

# **Power and Protests: Representing Global Civil Society in South Africa at the 2002 Johannesburg Summit**

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This paper explores the politics of global-state-civil society interactions at the 2002 World Summit on Sustainable Development (WSSD), held in Johannesburg. It shows how the power to 'represent' civil society, as well as discursive 'representations of' civil society, was fiercely contested before, during and after the UN Summit. Those who sought to represent civil society at the Summit tended to be split over differing liberal or radical conceptualisations of the state-society relationship; whereas dominant constructions or 'representations of' civil society operated along the following binaries: civil/violent, co-operative/disruptive, and local/foreign. It is argued that the manner in which these representations of civil society functioned within forms of advanced liberal government can be best understood through the Foucauldian-inspired governmentality literature. The conclusion reached is that the forms in which the power to represent took at the Johannesburg Summit can tell us a great deal about generic forms of global-state-society engagement in Africa.

*'as we prepare for the WSSD it is essential that we build a proper, democratic, consultative civil society process ... whoever claims to represent South African civil society has a very important responsibility'*<sup>1</sup>

*'the people waged a difficult, costly, protracted and successful struggle to end and negate their role as a protest movement and to transform themselves into a united reconstruction and development brigade'*.<sup>2</sup>

This paper uses the participation of global civil society and the tumultuous street protests of local social movements at the 2002 Johannesburg World Summit on Sustainable Development (WSSD) as lenses through which to examine competing discourses of politics, dissent, power and governance in South Africa. Whilst it may initially appear that a UN Summit has little to contribute to a study of the politics and power of civil society in Africa, especially given that delegates were located in Johannesburg's prestigious Sandton Convention Centre and stayed in South Africa for little more than two weeks, I argue that it is through sites like these that generic forms of civil society are constructed and represented. By distinguishing between responsible and cooperative civil society partners, and disruptive and violent protestors, the South African state was able to construct a dominant representation of the state-civil society relationship, a representation which plays an important role in contemporary forms of governance.

This paper begins from the premise that 'representation' is a form of power. This is a conscious play on the double meaning of representation, since whilst systems of

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<sup>1</sup> ANC, 'Evaluating the WCAR NGO Forum (and preparing for the WSSD)', *Umrabulo*, 13, (2001).

<sup>2</sup> Thabo Mbeki, 'The Masses are not Blind', *ANC Today*, 2, 40, (4-10 October 2002).

liberal democracy give a privileged role to elected representatives, and the authorised representatives of particular interest groups or sections of civil society; constructivist and poststructuralist forms of discourse analysis have illuminated the power of discursive *representations of* 'reality' in structuring the ways in which politics is imagined. This paper invokes both senses of the ways in which global civil society was 'represented' at the Johannesburg Summit, and the political effects of these representations. It examines the clashes between competing claims to represent civil society by largely moderate NGOs and more radical social movements at the Summit; as well as showing how the South African state, together with dominant media and global discourses, sought to represent or construct civil society in particular ways. Ultimately it is impossible to disentangle these two senses of the meaning of representation: claims to speak on behalf of civil society rest on discursive assumptions about the nature of state-society relations; and discursive representations of civil society (both internal and external) invoke norms of democratic accountability and legitimacy. However, given the power of discursive representations of civil society in terms of partnership and cooperation, this paper draws upon the Foucauldian-inspired governmentality literature to conceptualise the role of global civil society within dominant forms of rule. From this perspective I conclude that frameworks based around the binaries of power versus freedom, government versus resistance, or state versus civil society are not the most useful way to conceptualise contemporary forms of global governance.

The representation of civil society – both in the liberal democratic and poststructuralist sense – is especially pertinent for South African politics at the present time, as well as across Africa and beyond. After the democratic 'waves' of the

1990s, the spaces for democratic pluralism, participation and broad-based inclusion have narrowed in the post-9/11 world.<sup>3</sup> In South Africa specifically, existing trends toward the polarisation of politics, the marginalisation of dissent, and the pacification of civil society were exacerbated by the Johannesburg Summit. Since 2002, relations between the South African state and radical social movements have become increasingly confrontational, and have frequently descended into violence. In 2004/5 the Minister for Safety and Security, Charles Nqakula, reported almost 6,000 protests in South Africa – by 2006 this had risen to 11,000 protests, over 30 per day – prompting reflections that one could be forgiven for imagining that the days of the ‘rolling mass action’ of the 1980s had returned.<sup>4</sup> By late August 2009 more violent protests had taken place than in any previous year since 2004, sweeping the country from the townships of Gauteng and the Western Cape, to the rural settlements of the Free State and North West Province, and right up to the doors of the Union Building in Pretoria. These so-called ‘service delivery protests’ have been more accurately characterised by Steven Friedman as protests over the character and direction of government policy, rather than simply its speed of delivery.<sup>5</sup> Friedman links these protests to a more general crisis of democratic representation in South Africa, where citizens feel their only form of political voice is to march on the street and block motorways with burning tyres.<sup>6</sup> This paper argues that it is not only the ways in which the people are represented within liberal democracy that is of political salience, but it

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<sup>3</sup> Kenneth Anderson and David Rieff, ‘Global Civil Society: A Sceptical View’, in Helmut Anheier, Marlies Glasius, and Mary Kaldor (eds), *Global Civil Society 2004/5*, (Sage, London, 2005), pp. 26-27; Clark C. Gibson, ‘Of Waves and Ripples: Democracy and Political Change in Africa in the 1990s’, *Annual Review of Political Science*, 5, 1, (2002), pp. 201-221.

<sup>4</sup> Doreen Atkinson, ‘Taking to the Streets: has developmental local governance failed in South Africa?’ in Sakhela Buhlungu, John Daniel, Roger Southall and Jessica Lutchman (eds), *State of the Nation: South Africa 2007*, (HSRC Press; Cape Town, 2007), pp. 53-58; and FXI, *The Right to Protest: A Handbook for Protestors and Police*, (Freedom of Expression Institute, Johannesburg, 2007), p. 4.

<sup>5</sup> Steven Friedman, ‘People are demanding public service, not service delivery’, *Business Day* (SA), 29 July 2009.

<sup>6</sup> Steven Friedman, ‘Fixing the toy telephone will not still the grassroots clamour’, *Business Day* (SA), 26 August 2009.

is also the forms of discursive representation which create particular images of who ‘the people’ are, and what their role is within democratic politics, that are of vital importance in understanding contemporary South African, continental, and global politics.

The concept of political representation, so central to systems of liberal democracy, raises problematic questions about the idea of civil society: are civil society organisations representative? Can they be? Who do they represent, and how? Can they represent abstract ideals? Do they simply mirror existing political positions, or do they, ‘engage in *interim representation* in the sense that the organization speaks for a constituency that is not yet present – because it is disempowered and lacks consciousness of itself as a constituency – temporarily filling such void while acting as a spoke-person of that would-be constituency’?<sup>7</sup> These questions become, if anything, even more fraught and complex beyond the boundaries of national communities, with their well-established electoral procedures for establishing representation.<sup>8</sup> It has become a frequent criticism, for example, that the non-governmental organisations (NGOs) who often seek to (or at least may appear to seek to) represent the people of the world to states and international institutions in the global institutions, actually represent a predominantly secular, capitalist, Western, educated, democratic and non-violent slice of the global population, and have assumed this position with few formal mechanisms of accountability or

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<sup>7</sup> Enrique Peruzzotti, ‘What Constitutes Legitimate Democratic Representation? Civil Society and Non-Electoral Forms of Representation’, paper prepared for the ECPR Joint Sessions, *Workshop 29: Civil Society, Democracy and Global Governance*, Lisbon, April 14-19 2009, p. 11.

