

DEMOCRATIC INNOVATION IN THE SOUTH

CISKA RAVENTÓS
[EDITOR]

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DEMOCRATIC INNOVATION
IN THE SOUTH

PARTICIPATION AND REPRESENTATION
IN ASIA, AFRICA AND LATIN AMERICA

CISKA RAVENTÓS

[EDITOR]

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INDEX

PREFACE		9
INTRODUCTION CISKA RAVENTÓS		11
PART I CIVIL SOCIETY, PUBLIC SPACE AND DEMOCRATIZATION		
DEMOCRATIC INNOVATION IN LATIN AMERICA: A FIRST LOOK AT THE DEMOCRATIC PARTICIPATORY PROJECT EVELINA DAGNINO, ALBERTO OLVERA AND ALDO PANFICHI		27
CITIZENS' PARTICIPATION AND ASSOCIATIVE SPACE ARMANDO CHAGUACEDA NORIEGA		47
PART II PROTEST, CONTENTIOUS COLLECTIVE ACTION AND DEMOCRATIZATION		
PARTICIPATION VS. REPRESENTATION? THE EXPERIENCE OF THE NEIGHBORHOOD ASSEMBLIES OF BUENOS AIRES, 2001-2003 INÉS POUSADELA		69

**A TIME OF OPPORTUNITIES: THE *PIQUETERO* MOVEMENT
AND DEMOCRATIZATION IN ARGENTINA**
GABRIELA BUKSTEIN | 123

**ANTINOMIES OF POLITICAL SOCIETY: IMPLICATIONS OF
UNCIVIL DEVELOPMENT**
AJAY GUDAVARTHY AND G. VIJAY | 141

PART III
**INSTITUTIONAL LEGAL REFORM: CONTRIBUTION
TO DEMOCRATIZATION**

**THE “DEMOCRATIZATION” OF CHINA’S LAWS AND
POLICIES: TWO STEPS FORWARD ONE STEP BACK FROM
REFORM AND TIANANMEN TO FALUN GONG**
GILLIAN HUI LYNN GOH | 167

**INNOVATIONS IN ELECTORAL POLITICS IN GHANA’S
FOURTH REPUBLIC: AN ANALYSIS**
ALEXANDER FREMPONG | 183

**ON DEMOCRATIC CONSOLIDATION IN THE SOUTH:
COMMENTS ON ALEXANDER FREMPONG’S PAPER**
JORGE ROVIRA MAS | 205

PART IV
MINORITY RIGHTS AND DEMOCRACY

**DEMOCRACY, MINORITY RIGHTS AND CONFLICT
PREVENTION IN ASIA**
ASHOK SWAIN | 213

PREFACE

THE COMPILATION OF ARTICLES IN THIS BOOK originated in papers delivered at a two day workshop that took place in San José, Costa Rica, in March 2007¹. This workshop is part of the Africa/Asia/Latin America Scholarly Collaborative Program jointly undertaken by APISA-CLACSO-CODESRIA with the generous support of ASDI. This Program is designed to serve as a research forum for the generation of fresh and original comparative insights on the diverse problems and challenges facing the countries of the South. In doing so, it is also hoped that the activities will contribute to the consolidation of cross-regional networking among Southern scholars, foster a scholarly culture of Southern cross-referencing, and contribute to a type of theory-building that is more closely attuned to the shared historical contexts and experiences of the countries and peoples of the South. Participants from all three continents in equal numbers are invited to each activity. Each scholar is exposed to the socio-historical contexts of other regions of the South as an input that will help to broaden their analytical perspectives and improve the overall quality of their scientific engagements.

1 Four papers that were presented at the conference were not submitted by their authors for publication: Habib, Adam “South Africa: Conceptualizing a Politics of Human-Oriented Development”, Prakash, Aseem “Social Collectives, Political Mobilization and the Local State” and Mukhopadhyay, Surajit “Participation and Local Politics in West Bengal”, Nnaemeka, Obioma “Gender, culture and democracy in the Age of Globalization”. However, they participated actively in the workshop’s discussions. By doing so, they contributed to the ideas presented in the introduction.

Dialogue among scholars of the South is not easy. At the most basic level, there is not a common language. English has been defined as the *lingua franca* for these encounters, since no other language has such a broad coverage, and translation into the variety of languages of the “South” would be not be viable and financially impossible. This decision excludes some of the regions’ most prominent scholars who do not have a working knowledge of the language. Besides, even for those that do, English is usually not their native tongue, which makes comprehension of different uses and accents very difficult. However, linguistic difficulties are only the beginning of the communicative problems. In general, scholars from the South have a weak knowledge of the other regions’ history and theoretical developments. Contexts have to be made explicit to foster understanding and concepts frequently have to be defined as there are different uses of the same words. These factors make this enterprise so challenging and the San José workshop so interesting.

As all endeavors of the kind, the organization involved the participation of many people. The workshop was jointly organized by the South-South program of the Consejo Latinoamericano de Ciencias Sociales (CLACSO) and the Instituto de Investigaciones Sociales of the Universidad de Costa Rica (IISUCR). Gladys Lechini coordinator of the CLACSO South-South Program until February 2007 and Ciska Raventós of the Instituto de Investigaciones Sociales coordinated the organization during 2006 and January 2007, with Victoria Mutti and Silvia Tordoni’s support. Hari Singh, general secretary of APISA coordinated the call for Asia, while CODESRIA did the same in Africa. Gerardo Hernández, then at the Colegio de México, collaborated with the organizers in the selection of the participants from Latin America. The African selection was made by CODESRIA. The post workshop follow up was made by Victoria Mutti with Gladys Lechini’s support. Lucas Sablich and Victoria Mutti coordinated the editorial process. Elizabeth Clarke did the English grammar correction and editing.

Our gratitude to all, to ASDI, to the organizing institutions, and to each of the participants for making this encounter possible.

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INTRODUCTION²

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THE 1980S REGISTERED a widespread expansion of electoral democracy around the world. Mainstream social sciences referred to this change as the “third wave of democratization” and they explained it through a theoretical approach that was called the “transition paradigm”. According to this paradigm, countries that were previously under authoritarian rule were viewed to be moving towards democracy. The shift towards a democratic regime was characterized by the development of free and competitive elections, and by the existence of basic political and civil rights. To a large extent, democracy was equated with elections. In this analytical framework, the key factor in bringing about this political change was the acceptance of electoral results by elites and power-holders with veto power. Some of these actors were democrats, while others accepted these rules on the grounds that democratic government was a lesser evil, preferable to the dictatorships that were in decline. The centrality of elite competition for the definition of democracy reveals the Schumpeterian thrust of the “transitionists”’ conception of democracy.

Although the transition paradigm belongs to the procedural theories of democracy, its emphasis on elite behavior leads to the neglect of other aspects that

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² I wish to thank Alberto Olvera and Inés María Pousadela for their useful comments.

are crucial to democratic procedure. Some of these omissions even pertain to the more limited area of electoral practices, so central to the paradigm. Examples of this are the limited consideration of the regulation of electoral finance –so as to permit access to politics regardless of material wealth and to prevent plutocratic tendencies– and the equal access to the media by all participants. From a broader perspective, other omissions such as effective rights of citizen participation, government accountability and the rule of law, also exist.

Additionally, the transition paradigm has a strictly “political” definition of democracy, in contrast with the theories that prevailed in the previous decades. In the latter, democracy was viewed to be possible only when some social pre-conditions were achieved: it required a certain level of income, distribution of wealth, national integration or cultural homogeneity (Lipset, 1959). The transition theorists and policy-makers isolated the political process from the distributive issues that had been at the heart of the dominant theoretical trends and the political hegemony of social democracy of the three decades that followed the Second World War. In many regions of the South, but especially in Latin America, the paradox is that these democratic regimes have survived for a longer period than ever before despite a significant proportion of the population living in poverty and the highest levels of within-nation inequality in the world. Additionally, despite their shortcomings, these regimes are an improvement in relation to the military dictatorships that existed previously.

The international aid community for the promotion of democracy abroad, which originated in the United States foreign policy and is mainly financed by its government, also adopted this perspective. Most of the global South was exposed to the language and practices that linked the institution of elections to foreign aid and these changes were viewed to be acting in the advancement of democracy (Carothers, 1997).

Two decades later, the new democracies’ achievements are, in general, restricted. Although most countries have regular elections, citizens all over the world are disappointed with the results of these political regimes that fall short of their expectations. This translates into political malaise and disaffection. In some –although few– countries of the global south this disenchantment with the practice of the democratic regimes has even led to the preference of authoritarian governments among large sectors of the population. Basic problems, such as the significant proportion of the population that lives in poverty as well as the huge and growing social and economic inequalities that prevail in most countries of the south, were not and have not been dealt with. As has already been mentioned, they were not even part of the third wave’s ethos. However, positive social outcomes do form part of citizen’s expectations of democracy and democracy has to provide mechanisms of inclusion in order to be sustainable in the long term.

From the standpoint of the present, the shallowness of the transition paradigm’s assumptions and practice is obvious (Carothers, 2002) and it is clear that a broader lens of observation is required. If we think of liberal democracy as an

indigenous product of Western Europe and the United States, where the content of these regimes is a product of the social and political struggles that took place in those countries and the concrete historical processes by which popular demands and elite politics were—and constantly are—negotiated and renegotiated, we can also look for different roads and proposals in the global south, where elections have been imported, and in some cases have even been an imposition. This path, however, demands a shift away from the institutional arrangements that characterized the development of liberal democracy in Europe and the United States and to look at and evaluate the processes that take place in the global south. It requires that we move from the study of democracy (as a specific institutional regime) to that of democratization (as a process). Charles Tilly (2007) recently set forth a useful framework for the study of democratization in historical perspective. He defines democracy as a kind of relationship between state and society characterized by political inclusion and equality of all citizens, the existence of mutually binding consultation between those that govern and those that are governed, and the protection of citizens from arbitrary state action. De-democratization occurs when there are reversals in these conditions.

Tilly identifies three broad mechanisms that lead to democratization: the development of political trust, the increase in political equality, and the decrease of the autonomy and the impact of independent power centers on the making of public policy. The development of political trust occurs when “trust networks integrate significantly into regimes, and thus motivate their members to engage in mutually binding consultation” (Tilly, 2007: 74). This process entails the dissolution or integration of segregated trust networks and the creation of politically connected trust networks. The second mechanism, that of an increase in political equality, is grounded on the principle that democracy requires the insulation of politics from categorical inequality. This takes place through two combined processes: in the reduction of inequality and in the buffering of politics from inequality in other terrains (so that social, economic or ethnic differences do not translate into differences of effective political rights). Finally, the decrease of the autonomy of independent power centers on public policies is a necessary condition, as a requirement of democracy is that all citizens, groups and power centers are accountable to the law. It is particularly important that the military are subordinated to civilian government and that powerful economic and political actors are legally accountable (O’Donnell).

In this broader conception of the processes that lead to the creation of democratic regimes, the institution of elections, as the rule of “one citizen one vote”, is an important condition of democratic practice, as it provides a mechanism for translating political equality into collective decision making and the selection of governments. However, elections are clearly not sufficient, as they in and of themselves, do not eliminate the obstacles for effective inclusion and political equality of all citizens. In fact, when elections are not grounded in practices that guarantee fair competition, ample citizen participation and the construction of

political representation, they often become a façade for regimes that are in practice authoritarian.

As a consequence, the political equality necessary for effective inclusion cannot be considered as given, since different forms of social, economic, cultural, educational or ethnic inequalities translate into politics. Full political equality is as yet an unachieved ideal in the entire world. The greater level of political equality that exists in some countries is the outcome of long historical processes and not a point of departure. The absence of—or limitations to— political equality are a necessary starting point for the discussion of democratization. This also opens our analytical perspective so as to discuss which processes lead to the development of citizenship.

Discontent with the results and achievements of the democratic regimes have led scholars to take one step back, to processes where citizens become involved in politics and social struggles. As a consequence, the main strains of recent research in relation to democratization in the south have revolved around the promise of participation. Much research has been done on the impact of citizen participation in achieving substantive goals in the distribution of power and social and economic goods through social movements and citizen organizations. However, very often this research does not elaborate the impact that these collective experiences have on the political regime. The regime level is dismissed as “formal”, “electoral” or “liberal” democracy, which is often viewed as impenetrable, despite the fact that it is there where the political decisions that have the broadest implications are made.

As a result of these trends, most of the papers presented in this workshop—and the core of our discussions— dealt with different forms of popular participation, this is, the participation of subaltern groups in social movements, organizations or in the planning and implementation of government programs. Despite the emphasis on participation, we sought to elaborate how these different forms of popular democracy impact on political regimes. The articles presented thus attempt to answer two kinds of questions. First: Has citizen participation led to institutional or cultural changes in the polity? If so, in what ways? What can be learned from these experiences? Secondly: have different forms of participation contributed to the democratization of political regimes in the South? What relationships between civil and political society have been conducive to the enhancement of representation? Are the politics of political representation of social movements and civil society conducive to the deepening of democratic governance?

In the following pages I briefly describe the contributions that these papers make to this discussion.

The first part of the book deals with citizen participation in civil society. The most ambitious effort is that of Dagnino, Olvera and Panfichi. They provide us with some conclusions of a research endeavor that spanned many years and investigated participatory experiences in many Latin American countries, in search of the many innovations in the articulation between state and society that have led

to democratic outcomes. Their paper does two things: it presents a characterization of what the authors call the democratic-participatory project, and it provides some examples of participatory democratic experiences. They focus on (1) institutional innovations that have attempted to increase oversight and accountability, with a particular emphasis on those that imply citizen initiative and participation; (2) the creation of public spaces that make conflict public and ensure that different interests and positions debate and deliberate different political options and projects; and (3) what they call “interfaces” between the state and civil society. These interfaces refer to “places and moments of interaction between social and political actors, limited by institutions or normalized practices, in which conflicting views and interests are put forward, publicized and negotiated”. These spaces are both instituted and instituting thus opening the possibility for a politicization of political and policy issues.

The review of the experiences studied over the past decade has led the authors to determine that the main contributions of the democratic-participatory project are the broadening of the field of politics and the construction of citizenship through innovations in the relationship between state and society. The re-politicization of conflicts that the neoliberal project had confined to the terrain of technical expertise or philanthropy and the placing of conflict at the center of the political endeavor, leads to a re-signification of politics. Notwithstanding the horizon of hope that these experiences open, the authors also point to the limited and fragmented nature of the participatory-democratic project. Citizen participation in budgeting and councils that allocate public resources finds limits in the restricted amount of money that is to be distributed. The experiences of the creation of public spaces are limited by the social impact of the commercial media that does not follow the logic of politicization of issues or of fairness in the participation of positions and interests. Societal efforts at ensuring oversight and accountability are limited by the asymmetry between these organizations and the political and economic resources of power-holders that allow the latter to circumvent efforts at holding them responsible for social and political actions.

Chaguaceda, much in the same field of inquiry as Dagnino, Olvera and Panfichi, examines the different forms of the “associative space” in contemporary Cuba. He defines it as “the relatively autonomous creation of groups (organization) and collective action, beyond and outside of the political and economic spheres, that channel the voluntary actions of citizens in diverse spheres of particular interest, characterized by logics of reciprocity, solidarity, symmetric interaction and the defense of shared identities” (Chaguaceda). The contribution of these associative spaces to democratization lies in their contribution to the building of trust and social integration, as well as the creation of a sociopolitical sphere beyond the state. However, the broader political impact of these associations is not clear.

Both contributions find the discourse of participation to be a mine field that creates difficulties for conceptual development and for the action of social groups. Dagnino, Olvera and Panfichi have identified a “perverse logic” in that

both the democratic project from the left and the neoliberal project claim the virtues of participation, although with different and ultimately opposed implications for the relations of power and the field of politics. Chaguaceda identifies a relatively different “perverse logic” between the organizations’ concept of the associative space and that of the bureaucratic logic, which is dominant in –although not exclusive of– the state and parastate organizations.

The second part of the book deals with participation in the contentious action of social movements. Three papers are included. Two of them deal with social movements in Argentina at the beginning of the twenty-first century: Inés María Pousadela’s research on the experience of the neighborhood assemblies of Buenos Aires (2001–2003) and Gabriela Bukstein’s on the *piquetero* movement. The third paper included in this section is Gudavarthy and Vijay’s study on the struggle of the villagers of Kazipally in India against the pollution brought about by government-backed industrialization.

Inés Pousadela analyses citizen participation in the context of the profound crisis of representation that reached its peak on December 19th and 20th, 2001, in Argentina. She then elaborates on the discourse of political representation and deliberation developed by the neighborhood assemblies that emerged in its wake. One important idea that emerges from her paper is that the events of December 19–20 show how critical junctures and citizen mobilization can contribute to democratic outcomes. On December 19th, the government declared a state of siege to control the crisis that it was facing and the threat of ingovernability. During that night masses of citizens took to the streets in open defiance of the curfew. Hours later, the president resigned. Unlike other moments of Argentina’s history, the military did not step in. Rather, different leaders, parties, and the remaining authorities sought a solution to fill the political void for a protracted period of several months.

The short episode of December 19 and the following months signal two crucial differences with the past in terms of the process of democratization: (1) the active rejection by citizens of an authoritarian power strategy and (2) the unwillingness or inability of the military to take over at a critical moment, contributing decisively to the definition of the course of history. Additionally collective action empowered those citizens by bringing them together in the pursuit of a shared goal.

The second part of Pousadela’s paper deals with the discourses on representation and forms of political power held by the members of the neighborhood assemblies that emerged in the wake of the mobilization. The elaboration of the crisis of representation led to a profound questioning of representative democracy, through meetings, deliberations and discussions that took place over several months. However, as a “normality” of some sort returned, attendance to the assemblies waned, leaving behind relatively scarce achievements in relation to their members’ initial hopes and goals.

Pousadela concludes on a note of uncertainty as to the durable contribution of the assemblies to democratization. Their achievements at the institutional level are clearly restricted as most assemblies have stopped meeting and those

that have continued to do so have changed their goals. However, it is also clear that they created new discourses and practices of deliberation. They might have also contributed to the creation of some sort of social capital at a local level since many neighbors who had never spoken to one another before became acquainted and participated jointly in the assembly. According to assembly members, there is agreement that these practices could become reactivated if and when a new crisis strikes. Additionally, the activation of a citizenry now aware of the limits of representative democracy might force governments to be more accountable for their actions, thus keeping them in check. Last but not least, as a result of the assemblies' interactions with local governments and politicians, these tend to be no longer viewed as an undifferentiated corrupt mass, and citizens are more able to tell the difference among them. However, only time will tell whether these are the soon-to-disappear effects of a critical set of events, or the long-lasting results of a process of collective learning triggered by a traumatic situation.

Gabriela Bukstein works on another form of contentious collective action that emerged in the nineties in Argentina, that of the "*piqueteros*". These are organizations of the unemployed that united former workers of those areas of the economy that were eliminated, generating the destruction of thousands of jobs. They developed *piquetes* (roadblocks) as their main form of struggle, hence their name. Bukstein traces the development of a specific group, that of the MTD-Evita. Her focus is on the forms in which their success at the grassroots level and through contentious collective action translates into traditional forms of participation at the local level; through the participation in local government of the movement's leader. She considers that the main democratic outcomes of their actions are the increase in popular claim-making, the articulation of territorial organizations and the institution of assemblies where issues are discussed and decisions are made through a horizontal mode of organization. She also highlights how these spaces where neighbors meet and discuss reverses the fatalism that imbued political life during the 1990s and "reinvests individuals with their capacity to be true actors in public life", while simultaneously reconstructing social bonds and trust.

The third paper in this section analyses a set of acts of resistance by the villagers of Kazipally against an industry that threatens not only their livelihood but also their health. Gudavarthy and Vijay explain how a poor area was included in a program of incentives for industrial development in peripheral areas, which led to the attraction of highly polluting industries, both transnationally and locally owned, which contaminated land and water. These enterprises engage in lobbying in political circles, bribing of bureaucracy and nexus with mafia to sustain their illegal manufacturing practices. Through interviews with three groups of villagers (an association of farmers, a youth group and a microcredit association of women), the authors find that "whenever the people have raised structural questions through their collective political activity, they have faced uncivil means of repression both from the coercive state apparatus like the police and coercion from

organized mafia". On three occasions the villagers demanded the closure of polluting industries, in 1989, 1994 and 1995. Every time the leaders of the movement were accused of attempted murder and were attacked by the local mafia, to the extent that they had to leave the village. In 2005 however, the case reached the Supreme Court. Despite the threats, villagers mobilized in huge numbers to testify against the industry. When industrialists saw the hearing might go wrong for them they attacked a Greenpeace activist, thus dispersing attention. The following day the industry bribed a group of villagers to attend the hearing in its defense.

Parallel to this "structural demand" of the villagers, the authors also point to other struggles for employment, repairs to the water tanks, refraining industries from dumping untreated effluents into the village tank and setting up a health center (the occurrence of some diseases is between 200 and 300 normal rates). However, none of these demands have been achieved. Additionally, the provision of monetary compensation and chances of employment to certain individuals has contributed to dividing the community over the access to benefits.

Gudavarthy and Vijay's paper leaves us with a feeling that the disempowerment of these villagers is extreme and will find no easy remedies, despite their courage in their struggle against the industries. Their lack of protection from arbitrary state and non state action has weakened their political activity, damaged their environment and their health, and left unanswered questions in relation to the possibilities for democratization in conditions of such extreme inequality of resources and access to the political system. This paper, more than any other presented at the workshop, leaves us with the uneasy feeling that there are situations in which basic conditions for democratization are absent and that people's struggle is not framed in a minimal protection from arbitrary action by powerful actors. How many villages of the global south are exposed to similar conditions? Can there be democratic outcomes out of struggles that are so uneven, with populations that are so unprotected by the rule of law?

The third section of the book shifts away from the issues of citizen participation in democratization and emphasizes the role of institutions. Gillian Hui Lynn Goh's paper analyses the impressive legal reform that has taken place in China after Tienanmen (1989). The approval and enforcement of legislation that protects citizens from arbitrary state action has led to the exponential growth of local associations, protest movements, citizen denunciations of corruption and irregular practices by state officials and the institutionalization of elections at the local level. The Chinese Communist Party cells have been weakened or disappeared in much of rural China and have been substituted by local associations of government. Like Chaguaceda's paper, the author identifies the autonomy from state power and intervention to be the main change necessary to foster the development of democratic associative life at the local level. Her focus on the institutional and legal changes that have taken place over the past two decades highlights the importance of regulatory changes to foster democratization. However, she also shows that progress is not linear, as illustrated by the case of the ar-

bitrary repression of a religious organization, the Falun Gong. In this incident, the Communist Party reverted to the discretionary action of the ruler, a practice that is strongly embedded in Chinese political culture since the time of the emperors, thus invalidating the rule of law as a universal principle applicable to all.

Alex Freepong's paper addresses institutional change in the electoral field in Ghana. Through his paper, we go full circle, returning to the importance of regulating elections to make them free and fair, so as to permit the rule of "one citizen, one vote". Freepong shows how an independent Electoral Commission has had a crucial role in regulating elections since 1992, by simultaneously maintaining autonomy and permanent communication with other political actors. Independence, dialogue and consultation seem to be the key to Ghana's success. A particularly important innovation of the Electoral Commission has been the creation of a site for consensus-building with representatives of political parties, the Interparty Advisory Committee. Additionally, political actors as diverse as NGOs, churches, youth and women's organizations have assumed roles in domestic electoral observation. The media has contributed by reporting widely on the electoral process, generating interest among the population. Jorge Rovira's commentary on this paper, situates the importance of the Interparty Advisory Committee in comparison to the Central American experience.

The fourth and final section of the book includes one paper, that of Ashok Swain on minority rights. Swain elaborates his paper on the basis of Tocqueville's insight that democracy in and of itself does not necessarily protect minorities, as majority rule can lead to the abuse of the rights of groups that cannot achieve their goal. As a consequence, Swain posits that norms and regulations are required for the protection of groups that are quantitatively at a disadvantage.

During the workshop our main and most heated debates were related to the extent to which experiences of participation lead to democratic outcomes. Is all popular participation democratic? Are the outcomes always democratic? This discussion was triggered by Partha Chatterjee's (2004) framework for the analysis of popular politics. Chatterjee does not assume a specific institutional form of politics in those countries that do not belong to the historical experience of the developed west. Rather, he suggests that politics in "most of the world"³ (which is similar to what we are here calling the "global south") "is conditioned by the functions and activities of modern governmental systems that have now become part of the expected functions of governments everywhere." (Chatterjee, 2004: 3). The direct relationships between the subaltern and the state shape politics in what he calls "political society". These relationships bypass the mediation of civil society which is assumed to be a natural part of democratic governance in the western model, and construct different forms of mediations. This theoretical

3 "In a general sense, those parts of the world that were not direct participants in the history of the evolution of the institutions of modern capitalist democracy", Chatterjee, 2004:3).

step, shifts the center of the debate away from democratization into the field of governmentality, and sheds a different light on popular struggles and the state's action in confronting the people's claims, as they do not *necessarily* lead to the development of citizenship or democratization.

Two important points were drawn from the debate around Chatterjee's framework. First, that for the attending African and Latin American scholars alike, what Chatterjee calls political society is part of what is named "civil society" in these regions. In other words, the African and Latin American traditions do not place emphasis on the "civil" and legal nature of civil society, but rather on the historically specific forms in which society (or civil society) is related to the state. These can be civil or uncivil, legal or illegal.

The second point is more important. Chatterjee's framework opens the examination of the relationship between the state and the subaltern beyond democratization. As a result not all forms of popular participation are democratic and secondly, that not all participatory processes lead to democratic outcomes. Most importantly, many questions remain unanswered as to what conditions of participation lead to full citizenship and democratic governance and which do not. This debate illuminated a field of theorization and research which forces us to question our assumptions on popular participation and its possibly diverse links to democratization.

Having made this very important point, the experiences of participation that the authors chose to bring to the workshop are all related to the quest for democracy, which means that they belong to a subset of forms of participation, those that are or aspire to be, conducive to democratization.

To organize the balance of the impact on democratization of the experiences analysed in the workshop I draw on Tilly's (2007) three process analysis.

1. THE DEVELOPMENT OF POLITICAL TRUST.

The papers included in this book find strong evidence of the contribution of participatory experiences to the development of political trust. Several papers point to the importance of the opportunities they create for citizens to meet, to act together, to identify common interests and construct common identities (Dagnino, Olvera, Panfichi; Chaguaceda; Bukstein; Pousadela). In this sense, it can be said that much is about constructing networks of trust that are politically connected. It is important to point out that many of these networks are created *through* political action, meaning that these networks do not exist previously and are *then* politically integrated. In most of the studies people meet and develop political trust in the course of political action.

However, again Gudavarthy and Vijay force us to situate this conclusion: the development of political trust is only possible in a context of rule of law and the protection of basic rights.

2. THE INCREASE IN POLITICAL EQUALITY

The empowerment of citizens also seems to contribute to democratization in terms of the increase in political equality. The activation of citizens in and of

itself implies demands of recognition. However, it is also clear that full inclusion is still a goal to be achieved and multiple mechanisms of power continue to restrict democratic achievements. The *piqueteros* are to a large extent structurally unemployed workers, persons who cannot hope to return to their jobs because they have disappeared and new ones have not been created (and when they are, it is highly probable that they will not match their professional abilities, as is often the case with the long-term unemployed). Political action makes them visible and introduces their demands into the public sphere. However, their social and economic hardship also makes them more vulnerable to unequal relationships such as patronage and clientelism. Pousadela's middle class assembly members are less vulnerable. However, there is a large degree of inequality between them and the strong capital holders that were able to avoid the restrictions set by the *corralito* (freezing of bank deposits). Dagnino, Olvera and Panfichi point to the scarcity of resources to be distributed through participatory budgeting. They also show the attempts of bureaucratic officials to limit the power of advisory councils. Chaguaceda points to associations that pay for their independence through the lack of access to state resources. In short: popular participation and struggles contribute to political equality and make diverse social actors visible in the public sphere, but power relations remain extraordinarily asymmetric, and ordinary citizens still face tremendous odds when they act politically.

3. THE DECREASE OF THE AUTONOMY AND THE IMPACT OF INDEPENDENT POWER CENTERS ON THE MAKING OF PUBLIC POLICY

The evidence provided by the papers does not point to a uniform decrease of the autonomy of independent power centers. The most dramatic case of a large degree of autonomy of powerful actors is that presented by Gudavarthy and Vijay, where it is clear that the enormous inequality in the access to legal action between the villagers and the factory owners puts the former at an extraordinary disadvantage, to the point of threatening to destroy the villagers' form of life and even their lives, as well as the trust networks amongst them. Factory owners and the local mafias are relatively autonomous power centers that are not subject to the rule of law. As a consequence, the courage of the villagers' resistance and their alliance with NGO activists is insufficient. The judicial system does not intervene to support their claims which ultimately confirms the mafias' and factory owners' relative power.

In contrast, Pousadela points to a very significant positive change in relation to the past: the unusual political action of citizens and the inaction of the military. In her account of December 19th, 2001, mobilized citizens rejected curfew, and demanded not less, but more democracy. The military did not take over where the civilian government failed. This is clearly a movement towards democratization in relation to the military dictatorships of two decades ago, where the military frequently stepped in at moments such as this one.

However, two important problems with autonomous power holders seem to continue to exist: the lack of accountability of public officials that do not accept being held by the terms of the law, and the autonomous power of business. These issues were only marginally dealt with in the workshop due to the angle from which the subject matter was approached. One of the shortcomings of the focus on participatory experiences for the study of democratization is that it creates blind spots such as those related to the study of elite politics as well as the relationship between the subaltern and political elites.

The rejection of officials to abide by the rule of law is particularly clear in Gillian Hui Lynn Goh's paper, as well as that of Gudavarthy and Vijay. Indirectly, much can be inferred from the Latin American experiences as well: while participatory politics is restricted to the local level and applies to relatively small budgets, decisions at the national level are strongly insulated from citizen overview. Two problems derive from this insulation: the limits of citizen access to crucial distributive issues, and the corruption of public officials.

The autonomous power of business frequently takes place through the joint action of transnational corporations and domestic business. They act as a formidable autonomous power that is often not held accountable by the state. Additionally, the neoliberal revolution has weakened the state capacity in relation to the power of business. This situation is particularly acute in the global south, where the policies of the international financial institutions have contributed to this shift in power relations. This is particularly visible in the role of business in Gudavarthy and Vijay's study. In the case of Argentina, Pousadela shows that big, concentrated capital amounts were not affected by the "corralito", which diminished the savings of ordinary citizens. Summing up the argument: participatory experiences have contributed to the development of trust and political equality. The main obstacle for democratization in the global south lies in the difficulty of diminishing the autonomous power of political and economic elites.

Our conclusions are limited and tentative. Citizen participation *can* and in many circumstances *does* contribute to the development of more active and knowledgeable citizens. However, the limits of participatory models beg the question in relation to the other aspects needed for democratization of political regimes and how to achieve them in the extraordinarily asymmetric power relations dominant in the global south. Empowered citizens are part of the equation, but they are not enough. The creation of institutions that protect citizens against the arbitrary action of the state or other social or political actors, provide them with access to accurate information and hold public officials accountable are equally necessary for democratic develop-

ment. The papers that point to legal and institutional settings (Goh, Freepong and Swain) shed some light on this direction. However, this again leads us to the modeling of democracy in the terms of the values and institutions of “modern capitalist democracy”. It still remains to be seen if this is the only possible form of democracy. In terms of this model, the main problem that remains to be dealt with in the “South” –and possibly elsewhere also– is the power and the autonomy of economic and political elites, both national and foreign, and their acceptance of the rule of law.

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PART I

CIVIL SOCIETY, PUBLIC SPACE AND DEMOCRATIZATION

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DEMOCRATIC INNOVATION IN LATIN AMERICA: A FIRST LOOK AT THE DEMO- CRATIC PARTICIPATORY PROJECT¹

INTRODUCTION

In this paper, we present an analysis of the democratic-participatory project in Latin America. This project is not a standardized and uniform discourse nor an explicit set of practices and institutions, but rather a collection of principles, ideas, practices and institutions that –at an experimental level – have been fought for and achieved in different Latin American countries. Experiences as diverse as the well-known participatory budgeting in Brazil, the “*Mesas de Concertación*” in Peru (type of regional roundtables), the “*Auditorías Articuladas*” in Colombia (practices of society-state partnerships for overseeing public contracting, the execution of public works or the accountability of state agencies), the “*Consejos Gestores*” in Brazil (public management councils for defining public policies in education and health), and the “*Consejos Autogestivos*” in México (self-management councils in protected zones), among many others, demonstrate that alterna-

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1 This chapter draws heavily on the introduction to a collective book entitled (translated from Spanish) *The Dispute for the Democratic Construction in Latin America*, edited by Evelina Dagnino, Alberto J. Olvera and Aldo Panfichi (FCE-Universidad Veracruzana, México 2006). This contribution is, therefore, a collective text coauthored by the three above mentioned editors.

tive forms of citizen politics (generally referred to as “citizen participation”) are possible. However, these experiences have yet to be proven over the long-term effect and are fairly limited geographically, as well as in terms of their cultural (and therefore political) influence. These limitations are due to the preliminary and exploratory nature of the democratic-participatory project. As well, the economic limitations imposed by the neoliberal economic policies that dominate the entire region generate obstacles for more profound democratic innovations.

In the following pages we have two objectives. First, the components of the democratic-participatory project, as well as its historical and national contexts, are outlined. Secondly, examples of the project’s implementation in specific political contexts are presented. For these purposes, information gathered through case studies presented in a collective book (see footnote 4) are used.

This paper is inspired by the current debate on democracy in Latin America. Fortunately, the current situation differs greatly from that of several years ago. The themes which, for over a decade, dominated the analysis of democracy in the region – mainly the transition to and consolidation of – have been gradually replaced by new theoretical and political concerns. The new content of public debate is a result of three processes. Firstly, electoral democracy has been consolidated throughout Latin America (although there have been both positive and negative aspects and varying degrees of institutional instability). Indeed, in recent years, countries such as Peru, Ecuador, Bolivia, Argentina and Venezuela experienced critical national political crises yet were able to overcome them through constitutional means with no evident risks of authoritarian reversal.² Nonetheless – and herein lies the second process – at the same time, a profound dissatisfaction with the results produced by these democracies, in terms of social justice, governmental efficiency and political inclusion, spread over the region. The notable research carried out by the UNDP (*Democracy in Latin America*, 2004), can –among other things– be credited with the indisputable demonstration of the magnitude of citizens’ disenchantment with the actually existing democracies.

The third process, which the aforementioned report has totally ignored, is of a different type. It refers to the various experiments that are currently underway in several Latin American countries for more profound and innovative democracy, broadening the field of politics, and constructing citizenship. These experiments change the very idea of democracy. They demonstrate, on different scales and to different degrees, that it is possible to build a new democratic project based on principles which extend and generalize rights, create public spaces that include decision-making power, increase political participation in society, and

2 We do not mean to pass premature judgment of the final result of these processes. The way in which they unfold remains open to future developments. What we want to make clear is that democracy as a regime now seems to be the only possible horizon for the formation of governments that citizens and international institutions will accept as legitimate.

recognize and make space for differences. It is precisely the importance of these experiences that has led to the renovation of debates on democracy. This debate is characterized by a major dispute between political projects that use the same concepts and appeal to similar discourses, but are in fact completely different. This refers to, on the one hand, what can be called the participatory democracy project and, on the other hand, the neoliberal project which privatizes broad areas of public policy, while maintaining a “participationist” discourse that places a so-called symbolic value on civil society (also referred to as the Third Sector). Certainly, besides these two projects there is room for the survival of the authoritarian project, which is characterized by a formal respect for democratic institutions, while in practice eliminating the rule of law and citizenship rights.

This process coincides with the introduction of a new political discourse within the international public arena of multi-lateral development agencies, the UN and its agencies, and some of the major private foundations that provide support to NGOs globally. It is related to the new value that is being placed on the role of civil society in the construction of democracy and governability. Within this arena we also find a variety of political projects using an apparently homogeneous discourse, however some of which are more oriented towards participation as a way to guarantee governability and others which reinforce the dominance of management and an explicit depoliticization of public life.

Within this theoretical context, our work intends to contribute research on the processes of democratization in Latin America, through the combined and systematic use of three analytical tools: the notion of heterogeneity of civil society and the State, the concept of political projects, and the methodology of civil society / political society trajectories. In reality, these three analytical tools identify a problem that has not been resolved by theories of civil society and not explicitly dealt with by theories of citizens’ participation and studies of “social accountability”. That is, the critique of the theoretical model that makes a radical separation between civil and political societies. This model constructs a symbolic dichotomy separating a homogeneous and virtuous civil society from an equally homogeneous State, which is seen to embody all the vices of politics and is conceived of as a mere struggle for power (Dagnino, 2002). On the contrary, we propose situating the study of democratization processes within the articulation of connections that link and transit between both spheres of activity, and where dispute between different political projects gives structure and meaning to political struggles.

Recognizing the existence of these projects, and the more precise identification of their content and forms of implementation, is fundamental, particularly within the current context of a situation of “perverse confluence” (Dagnino 2004a) that characterizes political life within the apparent democratic consolidation that is underway over much of the continent. This confluence refers to the encounter between, on the one hand, the democratizing projects that were constituted during the period of resistance to authoritarian regimes and continue to seek further democratization and, on the other hand, the neoliberal projects that were

introduced, at various paces and times, at the end of the 1980s. There is perversity in the fact that although these projects move in different and even antagonistic directions, they are marked by a common discourse.

In fact, both require the participation of an active and creative civil society, and adopt the same points of reference: the construction of citizenship, participation, and the very idea of civil society. “The use of the same, common points of reference, though taking on quite different meanings, has produced what could be called a discursive crisis: the common language, with its homogeneous vocabulary, obscures differences, dilutes nuances and reduces antagonisms. This is then the fertile ground in which surreptitiously, the channels through which neoliberal conceptions are pushed forward emerge, coming to occupy unsuspected terrain. In this struggle in which semantic slippage and the dislocation of meanings become primary weapons, the terrain of political practice becomes a mine field, in which any false step can lead us directly into the adversary’s camp. Therein lies the perversity and the dilemma that this represents, establishing a tension that today shoots through the dynamics of the advance of democracy.” (Dagnino, 2004b:198). Therefore, identifying the distinct meanings that are hidden within these common references by conflicting projects, may contribute to elucidate the dilemma and to face the challenges that it has presented.

