of legal rules restricts state power and gives constitutional guarantees to the private domain. This phenomenon is under threat on the African continent, because many of the principles outlined above are either not evident, or not fully developed or simply not adhered to on the African continent (Woods, 1992:85) It is obvious, in Weber's tradition, that in many of the traditional centralised societies, the proliferation of rules and laws is not possible, because the peripheral activities are abused by state power and drawn into the centre in a centralist state. Secondly, relationships between the individual and the state are based on loyalty and tradition, and not on neutral and rational legal rules.

Weber introduced the tripartite division of authority into traditional, charismatic and bureaucratic forms. The first form, **traditional** authority, is derived from custom and history. It is frequently gained through inheritance (as in the case of royal dynasties and modern monarchies). This type of authority evolved on the basis of long-standing cultural sources such as religion or patriarchal tradition. Such sources regard traditional authority as legitimate "because it has always existed". In other words, traditional authority has been sanctified by history only because earlier generations accepted it. Traditional authority typically operates according to a body of concrete unwritten rules. These rules are often fixed and unquestioned customs that do not need to be justified on a rational legal basis. They reflect the way things have always been and that is considered sufficient.

Heywood (2000:194) cites obvious examples of traditional authority: that is, small, patriarchal groups and tribes. He argues that traditional authority is only of marginal significance in advanced, industrial societies. In such societies, traditional authority takes the form of constitutional values such as deference, respect and duty in the country's political culture. The United Kingdom is a noteworthy example, but its effect is constitutionally bound and of minimal interest.

The second authority that Weber identified is **charismatic authority**, which is based on the popular admiration of the personal "heroic" qualities of the individual in whom the authority is vested (Jackson & Jackson, 1997:12). As a sociopolitical phenomenon, charisma refers to charm or personal power and the capacity to establish leadership through psychological control over others. As Heywood (2000:195) explains, charismatic authority and leadership have a near-mystical character and include the ability to inspire loyalty, emotional dependence and even devotion. Although charismatic authority is usually regarded as a natural quality, all political leaders cultivate their charismatic qualities through propaganda, practised oratory and presentational skills. Like traditional authority, charismatic authority is of limited significance in modern liberal democracies.

The problematic nature of charismatic authority is evident, as Lawson (1993:310) explains. It



does not matter how beloved and successful the person is once charismatic leadership is in place, the problem often becomes knowing when to stop. Once people have become accustomed to hero worship, they often find it difficult to withdraw the absolute trust they have placed in their leader. More alarming is the tendency of charismatic leaders to cling constitutionally to power, either by amending the constitution in order to lengthen their term as president / prime minister or, alternatively, by rigging the elections.

Political developments in Europe succeeded in bringing this kind of political arbitrariness to heel. When leaders did not adhere to rational and legal rules and instead relied on traditional or charismatic qualities to rule, it was recognised that this undermined democracy and the potential for building civil society. Such leaders were held accountable and democratically removed (by force if necessary).

The last of Weber's topology are the **rational-legal** or **bureaucratic authority**, which is vested in the offices held by individuals and the mechanisms which placed them there. As soon as an incumbent loses an election and ceases to hold the official position, the authority vested in him or her will pass to the new incumbent. In the majority of modern liberal societies, authority is vested in political institutions that are based on rational-legal rules, rather than centred on individuals (Jackson & Jackson, 1997:12).

As Thompson (1997:107) indicates, it was the colonial powers that introduced legal-rational states to Africa; these states involved political orders, offices and institutions that were based on legal authority. This type of state presupposes a clear distinction between public and private roles in a system of governance within the framework of a legal-rational government.

However, when elites use the state to accumulate resources rather to legitimise a process, they set in motion a process of tenuous legitimacy and instability. This results in dependency on, and manipulation of, primordial loyalties which then dominate the political landscape. In the process of using the state as a means of accumulating private wealth, all rational and legal rules are thrown to the wind (Ihonvbere, 1996:13). This is what Woods (1997:89) also refers to as property rights being politicised, rather than privatised, and power is built on resources rather than on increased productivity.

In a legal-rational society, rules exist and these rules govern society; there are specific guarantees for private associations. This is the basic assumption of Max Weber, who reiterates a position where politicians and bureaucrats clearly separate their private and public interests and serve the national good through neutral, legal/rational institutions. The separation of state and civil society is very important here. Munro (1997:117) explains:

“In an essentially consensual social climate, which is one in which institutionalised structures are not disputed, although the control of them may be, the state can become universalised and come to express an authority which is socially understood as independent of the ongoing political (class) struggle ... it also constitutes the separation between state and civil society.”