<sup>8</sup> Anderson and Rieff, ‘Global Civil Society’; Karin Bäckstrand, ‘Democratizing Global Environmental Governance? Stakeholder Democracy after the World Summit on Sustainable Development’, *European Journal of International Relations*, 12, 4, (2006), pp. 467-498.

transparency.<sup>9</sup> In this context the key question of representation becomes: who do particular organisations actually speak for or act on behalf of; and who gets to speak for civil society at moments like the Johannesburg Summit? The first part of this paper therefore explores the contests within ‘civil society’ between more liberal voices of dissent, and more radical voices of protest, over who would represent South African and global civil society at the Summit.

The second part of the paper shifts focus to examine the ways in which the South African state constructed civil society at the Summit. Attention to the ways in which discursive (or ideological) *representations of* global civil society structure the forms of imaginable politics have become quite common. Roland Bleiker, for example, argues that ‘political reality does not exist in an a priori way. It comes into being only through the process of representation’.<sup>10</sup> Drawing on such approaches, Amoore and Langley seek to show how global civil society has been represented within academic, policy and activist treatments of the concept as either a bounded space, voluntary associations, or an agent of empowerment/resistance.<sup>11</sup> From such a perspective, the task of political analysis is not to determine which organisation was the most representative, or who should represent civil society, but rather ‘to make visible the political consequences of adopting one representation of social reality rather than another’.<sup>12</sup> The particular form of civil society discursively represented at the Summit

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<sup>9</sup> Gideon Baker, *Civil Society and Democratic Theory: Alternative Voices*, (Routledge, London, 2002), pp. 122-124; Julie Hearn, ‘African NGOs – the new compradors?’ *Development and Change*, 38, 6, (2007), pp. 1095-1110; Alison Van Rooy, *The Global Legitimacy Game: Civil Society, Globalisation, and Protest*, (Palgrave, Basingstoke, 2004).

<sup>10</sup> Roland Bleiker, ‘The Aesthetic Turn in International Political Theory’, *Millennium*, 30, 3, (2001), p. 512.

<sup>11</sup> Louise Amoore and Paul Langley, ‘Ambiguities of Global Civil Society’, *Review of International Studies*, 30, 1, (2004), p. 90.

<sup>12</sup> Rita Abrahamsen, *Disciplining Democracy: Development Discourse and Good Governance in Africa*, (Zed Books, London, 2000), p. 138.

differed from both the liberal and radical claims to represent civil society, and was part of a broader re-structuring of the contours of South African politics.

Global and local civil society was therefore represented at, and participated in, the Johannesburg Summit in a variety of ways – from major group deliberation on multi-stakeholder dialogues, to anti-capitalist protest on the streets of Johannesburg. There were banner-hanging protests by Greenpeace, a satirical ‘Green Oscars’ by South African NGO GroundWork, a landless peoples camp, and an orchestrated chorus of boos and jeers from sections of the official conference audience that almost forced US Secretary of State Colin Powell to abandon his closing statement. The next section examines civil society participation in the Summit, and draws attention to two contesting representations of civil society: as liberal dissent and radical protest.

### **The Johannesburg Summit and civil society**

The participation of global civil society in the 2002 Johannesburg Summit was a central part of the conference’s broader mandate to review progress since the 1992 Rio Earth Summit, and identify further challenges for sustainable development. Representatives of over 190 countries, 100 world leaders and about 22,000 other participants attended the main negotiations in the Sandton Convention Centre, whilst a further 15,000 attended one or more of the many side-events, such as the parallel Global People’s Forum.<sup>13</sup> The official outcomes of the Summit included both multilaterally negotiated texts, and voluntary, bilateral, multi-stakeholder partnerships, and the Johannesburg *Political Declaration* asserted grandly that

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<sup>13</sup> Pamela Chasek and Richard Sherman, *Ten Days in Johannesburg: A Negotiation of Hope*, (DEAT and UNDP, Pretoria, 2004), p. 117.

‘significant progress has been made towards achieving a global consensus and partnership among all the people of our planet’.<sup>14</sup>

The Johannesburg Summit was genuinely innovatory in the degree of civil society participation it incorporated. The parallel Global Peoples Forum attracted almost as much attention as the official negotiations, and there was also an extensive raft of multi-stakeholder dialogues, public-private partnerships, and civil society events to include non-state actors.<sup>15</sup> Global and transnational civil society organisations such as WWF, IUCN, Oxfam, Greenpeace, Friends of the Earth also participated, alongside local groups and movements.<sup>16</sup> In the year leading up to the Summit the UN accredited 737 non-state organisations who came to Johannesburg to participate in one form or another.<sup>17</sup> This reflected broader trends during the 1990s, when the proliferation of summits and the inclusion of civil society and business organisations was an institutional recognition of the need for multi-centric governance networks in a globalising world. Following the Seattle WTO demonstrations of 1999, it was asserted that ‘global civil society is now an active subject on the world scene and government policies and international institutions cannot afford to ignore it’.<sup>18</sup> Sustainable development as a policy area has been particularly marked by an enthusiasm for participatory mechanisms, and the number of organisations representing civil society within the UN’s Commission for Sustainable Development

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<sup>14</sup> UN, *The Johannesburg Declaration on Sustainable Development*, adopted at the WSSD 17th plenary meeting on 4 September 2002, (UN, Johannesburg; 2002), #10.

<sup>15</sup> Bäckstrand, ‘Democratizing Global Environmental Governance?’

<sup>16</sup> Victor Munnik and Jessica Wilson, *The World Comes to One Country: An Insider History of the World Summit on Sustainable Development, Johannesburg 2002*, (Heinrich Böll Foundation, Johannesburg, 2003).

<sup>17</sup> Interview, Tonya Vaturi, Programme Associate for Major Groups, Division for Sustainable Development, DESA, (New York, 16 October 2007).

<sup>18</sup> Mario Pianta, ‘Parallel Summits of Global Civil Society’, in Helmet Anheier, Marlies Glasius and Mary Kaldor (eds), *Global Civil Society 2001*, (OUP, Oxford, 2001), p. 177.



grew from 300 to 800 between 1993 and 2000.<sup>19</sup> *Agenda 21*, signed in Rio in 1992, recognised nine major groups – women, children, indigenous peoples, NGOs, local governments, trade unions, business, science, and farmers – and established that they had a right to be consulted and involved in the governance of sustainable development.

In Johannesburg representatives of the major groups were permitted to sit in the plenary session, make speeches from the podium, and participate in round-table negotiations. The manner in which these representatives were chosen appeared fairly *ad hoc*, as according to one UN official, ‘we always went to organisations that seemed to have credibility, reliability, respect from their own community, and willing to act as facilitators for the participation of their community’.<sup>20</sup> Some have suspected that the major group framework is simply a way to manage civil society: as one NGO activist observed, ‘the UN has trouble seeing this abstract thing of civil society, and to put it into major groups makes it easier for the staff. It makes it easier for them to say I need to get these boxes filled’.<sup>21</sup> Indeed, when the NGO steering committee collapsed during the preparatory phase, the Summit secretariat appointed three NGOs – the Third World Network, the Danish-92 Group (whose role was later taken over by ANPED, the Northern Alliance for Sustainability) and the Environment Liaison Centre International – to represent NGOs.<sup>22</sup> This prompted protests from some NGOs

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<sup>19</sup> Bäckstrand, ‘Democratizing Global Environmental Governance?’ p. 470.

<sup>20</sup> Interview with Zehra Aydin, UN focal point for Major Groups, (New York, 15 October 2007).

<sup>21</sup> Interview with Rebecca Pearl, Sustainable Development Programme Coordinator for WEDO, (New York, 22 October 2007).