POLITICAL PROJECTS IN LATIN AMERICA

Although there are risks inherent to all generalizations, three major political projects characterize the struggle for democracy in Latin America today. Preliminarily and for practical reasons, we will refer to these major sets of ideas, principles and beliefs, articulated by different perspectives on the building of democracy, as authoritarian, neoliberal and participatory democratic respectively. We recognize from the start that all of them share a basic position in relation to democratic processes that flows from their formal adherence to representative democracy and the elementary institutions of the State of Law. In addition, although these projects’ adherence to a common, minimal level may reveal their fragility in relation to the authoritarian project, the concrete implementation of the latter during recent years has not required – as was the case in the past – the suppression of this minimal democracy.

Beyond this minimal level, it is possible to identify the opposite, a “maximum level”, as it is characterized today on the continent: a view of democracy building that is defined by radicalization, that is broader and deeper, and that finds support in the notion that societal participation in the exercise of power is a basic condition for its fulfillment. Although this “maximum level” has not been implemented in any Latin American country, the set of ideas behind it has guided the political practice of a significant number of actors, to varying degrees, across the continent.

It can also be claimed that today, the dispute for democracy emerges, in most countries, as a clash between unequal parties –between the neoliberal and participatory democracy projects – leading to the polarity around which political debate

is currently organized. Nonetheless, since the authoritarian project is not considered to be residual, the possibility that it ascends to be one of the “main actors” on this scene cannot be dismissed, if and when the opportunities and political conditions for such a situation appear. It is the aforementioned conflict, however, which we will focus on, particularly due to the perverse confluence mentioned, which tends to obfuscate, at the discursive level, the basic differences between the two projects engaged in this major dispute. It should also be pointed out that a characterization of each one of these projects does not negate their reciprocal influence and common elements. Part of the reason for these common elements originates from the analyses elaborated on the crisis of the State in Latin America, which coincide in some aspects, and differ in others. (Lechner, 1998; O’Donnell, 2004).

Our effort to characterize the different projects is rooted in concrete subjects and the discursive practices that they produce and mobilize. In this regard, projects are not merely abstract conceptions but are incorporated in subjects and their practice; it is through the latter that we arrive at an understanding of their configuration. Thus, the consolidation of these different projects, their political weight and meaning, and their practical implementation vary from one country to another. Our analytical effort places priority on their most successful expressions – those manifested in national contexts where the configuration of these projects has progressed most significantly, or present in a more fragmented form in contexts where other forces restrict their fuller development.

The participatory project characterization presented below is organized around a set of variables that have been selected according to their relevance to our central theme, the struggle for building democracy. In relation to these variables, the differentiation of projects can be more clearly perceived. The most encompassing one is the relationship between the State and civil society; this is followed by the conceptions of participation, citizenship, civil society and politics itself. In turn, all of this contributes to the elaboration and specification of the relationship between State and society as sketched out by the projects that dispute hegemony in Latin America. In this chapter, the discussion is limited to the specific case of the participatory project.³

THE PARTICIPATORY DEMOCRACY PROJECT

The nucleus of the participatory democracy project is constituted by a conception that seeks to deepen and radicalize democracy, clearly confronting the limits attributed to liberal representative democracy as a privileged form of State-society relations. In order to contend with the exclusive and elitist nature of the latter, models of participatory and deliberative democracy are advocated as complementary to it (Santos and Avritzer, 2002:75-76). In this regard, societal participation in decision-making processes takes on a key role in democratization (Fals Borda, 1996). This participation is seen as an tool for building greater equality, to the extent that pub-

3 For a full discussion of this theme, see Dagnino, Olvera and Panfichi, 2006.

lic policies oriented towards this goal would be formulated. (Albuquerque, 2004; GECD, 2000; Santos and Avritzer, 2002; Murillo and Pizano, 2003; Daniel, 2000; Ziccardi, 2004; OXFAM/DIAKONIA, 1999; Cáceres, 2006).

Furthermore, participatory democracy is supposed to contribute to a de-privatization of the State, so that it becomes more permeable to public interests formulated within spaces of societal participation, and therefore less subject to private appropriation of its resources. Therefore, participation is conceived as the sharing of the State's decision-making power on public interest issues, distinguishing itself from a conception of participation that is limited to consulting the population.

In Latin America, this formulation for deepening democracy through the extension of participation –which is meant to make the State more truly public so that it can ensure citizenship rights– has its most elaborate expression in Brazil. Beginning in the 1980s, social movements, trade unions, intellectuals, NGOs and other civil society organizations, as well as some leftist political parties such as the Worker's Party (PT), participated in the effort to elaborate and disseminate this set of ideas (Teixeira, Dagnino and Almeida, 2002). Throughout this period, this conception of participation enjoyed significant cultural and political gains. Furthermore, it became legalized in the Constitution of 1988 which, upon consecrating the principle of participation in the exercise of power in its first article, made way for the implementation of a variety of participatory spaces and mechanisms. These include Management Councils (*Conselhos Gestores*) and Participatory Budgeting (*Orçamentos Participativos*). In recent years, this conception has made progress in other countries as well.⁴ An analysis of the institutionalization of participation in several Latin American countries' constitutions (Hevia, 2006) demonstrates this progress, notwithstanding differences in the contexts that preside over them.

The forms and expressions adopted in the implementation of the principles of participation and social control towards democratic innovation vary according to national contexts: participatory budgets, public policy management councils, citizens' councils, roundtables, inspection offices (*veedurías*), accountability mechanisms, monitoring, etc. The multiplicity of these experiences across the continent (Dagnino, 2002; Panfichi, 2002; Olvera, 2003) has attracted the attention of many analysts and there an increasing amount of literature that recognizes its importance, even within the adverse context of the neoliberal hegemony.

In addition to participation in decision making previously monopolized by the State, the need for social controls over the State should include social mechanisms for monitoring State actions, and ensuring its public character –a practice that is referred to as “social accountability” (Smulovitz and Peruzzotti, 2006). The principle of accountability has been adopted by both projects involved in the dispute for democracy

4 For examples, see Albuquerque, 2004; Sánchez and Álvarez, 2002; Múnera, 1999; Villareal, 2004.

on the continent and, therefore, should be taken into account given the different contents that it includes under the auspices of each (Isunza, 2006). In the participatory democracy project, accountability is linked to other forms of citizens' participation, guided by a perspective that seeks to guarantee rights and ensure public social control, "creating a channel for citizens' participation in co-management in order to ensure the political responsibility of civil servants (whether elected officials or not)." (Isunza 2004:7). Within the neoliberal project, accountability is basically seen from the perspective of assuring better communication, and therefore greater efficiency, in the relationship between the State and its citizen-clients, which contributes to governability.

In recent years, at least three models of accountability have been attempted in Latin America. In the first model, there are the actions of civil society groups that have assumed the task of watching over some State agencies or political process, as is the case of: the Civic Alliance (*Alianza Cívica*) in Mexico, with its massive monitoring of elections (1994-2000) (Olvera, 2003); the *Poder Ciudadano* (Citizens' Power) in Argentina, with other groups that were close to them, regarding legislative and judiciary powers (Peruzzotti, 2002); the *Propuesta Ciudadana* (Citizens' Proposal) group in Peru, a consortium of NGOs that created a system for civil society to monitor the central and regional governments on issues regarding the decentralization process; the non-governmental organizations' initiatives such as *Transparência Brasil*, and the *Observatório da Cidadania/Social Watch* in Brazil. In the second model, there is the creation of new State institutions, whose function is to guarantee the right to information or to aid citizens in monitoring the actions of government. An exemplary case of this first type is the Mexican *Instituto de Acceso a la Información Pública Gubernamental (IFAI)* which in its first years of existence obtained several important victories (Marván, 2006); another example of this second type is the Colombian *Veeduría Ciudadana*, a municipal institution whose function is to help civil society groups obtain information on contracts and bids and to provide legal and technical supervision needed to accompany the monitoring of public works. (Garcés Lloreda, 2006).

In the third model, there is the process of relative internal reform of the State that, following the global tendency of institutional development of the public sector, has created internal control agencies within the State itself, operating as autonomous entities (Ackerman, 2006). This is the case of the *Auditoría Superior de la Federación* in Mexico, the *Contraloría General de la República* and the *Defensoría del Pueblo* in Peru, and even more notably, the *Contraloría General de la República* and the *Procuraduría General de la República* in Colombia. Nonetheless, the autonomy of these agencies, for example in the Peruvian case, varies. The *Contraloría*, responsible for the control of the way the State invests public resources, never showed

the political will to impose itself on President Toledo's administration (2002-2006), while the *Defensoria* played an active role in the defense of the rights of citizens who have been affected by the actions of the State. The heterogeneity of the State and the variety of political wills of those who are in charge of these agencies are some of the variables to be taken into account when attempting to explain different patterns of action. Something similar occurs in Brazil where, for example, the creation of the *Ouvidorias*⁵ linked to the various levels of government and State agencies has had varying impacts. However, advances have been made in the transparency of several sectors of government, with increasing on-line access to significant official data.

Another central element in the participatory democracy project is actual conception of civil society. (Avritzer, 1994; Olvera, 1999; Nogueira, 2004). Made up of organized sectors of society, civil society is recognized by its heterogeneity and conceived of in a broad and inclusive way, given its role in ensuring the public nature of the State through participation and social controls. Civil society is considered to be the constitutive terrain of politics, given that it is within civil society that the debate between divergent interests and the construction of provisional consensus is able to shape public interest.

In a similar vein, public spaces—strictly societal or including State participation—have been built for the purpose of making conflict public and ensuring that divergent interests become an object of public discussion and deliberation. These spaces take on a central role within the participatory democracy project (Avritzer, 2002; Dagnino, 2002, GECD, 2000). The notion of public space, in its different theoretical versions, is strongly incorporated as a key political instrument for the advancement of the process of building democracy.⁶ Looking beyond the mere existence of an organized society, the constitution of these spaces is considered to represent a tool for the implementation of real participation, whether in public spaces of co-management with the State, or in those public societal spaces where diversity, as well as fragmentation, find a place where conflicts are made explicit and where discussion, articulation and negotiation on public issues occur.

An additional element that is central to this project, and directed at the construction of greater equality—in all its dimensions—is the development of citizenship. A redefinition of the classical vision of citizenship, as formulated by Marshall during the 1940s, has been developed by social movements and other civil society organizations in order for it to meet the specific needs generated by the struggle to deepen democracy. Through the basic premise of the *right to have rights*, this redefinition has sustained the emergence of new themes and the constitution of new

5 Note: government departments where citizens may voice complaints; literally, "listeners" or "auditors".

6 Reading Hannah Arendt's work, and particularly that of Jurgen Habermas, have served as a source of inspiration here, as they have in other parts of the world. Many of the intellectuals tied to this project have used in more or less critical ways the Habermas notion of public space. (Avritzer, 2002).

political subjects that, through their practices, define what they consider to be their rights and struggle for their recognition (Dagnino, 1994).⁷

Thus, in different time periods, with different particularities, the emergence of a new notion of citizenship seeks to link struggles demanding specific rights (health, housing, education, etc., and also ethnic rights, women's rights, gay and lesbian rights, etc.) with the larger struggle to build democracy. The defense, broadening and/or invention of rights results from the perspective of citizenship that guarantees collective rights (Marés, 1999) and in some versions, recognizes the right to participation in the management of the State and in political decision-making. Furthermore, an indelible link between the right to equality and the right to be different (Dagnino, 1994) is crucial, and therefore, the homogenizing character of the liberal vision is criticized. For this reason, this perspective has become a reference for women's and gay rights, black liberation and indigenous people's movements, among others. (Peña, 2003; Domínguez, 1999).

Another important element of this vision of citizenship is how it serves as a proposal for new forms of sociability, given it transcends the legal recognition of rights and the strict limitations on the relationship between individuals and the State, and instead focuses on social relations as a whole, where the recognition of rights constitutes new parameters for conviviality in society. (Telles, 1994; Dagnino, 1994, 2003). The emphasis on this dimension results from the authoritarian and hierarchical social order that prevails in the region, in which being poor not only refers to material and economic deprivation but also to the submission to cultural rules that fail to recognize those impoverished as bearers of rights. (Telles, 1994). Thus, this view of citizenship expresses a broader notion of democracy that goes beyond the formal status of a political regime to designate a democratic society, organized through more egalitarian cultural matrices (Chauí, 1981), thus giving voice to "aspirations for democracy as actual sociability". (Paoli, 1999:7).

Similarly, as with the notion of participation, it seems that the formulation of a conception of citizenship linked to this project is most advanced in Brazil. However, there is a growing emphasis on the adoption of this conception, in distinct variations, in countries such as Colombia (González, Segura e Bolívar, 1997), Ecuador (Menendez Carrion, 2002-2003; Pachano, 2003), Argentina (Wappenstein, 2004; Cheresky, 2001; Bloj, 1994), Uruguay (Villareal, 2004), among others. Even in Chile, where the emergence of the contemporary notion of citizenship was strongly linked to the neoliberal project, the dispute between different versions of the concept is indicative of its importance. (De la Maza, 2005).⁸

7 According to some definitions given by Brazilian social movement participants in research carried out in 1993, citizenship was itself, at times, seen as constituting this process. Thus, the ability to struggle for rights was seen as evidence of their citizenship, even in the absence of other rights. (Dagnino, Teixeira, Silva e Ferlim (1998)

8 For a summary of the debate on citizenship in different Latin American countries see Dagnino, Evelina, "Meanings of Citizenship in Latin América". IDS Working Papers.

Lastly, from this set of elements that constitute the participatory democracy project there emerges a broader notion of politics which affirms the multiplicity of its terrains, its subjects, themes and processes. The recognition of “new ways to do politics” –the formula that a number of analysts have found to designate the emergence of new political subjects such as social movements– bringing new issues to the public arena and claiming their political nature, finds its place here. (Sader, 1988; Nun, 1989; Paoli, 1995).

It is necessary to note that, on the one hand, the dynamics of the dissemination of this project and the attempts for its practical implementation in Latin America show a verifiable “demonstration effect” linking different countries, in which one learns through the experiences of the other. This process has intensified with the growth of continental networks of social movements, NGOs, academics and political parties. The most obvious, although not the only example of this, is the proliferation of the Brazilian experience of participatory budgets which began in 1989 in Porto Alegre and has today spread to different countries across the continent.

On the other hand, these attempts have encountered a series of difficulties throughout the continent as well. In particular, obstacles exist related to the scarcity of resources available for social policies which result from economic limitations from a number of factors: the priority of paying the external debt, the fiscal costs of banking crises, corruption that has gotten out of hand, the fiscal ineptness of the State, and so on. Furthermore, the possibilities for its complete implementation within the context of the current form of the capitalist order (or according to some versions, in any of its forms) has been an object of intense debate among those affiliated with the project. This discussion includes those who believe that there is a contradiction between the broadening of democracy and capitalism as a system, and advocate socialism as an answer, as well as those who become theoretically and politically engaged in what has been termed the “social” or “solidarity” economy. (Singer, 2003; Singer and de Souza 2003; Santos, 2002). In this latter version, which is being disseminated throughout several countries, the main idea is to introduce a democratic and egalitarian logic into the spheres of production and the market.

SOME EXPERIENCES IN THE IMPLEMENTATION OF THE PROJECT

This section contains information about specific experiences of the participatory project in Latin America. The information was gathered from case studies commissioned by the authors of this chapter, within the framework of a comparative research project on the actors and scenarios in the construction of democracy in Latin America, published in Brazil and Mexico in 2006.

The well-known mechanism of participatory budgeting, or *Orçamento Participativo* (OP), in Brazil is surely the most disseminated and successful experi-

Brighton, University of Sussex, 2005 as well as the special issue on this theme in *Latin American Perspectives*, volume 30, number 2, issue 129, March 2003.

ment inspired by the participatory democracy project. Due to its success, the model of Participatory Budgeting, which was inaugurated in 1989 by the Workers' Party (PT) in Porto Alegre, state of Rio Grande do Sul, spread not only to other countries but was also adopted, within Brazil, by other parties and political projects.

For Teixeira and Albuquerque (2006), the democratizing scope of the Participatory Budgets seems to depend, on the one hand, on the relationships that the democratizing project has established with its environment and with the other projects that are present therein. Thus, the ability of this project to move ahead with proposals and the degree to which its representatives negotiate with and/or subordinate themselves to other conceptions – those that are dominant in the local culture or those advocated by allies, interlocutors or adversaries – are issues of concern. “If the chance that the OP becomes a public space of real power sharing depends mainly on the vitality, vigor and maturity of the democratizing political project coming from the local civil society, it is also undeniable that it radically depends on the clarity and consistency with which the government implements a democratic and participatory political project.” (Teixeira and Albuquerque, 2006, pp. 206). The dispute, which tends to shape this clarity and consistency, includes in some cases not only the parties that govern in alliance with the PT, and the sectors that prevail in local power, but also unfolds between the different sectors of the party itself.

On the other hand, the project that serves as inspiration for the OP faces clear limits imposed both by the scarcity of resources for social investment that characterizes Brazilian governments today, as well as by the precarious conditions for societies organizing their own participation, particularly in cities with weak associative traditions. Together with this instability comes varying degrees of experience, training and maturity of societal organizations to participate autonomously in conflictive processes that negotiate distinct interests, as well as difficulties originating from the qualification and specialization that are required for OP participation. The issue of representation –central to the process– also encounters problems that derive both from this precariousness as well as from the sometimes quite difficult dialogue that is established between the OP and representatives chosen through electoral democracy.

According to the authors, “The way in which conflict is dealt with is important for the perception of different forms of action, on the part of government and society”.... They found both “forms of action that seek to ‘manage’ conflict through avoiding it” as well as “forms of action that locate in the very conflict the possibility of defining public criteria for the understanding of the world” (Teixeira and Albuquerque, op. cit, pp. 210).

Participatory budgeting is possibly the most important experience in terms of power-sharing between society and local government in Brazil. However, it is limited to a small part of public budgets and the processes have not always led to the transformation of the overall political culture and practice. It created a popular participatory democratic practice that coexists with forms of “normal politics”,

that is, clientelism and neoliberal public policies. The final result remains to be seen, but in a profound way, the OP demonstrated that it is possible to conceive of and implement public policies that are deliberative and participatory.

The study done by Palomino and colleagues (2006) on Argentina reveals the presence of a variety of political projects within social movements such as unemployed *piqueteros*⁹, *asambleas barriales* (neighborhood assemblies), and the occupation and “recovery” of recently closed industrial plants, all of which erupted on the Argentine political scene in the mid-1990s as a response to the harsh effects that the neoliberal project implementation had on the living conditions of its citizens.

These political projects are quite diverse and can be distinguished from one another by their ideological particularities, their unequal abilities to influence social movements and their varying degrees of connection to political parties and to the State. Some projects are oriented toward direct intervention in electoral competition through their own candidates or alliances established with other movements and parties. Other projects prefer direct action and placing demands on the State as a way of obtaining resources, while others conceive of participation in social movements as a way of building more ambitious alternative policies for social transformation. There are also those that share several of these characteristics.

Differences notwithstanding, a good deal of these projects share the same rejection of the neoliberal project, a strong critique of forms of delegative representation and a commitment to promoting democratic and participatory ideas and practices.

As a consequence, the sphere of politics and even of electoral democracy is broadening, with the unfolding of new social practices that include deliberation and collective action in assemblies and public spaces. These are practices that underwent gradual development until they became substantial traits of the movements. Similarly, there is a strong emphasis on the social movement’s autonomy in relation to the State and the *Partido Justicialista*—old partners in the populist corporative model of earlier decades. And lastly, the boundaries of citizenship are broadening to incorporate the rights of the poorest sectors defended by the new social movements as well as the defence of the “right to have rights”.

Panfichi and Dammert’s study of Peru (2006) shows how a participatory democracy project promoted by a group of civil society activists, who became civil servants at the beginning of the Peruvian transition (which began in 2001), achieved important progress in the institutionalization of a variety of citizens’ participation mechanisms. Nonetheless, as these experiences are consolidated, the participatory sectors are obliged to confront resistance first, and soon after outright opposition of a sector of political society—authorities, State employees, and government parties—that respond to the more traditional and clientelist ori-

9 The *piqueteros* are a set of mainly spontaneous organizations of unemployed people that used the interruption of traffic as a mobilization strategy.

entation and projects. The analysis of political disputes on the content of citizens' participation, and in particular, on the strategies in the struggle to combat poverty, is one of the contributions of this study.

Gonzalo de la Maza and Carlos Ochsenius' study of Chile shows how the virtuous confluence of "political projects" (Dagnino, 2003) originating in civil and political societies, which were both mobilized to rebuild democracy in Chile, was not enough to guarantee the expected democratization of State and society. According to the authors, part of the explanation is found in both the institutional conditions of the Chilean political transition itself, which impeded the political majority that had been in the government since 1990 to exercise its power more completely (Garretón 2000), and the non-participatory character of the project developed by the *Concertación* governments. In effect, the authors consider that the end of the Pinochet period and the transition to democracy were based on a political pact that ensured the preservation of the neoliberal political model, preserved military power quotas and sanctioned an elitist and highly segmented conception of democracy. This political arrangement allowed the reconstitution of an institutional political system of representative democracy that has, until now (with possibilities for future change), functioned in such a way as to block the deepening of democratic participation and the strengthening of civil society.

Chile is usually presented as a successful case of the application of the neoliberal economic model in which the notion of citizen participation is de-politicized and reduced to its most instrumental aspects in the provision of services. Nonetheless, a new and growing idea has some sectors of civil society attempting to build new spaces of participation and local negotiation between authorities and citizens. These experiences are still poorly developed and unarticulated, but they also demonstrate the growing dissemination of ideas and aspirations for participatory democracy throughout the region.

In Mexico, the cases studied by Ernesto Isunza (2006) point to the fragmented and experimental existence of a participatory democracy project in some "interfaces"¹⁰ of government and civil society interaction which are defined around specific fields of public policy. As we shall see, the Mexican democratic project is still in an initial phase, designed and implemented as a set of micro co-management projects, and not yet articulated as a more general proposal.

In the case of the HIV-Aids Council, Isunza shows that the combination of a high level of activism on the part of organizations of AIDS-infected people and the attitude of openness that was shown by the federal government's Secretariat of Health during 2002-2004 opened the doors for the formation of councils that were given decision-making and evaluation functions. These councils were made up of citizens (representatives from these organizations, health-related NGO's,

10 Interfaces: places and moments of interaction between social and political actors, limited by institutions or normalized practices, in which conflicting views and interests are put forward, publicized and negotiated.

and some university researchers) and civil servants in the public health sector in charge of the implementation of AIDS related programs. The case study indicates that, as long as the authority of the civil servants was not questioned, the Council was able to operate almost as an instance of co-management, in which the HIV bearers and their allies were heard. The public space created by these councils was open, deliberative and at the same time, a locus of decision-making. However, when the operational efficiency of the civil servant staff came under questioning, the Council was then boycotted by the government representatives. However, the Council constitutes the example that is most similar to the management councils in Brazil, although applied in this case only to the specific case of people living with HIV-Aids.

In the case of the Federal Electoral Institute (*Instituto Federal Electoral* - IFE), Isunza argues that the organizational model of the institution responsible for the coordination of Mexico's federal elections constitutes a democratic innovation in the context of a country that has only recently emerged from political authoritarianism. The FEI created a General Council made up of nine citizens who were designated by the federal Chamber of Deputies to be in charge of the organization of elections. These nine people were selected in 1996 on the basis of their personal autonomy in relation to political parties and their professional or academic prestige. Upon conceding them real power in supervising and making decisions on elections, these counsellors then acquired notable power over the administrative apparatus of the IFE and thus created a space of relative autonomy in relation to the government and to political parties. Applying this same model to 32 local councils—one for each state in the republic—and in the nation's 300 electoral districts, the principle of the so-called “citizenization” (*ciudadanización*) of the IFE has allowed the organization of elections to stay firmly in the hands of politically independent citizens that have authority over the professional electoral bureaucracy.

Although this institution cannot be considered part of a participatory democracy model, it does contain some elements of the latter, to the extent that it establishes *de facto* co-management between symbolic representatives of Mexican citizens and those of the government, within the framework of an autonomous institution that has been created specifically for that purpose. Isunza gives prominence to this form of “transversal accountability” that consists of an institutionally established space for the definition and application of public policy, with citizen representatives who “penetrate” State structures. The participatory nature of this institution can be questioned on two different bases. Firstly, there is a problem in the fact that citizen representatives are chosen by the Chamber of Deputies, that is politicians, rather than by civil society. This circumstance imposes a structural limitation on the institution, making it dependent on the decisions of a State institution. Secondly, a flaw lies in the fact that real citizens' participation is only sporadic, occurring every three years and operating according to rules and norms previously established within a strict margin of action and decision-making.

Felipe Hevia (2006), in his analysis of participation in Latin American constitutions, demonstrates how they have come to reflect normative understandings that were produced in the region, in the cycle of transition to democracy. In effect, as has already been pointed out, almost all South American nations, beginning in 1988, have participated in the wave of elaborating new constitutions, whereas Central American and Caribbean countries (with the exception of Nicaragua) and México have not. Hevia has observed that in most of the new constitutions the principle of citizens' participation has been directly or indirectly included, with Venezuela and Nicaragua as the most explicit and extensive cases. Nonetheless, the author notes that there is considerable distance between the content of these constitutions, as abstract legal discourse, and the real possibilities of implementing such measures. This is most often not contemplated by constitutional precepts and require another legislative cycle (secondary legislation, regulation, etc.) that does not always come about. The inclusion of participation is linked to the constitutional recognition of diverse mechanisms of direct democracy, a process that has made it possible to legalize the plebiscite, the referendum and the "popular consultation" (*consulta popular*) in almost all South American countries. Nevertheless, these legal resources have seldom been used in practice, with Uruguay as the only real exception. Furthermore, the only countries that have legalized the possibility to revoke a mandate are Peru and Venezuela; in the latter case, this resource was in fact implemented through a nation-wide vote which proved quite traumatic and ended in the ratification of President Chavez' mandate.

If, from a juridical point of view, there has been enormous progress in Latin America related to participatory democracy, in practice citizens' participation remains quite limited and is concentrated mainly in Brazil, where management councils in the area of health continue to represent the most successful example of a mechanism established by the constitution that operates at the national level, notwithstanding the practical difficulties they faced. The other major Brazilian contribution to participation, participatory budgeting (OP), lacks an explicit constitutional base. This demonstrates that democratic innovation does not necessarily require legal spaces specifically designed to ensure the materialization of participatory practices.

FINAL REMARKS

In order to contextualize this analysis of the participatory project in Latin America, it is necessary to mention briefly its opposite –the neoliberal project. The conceptions of citizenship, civil society and participation formulated by the neoliberal project intend to depoliticize and represent what we might call a minimalist view of politics. This view, which reacts against broadening the political sphere –the exact democratization effort that the participatory democracy project has struggled to carry out– is translated into its opposite: the reduction of spaces, subjects, themes and processes that have been considered essential to politics. If a broad view of politics includes civil society as a legitimate political arena

and emphasizes citizenship as a process that establishes political subjects, than the minimalist version of politics is based on, firstly, the selective reduction of civil society to specific types of organizations, with the subsequent exclusion of other actors, and on the redefinition of its role, which becomes a compensation for State absences in the implementation of social policies. The very substitution of the term civil society for that of Third Sector is indicative of this new function and demonstrates that an attempt is being made to remove the essential part that civil society plays as the foundation of the political domain. The latter becomes once again limited to political society. Self-denominated as a-political, the Third Sector reinforces a statist definition of power and politics –one that participatory democracy’s view of civil society as confronting the monopoly of power by the State and political society has been directed against.¹¹

Secondly, these policies and the issues that they address are treated strictly from a technical or philanthropic angle. As a consequence, poverty and inequality are withdrawn from the public (political) arena and from their own dominion –that of justice, equality and citizenship. The distribution of social services and benefits increasingly replaces the space for human rights and citizenship, obstructing the demand for rights –there is no place left for this, since their distribution depends entirely on the good will and competence of the sectors involved. Even more insidiously, obstacles block the formulation of rights, notions of citizenship and the very enunciation of the public (Telles, 2001). Thirdly, the privatization of the most urgent issues in Latin American countries – poverty and inequality – contrasts starkly with recent efforts to create public spaces for the discussion of these and other issues of public interest that are defended by the democratic project as ways of broadening the political debate so that conflict between divergent interests can be publicly exposed and negotiated within democratic parameters.¹²

In contrast to a conception that recognizes conflict as central to public life and democracy as the best way of dealing with it, the neoliberal vision attempts to confine conflict or make it invisible by giving it a technocratic and managerial treatment. This characteristic of the neoliberal project is at the root of the critique by those who consider it to be a “fascist pluralism” (Santos, 1999) or a kind of totalitarianism centered on the triad of “privatization of the public, destitution of speech and annulment of politics” (Oliveira, 1999).

11 *The most common accusation made by governments and conservative media against social movements, such as the Landless Peasants Movement (Movimento dos Sem Terra) in Brazil, is that they “are political” -- this is symbolic of this restrictive view of politics.*

12 *In Brazil, the contrast between these two projects as far the depoliticization of the process of creating and implementing social policies goes, was paradigmatically expressed in the elimination, during the very early days of President Fernando Henrique Cardoso’s presidency, of the Conselho de Segurança Alimentar, substituted by the Conselho da Comunidade Solidária (Telles, 2001; Almeida, this volume).*

Without considering the merit of these evaluations, the approach in our book offers a distinct emphasis: the need to illuminate the differences, conflicts and disputes among the political projects that are currently present in the political scene. Otherwise, it is possible for fatalism to replace the euphoria that was present in countries such as Brazil during the decades of the 1980s and early 1990s, in which the dynamics of building democracy, nourished by a favorable environment and the visibility of social movements, contributed to a simplified view of what the democratization process would look like and the dimensions of the disputes that would unfold within it.

Perhaps we have overestimated the political strength of one side involved in the struggle and thus minimized the power of its adversaries. The practical and overwhelming revelation is that what seemed to be a linear and ascendant process was in fact met by contradictions, limits, dilemmas, unequal paces, which seems to make us forget that political dispute is an intrinsic and essential element of building and deepening democracy. Recognizing and elaborating on the permanence of this struggle, carefully examining its characteristics, seems to be a procedure that can contribute to elucidating the dilemmas and overcoming the limits that confront us today.

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ARMANDO CHAGUACEDA NORIEGA*

CITIZENS' PARTICIPATION AND ASSOCIATIVE SPACE ¹

“What does non-governmental mean in a country with a traditional State? Why not use the associations as a better criteria for evaluation, given their concept of participation and more importantly, the way they promote community involvement?”
(Lopez, 1997)

Cuba is changing. While caricatured by certain newspaper articles, a complex transformation is unfolding, affecting lifestyles and spiritualities, consumption habits and status symbols, family roles and political cultures. Although the institutional and regulatory frameworks linger behind –more than is advisable– a transformation is underway, rejecting dogma imposed by the neoliberal claudication and bureaucratic inactivity, both forms of historical fatalism. If one wishes to accurately approach the depth of change under way, we can find a privileged and seductive scenario for analysis in *associative space* (*espacio asociativo*), which is understood to be the social dimension that *hosts relatively autonomous forms of groupings and collective action, outside the political and economic institutions, that channel the voluntary activity of citizens in disparate areas of particular interest, characterized by the logic of reciprocity, solidarity, symmetrical interaction and the defense of common identities.*

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1 This article has been inserted, together with a CLACSO-ASDI project, as the central investigation topic for the authors future doctorate. Preliminary versions have already been published at www.inprecor.org.br, www.lescahiersdelouise.org and it is currently being edited by Sur-Sur de CLACSO program.

During recent years in our country participatory experiences in associations have expanded, contributing to the process of gradual democratization of diverse agencies of political society (especially local government branches), which perform an important part of the inspection, coordination and material support of the forms of association -- which is a source of synergies and conflicts. (Suarez, 2000). The process is not exempt from contradictions and setbacks, derived from exogenous variables (U.S. harassment) and domestic variables (synonymous with underdevelopment and State traditions), which illustrate a dynamic tension between traditional leftist democracies and bureaucratic trends, typical of a socialist State system. In analyzing these collective groupings, their traditions and organizational imagination, we need to evaluate their political nature, their ability to build alternative or functional paradigms to the domination found within each social context.

A key element is the study of the associations, analyzing participation as a variable of great importance in democratic functioning (Vergara, 1988), (Pateman, 1970). Broadening participation is considered a crucial contribution to social integration, strengthening the legitimacy of consensus and communication policy, along with the construction of an active citizenship. From participation, the citizen is not only understood to be the subject of constitutionally guaranteed rights but as acting in a responsible manner and being involved in the reproduction of social coexistence and its constraints (Chaguaceda, 2007). This process embodies and unfolds not only in State institutions but also in so-called Civil Society (CS).

THE CONTEXT OF PARTICIPATION: CIVIL SOCIETY AS SPACE AND DISCOURSE

CS is a concept that serves simultaneously legitimate, mobilization, policy and descriptive roles, among others. It expresses an independent self-organization of society, made up of volunteer action and public activities within a context of legally defined relationships between the State and society (Wergle and Butterfield, 1992)². It can be considered the basis for legitimacy and political confrontation of political projects, which reorient (without substituting) the traditional state-power relationships (monopolizers of legitimate violence) towards the areas of culture, daily-life and exchange. It is simultaneously a subject – universal, like a citizen's community, or particular, including specific groups or individuals that make it up – and is a way to organize social relations and express ideologies of power – a kind of inter-subjective relation where diverse hegemonic relationships are constructed (Núñez, 2005). It adopts local, national and transnational expressions (Serbin, 2004) with different degrees of fragmentation, heterogeneity and interconnection of components (Neveu and Bastien, 1999).

2 Wergle and Butterfield recognize an institutional component in CS which defines the legal framework guaranteeing its autonomy and permanency, and likewise its relationships with the state and other dimensions which define their own character, feelings and methods.

Some authors have defined it as the area for relationships between individuals and social classes outside the institutional power relationships characteristic of the State (Hernandez, 1994), and as the social dimension characterized by being centred around processes of permanence, organization and consensus of associate members on collective purposes. At its heart is “(...) the set of organs commonly considered private, that facilitate the intellectual and moral direction of society by forming consent and the adhesion of the masses, ... [and includes] cultural, educational, and religious social organizations, but also political and economic ones”, that offer “a legitimate space for the confrontation of aspirations, desire, objectives, images, beliefs, identities, projects and projects that express the diversity of the social component.” (Acanda, 2002: 248 and 257). Its agencies have standard non-profit goals, external financing (public or private), rely profusely on voluntary contribution and produce collective goods, intervene in social politics and call for solidarity and democratization. (Keane, 1992). However, they do not escape the negative processes of bureaucracy. (Linares et al, 2006).

In their disparate interpretations, the notion of CS has an intimate relationship with the fundamental problems of modern political reflection and action: the internal articulation of society through the voluntary cohesion of its members, the legitimacy and workings of institutionalized mechanisms of explicit power (Alonso, 2002; Azcuy, 1996), the pretension of neutrality and universality of the modern State, the de-politicizing of particular interests and the domination-hegemony articulation (Acanda, 2002). Therefore, it expresses a contradiction between conflict, social control and its liberating potential.

In my case, I define CS as an *area of plural social interaction (families, associations, social movements, etc.) that articulates hegemony through everyday specific civic actions, within socialization, association and public communication structures that are not integrated in the political and economic systems*. This assumes essential traits such as *plurality* (connecting various human groups), *publicity* (expanding cultural and communicative institutions), *legality* (promoting forms and general principles that mark its area of action versus the economy and State) and *individuality* (an area for self-development and moral choice), among others (Arato and Cohen, 2000). Recent, more sophisticated visions recognize a pentagonal social design where CS interconnects with economic and political systems through interfaces that would be economic and political society (Isunza in Olvera, 2006).

Faced with the fact that a complex “really existing” CS, various authors have highlighted the risks of confronting resulting distortions like de-politicization -withdrawing in the face of actions of the political system- or over-politicization of CS, presumably framed and homogenized around a sole anti-state agenda and struggle. This has led some analysts to invalidate the analytical usefulness of the concept. In my case, I believe it is equally naive to abandon the concept without reflection, or to use it indiscriminately: what is necessary is to define, in each

context, the sociological content and mobile economics, the worldview paradigm and the current ideology to which it subscribes – in summary, the political project that is intertwined with each particular reading of CS, assumed as a concept to designate a wide region and diffuse social issues. Thus, we shall assume the need to overcome the phraseology that mobilizes everyday scientific analysis without preventing its political conditions and its potential propositive function.

There are currently various approaches to civil society, which can be summarized in four main paradigms, expressed within the western paradigm (hegemonic) and its diverse transpositions and worldwide alternatives. The neo-conservative approach is business, anti-statist and exclusive -- looking to compensate social inequalities through occasional charitable actions -- which claims a distinction between CS and State, binary and organic, from the exterior. The liberal pluralist -- which may be accompanied by an occasional denunciation of capitalism and demand for social reforms -- defends independence and co-determination with relationship to the State, emphasizes the idea of a particular “a society of lobbyists” identity, and is focused on NGOs. (Burchardt, 2006: 168 and 169).

Anti-neoliberal perspectives offer another reading of this phenomenon as an asymmetrical, diverse (in capacities and discourses) space for the articulation of hegemonies. (Hidalgo, 1998). CS, a terrain of non-state oriented social actions, where new questions, demands, legitimacy and civic cultures are generated (Gallardo, 1995), is considered to be a landmark that is useful to rebuild associative ties in de-politicized spaces, capable of overcoming the alienation and fragmentation in authoritarian contexts, and in hands of the people, it can legitimize processes of democratization (Romer, 2006), (Houtart), confronting dominant groups, purging political and administrative corruption, and activating patriotism (Meschkat, 2002). These views run counter to what has been called *the myth of pure virtue* of CS, which is slowly being abandoned by more sophisticated and realistic social liberals, for compensatory mechanisms such as a diverse-range of institutional designs.