After a short period of independence, there was a strong tendency in the majority of African states to go back to being centralised states in which power was not dispersed and diffused and a ruling elite of incumbents was not under threat. This tendency arose because many



colonial regimes set the stage for the creation of a centralist state. Wunch (1990:26) emphasises the role of the colonial administration; the exit of the colonial powers left a developmental void behind which, in itself, created the potential for a centralist state. This void equates to an absence of a constitutionally based rule of law or an absence of enduring structures that could institutionalise local development efforts.

This was exacerbated by the fact that, during the colonial period, sovereign authority was highly centralised. During the colonial era, local organisations were neither encouraged nor institutionalised through law, but were left out of the mainstream of government and out of the formal political structure. It is therefore hardly surprising (as Wunch [1990:29] indicates), that the centralising elitist and sometimes absolutist features of colonialism have survived the post-independence period. When challenged, many African leaders have responded in the same way colonial governments responded --- by stifling opposition external to the state.

In practice, the development of patrimonialism in the colonial and post-colonial state depended heavily on traditional and charismatic forms of authority. Munro (1997:128) refers to the tendency of the (African) state to shift uneasily between the broad strategies of rural repression and appeals to traditional authority, because of their partial subordination to the state, ruling classes or patrimonialism. Patrimonialism is similar to personal rule, because it is a form of political order where power is concentrated in the personal authority or the charisma of one individual ruler, bound only by customs and traditions. The leader gains his position from his status in society (sometimes because he was the leader of a guerrilla movement). President Robert Mugabe from Zimbabwe is an example, and his status as freedom fighter gave him an “untouchable” status in Zimbabwe. Initially he adhered to legal-rational constraints that were placed on him, but when his position was challenged by elements in civil society, he rigged elections in order to maintain control and treated all political and administrative concerns of the state as his own personal affairs. It may appear that his authority is still based on a legal-rational mechanism, but in fact his authority is firmly based on a combination of customs and tradition beneath a superficial mask of constitutionalism. It is therefore hardly surprising that any opposition from civil society is treated as treachery.

The rise of the modern political world, as Fukuyama (1993:222) explains, was bound up with the rise of rationality, the ordered structuring of ends to means. Rationality gave rise to constitutional theory which is a theory, first and foremost, concerned with limiting the arbitrary powers of leaders (Vincent, 1997:78). This means that, through a rational process, rules are established which limit the power and tenure of incumbents in office. The power of a president / prime minister or government official is determined, in the final analysis, by formal constitutional rules, which constrain or limit what that office-holder may, or may not, do. The advantage of this form of authority over traditional and charismatic authority is that it is attached to an office rather than to a person. Legal-rational authority maintains limited government and, in addition, encourages efficiency through the rational division of labour. The growth of bureaucratisation is further encouraged by the pressures of democratisation, which weaken political ideas such as the importance of traditional authority (Heywood, 2000:222).

For Weber the ultimate embodiment of rationality was the creation of modern bureaucracy.



Modern bureaucracy was based on the principle of fixed and official jurisdictional areas, which are generally ordered by rules (ie by laws and administrative regulations). The advantage of modern bureaucracy is the fact that it is rule bound. Superiors have their powers limited in a way that is transparent and clearly articulated and the rights of subordinates are spelt out in advance. For Weber, modern bureaucracies were the social embodiment of regular rules and governed virtually every aspect of modern human life, from corporations, governments and armies to labour unions, religious organisations and educational establishments (Fukuyama, 1993:222).

The development of the modern state and modernity is inadvertently linked to the development of a bureaucracy. Weber's conceptualisation of the bureaucracy as a complex and hierarchically organised institution still forms the basis of most discussion on the subject. His ideal type of bureaucracy was characterised by the specialisation of official duties, and depends on the hierarchical organisation of authorities. In terms of the legal-rational approach, these operations must be governed by a consistent application of abstract rules to a particular situation (Jackson & Jackson, 1997:277).

In a rule-bound state, the importance of a written document is obvious, because it cannot be not altered by will, or ignored by arbitrary policies. The virtue of the written constitution or document is that it supplied a definite point of reference which is beyond arbitrary interpretation (Vincent, 1997:96).