<sup>22</sup> Munnik and Wilson, *The World Comes to One Country*, pp. 45-46 and 75.

concerned by the unilateral nature of the decision, and concerned by the lack of transparency and consultation in the selection of their authorised representatives.<sup>23</sup>

Furthermore, there were also turbulent and fractious clashes within South Africa over which sorts of groups should represent local civil society, and the proper role of civil society vis-à-vis the state. Meetings of the Civil Society Secretariat were characterised by disagreements over structure, financial irregularities and clashing personalities.<sup>24</sup> Tensions between radical social movements, NGOs, and more established mass organisations such as the Congress of South African Trade Unions (COSATU) resulted in a number of social movements leaving the formal preparatory process and forming the Social Movements Indaba (SMI), declaring itself ‘opposed to the hoax of the WSSD’.<sup>25</sup> The official Civil Society Secretariat, chaired by COSATU’s Bheki Ntshalintshali, proceeded instead to organise the Global People’s Forum, whilst the SMI concentrated instead on a series of events on the fringes of the official Summit.<sup>26</sup> Many of these tensions stemmed from COSATU’s involvement in the civil society process – given their position as close allies of the ANC and partners in the governing Alliance. Ntshalintshali later conceded that

our involvement was seen by others in civil society as like Big Brother trying to correct a number of issues ... There were people that were unhappy, and I think the debate was mainly around whether the ANC, or the liberation organisation, or the

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<sup>23</sup> Wagaki Mwangi, ‘Three decades of NGO activism in international environmental negotiations: Who influences NGOs?’ in Angela Churie Kalhauge, Gunnar Sjöstedt and Elisabeth Correll (eds), *Global Challenges: Furthering the Multilateral Process for Sustainable Development*, (Greenleaf, Sheffield, 2005), p. 178.

<sup>24</sup> Interview, Bryan Ashe, Earthlife Africa, Durban, 18 December 2006; ‘Top WSSD official suspended’, *News 24 (SA)*, 14 March 2002.

<sup>25</sup> Munnik and Wilson, *The World Comes to One Country*, p. 31.

<sup>26</sup> Civil Society Indaba, *CS Indaba walks out of WSSD NGO Forum*, press release, 19 March 2002.

political party, should be part of the civil society. I think there is still a debate about those things.<sup>27</sup>

For some members of the SMI, COSATU's involvement was 'part of a political strategy to control and silence civil society, and place the WSSD process under government control'.<sup>28</sup> Thus the SMI left the official Summit process because of state interference, stating they wanted 'to carry on a civil society process that is independent from government and rooted among the working people'.<sup>29</sup> One prominent activist explained that the Summit conflicts were fundamentally about whether the ANC would tolerate an autonomous civil society, claiming that, 'very simply put, it was a fight over whether the government operating in the person of the ANC and the person of the Alliance, whether they'd be able to dictate a civil society agenda'.<sup>30</sup>

Authoritarian behaviour by the state seemed to threaten this autonomy, and more than once comparisons were made between ANC policing and Apartheid-era repression.<sup>31</sup> An SMI statement in the aftermath of a police tear-gas attack against a candle-lit march on the 24 August indicated this apprehension.

The events of this evening are only further confirmation of the ever-narrowing space in the 'new' South Africa, for the exercise of the basic constitutional and human rights to freedom of expression and assembly. If it was not before, it should now be crystal clear that the South African government is hell-bent on smashing legitimate

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<sup>27</sup> Interview, Bheki Ntshalintshali, Deputy General Secretary COSATU, Johannesburg, 4 October 2006.

<sup>28</sup> Civil Society Indaba, *CS Indaba walks out of WSSD NGO Forum*.

<sup>29</sup> Ibid.

<sup>30</sup> Oupa Lehulere, quoted in Peter Dwyer, *The World Conference Against Racism and The World Summit On Sustainable Development: A Window Into Civil Society Relations In Post-Apartheid South Africa*, Research paper prepared for UNRISD project, unpublished, (2003), p. 25.

<sup>31</sup> Duguid, 'ANC "behaving like Nat regime'.

dissent by whatever means they deem appropriate, including attacking peaceful marchers and terrorising children. The ghosts of the South African past are returning with a vengeance.<sup>32</sup>

The key demand of many of these organisations which, implicitly or explicitly, sought to represent civil society was therefore for the South African state to behave like a responsible liberal democracy. As the pamphlet below (figure 1) illustrates, the South African constitution and the liberal principles it articulated were important reference points for many protestors.

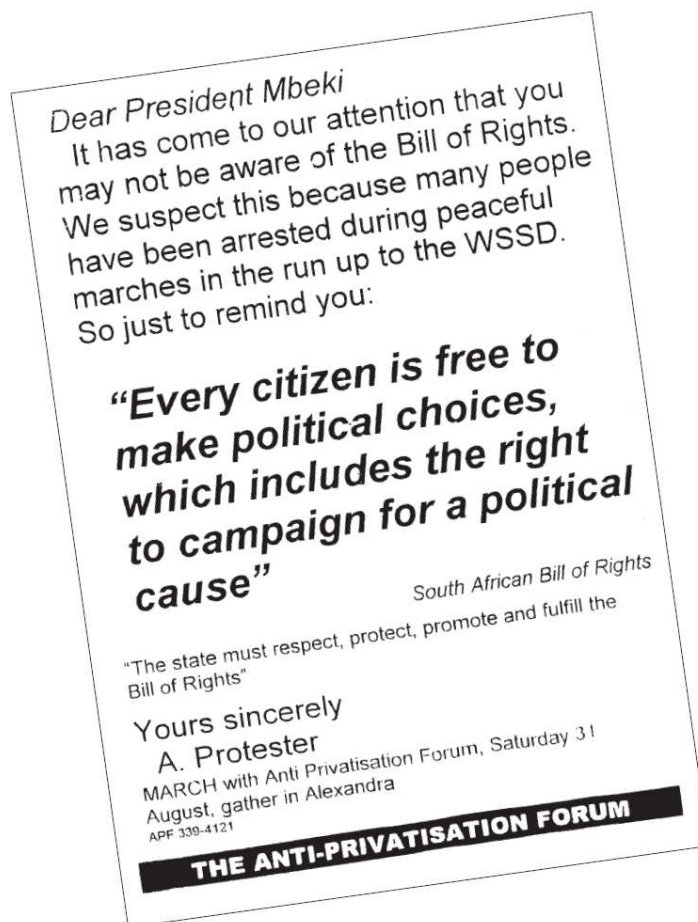


Figure 1 [taken from Munnik and Wilson, *The World Comes to One Country*, p. 60]

<sup>32</sup> SMI, *Press Release*, 24 August 2002.

These demands drew upon a classically liberal view of civil society in the de Tocquevillian tradition as a sphere free from state intervention, holding government to account and contributing to democratic pluralism. For Cohen and Arato, civil society is a space of potentially ‘unconstrained discussion’, consensus and social justice.<sup>33</sup> In a similar vein John Keane has described global civil society as being non-governmental (i.e. non-state, for Keane, but including profit-seeking businesses, individuals, families, ethnic and religious identities) and marked by ‘civility’ and ‘respect for others expressed as politeness towards and acceptance of strangers’.<sup>34</sup> In their highly influential series of yearbooks on global civil society, Anheier, Glasius and Kaldor define the concept as ‘the sphere of ideas, values, institutions, organisations, networks, and individuals located *between* the family, the state, and the market and operating *beyond* the confines of national societies, polities and economies’.<sup>35</sup> This sphere has a clear normative dimension in liberal political theory, since ‘substantive democracy requires an active civil society, an arena where people can express themselves freely, organise associations, and try to influence decision-makers’.<sup>36</sup>

Yet these liberal demands for a free and autonomous space did not represent the entire spectrum of so-called ‘civil society’ discourses at the Summit. Alongside the journalists, lobbyists, major groups, negotiators and state representatives, many came to Johannesburg to protest against a range of issues from lack of progress on the Rio agreements, to neo-liberal capitalist hegemony and entrenched global inequality. The

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<sup>33</sup> Jean Cohen and Andrew Arato, *Civil Society and Political Theory*, (MIT Press, Cambridge MA, 1994), pp. ix-x and 355-362.