However, the heterogeneity of CS includes non-civil and less than democratic actors according to Western standards, expressing their own forms of action, identities, projects, etc.. (Dagnino et al, 2006). The criticism of the universalist Habermas model of CS – that it is perceived as an area governed by *communicative action* (Habermas, 1987) – provides evidence that there are other visions of CS (putting more weight on the spiritual and communitarian rather than the secular and individual), anchored in the contexts of ethnic and aboriginal communities and religious movements. From this perspective, the historical non-Western experiences (that is most of the human endeavour, in terms of time and scope) demonstrates the existence of collective forms of action that fall outside of State institutions, which are able to meet individual demands (Revilla et al, 2002). This is important to point out as we are seeing surprising vitality and growing discourses, such as those by the Latin American indigenous peoples, the Islamic religious groups and Afro-Asian rural communities -- all this despite the

liberal paradigm being extended as a universal phenomenon capable of permeating regional experiences.

However, defending the relative independence of the components of the social whole means recognizing a certain inter-penetration of its individual logics in the operation of their respective structures³. Assuming this recognizes that in each context exists a specific type of relationship and strong correlation between these actors. Therefore, the influence and traits of a national CS can also be assessed based on the scope, nature and logic of its State counterpart. In fact, the idea of administration policy as a factor in mediating between citizens (represented in its CS) and the modern State -- which occurs as a result of the rise of class struggle -- provokes contradictory results by encouraging, through forced government intervention, the recognition and expansion of the scope of CS itself -- a process illustrated by the expansion of rights frameworks and citizen's participation (Neocleus, 1996).

The types of relationships between CS and State (Kramer, 1981) whose expressions can be identified in the case of Cuba, are *pragmatic cooperation*, through which the State subsidizes or provides material and moral support to associations for their social role and political importance; and *public sector monopoly*, which generates a model called "State-led" that is marked by the prominence of the State's role. The State administers citizen's welfare and becomes virtually the sole provider of social services, while civil society is only responsible for identifying needs, subordinating its associations to the State planning. Studying the types of interrelationships between CS and State as processes of inter-penetration and simultaneous separation (Armony, 2005) is useful because it helps determine in each case: degrees of State autonomy types of dominant actors -- located on a spectrum ranging from local to national -- and styles of more or less competitive interaction that exist between these actors. It involves analyzing the relationship between the administrative, coercive and symbolic State dimensions and their resources, and the socioeconomic base, organizational mobilizing capacity and internal dynamics -- ideologies -- that inspire any CS (Armony, 2005).

The emergence of CS (and particularly of associative space) is related to the tensions and dynamics of change that impact from and on State space. Internationally, successful experiences have been recognized where "(...) civil society actors marked by anti-state suspicions and State actors imbued by an anti-participatory culture have had to create mechanisms for joint work (...)" (Isunza in Olvera, 2006: 308). In Cuba, the weakening of the State monopoly on the production of legitimate values (the hegemony of decades past) can not be recovered by activating the coercive dimension but rather by preserving the

3 Likewise a minister could support transnational contaminant affecting a neighbourhood; the same community could ask for help from the public sector (universities, courts, social assistance) to counteract the impact of this action, an alliance of associations could promote economic support to the neighbours, etc.

consistency and cohesion of the national project, by inserting CS demands and agencies into ongoing or potential policies. That is why today any tendency that recommends overextension of the same, at the expense of action deployed from within the associations, is irresponsible. We need to expand even further a notion of complementarity of responsibility ‘State-associations’ to meet the challenges of an increasingly complex and heterogeneous society (Collective of Authors, 2003), with trends towards pluralism (Boves, 2005).

THE CUBAN ASSOCIATIVE CONTEXT: A BRIEF OUTLINE.

The revolution in 1959, coming in from the socialist process of national liberation, integrated organically and originally the ideals of the National Marti Project (*Proyecto Nacional Martiano*) -- social justice, political independence and economic development – mixing with it a renewed dose of democratic and civic commitment. (Fernandez, 1999). In the 60’s, the Cuban Revolution gave rise to a sui generis CS, where millions of people “found themselves”, participating enthusiastically: they entered politics, were socialized and experienced a sense of belonging to a cause greater than themselves; transforming themselves along with their reality. With the disappearance of the many forms of social associations that existed before the revolution, the gaps were filled by *new mass organizations or people’s organizations*, which over the course of time were accompanied by other *professional associations and civil rights’ groups*. Metaphorically, we could consider that the revolutionary people -- the vast majority of the Cuban population – recognized as *Voluntad General*, signed a sui generis *Social Contract*, which created a specific type of socio-political participation in the 60’s -- through numerous associations and political organizations -- capable of combining massive ratification on large popular congregations with the centralized execution of leadership, and no classical, recognizable rule of law (and of constitutionality). (Chaguaceda, 2007), (Prieto, Perez, Sarracino, Villabella, 2006).

This functioned for the early needs of the project – succeeding to undertake titanic tasks (educational, health, defense) with large masses modestly educated and of high political commitment. However, soon signs of exhaustion were revealed and an institutional restructuring was required, close to the Soviet Union model, which took off in the second half of the 70’s. (Garcia, 1998). Unfortunately, this process was mediated and did not achieve its democratic promises (Dilla, 1995), however it did, parallel to the opening of new coded spaces and stable citizen’s action, strengthen the bureaucracy and achieve enduring personal and centralized traits of social conduct. In this context, reserve towards democratic institutional mechanisms, reinforced by the incompetence of the bourgeois republican institutions and its disruption by two periods of right-wing dictatorships, and the urgency of major changes, continued to legitimise the existence of a strengthened State with its immense bureaucratic apparatus and control of the nation’s material and human resources. (Burchardt 2006).

Despite this, the libertarian component (Martinez Heredia, 2005) of the revolutionary project did not succumb completely to statism and therefore, soon after, processes of Latin American popular participation and self-organization began

to have an impact on Cuba (Sandinista Revolution, the experiences of Popular Education) and leave their mark on the organizational and personal experiences of many Cubans. This meant that in the 80's, reanalyzing the direction of Cuban socialism, there was an attempt to rescue the associative and participatory components in order to meet the demands arising from processes of heterogeneity and socialist social mobility. One of the first changes appeared in the legal field.

From 1976, the right to association in Cuba was recognized in Article 53 of the constitution as a means through which citizens can hold multiple scientific, cultural, recreational, solidarity and social benefit activities.⁴ This was regulated by Law No. 54, in effect since December 27, 1985, which stated "(...) transformations in the country require the reorganization of association records at a national level and the approval of a new legislation adjusted to current needs, that responds to the growing interest shown by the people with regards to the formation and development of associations for the social good", and thus opened up a channel for revolutionary association.⁵ The nature of these should be for social benefit, non-profit and their essential purpose should be directed to the development of science, technology, education, sports, recreation and different cultural events. As well, it included promoting relations of friendship and solidarity between peoples and studying their history and culture, leaving space for any other sphere of action not included in those previously mentioned, provided that the proposal was of social interest.

However, the Law of Cuban Associations has many deficiencies, for example, despite proposing the proven internal democracy of associations as a condition for its existence, the norm -- and its implementation -- favors the stability of associative elites. It leaves enormous power for decision-making in the hands of related organs and relatively few mechanisms for appeal against potential abuse of these conditions. It establishes conditions that affect less organized people's groups. It is sufficiently ambiguous as to accommodate in one space NGOs, foundations and community experiences, making less formal experiences invisible, among others. In addition, its existence has not prevented the unfortunate State resistance to enrolling new associations -- a position that has existed now for a decade. The public interest in self-organization advocates that different participatory plans are welcomed into State associative institutions and associations created, or in areas of contact between the two (for example, through socio-cultural projects), conducting activities whose performance occasionally exceeds the formal and logical objectives of the former.

In the 90's, an explosive revival of associations was witnessed in Cuba, simultaneously attributed to the crisis resulting from the collapse Eastern Europe, the retreat of the State as a socio-economic agent, the ideological and practical discrediting of State socialism, and the emerging debates (legitimized by the Appeal to the 4th Congress of the CCP) on the future of the Cuban project. This also prompted

4 Constitution of the Republic of Cuba, Official Bulletin No. 3. January 30th, 2003.

5 Associations Law No 54/85 Official Bulletin of the Republic of Cuba, La Habana, 1985.

a boom of global and regional decentralization processes, the growth of solidarity movements with Cuba, the emergence of new problems and reclaiming discourses (environmental, gender, ecumenical and popular religion, urban participation). During these years, the combined efforts of communities, various foreign actors and the State mitigated the effects of the crisis and promoted the associative boom.

Currently associative space can be classified according to several types⁶, depending on the reference used. I propose to start by recognizing four clusters: para-state associations (PA), anti-systemic associations (ASA), sectoral or professional associations (ASP) and territorial or popular associations (ATP). Some of their traits will be described below.

The PA (Committees for the Defense of the Revolution - CDR), Central of Cuban Workers (CTC), Federation of Cuban Women (FMC), Federation of University Students (FEU) and Federation of Education Students (FEEM) have a structure, missions and a symbolic repertoire closer to that of State institutionalism, covering, under its umbrella, all major social groups in the country. A phenomenon typical of "State socialism" experiences, they are national and monopolize the representation of certain interests and associative identities. Useful to the political system -- as mechanisms for mobilization and propaganda -- they are also social organizations that should formally represent the interests and views of their members before the State. Certain conventionality, uniformity and inertia have been enthroned in the styles of several of these organizations, although some do retain dynamic participatory bases or possess more legitimacy and are potential revivors (FEU), but they need to promote distinct, autonomous discourse of the sectors they represent.

The ASA (opposition groups, certain centers are linked to the Catholic Church and its hierarchy, etc.) is considered the "political opposition" and has an internal membership and influence of dissimilar impact and a high-profile overseas. This phenomenon is not related to the counterrevolution restoration of the 60's and 70's, shares exogenous (promoted by Western governments) and endogenous (dissent from the sector of society opposed to the regime) matrices, has no mass base and its various groups are polychromatic, but the majority are aligned with U.S. and / or European policies. (AGE, 2003).

On the other hand, there are sectoral or professional associations – ASP – represented symbolically by NGOs, civil associations, training centers and ser-

6 An "authoritative" sector is talked of -- a State which would include PA and most of the authorized ASP and other "democratized" groups, which are minorities, legally precarious, transparent and predominantly of the ASA. (Puerta, 1996). This is also the case with top-down organizations, that have community connections, and entities oriented towards citizen empowerment, with levels of contact with the State apparatus, in a kind of fluid and diffused relationship. (Gunn, 1995). Other authors offer a suggestive taxonomy expressed in: fraternal, cultural and sport associations; mass social organizations; churches and religious gatherings; developmental NGOs, and academic publications and centres; community movements: dissident groups; cooperatives and new economic actors. (Dilla y Oxhorn, 1999). There are also authors who prefer to offer a general evaluation of the phenomenon without putting forward precise classifications (Friedman, 2006).

vices -- including some religiously inspired -- foundations, fraternities, lodges, etc. These entities are characterized by a tendency of professionalism and institutionalization. Some have significant operating expenses and the capacity to fundraise external resources, and they tend towards stability and selective membership, included in this employed staff and client populations. As a rule, the most powerful implement complex workplanning (programs, projects) in various areas and, have formal leadership and significant levels of professional qualifications. (Herranz, 2005) Frequently they mediate between governments and international cooperation, on the one hand, and various grassroots entities, usually depending on external funds (from private or governmental agencies).

Other visible actors are the territorial or popular associations -- ATP -- in the first place, those known as neighbourhood movements; associated with structures such as Integral Neighbourhood Transformation Workshops (Coyula, Olivares, 2002) and various community projects promoted by Cuban and foreign NGOs (Colectivo, 2002). They have local interests at heart and the groups are not essentially connected, as they tend towards informality and territoriality. They have limited access to economic resources and depend on exogenous sources, and therefore have a self-management calling and aim for a comprehensive transformation of communities based on socio-cultural considerations. They have a modest thematic agenda characterized by their focus on problems and have a massive, casual membership, which hampers the goal of collective leadership. They display a "diffused" exercise of coordination and activism -- different to the logic of leaders and members of more formal associations -- with a high prominence of women, professionals and ex-leaders.

In its shaping, the State has played a contradictory role. (Dilla, Fernandez and Castro, 1998) On the one hand, it disseminates technology and material resources (urban organic agriculture, alternative constructions), provides specialists in these and other fields (psychologists, planners) and pays wages to team leaders. But while it implicitly recognizes the existence of these movements, it prevents their legal recognition, rejects the formation of popular economy experiences and tries to absorb local production ventures. Yet these experiences have shown relationships of reciprocity (help from neighbors, sharing food, gifts), promoting community assistance by some of the workers, of their own accord, and cooperative arrangements to hire their services for project activities.

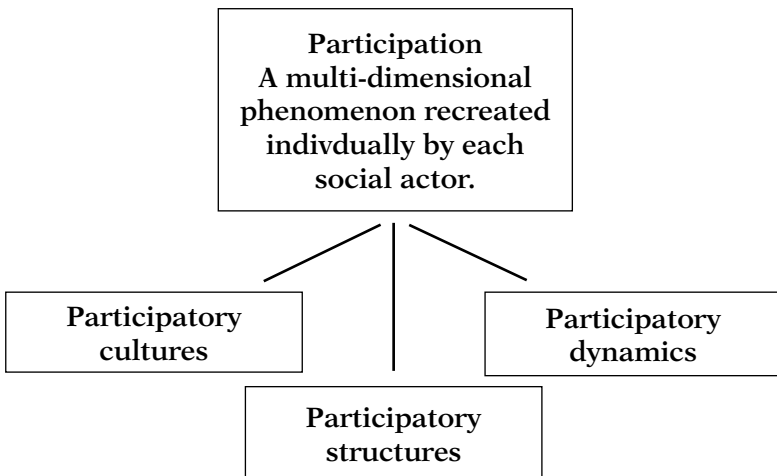
PARTICIPATION: BETWEEN THE CONCEPTUAL DEBATE AND PROGRAMMATIC DISPUTE

Within the agendas and approaches of the associations, the participatory component is a leading issue. Any form of collective action has its own participatory wealth --expressed in participatory structures, dynamics and cultures -- built from their specific experiences of organization and struggle. In them, the vertical, instrumental or hierarchical character of their mobilizations confronts growing forms of democratic and autonomous action. Broad or restricted ideas of power are discussed. The repertoire of democratic rights and non-conventional

forms of political participation are constrained or expanded. Demands and conflicts are expressed, related to questions that were once considered purely accessories: moral, environmental or cultural.

When we talk about participation, we refer to another polysemantic term, endowed as well with an ontological sense, which allows it to focus on itself, often ignoring contexts, motives and actors of said action. (Olvera, 2006: 368). This concept refers to forms and processes of social action where subjects who share a given situation, have the opportunity to identify common interests and demands, and translate them into forms of collective action. It integrates popular knowledge and capabilities, looks for a comprehensive transformation that goes beyond the relationship of dependency and subordination of communities members in relation to specialists and leaders. It involves several basic factors: knowledge (akin to culture), power (formal right and effective capacity) and desire (motivation and commitment) to participate.

Based on these factors, different timely *participatory plots* develop in each territorial or sectoral context, which can be analyzed as scenarios of the participation of their citizens, or they can even become subjects of participation when interacting with other entities in *participatory networks* in each interactive process (through overlapping, integration or intervention) that links two or more participatory plots. These would channel their respective *participatory cultures* -- that is, the web of ideas, values and beliefs about participation recreated by each social actor. They have *structures*, or a set of more or less formalized and regulated organizational spaces, where the diverse forms (direct, delegated, activism, among others) of participation take shape. They develop *participatory dynamics* (a sequenced set of actions through which participation unfolds) in which the protagonism of the subjects involved is essential – which leads us to emphasize the term citizen.



Participation as a process is complemented by bodies of representation, through which certain groups participate indirectly in institutions, maintaining more or less stable and functional relationships with those represented, and legitimized according to the mechanisms used and the interests defended. Such participation is related to economic, social, cultural and symbolic capital that illustrates the web of styles and preferences of a class or social group (*habitus*), and allows us to classify, perceive and articulate the system of these actions in the midst of an interactive area and dynamic power relationships (*social field*). (Burchardt, 2006). It must be studied in a specific socio-historical context, assuming the decentralization of powers and resources, which implies the development of strong local power and popular control over the national bodies of power.

It is necessary to define the type of participation assumed here. The notion of *social participation* is too ambiguous a term (every actor is social) and only makes sense if it is confined to entities (NGOs, social movements, etc.) of the associative space. This would assume the notion of a total social system divided into watertight compartments with different logics, and separated into subsystems, and political, economic and cultural activities, etc.⁷ However, we run the risk of ignoring or diminishing the political meaning of this participation, since associations contain, even if unintentionally, socialization spaces and citizen's formation.

On the other hand, it is obvious that here we are not referring to the actions of political institutions (government, parties, parliaments) classified as *political participation*. The main functions it is traditionally "responsible" for are the development of political communication processes, social inclusion and the removal of the elites, through activities undertaken by private citizens that are more or less directed at influencing the selection of government personnel and the actions they take. (Verba and Nie, 1972). An understanding of the orthodox notion of political participation reduces our focus to the performance within spaces of the political system and excludes people's processes and political influence deployed from within the heart of the associations.⁸

Even in the field of cultural action, participation has been recognized as having political implications on many occasions -- it hides strategies of domination,

7 Thus "(... systematic analysis produces a vision of society being artificially ordered into spheres of distinct action, separated, enclosed for good or bad in a great "social totality" organized and coherent" recognizing that "some researchers have taken illustrative graphic schemes, whose unique function was to allocate functions in a political system ... using the same explanation as political behaviour ...)" (La-grove, 1993: 134)

8 Political participation, recognized as a variant of social participation in the public sphere, proposes many definitions with larger or smaller differences and approaches. Its particularity, according to Juan Valdés Paz, lies in that (...) it should make itself effective in the political system, that is to say, in the institutions of the political system that "really exist". (Pérez, 2004: 73). For Marisa Revilla Blanco, political participation is the activity of influencing and mediating the behaviour of political power and actors for the conservation or modification of the existing order. (Revilla 2002)

whose implicit purpose is to demobilize subordinate sectors, to attract them and to incorporate them into their socio-political project. (Perez in Linares, 2004).

The relationship between participation and citizenship are visible when the former is synthetically defined as the ability of citizens to influence decision-making processes beyond electoral participation, transforming power relations and reducing the gap between decisions and their executors. (Dilla et al, 1993) Therefore, it claims a concept of citizen's participation that emerged from pre-political levels of collective action, hosting the *activity of conscious and active involvement of the subject(s) in socio-political processes related to the establishment, exercise and ratification of power in institutional and associative spaces, and in the distribution of resulting resources*. It is a process that is expressed as much in action from within the political institutions (partisan, State) as within the various specific associations that host the subjects.⁹

Many authors talk about popular participation, which we conceive as part of citizen's participation. Even Cuba, whose rates of integration and social equity are high, shows cultural, social class, territorial and other kinds of differences that hardly make certain associations equivalent to the notion of popular participation, regardless of their noble actions.¹⁰ This way any popular participation qualifies as citizen's participation -- even in those contexts where the differences and exclusions are reduced almost to the formality of voting or the precarious legality of the protest action of the poor -- but not all citizen's participation is popular.

Popular is a category that, in our regional contexts, identifies individuals who suffer social asymmetries, and in mobilizing movements are likely to become liberators. (Gallardo, 2005). The notion of a popular subject covers a range of sectors and social classes which are susceptible to being easily integrated into a project of anti-capitalist changes, related to communitarian, taking into account an identification with minimum levels of organization and autonomy from the market and the State: unions, neighbourhood associations, women's or youth organizations, cultural clubs with public presence, etc. ¹¹ (Dilla, 1996). For another

9 We found many elements that build bridges and at the same time promote a distinction between the action of the political organizations and their non-political counterparts, such as associations. They all contribute to the socialization of the people, which construct reference groups and can serve as a framework for selecting leaders and spreading beliefs -- all this despite differences in working methods, logical functioning and action areas, as they develop reciprocal recognition of interests rights and particularities. (Lagroye, 1993: 276)

10 It should be discussed whether the client-population of certain NGOs, even sharing the framework of popular participations, develop autonomous actions that help to define it and show leadership roles regardless of the subordinates and liabilities allowed by the entities.

11 This is unlike the concept of "civil society", which involves groups outside the place they occupy in the social hierarchy, ignoring the asymmetries and related ideologies that precisely surround the popular subjects.

researcher, popular participation is defined as the capacity and activity of large majorities to act in decision-making, in relationships of power and influence, at different levels of social development.¹²

Undoubtedly, there are many readings of the alluded phenomenon. Even references to the so-called “popular participation” have become invoked more frequently since the mid 90’s, within the frameworks of the reformist version of Latin American neo-liberalism¹³. This calls for effective and efficient administration of public policies in contrast to the paternalistic and bureaucratic models, which leads certain communities to assume a management pattern not consistent with their emancipating emphasis. Such participation, turned into a tool of management, with a technical element and a supposedly neutral re-distributive focus of on action, also adds its ideals to the political culture of national associations. (Olvera 2006)¹⁴.

THE CULTURE OF PARTICIPATORY ASSOCIATIONS: SIDE NOTES.

In its various spaces, the political culture of association frequently reforms ideals and modes of undemocratic action (authoritarianism, patronage, co-modification), although their entities incorporate alternative practices (popular education, participatory diagnosis, community work) and aim for a more participatory and democratic society. In fact, relationships between these associations are as complex as the rest of the components of the social system -- they reveal collaborative relationships, competition and conflict in their interactions.

The actors, by using various themes privileged by international cooperation (gender, environment, culture of peace, participation), look to leverage material, methodological, analytical and organizational resources, in order to effectively guide their collective action, and build capacities and sensitivities for social participation processes and resistance to crisis. Luckily, the metaphoric and cautious language of many of these associations does not always express attitudes of merely fear or opportunism. In many cases, it reveals the real power dynamics between these actors and the State and the desire to sustain spaces -- even if minimal -- of social transformation, avoiding generalizing and direct criticism, in order to allow for commitments and alliances with certain State institutions on timely matters.

These factors lead to various views on the opportunities and challenges of operating associations in Cuba. According to Ricardo Alarcon de Quesada, the veteran chairman of the National Assembly of People’s Power -- a Cuban legislative body -- “These organizations and others -- such as farmers, or professionals

12 Olga Fernández Ríos, Cuba: participación popular y sociedad, in Dilla, 1996.

13 See the use of the Promising Popular Participation Act of 1994 under Bolivian right-wing governments of the past decade. (Thevoz, 2006)

14 In this perspective, a logical instrument is deployed, where “practical problems are reduced to technical problems solvable by a formal calculation”. Lechner, Norbert, “Especificando la política” in Cabrera 2004: 28-29.

or neighbourhoods -- have a vital, natural role in the direction of society. It makes sense, therefore, that they should propose candidates for national deputies and provincial delegates. They are not only heard, but are directly involved in decision-making. Among other examples that could be mentioned are: the Law of Taxation, that, before its submission to the National Assembly was subject to an extensive review by workers' unions, which produced significant modifications to the original text; the Agricultural Cooperatives Act, an initiative presented by the National Association of Small Farmers, was discussed by hundreds of thousands of members in all cooperatives and from that discussion came the final draft that was considered and approved by the Assembly.. "(Serrano, 2003).

However, as the sociologist Juan Valdes Paz points out: "Developments in the decentralization of authority, resources and information for non-state sectors or local State entities, have not been enough. To a large extent, the institutional order shows high levels of centralization in all systems, which is partly a result of the environmental conditions in which they operate, and partly a result of their institutional design and high centralization of political power; (...) the systemic objective of popular participation in all its moments and increasingly, in decision-making, is blocked by the tendencies of bureaucratic institutions of each system, which are understood not only as an excess of staff and procedures, but as decision-making without democratic control. Advances in the decentralization and rationalization of the institutions in political and economic systems, have been insufficient in reducing bureaucracy. "(Valdes in Chaguaceda and Coderch, 2005).

In such an environment, mobilization and consultation are presented as basic levels of participation appreciated in Cuba, both in the institutional and associative realms. Given the shortcomings of the socio-political institutions, although the associative universe seduces as being an area of communication and democratic demands and feelings, not everything is idyllic. In many cases, the teams leaders are elected by the grassroots, but afterwards their roles are decisive and poorly controlled, leaving a passive role for the members. Often, directives are given special attention by institutions that express their consent or dissent, and in concrete cases show dissatisfaction with candidates who, once elected, perform discourses and actions that are more autonomous than that which is "officially acceptable" (even when they are systemic), usually based on uniform and monolithic traditions.

This affects the nature of the relationship, the ideological foundation of its discourse, the intellectual formation of its leaders, the role played within the bureaucracy; for instance, the approaches of the Ministry of Culture and Ministry of Science, Technology and Environment are not identical. Each association has to defend their unrestricted margins of autonomy, the ability to negotiate tactically, the ability to build bridges and win allies within the spectrum of associations, and with their foreign counterparts and, obviously, with the Cuban State, their power to mobilize public opinion around decisive conflicts, etc. It should be noted that the participation and commitment of members is a precondition for the vitality and respect which associations enjoy, but the opposite is also true.

In the context of different, coexisting cultures, in which none are intrinsically “bad” or “good”, but they simply have different concerns (historical, class, cultural), more traditional, passive approaches (self-informing, awareness raising and mobilizing) can be found, which are preferred by many of our institutions whose reason for being is historical and, despite the need to be overtaken, still retain great force. We have another type of participation, “active”, with several occasions where the community meets, brainstorms problems, defines an agenda of priorities, makes a plan, delegates the power to execute it, and later controls it. It is a complex process that does not reject the knowledge of experts -- it is no utopia where everybody decides all of the time, as some would try to portray it in order to discredit it -- but is an experience where everybody can participate, just not on every issue all of the time.

Occasionally, members are unaware of the participatory possibilities (potential or actual), and their attitude is one of passively expecting material, cultural, identity, socialization or other types of benefits, and they allow certain types of behaviour by their leaders. The actions and traits of these leaders depend on their individual backgrounds, levels of literacy and education, as well as, obviously, personal traits. It is necessary to deconstruct dangerous myths, such as the one that implies there are specific profiles (ethnocentric, sexual orientation, occupational, etc.) that allow, for example, a young, environmentalist, black, poor, lesbian leader to run for leadership as an *inherently emancipating subject*, given the enormous number of contextual and personal settings that can bring a range of undesirable surprises.

Within the associations participation is satisfactory, connected to the central issues on the agenda -- and a wide range of personal expectations, including professional, livelihood, affective and communicative dimensions, etc. The members continue to participate in their dynamic associations despite external difficulties (material shortages, legal constraints, institutional interference), which demonstrates their commitment to the group. This continues despite the strenuous and lack of effective results of a certain “multiple militancy” characteristic of Cuban society¹⁵

At present, within the associative spaces, there are various ways to assume and deploy participation, which are translated into participatory projects. Some identify participation as mere *mobilization*, define its subjects as *mass* and reduce its role to that of implementing policies designed by the State. Others project an image of professional, urban and efficient *NGO activists*, who provide services to client-populations and dominate the sophisticated language of project management and the latest agendas of international cooperation (gender and violence, local development, the environment and participation and citizenship).

Finally, there is a third group who sees participation as a form of *solidarity, autonomous and self-managing*, (D Angelo, 2005) which defines the actors as

15 See “Poder más allá del poder: reflexiones desde la experiencia cubana”, Elena Martínez Canals in (Chaguaceda 2005).

active *citizens* and expands the vision of a responsible associative space which shares and co-manages activities with the State institutionalism, from the perspective of a critical commitment to the socialist project. These positions have complex generational, territorial and cultural correlations that place them in different points on our spacial and human planes. Its defenders are found in texts, debates and processes laid out by different scenarios of the nation. (see table)

Table 1

Participatory Projects / Orientation	Traditional -- Socialist paradigm or the state, anti-neoliberal	Citizens - Democratic paradigm, anti-neoliberal and anti-capitalist, socialist	Business paradigm - professional, assistentialist and mercantile
Involved subjects	Mass / Workers	Workers / Citizens	Citizens / Clients
Associated ideas and values	Discipline, Commitment, Unity, Solidarity.	Responsibility, Initiative, Autonomy, Solidarity, Citizenship	Efficiency, Solidarity, Philanthropy, Subsidiarity
Action	Mobilization and Consultation	Co-management and Implementation	Consultation and Consumption
Role of State and Civil Society (ideally)	Active state, passive Civil Society	Proactive state, co-responsible Civil Society	Passive state, active Civil Society
Central Objective	Implement / (evaluate et post) public policies	Co-design and perfect public management	Re-distributive, focused, and assistential social intervention

For those who are interested in the study and development of participation within associative spaces, all of this presents a set of theoretical and practical challenges, among which are highlighted:

- The imperative to renew the debate surrounding the concept of civil society, placing its components in the context of a system of social relations, especially in its interaction with State and party institutionalism (Mirza, 2006), by inserting the notion of associative space.
- Studying the types of CS and State interrelations as simultaneous processes of inter-penetration and separation, evaluating the relationships between the administrative, coercive and symbolic dimensions of the State (and its resources), and the

socio-economic base, the organizational-mobilizing capacity and the internal dynamics – ideologies -- which animate any CS (Armony, 2005).

- The incorporation of concepts such as *socio-state interface* (or others of similar meaning) in order to raise awareness of the participatory traits integrated into resources, interests, social and State actors involved in concrete public policies (Isunza in Olvera, 2006).
- The need to delimit / define the content of the diverse participatory cultures (class, cultural, technical, generational, racial, territorial, environmental, etc.) in each case.
- The sine qua non requirement of evaluating the diverse components of the participatory projects, and jointly (for example, those of the same project) with their context.
- The usefulness of identifying visions and/or contact zones (false or real) between the participatory projects undertaken by the associations, addressing the warnings expressed by researchers on what has been called "Perverse Confluence", between participatory democratic discourses and so-called "solidarity participation."
- Integrating, strategically, the orientation of genuinely emancipating participatory traits (and their content) with the national project, and its Cuban anti-capitalist expression (Armony, 2005; Martínez Heredia, 2006; Olvera, 2006).
- The political value of identifying multiple connections from the associative space with transnational actors and trends (Moller, 1990; Revilla, 1999).

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PART II

PROTEST, CONTENTIOUS COLLECTIVE ACTION AND DEMOCRATIZATION

PART 2

PROTEST, CONTENTIOUS COLLECTIVE ACTION AND DEMOCRATIZATION

INÉS M. POUSADELA *

PARTICIPATION VS. REPRESENTATION?

THE EXPERIENCE OF THE NEIGHBORHOOD ASSEMBLIES OF BUENOS AIRES, 2001-2003

INTRODUCTION

This work is based on a series of in-depth interviews conducted with present and former participants of the movement of political protest formed by the “popular” or “neighborhood” assemblies founded in Buenos Aires around the end of 2001 and the beginning of 2002. Discourses produced in exceptional times tend to be profoundly revealing of ordinary, widely shared notions. Thus, the aim of this work consists in analyzing the discourse about political representation and deliberation that constituted the axis of the aforementioned experience, which took place in the midst of a deep crisis of representation. More specifically, it seeks to analyze the discourse of assembly members about the assemblies and their practices; about representation, delegation, participation, political parties, representative democracy and direct democracy in order to apprehend their underlying conceptions of representation, its paradoxes, its potential and its limits.

What kind of space for participation and deliberation were the assemblies? What stance did they take towards the institutions of political representation? Did they present themselves as a complement, a correction, or an alternative to their deficiencies

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and failures? What were the reasons for their rapid decline; what remained from them in the deep layers of Argentine politics? These are some of the questions that we try to answer through the analysis of the discourse of present and former participants of the assemblies, the appearance and rapid multiplication of which we locate at the intersection of two distinct processes: on the one hand, the slow, generalized and long-term process of metamorphosis of representation, conducive from “party democracy” to “audience democracy”; on the other hand, the crisis of representation, an explosive phenomenon, limited in time and space, characterized by the very absence of recognition of the representative bond on the part of the represented.

This analysis is not based on a representative sample of the universe under study. The main reason for that is the absence of complete knowledge of that universe, which is the direct effect of the peculiar nature of the assembly movement. We are indeed dealing with a fluid movement of undefined limits, with highly fluctuating numbers of participants over time and with a “membership” that can only be estimated, at any given moment, within very wide margins of error. The available socioeconomic and demographic classifications of its participants are intuitive at best, based on prejudice at worst. Secondly, even if it had been possible to design a sample fitted to our object, it would have turned out to be too big for our modest means, given all the supposedly relevant variables. Our aim has thus been to compile a reasonable quantity of discourse from present and past members of the assemblies in order to analyze it in the context of all the information available from both primary and secondary sources. That is why we discarded the possibility of a sample and chose instead to look for as much diversity as possible among our interviewees; in other words, we opted for variety instead of statistical representation. Thirty-seven detailed interviews were held with twenty-one men and sixteen women, whose ages ranged from twenty-three to eighty-five (with the highest concentration between forty and fifty years old) and who belonged or had belonged to a wide variety of assemblies in the city of Buenos Aires and, secondarily, in its metropolitan area. Our interviewees diverge widely in occupational terms: university students, primary school teachers, merchants, artists and artisans, liberal professionals, public employees, unemployed and retired people, and even one person that defines himself as an “activist” are included. The group is also diverse where previous political experience is concerned: it includes people with no political experience who confess that they went through a sort of “second birth” as they got involved in a political mobilization for the first time in their lives; others that claim to always have had “political interests” but whose previous experience was limited to attending demonstrations, mostly related to human rights issues; others that were once “sympathizers” of some political party or were briefly members of one, most often left-leaning; others who used to have an intense participation in a (probably left-wing) political party or while at the university; others who label themselves “lifetime activists” and have indeed been members of different parties and organizations, but did not belong to any of them at the time of their entry into the assembly movement; and others that were politically active as of December,

2001, mostly in left leaning political parties. In contrast with the great majority of available research –case studies involving one or, more frequently, two assemblies in a comparative perspective–, we analyze the experience that took place in a set of assemblies as wide and diverse as possible, so as to achieve a characterization divorced from the peculiarities of any particular assembly and from the constellation of circumstances that originated and shaped each of them. Some of the assemblies mentioned no longer existed, while others were still active when the interviews took place. Twenty-two of our interviewees still participated in them at that time, whereas fifteen of them had already quit. Some of the latter had abandoned either because their assemblies had lost dynamism and were almost extinct, or because they had been let down for any reason (different aims, ruptures, attempts at cooptation and inefficacy, among others); others, finally, had stopped participating at the very moment when their assemblies disappeared.

The fact that our interviews were conducted in the year 2005 demands an additional explanation. The time gap between the facts and their narration presents both advantages and disadvantages. We have tried to capitalize on the benefits of a retrospective look at already concluded processes without being affected by the disadvantages related to the intervention of memory, such as the “distortions” that result from oblivion and from the “contamination” with information obtained later in time, as well as from the retrospective adaptation to knowledge not available at the time of the events. Where necessary, we have compared the information offered by the interviewees with data from other sources. However, at the center of our attention are the ideas held by our interviewees about political representation and their interpretations of the processes they went through rather than the empirical accuracy of their recollections.

In the next few pages we offer a reconstruction of the context of the crisis of representation of October-December, 2001, based on journalistic and official sources, academic material and testimonies from our interviewees. In the third section we deal with the emergence of the assembly movement, while in the last one we proceed to analyze the discourse of our assembly members on three big issues that are revealing of the existence of various visions of representation as well as of the depth of its crisis. We analyze the different interpretations of the battle cry of the protest of December, 2001, *Que se vayan todos* (“Everyone must leave”); their visions of the relationships between their assemblies and representative institutions; and, last but not least, their descriptions and interpretations of the deliberation and decision-making processes that took place within the assemblies, as well as of the eventual emergence within them of leaderships and instances of delegation.

REPRESENTATION IN CRISIS. FROM ELECTORAL OUTBURST TO STREET MOBILIZATION.

First it was the electoral outburst. It was no coincidence that dissatisfaction became apparent when the center-left UCR-Frepaso Alliance failed. Not only had the Alliance government inaugurated in 1999 turned out to be particularly inept

and lacking in imagination: it also was, from the prevailing point of view at the time, the only remaining chance after a Radical government (1983-1989) truncated by hyperinflation and a Peronist one (1989-1999) whose heritage was one of poverty, unemployment and corruption.

By the time of the 2001 legislative elections the failure of the Alliance was apparent on all fronts: not only where it had made little or no promise at all but also on issues that were at the core of its identity and the satisfaction of which depended mostly on political will rather than economic resources. Among them was the corruption issue, which had been placed by the Alliance at the center of its 1999 presidential campaign. Less than a year after their electoral triumph a scandal had exploded after the denunciation of alleged bribes received by senators in exchange for the passing of a bill introduced by the government. The lack of presidential willingness to investigate the facts then became apparent. As a result, the vice-president (also president of the Senate) resigned and thus broke the governing coalition at the end of 2000. The governmental attitude revealed to the public the existence of a “political class” in the strong sense of the word, that is, of “a caste that permanently recycles itself”, that involves “the whole political spectrum” (Male, 57, retailer, Asamblea Popular de Pompeya, with previous political experience), and that is at the base of a “system” that functions “unrelated to its specific function”. Politicians, especially those in the legislative branch, were thus perceived as representatives unable to represent since “they do not relate to us, to citizens’ opinions, and they do not comply with their basic purpose that is the common good. They form a closed circle aimed at the maintenance and the increase of their own power” (Female, 60, psychologist, Vecinos Indignados de Vicente López, without previous political experience). More than from the results of the judicial process, the relevance of the bribe scandal resulted from its verisimilitude for public opinion. In that sense, it was a moment of open visibility in which the gap became apparent between the idea of democracy as “government by the people” and its factual reality as “government by politicians”. Politicians that, in addition, were considered to be “all the same”: equally “corrupt”, “thieves” and “criminals”, according to the most frequent epithets. Only the opening of a window of opportunity was needed for the crisis to overtly explode.

That is what eventually happened when mid-term elections were held in October, 2001, barely twenty-four months after those 1999 elections characterized by mild optimism as Menem’s decade-long government drew to a close. How did the protest start? Explanations based on the sheer enumeration of damage are spectacular but ineffective. Numerous explanations indeed function on the assumption that an accumulation of “objective data” is sufficient as a cause for political and social mobilization. We nevertheless know –at least since Alexis de Tocqueville’s explanation for the eruption of revolution in France– that no “objective” information is enough without the intermediation of the imaginary and the construction of subjectivities. The abrupt fall of the national gross product,

the effects of successive adjustment policies that reached their peak in July in election year and the astronomic figures of unemployment and poverty reveal nothing by themselves. According to official data, in October, 2001 the unemployment rate was 18.3%, whereas underemployment reached 16.4%. Sixteen million of the thirty-six million inhabitants of the country were below the poverty line and more than five million had fallen below the line of extreme poverty. Now, why was the explosion to happen when unemployment hit, say, 20%? Why not earlier; why not later?