Weber (1946:115) also argued that the establishment of the modern (economic) world and, indirectly, civil society was bound up with the rise of the contract. Weber noted that contracts regarding marriage and inheritance have existed for thousands of years. For Fukuyama (1993:223) the development of institutions such as property right rights, contract, and a stable system of commercial law was a critical development of the West. These legal institutions served as a substitute for the trust that existed naturally within families and kinship groups and constituted a framework under which strangers could interact in joint business ventures in the marketplace.

Woods (1992:89) cites Sara Berry, who made a critical observation of the events in Africa. Berry pointed out that the major difference between developments in Europe and Africa were that in Africa, property rights were politicised rather than privatised and strategies of accumulation were directed towards gaining control over resources, rather than in increasing productivity.

This is a significant difference, because it means larger public control at the expense of private control. Secondly, the impact of gaining control over resources on economic development is obvious, because it strikes at the heart of modern economic development.

Here there are similarities between events in Africa and events in early modern Europe, because in both examples the political elites were unable to separate public and their private spheres of interests. Most African elites have also been equally incapable of establishing boundaries between their private and public interests. In African traditional cultures, personalised relationships predominate over abstract impersonal rules, which in itself negates Weber's basic assumptions of a rational, legal authority.



As Woods (1992:90) explains, the mere existence of universalistic values such as constitutional law and rational bureaucracy is not enough. It is the manner in which the universalistic values are grounded and adhered to in the state and society that is a fundamental problem in Africa.

CIVIC CULTURE AND CIVIL SOCIETY

The creation of a civil society not only depends on guarantees of constitutional rights and a strong economy. It is also important to have in place a civil culture which is conducive to creating a democratic atmosphere for a civil society. As Ihonvbere (1996:14) puts it: "The second precondition for a democracy is the existence of established political culture or traditions. The system of values and beliefs that defines the context and meaning of political action."

This is what Munro (1997:117) refers to as the essential consensual social climate where institutions are not disputed, although the control of institutions may be. The state powers are accepted as universal, but socially understood to be independent of the political struggle.

This point of view was also put forward in the 1960s by Almond and Verba (1963:267), who explain that a strong national identity, trust in one's compatriots and a degree of political efficacy are basic ingredients of a stable society. They identified three concepts to explain the identity or the type of political culture that would be most able to sustain a liberal democracy. They concluded that the ideal culture would be a civic culture, which is a blend of three pure types of culture, which they identified as participant, parochial and subject cultures. Participant culture is highly efficacious; people believe that political decisions influence their lives and that they can contribute to the political system. Members of the parochial and the subject culture believe, in varying degrees, that people are distanced from government and they are simply subjects whose lives are directed by the political process; they themselves have very little say in the political process.

Almond and Verba(1963:267) concluded that the participant culture is vital to a stable democracy but, at the same time, that a degree of parochial and subject culture is also needed. In a civic culture citizens would participate in the political process, but at the same time carry on with their lives and leave much of the decision-making to the elites. They would willingly accept and give legitimacy to the decisions of the elite (even if they did not agree with them). Almond and Verba claimed that such a balance between government power and governmental responsiveness was necessary to maintain a stable democracy.

Although their remarks attracted a great deal of criticism, Almond and Verba's basic assumptions are still highly respected. In their initial study in 1963 they concluded that the United Kingdom came the closest to a civic culture, since it exhibited both participant and subject features. In other words, while the British thought that they could influence government, they were also willing to obey authority. Heywood (2000:189) refers to Putman's study in the United States in terms of the declining social capital in society (understood in terms of networks, norms and trust) and highlights, in agreement with Almond and Verba, on the emergence of a post - civic generation. This is illustrated by the 20 - 50% drop in the number of voluntary clubs and associations since 1965, and by sharp declines in attendance at public, town and school meetings.



In large parts of Africa a strong parochial and subject culture exist, because the citizens feel that the national government has nothing to do with them. The obvious reason for this is that the state, because of the high levels of fusion and centralisation, does not penetrate deeply into such societies. The peasants of the informal sector, in particular, tend to withdraw themselves from the state and are never able to take part in political life as members of a cohesive civil society.

Monga (1996:155) also reiterates the problems of civic culture and what he identifies as disturbing elements in African civil society. The first is the cult of nihilism and cynicism, which is a feature of many religious and civic groups. In most countries, the propagandists of this cult are primarily animated by intense feelings of revenge and anger.