<sup>34</sup> John Keane, *Global Civil Society?* (CUP, Cambridge, 2003), pp. 3-17.

<sup>35</sup> Helmut Anheier, Marlies Glasius and Mary Kaldor, ‘Introducing Global Civil Society’, in Anheier et al, *Global Civil Society 2001*, p. 17.

<sup>36</sup> Mary Kaldor, Helmut Anheier and Marlies Glasius, ‘Introduction’, in Anheier et al, *Global Civil Society 2004/5*, p. 13.

most prominent manifestations of dissent were the mass marches from Alexandra Township on 31 August. The ‘official’ civil society march led by the ANC and COSATU numbered less than 5,000 people, whilst the more confrontational social movements mobilised at least four times as many. The latter constituted the largest and ‘most militantly anti-government march since 1994’.<sup>37</sup> The route was chosen to highlight the appalling conditions in which many South Africans still live, and to emphasize the difference between these conditions and the wealthy environs of Sandton where Summit delegates spent most of their time.<sup>38</sup> Commentators interpreted the marches as ‘a battle for control of South Africa’s revolutionary tradition’, the unexpected outcome of which suggested a ‘new era’ in South African politics.<sup>39</sup>

These marches were only the most visible and high-profile protests amidst a number of other flashpoints during the Summit, in a period of such broader tension that commentators proclaimed ‘an undeclared state of emergency’.<sup>40</sup> The clashes intersected with rising tensions over the economic policies of the ANC government, which had been developing since the shift from the *Reconstruction and Development Plan* (RDP) to the more overtly neo-liberal *Growth, Employment and Re-distribution* (GEAR) programme in 1996. Exacerbated by the transition in the Presidency from Nelson Mandela to Thabo Mbeki, and the end of the ANC’s ‘political honeymoon’, GEAR’s policies of cost-recovery and the privatisation of basic services have led to

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<sup>37</sup> Patrick Bond, *Geopolitics of Jo’burg Protests: Independent Left beats Ruling Party*, (Centre for Civil Society, Durban, 2002).

<sup>38</sup> Interview, Dale McKinley, SMI Press Secretary, Johannesburg, 23 October 2006; interview, Bheki Ntshalintshali, Deputy General Secretary COSATU, Johannesburg, 4 October 2006.

<sup>39</sup> Rian Malan, ‘New Reds Challenge ANC and Win Skirmish’, *Focus*, 27, (2002).

<sup>40</sup> Salim Vally, ‘The Political Economy of State Repression in South Africa’, in Simon Kimani Ndung’u (ed.) *The Right to Dissent: Freedom of Expression, Assembly and Demonstration in South Africa*, (Freedom of Expression Institute, Johannesburg, 2003), p. 62.

increased tensions within the ruling Alliance as well as among local communities and social movements.<sup>41</sup>

In this tense atmosphere security at the Summit was a high priority, and the Johannesburg authorities adopted a 'zero tolerance' policing strategy, meaning that many street vendors, hawkers and homeless were removed from the city.<sup>42</sup> Social movement activists alleged that squatters were being dumped 'miles from Johannesburg to hide poverty from summit delegates'.<sup>43</sup> According to Naomi Klein, 'vendors and beggars have been swept from the streets, residents of squatter camps have been evicted', and the Sandton precinct was transformed into a 'military complex' with remote spy planes and a 1.8 kilometre 'struggle pen' for authorised protests.<sup>44</sup> During the Summit 196 protestors were arrested, all of whom were subsequently released without charge, and ANC spokesman Michael Sachs conceded that 'there were certainly serious problems and violations that took place from the side of the police' at the Summit, although he suggested they were just 'flashes in the pan'.<sup>45</sup>

In contrast to the liberal view of an autonomous civil society as a source of dissent, the radical protestors involved in these clashes with the state articulated a class-war view of politics. They drew on (both implicitly and explicitly) currents of political thought inspired by Marxist and Gramscian traditions, in which civil society acts in

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<sup>41</sup> Richard Ballard, Adam Habib, Imraan Valodia and Elke Zuern, 'Introduction: From Anti-Apartheid to Post-Apartheid Social Movements', in Richard Ballard, Adam Habib, Imraan Valodia (eds) *Voices of Protest: Social Movements in Post-Apartheid South Africa*, (UKZN Press, Scottsville, 2006), p. 2.

<sup>42</sup> Vally, 'The Political Economy of State Repression in South Africa', p. 68; interview, Teboho Mashota, APF Finance Administrator, Johannesburg, 18 October 2006.

<sup>43</sup> Sarah Duguid, 'ANC "behaving like Nat regime"', *Mail & Guardian* (SA), 23-29 August 2002.

<sup>44</sup> Naomi Klein, 'Booby Traps at Rio+10', *The Nation* (US), 16 September 2002.

<sup>45</sup> Quoted in Jane Duncan, 'A Flash in the Pan? The Relevance of the WSSD for Freedom of Expression', in Ndung'u, *The Right to Dissent*, p. 101.

bourgeois liberal democracies as a bulwark for the state and the status quo.<sup>46</sup> Whilst they also demanded an autonomous space for social movement organisation, the purpose of doing so was to build ‘the “base” of a movement that could in the long term challenge the ANC at the polls’, rather than simply defend the possibility of liberal dissent.<sup>47</sup> These discourses were less concerned with the ‘civility’ and ‘responsibility’ of protest; but rather with drawing the lines between governed and governors more clearly.

Many activists, protestors and academics inspired by this more radical tradition regarded the South African state as ‘the local and continental agent of imperialism’.<sup>48</sup> *The Citizen* reported that ‘marchers threatened the government that if it “does not address our issues and do what the people demand, we will do to them what we did to the apartheid government”’.<sup>49</sup> In a much-quoted statement, activist Trevor Ngwane claimed that the marchers desired to shut down the Summit and ‘take Sandton’.<sup>50</sup> Such rationalities of resistance adopted a starker view of politics as fundamentally bipolar. For Vula Mthimkhulu, writing in the civil society newspaper *Global Fire*, the Summit presented an opportunity to ‘popularise the struggle against forces of evil’, and ‘the genuine enemies masquerading as comrades during the Summit’.<sup>51</sup> In this vein more violent visions of political action were articulated, including placards

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<sup>46</sup> Norberto Bobbio, ‘Gramsci and the Concept of Civil Society’, in John Keane (ed.), *Civil Society and the State*, (Verso, London, 1988), pp. 73-99; David Lewis, ‘Civil Society in African Contexts: Reflections on the usefulness of a Concept’, *Development and Change*, 33, 4, (2002), p. 572.

<sup>47</sup> Waghied Misbach, ‘New grouping sizes up ANC’, *The Sowetan* (SA), 2 September 2002. See also Patrick Bond, ‘Johannesburg’s Resurgent Social Movements’, in Nigel Gibson (ed.), *Challenging Hegemony: Social Movements and the Quest for a New Humanism in Post-Apartheid South Africa*, (Trenton NJ, Africa World Press, 2006), p. 104; Leonard Gentle, ‘Social Movements in South Africa: Challenges to organised labour and opportunities for renewal’, *South African Labour Bulletin*, 26, 5, (2002), pp. 16-19.