The key is to be found in the ways in which citizens process bare empirical data such as country-risk figures or unemployment and poverty rates. Throughout 2001 Argentina's country-risk mark had been constantly increasing. For some time the government tried to prevent the figure from surpassing the line that separated attraction of investment from capital flight. By the time the figure surpassed all limits, it had become a piece of basic information that any citizen apparently needed to know in order to leave their home every morning, as if it were the weather forecast –while only experts had known about its very existence only a few months earlier. The crisis was then perceived in the feeling that macro-level variables had direct and immediate effects on everybody's daily lives. The overwhelming sensation was that the news brought by the newspaper had the potential to overturn each individual's fate, which turned out to be in foreign, uncontrollable hands. As for unemployment and poverty data, what was at stake was the very self-image of Argentines, torn to pieces by the fact that there were hungry people in a country with a potential to feed the world. Television broadcasted images of starving children in the Northern provinces; Argentina started receiving donation shipments from the same European countries whose emigrants had populated its territory a century earlier; web sites started spreading among prosperous Europeans the idea of fostering an Argentine child so she could eat and attend school. It was then that Argentines suddenly realized that they were not as "European" as they had believed themselves to be: not only did Argentina belong indeed in Latin America, but it was also undergoing conditions that its middle class plainly identified with Africa. It was, in sum, the image that Argentines had of themselves and their future –which seemed to be suddenly cut off– which had changed. The collective state of mind had shifted from the euphoria of the nineties to plain self-denigration. This feeling was soon to have a vivid translation in the image of the hundreds who lined up at the doors of the Spanish and Italian Consulates to get a passport that was the promise of a fresh start in the land of their ancestors. The fact that many people left the country in precarious conditions was another translation of the reigning sensation that nowhere could things be worse.

Several months before the elections, the rejection that would become apparent in the polls –and later on in an extra-electoral and even an extra-institutional way– was in the air both in streets and in the virtual space of the web turned into a forum for citizen expression and communication. Dissatisfaction with the po-

litical offer abounded, as it was criticized for displaying the same old faces, the very senators suspected of receiving bribes in exchange for the passing of a law, the unknown people who occupied their congressional seats thanks to the widely criticized “blanket lists” (*listas sábana*) that nobody seemed to be really willing to get rid of; in sum, the same politicians that had long been participating, without partisan distinctions, in transactional activities resulting in the detour of large public funds and the distortion of their mission as representatives of the people. In that context, appeals by individual “common citizens” or by *ad hoc* citizen associations mushroomed to cast blank votes or to void the vote by using handmade fake ballots instead of the official ones –so as to “vote” for funny fictional characters or for respectable historical figures– or by placing in the envelope critical or insulting messages for politicians or any kind of object that could be used to express anger and dissatisfaction. Still others refused to sanction the reigning lack of options by abstaining: the so-called “Kilometer 501” group, for instance, planned to deceive the authorities by organizing collective excursions on election day to transport voters somewhere more than five hundred kilometers away from their voting places, therefore legally exempting them from their electoral duty.

The results of the election were attuned with this climate of opinion. Those who did not vote or cast some form of “negative” vote (void or blank) added up to more than 40% of all qualified voters, more than the added votes received by the two major political parties. Though it varied enormously from one district to another, abstention reached an unprecedented 24.58 % at a national level. Void and blank votes added up to 23.99 % of the votes cast for national representatives (13.23% and 10.76%, respectively). Those electoral behaviors –more accentuated within urban sectors and among those with a higher socioeconomic or educational level– were not an expression of apathy or lack of interest but they had –especially the former– an active and even “activist” character. The avalanche of void votes was indeed a novel occurrence. Blank votes had slowly but continuously increased since the restoration of democracy in 1983; a similar path had been followed by abstention, despite voting being compulsory. Until 2001, however, surveys showed that the main reasons for abstention were the lack of interest and time to sort out information rather than sheer rejection of politics due to its identification with corruption (Ferreira Rubio, 1998). That was still not a situation of crisis of representation, but the normal (though certainly precarious and volatile) state of affairs in the context of the new format of representation that had been established gradually since 1983 (Pousadela 2004, 2005). The transition from “party democracy” towards “audience democracy” –which we describe, following Bernard Manin (1992, 1998), as a “metamorphosis of representation”– implies indeed a series of transformations. Among them can be mentioned the personalization of political leaderships, the transformation of parties into de-ideologized electoral machines, the decline of the importance of party programs, the growing impact of the mass media –and of television in particular– as a scene where political events are produced, the consequent prevalence of image over the

debate of ideas, the decline of captive electorates and the fluctuation of the political preferences of voters, whose loyalties can no longer be taken for granted. It was this situation of apathetic normality that was shaken by the citizens' electoral behavior in October, 2001.

While electoral results and survey data in the previous twenty years had at all times adjusted to what was reasonable to expect in the context of audience democracy, the events that took place on October 14th, 2001 and in the following months took on a completely different shape. They constituted indeed a qualitatively different phenomenon: an authentic crisis of representation. From then on, the focus was redirected towards the relationship of representation and the mechanisms that seemed to make representatives "disloyal" from the very moment they became so; towards the "political class" rejected for its homogeneity, that turned political competition into a useless formality, as well as for its powerful corporate interests; and towards the search for alternatives to the conflictive relationship between representatives and represented.

Two months after the electoral cataclysm the extra-electoral outburst occurred. The process sped up since the beginning of December, when it became apparent that the national government would be unable to honor the service for the national debt due at the end of the year. The refusal by the IMF to unblock a new loan to make sure that those payments could be made and that the minimal expenses of the State apparatus could be covered provoked a huge capital flight. On December 3rd a decree was enacted that drastically limited cash withdrawals from banks; in no time, this policy came to be popularly known as the financial "corralito", named after the play pens that will not allow babies to escape from adult surveillance. A month later the parity between the peso and the dollar on which the stability of the economy had been built a decade earlier was already history, and savings trapped in banks had undergone a brutal devaluation. Thousands of million dollars, mostly held by big business, had nevertheless fled abroad. At the same time, strikes of civil servants continued to spread across the provinces demanding unpaid wages, converging with the demonstrations staged by the movements of unemployed workers who had already been out in the streets for a long time making themselves visible through *piquetes* (pickets) and *cortes de rutas* (roadblocks). On December 12th the first *cacerolazo* (pot-banging) took place in the city of Buenos Aires, starring middle-class citizens in protest for the freezing of their bank accounts. The next day, there was a general strike summoned by the three union federations (the two CGT –official and dissident– and the CTA). In the same week a national consultation also took place organized by the *Frente Nacional contra la Pobreza* (National Front against Poverty), an alliance of the CTA and some center-left and left wing parties. Its results surpassed the organizers' most optimistic predictions, as three million people expressed their support for the proposal of a universal unemployment benefit. On the 14th riots and looting took place in two important cities, Rosario and Mendoza, gradually spreading to other districts and arriving in the Great Buenos Aires three days

later. In the latter, the climate of confusion was additionally fed by the provocative intervention of the *peronist* party machine. Two days later, on December 19th, the riots and clashes with the police in Great Buenos Aires caused the first deaths, some of them at the hands of retailers seeking to defend their businesses, many others as a result of police repression. In various places there were strikes and demonstrations, mostly by public employees, which targeted not just the federal government but also provincial and municipal ones, most of them under *peronist* rule. Particularly violent street combats took place in several districts. Many of our interviewees recall the feeling that the situation had “exploded”, which happened to make them “responsible” for what came after. The prevalent thought was –in the words of a former assembly member from Lanús– that “everything was over, we needed to do something” (Female, 26, with no previous political experience). On that same night President De la Rúa pronounced a televised speech in which he denounced the “enemies of order and of the Republic”, threatened with repression, declared the state of siege and summoned the opposition –much too late– for “national unity”.

Pot-banging began in Buenos Aires as the President was still reading his speech, which many of our interviewees describe as “pathetic” and “autistic”. Once the speech was over, demonstrators began to converge spontaneously, holding their pots and pans, towards Plaza de Mayo, in an open and explicit challenge to the state of siege that had just been established. This particular element is underlined by most people interviewed, who concede comparatively less importance to the freezing of bank accounts and to the existence of a conspiracy to overthrow De la Rúa as an explanation for the mobilization.

The state of siege is indeed identified by our assembly members as “the legal symbol of military dictatorships” and “a memory of past times”. Its implantation “had a decisive weight as a trigger for the people’s response” (Male, 50, left wing activist), itself a result of “so many years of activism by human rights organizations [that] have left an indelible mark on the brain, or in some place of the collective unconscious” (Female, 38, Foro Social de la Ciudad de Buenos Aires, with political and partisan experience). In that sense, the challenge to the state of siege signals the “closing of a historical phase that began with the dictatorship”. It was precisely that challenge which made it possible to re-signify and recover the national symbols that had been captured by the military: thus, for example, explains an interviewee that “I don’t like to sing the Argentine anthem, and I believe that night I sang it, because it was a different context” (Male, 49, journalist, Asamblea de Palermo Viejo, exiled during the dictatorship).

In any case, most of our interviewees agree that it was precisely when the state of siege was announced that the noise of pots and pans began. A few hours later, already in Plaza de Mayo, the demand that would become the hallmark of the political protest, still incomplete, was initially heard: *que se vayan* (“go away”). At one in the morning on December 20th the resignation of the Minister of Economy demanded by demonstrators turned into fact. Six hours later it was

the President himself who left the *Casa Rosada* aboard a helicopter after signing his own resignation. For the first time in history, a government born out of free elections had been overthrown not by a military coup but by popular rejection expressed in the streets. It was, according to an assembly member who describes the day as “feverish”, “an unprecedented situation, [because] it seemed that the people were overthrowing a President” (Male, 32, photographer, Asamblea Gastón Riva, with little prior political experience).

The bulk of the literature devoted to the analysis of the events describes them in epic terms, as a situation of rupture after which nothing would remain the same. Under the same light they are viewed by many of the protagonists. Although not all of our interviewees went out on the night of the 19th, those who did unanimously describe their nightly outing as a “wonderful” and “extraordinary” moment and the events of those days as the “culmination of a great social process”, a “moment of rupture” or “a hinge in Argentine history”. However, whereas some try to capture their sense by means of the classic vocabulary of class struggle or by analogy with other, better-known historical processes, many more emphasize the absolute novelty of the phenomenon.

Among the many novelties, the participation of people with no prior political experience is systematically mentioned by our interviewees, who describe the population as previously “asleep” as a result either of the repression that took place in the seventies, or of the benefits yielded by economic stability in the nineties. “It reminded me of the film *Awakenings*”, points out a former member of an assembly in Flores. “[There was] an absolute paralysis, inertia (...) and suddenly people went out to the streets... I don’t think they will do that again, not even if their football team wins the cup” (Female, 38, with political and partisan experience). Among those who “went out” for the first time was a member-to-be of the Asamblea de Castro Barros y Rivadavia that views himself as part of “the social class favored by *menemismo*” (thus, although he “saw that things were not too well”, he did not react before “because it didn’t affect me”). “What happened on December, 19th and 20th”, he says, “was that I lost my innocence” (Male, 36, business administrator).

Also original was the fact that the openly questioned logic of representation was temporarily supplanted by the “logic of expression” (Colectivo Situaciones 2002: 15). Mobilization on December 19th is indeed described as an “outbreak” or an “explosion”, and the state of siege is recognized as the window of opportunity that allowed for the free channeling of tiredness, anguish, fear or fury, among the many feelings repeatedly mentioned. It was all about “going out and protesting and making a catharsis. Something that seemed very tragic suddenly turned into a carnival” (Female, 29, sociologist, Asamblea de Palermo Viejo, self-described as “independent”). Another member of the same assembly adds that “there were thousands and thousands of people in the streets, defying the state of siege, not knowing very well why they were there (...) There was a sensation of ‘wanting more’, although nobody knew very well of what” (Male, 49, journalist, with political experience in the ‘70s and ‘80s).

Along with the mainly expressive character of the demonstration, its spontaneous, self-summoned and unexpected nature is also systematically underlined. “It was a chain almost without an origin”, writes Horacio González, a well-known sociologist. “Nobody could say ‘I initiated this’, and in the *Bar Británico*, a few days later, people discussed: ‘I saw you and I began’.” (Colectivo Situaciones 2002:48). A member of an assembly in Flores reflects in the same way: “I said: ‘Who was the first to bang?’ As in a football stadium, who starts singing the song? There is someone who is the first one. Perhaps one day a saucepan’s lid fell and thus it began”. So spontaneous were the *cacerolazos* that in those days “nobody knew when the next one would come”, stresses another assembly member (Male, 49, Asamblea de Palermo Viejo, with prior political experience).

The act of challenge that was the nocturnal excursion of December 19th was also the celebration of a surprise: its protagonists were gained by the feeling that they were living through an historical event; the feeling of being dragged by an unexpected collective process that, at the same time, turned them into actors. “I was surprised, overwhelmed, moved as I passed by the neighborhoods and saw people coming out to their balconies; it was a moment of communion”, explains a member of the Asamblea Gastón Riva who says that at that precise moment he had the “feeling that I was living a historical moment, that I was *making* a historical moment” (Male, 32, with little previous political experience). A former member of the Asamblea de Pedro Goyena y Puán frames it the following way:

It is very strange to be conscious on the very moment that you are living something historical. (...) We felt that finally something was going on (...) That effervescence, that idea that life had a meaning (...) There was also uncertainty. We tried to be alert and not miss anything (Male, 43, with no previous political experience)

The same individuals who, in their role as an audience, had spent long hours following the evolution of the events on television; the same ones that had gathered in front of their screens to watch the last public appearance of the president declaring the state of siege and that soon –still as spectators– had moved towards windows and balconies so as to listen and watch what was going on outside; those individuals became actors at the very moment when, not knowing exactly why –or maybe knowing that but not knowing if their own motivations were in agreement with those of the others– they rushed to their kitchens to get a pot, a frying pan or bucket to hit, still from their windows. Those individuals became part of the multitude when they saw their neighbors –people that, according to many interviewees, they had never talked to before– with their pans at their respective doors and joined them, first from their own doors, soon on the street corner, later at some emblematic intersection or in the neighborhood park, and somewhat later, perhaps, on the way to Plaza de Mayo, or to the president’s residence in Olivos, or to the home address of the resigned Minister of Economics. “People went like

this, almost individually... not in a collective movement”, remembers a former assembly member of Palermo Viejo (Male, 65, with no previous political experience). Alone, TV sets remained on with nobody to watch them for hours, even for the whole night. The clothes worn by demonstrators, the company of young children and babies in strollers who now moved in groups along the streets was another sign of the unplanned character of the departure. There were no political parties, and only the national flag was to be seen. Another member of the same assembly recalls that “there were more people than placards, and placards were behind people and not the other way round” (Male, 48, unemployed and student, with brief previous political experience). “People did not shout political slogans, it was not the usual stuff”, ratifies another assembly member, also from Palermo (Male, 49, with long previous political experience).

The people who participated that day –acknowledges a former member of the same assembly– were “disorganized people, neighbors who barely recognized each other” (Female, 44). Interviewees who identify themselves as “common citizens” accept more naturally the spontaneous character of the events; by contrast, those with a greater activist experience tend to express doubts about it. They certainly recognize they were surprised by the first *cacerolazo*; some even say they went to bed after listening to the presidential speech or that at the moment they were at some holiday toast or somewhere in the company of other activists, none of whom knew how to react. “Some of us were not sure whether we had to go downstairs and outside. The activists were more like puzzled”, remembers one of them. “We activists arrived after the people... that is, after the first people who came out with no previous organization”. But they state that later on the same night, activism began to “operate” providing some form of organization. Others, however, refuse to believe that such a demonstration could even be possible without some kind of political direction. Says one of our party activists: “I have some doubts, as a result of the way I see politics, that mobilizations on the 19th were just the effect of spontaneity. I find it difficult to convince myself that there was nobody with the political vision to summon the mobilization” (Male, 50). Those doubts become apparent in the hesitations of language; a member of an assembly of San Cristóbal, for example, talks about the arrival of the “columns” of demonstrators at the Plaza to rapidly correct herself: “no, it was not organized in columns, we just came like this, and people converged”.

During the days of the protest a temporary suspension of previous social identities took place (Giarraca, 2003). Our interviewees refer to it by means of the description of the events as a “celebration” or a “carnival”, a vortex in which “you were not aware of time or of where you were” (Male, 29, student, Asamblea de Palermo Viejo, with no previous political experience). Thus, under one and the same motto a chain of equivalence among extremely diverse demands and reclamations was knit. Central among them were the repudiation against a model of economic growth based on exclusion and the rejection of an inefficient, ineffective and corrupt political system. The slogan “*que se vayan todos*” (“ev-

erybody must go away”) that was for the first time uttered in those days included whichever unanswered complaint was in need of the identification of a culprit.

In contrast to the happy climate of the 19th, on the 20th Plaza de Mayo turned into a battlefield and a stronghold that some people wanted to occupy and others wanted to clear. “The spontaneity and the family-thing of the 19th”, says a member of the Asamblea 20 de Diciembre de Flores “changed on the 20th when there was already an action by groups minimally politicized, but politicized still. There were people on their own, guys in suits throwing floor tiles, inflamed. But the presence was very strong of politicized groups, with no party banners” (Male, 33, party activist). “You could see four or five [acquaintances], the Mothers [of Plaza de Mayo], their head scarves... But the activism you know, that of my generation was not there”, tells an assembly member of Parque Patricios. “The one that confronted the cops was clearly another activism (...) The left was there, but it was outside the mayhem. (...) The left did not confront [the police]. And I saw how other people did: the *motoqueros*, the nonpartisan *piquetero* organizations (...) It was basically a rebellion of the underclass youth. (...) It was a popular rebellion, but a rebellion without a leadership” (Male, 54, with activist experience in the ‘70s). An “unruly” violence occupied the center-stage. It was an intense violence whose precedents could not be found in the guerrilla actions of the 70’s but “in soccer stadiums and in the rock concerts that took place in neighborhoods” (Colectivo Situaciones 2002:63), and also –as is mentioned by several interviewees– in the *piquetero* struggles and in *puebladas* (popular uprisings) such as those of Santiago del Estero (1993), Cutral-Có, Plaza Huincul (1996) and Corrientes (1999), where the repertoire of collective action that was now re-shaped in Plaza de Mayo was originally compiled. The final count of the two-day experience in December, 2001 included 35 people dead, 439 wounded and 3273 under arrest.

Despite the efforts made by various left wing political parties to lead them, those events did not have an author –that is, they were not summoned, started, guided, directed or controlled by anyone. “The main party leaders [of the left] were like me, drinking *mate* at home as they heard the noises”, states an interviewee. However, as a result of the activation of the cleavage separating the “commoners” and the “political class” and as an effect of the subsequent division of the political space into two antagonistic fields, the events did indeed produce a subject. One of an unprecedented amplitude and an undefined character, as roughly a third of Buenos Aires’ inhabitants participated in the cacerolazos and/or in the assemblies that followed.

After the president’s resignation, after the successive resignations of those who followed in the chain of succession and after two days of intense negotiations, the Legislative Assembly (that is, both chambers of Congress deliberating together in a special session) eventually appointed the Peronist governor of San Luis, Adolfo Rodríguez Saá, as a substitute president with the mandate to rule until new elections were held on March, 3rd, 2002. A euphoric Rodríguez Saá was inaugurated on December 23rd and announced to the Legislative Assembly

the suspension of payments for the external debt and the country's subsequent fall into default (thus receiving the shameful applause of his congressional audience), the promise to create a million new jobs in a month, the maintenance of the peso-dollar parity along with the creation of a "national third currency" (therefore, a concealed devaluation), the end of the "*corralito*" that kept savings out of the reach of their proprietors, and the immediate initiation of the "productive revolution" that had been announced –but not undertaken– by President Menem in 1989. Once in his seat, the new president expressed his willingness –contrary to his mandate– to remain there until the end of the unfinished De la Rúa's term, that is, December 10th, 2003. Popular demonstrations resumed when it was announced, in open contradiction with the promises made the previous day, that the *corralito* was to be maintained, and when highly criticized former members of Menem's government were appointed to important posts. In that context, the peronist governors soon undermined the new president, who finally resigned on New Year's Eve. In the course of the protest against Rodríguez Saá the battle cry "*Que se vayan*" was transformed into the well-known, definite one "*Que se vayan todos*" ("Everybody must go"). In addition, a precision was added: "*Que no quede ni uno solo*" ("Not a single one should stay"). Indeed, neither union leaders nor judges were spared their share of public disbelief and rejection. What this *cacerolazo* made clear was how weak governments –and public figures in general– were once placed under the vigilant reflectors of an unusually alert citizenship that had already successfully *de facto* revoked their rulers' mandate and was ready to do it again if necessary.

On January 2nd, 2002 the Legislative Assembly appointed a new president: Eduardo Duhalde, former governor of the province of Buenos Aires, powerful leader of the *peronist* party machine in the district and, paradoxically, the same presidential candidate defeated in 1999 by Fernando De la Rúa, whose term he was now called to complete¹. At the time –recalls one of our interviewees– "a *cacerolazo* took place that was not so talked about in the media. It was a holiday, so it did not have as much of a repercussion, but I was near the Congress when the vote was going on and the noise of pots and pans was audible. It was a joke, to appoint him who came from the PJ (Partido Justicialista), from that mafia, he who had been with Menem and who had lost the election against De la Rúa" (Male, 29, sociologist, Asamblea de Palermo Viejo, with no prior political experience).

In the process that led from De la Rúa's resignation to the relative stabilization of a substitute government around April, 2002 five presidents and six ministers of economy followed one another. During those months all kinds of conflicts took place: strikes and conflicts stemming from poverty, unemployment

1 Indeed, the Legislative Assembly entrusted Duhalde with the presidency until the end of 2003. Nevertheless, in June, 2002, after a police repression that caused the deaths of two young *piqueteros* in Avellaneda, Duhalde felt compelled to trim his mandate and called for an early election in April, 2003.

and hunger –pickets, roadblocks, food demands and lootings– converged with the protest of the impoverished and attacked middle-class who verified its veto power through the *cacerolazos* and, secondarily, through verbal and sometimes physical attacks against politicians –identified as the most prominent people responsible for the situation. Days were “so intense”; “presidents were replaced all the time”, remembers an interviewee. “With each change you went out to the Plaza; it was necessary to go there and exert pressure because the demand was for a Constituent Assembly” (Male, 43, artist and university professor, ex-Asamblea de Pedro Goyena y Puán, with no previous political experience).

THE ASSEMBLY MOVEMENT AS A RESPONSE TO AND A CATALYST OF THE CRISIS

The most novel and longest-lasting product of the events of December 19th and 20th, 2001 were the “popular” or “neighborhood” assemblies². Assemblies were the organizational by-product of the spontaneity of the insurrectional days and at their origin was the experience of power. Several assembly members indeed locate the origins of their own participation in that new feeling that “something could be done”:

It was not the seizure of power, nor the foundation of a party... I knew that I did not have a clear goal to reach; all I knew was that it was possible to participate in some way and generate a power that could change things. At that moment you felt you had a lot of power, because we had knocked two presidents down, we had another one in check, and also the Supreme Court (Male, 29, Asamblea de Palermo Viejo, with no previous political experience)

Power is here understood in Arendtian terms, as something that comes to exist when people meet through speech and action, that is to say, when people act out

2 Different assemblies adopted different denominations, in many cases after heated arguments about the profile that was to be given to them. As Rossi (2005) explains, the label of “neighbor assemblies” emphasizes the shift towards territorial organization by those that although no longer have a steady job able to produce solidarity and a feeling of belonging, still have a place of residence capable of creating new forms of solidarity. The term “popular assemblies”, on the other hand, underlines the re-articulation of “the people” as a subject. According to Rossi, the self definition of an assembly as “popular” is linked to an interpretation of December, 2001 as a context of crisis of the capitalist system or the neoliberal model and of representative democracy and “partidocracia”, and to an understanding of the slogan “*Que se vayan todos*” as the call for the creation of an alternative to those structures in crisis. By contrast, the self-named “neighborhood assemblies” tend to conceive the crisis as resulting from the persistent and excessive delegation of authority in a political system lacking effective mechanisms for accountability and citizen participation and control. Consequently, they interpret the “*Que se vayan todos*” in terms of the re-legitimization of political representation and the straightening of its mechanisms.

of common agreement. The assemblies –states a former member of one in Montserrat– appeared simply because “people met their neighbors, people joined others and said ‘we must do something’, because they had the feeling that on that day they had gone out and done something” (Female, 55). In fact, many assemblies were born in the same places and at the very moment when the self-summoned neighbors were taking part in the *cacerolazos*. A neighbor of Olivos explains:

Where do you have to go in order to shout at the president? To the presidential residence [in Olivos] (...) There people started saying ‘this is the assembly of Olivos, the assembly of Olivos’, and the same neighbors continued to meet once and again and that’s it...

Another interviewee recounts that the Asamblea 20 de Diciembre de Parque Avellaneda “started, the same as the others, being a spontaneous group of neighbors who met to go to the *cacerolazos* in Plaza de Mayo together. (...) After two weeks of going to the *cacerolazos* (...) the idea started to emerge, on the way back, that we should meet prior to the demonstrations, maybe an hour before, so as to plan. Thus, we first started being an assembly so as to discuss how we would go to the *cacerolazos*; and then other conversations started to arise” (Male, 41, with union experience). The perception that power resides in being together explicitly emerges in the discourse of an assembly member who explains that what was valuable in the first encounter was just “the commitment to meet again” (Male, 45, employee, Asamblea de Palermo Viejo).

In spite of emphasizing the “spontaneous” character of the mushrooming of the assemblies, many of our interviewees accept the fact that they were indeed summoned by somebody. What they underscore, instead, is that the summoning was done by “common neighbors” like themselves, often with little or no prior political experience, who simply took the initiative to write a poster or to print and distribute a flyer so as to originate something that would soon grow through the voluntary decision of each adherent, by its own impulse and without any directions or leaderships. According to many, spontaneity conferred a “genuine” character to a movement that is repeatedly characterized as “arisen from below” and at the back of political parties and leftist activists and organizations, who happened to be distracted, looking in a different direction. “Although I had political experience” –states a journalist– “I did not summon my assembly; four people with no experience did. (...) All my political experience notwithstanding, I could not see the phenomenon coming, while they, without any political experience, could and did take the initiative” (Male, 49, Asamblea de Palermo Viejo).

Also mentioned once and again is the fact that “people” were then available to respond to this kind of call: what was extraordinary was

not the fact that somebody summoned, but the fact that so many people responded. More important than the call itself was indeed the fact that the process was not controlled or directed by anybody. As is explained by two assembly members:

Assemblies were relatively spontaneous. It is just as with the chant in the football stadium: it is organized during the week. The thing is whether you are allowed to sing it, whether everybody wants to learn it and whether they sing it when you tell them... It is the same here. The assemblies were summoned. (...) [But] just try to summon an assembly with a couple of flyers and gather three hundred people out there in the street... (Male, 47, Asamblea 20 de Diciembre de Flores, with political experience)

You found little signs, 'we neighbors will meet'. Evidently those signs had to come from somewhere. (...) [There were] organizers. However, this is just anecdotal. (...) What made the difference was the presence of neighbors who wanted to participate, who felt deceived, unrepresented (Female, 50, Asamblea de Álvarez Jonte y Artigas)

Other interviewees maintain that their assemblies were summoned by preexisting organizations: those are the cases of the Asamblea Popular de Liniers –whose foundations, says one of its members, were set a week before December 19th, when the retailers of the district staged a protest in Plaza de Mayo–; the assemblies of both Palermo Viejo and Congreso –which recognize their origins in the actions of a group of people who had been mobilized for more than a year outside the Congress in demand for an impeachment process against the Supreme Court–; and the Asamblea Gastón Riva in Caballito, summoned from a *Centro Cultural* (Cultural Center). A few interviewees state that their respective assemblies were “proposed” by some political party, such as the Partido Obrero, or by individual activists belonging to some organization. More numerous, however, are those who emphasize that the initiative –both in the case of “common neighbors” and of activists– took place as the result of the “demonstration effect” caused by other assemblies already in place. That is, they contend that the first assemblies were doubtless “spontaneous” in the referred sense of the term and that “others were later formed by parties, on the wave of the already existing ones. [But] there was already an objective process going on” (Male, 34, Asamblea 20 de Diciembre de Flores, with prior political experience). Accounts such as the following are thus common enough:

[One day] I found an assembly on the corner of Castro Barros and Rivadavia. The road was blocked and there were twenty or thirty people shouting with a megaphone, and I stayed (...) I mentioned it to friends

and to the *compañeros* (fellow activists) in the neighborhood and two or three days later we saw the same thing going on in Cid Campeador. It was then that we decided to organize one in Flores. We put up a couple of posters summoning people to Plaza Aramburu (...) We thought that maybe somebody would show up, and we found out that we were two hundred. (...) We who had summoned introduced ourselves as neighbors and acted as chairpersons. (...) We used the same methodology that we had seen in other places (Male, 33, Asamblea 20 de Diciembre de Flores, party activist)

Once the assemblies had been born, the *cacerolazos* could be replicated thanks to the organizational resources they had put into motion, but for that same reason they started to lose spontaneity, since it was increasingly the assemblies themselves who summoned and tried to coordinate them. As the *cacerolazos* that had preceded them, therefore, the assemblies were soon charged with two opposite accusations: on one hand, the motive that was supposed to be at the roots of their actions –that is, the rejection of the *corralito*– was denounced as despicable or spurious; on the other hand, they were denounced as left wing hideouts with shameful political motivations.

The unacceptable character of “material” and “bourgeois” motivations as springs for political action is internalized by most of the interviewees, who thus typically insist in denying the first accusation. As for the second one, it has to be said that although the assemblies were often propelled, maintained, colonized or manipulated by political organizations, the attempts at cooptation and manipulation tended to be fiercely resisted by those who –self-defined either as “non-political”, “nonpartisan”, “indifferent to ideologies” or believers in politics understood as a creative activity as opposed to its degradation in the hands of professional politicians and activists– were sincerely looking for a genuine form of self-organization and deliberation. The persistent presence within the assemblies of activists from left wing political parties and their tendency to manipulate debates and to introduce and advance their own agendas is also denounced by several assembly members as one of the main reasons for the drain of “neighbors” and the assemblies’ subsequent decline. A young member of the Asamblea de Palermo Viejo illustrates it the following way:

The neighbors were all here, we were about a hundred and twenty, [everything was] very nice until we started to notice who was speaking with the microphone, who shouted or who did not let others speak or tried to impose his own views. Coincidentally, they all belonged to certain parties. We started to talk about it and a whole reaction was set up to prevent cooptation from taking place. But that was a strategy that was

commonly used by leftist parties. Because the assemblies were a creative, spontaneous social attempt: no visionary from the avant-garde came here to say 'this has to be done'. But once they existed they wanted to seize them. (...) Some [participants] admitted that they belonged to parties and others did not, but we uncovered them. [It was] a complicated thing to do (Female, 29, sociologist, with little prior political experience)

"Some of us were acquainted with those practices because we had also embraced them in the past", states a member of the Asamblea de Palermo Viejo (Male, 49, with prior political and partisan experience, currently an anti-globalization activist). "We who had some experience with that" –recalls an assembly member from Flores– "were all day identifying them. They all came to the assemblies, and a feeling grew that still persists among the population: a rejection against the party model and structures. You could not mention that you belonged to a party" (Male, 47, with prior political and partisan experience). Explains another politically experienced assembly member of Palermo Viejo:

In the second or third meeting, a youth came who evidently had political experience and said 'we must organize committees and begin to give ourselves some structure'. The majority did not want anything structured. (...) The mistake made by most leftist parties [was] not to understand that they were facing a novel phenomenon and that they were not the avant-garde but marched at the rearguard instead. (...) They bear a strong responsibility for the decline of the assemblies, because they introduced debates that people were not interested in, debates related to their own political characterization of the situation. Each leftist party tried to push the assembly towards their side, because there was a competition among left-wing parties to see who had more assemblies. They thought that [the assemblies] were soviets that needed to be led.

Praised by those who saw them as a superior evolutionary stage after the spontaneous *cacerolazos* and criticized by those who considered them as the cause for the loss of the vigor and the innocence of the spontaneous, the assemblies were undoubtedly one of the most novel practices grown amidst the heat of the representation crisis that had so violently erupted towards the end of 2001. The assembly movement contained an unusual revealing power of the nature of the crisis from which it had emerged as well as a potential for innovation beyond the dominant political practices. The assemblies were sites for the production both of discourse about a highly problematic representative bond and of political practices directed towards the search either of complements or of alternatives to the current practices of political representation. In other words, its proliferation around the end of 2001 and the beginning of 2002 can be simultaneously understood as a symptom of the crisis of representation (and of the economic and social crisis as well) and –due to its nature as a producer of discourse and

practices related to representation— as a factor leading to the further denunciation and deliberate deepening of that crisis.

The assemblies were not as massive as the *cacerolazos* had been, because—unlike the latter— they demanded from their members time, patience, rhetorical abilities, organizational skills and/or interest in political debate. Participation in the *cacerolazos* was accessible to anyone: the only requisite was to have some reason for complaint and to go out with a pan to express it in a space that did not have nor could have had any hierarchy, as there would be in the assemblies as soon as “natural leaderships” began to emerge. However, less than three months after December 19th the number of assemblies had already surpassed a hundred in the city of Buenos Aires, with a similar number in the Great Buenos Aires. Between January and February, 2002 forty assemblies had also been founded in the province of Santa Fe, approximately ten in Córdoba and seven more in four other provinces. Still, the assembly movement is described by our interviewees as a “phenomenon of the capital city [of Buenos Aires]”. “We cannot say that it was a national process, because it was not so, but at the moment it did have national connotations because it was widely amplified and expanded from a political point of view” (Male, 47, retailer, Asamblea Popular de Liniers, with large political experience).

Despite its low quantitative incidence—retrospectively admitted by numerous interviewees, who speak of dozens or maybe a hundred members in neighborhoods with tens of thousands inhabitants— the prevailing feeling throughout the first weeks of assembly life was that “anything could happen”, that “any change was possible”. “It had a multiplying effect, people came, invited neighbors, printed flyers”, explains a former member of the Asamblea de Palermo Viejo (Female, 44, with no prior political experience). “You walked by the neighborhoods and found assemblies here and there”, recounts a former member of the Asamblea de Flores Sur. “It was impressive, everybody took part in an assembly, you went on the subway and you met the same people that you met at the *Interbarrial*, and it was quite a strange feeling, an effervescence” (Female, 38, with prior political and partisan experience). At the same time, however, many of those assembly members were already aware of the limits of the process as they found difficulties in mobilizing the people who were not yet mobilized:

What we saw as we walked [during demonstrations] is that people were on the balconies, they waved but remained there. There was no way to get them down to the street (...) There was a slogan those days that went: ‘Turn the TV off and come out’. One of the memories I have is of the buildings along Rivadavia Avenue with the windows open. The country [was] in flames and people [were] comfortably watching television. It is a terrible image; it made us angry and impotent when we saw that people did not react (Male, 43, Asamblea de Pedro Goyena y Puán, with no prior political experience)

As far as their composition, procedures and mechanisms (more or less horizontal, more or less pluralistic) were concerned, the assemblies were so different

from each other and internally heterogeneous as the concert of pans had been³. Their initiatives were varied and diverse as well, ranging from the publishing of newspapers and bulletins or the broadcasting of radio programs to the organization of “*escraches*” (graffiti protests) against politicians or the organization, coordination and participation in diverse forms of protest, and including the opening of soup kitchens, the organization of communitarian food purchases, the elaboration and distribution of all kinds of goods through local cooperatives aiming both at promoting self-sufficiency and autonomy and at preserving or creating jobs. Their mottos and demands were also as wide and diverse as the *cacerolazos*’ had been: general elections now, support for the *piquetero* movement (through the slogan “*piquete y cacerola, la lucha es una sola*” –“pickets and pans, the struggle is the same one”), participatory budgeting, the creation of mechanisms for decision-making by neighbors at the local level, the nationalization of the banking system, the re-nationalization of previously privatized utilities companies, the decision not to pay the external debt, the removal of Supreme Court Justices, the revocation of all mandates and the summoning of a National Constituent Assembly, the end of the “*corralito*”, various reclamations to local and provincial governments (ranging from the cession of physical space for meetings and activities to the yielding of food or medicine for distribution). Among them it was possible to identify concrete and immediate demands related to the social crisis; classic vindications of small leftist parties, such as the rejection of the obligations derived from the external debt; demands stemming from the negative re-interpretation of the structural reforms undertaken throughout the nineties; and, last but not least, many others that were the direct expression of the crisis of representation.

POLITICAL REPRESENTATION AND THE ASSEMBLIES ACCORDING TO THEIR MEMBERS

The discourse produced by the assemblies on the issue of political representation also varied widely. It included reformist stances in demand of a renovation that could “clean” the representative system of its evils and allow it to function correctly, as well as radically contesting positions based on the idea that representative devices were inherently evil as they had been designed precisely with the aim of moving the people away from a power that was rightly theirs but that makes domination unstable when exercised.

In the next pages we try to elucidate what political representation meant for assembly members; how doomed they thought it was; what their demands were in relation to its unfulfilled promises; and what alternatives they perceived. Did they demand a “more representative” democracy? Or, on the contrary, did they want to turn democracy into a “more direct” one? In other words: how did assembly-

3 In the city of Buenos Aires, however, the assemblies’ socioeconomic profile was defined enough: they existed in greater quantities in middle- and upper middle-class districts such as Belgrano, Almagro, Palermo and Flores.

members reflect about their own assemblies? How did they understand the relationships they maintained with political parties and government institutions? Did they think of the assemblies as an alternative or as a supplement to other forms of mediation between society and the state? Did they accept the possibility of developing their activities within the framework of the existing representative institutions? Did they consider them as an additional and more effective form of “citizen control”? Did they perceive in them some echo of other well-known participatory experiences, such as the Brazilian participatory budgeting? Did they allow for any space for representation, or did they radically reject all forms of representation? Did they propose any specific practices at the neighborhood level that could make it possible to completely get rid of the distance between the rulers and the ruled?