Traditional sociability, which is still a major factor in African societies, can be said to be a loyalty to older, longer established social groups and also ties in with an adherence to traditional authorities. In contrast, spontaneous sociability is the ability of people to come together and cohere in new groups, and to thrive in innovative, organisational settings. As far as economics are concerned, spontaneous sociability is likely to be helpful only if it is used to build wealth-creating economic organisations. The low level of urbanisation among rural people obviously contributes to this, and rural people are that group of people who are mainly socioeconomically located in traditional societies in the same setting (sometimes for centuries.) When such people urbanise, it is normally in informal settlements and not at a middle-class level. Their lack of access to sources and existing power relations means that rural people are unable to fulfil the important role that the middle class can play as part of a viable, civil society.

Fukuyama (1993:150) reiterates the importance of strong association in the middle of society. However, he warns that a rich and complex civil society does not arise inevitably out of the logic of advanced industrialisation. Countries such as the United States, Japan and Germany became the world's leading industrial powers because they had healthy endowments of social capital and spontaneous sociability to maintain structures between the state and the extended family; economic preconditions did not necessarily enter the picture. Fukuyama (1993:151) explains that the source of spontaneous sociability in each of these cases has very different historical roots. Japan's stem from family structure and the nature of feudalism; Germany's is related to the survival of traditional communal organisations (eg the guilds) into the 20th century; in the United States, economic prosperity was the product of a sectarian Protestant religious heritage.

The advantage of structures between the state and the extended family is evident from the historical development of medieval and early Europe. The emerging countries were, in many respects, highly communitarian societies, princely, ecclesiastical and local, and definitely constrained the behaviour of individuals.

Groups in the middle are very important but, as Fukuyama (1993:158) cautions about the development of interest groups: unless these groups were able to create effective businesses, sociability would have to be considered an overall liability.

Fukuyama mentions medieval Europe which, in many ways, resembled such a society. He also refers to certain contemporary Third World societies that have an excess of parasitic



employer groups, labour unions and community organisers and a dearth of productive corporations. These groups do not fulfil the basic functions which a civil society needs to counter arbitrary state actions, because they depend on the state for their economic survival.

Huntington (1968:87) also warns against too much middle-class participation which, he says, can create instability. Huntington claims that a middle-class dominance of interests over the traditional sector, benefits the city at the expense of the country. It is during the middle-class phase that politics is most likely to assume a praetorian cast and become “all sail and no anchor”.

To build and sustain a civil society, the broader base of society needs to be strengthened. According to the proponents of the civil society there are agreement that democracy grows from the grass roots of society upwards and through the intermediate structures of community life.

The evolvement of civil society in most African countries was distinctively different from the Western experience. Historically, the initial emergence of a social (private) space in Africa, distinct from the space of family or kingship groupings, occurred with the spread of urbanisation during the colonial period. As Woods (1992:86) explains, the voluntary association that was formed during the colonial period reflected the ethnic and other diversities of the different groups.

However, African intellectuals had also managed to constitute a sphere which provided a normative framework and space for associational politics in the period leading up to independence. They did this by organising and leading various voluntary associations and they brought together disparate social groups in order to combat colonialism. After independence, however, these transethnic associations came under attack by the one-party state, which used the excuse of national integration. This severed the links between the normative claims of the intellectuals, the material interests of an urban middle class and the potential of associations to shape a public sphere independent of a one-party system. As a result, in many instances this led to the creation of a bloated, patrimonial state (Woods, 1992:87).

For a variety of reasons, intellectuals were unable to provide the same leadership in the post-colonial state. The strength of the one-party rule and the relative isolation of academics and church leaders made them lone voices. Furthermore, the lack of a sizeable middle class with interests that were separate from state interests was also a contributing factor here.

Where a civil society does not exist, it is normally the task of the government to create and built a culture able to sustain political and economic liberalism for the development of a civil society. The rebuilding of the economy, together with a productive civic culture, is one of the challenges for aspiring governments who want to create a civil society. A healthy economy could also complement the development of a sizeable middle class from which civil society organisations, such as charities, book clubs, volunteer agencies, trade unions etc can develop.

However, as Jackson and Jackson (1997:125) indicate, it is not enough to rebuild the economy of the country in order to create a civil society. It is also involves rebuilding, or building from new, certain habits and attitudes in society. By here they mean those attitudes



which create a culture able to sustain democracy and a civil society — in other words, a contributing, civic culture.