<sup>48</sup> John Appolis, ‘The Political Significance of August 31’, *Khanya Journal*, 2, (2002), p. 10.

<sup>49</sup> Liesl Venter, ‘Summit marchers attack government’, *The Citizen* (SA), 2 September 2002.

<sup>50</sup> Caiphus Kgosana, ‘Rebel with a cause – the poor’, *The Star* (SA), 28 August 2002; Bonile Ngqiyaza and Sonya Fatah, ‘Coalition hopes to shut down summit’, *Business Day* (SA), 23 August 2002.

<sup>51</sup> Vula Mthimkhulu, ‘Naked body of the poor exposed in the sumptuous warmth of Sandton’, *Global Fire* (SA), 22 August 2002.



reading ‘Bomb Sandton’, and talk of occupying and blockading the M1 motorway into Johannesburg.<sup>52</sup> Other radical activists on the left decried the efforts of SMI marshals to ensure a peaceful march, lamenting that the end result was ‘domesticated’.<sup>53</sup>

Such perspectives were underpinned by class-based analysis of global power relations, in which, according to Patrick Bond, Mbeki and his ministers are “compradors” – i.e., agents of the global establishment’.<sup>54</sup> Extending the comprador analysis, Julie Hearn argues that many African NGOs play ‘a key intermediary role linking the North and the South, ideologically and materially, in a manner which perpetuates Northern domination’.<sup>55</sup> Mainstream civil society, from such a perspective, is hardly the handmaiden of democracy and development as presented in liberal political theory, but rather is ‘the closed association of modern elite groups, sequestered from the wider popular life of the communities, walled up within enclaves of civic freedom and rational law’.<sup>56</sup>

Much of the politics of civil society participation at the Summit therefore revolved around whether the liberal or the radical view of civil society would predominate. The end result was inevitably mixed, with NGOs simultaneously marching with the social movements at the same time as sending members to lobby within the official UN

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<sup>52</sup> Interview, Ahmed Veriava, SMI and Freedom of Expression Institute, Durban, 2 December 2006.

<sup>53</sup> Franco Barchiesi, ‘Marching on the Left: Before and After August 31’, *Khanya Journal*, 2, (2002), p. 15.

<sup>54</sup> Patrick Bond, *Talk Left, Walk Right: South Africa’s Frustrated Global Reforms*, (UKZN Press, Pietermaritzburg, 2006), p. 4. See also John Saul, ‘The Hares, The Hounds and the African National Congress: On Joining the Third World in post-Apartheid South Africa’, *Third World Quarterly*, 25, 1, (2004), pp. 73-86.

<sup>55</sup> Julie Hearn, ‘African NGOs – the new compradors?’ *Development and Change*, 38, 6, (2007), p. 1105.

<sup>56</sup> Partha Chatterjee, *The Politics of the Governed: Reflections on Popular Politics in Most of the World*, (Columbia University Press, New York, 2004), p. 1.

Summit, and Greenpeace scaling the Koeberg nuclear reactor one day and holding a joint press conference with a business lobby group the next. Often even the same individuals have, as Ashwin Desai admitted, praised the history of the ANC as anti-Apartheid liberators at the same time as the cost recovery policies of local government are condemned.

If Thabo Mbeki comes around, or Mandela, to remember the 16 June Soweto Uprising, people still see the need to go to the meeting and chant the slogans of the party of liberation: the ANC, slayer of apartheid. But the next day they are fighting evictions, and denouncing the ANC as a party of neoliberalism.<sup>57</sup>

Such apparent contradictions reveal the inevitably contested nature of civil society. However, they also point toward the importance of dominant *representations of* civil society in 2002. Quite aside from the contests within South African and global civil society over who would represent it at the Summit, the role of the South African state in constructing particular representations of civil society, dissent and protest had considerable political effects.

### **Representing Civil Society: Looking for responsible African partners**

Contests over who gets to represent civil society within multi-stakeholder forums are important expressions of power relations. Yet of at least as much significance, if not more, are the ways in which dominant discourses and regimes of government are able to construct or represent what civil society is, and should be. The Johannesburg Summit is an excellent example of how the South African state since 1994 has sought

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<sup>57</sup> Holly Wren Spaulding, 'Between the Broken and the Built', an interview with Ashwin Desai in Notes from Nowhere (ed.), *We Are Everywhere: The Irresistible Rise of Global AntiCapitalism*, (Verso, London, 2003), p. 488.

to represent civil society as responsible African partners – in direct contrast to the marginalisation of protest as uncivil, irresponsible, and (often) foreign agitation. Yet it also differs from the liberal construction of civil society as a space of autonomous dissent. These binaries of civility/violence, partnership/disruption, and local/foreign are at the heart of the representational strategies employed by the South African state in and around the Johannesburg Summit.

State and media discourses at the Summit sought to draw a clear line between civil and peaceful civil society, and potentially violent, disruptive or criminal elements. Thabo Mbeki condemned protestors who aimed for the ‘collapse of the Summit’, and people who ‘do not want any discussion and negotiations’.<sup>58</sup> On the day following the clash between the candle-lit marchers and the police, an ANC statement sought to

roundly condemn the actions of those factions (both local and international) for whom these democratic victories, so recently won after so much sacrifice, are mere fodder in the irresponsible pursuit of confrontation and anarchy. We know well from our own struggle that such mindless violence is the practice of at best the naïve, and at worst the agent provocateur.<sup>59</sup>

Protestors were routinely labelled as violent, destructive and dangerous, and the Sunday Times memorably warned that ‘war veterans from Zimbabwe, ultra-leftists, disgruntled former soldiers, right-wingers, international anarchists, Palestinian and Israeli campaigners and hackers’ were all coming to Johannesburg to ‘shut down’ the

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<sup>58</sup> Thabo Mbeki, ‘Reports on economy tell us we are on course’, *ANC Today*, 2, 35, (30 August – 5 September 2002).

<sup>59</sup> ANC, ‘Statement on the WSSD’, (25 August 2002), available at <<http://www.anc.org.za/ancdocs/pr/2002/pr0825.html>> (19 November 2009).

summit.<sup>60</sup> This criminalisation of protest forms part of a broader trend in South African politics, in which the ANC has displayed an almost allergic reaction to publicly expressed opposition. The result has been a more confrontational relationship between the state and the voices of protest. New social movements have emerged, such as the Abahlali baseMjondolo shack-dwellers in Durban, who have clashed on several occasions with both national and provincial government, and pre-existing social movements.<sup>61</sup> One activist has described the situation as ‘a low intensity civil war’.<sup>62</sup> Roger Southall has argued that the government’s response to protests since 2004 has been at times ‘heavy-handed’, justified by ‘dark hints that the violence was being orchestrated by sinister forces’.<sup>63</sup>

This polarisation is not between ‘state’ and ‘civil society’, but rather between those who exercise the right to protest in ‘normal’, ‘respectable’, and ‘legitimate’ ways, and those on the other hand who are perceived as ‘uncivil’, ‘rebellious’ or ‘disruptive’. Such a polarisation is reinforced by the way in which the ANC has increasingly cast South African transformation in terms of implementation, service delivery, efficiency and ‘getting things done’.<sup>64</sup> Responsible NGOs and constructive members of civil society have been enlisted in this project, cast as ‘assistants to government in service delivery’, part of a ‘social partnership’ together with government and business to

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<sup>60</sup> Ranjeni Munusamy, ‘The summit of all fears’, *The Sunday Times* (SA), 25 August 2002.