QUE SE VAYAN TODOS

The motto “*Que se vayan todos*” (QSVT) first uttered on the rebellious final days of 2001 has ever since been subject to a great variety of journalistic, academic and political interpretations. Those interpretations are continuously framed and re-framed by assembly members, who thereby relate in quite different ways to the system of political representation.

A bulky set of interviewees maintains that the QSVT must be literally interpreted. Nevertheless, few of them state that the slogan simply demanded that “absolutely all of them” went away so as “to start anew right now” (Female, 36, ex-Asamblea de Flores Sur, with limited prior political experience). Instead, the vast majority gives some specification as for the content of the expression “all”, which usually translates as “all those who hold seats”, “the politicians of the system”, “the corrupt, treacherous politicians” or “the ones that have always ruled us”. Others take a little step further to state that “all” those that should go were “the members of the political corporation, the judges” or those who held positions in “the three branches of the system”. What the slogan demanded was –as an assembly member of Almagro puts it– that “not only the politicians who have always ruled us and still do” should leave, “but also the whole political class, supposedly representative of the citizenry, which means all political institutions, the Church, unions... the whole old way of doing politics based on clientelism, on the idea that ‘I give you this money, now vote for me’” (Male, 36, with no prior political experience). In that sense, the target was “old politics” and the reclamation was, as some make it explicit, of a “renovation of parties” (Female, 50, Asamblea de Álvarez Jonte y Artigas, with little prior political experience). This reclamation stretched to include, after the assemblies’ experience, also the parties of the left, even though the latter “do not feel that the message concerns them, they [behave] as if they had nothing to do with it” (Male, 65, ex-Asamblea de Palermo Viejo, with no prior political experience)⁴.

4 The left is the target of accusations of a different nature from those directed against the rest of the parties, blamed for colonizing the state apparatus with its cor-

Among those who interpret the slogan literally are those who no longer apprehend it in terms of a “renovation”—understood either as the replacement of the people in charge or as the substitution of the old criticized practices— but in terms of the replacement of the system of representation with “another democracy”, described by some as “direct”, by others as “participative” and still by others as “more representative” than the existing one. The refusal to interpret the slogan as a demand for a “mere exchange of faces” is in many cases explicit; thus, for example, a former member of the Asamblea de Lanús declares that QSVT meant “that all the rulers had to go away but also that nobody had to come to take their place (...) [Although] I cannot imagine what it would be like to be organized that way” (Female, 32, with brief prior political experience). In the words of an assembly member from Parque Avellaneda:

[QSVT] is a slogan-guideline for the construction of a popular force of a different type. In that sense it seems to us that the model of Mosconi is the most advanced in our country. It seems to us that there are other models to study, such as that of Brazil’s Landless Workers’ Movement, the Zapatistas, the Colombian guerrilla, the coca growers in the territories where they function as a real popular power (Male, 41, with union experience)

Generally speaking, this position involves the vision of assemblies as an alternative to representative democracy. In the Asamblea de Palermo Viejo—remembers one of its members “the phrase had been extended by saying ‘Everybody should go away, we’ll be in charge’” (Female, 65, with no prior political experience). The same extended phrase is cited by an assembly member from Pompeya, for whom it conveyed a clear message to politicians: “you cannot administer anything anymore”. “Politicians”, he explained, “are dreadful. In thirty

rupt, clientelistic practices. According to most of our interviewees, the left has sinned by default, due to its inability to take advantage of “historical opportunities”. Says, for example, a member of the Asamblea de Álvarez Jonte y Artigas that leftist parties “are responsible for the fact that nobody has gone away, for the fact that a popular force was not formed”, that is, “for the inexistence of a popular organization representing the population” (Female, 50, with brief prior political experience). “I do not have anything against the left, I also consider myself a leftist”, explains an assembly member of Pompeya, “[but] the left let go of a historical opportunity to create an alternative with the assembly movement” (Male, 57, with prior political experience). Consequently, the fact that they have not had power with which to do wrong does not exempt the left from its share of responsibility; on the contrary, it is held accountable for its very inability to build power. As one of our interviewees reminds us, we are talking about parties that obtain less than 1% of the vote, which means that “they do not have a very positive sense of [political] construction”. The same inability is apparent in their behavior within the assemblies, guided by the objective of recruiting a handful of new activists rather than of carrying on any tangible project (Male, 65, ex-Asamblea de Palermo Viejo, with no prior political experience).

years they have not found the solution. They prostituted the branches of the government, they led 50% of the people under the poverty line, and corruption is structural” (Male, 57, with prolonged prior political experience).

A second set of interviewees, equally numerous as the first one, attaches to the QSVT a metaphorical sense, that is, a figurative, non-literal meaning that eases the comprehension of the phenomenon in question. In the words of a former member of the *Asamblea de Montserrat*:

[QSVT was] a metaphor like that of the Mothers of Plaza de Mayo, ‘*Aparición con vida*’ (‘Reappearance with life’). That is, everybody knows that they are dead, but ‘Reappearance with life’ is the slogan, the strong line, and this ‘*Que se vayan todos*’ seems similar to me, because I personally cannot believe... Who has to go away? How? Why? Who stays? And who will come instead? (Female, 55, with prior political experience)

As a metaphor, two main characteristics are attributed to the slogan. On one hand, a great capacity of symbolizing weariness, disgust and rejection towards representatives, the representative system and even the “system” as a whole. It was, according to various present and former assembly participants, “a catharsis through refusal”, “a shout of protest and [a way] of setting a position”, “a cry of revolt”. It was “just an expression, a way of saying ‘we are fed up of this and we still do not know how to change it; we are simply fed up and we show it’”, says a member of the *Asamblea 20 de Diciembre de Flores* (Male, 33, party activist). “It was very visceral”, confirms a former member of the *Asamblea del Botánico*. “There was no deeper analysis than that. It was a rebellion cry, like a rubber that you stretch to its maximum to see how much it bounces back. It did not stretch much because in fact they are all still here...” (Male, 48, unemployed, with limited prior political experience).

On the other hand, the slogan is characterized by its synthetic power and its inclusive potential. It was “a synthesis like those that fans make in soccer matches”, according to a member of an assembly of Flores who provides the following explanation:

[The phrase] was coined in the streets. ‘Everybody should go away’ means ‘That’s enough!’ It is a translation, it is not literal. It does not mean that we are going to go and kill the referee’s mother, no. (...) It was a simple phrase: it didn’t mean that all of them had to go, all, all, all, all the sons of a bitch who negotiate behind the backs of the people, who profit as much as they do, who live isolated, who work against the interests of the already damned, who don’t give a damn about anybody, who keep indebting the country (...) Some of us said ‘Let’s go further, let’s make the revolution’, [there were] others who wanted superficial reforms, but the ‘*Que se vayan todos*’ included us all (Male, 47, *Asamblea 20 de Diciembre de Flores*, with political experience)

Some interviewees consider the amplitude of the slogan to be a positive trait as it allowed it to encompass diverse reclamations; they also contend that the phrase becomes

a “double-edged sword” when literally understood. Others, however, use the very same expression to refer to the dangers involved in a slogan so “vague” and “diffuse” so as to encompass everybody, and therefore ready to be “appropriated by the right”.

Our interviewees –both those who understand the phrase in some literal way and those who emphasize its metaphorical character– are also divided as to whether they think the slogan is still valid, if it ever was so. In fact, some of them claim that they never supported it or that they stopped doing so long ago, for one of many reasons: its irresponsible, insufficient, excessive or negative character, or the obvious inevitability of its failure. There are also some (few) who reject the first part of the phrase –the passivity of the idea that *they* should go away– when in fact, they say, it was necessary that *we* got rid of them all. Conversely, others (also in small numbers) oppose the idea that *everybody* should go away based on the argument that not all politicians are the same. “There were people [in Congress] who, from my point of view, had performed well (...) I [even] suspected that [the slogan] might have been invented by the right so as to create a situation in which everything was mixed, everything was put at the same level”, suggests a former assembly member from Caballito (Male, 43, with no prior political experience).

As for the “irresponsible” character of the slogan, it is affirmed with at least two different senses. On one hand, the expression is considered to be irresponsible in that “it locates responsibility outside us. [That way] nothing gets fixed. [It is as when we say] ‘I did not vote for him’, ‘I do not have anything to do with it’, ‘It has been like that for a long time’” (Female, 23, student, ex-Asamblea de Palermo Viejo, with little prior political experience). The slogan is also denounced as a “whim”, a result of the temporary urgencies of “the same people [who now] go to the demonstrations [in demand for a “zero-tolerance” policy against crime] led by Blumberg” (who is systematically identified by the interviewees as “rightist”) (Female, 26, ex-Asamblea de Lanús, with no prior political experience). On the other hand, the phrase is considered to be a product of the “unconsciousness”, the “lack of thought” about the results of its eventual application. “You can’t tell everybody to go away because if you are governed then comes Mr. George W. [Bush] and tells you: ‘I will rule for you’”, says a former member of the Asamblea de Olivos (Female, 45, volunteer in a popular library, with political experience and party affiliation). However, the most common reference to the irresponsibility of the phrase –described as “ridiculous”, “childish”, “misadjusted”, “impulsive” and “meaningless” – appears in between interrogation marks: “If everybody goes away, who is going to come?” The question is frequently asked alongside the ascertainment of the assemblies’ failure at “occupying the space” of those who had to go, and/or of the failure of “the people” at organizing an alternative and rising up to the challenge that was the result of their own demands.

The phrase is denounced either for its excessive (and, therefore, impossible) character or for its insufficiency. “Nobody went away”, states a member of the Asamblea Gastón Riva. “These all-or-nothing positions are all the same, and it ends up this way. We wanted everything and we got nothing” (Male, 32, with

little prior political experience). Those who consider the slogan to be insufficient, on the other hand, are mostly party activists and assembly members with a vast prior political and partisan experience who criticize the alleged reformist stance of the vast majority of the mobilized citizenry:

[The slogan] said ‘all politicians should go away’, but it did not say [that] the parliamentary system is an indirect system of delegation of politics and that as long as you vote for somebody who is not revocable and can do whatever he wants in between elections, it is a great political renunciation. (...) The assembly wanted everybody to go away but it did not want to change the system (Male, 47, member of the Asamblea Popular de Liniers, with experience in activism)

The insufficiency of the slogan is also linked to its “exclusively negative” character. Consequently, the lack of a “positive” alternative is pointed out as a problem by many assembly members –mostly party activists– who claim to have tried to solve it by organizing groups parallel to the assemblies whose aim was to allow for “strategic political discussion”.

In any case, the majority of our interviewees consider that as for its practical effects, the slogan was a failure. “Nothing changed”, “nobody went away”, “little changed so nothing fundamental was changed” are some of the expressions typically used. A few people, however, affirm that assemblies were instrumental in changing the vision of previously passive citizens and in creating a sort of state of alert, as well as greater sensitivity and responsiveness on the part of the government elected in 2003. The latter is indeed recognized by many as having picked up through words and deeds the heritage left by the demands originally put forward by *caceroleros* and *asambleístas*.

ASSEMBLIES AND REPRESENTATIVE INSTITUTIONS

The relationship with the local government

A minority of our interviewees emphatically affirm that their assemblies maintained no relationship with the *Centro de Gestión y Participación* (CGP)⁵ in the neighborhood because they wanted to remain faithful to the QSVT, thus rejecting all relationship with the government, political parties and institutions in general. A member of an assembly of Flores recalls:

5 These Centers for Administration and Participation are decentralized administrative units of the city government of Buenos Aires where neighbors can process paperwork, have access to social, cultural or educational services, make denunciations about violated rights or make reclamations related to public services and utilities companies. The CGPs are announced on the local government’s web page as “a channel for neighbors’ participation through different mechanisms that promote collective agency and the concerted search for solutions” and as “a tool for the effective control of the administration” (<http://www.buenosaires.gov.ar/areadecentralization>).

We were all quite radicalized. There was a committee for institutional relations that was stigmatized as the ‘right wing’ of the assembly. First thing they wanted to do was to enter into a relationship with the CGP, the Church and the police. Can you imagine, at that time... The police had been repressing us for a month, the CGP did not even exist for us, the government was an empty shell and the Church was not considered to be a progressive institution open to dialogue (Male, 34, with brief prior political experience)

In contrast, many others declare that their assemblies went through severe internal conflict about whether to accept or reject anything offered by the CGP; about whether to make requests, or demands, or even to “just go and seize” whatever resources were considered to belong to “the people” by their own right –such as a place to meet. Still more numerous are those who categorically maintain that their assemblies had some kind of relationship with the CGP or with the city government (and, to a lesser extent, with other institutions). Those relations were, according to the majority, “unavoidable”, of a utilitarian nature and based on “permanent demand”. From this perspective, the CGP was a mere source from which diverse resources could be “obtained” or, better still, “taken”; a place where requests or demands could be directed and that could be repudiated or even attacked if demands were not appropriately met. This sort of relationship is frequently (though not always) defined as “conflictive”⁶. Only a handful of interviewees describe a relationship that was “friendly” or “adult” due to a certain ideological affinity, to “governmental good will”, to the recognition by the assembly of some virtue in certain official policies, or to mutual respect. The obtaining of resources (physical space, food to distribute or to feed the soup kitchen, social plans, housing subsidies, etc.) or of favorable decisions such as the recognition and legalization of assemblies’ activities are consequently understood mainly as the effect of the “struggle” led by the assemblies and of their “pressures” on a government depicted either as in need of “cleaning its public image” or as “scared” by social convulsion. A member of the Asamblea de Parque Avellaneda recounts:

We had a meeting with people from the department of food policies. [It was] the first time that we had contact with government officials. At that time people in the city government were scared, and whenever they felt threatened by the possibility of a demonstration they just

6 In some cases the relationship with the government and parties was even seen as “dangerous” for at least two reasons. Firstly, this relationship caused -according to several interviewees- “bossy tendencies” in some assemblies and resulted in the co-optation of assembly members by parties and governmental structures. Secondly, the availability of resources coming from the government faced many assemblies with a dilemma that produced severe internal conflicts. Should they receive and distribute, let’s say, food supplies? In case they did, would they be able to do it in such a way that did not contradict their convictions opposed to clientelism and “old politics”?

threw [food] boxes to you out of the window. (...) So thirteen assemblies went to see them and we told them that we had soup kitchens and many social services, that we needed food and [asked them whether they preferred to have a good or a bad relationship with us]. So we got periodical deliveries of food, and later we demanded premises to work in (Male, 41, with union experience)

Besides the relationship of permanent demand already described, other interviewees refer to a more stable involvement within the framework of certain governmental initiatives –particularly the so-called “participatory budgeting” and the Bill of Communes. Again, two approaches can be identified, one more sincerely involved with the process and another one of a more instrumental nature. Most of our interviewees identify with the latter. Among assembly members who responded to the abovementioned government initiatives, the vast majority recognizes that they did it in full knowledge that they were “a big farce” or a “mockery of participative democracy”. They did so, then, as a means of accumulating power or achieving other aims unrelated to the process itself. “We want to rule”, says a member of the Asamblea de San Telmo. In order to achieve it “we took advantage of all resources available, even the most despicable ones. Such as participatory budgeting” (Male, 51). The usefulness of which resides, according to a member of the Asamblea 20 de Diciembre de Flores, in that “it is an institutional device that gives us the chance to talk to the people in the neighborhood” (Male, 34, with political experience). According to a member of its homonym of Parque Avellaneda, its usefulness was located in it being a sort of echo chamber that allowed for unrelated reclamations to be expressed and heard (Male, 41, with union experience).

Few interviewees give some credit to the government’s initiatives and find them a real possibility for the democratization of the political system. An assembly member of Castro Barros and Rivadavia, for instance, says he regularly worked “jointly with the Committee for Decentralization of the Legislature of the City of Buenos Aires” based on the idea that it was possible to introduce “more direct mechanisms of democratic participation [because] to go and vote once every two years is useless” (Male, 36, with no prior political experience). In the same vein, a member of the Espacio Asambleario de Parque Patricios explains that “the City of Buenos Aires has the most progressive Constitution in the country, where participative democracy is mentioned” (Male, 54, with wide political experience); that is the reason why it was worth the trouble of taking part in the process in order to see how much could be obtained from it. The outcome is, nevertheless, most often negatively evaluated:

[The de-centralization of the city government through communes] ended up being codified at the time of the assemblies' decline, [so] what was left of [it] is very limited: it grants the neighbor very little influence on decisions. He is consulted, but he does not decide. (...) Those are the participation mechanisms recommended by the World Bank, which seek to involve people but keep decisions within the centers of power. People are involved so they believe they participate and decide while in fact there is manipulation (Male, 47, member of the Asamblea Popular de Liniers, with prior political experience)

Assemblies tend to be considered as an alternative to the local government by those who take the greatest distance from it, and particularly by those among them who have more political experience and belong to assemblies that identify themselves as "popular" rather than "neighbors". For this subgroup of interviewees assemblies were a sort of "counter power" or "double power". On one hand, they underline that in the midst of the crisis the assemblies took upon themselves a series of functions that were in fact the government's job. On the other hand, they mention the fact that many neighbors would resort to the assemblies as if they really were the government. Some conclude that it is precisely the experience thus gained that helped their assemblies build governmental capabilities:

[The education and health committees] started studying the law in order to change it (...) They tried to get involved with the problems of life, with the real problems that all neighbors had. There were potential elements of a double power. There is a power that is institutional, the one of the state; and there is another power of a popular type that is built from below (Male, 47, Asamblea Popular de Liniers, with prior political experience)

We were a counter power at the time. There were people who came to us and raised issues as if we were a government office (...) They did not go to the CGP, they came to us in order to ask for things that were obviously processed in the CGP (Female, 38, ex-Asamblea de Flores Sur, with prior political experience)

[Lists the varied activities developed by his assembly] That is, we must get ready for one day (...) to be able to administer the government. [So we need] to learn how things are done. And believe me, we are at present in a situation, I don't know if to administer the city, but to handle a commune for sure" (Male, 57, Asamblea Popular de Pompeya, with prior political experience)

The fact that neighbors resorted to the assemblies to find solutions to their problems, however, is not necessarily interpreted as a sign that assemblies were treated as if they were "the neighborhood's govern-

ment”, as one interviewee puts it. In fact, other interviewees interpret that occurrence as a sign that assemblies were a kind of “neighbors’ union”, a “different point of reference” who acted on behalf of neighbors and was recognized as such by the local CGP (Male, 54, Asamblea de Parque Patricios, with political experience).

The need for the State

Above the intention of occupying the state apparatus, eliminating it and/or replacing it a demand predominates among our interviewees that the State fulfill its due functions. In fact, strictly anarchist interpretations of the QSVT are almost if not completely absent; instead, there are numerous indications of the importance that is attributed to the State. Some even admit that it might not be so desirable after all that everybody goes away. That is the case of the former member of the Asamblea de Pedro Goyena y Puán who remembers that on December 20th, 2001, he was scared when “seeing those people break the door and enter the Congress building (...) It gave me the idea that everybody had left (...) There was governmental chaos and nobody was in charge of keeping the situation under control (Male, 43, with no prior political experience).

The need for a State capable of encompassing and regulating the social realm is raised in the first place through a stark contrast with the limitations found by the assemblies:

We think that there must be a State that establishes a law (...) Self-employment and other similar programs [undertaken by assemblies] are nonsense if not accompanied by an integral policy by the State (Male, 41, Asamblea 20 de Diciembre de Parque Avellaneda, with union experience)

We are not against the State; we want a State that is for us, which is a different thing. (...) The State must be present in people’s lives; it must come back from its retreat. As citizens we demand the presence of a State that is there to make regulations, that is really in charge of public affairs (Female, 29, Asamblea de Palermo Viejo)

From this perspective, assemblies are seen as *ad hoc* solutions found by neighbors in a context of “neglect and the desertion by the State, in hospitals, in schools” (Female, 50, Asamblea de Álvarez Jonte y Artigas, with brief political experience).

The need for the State is additionally recognized, after the assemblies’ experience, as a result of the discovery that “voluntarism has limits”, as an assembly member puts it. Particularly noteworthy is the newly acquired recognition of the need for professional politicians, that is, for individuals whose main occupation is related to public affairs,

which is not within constant reach for “common citizens”. Typically, our interviewees start describing the routine of an average assembly member during the peak months of the movement as “very demanding”, “tiring” and “exhausting”, since when adding up plenary sessions, committee meetings, mobilizations and all other activities, “you were there all week long”. “Normal” tasks and relationships –work, home, study, family and friends prior to those made in the assembly– were temporarily neglected; “you lived for the assembly”, they claim. “It is necessary to be there twenty-four hours a day and people also need to live their lives”, explains an activist from Pompeya (Male, 57, with prior political experience). “We are not wage-earning politicians. Going to these meetings or doing solidarity work implies effort and time for people who have scores of other things to do” (Female, 50, Asamblea de Álvarez Jonte y Artigas, with brief prior political experience).

The problem of time further intensified as assembly members started to undertake demanding tasks of the kind that is usually left in the hands of politicians, such as the preparation of bills. Thus, for example, a member of the Asamblea del Botánico remembers that when he started to get involved in the project to reform the city’s Code of Misdemeanours (*Código Contravencional*) he “was almost completely devoted to the assembly” (Male, 48, unemployed, with some previous political experience). “You needed to be an almost full-time activist”, an assembly member from Flores recalls. “The dynamics is obviously tiring and it can be sustained by a very small group of comrades (*compañeros*). (...) The present assembly is the product, say, in 80 or 90%, of the Committee of the Unemployed, because it was the most dynamic committee, the one that did more things” (Male, 34, with prior political experience). Many interviewees indeed confirm that they could only keep that pace while their vacations lasted or as long as they were unemployed. As the above quoted assembly member explains, “we were all day involved in politics in the *Plaza* because we didn’t have a job”.

Assembly members were not activists to begin with; in fact, it was precisely its proclamation as a movement of the “common citizens” which conferred its peculiar character to the assembly movement. The distinction between an assembly member and an activist is thus underlined by our interviewees:

An assembly member is a person who works, studies, goes home and fixes things, and who once a week joins a group of people he feels affinity with in order to talk until midnight about what he would like to do in the future and to plan. Then on Saturday, he organizes an activity when he can or wants. (...) Each one enlists to work on an issue and pushes it forward. It does not mean that he must abandon everything else. There are people who take this as an activism; I am not an activist. I see it

as a space for participation, not for activism. Activism gives you a framework, a structure, a hierarchy... (Male, 48, unemployed and student, Asamblea de Palermo Viejo, with brief prior political experience)

A great proportion of the assembly members who did not turn into activists deserted after a relatively brief time. The already enormous difficulties to keep up with the process were further intensified by the fast ebb tide of the initial wave of enthusiasm, by the distance that became apparent between expectations and reality, and by the rapid transformation of the political context from which the assemblies had arisen.

The recognition of the need for professional politicians and public officials was also strengthened by the assemblies' failures, considered as such by a vast majority of our interviewees –the few exceptions coming from the members of assemblies that had survived thanks to their exceptional dynamism and productivity, but that were also depicted by members of other assemblies as “partisan”, “piqueteras” or “state-like” organizations. “Assemblies were not effective at anything”, says in a lapidary tone a former member of the Asamblea del Botánico (Male, 48, with limited prior political experience). Most of the decisions made were simply not implemented. “Today something is decided and when we meet next we have not done it and if we have, then others come and talk about it all over and say that it was badly done. (...) There is great stagnation and many reiterations”, a former member of the Asamblea Popular de Olivos (Male, 60, with previous political experience) tells us, “[The] things that were done were then lost, dissolved. Everything was so relaxed”, agrees a former assembly member of Lanús (Female, 26, with no previous political experience). The explanation typically provided to account for these difficulties is based on the idea that no organization functions when its members only do what they want, because they want to and when they want to. References to the “lax organization”, the straightforward “disorganization” of the assemblies and their character as “non-organizations” are indeed frequently repeated. The “committees” or “sub-areas” that the assemblies were typically divided into are described as “affinity groups” where each one worked “on what he/she likes”. Thus, “you do absolutely what you feel like. And if there is something you don't like, you don't do it”, explains a former assembly member from Núñez (Male, 54, with prior political experience).

Many interviewees link the decline and extinction of a great part of the assemblies to their difficulties to *get things done*. Conversely, there are many who state that the assemblies that still exist are those that have been able to build something valuable in their immediate context and keep it going over time: indeed, they survive around a Cul-

tural Center, a soup kitchen or any other tangible achievement that is “what allowed us to still find a meaning in keeping meeting” (Male, 32, Asamblea Gastón Riva, with limited previous political experience).

The stance towards the 2003 presidential elections

The re-arranging of the political scene and the occurrence of presidential elections less than a year and a half after the outburst of political protest posed a difficult challenge for the assemblies. According to most interviewees, assemblies did not establish an “official” position towards the election, that is, no guidelines to be followed by their members, but instead they granted them –according to the most frequent expression– “freedom of action”. A couple of interviewees say that in their respective assemblies the issue “was almost not discussed” because it was not considered to be important; however, many more remember having taken part in numerous “chats”, “discussions” and “debates” aimed at clarifying what was at stake and what the different alternatives meant so that each individual could find his own way. The following description is thus typical:

We talked a lot about the elections, basically out of anguish. At a certain point we organized discussions about current events and we exchanged information and views, we reflected together. It was a very anguishing situation: after all that had happened, after the crisis and everything, we did not have anybody to vote for... (...) The idea was not that the assembly was going to do this or that... We talked about blank voting and we set out to technically analyze [its effects], a question of strategy (Female, 29, Asamblea de Palermo Viejo, with limited prior political experience)

Few assemblies called for some specific stance or action towards the elections, such as abstention or casting blank or void votes. More numerous were those that chose to proclaim the validity of the QSVT, though not bothering to make it clear what that was supposed to mean in practical terms. Thus, for example, a member of the Asamblea de Castro Barros y Rivadavia remembers that although “it did not set a position about whether to go and vote” and it decided “that each one had to do what he wanted”, his assembly “issued a ticket with the slogan ‘*Que se vayan todos*’. Most of us went to vote with that ticket and we distributed it in the neighborhood” (Male, 36, with no previous political experience). The Asamblea 20 de Diciembre de Flores also kept the slogan, an attitude that one of its members describes as “an elegant detour that helped avoid internal conflicts. The assembly stood straight with the ancient assembly slogan, and those who voted did just what they wanted” (Male, 33, party activist).

On April 27th, 2003, 80.5% of all qualified voters in the country went to the polls. 97.28% of them cast a positive vote: void votes plummeted to 1.73%, and blank votes fell to 0.99%. In the city of Buenos Aires percentages were even lower: 1.42% and 0.6%, respectively. The presidential candidate of the largely unknown *Confederación para que se vayan todos* obtained 0.67% of the vote at a national level (0.85% in the capital city, and 1% in the province of Buenos Aires). 91% of the positive vote was split among five candidates: three of *peronist* affiliation but with divergent ideological orientations (former president Carlos Menem, with 24.45%; Néstor Kirchner, with 22.24%, and the one-week president Adolfo Rodríguez Saá, with 14.11%) and two former radicals, one located in the center-right –Ricardo López Murphy, with 16.37%– and another one placed in the center-left of the political spectrum –Elisa Carrió, with 14.05% of the vote. The runoff election that would have decided the competition in favor of one of the two front-runners, Menem and Kirchner, never took place because the former quit once it was clear that he would suffer a massive, humiliating defeat. Thus Kirchner was proclaimed the winner with a magnitude of support that –it was then commonly thought– would eventually cause him severe governability problems. Shortly after his inauguration, however, he surprised the public with a set of unexpected initiatives that were welcomed by the majority and gained him the support of a vast “virtual electorate” who assured that they would have voted for him had they known. The context of representation crisis had radically changed; thus, the very soil in which the assemblies were rooted had been transformed. Born out of a mood that their members now perceived as “capricious” and “superficial”, with no lasting effects on political culture, the assemblies were no longer the citizenry’s thermometer.

“The same people who had participated in De la Rúa’s overthrow now went out to vote”, accuses a politically experienced member of the Asamblea Popular de Liniers (Male, 47). The same accusation applies to most of our interviewees. Indeed, few voided their vote, and although some time before the election the majority seemed inclined towards blank vote (or towards an hypothetical vote for Luis Zamora, whose party, *Autodeterminación y Libertad* –*Self-Determination and Freedom*– was not running), as the date of the election neared they “dispersed among blank vote, vote for the left, vote for Kirchner or Carrió...” (Female, 31, Multisectorial de San Cristóbal, activist). Two explanations are given to account for that change. First of all, casting a blank vote was viewed as equal to “washing one’s hands of the problem”. Secondly, explains a former member of the Asamblea del Botánico, the experience with municipal politics had produced the certainty that politicians were not all the same after all:

People who [initially] thought that everything was the same [eventually] agreed that if we hadn't had those people [from Izquierda Unida] in the Legislature, we would not have been able to do that work (Male, 48, with limited prior political experience)

Divisions aggravated soon after Néstor Kirchner's inauguration. Several surviving assemblies, already slimmer, were put under pressure, suffered divisions or disintegrated as a result of the disagreements between the critical and the expectant, often settled with exit by the latter. Even two years later, an activist from the Multisectorial de San Cristóbal acknowledges that in her assembly it is still not advisable to discuss Kirchner's government, "because we like each other a lot and we do not want to kill each other" (Female, 31). Indeed, many of our interviewees point to the expectations generated by the new government as one of the causes of the assemblies' decline. In particular, they underline that the new president "adopted the discourse or certain part of the discourse and the reclamations expressed in 2001" (Male, 29, Asamblea de Palermo Viejo). Which is disqualified as "double standards" (Male, 47, Asamblea Popular de Liniers) by those who distrust the president's intentions and believe that "there is no difference" between him and his predecessors or electoral competitors, because they all executed or would have executed "a mandate assigned by the dominant classes, that is, the restoration of governability [and] of state power, the fastening of exploitation and subordination" (Male, 54, Espacio Asambleario de Parque Patricios). Others recognize that, although Kirchner is not the same as, say, Carlos Menem, "from the point of view of our interests there is no difference" –while they do see a difference at the municipal level where assemblies operate, which is the reason why many supported the president's candidate for mayor against his right-wing challenger. Last but not least, there is a third group of interviewees who value the new government's human rights policies, its stance towards the Supreme Court and its alleged severity against corruption. However, the policies that are approved by our interviewees tend to be perceived as the result of the actions undertaken by the citizenry in 2001 and by the assemblies in the months that followed:

It is stupid to believe that [Kirchner] is the same (...) He has had gestures and signals that the previous governments did not. What I doubt is that his signals, slogans or policies are really expressed out of conviction. I believe that the process started in 2001 deeply marked the governments that followed, Kirchner's in this case. It seems to me that the specter of what happened to the previous government determined, maybe not a program, but at least a minimum set of measures, or of discourse, to be embraced (Male, 33 Asamblea 20 de Diciembre de Flores, party activist)

DELIBERATION AND DECISION-MAKING

Deliberation and horizontality

Discussion, reflection and deliberation are usually at the center of the definitions of “assembly” given by our interviewees:

An assembly is a big interrogation. It is a questioning of many things (...) A little bit of free association (Male, 29, Asamblea de Palermo Viejo, with no prior political experience)

[The assembly] is a space of discussion and action, of discussion as action (Male, 32, Asamblea Gastón Riva, with limited prior political experience)

[The assembly had] an attitude of participation, [search, and reflection about what could be done (...)] What was new was the fact that we met to talk about politics, that we tried to change certain things but without knowing too well where we were leading. Meeting in order to discuss without a clear horizon. Discussing politics without having the ordinary goals that any political organization has: obtaining positions, reaching power (Female, 26, ex-Asamblea de Lanús, with no prior political experience)

The difference between assemblies and political parties is systematically identified as based on the nature of the deliberation process that takes place in the former but not in the latter:

In a party you always have prior agreements, it is not a place where you go and discuss. You basically know which its political stance and its theoretical assumptions are. That did not happen in the assembly (Female, 26, ex-Asamblea de Lanús, with no prior political experience)

[There was] brainstorming. Nobody came and said ‘this has to be done’. As I had experience with activism in a political party where there was always a political head who said what was to be done, I very much liked the fact that [in the assembly] everything arose from below starting with the question ‘what shall we do?’ instead of ‘we have to do this because the political leadership says so’ (Male, 49, Asamblea de Palermo Viejo, with vast prior political experience)

If deliberation and decision-making on the basis of deliberation can take place within the assemblies it is precisely because there is no “political line” already established by a “leadership”, nor a “political head” over the plenary with decision and veto power. Only in such a situation can an exchange of arguments be a genuine one, because only then may its participants allow themselves to be compelled by the force of the best argument rather than by the titles flaunted by those

who formulate them. In other words, deliberation requires horizontality, which our interviewees systematically oppose to the “vertical structure” of political parties. Horizontality, in turn, requires equality or, rather, a political equality built within the framework of the assembly—a “homogenization of places”, as somebody puts it. In the words of three former assembly-members:

[Within the assembly] all have the same voice and the same force. Documents are produced that were studied by everybody. It is possible to achieve a situation where nobody believes to be more than anybody else (...) There were people with money, but within the assembly we were all equal (Female, ex-Asamblea de Olivos, with political experience and party affiliation)

Hierarchies had no weight, we all discussed as equals. It was fine to get rid of the idea that because he has a degree, the scientist is the one who knows. There was no social division in that sense (Female, 26, ex-Asamblea de Lanús, with no previous political experience)

We are used to the fact that decisions are always made by somebody else. In any place where you are, you delegate or somebody represents you, there are always authorities and hierarchic levels. (...) [The assembly] is a complete utopia. I do not know anything about politics, nothing at all, and I am here talking to this guy who has been an activist for thirty years and in order to decide whether to go to a demonstration what I think is as valid as what he thinks (Female, 32, ex-Asamblea de Lanús Centro, with brief prior political and partisan experience)

What resulted from equality among the diverse was the possibility “to build your own thought on the basis of different thoughts” (Female, 44, ex-Asamblea de Palermo Viejo, without prior political experience) —or, as a current member of the same assembly puts it:

You listen to what the other thinks and you modify what you are thinking. I ask for the floor, I am on the list of speakers and while the moment for me to speak approaches, I keep changing, adding things to what I originally thought, sometimes up to the point of completely transforming what I was thinking because I happened to listen to a reasoning which seemed good to me, or because somebody else saw things that I had not even thought about before. That is what I like and what impresses me most about the assembly: this collective construction of what is being thought (Male, 29, with no prior political experience)

Assemblies are therefore ideally thought of as a space where politics is no longer monopolized by experts but recovered by and for citizens. According to a member of the Asamblea de Palermo Viejo, participants in assembly debates

are “people” or “citizens”, not “specialists”; if that were not the case, “a citizen would be like the dentist’s patient, who cannot say anything; the only thing he can do is keep his mouth open and abstain from complaining if it hurts” (Male, 48, with prior political and partisan experience).

Assembly discussions encompassed subjects as diverse as imaginable, at the most varied levels of abstraction and generality. “From growing vegetables in a communitarian garden to the Socialist Revolution, supporting Iraq’s or Afghanistan’s struggle... It was very eclectic, very strange” (Male, 36, Asamblea de Castro Barros y Rivadavia, with no previous political experience). Debate took place about “the country’s problems, the problems of the economy, health and education policies, the situation of the political regime” (Male, 47, Asamblea Popular de Liniers, with long prior political activism), as well as about how to undertake a certain task or how to express solidarity with the neighborhood’s *cartoneros*⁷, or about attendance to the following mobilization or to the *Asamblea Interbarrial*, or on the content of a flyer to be printed so as to let neighbors know about an activity organized or a stance taken by the assembly.

The level of abstraction of debates was itself turned into a subject for discussion within assemblies, as well as into the object of accusations and misunderstandings among them. Indeed, some assemblies were regularly criticized for their alleged “elitist”, “theorizing” and “pseudo-intellectual” tendencies. Whereas some assemblies devoted most time to the discussion of “everyday issues”, “problems of the neighborhood” and “real needs”, explains a member of the Asamblea Popular de Pompeya, others “discussed the law of gravitation” (Male, 57, with long prior political experience). The accusation is denied by some members of the criticized assemblies, whereas others acknowledge that the “high intellectual level” of their assemblies, where “very interesting and rich debates took place” (in contrast to those “with a shallower composition and a much simpler language”) eventually produced tensions, splits and desertions. This effect attributed to “professional knowledge” is in other cases equally blamed on the prevalence of “activist knowledge”.

Similar discussions took place about the level at which activities were to be undertaken, that is, about whether “to work within the neighborhood or at a more general level” (nevertheless, in many cases the solution was found in the organization of committees where “each one could work on what he wanted”). The debate about the scope to be conferred to assemblies’ actions was frequently shaped as a confrontation between “common neighbors” and “revolutionary activists”. Thus, for example, when the Asamblea 20 de Diciembre from Parque Avellaneda discussed the position to adopt in response to the decline of the *cacerolazos*, “the orthodox leftist sectors [that] considered that the situation was ripe for an attack against central power strongly opposed any kind of work at the local level” (Male, 41, with union experience).

7 The term is applied to the unemployed who make a living from collecting cardboard and paper from trash bags in the streets and selling them to recycling companies.

Assembly meetings are usually described as “chaotic”. “It was almost impossible to fix an agenda, not to talk about following it”, states a former member of the Asamblea de Núñez (Male, 54, with previous political experience). It is frequently underscored by activists turned into assembly members as well as by assembly members turned into activists that in those conditions it was impossible to run a true “political discussion”⁸:

[After practical issues were addressed] there was no time left for discussion. There were so many activities that it was soon midnight, 1 a.m. and nothing had been discussed. So another space was created where it would be possible to discuss a little more. We were few, just the activists and some neighbors (...) [Since then] the plenary assembly started to be very organized and expeditious (Male, 33, Asamblea 20 de Diciembre de Flores, party activist)

Thus, it was not long before “official” opportunities for political discussion were confined to special events –typically, all-day weekend activities organized around the presentation and discussion of some specific subject– and to specialized committees (“committee for political analysis”, “discussion workshop”, “debate group”) aimed at “synthesizing” and “raising issues” that were to be later introduced into the plenary assembly. This notwithstanding, substantial debates continued to take place in assemblies all the time, usually triggered by practical issues. “Everything in the assembly led to political discussion”, states a member of the Asamblea de Castro Barros y Rivadavia. “From setting up a soup kitchen to whether or not to distribute food packets” (Male, 36, with no prior political experience). According to an activist from Flores, heated discussions about the legitimacy of private property took place there when the possibility was considered of seizing an unoccupied estate as the cold weather made it impossible to continue meeting outdoors. In other assemblies, social issues and policies, governmental handouts and social rights were thoroughly discussed each time problems arose related to the organization of the assembly’s solidarity undertakings. Last but not least, as a result of its unprecedented character assemblies displayed still another noteworthy trait: that of hosting a score of self-reflective practices, including constant discussion about what an assembly was and should be and what their horizontal practices were about.