It is evident that a strong and stable family structure and durable social institutions cannot be legislated into existence in the same way that a government can create a bank or the national army. A thriving civil society depends on a people's habits, customs and ethics. Political action can only indirectly shape civil society through political action; the only other way of encouraging the creation of civil society is through an increased awareness of, and respect for, culture.

Fukuyama (1995:10) refers to the absence of community tendencies, which inhibits people from exploiting the economic opportunities that are available to them. According to Fukuyama (who cites James Coleman) this is a problem of a deficit known as "social capital". In other words, the ability of people to work together for common purposes in groups and organisations. Coleman argued that, in addition to skills and knowledge, social capital has to do with the ability to associate. The ability to associate depends on the degree to which communities share norms and values and are able to subordinate individual interests to those of the larger group.

CIVIL SOCIETY IN COLONIAL AND POSTCOLONIAL ZIMBABWE

In Zimbabwe the development of a coherent class of African bourgeoisie was strongly discouraged during the colonial era (1890 - 1980) by the colonial administration. This policy is contra to the accepted principal that it is important for a developing society to develop a strong bourgeoisie, because of its potential to create the base from which the ruling elite and the civil society will eventually emerge.

During the era of the Central African Federation (1953 -1963) in Southern Rhodesia, the development of a bourgeoisie was, to a large extent, inhibited by colonial policies of non-competition. One of the first problems of this strategy, as Graf (1985: 193) explains, is that when a potential successor elite is removed from direct ownership of the means of production and political power, that same elite will later be compelled to look at the state apparatus as its primary source of political and economic power. This is what Sara Barry referred to when she wrote of property rights that are to be politicised rather than privatised, and strategies of accumulation which are directed towards gaining control over resources, rather than increasing productivity (Woods, 1992:89).

The problem in most colonial states, such as Southern Rhodesia and, later Rhodesia (in the 1950s and 1960s) was that the colonial powers consciously sought to prevent the formation of a national bourgeoisie and a subsequent proletariat. This undermined the potential for the development of a successor elite in the African communities and also made it difficult to form a base for collective associational organisations. The policies of the colonial regime created a series of regionalised and tribalised bourgeoisies, such as the local chiefs who could be managed on the basis of divide and rule; this definitely did not create a climate that was conducive to political development and democratisation. This strategy was evident in the policies of the former Prime Minister, Ian Smith, who tried to elevate the chiefs in Rhodesia as the only true representatives of the needs of the masses and in the process, undermined their legitimacy (Good, 1973:46).



The dangers of these policies are apparent for more than one reason. Firstly, colonial administrations tried to support traditional authorities and the position of the chief, because both were inward looking in their approach to power and, as such, were not a direct threat to the colonial administration (Good, 1973:46). Nationalist movements then developed independently from the authority structure of the chief and, in the long run, undermined his authority and eventually rendered him powerless. This, in turn, disrupted traditional authority and its potential to be part of a proletariat that could participate in civil society.

Secondly, the potential to create a successor elite was undermined by obstructing the development of a national bourgeoisie. This, in turn, made it difficult to build a democratic character in a colonial state and to establish the social capital which could develop into a civil society. The result is that, after independence, the successor elite was drawn from the liberation movements which were, in many instances, led by military leaders with no specific democratic leadership capabilities.

After decolonisation when the successor elite eventually emerged, they stepped into the shoes of the ruling elite. The tragedy is that in the majority of cases they develop the same tendencies to enrich themselves and to abuse power. The impression is then thereby created, and the trend set, that the possession of political power by the ruling elite of a country is the *sine qua non* for the good life: status, security, benefits and, above all, wealth. It was therefore important for the colonial authorities to allow the development of a dominant bourgeoisie and a proletariat class in order to develop a ruling elite, with a real dynamic mass-based structure (Graf, 1985: 195).

Milton Friedman (1962:9) also tried to establish certain logical links between capitalism and political freedom “because it separates economic power from political power and in this way enables the one to offset the other”. Through this process, the market removes the organisation of economic activity from the control of political authority and thus reduces the concentration of power. The economic power, in turn, encourages the emergence of a civil society outside the state realm.

As I pointed out earlier, one of the shortcomings in the policies of the former rulers of Southern Rhodesia was that they obstructed the natural development of a sufficient private space in which black people could compete in organisational associations with the state --- in other words, where they could form a civil society. The policy of consecutive governments in Southern Rhodesia and Rhodesia was to “divide and rule” and, in the process, they suppressed the development of a higher economic class or a middle-class, black bourgeoisie (Good, 1973:46).