<sup>61</sup> David Christoffer Lier, ‘Overcoming Difference, Confronting Hegemony: the Unruly Alliances of Social Movement Unionism in Cape Town’, *Politikon*, 34, 1, (2007), pp. 35-52; Shannon Walsh, ‘“Uncomfortable Collaborations”: Contesting Constructions of “the poor” in South Africa’, *Review of African Political Economy*, 35, 116, (2008), pp. 255-279.

<sup>62</sup> Interview, Trevor Ngwane, APF activist, Soweto, 28 September 2006.

<sup>63</sup> Roger Southall, ‘Introduction: The ANC State, more dysfunctional than developmental?’ in Sakhela Buhlungu, John Daniel, Roger Southall and Jessica Lutchman (eds), *State of the Nation: South Africa 2007*, (HSRC Press, Cape Town, 2007). p. 13.

<sup>64</sup> Steven Friedman, ‘South Africa: Building Democracy After Apartheid’, in Emmanuel Gyimah-Boadi (ed.), *Democratic Reform in Africa: The Quality of Progress*, (Lynne Rienner, London, 2004), pp. 236-237.

further the ‘common national interest’.<sup>65</sup> Franco Barchiesi quotes ANC political advisor Michael Sachs, who affirms ‘a rigid separation between a realm of popular demands, advocacy and associations acting in a “watchdog” role, and the terrain of institutional representation and party organisation as the exclusive spheres where all this becomes properly “political”’.<sup>66</sup> In a telling statement during the Johannesburg Summit, Thabo Mbeki asserted that ‘the people waged a difficult, costly, protracted and successful struggle to end and negate their role as a protest movement and to transform themselves into a united reconstruction and development brigade’.<sup>67</sup> Those unwilling or unable to behave ‘responsibly’ or cooperate in development partnerships were marginalised, excluded and repressed. As such the reliance on the coercive and repressive arm of the state in the policing of the Summit is not evidence of the limits of liberal discourse, but rather shows how practices of authoritarian sovereign power are always already implicated within liberal forms of government.<sup>68</sup>

The third aspect of the discursive representation – or disciplining – of civil society by the South African state at the Summit involved dividing domestic civil society from the (disruptive) global civil society. In an influential pre-Summit article, the ANC’s Michael Sachs warned that ‘as we approach the World Summit on Sustainable Development (WSSD) in Johannesburg later this year the Seattle movement will, in all likelihood, converge on our biggest city in a festival of dissent’, and cautioned that

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<sup>65</sup> Steffen Jensen, ‘The Battlefield and the Prize: ANC’s bid to reform the South African State’, in Thomas Blom Hansen and Finn Stepputat (eds), *States of Imagination: Ethnographic Explorations of the Postcolonial State*, (Duke University Press, Durham, 2001), p. 98; Krista Johnson, ‘State and civil society in contemporary South Africa: Redefining the rules of the game’, in Sean Jacobs and Richard Calland (eds), *Thabo Mbeki’s World: The Politics and Ideology of the South African President*, (Zed Books, London, 2002), p. 237.

<sup>66</sup> Franco Barchiesi, ‘Classes, Multitudes and the Politics of Community Movements in Post-apartheid South Africa’, in Gibson, *Challenging Hegemony*, p. 215.

<sup>67</sup> Mbeki, ‘The Masses are not Blind’.

<sup>68</sup> Mitchell Dean, ‘Liberal Government and Authoritarianism’, *Economy and Society*, 31, 1, (2002), pp. 37-61; Michael Neocosmos, ‘Rethinking Politics in Southern Africa Today: Elements of a Critique of Political Liberalism’, in Gibson, *Challenging Hegemony*, pp. 55-102.

international NGOs might manipulate South African social movements against the ANC.<sup>69</sup> Among his concerns about the Seattle Movement was that it was manifested in a small ‘coterie’ of activists located in Southern capitals, unconnected to popular and mass struggles, and funded by the North.<sup>70</sup> He clarified that ‘I do not mean to argue that the Seattle movement is inherently reactionary ... However, given its Northern origin, its diverse content and its amorphous form, Seattle’s progressive credentials should not be taken for granted’.<sup>71</sup> This raises problematic questions for Sachs.

Some have even argued that the rise of the NGO phenomena in the South, with its ‘anti-statist’ overtones and dependence on foreign sources of funds, itself forms part of the project of imperialism and neo-liberalism. Even if we do not accept this ‘worst case scenario’, the concept [of] ‘civil society’ is not without ideological and political implications. Sometimes it is devoid of relation to the actual histories and institutional landscapes of the societies in which it is deployed.<sup>72</sup>

Well-written and often nuanced, Sachs’ paper nevertheless both caricatures and homogenises the so-called ‘Seattle Movement’. Yet it is the repeated insinuation that protests in Johannesburg were stimulated by foreign agitation rather than ‘real South African grievances’ that provides the discursive context for the violence of the state response.

Such an analysis draws upon a consistent thread of suspicion of foreign subversion that has run through ANC public statements. Nelson Mandela, when speaking on

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<sup>69</sup> Michael Sachs, ‘The Seattle Movement in Johannesburg’, *Urambulo*, 15, (2002).

<sup>70</sup> Ibid.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

South Africa's 'Day of National Reconciliation' in 1997, asserted that the challenge was to weed out the real NGOs from the phony, and thus avoid the liberal-imposed agenda that could be furthering the aims of their (foreign) financiers.<sup>73</sup> In response to criticism on his HIV/Aids policy, Thabo Mbeki urged South Africans to 'free ourselves of the "friends" who populate our ranks, originating from the world of the rich, who come to us, perhaps dressed in jeans and T-shirts, as advisers and consultants'.<sup>74</sup>

Activists with the Social Movements United on 31 August 2002 replied angrily that the bulk of those marching were from the (South African) Landless Peoples Movement and the (South African) Anti-Privatisation Forum.<sup>75</sup> For march organiser Dale McKinley, 'the SMI was a South African mass movement'.<sup>76</sup> The language and practices of resistance during the marches and protests invoked long anti-Apartheid traditions of confrontation and 'un-governability', with marchers threatening the government that if it 'does not address our issues and do what the people demand, we will do to them what we did to the apartheid government'.<sup>77</sup> These older and apparently 'local' forms of resistance existed alongside newer repertoires of protest drawn from the so-called 'Seattle movement': including satire, puppets, costumes and street theatre. As such, identifying whether civil society is 'local' or 'global' is analytically complex. It is also politically counter-productive.

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<sup>73</sup> Quoted in Emmanuel Gyimah-Boadi 'Civil Society and Democratic Development', in Gyimah-Boadi, *Democratic Reform in Africa*, p. 109.

<sup>74</sup> Thabo Mbeki, 'A hundred flowers under the African sun', *ANC Today*, 3, 30, (1-7 August 2003).

<sup>75</sup> Interview, Dale McKinley, SMI Press Secretary, Johannesburg, 23 October 2006; interview, Ahmed Veriava, SMI and Freedom of Expression Institute, Durban, 2 December 2006.

<sup>76</sup> Interview, Dale McKinley, SMI Press Secretary, Johannesburg, 23 October 2006.

<sup>77</sup> Liesl Venter, 'Summit marchers attack government', *The Citizen* (SA), 2 September 2002.