Vote or Consensus

A widely discussed issue was that of the decision-making procedures that were more compatible with –and more conducive to– horizontality. Two of them are mentioned

8 At the same time it was considered to be unadvisable to introduce deep political discussions in plenary meetings, as they would probably chase away those who considered themselves to be “plain neighbors”, interested in “getting things done” but reluctant to “discuss politics”.

by equally numerous groups of interviewees as the form adopted by decision-making in their own assemblies: the holding of a vote and the search for consensus.

Whereas some people assume that decision by majority vote is the “natural” decision-making process due to its “obviously” democratic character, others say that their assemblies only embraced it at the beginning and just for quantitative reasons, or as a last resource when consensus was impossible to reach due either to special circumstances, or to the peculiarity of the issue under discussion, but that it was abandoned as soon as assemblies shrank due to desertions or when splits increased their homogeneity⁹. It is for the very same reasons that some interviewees state that while the search for consensus was the usual practice within committees, decisions in plenary meetings were made by means of a vote by show of hands. Others, however, express their preference for consensus on the claim that its effects were less divisive, and out of the conviction that “more people will follow a decision made by the whole” (Male, 36, Asamblea de Castro Barros y Rivadavia, with no previous political experience).

Both those that vindicate voting and those who prefer consensus (frequently identified with harmony, especially by those with little political experience) do it out of the conviction that the procedure of their choice is the most “horizontal” and “democratic” one. At the same time, criticisms directed both to voting and to consensus (and especially to the latter, often described as “more original” and “more difficult” to practice) are centered on two issues: their democratic deficiencies and their operational limitations. “I am not going to tell you that [consensus] is *that* democratic (...) People who disagreed on something left”, says a member of the Multisectorial de San Cristóbal (Female, 31 years, party activist). “Those who are used to activism do not find any trouble in debating [in search for consensus]. But there are other neighbors who are not used to it”, points out a former member of the Asamblea de Olivos (Male, 60, with political experience and party affiliation), implicitly maintaining that regarding voting, by contrast, everybody stands on an equal footing. In any case, both discussion in the search for consensus and voting as a way of settling a discussion are admittedly subject to manipulation and “*aparatadas*” –that is, to the intervention of party activists able to distort them and twist them in their favor:

9 Quantity and heterogeneity were usually celebrated but at this point they tend to be recognized as highly problematic. “At the beginning it was completely crazy. Eighty thousand proposals were thrown and then they were voted by show of hands. Anybody who happened to be around joined and raised their hand, it was meaningless”, confesses a former member of the Asamblea del Botánico. “It took soooooo long until each committee submitted all its weekly activities for voting that they ended up being voted by ten people”, recalls another one from Flores Sur. “It was a never-ending story. Sometimes it was half past one in the morning and we were in the park since eight (...) Then the cold weather started and we had to set limits to horizontality and be more expedite”, agrees a member of the Asamblea 20 de Diciembre de Flores. The vast majority therefore agree on that “it was possible to work better when there were less people”, as an assembly member from Almagro puts it.

At the outset everything was subject to vote because activists from political parties are very used to voting; it is a way to impose their views (Male, 49, Asamblea de Palermo Viejo, with previous political experience)

[The search for consensus] can be useful to soften difficult situations. But there are moments when I prefer a vote. Because in the search for consensus you can get to constantly introduce your views (Male, 48, Asamblea de Palermo Viejo, with previous partisan experience)

Very heated discussions [took place] that ended up with a vote that did not settle the question (...) Losing an election was not easily accepted so the losers manipulated the whole thing in order to twist it from within. There was a certain resistance to accepting the decision of the majority (Male, 47, Asamblea 20 de Diciembre de Flores, with previous political and union experience)

At voting time, when everything was almost over, discussion erupted. (...) There were three stages: first, proposals; later, debate of proposals, and nobody discussed. And when voting time arrived... blah blah blah. We who had no experience were a ping-pong ball. There were the MST (Movimiento Socialista de los Trabajadores) and the PO (Partido Obrero). And the discussion was the ball, which bounced back and forth... You felt like you had arrived at the cinema to watch a film that had already started. Those were really old debates and you didn't get a thing (Female, 26, ex-Asamblea de Lanús, with no prior political experience)

Along with the deficiencies of both mechanisms in terms of democratic quality, also the quality of the resulting decisions is put into question. The consensual practice is the preferred target for the second type of criticisms. Whereas some consider as an unavoidable side effect the fact that proposals on which agreement cannot be reached are left aside so as to avoid conflict, others take it as a severe structural problem located at the root of assemblies' lack of agility and efficacy. The latter is the stance taken by several interviewees who repeatedly point out that through consensus "very few" or "too obvious" things could be decided—things such as going out and protest against the presence in the neighborhood of a former dictatorship's public official or to attend a demonstration on the anniversary of the 1976 military coup. But decisions reached through consensus on more controversial issues were "liquified"; that is the reason why a vote was resorted to "when the issue deserved it". "The search for consensus", explains a former member of the Asamblea de Núñez, "is like a polishing process that goes on until the thing is totally blunt and does not cut anymore". In addition, it is "not very operational": "there is maybe one person in disagreement and you spend five hours braining yourself to approach positions with whatever the guy thinks" (Male, 54, with previous political experience). Several interviewees also add the

inconvenience that decisions thus made do not leave anybody happy, so they do not prompt enough commitment at the time of implementation.

The most radical criticism against the assembly format, though, is that which contests both decision-making mechanisms on the basis of the ascertainment of a link between emergency, decision and leadership. In the words of a former assembly member from Olivios:

You cannot live in a permanent state of assembly. (...) Some decisions have to be urgently made, there must be some representation, a small committee to make urgent decisions. Horizontality is fine, but there are decisions that have to be made by somebody. (...) In an emergency you cannot summon a general assembly (Male, 60, with partisan experience)

The arising of leaderships

Horizontality was not just a practice but also an aim that was “almost obsessively” pursued. “Everything was democratically decided”, explains an interviewee. “Each time it was also decided how a certain issue was to be decided” (Male, 50, activist). For many present and past assembly members, however, horizontality was not a full fact but mostly a regulatory ideal, a horizon that kept moving away. Consequently, many insist that, although there were no “titles” or “hierarchies” in the assemblies, there were indeed “people with different interests”, with different “histories”, “careers”, “training” or “personalities”, all of which established clear differences among them. These were not expressed in terms of the right to speak (which was in principle accessible to all), but in terms of the extent to which each one’s words were taken into account. “Proposals”, states a member of the Asamblea 20 de Diciembre de Flores, “had a different weight according to who said them” (Male, 34, with previous political experience).

Few consider that the sprouting of this kind of differences could have been avoided; the majority considers it instead as a natural process as they acknowledge the presence of “natural hierarchies”, “spontaneous leaderships” and “natural-born leaders”. “All processes yield leaders”, says a politically experienced member of the Asamblea Popular de Liniers. “Who is the one who says ‘let’s do this’? There are always leaders, natural commanders” (Male, 47).

Since what is at stake is the differential of attention given to the word of some above that of others within a space characterized, above all, by the production of discourse, it is only natural that those who are considered to be “points of reference” are in the first place those who “know how to speak”, have “rhetorical abilities”, show “a high cultural level” or bring in some useful knowledge on a relevant field.

Those who fit that description were usually professionals and intellectuals who “could easily occupy all the space with their ideas”; in other assemblies, however, the role was played by people with a “history of activism” or “party experience” thanks to which “they knew how to handle situations” (Male, 48, ex-Asamblea del Botánico, with previous political experience). In either case, the effect caused disappointment with the alleged pedagogical virtues of debate:

[At the beginning we thought] ‘fine, we have people who did not finish elementary school and who join because they want security, they want their children to be able to safely go through the park, and at the same time we have a psychologist, an economist, people with previous political participation. Our discussions are going to oscillate and we are going to grow up together. The lady who is worried that their children can walk through the park is going to learn from the other one, and the latter is going to learn from her’. I thought that was going to yield a change. But no, the neighbor simply left (...) People who came as plain neighbors, without much of an intellect, had to give way to those who knew, because those who knew were the visionaries (Female, 55, ex-Asamblea de Monserrat, with previous political experience)

Leaderships were built not just on the abovementioned resources, all of which existed prior to and independently from the assembly experience. They were also fed by other resources accumulated on the spot. Thus, for example, the authority recognized to the “old guard”, that is to say, to “the comrades who formed the assembly, who worked for its construction” (Male, 34, Asamblea 20 de Diciembre de Flores, with previous political experience) and to “those who are always there to organize” (Male, 57, Asamblea Popular de Pompeya, with vast political experience), individuals who “after two or three years have become activists” (Male, 33, Asamblea 20 de Diciembre de Flores, party activist). Indeed, many interviewees establish a link between leadership and the burden of responsibility. “We changed towards a more organic structure based on degrees of responsibility”, explains our assembly member. “It is not the same when a comrade speaks who works there all day and becomes a point of reference, than when somebody else speaks”, ratifies an activist from the Multisectorial de San Cristóbal (Female, 31).

For many of our interviewees, the sprouting of leaderships with some decision power amounts to the definite loss of horizontality. According to others, however, horizontality is able to survive, albeit under a modified form. The latter provide at least three arguments to support their position. First of all, the fact that leaderships arose spontaneously and leaders were not appointed nor had a position to which to cling or from which to behave as “official representatives”

continued to establish a great difference between assemblies and established political institutions. In the former, but not in the latter, compliance was voluntary and leaderships needed to be constantly subject to plebiscite, so to speak. “There were natural leaderships”, recognizes a member of the Asamblea de Castro Barros y Rivadavia, “but not a leader that had to be obeyed” (Male, 36, without previous political experience). Secondly, as the existence of leaders was often severely questioned, ways were found to limit its effects by means of devices such as rotation, the separation of functions by areas, and the collective exercise of responsibilities. In the third place, our interviewees remind us that only “operational decisions” and “execution” were carried out vertically and by small groups. “Fundamental decisions”, by contrast, kept coming from plenary meetings. That is, even though horizontality was not “complete” and equality was no longer “absolute”, there still existed a place where “everybody, from the one with the biggest responsibilities to the one who participates less” could discuss on an equal footing. “Management requires different degrees of responsibility but even so the assembly spirit remains and decisions are made by everybody” (Male, 33, Asamblea 20 de Diciembre de Flores, party activist). Once this point reached, nevertheless, the appreciation for the previously cherished principle of horizontality had declined from the perspective of assembly activists, now a majority in the thinned assemblies that still remained:

[At the beginning] everybody was worth a vote; [it was] too horizontal, too democratic because people who actively participated were worth the same as those who just came and listened once a week (Male, 34, Asamblea 20 de Diciembre de Flores, with previous political experience)

Participation in the Assembly of assemblies: Representatives or delegates?

In mid-January, 2002 the assemblies recently formed in Buenos Aires started to meet each Sunday in Parque Centenario so as to share and coordinate their various activities. Although at the beginning for many people it embodied a “utopia” and a “dream turned into reality”, the *Interbarrial* was soon the stage for severe and even violent disagreements on the ideas of deliberation, representation and the links between them.

The “manipulation” and “maneuvers” staged by leftist political parties in the *Interbarrial* have been widely and largely criticized. What interests us here is the charge that true deliberation was absent from it due to partisan interferences. Several interviewees tell that parties “came with their party programs and discussed them

with others who had another party program. (...) And unfortunately what happened was what usually happens in trade union assemblies: the vote took place at the last minute, when three quarters [of the participants] had already left" (Female, 49, ex-Asamblea de Parque Chacabuco, with previous political experience). "You went there as an independent assembly member and you quickly found out that there were prior alignments, which was not supposed to be the rule of the game" (Male, 54, ex-Asamblea de Núñez, with previous political experience).

Party behavior is also held responsible for the excessive distance that soon became apparent between discussions and reality. On one hand, "discussions in Parque Centenario had nothing to do with what was discussed in the assembly", points out a member of the Asamblea 20 de Diciembre de Flores (Male, 34, with previous political experience); on the other hand, "lots of politics was discussed that was completely unrelated to social processes. (...) Twenty-two mobilizations were voted for a single week. Twenty-two! And nobody attended", explains a member of the Asamblea de San Telmo (Male, 51). According to several interviewees, the problem was that leftist parties "arrived with their handbooks" and "interpreted what was happening on the basis of them" (Male, 29, Asamblea de Palermo Viejo, with no prior political experience). Therefore the circulation of slogans such as "All power to the assemblies", exposed by a former member of the same assembly as an example of the tendency "to bring categories and experiences from other places" (Female, 23, with limited prior political experience).

Interferences of parties were real, and parties were indeed responsible for the scandalous ending of the *Interbarrial* meetings. Nevertheless, their behavior was contingent. How different would things have been if those interferences had not taken place? This question is implicitly addressed by those who criticize the very existence of an "assembly of assemblies", a structure of second degree in which each assembly participates by means of the appointment of representatives or delegates¹⁰. "It was agreed on sending a representative. (...) Then we had five people voting on something and expecting compliance with it", says a former member of the Asamblea de Flores Sur (Female, 36, with limited prior political experience). "This relapse on representa-

10 Dictionary definitions for both terms are similar and include reciprocal references; at the same time, both terms are often used interchangeably by our interviewees. However, the description that they provide for the task entrusted to their "representatives" or "delegates" in the *Interbarrial* fits the concept of delegation as it has been shaped by political theory. In that sense, unlike representatives within the framework of representative systems, delegates are bound by an imperative mandate, are instantly removable and perform for brief and rotating terms.

tion put into question everything we were looking for in the assemblies”, explains a member of the Asamblea de Palermo Viejo. That is the reason why representatives were mostly conceived of as delegates. In the first place, they were subject to precise instructions (“in writing, [because] there was so much distrust”, recalls a politically experienced assembly member from Liniers). “It had been decided that they should carry a mandate and had to vote on what each assembly had already discussed” (Male, 29, Asamblea de Palermo Viejo, with no previous political experience). Delegates’ functions were consequently limited to conveying the positions of their respective assemblies.

Secondly, delegate rotation is often emphasized. Every week “it was voted on who would represent the assembly and what they had to say. They rotated”, explains a member of the Asamblea 20 de Diciembre de Flores (Male, 33, party activist). Rotation is here understood as a mechanism to avoid specialization; as a former assembly member from Lanús Centro puts it, it was “a form of [avoiding that] people were type-cast according to the duties they perform” and of preventing the concentration of power that results from “always doing the same things and monopolizing certain roles” (Female, 32, with brief prior political experience)¹¹. Finally, the revocability of delegates is also mentioned. “For example”, recalls the above-quoted member of the Asamblea 20 de Diciembre de Flores, “one of them said some things that had not been voted on nor discussed, and he could not go any longer” (Male, 33, party activist).

However, things were not as easy in practice. Most assemblies (those that were not under the dominion of activists from some party) proclaimed themselves “sovereign” and insisted that delegates should stick to the limited functions already described. But that “was not what parties wanted, because they mobilized their apparatus on Sunday, they raised their hands and that was it”, explains an assembly member from Palermo Viejo, a “common neighbor” with no previous political experience (Male, 29). “The PO wanted an assembly subordinated to the decisions made in Parque Centenario while the vast majority of us thought it was a sovereign assembly” (Male, 54, Espacio Asambleario de Parque Patricios, with previous political experience).

The underlying conflict ran deeper than what is made apparent in the obvious attempts by leftist parties to “take control” of the assembly movement by conferring a certain direction and a precise content to its actions. Indeed, if the *Interbarrial* had functioned according to

11 This element is also questioned by some activists for whom their “total lack of structure” is what prevented the assemblies to replace citizenship participation when the general level of activity began to decline.

its own principles –that is to say, if its activities had not undergone the stress caused by party activism– the problem would have presented itself in terms of the possibilities for deliberation in a system of delegation based on imperative mandate. Numerous interviewees state that deliberation in Parque Centenario was hindered by the presence of activists who came with their slogans and their decisions made somewhere else and tried to impose them on the rest. Nevertheless, if that had not happened and the *Interbarrial* had remained faithful to the concept of representation as delegation, it would have nevertheless been unable to become a space for deliberation but, at the most, a space for the exchange of experiences and for the presentation of proposals for coordination that would have to be sent to the assemblies in the neighborhoods and come back with an affirmative or negative vote a week later. In other words, a representative can only deliberate freely if he is allowed to change his mind when feeling compelled by an argument better than his own, which cannot happen (simply because the rules prohibit it) where representatives are subject to precise instructions from their principals.

CONCLUSIONS

Contrary to what is usually expected, the crisis of representation –typically linked to decades of governmental low performance and/or bad behavior– did not lead in our case to a rise in authoritarian preferences among the citizenry but to a surge of deeply democratic impulses, based on the understanding –as quoted by one of our interviewees– that “the cure for the evils of democracy is more democracy”. Indeed, most of our interviewees either celebrate the existence of elections as a necessary condition for democracy, or they simply take it for granted. Most, if not all of them, moreover, explicitly state that elections are by no means sufficient as far as the quality of democracy is concerned. Thus, the process described as well as its participants’ state of mind need to be apprehended in relation to the issue of the *quality* of democracy rather than to that of its *consolidation*. In other words, the question that is once and again put forward is not whether or for how long democracy will last in Argentina, but what kind of democracy is the one that we already have and whether we like it and intend to keep it that way or, instead, prefer to change it for the better.

As has been shown, all possible attitudes towards the system of representation are present among assembly members, not necessarily under the form of consistent alternatives, and in various combinations. Among them can be mentioned the rejection of the separation between the represented and their representatives; the rejection of the existing representative bond or of the “political class” as shaped

within the framework of a “delegative democracy”; and the rehabilitation of the imperative mandate and therefore of direct democracy. While according to some interviewees the QSVT translated into the reclamation of the end of representation and the establishment of a system of direct and/or participative democracy, according to others the realization of the slogan encompassed the revocation of all representatives’ terms and the call for general elections so as to achieve a total renovation of the “political class”; last but not least, a third group rejected the literal understanding of the motto (or accepted it as such only when applied in a restricted way, such as in the demand for the resignation of all Supreme Court Justices) but happily embraced its potential for the inclusion of the most diverse reclamations under an umbrella of creative provocation.

Consequently, the role and meaning of the assemblies are also interpreted in various ways. Some think of them as “an instrument for a direct, non-delegative democracy”. “Direct democracy”, in turn, is sometimes differentiated from “participative democracy” in that the former would require a much greater involvement of the citizenry in the decision-making process. Thus, several interviewees refer to “direct democracy” as the main aim to achieve while they cling to “participative democracy” as a second-best alternative in case the preferable one was not achievable. In other cases, “participative” and “direct” democracy are used as interchangeable expressions that refer to the same object –the practice of direct democracy– which some people consider now to be “possible” due to the existence of “the technology to know what people want”, at least at the local level.

For some assembly members, assemblies embodied a “political alternative”, either “to administer or to control the administration”. In the former sense, in particular, the experience tends to be considered as a failure. Others, on the contrary, maintain that “the assemblies did not need to be an alternative political direction because they never intended to (...) Because they were born as something different, as a place for rebellion and for a democratic practice of a different nature” (Male, 54, Espacio Asambleario de Parque Patricios, with previous political experience). In any case, even those who apprehend them in those terms feel sorry that those impulses and practices could not be institutionalized and thus kept alive.

From another perspective, assemblies are not understood as encompassing an alternative, full-blown system but just as a mechanism capable of functioning within the existing representative democracies with the aim of making them “more participative”. This possibility, however, is not equally valued by everybody: for some it is a second-best option while others see it as the optimum to reach. Among the

latter, a former member of the Asamblea de Palermo Viejo concludes that “participation and representation are two different things. (...) One does not need to eliminate the other and together they amount to democracy” (Female, 23 years, with little prior political experience).

Besides the diversity of explanations provided to account for the decline –or, according to some, the failure– of the assembly movement, most (if not all) our interviewees believe that the causes that originally fueled it still remain in place. Many of them, however, no longer see those causes in the original terms. The “political class”, for example, continues indeed to be the main target; nevertheless, it sometimes receives some credit, or at least a suspension of disbelief, since many assembly members (present or past) have deposited mild expectations on the new government, despite it having been born out of one of the two big partners in the so-called “*partidocracia*”. Equally numerous are the interviewees who complain instead that citizens (including many assembly members, and especially former ones) have diligently returned to the polls to re-legitimate a system that no doubt still functions perversely. The most ideology-driven activists go on to state that the assembly movement failed because it was not radical enough, as it did not thoroughly reject “the republican and representative regime, so when the government says ‘go vote again’, people just go and vote again. (...) The change was not so deep, that is why [the establishment] backed down a little to later institutionalize the process, giving it an electoral solution” (Male, 47, Asamblea Popular de Liniers, with long prior political activism).

As for the impact of the assembly experience, the overwhelming majority of our present and past assembly members initially declare to notice “little” or “no” substantial change in Argentina, in Buenos Aires or even in their neighborhoods. Most interviewees with absolutely no previous political experience say that the fact of getting involved in an experience with “participative” “deliberative”, “direct” or “non-delegative” democracy (according to their different expressions) has instead changed *them*, shifting their views and their lives as a whole. By contrast, those with a long history of activism see their assembly phase as “just one more experience” –innovative and interesting, no doubt, but in no way a “point of no return” or a “loss of innocence”. Both groups, however, end up agreeing that at least two things did change in Argentine politics after all. Firstly, they claim that despite the subsequent process of “political normalization”, the experience of insurrection and popular self-organization remains in a state of latency to be activated as soon as “the next crisis” strikes. Secondly, they state that although “nobody went away”, the threat embodied in the presence of a vigilant citizenry now aware of the limits of representa-

tive democracy has set stricter limits to power abuse. That is precisely what, according to some of them, accounts for the relatively “progressive” characteristics of the “normalizing” Kirchner administration, which –they claim– felt compelled to incorporate, at least through lip service, many of the reclamations put forward by mobilized citizens.

The assembly experience also resulted in the reformulation of many participants’ prior expectations, not just in terms of the utopian character of certain hopes that grew in the context of December, 2001, but also where certain aspects of representative systems are concerned. More precisely, the experience allowed for the evaluation of representative democracy under a new light. Take, for example, the specialization and professionalization of administrative functions and the roles performed by political parties within a competitive democracy. Each and all of them are now revalued in contrast to the “inefficiency” displayed by the assemblies. Even politics as a professionalized and remunerated activity has been revalued by some interviewees who disclose the fact that they could only devote themselves completely to their assemblies during the several months that they spent unemployed, and for the simple reason that they had enough accumulated resources so as to be able to survive without a job. This intuition is reinforced through the analysis of the effects of the fast decline of citizen mobilization and the transformation of assemblies into redoubts of activists –either activists turned into assembly members or assembly members turned into activists. It is at this point when some of our interviewees get to glimpse an unexpected alternative to representative democracy. What if the alternative to a democracy in the hands of professional politicians who are, after all, elected by the citizenry through free and clean elections, happened to be not a heavenly direct democracy but, in a context of low popular participation, the constitution of a self-selected group of leaders formed by those who have the time, resources, charisma or interest to devote full-time to politics? Professional politicians would no longer score so low if compared to such an aristocracy, free of the constraints of any institutionalized accountability mechanism. A conclusion follows: given the available options, the most valuable aspiration to pursue might be, after all, that of a functioning representative democracy in which professional politicians and public officials are kept on a leash by an informed citizenry capable and willing to exert on them all their available powers of monitoring and control.

Was such a citizenry produced or expanded by the assembly experience or, more broadly speaking, by the participatory upsurge of 2001? It is apparent that the assemblies’ experience was disappointing in many ways, as most of their former members easily admit

it. Disillusionment is not only related to the assemblies' actual, concrete and tangible results in terms of the goods and services delivered and the policies enacted –which are usually considered negligible– but also to the limited satisfaction brought by the participatory experience itself, related in turn to the stark contrast between the huge expectations it fostered and the modest outcomes it produced. It is important to keep in mind that the experience we examined involved mostly middle-class citizens, at least as far as their cultural standpoint was concerned. Thus, the democratizing potential of the experience turned out to be not just a welcome but quite unexpected by-product of practices undertaken with other purposes in mind but, instead, an aim located at the very core of the actors' understanding of their own actions. For good or for bad, our political actors happened to be theoretically informed –though sometimes also a little confused out of too much theory delivered in too simplified a package. Indeed, debates on how to make the experience more “horizontal” and “participatory” –and, thus, more “democratic”– (and on how to spill those effects onto its surroundings, eventually reaching the whole society and political institutions alike) took place “almost obsessively” in most assemblies, as some put it. It must also be acknowledged that the assembly experience took place in the context of a huge, total crisis that produced a very peculiar collective state of mind that, by definition, could not endure long. What was left of it when the participatory effervescence subdued and the deliberative frenzy receded? A few assemblies certainly remained, but they survived through adaptation and mutation into clientelistic machines, not quite different from the local branches of traditional parties. As for the assemblies that disappeared, the question is: did they leave anything behind?

It can be claimed that they did. Besides the appraisal by several individuals of what came to be the “experience of a lifetime”, having turned them into more assertive, stronger, self-confident persons, what they left behind were certain criteria of what “democratic” is supposed to mean that –though eventually acknowledged not to be fully applicable to “normal” politics and regular political institutions– were nevertheless thought to be useful to judge their performance. In that sense, the result was the production of a more critical citizenry, that for a couple of years kept the government strictly in check. For some time indeed, the rebellious experience stayed fresh in the minds of politicians, who were truly concerned and even afraid of it happening again. In January, 2002, the Secretary-General of the Presidency for the Duhalde administration, Aníbal Fernández, publicly stated that the government needed to respond to popular demands

such as those put forward by the *cacerolazos* because if it failed to do so “the people will kick us out” (*La Nación*, 12/01/02). In April, 2003, Néstor Kirchner was elected in the first electoral round with roughly 23% of the vote, and went on to build his basis of support through the constitution of a “virtual electorate” –that is, by following the dictates of public opinion. Some “progressive”, even “politically correct” decisions were rapidly enacted. Until mid-term congressional elections were held in 2005, alleged attempts at “political reform” (a collection of disparate changes in political practices that, if enacted, would supposedly turn representative democracy into either a more representative, a more responsive, a more accountable or a more direct one) continued to make headlines. Halfway into his term, though, President Kirchner succeeded in turning his virtual electorate into an actual one, therefore completing the process of reconstruction of presidential authority as well as his own basis of support. Normalcy had successfully been restored, substitute goods were being delivered; soon after, political reform eventually waned into oblivion.

How critical, how active, how assertive and how much to fear a citizenry is then to be found in present Argentina? In a country that seems to regard crises as a privileged tool for political change, that still remains to be seen.

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**A TIME OF OPPORTUNITIES:
THE *PIQUETERO* MOVEMENT AND
DEMOCRATIZATION IN ARGENTINA**

TRIGGERED BY THE DEEP economic and social crisis that culminated in 2001, broad popular masses took to the streets all across Argentina, protesting against the economic decline and hardship brought by the recession. Gradually giving rise to more organized social movement formations, the protest actions led to increased levels of political participation that in turn altered the face of the country's democratic life.

During the peak of the crisis, the mobilization, today known as the *piqueteros* movement, spread throughout the society, gaining a strong social presence and the status of an increasingly legitimate political force on the national arena.

Within the past five years, the movement has become partly incorporated within the structures of governmental administration, wielding political power in social policy decisions and on the human rights platform through the organs of regional government. In this paper, I review the ways in which the movement has been able to influence the direction and outlook of politics at the local level, discussing the movement's ability to shape governmental policy in the Province of Buenos Aires. In

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particular, my paper focuses on one of the many “Unemployed Workers Movements” (Movimientos de Trabajadores Desocupados - MTD) founded by the *piqueteros*, the MTD-Evita, assessing its actions and outcomes from the normative standpoint of representative democracy.

I will concentrate on three lines of inquiry:

- What is MTD? This part of my paper addresses the beginning of the social movement. Which organizations, groups, and individuals became part of MTD?
- How is grassroots success channeled into traditional forms of democratic participation?
- In which ways has the interaction between political actors and the MTD-Evita contributed to a greater participation of civil society sectors in decision-making structures, and to transparency and accountability in politics more generally?

A Social Movement is defined by Tilly as a series of contentious performances, displays and campaigns by which ordinary people made collective claims on others (Tilly 2004). According to Tilly, social movements are the main way for citizen’s participation in public politics (Tilly 2004:3). That is to say, it is a collective attempt to further a common interest or secure a common goal, through collective action outside the sphere of established institutions.

Anthony Giddens (1985) has identified four distinct areas in which social movements operate in modern societies:

- Democratic movements, concerned with the establishing or maintaining political rights;
- Labor movements, concerned with defensive control of the workplace and with the contesting and transforming the more general distribution of economical power;
- Ecological movements, concerned with limiting environmental and social damage resulting from transformation of the natural world by social action; and
- Peace movements, concerned with challenging the pervasive influence of military power and aggressive forms of nationalism.

In this context, the Argentine “Unemployed Workers Movements” or, collectively, MTD, have attracted the interest of academic researchers approaching the topic of movements and democratization from different perspectives. Recent book-length studies include *Genealogía*

de la revuelta by Raul Zibechi; *Entre la ruta y el barrio* by Maristella Svampa and Sebastián Pereyra; *Piqueteros, notas para una tipología* by Miguel Mazzeo; and *Piqueteros, una mirada histórica* by Iván Schneider Mansilla and Rodrigo Conti. We could also note the several case studies made in the province of Santiago del Estero by Mariana Farietti, who in his “Violencia y risa contra la política en el Santiagueño” contributes to our understanding of the complexity contained in the processes of *pueblada*, relativizing linear analysis of an action; the work done by Javier Auyero in Cutral-Có, for example in his “La vida en un piquete,” which gives an account of the “prepolitical” phase in the gestation of *puebladas* and of the impact of the neoliberal transformation on the processes of mutual recognition and identification among the subjects; or by Maristella Svampa, who investigates the reconstruction processes behind the *piquetero* movement in General Mosconi; and by Pablo Bergel, who focuses on the reviving communitarian life in Buenos Aires. The latter two authors analyze the trajectory of the mobilized social sectors from the year 2001 on, questioning the forms and functioning of political representation in their *Nuevos movimientos sociales y ONGs en la Argentina de la crisis*.

In addition, numerous journalistic pieces, monographs, and working papers have been written that either directly or indirectly tackle the phenomenon and the forms of collective action represented by the *piquetero* movement in Argentina.

First, however, we should place our analysis in the context of the broader literature on collective action and social movements. A number of theorists –Habermas and Offe, rooted in German critical theory; Laclau and Mouffe, with their synthesis of post-structuralism and neo-Gramscian Marxism; and Touraine in his sociology of action– explain the emergence of social movements with a reference to structural transformations and long-range political and cultural changes which created new sources of conflict and altered the process of constitution of collective identities. Habermas views new social movements as struggles in defense of the “life world.” Offe explains them within the context of late capitalist societies, focusing on the contradictory role of the capitalist state, which must ensure, simultaneously, the conditions for capital accumulation and bourgeois legitimacy. Some authors (Habermas, Offe, Laclau and Mouffe) highlight the notion of ‘crisis’ (of hegemony and legitimation) in contemporary capitalist societies and conceive collective actions as rational responses to such crisis. Laclau and Mouffe consider movements in terms of the availability of democratic discourse and the crisis of the hegemonic formation consolidated after World War II. Touraine focuses on the emergence of a new societal type, postindustrial society, characterized by increased levels of reflexivity.

For Offe, the emergence of new social movements must be understood as a reaction against the deepening, broadening, and increased irreversibility of the forms of domination and deprivation in late capitalist societies. The deepening of the mechanisms of social control and domination –the expansion of steering mechanisms– takes place as more and more areas of private life come under state regulation “through the use of legal, educational, medical, psychiatric, and media technologies” (Offe 1985:846). This process, paradoxically, has contradictory effects on state authority: on the one hand, it strengthens it as more areas of civil society come under state regulation and control; but, on the other hand, state authority is weakened as “there are fewer nonpolitical –and hence uncontested and noncontroversial– foundations of action to which claims can be referred or from which metapolitical (in the sense of ‘natural’ or ‘given’) premises for politics can be derived” (Offe 1985:818).

For Tilly, contemporary social movements are no different, in the form and content of their actions, from early-nineteenth century collective actors, since they both employ the same “repertoires” –that is, the limited range of legitimate actions available to collective actors. The consolidation of capitalism and the growth of the national state in the early nineteenth century caused a shift from communal to associational forms of collective action. The emphasis on democratic freedoms (to assemble, to speak, to demonstrate, to organize) encouraged the creation of special-purpose organizations and voluntary associations and the consolidation of civil society. These transformations gave rise to the forms of collective action that characterize representative democracies: rallies, strikes and demonstrations (Tilly and Tilly 1981:19-23; 44-6 and 99-101; Tilly 1978:151-71).

THE UNEMPLOYED WORKERS MOVEMENTS (MTD)

The Unemployed Workers Movements (MTD), collectively known also as the *piquetero* movement, is an expression of the development of popular power in the country.

One could define MTD as a form of popular organization of men and women, unemployed workers, who have formed a ‘movement’ –not a party or a union– that, characteristically of the recent forms of collective action, adopts a broad agenda aiming “to solve all the problems of everyone.” With some justification we could describe MTD as a movement of movements. Its organization is independent of the political parties, the unions, and the Church, and has as one of its basic principles the objective of coordinating its activities with other popular mobilizations cohering around various and often divergent issues.

The *piquetero* movement consists mainly of former employees of metal, electrical, and oil industries and of transportation (railway) and public sectors, and of laid-off food industry, dock, and other similar workers. The membership does not represent “the new poor,” but, characteristically, has as its predominant element unemployed laborers who come with experience of union campaigns accrued in their previous places of work.

The main form of struggle utilized by the workers and the unemployed pushing their agenda through MTD is the *piquete* or, literally, road-blocking, exercised to put tangible and quite public pressure on the government in order to obtain from it provision of food supplies and basic necessity items (like mattresses or ceiling construction materials), social policy measures, improvements in the infrastructure, etc.

In the middle of the 1990s, during the second presidency of Carlos Menem, the *piquetero* campaigns spread to localities in the interior of the country, especially those areas that were centers of the oil industry, which was privatized and reconstructed during the Menem administration (such as Cutral-Co in Neuquén, and Tartagal-General Mosconi in Salta). In addition, the movement developed rapidly in localities that served as major railway junctions (like Cruz del Eje in the province of Córdoba) or centers of agro-industrial production (such as for sugar and lumber, or in the citricultural region of Salteño-Jujeña and along Route 34 connecting with the oil region) (González Bombal, 2003).

Later on, the spread pattern extends further to peripheral popular neighborhoods in the margins of great cities such as Rosario, Santa Fe, and Córdoba, in 1999 reaching the popular neighborhood and the “villas” of the Conurbano Bonaerese near Buenos Aires, where *piquetero* action campaigns started rapidly increasing in 2000, continuing to present day.

It was in La Matanza, a suburb to the west of Buenos Aires and home to two million impoverished inhabitants living in the shadow of hundreds of closed factories, that the first road blocks were erected during a major campaign cutting off traffic on urban routes and catapulting the *piquetero* movement to the national political arena. Today, the *piqueteros* of La Matanza form the central nucleus in the movement’s activities that show no signs of abatement.

MTD thus began to grow in size and attain recognition as a new actor on the national level. Due to the growth and concomitant pluralization that it experienced after attracting a number of other groups and initiatives under its umbrella, the movement became highly diversified, accommodating orientations and currents with varying levels

of organizational maturation, as well as different dimensions, regional characteristics, ideological influences, relations to labor movement and political party organizations, and repertoires of action (González Bombal 2003).

The spread of MTD has been accelerated through the multiplication of its constituent movements operating in different regions of the country. Many of the (rather different) MTD campaigns formed and continued developing independently of one another, not as ramifications or sections of a centrally organized and managed parent initiative. The participating movements were characterized by their mutual diversity and by the particular attributes of each neighborhood or locality in which they operated.

The newly established visibility and status of the movement (composed, as stated, of a loosely knit network of diverse local and regional initiatives) as a nation-wide phenomenon was manifested in the two national assemblies in which *piqueteros* from around the country gathered in 2001 and 2002, with the intent of creating alliances, coordinating logistics, and pooling resources in a broader struggle that was formulated and also perceived as something shared in common. Nevertheless, the results of these efforts remained relatively unsuccessful, much due to the movement's nature as something very dynamic and decentralized, frequently fluctuating and relatively open-ended.

However, some significant coordination did take place as a result of the efforts to bring the various MTD actors closer together. The MTDs of the ten districts of the *conurbano* –Almirante Brown, Lanús, Solano, Florencio Varela, Esteban Echeverría, Quilmes, Presidente Perón, Lugano, J. C. Paz and Berisso– and of La Plata, Quilmes, and Lanús became integrated as the Coordinadora de Trabajadores Desocupados “Aníbal Verón” (CTD), forming a joint organization coordinating and directing the actions of the movements of the unemployed that participated in it. CTD is composed of *compañeros* or “companions” representing each of the participating groups and meeting weekly to discuss the situation in each district and in CTD itself. The proposals of CTD then become discussed in neighborhood assemblies, in which all the *compañeros* from each neighborhood involved gather to solve and elaborate new proposals.

Within MTD, democratic decision making is understood to evolve from below up, as all the decisions, from formulating demands to the mobilization for the actual action campaigns, are taken collectively in assemblies that remain open for participation at the level of neighborhoods or municipalities. The assemblies convene weekly in the municipalities, biweekly in the provinces, and monthly on the national level (as national commissions). The organization of the assemblies

allows for an open participation in the proposals, discussions, and resolutions. As intended, this is in fact a two-way process, given that the agreements reached as a result of the decision making processes through their very manner of coming into existence also have as an aim the deepening of the formal democratic system actually existing in the country.