It was not only the development of the bourgeoisie that was obstructed, but also the development of a coherent proletariat. This process is aptly summed up by Leo (1984: 15), in his work on classes in Kenya. He described the colonial strategy in Kenya as not one of proletarianisation, but of peasantisation. In other words, the reinforcement of traditional values at the expense of development. In Southern Rhodesia / Rhodesia the political rulers were, because of the higher level of industrialisation, in a more advantageous position to move towards the proletarianisation of the workers, but for obvious reasons this opportunity was not fully developed.



The relationship between a bourgeoisie and a proletariat in relation of a civil society is very important in contemporary thinking. Habermas argues that when a civil society evolves, market activity comes to occupy the upper tier, and the lower tier is populated with organisations that challenge the state on noneconomic issues. It is the lower tier that provides the space for the proletariat to occupy (Schwedler, 1995:5).

The process of development and the extension of the industrial sector in Southern Rhodesia during the 1940s created a real possibility for some degree of proletarianisation, because this period was characterised by a higher level of industrialisation. The post-war period was very advantageous for Rhodesia; in 1939 there were 294 factories in Rhodesia; less than 10 years later, in 1948, there were 473. During the same period, the factories' gross output grew from US \$ 26 million to US \$ 104 million. Manufacturing moved into second place in Southern Rhodesia (after agriculture) as a source of income, and ahead of the thriving mining industry. Moreover, with Southern Rhodesia's expanding industrial sector and with the advantage of the capital obtained from the Central Africa Federation 1953 - 1963 (which translated into jobs and foreign capital through subsidies, tax rebates and infrastructure investment) industrialisation looked a very real possibility. Competing interests in the industrial sector, supported by the Africans in the federation countries, stimulated the potential for class formation in the industrial sector (Sylvester, 1991:28).

Further growth in the industrial sector during the period 1953 to 1957, when the manufacturing sector increased from seven hundred to thirteen hundred firms, created an uneasy peace in the industrial sector. Foreign firms accounted for more than 70% of the investment in the industrial sector. The white middle class got upset about the expansion of black proletarianisation, at a time when a nationalistic wave had swept over British colonies to the north of Southern Rhodesia. In response the authorities of the Central African Federation developed a new racial relationship which was based on the development philosophy of racial partnership. The underlying assumption was that it was necessary to derail the rising tide of black nationalism which engulfed the rest of the British colonies and to prevent black proletarianisation (Wood, 1983:436).

The then Rhodesian Prime Minister, Godfrey Huggins, was well aware of the potential problems that this strategy could create in Southern Rhodesia as a unit in the larger Federation. He was also aware of the demands of the blacks of Northern Rhodesia and Nyassaland to keep the Federation free of racialism. Huggins consequently developed vague principles of governing policies in the light of which the position of the African would be progressively redefined. He coupled partnership with standards and a businesslike approach. Huggins shared the growing perception that this development could be put to good use in absorbing the upcoming black class in small numbers, a class of people who would then align themselves with the whites against any challenge from the black proletariat to white paternalism in Southern Rhodesia (Sylvester, 1991:31).

This development was, at the same time, encouraged by the peasantisation of small-scale farmers in Southern Rhodesia. This step inhibited the linking up of the small-scale farmers with urban and periurban workers (which would have created a substantial proletariat). The potential for class formation was hereby effectively muted in the process.

The large majority of blacks in former Rhodesia were peasants and members of traditional,



African society. The fact that they were small-scale, subsistence farmers limited their potential interaction with the capitalist market. If and when the state imposes taxes on income or on consumer goods and taxation becomes too high, the peasants simply disengage from the capitalistic sector and revert to subsistence farming. In other words, they relied on their ability to be self-sufficient; their inclusion in the capitalistic sector was thus effectively hindered.

Nkomo (1984:68) also identified the problems during the Federation era: “ The African leadership sank into apathy. As I travelled around meeting the leaders of African social organisations - I continually encountered the same people running several of them at the same time. The organisations were beginning to develop very dangerously along local or tribal lines.”

The peasantry, because of their large numbers, formed an ideal base for political mobilisation during 1972 to 1980. Unfortunately, they never formed a proletariat class which could interlink, interact and support the small, upcoming black proletariat in the industrial sector during the days of the Federation. The reason for this was their reluctance to interact with the industrial workers and, indeed, their apparent isolation from them. There was also a lack of leadership from the middle class to facilitate such a process. It was the mobilisation by black nationalistic movements amongst the peasantry which drew the peasantry into the political arena.