The charge of foreign agitation made by the ANC has tended to produce a debate which has descended into a rather circular and conservative argument about who is 'more local'. Of course, issues of representation (democratic and discursive) lie behind this debate, but the rather defensive rhetorical flavour of the contest between the threat of foreign subversion versus the legitimacy of local movements masks the extent to which domestic/international boundaries are increasingly blurred in globalised localities like South Africa. Moments like the Johannesburg Summit demonstrate the difficulty of indentifying where 'the national' ends and the 'the international' starts, given the degree of interpenetration is so pervasive. As Julie Hearn's study of foreign aid to South African civic and political organisations during the transition rightly notes, the scale of 'external involvement in the construction of the new South African state raises important questions', such as the degree of autonomy and sovereignty of the state as well as of civil society groups.<sup>78</sup> The very existence and participation of most of the 'local' NGOs and movements at the Summit was closely tied to, and facilitated by, Northern NGOs, foundations and governments.<sup>79</sup> The forms of civil society participation and protest therefore represent 'a transnational "local" that fuses the grassroots and the global in ways that make a hash of the vertical topography power on which the legitimation of nation-states has so long depended'.<sup>80</sup> Rather than a binary conflict between North and South, or 'the people' against 'the rulers', many of those who participated in and protested at the

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<sup>78</sup> Julie Hearn, 'Aiding Democracy? Donors and Civil Society in South Africa', *Third World Quarterly*, 21, 5, (2000), p. 828.

<sup>79</sup> Interview, Mashile Phalame, Earthlife Africa, Johannesburg, 18 September 2006; South African NGO Caucus, *Towards the World Summit on Sustainable Development: Johannesburg, South Africa, 2002*, (Heinrich Böll Foundation, Berlin, 2001).

<sup>80</sup> James Ferguson and Akhil Gupta, 'Spatializing States: Towards an Ethnography of Neoliberal Governmentality', *American Ethnologist*, 29, 4, (2002), p. 995.



Johannesburg Summit were bound together in rhizome networks of global governmentality.<sup>81</sup>

### **Advanced liberal governmentality and counter-conducts**

The South African state discourses of responsible partnership, multi-stakeholder dialogue, and civil society service providers resonated strongly with the official outcomes and discourses of the UN Summit. Together these reflect a neo-liberal, or advanced liberal, rationality of government that ‘represents’ or constructs civil society in a quite different way than the claims by either the liberal dissenters or radical activists who protested in Johannesburg. In order to understand how representations of civil society can function within forms of advanced liberal rationalities of government, the final part of this paper turns to the governmentality literature inspired by Michel Foucault.

Michel Foucault’s critiques of liberal political theory, the notion of civil society, and binary divisions such as public/private, national/international, and power/freedom are relatively well known.<sup>82</sup> Drawing on these critiques, the field of governmentality studies has drawn attention to manner in which advanced liberal democracies rule through the production of particular kinds of freedom (free markets, free rights-bearing individuals), and the conduct of conduct at a distance from traditional centres of authority.<sup>83</sup> Within Foucauldian theory, power and freedom are not opposites but

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<sup>81</sup> Amoore and Langley, ‘Ambiguities of Global Civil Society’.

<sup>82</sup> Michel Foucault, *Security, Territory, Population: Lectures at the Collège de France 1977 – 1978*, ed. M. Senellart, trans. G. Burchell, (Palgrave Macmillan, Basingstoke, 2007); Cohen and Arato, *Civil Society and Political Theory*, p. 256.

<sup>83</sup> Mitchell Dean, *Governmentality: Power and Rule in Modern Society*, (Sage, London, 1999); Foucault, *Security, Territory, Population*, pp. 87-110; Wendy Larner and William Walters (eds) *Global Governmentality: Governing International Spaces*, (Routledge, London, 2004); Peter Miller and Nikolas Rose, *Governing the Present: Administering Economic, Social and Personal Life*, (Polity,

are tightly interrelated. This insight is at the heart of the concept of governmentality. The conduct of conduct refers to the shaping or guiding of practices of freedom by a diverse range of actors and institutions; and in advanced liberal societies these include political parties, schools, prisons, hospitals, charities, NGOs, local community groups and many others. As such the distinction between state and non-state, or governmental and non-governmental, holds little analytical value: actors on both sides of this purported divide are implicated in networks of governmentality and the conduct of conduct. As Tom Young puts it, liberalism is all about ‘finding ways and means to consciously engineer liberal citizens and free markets’.<sup>84</sup> Freedom is therefore not in opposition to modern government, but is rather an essential technique, or product, of power.

The governmentality literature thus draws attention to the way modern forms of advanced liberal government work through encouraging and facilitating the self-government of others, and the establishment of ‘institutional spaces – government departments, community organisations, service deliverers – as self-managing local centres’, governed according to formal standards of accountability and conduct.<sup>85</sup> Seeing forms of freedom, such as the free market and the free rights-bearing individual, not in opposition to government but as a form of government, entails rethinking some of the classic binaries of political thought: state and civil society, public and private, and power and freedom. From such a perspective the state is a heterogeneous and ‘dispersed ensemble of institutional practices and techniques of

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Cambridge, 2008); Nikolas Rose, *Powers of Freedom: Reframing Political Thought*, (CUP, Cambridge, 1999).

<sup>84</sup> Tom Young, “‘A Project to be Realised’: Global Liberalism and Contemporary Africa”, *Millennium*, 24, 3, (1995), p. 537.

<sup>85</sup> Dean, *Governmentality*, p. 169

governance’, rather than a unified or homogenous actor.<sup>86</sup> State institutions are situated within diverse and rhizomatic networks of governance, within which even political protests and dissenting social movements can play their part.<sup>87</sup> Thus, for André Drainville, summits and their protests ‘can be understood to be part of the making of new transnational subjects’, which function ‘to assemble a global civil society acceptable to globalizing elites’.<sup>88</sup> Rather than the autonomous civil society of classical liberal theory, a Foucauldian perspective emphasizes how civil society is constructed and empowered through techniques of governmentality and ‘technologies of responsabilization’.<sup>89</sup> In this respect, ‘power is not so much a matter of imposing constraints upon citizens as of “making up” citizens capable of bearing a kind of regulated freedom’.<sup>90</sup> Free citizens are thus both the means and the ends for governmental forms of power; as Rose makes clear, ‘to govern is to presuppose the freedom of the governed’.<sup>91</sup>

By extension, resistance, commonly seen as an assertion of freedom, is itself bound up within networks of governmentality. Thus liberal democracy’s toleration of dissent and protest within certain limits works, paradoxically, to reinforce as well as challenge dominant power relations. In this vein Jessica Kulynych argues that ‘yearly Washington marches, for example, may actually diffuse discontent by providing a legitimate outlet for protest; at the same time they verify system legitimacy by

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<sup>86</sup> Thomas Blom Hansen and Finn Stepputat ‘Introduction: States of Imagination’, in Hansen and Stepputat, *States of Imagination*, 14.

<sup>87</sup> Jean-François Bayart, *The State in Africa: The Politics of the Belly*, (Longman, London, 1993), p. 220.

<sup>88</sup> André C. Drainville, ‘Quebec City 2001 and the Making of Transnational Subjects’, *The Socialist Register*, (2002), pp. 20 – 23.

<sup>89</sup> Rose, *Powers of Freedom*, p. 74.

<sup>90</sup> Miller and Rose, *Governing the Present*, p. 53.

<sup>91</sup> Rose, *Powers of Freedom*, p. 4.

focusing protest toward the formal legal structures of government'.<sup>92</sup> In a similar way the Johannesburg protests may actually have exaggerated the visibility and media focus on the official Summit; re-inscribed the right to protest *within certain limits*; and paradoxically reinforced the governmental role of the South African state and the institutions of global governance. After all, many of the protestors were demanding that 'the powers that be' govern global sustainable development more intensely and effectively.<sup>93</sup>

As such, rather than overt manifestations of radical class-war protest that challenge the foundations of liberal democratic rule, on the one hand, or narrowly limited and defensive acts of liberal dissent on the other, civil society participation in the Summit can be usefully conceptualised as counter-conducts, or struggles 'against the processes implemented for conducting others'.<sup>94</sup> Foucault uses this term to describe forms of resistance to processes of governmentality, as distinct from revolts against political sovereignty or economic exploitation. They are expressions of 'the will not to be governed thusly, like that, by these people, at this price', rather than a complete or total rejection of government.<sup>95</sup> The concept of counter-conducts, which has been developed further elsewhere, is useful in emphasizing the mutual interdependence, and mutually constitutive relationship, between regimes of government and forms of resistance.<sup>96</sup> As Foucault makes clear, 'the history of the governmental *ratio*, and the history of the counter-conducts opposed to it, are inseparable from each other'.<sup>97</sup>

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<sup>92</sup> Jessica J. Kulynych, 'Performing Politics: Foucault, Habermas and Postmodern Participation', *Polity*, 30, 2, (1997), p. 342.