Using narrow, effective tactics, the *piqueteros* have imposed a broad agenda in the form of demands presented to the government. During a *piquete*, or a road-blocking action campaign, demands to free jailed militants are aired, as are calls for the withdrawal of the police force from events organized by MTD, for food assistance, for decent jobs, for better wages and unemployment benefits, for agricultural subsidies and irrigation projects, for improved infrastructure (paved streets), and for provision of electricity and medical facilities.

At present, the *piquetero* organizations are aiming their main efforts at obtaining assistance for the neediest segments of the population, at creating spaces of open debate and political formation, at generating new levels of participation, at creating social bonds and new organizational ties between neighbors, and at exploring new forms of communitarian organization. MTD as a social movement has introduced a new tactic, the *piquete*, whose very publicity, disruptive effect, and organizational bases allow workers and the unemployed to channel their rights claims into the broader public arena. Among the latter, creation of real jobs continues to play a central role, posing also a more difficult logistical and organizational problem: what this demand calls for is in fact nothing less than an alternative general vision of the society, one that could propel economic transformation with an effect on the rate of employment. Burdened with this necessity, the initial effectiveness of the *piquete* strategy has started to wear away, with the tactics relying on daily road blockings affecting everyday life in the cities and thus gradually starting to work against the *piquetero* campaigns themselves. The consequences may well amount to something similar to what the tactics of the political right strive for: isolation of the demands from below and encouragement of the reactionary tendencies in the middle classes. The *piquete* campaigns, originally an effective tool of political and economic inclusion, are now beginning to be orchestrated from the political right that expediently mobilizes *piqueteros* of their own, thus tending to progressively transform them into a tool of exclusion and isolation instead.

THE MOVEMENT EXPANDING TOWARDS THE GOVERNMENT

The great political disenchantment entailed by the hegemonic rise of neoliberalism and its values, making themselves felt in almost all

spheres life, have refocused the attention of the *piqueteros* movement and led it to a search for ways to reconstruct the bonds of social solidarity weakened during the period of dictatorship and the subsequent era of exclusionary policies.

The activities of MTD allow for, and in fact encourage, processes of political socialization and initiatives to organize, to belong, to have an identity, to recognize one's own rights, and to develop one's critical-analytical skills, through participation in various training programs, study groups, and reading groups, thereby fostering the development of a better historical perspective and critical reflection vis-à-vis the social realities of the present.

Finding it relevant to enter into the political arena, MTD, especially in 2001-02, started promoting an integral vision uniting large sectors of social and popular organizations and focusing on political action as a tool of social transformation. Proposing political action does not equal apostatizing social construction; political action is based on the construction of popular power, of an organized popular force able to turn the course of so many years of regressive, antipopular, and antinational policies.

Under the Kirchner government we can see a certain reversal of the policies initiated during the 1990s. Given the back-and-forth movement of the political process and the extreme social fragmentation we witness today, however, the need for tactical alliances grows paramount in a persevering hegemonic system in which, that which has passed, has not yet relinquished its hold.

In view of this situation, MTD has taken a step towards direct participation in the political process, now considering it necessary for the popular organizations to engage in actions that can steer the government towards the construction of a project of national sovereignty. For this purpose, its leadership has called for expansion of the movement membership towards white-collar elements in the government, in order to ensure the kind public policy decisions it considers vital on the local level for the maintenance of popular protagonism as the main means of social transformation.

Acting in the manner of community activists, the *piqueteros*, responding to this call in the neighborhoods in which they spread, have started turning away from mere humanitarian assistance projects under the banner of charity. In their stead, we can see a new emphasis on the need to foster the growth of popular organizations conceived as tools of true democratic process within the framework of the human rights, peace, and justice for all. In the interest of these aims, MTD has extended the scope of its actions and ambitions further still, proposing to work together with other

kindred groups such as local assemblies, youth groups, women's movements, socioeconomic community projects, and other activity centers.

Among the *piqueteros* themselves, we can detect different currents varyingly identifiable with the nationalist and popular matrix, often tending in directions that vindicate aspects of historical Peronism. Some of the organizations and associations act more in the role of negotiators or mediators (Federación de Tierra y Vivienda - FTV), some are more combative than others (Barrios de Pie). In 2003, these strands within MTD shifted their position with respect to the government, identifying as they did a promise in it of returning to the historical sources of Peronism. On the other hand, Kirchner himself could act in ways that encouraged the development of new *piquetero* movements such as, precisely, MTD-Evita discussed below. These developments coincided with the emergence of a broader political bloc in Latin America, aimed on a transnational plane to form a counterbalance to the prevailing global hegemonic discourse and equipped with its own anti-neoliberal rhetoric that has reactivated—and to an extent builds on—elements of the national-popular traditions in the countries involved.

In this way, we can see a two pronged movement bringing MTD and the government closer to each other. Driven by a broader political agenda on both sides, a link between the government and the “organized masses” has now been established. While earlier on only the unions were directly engaged on the plane of national politics, now also the *piqueteros* have entered the political horizon of the central administration.

MTD-Evita is one of the *piquetero* groups that the Kirchner government attempted to draw closer to its political framework. In the early months of its application, this strategy to open communication channels with the unemployed and search for ways to cooperate with the largest and most significant popular organizations showed good results, if the official objective of lowering the number of independent mobilizations is held as a measure. In contrast, the initiative to create an openly *kirchnerista* movement for the unemployed has not taken off equally well.

Within MTD-Evita itself, internal developments similarly encouraged this mutual approximation. The leadership in the organization was assumed by Emilio Pérsico, a veteran activist from the so-called “Peronism of Left” and more recently also the *piquetero* movement, who maintains to have found in MTD-Evita “a tool for the struggle for more work and for social inclusion—two crucial issues for the country's reconstruction.”

Movimiento de Trabajadores Desocupados Evita (MTD-Evita)
Leader: Emilio Pérsico
Area of influence: La Plata and La Matanza
Capacity of mobilization: 2,000 people

The members of MTD-Evita show considerable involvement in the national and provincial governments. Through his position in the organization, Pérsico himself has been able to advance his career and extend his personal influence as a political figure in ways and at a speed unparalleled during his 30 years of political militancy. Rising quickly through the ranks he was soon appointed Undersecretary in the cabinet headquarters of Governor Felipe Solá of the Province of Buenos Aires.

Reflecting on his reasons for joining the government as a civil servant, Pérsico himself stated: "I have already lost count of the companions from the MTD-Evita who work as civil employees in the provinces and for the state, who are deputies and senators. I know who we used to be and I can see what we are now, and that fills me with fear". I am here to fulfill the objective of a national project we have embarked on: generation of jobs and social inclusion through jobs."¹

Assessing that "things are changing quicker than we thought," Pérsico acknowledges his unconditional identification with "Kirchner's popular project" and the concomitant "task of transforming the Province of Buenos Aires under [Governor] Solá's direction."

The mutual understanding of the shared stakes has thereby started to take shape. According to Governor Solá, the spread of MTD-Evita "exemplifies how activism and militancy can proceed to construct and articulate new sectors of representation, as opposed to merely working to delegitimize the majority parties"². Or, as Pérsico has pointed out, "the Evita movement is not merely a political expression; it is a construction tool for uniting social organizations that must become part of the State in the process of creating a new national project."

As a new type of social movement, MTD-Evita is significant in the context of national politics. Nevertheless, its role and impact on the ground have remained relatively weak, even if its actions in helping to provide for certain basic necessities for impoverished sectors (such as

1 Diario El Día de la La Plata. "¿Qué hace un piquetero en el gobierno? Lo cuenta el platense Emilio Pérsico." Lunes 2 de Enero de 2006.

2 Diario Clarín. 14 de Octubre de 2006.

obtaining work tools for those needing them and organizing around housing issues) have been consequential. The organization itself has become confirmed in its belief that in order to stimulate real results, its membership must be extended to civil employees who in turn can influence state policies and partake in decisions with effect on unemployment.

RUPTURE WITH TRADITIONAL FORMS OF POLITICAL REPRESENTATION: THE ASSEMBLY PROCESS AND THE RESURGENCE OF CIVIC PARTICIPATION

In the social sphere, however, MTD has been able to move ahead with its initiatives, scoring a string of successes that can be said to reverse some of the consequences of the policies implemented during the neoliberal stage of the 1990s—policies that gave rise to the weakening of workers' organizations and a decline in the status of politics and the politicians. MTD actions have resulted in an increase in popular claim making and needs articulation, centered around territorial organizations—not only the *piqueteros*, but also associations and advocacy groups related to the church and the municipality itself. At this historical juncture, organizing among the urban poor gains in importance, such as through the heterogeneous *piquetero* movements constituted of unemployed and workers bound to the informal sector.

For their decision making processes, these movements utilize the assembly practice. In the assemblies various needs become expressed, and through the ensuing discussions and debates, also the broader issue of the place of movements in society becomes broached (if not directly addressed). This practice of assembly participation corresponds to a political movement with strong territorial presence, proposing a new form in which to think of the role of the institutions. For Hannah Arendt,³ politics is not restricted to the sphere in which the institutions of government and administration predominate; what it concerns rather is the institution of a sense of a political community (to consume and to work). It is constituted through the actions of human beings entering into relationships with one another, in a space where the type of bond created emerges through actions and words. In the light of this analysis, the assemblies may indeed emerge as an instantiation of the politics of representation superior to the traditional representative politics within the confines of representative democracy.

In the space of the assemblies two dimensions intersect⁴:

3 Arendt, Hannah (1993), *La condición humana*. Barcelona: Editorial Paidós.

4 En Svampa, Maristella (2003), "El análisis de la dinámica asamblearia," in Bombal, ed., *Nuevos movimientos sociales y ONGs en la Argentina de la crisis*. Buenos Aires: CEDES.

In the first place, the assemblies constitute a space for organizing and deliberating that represents a rupture with the traditional forms of political representation, favoring instead alternative forms of self-organization that arise from the social milieu and are inclined towards horizontal modes of organization and the exercise of direct action.

Secondly, the assemblies can be viewed as an expression of an emerging, disruptive new type of protagonism, irreducibly social and political at once, that breaks with the fatalism of the ideological speech of the 1990s and reinvests individuals with their capacity to be true actors in the public life –indeed, to become subjects of their own destiny, in both the individual and the social sense. In this fashion, the assemblies brought with themselves a promise of the creation of trust and spaces of solidarity through which social bonds can be (re)constructed.

In the *Human Development Report of the United Nations* (1993), addressing the issue for participation, it is stated: “A greater participation of the population is not any more a vague ideology based on good desires of few idealists. It has become an imperative –a condition of survival.” In Argentina, the role of MTD in this respect has been significant, in strengthening the processes of democratization and in forcing a confrontation with social problems that affect broad segments of the population.

A great majority of those participating in MTD campaigns and activities do not have a past history of union membership or participation in political and local organizations. The practice of claim making through the *piquetes* organized by MTD utilizes provocative means (men equipped with sticks, wearing hooded jackets) to underline the urgency of the activists’ message before the intransigent government. This mode of activism entails risks such as repression, retaliation, persecution, threats, and even death. For the practice of the *piquetera* struggle, determined effort and a strong commitment to an ideological position thus become critical. The processes of political and ideological formation encouraging the emergence of such a strong dedication and loyalty to the cause are the task of the leadership, which must succeed in convincing the actual and potential movement members about the legitimacy of the claims advanced. Accordingly, the MTD leadership has stressed in its speeches and position papers the inadequacy of the traditional forms of citizen representation.

The question of civic dignity involves moral recognition of social equality (Rodríguez and Morello 2003). The social actors participating in MTD actions assume a more active role when joining in marches and *piquetes*, in this way repositioning themselves in a social sector that, in spite of the always possible repressive countermeasures or the

indifference of the government, we see continuously regenerating and rejuvenating itself in the country.

Besides staging direct action campaigns to express concrete demands, what MTD participants accomplish is a degree of participatory democracy “in action,” building largely on the distrust of the representative and delegative political system that is now subjected to questioning as something that has not offered any tangible solutions during all the years of democratization demands. What the new social movements, MTD among them, in effect demand is a new political paradigm that lays fresh emphasis on the *substance* of democracy.

We may therefore view MTD as constituting a privileged site of societal reflection *and* a proposal for political action seeking concrete solutions and new paths for the processes of problem solution. The effectiveness of MTD on these two fronts is based on its formative and organizational origins in contexts that, following Bourdieu, we could analyze with the help of the notion of “habitus”: it draws upon and activates the values and traditions represented by *piqueteros*, and is impelled forward by the dictates of their concrete subsistence needs and collective identity needs. It becomes necessary for the political system therefore to become so oriented that it can better accommodate and productively absorb the impact of social movements –something we see happening in the gradual incorporation of MTD members into the government as well. However, following Giddens,⁵ new social movements, operating in situations where elucidation of social problems is at stake, are action forms whose outcomes may amount to no more (and no less) than a creation of a language of protest, significant in itself but with little or no direct consequences for the administrative structures of the government as such.

The management role of the government appears central in different instances, in the sense that Giddens criticizes the ambitions of social movements by stating that neither the movements nor the markets can replace the functions of the government. Citizen initiatives, new movements, NGOs, and the like can never replace governments acting on the national arena; where their accomplishment lies is in making their claims and demands heard by the political system in a fashion that it can constructively respond to.

Racelis (1994) has pointed out that the central thrust of participatory politics of this kind consists in “giving power to the *pueblo* instead of perpetuating the constitutive relations of dependency that characterize the top-down approaches” –in other words, the idea is to share in the power, not assume or even less seize it.

5 Giddens, A. (1999): *La tercera vía. La renovación de la socialdemocracia*. Madrid: Taurus.

The practice of the MTD-type of participatory democracy emphasizes effective popular sovereignty, political justice, economic equality, and robust civic life. Nevertheless, as a precondition for a better functioning direct democracy, greater involvement of MTD membership is called for; if it is to contribute with its knowledge of social problems, create awareness of its agenda and the underlying issues, and thus better influence the administrative offices, resulting in turn in better political decisions.

The rise of MTD can be deemed to mean an end to “passive democracy” and the inauguration of an era of “intelligent democracy,” in which the citizens are informed, have channels to express their opinions and needs, and possess a degree of power to exert constant influence in the management of public issues. However, the importance of strategic alliances will still remain high, allowing different participating actors to become articulated at sectoral and national levels for the benefit of effective political action in concert.

PRELIMINARY CONCLUSIONS

At present, politics seems removed from the level of people’s priorities, needs, and social wants. Given this distance, there is a need to reform democratic institutions and practices in such a way as to allow for a confrontation with inequalities within the framework of an effective political process. Such a strengthening of democracy can only be accomplished in a continuous process bringing about the development of socially sensitive institutions of the government and predicated on the existence and efficient operation of strong, independent mass media, autonomous judiciary, instruments of human rights protection, and cooperation among networks of the unprivileged poor (social and cooperative networks, enabling networks of mutual assistance).

The development of democracy is bound toward a search for greater social equality, the struggle against poverty, and the expansion of the rights of citizenry. Full and functional citizenship implies the simultaneous possession of civil, political, and social rights, as well as the ability to make real use of such rights in the daily life (Kessler, 1996).

How, then, to sum up the experience of MTD? Following the line of Toni Negri (2003), it is my view that the confrontation into which MTD entered with the state power allowed it to subsequently reconstruct the kind of social and political relations through which then emerged those “new singular and subjective devices that construct a new composition of resistance and desire to oppose... It is the example that can be located essentially in the documented struggles of the *piqueteros*—the Argentine revolt against neoliberalism.”⁶

6 Negri, Toni (2003): “Argentina: La revuelta piquetera”. Buenos Aires.

During and in the aftermath of the institutional crisis peaking towards the end of 2001 in Argentina, a prevalent popular reaction has been to renounce and turn away from the politicians and the political parties, point to the delegitimation of the representative system brought about by corruption, and refer to the hegemonic crisis of the bourgeois system, the debt crisis and the crisis of the financial system, and the deepening social crisis that, as summed up by Toni Negri (2003), has “destroyed the productive capacity (rampant unemployment) and reproductive capacity (crisis of public education and health)...” At the same time and building on the foundation of this diagnosis, we have seen a related response that, to continue with Negri, represents “a multitudinal antipower organized in independent systems of production, interchange, and political organization, in wholly original forms.” In Argentina, and all over in Latin America as well, what we are witnessing today is the emergence of novel forms of protest and organization, and the formation of new social activities as an extension and also building blocks of these new phenomena.

MTD provides us with an example of a *de facto* method of how workers and the unemployed can be organized and brought together with impoverished elements of the middle classes, to jointly build up political networks of resistance both inside and outside of the structures of the state. It was around 2000 that MTD started calling itself *piqueteros*, adopting this self-identity on the conviction that *piquete* or road blockage formed part of the legitimate tactics of social protest calling for increased aid and respect of the protesters’ rights. The *piquetes* stand out as an autonomous expression of people coming from vastly varying walks of life, still equally motivated by their desire for an egalitarian social system. Specifically, the concept of *piquetero* refers to the moments of mobilization, defined by Tilly (2000) as “disruptive and discontinuous.”

The experience of the *piquetero* struggle in Argentina can be described as an urgent manifestation of “reactive” tactics aimed at reclaiming or a defending something lost or on the verge of being lost, and at the same time as an instance of “proactive” mobilization for social justice, anti-corruption work, and a more egalitarian society capable and willing to offer dignified work for all of its members.

The unemployed workers have demonstrated a distinct capacity to promote anti-free market tactics lending themselves for emulation worldwide. The actions so far demonstrate that the power behind fundamental change does not reside in the cabinet rooms of the politicians, but comes from independently organizing social sectors spearheading participatory forms of democracy on local, regional, and national levels. In Argentina, the state has been the target of these

actions, provoking calls for its reconstruction and regeneration to ensure its ability to cope with the need to reduce poverty and inequality. For this to take place, though, the political system itself will need to lower the barriers of social exclusion and inequity and attain a capability to promote economic growth in harmony with the broader objectives of human development.

Giddens, in a recent book of his, outlines “a Third Way” to respond to the contemporary dilemmas related to globalization, individualism, the terms of the Left vs. Right thinking, our capacity for political action, and ecological issues. For Giddens, the overall aim of the Third-Way politics should be to help citizens pilot their way through the major revolutions of our time: globalization and transformations in personal life and our relationship to nature. Such politics is concerned with the equality of opportunities, personal responsibility, and mobilization of citizens and communities. In addition to various rights, it highlights the role of responsibilities. Accordingly, the Third Way as a political program would have “to maintain social justice and to accept that the range of questions that escape the division into Left and Right is greater than ever.”⁷ Among its basic principles would have to be the reform of the state and the government. The government must be able to act in concordance with civil society if it is to have the capacity to manage the solution of social problems and promote the development of the community it serves. The economic base of the association between the government and civil society is a new, mixed economy, which can only become effective to the extent that its institutions are modernized.

Those active in MTD affirm that from its actions a renewal of politics and leadership can follow, but only if the relationship between the state and society is articulated anew, with the movements contributing their experience and understanding of the social situation of the underprivileged as needed for the development of a more human and participatory state.

Social movements like MTD are a fluid element within political and social systems, from which more formal political organizations arise and may bring radical change. At the moment, the challenge for MTD and other similar movements is to find ways to extend their forms and scope as a mobilized public protest to new areas and consider their possible continuities and their future, this way expanding and strengthening the broader political project behind the express actions of the temporary mobilizations. How, in practice, to strengthen direct

7 Giddens, A. (1999): *La tercera vía. La renovación de la socialdemocracia*, p. 81. Madrid: Taurus.

democracy through participatory mechanisms, and how can the latter be designed so that they increase the responsibility and responsiveness of the government vis-à-vis the citizenry? At the same time, MTD must continue to explore ways to identify dilemmas involved in the efforts to attain these goals, and in the methods conducive to the effective formulation of social policies aimed at consolidation and extension of democratic projects more generally.

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AJAY GUDAVARTHY*
G. VIJAY**

**ANTINOMIES OF POLITICAL SOCIETY:
IMPLICATIONS OF UNCIVIL
DEVELOPMENT¹**

THE INTER-RELATION BETWEEN THE STATE, civil society and more recently political society, notwithstanding the differences over what constitutes each of these domains, has emerged as the single most significant area of study for understanding the process of democratization. Civil society has long been projected and trusted, post-East European debacle, as an all-encompassing panacea for most of the problems plaguing developing societies. It is a political imaginary that is carved out to stand for various values, actively pursued through varied institutions. Civil society has become a kind of 'aspirational shorthand' for ideas and values of equity, increasing participation, public fairness, individual rights, tolerance, trust, legality, cooperation and informed citizenry (C.M.Elliott, 2003). These ideals are fostered and protected by voluntary associative activity independent or "outside" of the state. These include wide ranging associations or institutions such as clubs, religious bodies, *sabhas* (councils or assemblies) and *samajs* (societies), unio-

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ns, professional associations, community action groups, NGOs, media, research institutes and youth organisations, to name a few (Ibid). Civil society has therefore been considered as a radical alternative in state regulated societies. However, after the initial euphoria died out, scholars began to raise serious doubts about the scope and nature of civil society's autonomy and its implications for the process of democratization. For instance, emphasis on trust -- one of the most significant markers of a civil society -- in situations of marked inequality not only offers a false promise to the poor but robs them of their right to struggle and protest (Michael Edwards, 2002). Where associations are hierarchical and based on ascriptive ties, moving to an associative concept of democracy only leaves intact and reinforces the iniquitous social structures (Gurpreet Mahajan, 1999). A society with unequal access to law which emphasizes legality as a baseline criterion of civil society only allows the government to forcibly clear the slums, sidewalks and tribals in the name of development (C.M.Elliot, 2003; Nivedita Menon, 2004). Such grave but perhaps obvious limitations of the civil societal domain are completely overlooked in the euphoric versions, as they are abstracted from any concrete reference to existing civil societies or the way it is transformed under the influence of other domains. It continues to be thought of as neither related to the state nor the market, due to the conflicting power relations (Neera Chandoke, 2003). How do we move beyond such dehistorical, depolitical and flat notions of the civil society and re-locate it in the process of democratization?

There have been three broad alternatives suggested. First, instead of uncoupling, civil society has to work, or in fact, be made sense of as complimentary to the state. "State alone can create conditions that are necessary to protect the institutions of civil society" (Gurpreet Mahajan, 1999). In other words, civil societies are constituted by a community of citizens and therefore we need to continue to recognize the state as the critical 'mobilizing agency', instead of 'letting it off the hook'. Therefore "if the project of civil society is to be saved and along with it the freedom accorded to citizenship, it can only be done through the constitutional democratic state" (Dipankar Gupta, 1999). A second alternative, along the Tocquivellian line, emphasizes the autonomy of the intermediate institutions against, on the one hand, a demagogic state, and on the other hand, and the sectarian and communitarian political forces. Assumed in such a model is an independent legal-rational framework which, being rule-bound and norm-based, would eventually democratize the society (Andre Beteille, 1995). A third alternative emphasizes the significance of grassroots initiatives (Rajini Kothari, 1988). This has been developed further, and more recently, conceptualized as an alternative site of "political society" that makes up, along

with political parties and organized social movements, non-partisan political formations for “strategic” and “contextual” mediations by the subalterns (Partha Chatterjee, 1997). According to Partha Chatterjee: “by political society I mean a domain of institutions and activities where several mediations are carried out” (Ibid). Thus, “the politics of democratization must therefore be carried out not in the classical transactions between state and civil society but in the much less well-defined, legally ambiguous, contextually and strategically demarcated terrain of political society” (Partha Chatterjee, 1998). The idea of “political society” is potentially radical in identifying that the “populations” that make up this alternative site are neither agents of the state nor civil society. They are often excluded in the process of political participation. “For the sake of survival and livelihood, they have to negotiate with both state and civil society or public sphere, domains often led and occupied by the middle-class bourgeois subjects and social elites” (Kuan-Hsing Chen, 2003). This means that not only the state but also civil society, using well-recognized “civil” norms, could potentially become part of the power block and mercilessly attack the subaltern classes, to preserve its own dominant interests. Therefore, if the modes of protest of “political society” are not consistent with the principle of associations in civil society, they violate institutional norms of liberal civil society. “Of course the problem with “political society” understood in this way is that the activities here would not necessarily conform to our understanding of what is “progressive” or “emancipatory”. They could be struggles of squatters on government land to claim residence rights (which would include illegally tapping electricity lines, for example), but they could as easily be the effort of a religious sect to preserve the corpse of their leader in the belief of its resurrection or the decision of a village Panchayat to kill a woman accused of adultery” (Nivedita Menon, 2004). These struggles, more often than not, fail ‘the tests of legality and constitutionality set by civil society’ (Ibid).

The idea of “political society”, though constituted “outside” and opposed to civil society, does not clearly define what forms of protest are part of it. More importantly, it combines a whole range of “strategic” actions adopted by the subalterns as part of this ‘much less well defined’ domain of political activity. It is less ideological in differentiating between organized political movements around alternative (to both state and civil society) democratic and radical “principles”, and the “strategic” and “contextually” defined “politics of the possible”. In fact, it combines them together to include a seamless domain of ‘strategies’ of negotiation and survival. The point is that for any project attempting radical democratic transformation, ideas, beliefs and practices do not hang independent of each other. In fact, if we are not

prepared to make a more nuanced distinction between “strategies” born out of the imperatives of survival and those that propel collectives to forge informed protest beyond their immediate interests, the project of democratization will enter a perilously self-defeating logic. We will have come full circle in putting in place an equally depoliticised, dehistoricised and flattened notion of alternative radical political sites, which is where we began our critique of civil society. It would become ambiguous to mark the “governing principles of political society” and the alternative “forms of institutionalization” it would attempt. While undoubtedly it needs to be acknowledged that uncivil development is making it increasingly difficult for the subalterns to wage organized protest and pushing them towards more spontaneous survival strategies, wouldn’t it be imperative, for this very reason, to search for the signposts of alternative modes of protest that could actually bring them out of what now seems to be an never-ending struggle for survival? “Political society” in its bid to contrast itself with civil society ends up as a seamless domain of qualitatively distinct political actions – of radical social movements, political parties and non-partisan political formations for strategic and contextual negotiations – that in practice cannot actually co-exist and are bound to enter into a conflict to mutually dislocate each other.

This paper is an attempt to delve into the consequences of the antinomies of flattened notions of subaltern politics on the basis of a field study in Kazipally, a pollution affected village, and to demonstrate how sustained demands for the closure of the polluting industries, based on collective mobilization and action, is met with uncivil state repression in nexus with mafia and the economic elites (industrialists) in the market. In turn, this pushes collectives to break up and be replaced by interest-based demands either at the level of smaller groups -- formed around available social stratifications -- or even individuals. This makes it increasingly difficult over time to sustain collective political action that could demand and gain long-term structural changes, in this case the closure of industries and the revival of agriculture. *Therefore, the assumption that a “political society” can unproblematically refer to or subsume both organized political movements as well as contextually marked “strategic politics” actually becomes highly indefensible.* In other words, while it is democratic to recognize the strategies for survival, it is struggles that lie beyond survival strategies that are imperative for any meaningful idea of democratization.

UNDERSTANDING THE CONTEXT

Kazipally is a village situated 35 kilometers towards the north-east of Hyderabad in the Ginnaram mandal of Medak district. Medak is one

of the most backward² districts of Andhra Pradesh. The village has 506 households with a total population of 3000 people. In what follows, we present the socio-economic background of the village:

Table 1.1
Occupational Statistics

S. N ^o	Category	N ^o of Households
1	Small Cultivators	354
2	Medium Cultivator	50
3	Big Cultivator	10
4	Rich Cultivator	6
5	Landless Labourers	76
6	Industrial Labourers	3
7	Others	7
	Total	506

Source: Field Study.

Table 1.2
Caste Statistics

S. N ^o	Caste	N ^o of Households
1	Yadava	40
2	Muthrasi	141
3	Muslims	101
4	Mangali	12
5	Chakali	25
6	Goud	10
7	M.Kapu	5
8	Madiga	172
	Total	506

Source: Fieldwork

2 Note from the editors: While some might have objections to using the word “backwards” in this context, in India the term is commonly employed to refer to the unequal results of international, national and regional development. The Government of India, for example, operates the Backward Regions Grant Fund.

From the above data, it is evident that the amount of resources available to people who are victims of industrial pollution are very limited. Firstly, around 82 percent of the total households are dependent on farming. In addition, another 15 percent of households are engaged in agricultural labour for livelihoods. In total therefore, around 97 percent of households are dependent on agriculture. The Green Peace report suggests that industrial pollution in this area has affected 2000 acres of farmland as well as contaminated well water to the level of 140 feet³. Pollution has displaced households from their traditional livelihoods and stripped people of their assets. These villagers do not have alternative skills to choose other employment avenues. The industries, as seen from the evidence, do not employ villagers. Thus, although the industries take subsidies from the government stating they will contribute towards the development of backward areas, they do not provide any employment opportunities or avenues for social mobility, for instance skill development, to the local population. Some of the marginal and small-scale farmers are also engaged in other activities as their major economic activity. However, there is an availability of additional incomes for those engaged as washer-men, or in occupations such as fisheries, selling fruits grown on common lands, or dependent on livestock.

NATURE OF INDUSTRIALISATION AND CAPITAL

The industrialization in Kazipally started in the post-Emergency period, when Indira Gandhi contested Medak and won. This area was adopted as an Industrial Development Area (IDA). However, rapid growth of industrialization was witnessed only from 1989 onwards. Most of these industries, started after 1989, operated on loan licensing and outsourcing by multi-national and other big national corporations.

There are now, in total, about 50 industries in Kazipally and Gaddapothram. It was recently discovered that of the 50 units, 35 units have been operating without Central Pollution Control Board clearance certificates. The Commissionerate of Industries does not have records about some of these industries.

Multi-national corporations, especially from the United States, outsource their products because, as it is estimated by Baumol and Oates, if the United States has to achieve zero discharge standards, it will cost the US economy \$2 billion. It was in 1989 that the United States' Environmental Protection Agency (EPA) was formed. The

3 'State of Community Health at Medak District', Green Peace India, Bangalore, 2004. Also refer Deccan Chronicle 'Dirty Nakkavagu Destroying Farmlands, Causing illness', 19th August, 1996.

EPA classified products, especially chemicals and metallic products, as Bio-Accumulant Toxins. These were the kind of chemicals that will not decompose and, therefore, their discharge accumulates toxins in the environment. The term 'dirty goods' is also associated with this type of production. A 'dirty good' is defined as a good in which the effluent treatment costs exceed the value of the final product itself. Therefore, the production of 'dirty goods', if abiding by the water, soil and air quality standards set by law, implicitly works out to be uneconomical. It is because of this that multi-national corporations have chosen to produce these 'dirty goods' by loan licensing their products to third world producers. The national corporations, on the other hand, are outsourcing production of 'dirty goods' with the objective of securing ISO 2001 and other such quality certificates which are a precondition to exporting their products to foreign markets. Such outsourced production is also undertaken by units in Kazipally and Gaddapotharam industrial areas. Shawalace, the anti-AIDS vaccine being produced by Bill Gates Foundation, and Reddy labs, have been identified in our research as two of the multi-national companies that have ties with polluting industrial units. There could be many more big actors who claim clean production for public consumption.

Interestingly, the MODVAT introduced in 1991 has been a boost to small-scale industries. Since MODVAT is a direct tax, the small scale industries are being given several subsidies on raw materials, an excise tax, and so on. Furthermore, small scale companies also recruit cheap labour. Therefore the MODVAT works out lower. This, in turn, implies that big corporations will obtain intermediaries, or their outsourced products, manufactured at lower prices than if these products were manufactured by the big corporations themselves. Given Medak is a backward area, the incentive packages for industries are very attractive. Although technically the region falls in Medak, it is only 35 kilometers from the city and this implies access to infrastructure. This model of industrialization referred to as 'new industrialization' has been identified as generating high social costs both in terms of blatant violations of labour standards and environmental pollution (G.Vijay 1999; G.Vijay, 2003). While the product market of the industries is foreign, the lack of civility in the sense of the violation of norms laid down by law in the interests of the community is built into this model of industrialization. The intrinsic need for uncivil manufacturing practices propels a chain of lack of civility seen in the unethical lobbying with political circles, bribing of bureaucracy, nexus with mafia and other such uncivil practices. A lack of civility thus becomes inevitable and systemic.

PROBLEM OF POLLUTION AND SOCIAL COST

The pollution levels in the Kazipally tank are an outcome of industrial toxic effluents dumping for the past 16 years. Several reports -- a technical report about the Kazi cheruvu and the ground water done by the environmental department of Jawaharlal Nehru Technological University (JNTU) in 1998, the monthly updates of water quality in the tanks by the Andhra Pradesh Pollution Control Board (APPCB), and the more recent Committee constituted by Andhra Pradesh High Court, Chaired by Justice Gopal Rao, which submitted a Fact Finding Report (2004) -- have all established irrefutable evidence about the alarming levels of damage done to these water sources. As part of our research, we have obtained water samples tested independently by Yagna Labs during 1997 and collected in similar locations for comparison again in 2003 by the Environmental Protection Training and Research Institute (EPTRI). The results of some of these findings are outlined below:

Table 1.3
Comparative Figures for 1997-2003 -Water Sample Test Results*

Parameter normal			Sample 1		Sample 2		Sample 3		Sample 4	
S N°		Ranges	1997	2003	1997	2003	1997	2003	1997	2003
1	pH	7-8.5	4.2	7.2	7.8	7.2	7.6	7.2	8.1	7.3
2	Dissolved solid	500 mg/ltr**	3900	2860	7600	2900	970	2865	7960	1860
3	Chloride	200 mg/ltr**	340	930	520	855	550	855	250	445
4	Sulphates	200 mg/ltr**	260	509	320	488	340	495	140	545
5	Flouride	1.0 mg/ltr**	1.8	.752	2.5	.759	2.3	.600	1.0	.666
6	Magnesium	30 mg/ltr**	300	347	300	346	300	272	180	347
	Calcium	75 mg/ltr**	700	594	500	644	600	594	200	495

Source: Field Work - 1997, Results based on tests conducted by Yagna Labs, Amberpet.

* Though Kazipally village is situated right below the Kazi talab, there is about 250 meters distance from the actual location of the tank. This in a way dilutes the pollution by the time water reaches the village. We therefore collected different samples to show this variance as well. In Table-1.3 sample-1 has been collected directly from the tank. Sample-2 and 3 are from the canal. While sample-2 is from a location of the canal closer to the tank, Sample-3 is from a point closer to the village. Sample-4 is the bore water which was used for drinking purposes until recently. This primary data can be supplemented by other secondary data sources including data from Commissionarate of Industries, Green Peace, EPTRI and other reports.

** Less than or equal to.

From the above figures, we know that not only are different chemicals present in the water of the Kazipally tank way above the normal ranges, but for several indicators the figures for 2003 show increases in

pollution levels. Although it is true that pollution has been controlled due to a long drawn out battle by the people, this is no compliment to regulating authorities as the standards are blatantly violated to date. This violation of standards is illegal, whether the violation is by a margin or an enormity, since the standards imply that the presence of chemicals beyond these limits can harm the life, property or health of the inhabitants and other natural life forms on which the community is dependent. This needs to be the framework for reading the above figures.

As a result of pollution, nearly 7000 acres of land in 32 villages have been partially and completely destroyed (JNTU Report, 1998). There have been several reports of loss of fish and cattle, on which several rural communities depend for their livelihoods (Field Data, 1997-98, 2003-05). The recent health report by Green Peace has made startling revelations about the health status in the affected villages.

Thus we find enormous damage has been done to the natural environment and huge social costs have been generated for the local communities due to industrial pollution.

Table 1.4
Disease Incidence in Affected Villages

Nervous System	3 times higher than the controlled group
Circulatory system	2 times higher than the controlled group
Respiratory System	3.81 times higher than the controlled group. 1 in 20 are Affected
Digestive System	1.98 times higher than the controlled group
Blood and Blood forming Organs	2.914 times higher than the controlled group. 1 in 35 persons are affected
Endocrine, Nutritional and Metabolic Systems	1.84 times higher than the controlled group. 1 in 35 people are affected
Neoplasms	11 times higher than the controlled groups
Skin and subcutaneous Tissues	2.67 times higher than the controlled group
Congenital Malformations, deformations and Chromosomal abnormalities	3.93 times higher than the controlled group
Cancer	11 times higher than the controlled group

Source: Green Peace, 2004

METHODOLOGY OF THE PRESENT STUDY

The present study focuses on collective action against pollution in an effort to see how the idea of “political society”, understood as including both organized collective action or movements for structural demands, and various “strategies” or “negotiations” with immediate interests for survival, becomes unsustainable in practical terms. For this purpose, the study has analyzed three social groups that are organized and ideally posed for mobilization against polluting industries. The farming community, youth, and women have been chosen as relevant social groups for this study. This is because all three social groups have organized associations and, with the exception of the farmers’ association, these associations themselves are meant to serve other objectives. The research was interested in finding out what these associations were doing about the problem of pollution which was a problem of the general village community. The Kalushya Vyatireka Raitu Committee (KVRC) with a total membership of 40 farmers, the Shivaji Youth Association with a total membership of 50 members, and the DWCRA micro-credit groups which together have about 100 women, are the associations which have been taken up for the study. The study has been done in two phases. An earlier study done in 2003 includes responses from all the 40 farmers. A recent survey done in 2005 is based on a sample of 30 respondents from all three groups. Thus, this study is based on a total of 70 respondents. A structured questionnaire and informal interviews were used to collect primary data. In the collection of primary data, we find that since the experience is a shared one, we often came across repetitions in the narratives and therefore we are able to argue that the responses of this sample speak for the social groups these associations represent.

POLITICAL SOCIETY - COLLECTIVE OR INTEREST-BASED?

In dealing with the problem of pollution, we find that whenever people have raised structural questions through their collective political activity, they have faced uncivil means of repression both from the coercive state apparatus, like the police, and from organized mafia. This lack of civility has weakened political activity. In what follows, we narrate the experience of Kazipally victims of industrial pollution in instances where they raised such structural questions.