In Southern Rhodesia, the developments were successfully curbed during the era of the Federation: the development of the black proletariat, and the development of a class system. Firstly, the industrial sector was not large enough to build a sufficiently opposing block and, secondly, the manipulation of the Southern Rhodesia government ensured that the principle of racial partnership was not sufficiently developed in this part of the Federation. The lip service paid by Huggins helped to secure Southern Rhodesia's entry into the Federation and, at the same time, white fears were dealt with. The industrial workers were temporarily mollified by the 30% wage increase, but their optimism was short-lived. Soon after the partnership failed the experiment of the Federation came to a sad halt. This paved the way for South Rhodesia to become Rhodesia and the declaration of unilateral Declaration of Independence in 1965. In this new political unit, which defied the world, any class development was nipped in the bud.

The politics of opposition from Smith's Declaration of Independence Smith in 1965, up to independence in 1980, was basically fought between two opposing classes. One of these was the ruling elite, which consisted of the minority white group and a limited number of blacks who had aligned themselves with the Smith regime. The opposition outside parliament was mainly the black nationalist movements ZANU and ZAPU, who aligned themselves with the large majority of the black community. The latter consisted mainly of the rural peasants and ordinary workers, but did not function as a civil society. This point is important: the rural peasants formed the support base for the eventual winners in 1980 (Ranger, 1986:137).

In Zimbabwe the configuration of class forces after independence in 1980 was constructed as a new ruling elite, ZANU PF, the peasantry and the working class. This alliance between the ruling elite and the peasantry and working class also underpinned the original development strategy of the 1980s. The original development strategy was concerned with growth equity and welfare and ways of addressing the imbalances of the past in terms of incomes and opportunities. However, the new ruling elite was also well aware of the importance of



maintaining the health and vitality of the productive sectors of the economy, which were still largely dominated by the white community. Although stripped of political power, the 200,000 whites left in Zimbabwe formed a formidable (economic) civil society as an entrepreneurial and agrarian elite, who maintained pressure and influence (from the private domain) on the government to adhere to specific economic constraints.

Dashwood (2000: 190) explains how the whites, as an entrepreneurial and agrarian elite became a successful civil society, that was able to challenge the state by using their network of influence. This was possible in spite of the fact that they were stripped of political power; they still had economic power and influence.

As a result of this the mainly white civil society was able to become an important force in changing the direction of Zimbabwe's development strategy. The aim was to address the imbalances of the past through the "growth with equity strategy" and to implement market-based reforms. By 1985 / 1986 it was clear to the ruling elite (state) that the economy was not performing well; of concern, especially, was the growing number of unemployed people (Mandaza, 1987:115). It was evident that the economy needed market-based reforms and, in accepting this, the state played directly into the hands of the members of the predominantly white civil society. The result was a convergence of interests between white civil society and the ruling black elite. Both agreed on the need for market-based reforms, especially over the matter of deregulation. This view extended to the agrarian white elite in civil society, whose members were very supportive of the idea of market-based reforms that would quell the danger of state intervention. However, the gap between the state as the ruling elite and the mostly white civil society remained, chiefly because of the state's pronouncements on the redistribution of commercial farms.

In the late 1980s, interests converged further, because of the stronger position of the government after the merger between ZANU and ZAPU in 1989. The downside to the merger of ZANU and ZAPU was the stronger centralisation of the state, which drew the middle and upper class black people away from civil society into the state realm. This, in turn, was because upper and middle-class blacks were increasingly looking to the state to satisfy their economic ambitions.

This development led to the embourgeoisement of the ruling elite; whose alignment with the white entrepreneurial and agrarian elite separated them from their traditional support base, the rural peasants. This new alignment, in turn, had a variety of spinoffs, not least of which was the fact that the members of the ruling elite enriched themselves and in the process lost further touch with their traditional support basis. Their interests shifted to the economic elites, which in themselves were a consequence of the ruling elite's own increasing participation stake in the economy (Dashwood, 2000:193).