<sup>93</sup> SANGOCO *et al*, *South African NGO statement*, 1 September 2002.

<sup>94</sup> Foucault, *Security, Territory, Population*, p. 202.

<sup>95</sup> Michel Foucault, *The Politics of Truth*, ed. S. Lotringer; tr. L. Hochroth and C. Porter, (Semiotext(e), Los Angeles, 2007), p. 75.

<sup>96</sup> Carl Death, *Governing Sustainable Development: Partnerships, Protests and Power at the World Summit*, (Routledge, London, forthcoming).

<sup>97</sup> Foucault, *Security, Territory, Population*, p. 357.

A counter-conducts perspective militates against seeing the Summit protests in either terms of radical class-war or defensive liberal dissent. These new political struggles are part of far broader transformations in the nature of statehood, and they cannot be fully conceptualised in terms of state versus society, or government versus resistance. Rather, by viewing the state as a heterogeneous and ‘dispersed ensemble of institutional practices and techniques of governance’, rather than a unified or homogenous actor, moments like the Johannesburg Summit illuminate the increasing governmentalisation of the state.<sup>98</sup> This refers to the increasing recourse to formulas of rule relying upon partnership, participation, and the inclusion and disciplining of responsible civil society actors in the conduct of conduct.<sup>99</sup> Such processes are not limited to the confines of apparently self-evident national units, despite the nationally-based purview of some governmentality studies, but are increasingly transnationalised.<sup>100</sup> As such the increasingly porous and overlapping border between the international and national means that it is often difficult to discern exactly where the bounded, territorial, sovereign state ends, and international anarchy begins.<sup>101</sup> Thus the rather sterile debates over whether the Johannesburg protestors were ‘local’ or ‘African’ fail to adequately address the hybrid and rhizome character of contemporary power relations as manifested in moments like the 2002 Summit.

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<sup>98</sup> Foucault, *Security, Territory, Population*, p. 109; Hansen and Stepputat, ‘Introduction’, p. 14.

<sup>99</sup> Rita Abrahamsen, ‘The Power of Partnerships in Global Governance’, *Third World Quarterly*, 25, 8, (2004), pp. 1453-1467.

<sup>100</sup> Barry Hindess, ‘Politics as Government: Michel Foucault’s Analysis of Political Reason’, *Alternatives*, 30, (2005), pp. 389-413.

<sup>101</sup> Ferguson and Gupta, ‘Spatializing States’; Jeremy Gould, ‘Poverty, Politics and States of Partnership’, in Jeremy Gould (ed.), *The New Conditionality: The Politics of Poverty Reduction Strategies*, (Zed Books, London, 2005), p. 8; Graham Harrison, ‘Post-Conditionality Politics and Administrative Reform: Reflections on the Cases of Uganda and Tanzania’, *Development and Change*, 32, 4, (2001), pp. 657-679.

This simultaneous blurring of the lines between the state and ‘responsible’ civil society, and the sharpening of divisions between those defined as legitimate and illegitimate actors, is emblematic of broader tectonic shifts in the nature of statehood more generally, both in Africa and elsewhere. As Kevin Dunn suggests, the apparent ‘crisis of the African state’ is really a crisis ‘in the dominant (Western) discourse of the state’.<sup>102</sup> The smooth extension of state sovereignty within territorial boundaries is rarely a convincing description of government: rather particular places and times – such as the Sandton Convention Centre during the Johannesburg Summit in 2002 – are intensively governed, secured, monitored, surveyed and audited, whilst other regions are increasingly ‘non-governed’.<sup>103</sup> The Johannesburg Summit illustrated the transnationalisation of political space and the proliferation of variegated and ‘rhizomatic’ networks of global and local governance.<sup>104</sup>

## **Conclusion**

The power of representation at the Johannesburg Summit was manifested not only in the contests over who spoke on behalf of civil society, but more importantly in how civil society was discursively constructed or represented, internally and externally, by state and non-state actors. As a site in which ‘global civil society’ was constructed as responsible, cooperate, civilised and willing to engage in partnership, the Johannesburg Summit represents not an extreme or outlying example of politics in Africa, but rather a quintessential expression of the disciplining and responsabilisation

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<sup>102</sup> Kevin C. Dunn, ‘Madlib #32: The (Blank) African State: Rethinking the Sovereign State in International Relations Theory’, in Kevin C. Dunn and Timothy M. Shaw (eds), *Africa’s Challenge to International Relations Theory*, (Palgrave, Basingstoke, 2001), p. 59.

<sup>103</sup> James Ferguson talks about Angola, the DRC, and Sierra Leone/Liberia in these terms, as ‘nongovernmental states’ where governance is spread irregularly over transnationally-networked, non-contiguous humanitarian emergency zones. James Ferguson, *Global Shadows: Africa in the Neoliberal World Order*, (Duke University Press, London, 2007), p. 40.

<sup>104</sup> Bayart, *The State in Africa*, p. 220.

of non-state actors in contemporary modes of advanced liberal governance. Similar forms of power are at work in the forms of participation and partnership promoted in poverty reduction strategy papers (PRSPs),<sup>105</sup> good governance campaigns,<sup>106</sup> and sustainable development programmes.<sup>107</sup> It is certainly very likely that similar dynamics of protest, partnership, co-option of dissent and marginalisation of more awkward forms of civil society will take place during the 2010 World Cup in South Africa. Just as Mahmood Mamdani has famously argued that ‘apartheid, usually considered unique to South Africa, is actually the generic form of the colonial state in Africa’<sup>108</sup> – I argue that the politics of the representation of civil society at the South African Summit is not an atypical once-off interaction between an international mega-event and day-to-day African politics, but can rather tell us a great deal about generic forms of global-state-civil society engagement in Africa. In particular, the discursive construction of civil society as a responsible and cooperative partner in implementation, and the criminalisation of more radical forms of social organisation, is a key factor in the growing polarisation and recourse to violent contestation that has been seen in South Africa in recent months and years.

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<sup>105</sup> Abrahamsen, ‘The Power of Partnerships’; Harrison, ‘Post-Conditionality Politics’, Gould, ‘Poverty, Politics and States of Partnership’.

<sup>106</sup> Abrahamsen, *Disciplining Democracy*; Ferguson, *Global Shadows*, p. 85.

<sup>107</sup> Arun Agrawal, *Environmentality: Technologies of Government and the Making of Subjects*, (Duke University Press, Durham NC, 2005); Carl Death, ‘Resisting (nuclear) power? Environmental regulation in South Africa’, *Review of African Political Economy*, 33, 109, (2006) 407-424; Zarina Patel, ‘Environmental Values and the Building of Sustainable Communities’ in Edgar Pieterse and Frank Meintjies (eds), *Voices of the Transition: The Politics, Poetics and Practices of Social Change in South Africa*, (Heinemann, Sandown, 2004), pp. 282 – 292.

<sup>108</sup> Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, (James Currey, London, 1996), p. 8.