For a variety of reasons, this alignment between the ruling black elite and white civil society did not last long. During the period 1995 to 2000 the relationship between the ruling and economic elite to a large extent disappeared. There was growing disillusionment over the reform process and the economic management of the country created a rift between the ruling elite and white civil society (economic elite). It was evident that the government was losing support at the ballot box and needed support from the traditional sector to (democratically) stay in power. The strategic thinking of the ruling black elite was that the redistribution of land could drum up that



support, even if it was at the expense of a shrinking white community. However, the ruling elite's policy, particularly when it came to the redistribution of land and the farm invasions, created more tension and led to the disengagement of white civil society, because of the non-effectiveness of such relationship in the ambit of the one - party state.

At the same time, the alienation of the subordinate classes, the peasants, the working class and the petty bourgeoisies outside the state developed as a real threat to the ruling elite. The government believed that they could effectively sideline them as before, but the calculated risk did not pay off. The emergence of Morgan Tsvangarai as leader of the Zimbabwe Commercial Trade Union supplied the peasants, working class and the petty bourgeoisie with a vehicle to articulate their protest on the weakening economic situation and their alienation from a real political voice. The registration of Movement for Democratic Change (MDC) as a political party and its respectable performance in the 2000 election demonstrated the level of opposition against the policies of the Mugabe regime (Daily News, 14 March 2000).

Mugabe's reaction was predictable and not good news for an economy already on its knees. Behind closed doors he sanctioned the occupation of commercial farms which would serve a twofold purpose. Firstly, it would, to a certain extent, help to silence the landless peasants and, secondly, would also penalise the white commercial farmers for their lack of support for ZANU PF and their support for Tsvangerai's MDC. This meant a clampdown on an already brittle civil society in Zimbabwe, one that was defenceless in the face of a strong centralist state.

In conclusion: it must be accepted that, in Africa, the consolidation of the peasantry as a civil society remains weak at best, because they have very little resources at their disposal (Munro, 1997:138). The problem in the majority of African countries is that the informal sector is too large and situated outside formal associations. Although the peasantry falls inside the ambit of the civil society, they are unable to engage the state (Woods, 1992:92). The options of the peasantry as a coherent class are clearly limited, as Munro (1997:138) indicates, because of the lack of available resources and because of community-imposed constraints such as lineage and kinship ties. Furthermore, it is a proven fact that they will disengage themselves from any fight to oppose the abuse of state power, because they simply do not have the means to engage in such opposition.

In South Africa about 25% of the population is part of the informal sector; in Zimbabwe the figure is more than 75% (Die Beeld:15 June 2003). Ihonvere (1996:270) estimates that as many as 80% of the working class in Africa are peasants. They are rendered powerless as a traditional group, because they are largely defenceless in the broader democratic framework. This is the result of their collective lack of access to resources and to sources of political and economic power.

Richard Sandbrook (1985: 115) identifies the absence of a fully formed bourgeoisie as a negative factor that prevents the establishment of an efficiently run state. A well-developed bourgeoisie means economic development and a class strong enough to support economic transformation and development and, consequently, a viable civil society. Sandbrook further argues that the weakness of the African bourgeoisie, combined with the predominance of ethnic and religious conflicts, could set the stage for a strongman to maintain political power on the basis of patrimonial rule.



CONCLUSION

It is clear that the relationship between state and civil society is a complicated, but an essential one, in the establishment and maintenance of democracy. As Woods (1992:94) remarks, the emergence of a civil society does not guarantee the development of democracy, but it is unlikely that a viable democracy can survive without a civil society.

It is evident from events in Zimbabwe, and elsewhere in Africa, that a more vocal civil society is needed to put limits on state action. It is a problematic process, because of the vulnerability of civil society in the face of a centralist one-party state. In Zimbabwe the bulk of the informal sector is still aligning with the traditional and charismatic leadership that the Mugabe leadership provides, while civil society is restricted to the large centres, such as Harare and Bulawayo. The worsening economic situation, with run away inflation and shortages of all kinds, also hampers the development of a sizeable middle class. Indeed, it reinforces the notion that economic wellbeing is with the state and not with the private sector.

However, positive elements are also in place and are constantly emerging in Zimbabwe. The main opposition party, the MDC, has a civil-society base and formed a strong opposition voice in the period leading up to the presidential election. The MDC was clearly able to constitute a diversity of social groups with a firm identity. An independent newspaper, the *Daily News*, a strong university-based civil society association and a vocal church voice, are all contributing to a climate of change and to the strengthening of a civil society. However, their ability to stand up in the face of oppressive state that are trying to destroy them is tragically doubtful.

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