The conflict around the pollution of the village tank by industries took a political form that raised structural demands. There are several reasons why shutting down these polluting industries can be interpreted as a structural demand. Firstly, villagers of Kazipally, as already pointed out, were predominantly dependent on agriculture and other traditional activities before their tank was polluted. The conflict thus

became articulated as a conflict between farmers and industry. Secondly, as already seen in the narrative on the nature of industrialization, these industrialists are outsiders in the regional sense of the term. The industrialists are predominantly from the Coastal Andhra and Rayalaseema regions of Andhra Pradesh. This regional dimension assumes special significance in the wake of rising aspirations for a separate Telangana statehood. Furthermore, the regional dimension is of relevance in two other senses. Although the industrial policy outlines development of backward regions as the objective of rural industrialization in the form of industrial development areas, and although it justifies giving these industries subsidies and other such benefits, we find that the contribution of these industries to the development of these backward regions is very limited. The local people are not given employment opportunities in these industries. As well, the products produced by these industries are not meant for the local market.

We also find that the victims of pollution include several groups of impoverished people. The landless, those with livestock, the artisans and those in traditional service sectors have also been victims, losing income sources, livelihoods, assets, health etc. Vis-à-vis the industries which make huge profits, enjoy links with individuals in power, and hold the capacity to manipulate the system, this problem is posed as a conflict between the poor and the vulnerable and the rich and the powerful.

The demand for permanently shutting down polluting industries is, therefore, a demand of the farming community against the irresponsible industries, it's a demand of the local community against the industrialists who are the outsiders, and it's a demand of the poor and vulnerable people against the rich and the powerful lobbies. For these reasons, the demand for the permanent shut down of the polluting industrial units becomes a structural demand.

Such a demand was raised on several occasions. The first time was back in 1989. The villagers of Kazipally and several other affected villages, led by different civil society based organizations including the Forum Against Pollution, Jana Vigyana Vedika etc., and the political representatives of these villages, conducted rallies and *Dharnas*⁴. As a consequence, people of these villages were lathi-charged and the representatives were arrested. Again in 1994, villagers fighting the industrialists were attacked by the mafia and although the villagers put up some resistance, they had to leave the villages fearing for their lives. Villagers who fled were charged with attempted murder. In another instance in 1995, the villagers, led by some of

4 The most significant form being blockade of the national highway

the political representatives, attacked industries and ransacked and assaulted the industrialists. As a consequence of this, villagers demanding closure of industries were charged with attempted murder, and framed for extortion.

In 2005, based on an affidavit lodged by the Goa Foundation with the Supreme Court, stating that several of these industries had been functioning without the clearance certificates from the Central Pollution Control Board since 1994, the Supreme Court ordered a public hearing. Objections were raised to the way the public hearing was being conducted. The Pollution Impact Assessment Reports had not reached several villages. The dates of the hearing were not clear. Some villagers were complaining of threatening calls dissuading them from attending the public hearing.

Despite all this, villagers mobilized themselves in huge numbers and gave evidence against the industry on the day of the hearing. After the lunch break, perceiving that the public hearing was going against them, the representatives of the industries disturbed the public hearing by beating up the Green Peace activist. Following the assault on the Green Peace activist, there were angry protests by the villagers. Consequently, in this protest, the assistant Sub-Inspector of Police was hurt. Later when the Green Peace activist, along with another researcher, both who were mobilizing people, went to register an FIR in the Police station, the District Inspector assaulted them again. After realizing that those assaulted were activists who had nothing to do with the protests of the villagers, the Additional Superintendent of Police arrived and tendered an apology to the activists. He assured that action would be initiated against the District Inspector. Although complaints against the industrial representatives and the District Inspector were registered, no action was initiated in both these cases. Moreover, 62 villagers, including both the Green Peace activist and the researcher, were charged under 8 sections of Indian Penal Code including section 307, which is attempted murder. Of the 62 names, 12 names were mentioned while the other 50 names were put under the category of others. Constables were going around villages blackmailing the villagers that their names would be included in this 'others' category and were extorting money. The Sarpanch of Kazipally⁵, who was siding with the industrialists, went to the village and told the villagers who were mobilizing against the industrialists that if the Green Peace activist and the researcher, who were mobilizing people, could be beaten up by police, what could ordinary villagers do? From the point of view of the villagers, the Green Peace activist and the researcher

5 President of the village Panchayat

were amongst those that enjoyed a network with the urban elite and had access to bureaucracy, and even ministers in the cabinet. If such people could be assaulted in the custody of the police, what protection would ordinary villagers have? This scared the villagers, who then stayed away from the public hearing on the second day.

On the second day of the public hearing, 12 DCM mini-buses were hired by the industries in order to bring people for the specific purpose of giving statements in favor of the industrialists. Several villagers reported that the village heads of some villages, and some villagers, had received bribes to speak in favor of industrialists. Thus, what was supposed to be a democratic process of letting the villagers vent their opinions freely, was subverted by the industrial representatives who resorted to uncivil acts, followed by the police who repeated the uncivil acts. Both of these were at intimidating the villagers who, out of fear, stayed away on the second and third days of public hearing.

From the above narrative of events that took place over the years, it's quite evident that whenever structural demands and organized collective action strengthened, the market, civil society and state have shown a lack of civility aimed at suppressing the political activity of the people. As a consequence of such a lack of civility by institutions, the state loses its legitimacy and is seen as unjustly siding with the dominant interests. The state apparatus which, in this case, is represented by the Pollution Control Board (PCB) and the police, who fail to implement law or take recourse to extra-judicial methods, creates a general perspective that not only can the state be manipulated, but it is also arbitrary and inconsistent in its behavior. Thereby the state loses its objective image. In addition to this, by not initiating action against the mafia like elements because of their links with mainstream political parties, and by not acting upon the acts of violence perpetrated by the industrialists, the state allows very little space for organized political protest.

There is yet another direction that political activity can take in the wake of an increasing lack of civility. As a result of this, we find that what what begins as political activity for long-term demands - - in this case the closure of industries -- takes the shape of interest-based politics. The problem with interest-based politics, as already suggested, is that collective interests are often compromised by the interests of immediacy and survival. The "political society" refrains from raising structural questions and even questions of collective interest and relapses into pursuing opportunities that satisfy immediate needs, especially around problems of survival. Alternative interest-based politics begin to look far more feasible. Interest-based "strategies" or "negotiations" grow. We find, however, that whenever people have

resorted to interest-based politics, political activity has become unsustainable and, in the long run, this has proven counterproductive for the community, making it weaker and more vulnerable. The unsustainability of political activity due to interest-based “negotiations” of the “political society” is due to the impact it has on the solidarity of the collective.

In reality, we find that since society is stratified based on several structures, interests are stratified as well. In political activity initiated by such a stratified society, commonality of interest holds only a symbolic significance providing a ground for an artificial unity of the collective. While collective political activity mounts pressure on the system and creates conditions where the system is forced to accommodate the demands of the collective, the individual or small groups’ (within this collective) interest-based acts within a ‘political society’ take advantage of such pressure and they through their own demands. As a consequence of the benefits accrued by the interest-based ‘political society’, such beneficiary groups distance themselves from the collective political activity. In doing so, they weaken the collective political activity. In what follows, we show how these trends in interest-based politics have manifested in Kazipally.

In 1989, soon after the dharnas raised structural demands which saw lathi-charge and arrests, these demands took on the shape of interest-based politics. Instead of asking for the closure of the polluting units, the villagers demanded that they be given some livelihoods and income-earning opportunities. The manufacturing process in these predominantly bulky drug and chemical industries produced as dry ash as residue. This ash was being used for brick making in brick kilns located in the vicinity of the village. There were other jobs that the villagers offered to do, including running water tankers, taking up construction contracts, activities of transportation, etc. The villagers, however, were not offered employment in the industry as workers. Some youth were employed by industries not directly responsible for polluting Kazi talab. These industries are located elsewhere at a much further distance from the village. However, the only opportunities that the youth secured were as daily contract workers.

In 1995, when the villagers ransacked the industries, although the industries did not close down their operations, a Memorandum of Understanding (MoU) was signed between the Model Industrial Association, representing the industries, and the village, represented its leaders, including the Sarpanch and the Zilla Parishad Chairman⁶. A sum of Rs.4 lakhs was paid to the village. A community hall, the

6 Chairman of the District Council

laying village roads and other such activities that were considered to be village developmental activities, were undertaken with this money. In return, the villagers were asked to withdraw all the cases filed by them against the polluting industries. However, some dissenting groups persisted with their court cases. In 1998, based on the Andhra Pradesh High Court directive, all the polluting industries were closed. The industries, however, approached the Supreme Court and got a stay ordered on the closure order of the Supreme Court. In 1999, the Chief Minister of Andhra Pradesh made a statement on the issue of pollution in which he said that these industries were earning foreign currency for the country and that the pollution control authorities should go slow on the issue of pollution. If industries are harassed then it may impinge their growth.

In 2001, based on the cases filed with the Supreme Court, the Supreme Court ordered the closure of 18 industries until they abided by the prescribed standards of water quality and the hydrolic reduction. The PCB, however, after a brief period of closure, reopened the industries. During the same year, the Supreme Court ruled, stating that the industrialists had to pay compensation to the farmers whose lands were damaged on account of pollution. However, the amount of compensation paid was the paltry sum of Rs.1700/per acre per annum. This amount was not even equivalent to the costs incurred for seeds. Furthermore, those who were landless did not receive any compensation. As part of the same judgment, safe drinking water from the Manjira river, water supply to Hyderabad city, was also to supply water to the village.

In 2002, the village was able to get written approval for one of its demands. The district collector ordered repairs on the Kazipally tank. The collector ordered that a sum of Rs.9 lakhs (Rs..9 million) be collected from the industries for this purpose. The villagers were disappointed, however, after a brief period of excitement, when Grasshoppers⁷ were sent to the village to begin the work. The day the work was to begin saw a festive environment with a pooja being performed at the work site and a coconut offering to the gods. After a few heaps of mud were removed from the tank, the grasshoppers, however, never returned again. On contacting the Medak collector about the work, the collector told the village representatives that the industrialists were not willing to give the amount and that the government was negotiating with them.

In 2003, the issue of pollution got considerable and favourable media attention. The regional press and the regional electronic me-

7 Heavy engineering equipment used to dig mud out, popularly called a proclainer.

dia gave coverage to this issue. Several representations were made by Mr.K.G.Kannabiran (National President, PUCL) to the PCB, on behalf of the people of Kazipally. Following this new attention the problem received, a commission of inquiry, under the chairmanship of justice Gopal Rao, a retired Chief Justice of Andhra Pradesh High Court, was set up. The commission was taken aback by the condition of the tank when they paid a visit to the village. Following this visit, villagers were asked to provide evidence of violations. Villagers began to act as vigilance teams and by doing so, caught several industries letting out effluents into a stream carrying water to the tank, and burning solid toxic wastes outside the premises of the industry. As a consequence of these instances of law violation, a bond of Rs.25 lakhs (Rs.2.5 million) was taken from the industries for surety, and in the case of further violations industries would lose this amount.

In 2004, Green Peace released its health report. The report compared the disease patterns in pollution affected villages with other villages which were not affected by pollution. The health report revealed several disturbing trends. It suggested that in several types of diseases including congenital diseases and cancer, the pollution affected villages showed far higher rates of occurrence than the other non-polluted villages. Some diseases showed 200-300 times higher occurrence. After these discoveries, the need was felt for at least one primary health center with referral authority. Patients could then get free treatment at government hospitals in the city. Until now nothing has materialized.

Overall, we find that the achievements of the Kazipally victims have been quite limited. Although there have been several demands reflecting collective interests -- which are not structural as we define it -- including proving employment opportunities in the industries, repairing tanks, abiding by quality standards, refraining from dumping untreated effluents into the village tank, and setting up a health center with referral authority, none of these demands have been achieved. The reasons for the failure of these collective demands quite clearly lie in the 'strategic' and 'contextually' defined 'politics of the possible' of 'political society'.

“POLITICAL SOCIETY” AND THE DECAYING COMMUNITY

In 1989, when villagers had secured the opportunities to sell dry ash, or take up transport and construction contracts, a large number of villagers were willing to do this work. These opportunities looked small in number in relation to the number of villagers willing to take up these opportunities. As a result, this led to internal feuding over who should get these opportunities. The industrialists “strategically” gave the authority to decide on who could take up these opportunities to

the Sarpanch. It was “strategic” in the sense that the Sarpanchs could easily be lured to take the side of the industries, as they received bribes from time to time. Given the frequent tendencies by Sarpanchs to take the side of the industries, this system of allocating opportunities led to a situation where villagers who assured they would not speak out about the problem of pollution were given these opportunities. A section of those fighting against pollution, therefore, withdrew from the struggle against pollution. This resulted from their dependence on the industry for their livelihoods. So much so that the president of the Kalushya Vyatireka Raitu Committee (KVRC) (Farmers committee against pollution), the main organization led by farmers to fight against pollution, started to work on a construction contract for one of the most serious polluting industrial units. Those farmers who were relatively better-off or had some assets like vehicles (tractors, etc.) necessary to transport material for the construction, or who could mobilize labour, were the beneficiaries.

Since the Sarpanchs were hand-in-hand with the industrialists, they used several other methods to prevent villagers from participating in the protest against pollution. Some of these means of control are worth discussing at this point. Against the backdrop of the displacement from traditional occupations, especially agriculture, those farmers who were actively involved in the protest against pollution obviously could not secure opportunities within the industry. One of the active functionaries of the KVRC was earning his livelihood by engaging in unlicensed stone quarrying. This was possible for him because he owned a tractor which was used to transport the granite stones and concrete to construction companies. The farmer had acquired a loan of one lakh rupees to engage labour to work for him. After the work was completed, the farmer paid the labour their wages and when he was about to transport the material to the construction company, the Sarpanch called the farmer and threatened to arrest the farmer for having engaged in illegal stone quarrying. The farmer not only felt threatened by the possibility of arrest, but felt frightened that he may not be able to repay the loan he borrowed. The Sarpanch then convinced the farmer that he should withdraw from the protest against the industries. Under duress the farmer kept away from the KVRS.

Again in 1995 when the MoU was signed between the village heads and the Model Industrial Association, a substantial number of farmers did not approach the court with complaints about pollution. This was because out of the amount of Rs.4 lakhs which was paid, these farmers received part of this amount in the name of compensation. The decision about compensation was arbitrary since not all farmers received the amount. It was again biased towards those who promised

to keep away from the political activity against pollution. The ZPTC chairman himself, one of the signatories of the MoU, owned about 40 acres of land in the village. He was the victim who had suffered the greatest loss in terms of number of acres of land affected. He was active in the mobilization of the farmers from 1989 onwards. After this episode, although he registered his presence in activities by villagers protesting against pollution now and then, he kept away from any further mobilization activity linked to protesting against pollution.

Another instance where the subversion of activity against industrial pollution is evident was the way industries were dealing with the farmers whose cattle were dying after drinking polluted water. Earlier on, the farmers took their cattle to the government veterinary-hospital and, after examination by doctors, took a certificate from them stating that the death of the cattle might be due to the consumption of toxic water. This certificate was necessary in order to carryout further forensic investigations on the dead cattle by the city-based government veterinary hospital. Following that, an FIR could be lodged with the police, based on which a legal notice could be served which is then used as the basis for demanding compensation for the cattle. All such complaints and cases meant mounting evidence against the industries. Fearing this, the industrialists dissuaded villagers from going to government veterinary hospitals or registering complaints with the police. Instead, they said that those who had cattle die on account of consuming toxic water could approach the industries through their Sarpanch. Over the years, several villagers received compensation whenever they lost cattle. However, there is no evidence suggesting loss of cattle due to pollution.

In the 2004 Panchayat elections for the post of Sarpanch, a new candidate stood with a single point agenda that he would ensure the problem of pollution would be solved in Kazipally village. This candidate was elected by the village. Soon after getting elected, the new Sarpanch served notices to fifty industries accused of pollution. The industrialists were called to negotiate with the village. Thirty industrialists attended the negotiation meeting which was addressed by Mr.K.G.Kannabiran (PUCL) and G.Haragopal (APCLC), who were playing the role of mediators for the negotiations. In this negotiation, the Sarpanch made a categorical statement that no compensation would be accepted by the village unless the industries stopped completely the pollution of village tank and repaired the tank. A second round of talks was scheduled for a few weeks later. Meanwhile, the Sarpanch struck a private deal, accepted a compensation package for the village and distributed some money amongst the villagers. Neither tank repairs nor the reduction of pollution were achieved. To top it all off, during

the public hearing held in 2005, this same Sarpanch made a statement that the development of the village was contingent upon industrialization. He strongly argued that industries should not be closed.

Thus, overall, we find from these different instances stated above, that what are described as “strategic politics” or “negotiations” within the “political society” only ensure a very fragmented social mobility. In these cases, for instance, villagers received money from time to time due to the protest. Farmer activists of the KQRS who ‘strategically’ reduced the intensity of the struggle or stayed away from any further activity, either because they had opportunities given to them by the industries or because they were dependent on the local administration to carry out their illegal income-earning activities, achieved some level of comfort through this system. These small group “strategies” and individual-centred negotiations for incentives have effectively displaced the overall community interest and collective action within the “political society”, both in terms of giving up community demands -- getting the tank repaired, preventing dumping of toxic effluents into village tank, getting a health center etc., -- and in terms of the cost the community bears through the general health disorders they suffers on account of unabated pollution. Apart from these direct costs to the community, “strategic politics” have a long-term impact on community life -- on trust, social fabric, social relations, and solidarity amongst the people. Far from the community “struggling collectively as a single family” all these factors lead to a decaying community, making sustained political activity very difficult. In the following passages we enumerate the dimensions of the problem.

Because of the inequality between the victims of pollution and the polluter, the vulnerable villagers are usually dependent on the institutions such as the Panchayat. Lack of access to information is yet another factor that leads to the dependence of people on formal institutions such as the Panchayat. However, when the representatives of people themselves defect to the side of the polluters, those representing the people against pollution through political activism find themselves more vulnerable. These village activists are usually dependent on outside social activists or depend on other networks for protection against an uncivil state and uncivil mafia elements. However, if these social forces are weakened, then the political activism derived from the common people of the village fails to sustain their resistance. In such circumstances, political activism is given up for “strategic politics”, aspiring to individual benefits represented by the growing culture of compensation or simply meeting the immediate needs of the community, neither of which address the problem of pollution as such.

A Narasanna farmer says:

“the Panchayat is corrupt and some leaders are even criminalized. There is no one to whom these leaders are accountable. Once the PCB closed down all the polluting industries. The Sarpanch went and gave no objection certificates and got these industries reopened. And we farmers are dependent on these industries for our livelihoods –some supply water, some trade ash, some supply construction material and so on. If we participate in the protests we lose our livelihood...”

The fact that farmers have associated themselves with different activities linked to the industries is an outcome of the severe pressures they suffer. Costs related to curing health disorders, the marriage of daughters, and the education of children have been frequently mentioned by people. All these demands on income earners compel them to make compromises and withdraw from the struggle against pollution, entering into individual bargaining.

Amina, the mother of a farmer, said that, *“people unite if they see a possibility of a solution emerging from the protest. But if they see no such possibility, they prefer bargaining with the industrialists individually and getting whatever they can”*.

Once achieving opportunities becomes an individualistic pursuit, as Padmaja a DWCRA coordinator points out, *“a competitive culture increases, comparisons between families in terms of status grow. And individualistic behavior leads to a weakening of the community.”* As a consequence of this individualistic behavior and competitive culture, Venkataramani, another DWCRA leader, maintains, *“of late there is lot of friction between families in the village. Families are not sharing problems, resources, or labour. Mutual help amongst members of extended families has weakened”*.

During our field survey, we came across several cases of older people complaining of not being cared for and being neglected by their family. This was one of the most obvious fall-outs of this decaying community.

The agrarian culture in the village in itself has several cultural forms, especially in the celebration of various festivals. The timing, symbolism, and form of the festivals are linked to the seasons and the agrarian economy. Today, the destruction of agriculture due to pollution has reduced the village to a mere collective in form, without ways to express this collectivity in day-to-day life. Except for the Moharram during which both the Hindu and Muslim communities participate in the festivities, none of the other festivals are celebrated with traditional fervor any longer.

Narasimha, a farmer, says that:

before all the villagers were dependent on agriculture and there was lot of community life. Further, the earnings of the people was out of hard work. There was no easy money.

Traditional village based occupations have replaced these opportunities with opportunities outside the village. Most of the youth work as daily wage contract labourers, in the industries that do not directly pollute the villages in which they live. This is because the youth may object to industry dumping if it pollutes the village tanks from their own village. While youth go to industries located away from the villages, the youth leaders say that this new work environment has brought the youth in touch with a new migrant society. The migrant communities working in these industries have a very poor quality of life. This new culture has created a new section of youth who do not show serious concern for the issues pertaining to their village. The young are unwilling to identify themselves with agriculture and the rural community. This has further weakened the community.

While farmers maintain that the youth have very little commitment to the village, the youth say that farmers withdraw from the struggle as soon as they receive compensation. Women are constrained by patriarchal structures in taking independent decisions about acting against the pollution problem. Therefore, women are seen as a weak group that have more or less a residual role when men are constrained by compulsions. Women are seen as have mainly family interests with little social role. This being the case, livelihood for male members, or compensation, are seen as women's priorities rather than a commitment to eradicating pollution. Thus, what we have is a community which, over the years, has experienced a complete loss of trust amongst different social groups. It is due to this that youth associations, the farmer's organization, and DWACRA women are unable to work with one another.

"Political society" undoubtedly enables us to grasp the distinct dynamics of the subalterns in opposition and contrast to the norms of civil society. In this sense, it takes our understanding of the process of democratization beyond the classical, safe and settled domains of state and civil society. However, in mapping the dynamics internal to this domain it is flattened, and dodges the more important issue of sustainability of such seamless, alternative sites. First, the squatters of Calcutta could succeed in getting the state to recognize their "claims" as a "moral force" as long as they do not enter into conflict with major interests, either in the state or the civil society, and raise structural questions as they did in Kazipally. It is understandable why "strategic politics" cannot prevent vario-

us slums across the country from being demolished and displaced people getting rehabilitated by a state that acts “contextually” and “instrumentally”⁸⁷. It is part of a systemic logic to acknowledge “strategic” interest-based negotiations, which eventually displace organized collective action. It is untenable to consider that these varied protest forms can co-exist within the undifferentiated “political society”. Second, a “political society” of squatters sustaining around “strategic politics” and emerging as a “community” or a “single family” is an anomaly. On the contrary, over a period of time, “strategic” or interest-based negotiations only make the community more vulnerable, thereby pushing social groups and individuals to pursue individual benefits. The growing culture of compensation and declining trust between the youth, elderly, farmers and women in Kazipally stands as testimony; such “negotiations” are directly in conflict with collective interests, and articulated around the available social stratifications. “Community festivals” remain as mere symbolic gestures of a collective life without the necessary resources that could sustain collective action for rehabilitation, employment and dignified living for the squatters in Calcutta, or the closure of industries and revival of agriculture for the people of Kazipally. Finally, “political society” as “strategic politics” only reflects politics that generate perpetual insecurity for the vulnerable by bringing unsustainable notions of mobility – those that can only be used by social groups that are better equipped to gain patronage of the social elites, government functionaries and political leaders. Far from “making a large array of connections with other groups in similar situations”, it merely increases the possibility of excluding the more vulnerable, such as the landless people in Kazipally, without minimum resources. For these groups, the state, far from responding through “welfare policies”, increasingly becomes unable to cope with and aid the uncivil developmental processes. This was more than evident through the implications on active villagers in false cases, threats and physical assaults by the mafia during public hearings, not to mention brazenly biased police brutality in Kazipally.

8 Partha Chatterjee in his more recent work informs us about the court order to evict the squatters he had earlier studied and the increasing possibility of them being forcefully moved, “thus it is quite possible for the equilibrium of strategic politics to shift enough for these squatters to be evicted tomorrow...Such is the tenuous logic of strategic politics in political society” (*Politics of the Governed, Permanent Black*, Delhi. 2003, p.60). However, does not still acknowledge that such “strategic politics” grow in lieu of organized political activity and cannot actually co-exist with it in a “political society”.

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PART III

INSTITUTIONAL LEGAL REFORM: CONTRIBUTION TO DEMOCRATIZATION

PART III

INSTITUTIONAL LEGAL REFORM: CONTRIBUTION TO DEMOCRATIZATION

GILLIAN HUI LYNN GOH

**THE “DEMOCRATIZATION” OF
CHINA’S LAWS AND POLICIES
TWO STEPS FORWARD ONE STEP BACK
FROM REFORM AND TIANANMEN
TO FALUN GONG**

ONLY A FEW YEARS AGO, the idea of putting “China” and “democracy” together in the same sentence would have been inconceivable to many. Nowadays “Democratization” is a term made more applicable to China, due to the uncoupling of democracy from solely the idea of direct political participation and elections. To even begin speaking about democratic practice in China, it must be acknowledged that: 1) the protection of fundamental freedoms is a step in the direction of democratic practice, and 2) democracy in an authoritarian, one-party state must begin with limiting state power and establishing the rule of law.¹

The aim of this paper is to discuss the “democratization” of China primarily as a function of the aforementioned endogenous changes, as well as, less crucially, exogenous pressures, that began as ideas to pre-

1 Guillermo O’Donnell for one has proposed that a mature democracy is not just about elections and the goal for political development is not simply to institutionalize competitive elections. Rather, just as important are elements of the protection of individual rights, and the limitations of state power. See Guillermo O’Donnell, “Horizontal accountability in new democracies” in Andreas Scheduler, Larry Diamond and Marc F. Plattner (eds), *The Self-Restraining State: Power and Accountability in New Democracies* (Boulder, CO: Lynne Reiner Publishers, 1999), pp 29-51.

vent another Cultural Revolution disaster. Changes in ideas of “democratization” in China can be traced through an examination of emergent ideas of state power versus people’s interests in China, as has been debated in intellectual circles. It will also be suggested that the real test of the progress of democratic practice in China was the Communist Party of China’s (CCP) response to the recent Falun Gong issue. The thesis presented in this paper proposes that using the above definition, China has made a great leap forward in democratic practice, especially after the Tienanmen incident in June 1989. However, this progress has taken a major step back with the handling of the Falun Gong crisis.

SIGNIFICANT IDEAS THAT BEGAN CHINESE DEMOCRATIZATION AFTER THE CULTURAL REVOLUTION

While exogenous forces have played their part in pressuring China towards democratization -- not the least of which was the 12 million US dollars of state funding in 2005-6 dedicated to the task, and the requirements of conforming to the norms of international institutions such as the World Trade Organization (WTO) -- the beginnings of China’s democratization were endogenous in nature. The milestones that chart the progression of ideas of democracy include what Minxin Pei termed in 1995 as “three mini-waves of spontaneous pro-democracy activity”. These include the Democracy Wall movement of 1978-79, the student demonstrations of 1986-87, and the Tienanmen Square movement of 4 June 1989.² More recently, the internationalization of the Falun Gong issue in China has been another test of China’s fledgling pro-democratic processes.

Events in the late 1970s, combined with a driving need to learn from the Cultural Revolution disaster, led Chinese intellectuals in the 1980s to become preoccupied with the issue of political reform. Yijiang Ding sums up the main intellectual contentions of that time in this way:

“In the early 1980s, the nature of the socialist society and the basic functions of the socialist state began to be raised as issues in the scholarly discussions. The disappearance of the enemy classes triggered a series of theoretical developments. ‘The people’ changed from a social class to a nearly all-inclusive group, which was identical to ‘society’. Class struggle was replaced by ‘contradictions among the people’ as the main dynamic for social change”.³

² See Minxin Pei, “‘Creeping Democratization’ in China”, *Journal of Democracy*, Vol. 6, 4(1995):65-79, p 67.

³ Yijiang Ding, *Chinese Democracy after Tienanmen* (Vancouver, Toronto: UBC Press, 2001), p 9.

This radical change -- from seeing the population as a homogeneous social class to a heterogeneous social group with differentiated interests -- consequently changed the primary function of the state from "dictatorship over the enemies to managing public affairs for the whole society".⁴

Several key ideas sparked during this period of intellectual debate are worth highlighting. Firstly, intellectual debate in the late 1980s focused on the issue of the changing function of the government, leading to a call to give power back to society, and to the important concept of "small government and big society" (*xiao zhengfu, da shehui*). A prominent example of how this intellectual discussion was paralleled in policy was the government's decision to make Hainan Province, then known as Hainan Dao, into a Special Economic Zone, where certain limitations of governance and special freedoms were put in place.⁵

Secondly, the prominent ideas in the 1980s were not only that the state and the people should be differentiated, but that the interests of the people may not be as unified as once thought. As a result of increasing pressure from intellectual circles, the Communist Party's Central Committee was forced to acknowledge that within the various social groups that existed among the peoples and regions, there existed "a certain lack of complete unity of interests". This was, in fact, an admission that Stalin's assumption that a highly unified state without conflicts of social interest could be realized, once the "enemy classes" had been eliminated, was an erroneous one.

The birth of the concept of the limitation of state power, and the idea that the people themselves may have different and conflicting interests, created a vacuum into which the development of civil society and the rule of law fit perfectly.

RECENT PROGRESS IN DEMOCRATIC PRACTICE: FREEDOM OF ASSOCIATION AND CIVIL SOCIETY IN CHINA

The coming into power of the Chinese Communist Party (CCP) in 1949 brought into being socialist public ownership, a planned economy and a highly structured and centralized administrative system. This effectively snuffed out most of the civil organizations which had been established prior to 1949, such as clansmen's associations, ancestral halls and civil corps. The only ones that remained were those that were of use to the CCP and, of course, the mass organizations

4 Ibid.

5 For more detail, see Gao Changyun and Shi Yuan "The Hainan Model of 'Small Government and Big Society'", *Hainan Kaifa Bao*, 23 Sept 1998.

which the CCP itself set up, like the trade unions, and those set up for the youth.⁶

The recent resurgence of civil society in China has been attributed to the deliberate “reorganization of society” necessitated by economic reform and development. This has led to “the erosion of the work unit systems as a form of social organization within the state’s vertical control structure” as more and more workers left the state sector for the non-state sector.⁷ Instead, this vertical structure has been replaced by horizontal groupings in associational activities, which have been created to fill the need for new group identities and interests, such as those resulting from the migration of peoples from different regions in China.

The exponential growth of civil society in China may be likened to the onset of plant growth in a forest after a drought is broken by the first rains. From a dismal 44 national associations in the 1950s, the number of national associations in existence in China rose sharply to 1,600, along with 2,000 local associations. And while the Tiennamen incident of 1989 took its toll on the growth of civil society, in 2004, there were 288,936 associations registered, and in 2006, 317,000. Some estimate that there could be as many as 3 million unregistered associations in China today.⁸ The recognition of the need for a more robust civil society may have emerged from an endogenous appraisal of the Tiennamen crisis itself, given that afterwards a more “positive interaction” between state and society was recommended, and the two-step development of civil society was the path suggested by certain intellectuals in China. In this model, civil society would develop at first in the private sphere and then expand into the public sphere, potentially enabling a tentative step towards “democratic politics”.⁹ It is important to note that while the most obvious driver for the establishment of civil society in China is economic reform, the existence of a climate of political tolerance that supports such change cannot be underestimated.

6 See Keping Yu, “Changes in Civil Organizations and Governance in China’s Rural Areas: A Case Study of Dongsheng Village, Changqiao Town, Zhangpu County, Fujian Province”, 2000. China Centre for Comparative Politics & Economics. Available at <http://www.ids.ac.uk/ids/civsoc/final/china/chn1.doc>

7 Ding, *Chinese Democracy after Tiennamen*, pp 49-50.

8 Ying Ma, “China’s Stubborn Anti-Democracy”, American Enterprise Institute for Public Policy Research, 22 Feb 2007. Available at http://www.aei.org/publications/filter.all,pubID.25663/pub_detail.asp

9 Deng Zhenglai and Jing Yuejing, “Building Civil Society in China”, cited in Ding, *Chinese Democracy after Tiennamen*, p 37.

CIVIL SOCIETY ENTRENCHED IN CHINESE LAWS AND POLICIES

A significant indicator of progress toward a truly legitimate civil society in China has been the legal reforms that have taken place with respect to Chinese people's freedom of association. While this is a right theoretically guaranteed to every Chinese citizen under the Constitution, in practice approval for exercising his right has been difficult to come by. Since the revival of discussions on civil society, salient changes have taken place in a positive direction.

The new understanding of people's differentiated interests that began in the 1980s has in fact led to concrete changes in the law. Many of the prohibitions that accompanied the CCP's coming into power have been lifted. Previously, in 1950 and 1951, two sets of rules and regulations were put in place by the Government Administration Council and the Ministry of Internal Affairs. These were the "Interim Regulations on Registration of Social Associations" and the "Detailed Rules for Implementation of the Regulations" respectively. These rules and regulations were explicitly designed to examine existing civil associations, banning those that were not favorable to the Communist administration, and putting those that were useful under the management of government departments. However, the basic underlying policy was to suppress the development of civil and social associations.¹⁰

In contrast, in June 1998, the "Bureau for the Management of Civil Organizations" was set up, officially recognizing the existence of civil society in China. Similarly, the "Regulations on the Administration and Registration of Social Associations" that were put in place in 1998 by the State Council -- a revised version of the regulations promulgated in 1989 -- were established alongside "Regulations on Management of Civilian-run Non-enterprise Units". While the regulations remained stringent, this acceptance of non-government controlled associations was one more landmark event for civil society in China, as it formally transformed the strict government-controlled system of the administration of civil organizations to allow for more autonomous associations.

There now exists in China roughly three kinds of civil organizations in two distinct categories. The first category includes the "official" organizations, which are government-run, and the "semi-official" organizations.¹¹ The semantic differences between these two types of or-

10 Liu Junning, "Civil Society and Limited Government – Take Chinese Chambers of Commerce for Example", 2000, Research Report. Available at <http://www.ids.ac.uk/ids/civsoc/final/china/chn2.doc>

11 The delineation of "official", "semi-official" and "popular" associations has been discussed in, for example, Wang Ying, "The Intermediary Level of Chinese Society:

ganizations are often negligible because the government department appointed to supervise these “official” and “semi-official” organizations or associations often has the power to unilaterally appoint (or dismiss) the leaders of these organizations, and often exerts control over the organization’s activities. A large percentage of these controlled associations have a political and /or economic function, such as the Communist Youth League, the Private Entrepreneurs’ Association and the Trade Union.

Of more interest to this analysis of democratic practice are the “popular associations” which, in practice, enjoy a high degree of autonomy. Moreover, the erosion of government control at the township level makes it possible for even the organizations designated as “semi-official” to, at this level, enjoy a greater degree of freedom along with the “popular” associations. While many of the “popular” organizations are viewed as less of a “risk” to political stability because their primary function is cultural or intellectual, even economic-cum-political associations in some smaller states and counties now have the freedom to voice the interests of their members.¹² These new freedoms given to civil society in China have also meant an unprecedented increase in citizen protests -- a phenomenon that would have been severely punished prior to this transformation. From the mid-1990s onwards, the rise of protests in China has been well-documented. The Chinese Ministry of Public Security reported 10,000 protests throughout the country in 1994, 58,000 protests in 2003, 74,000 in 2004, and 87,000 in 2005. Ordinary citizens now have more wherewithal to demand that the central government to address their grievances on everything from corruption to poor health care. In 2004, 10 million petitions were filed requesting intervention from Beijing; in 2005, this number rose to 30 million.¹³

Furthermore, in many cases, civil organizations now have the autonomy not only to encourage their members’ active participation in the internal issues of the organization or association, but there is also a growing awareness of the relevance of political issues and the motivation for members to participate in such issues. This has led to increased participation in elections at grassroots levels and in rural

Development of Associations and the Rebuilding of the Organizational System”, *Zhongguo Shehui Kexue Jikan* (Chinese Social Science Quarterly), no. 6 (1994), p 25.

12 Christopher E. Nevitt, “Private Business Associations in China: Evidence of Civil Society or Local State Power?”, *The China Journal*, no. 36 (July 1996):25-43.

13 Statistics from Ying Ma, “China’s Stubborn Anti-Democracy”, American Enterprise Institute for Public Policy Research, 22 Feb 2007. It is no wonder that the Chinese government now fears “participation crises”. In time this may prove a real barrier to further political liberation.

areas. The extent to which members of organizations are encouraged to participate in elections includes compensations and subsidies provided by the organization for such political participation. The success of these methods is evident in the fact that in rural areas, 95% participation in elections is often achieved.¹⁴ The idea of grassroots elections will be further examined later on in this paper.

FURTHER PROGRESS IN DEMOCRATIC PRACTICE: SIGNIFICANT STEPS TOWARDS RULE OF LAW AND HUMAN RIGHTS IN CHINA

Other encouraging evidence of positive change in the democratic practice in China has been the establishment and strengthening of rule of law. Franz Michael has this to say about the concept of the rule of law:

In the Western legal tradition, law is applied equally to all; it is binding on the lawgiver and is meant to prevent arbitrary action by the ruler. Law guarantees a realm of freedom for the members of a political community that is essential to the protection of life and human dignity against tyrannical oppression...¹⁵

The idea of the rule of law is very much a Western concept whose main purpose is to regulate the behaviours of individuals in general, and government officials in particular, by prohibiting the abuse of power. The rule of law implicitly assumes the existence of human rights, increasing the power of the individual over that of the state. However, this is a clear juxtaposition to traditional Chinese legal thought, where an instrumental approach to law predominated -- the law was a *tool* through which the government ruled the governed. Moreover, in traditional Chinese thought, the Emperor (or party leader) was himself above the law, and indeed his every decree or wish was the law itself. Inherent in the Chinese Socialist concept of law and *zheng-fa xitong*, there is the idea of *linghouxing* or flexibility, which allows the state, or more specifically, the state leader to interpret the law (most often according to his own or his party's interests).

The recent push for the establishment of the rule of law in China that leans more towards the Western concept is driven both exogenously and endogenously by the economic imperative. To begin with,

14 See Yu Keping, "The Emergence of Chinese Civil Society and Its Significance to Governance", 2000. Available at www.ids.ac.uk/ids/civsoc/final/china/chn8.doc

15 Franz Michael, "Law: A Tool of Power" in Yuan-Li Wu et al. *Human Rights in the People's Republic of China* (Boulder, CO: Westview Press, 1988), 33-55, p 33.

favoring a market economy over the previous planned system meant that laws became increasingly vital in regulating China's economic activities. Furthermore, the central government was forced to devolve financial and fiscal power, property rights and the material allocation of power to local governments and individuals.¹⁶ At the same time, with the new open-door policy came the need to attract foreign investment and the confidence of foreign investors had to be won by establishing an impartial and consistent legal system. The opening up of the economy to the international community is indeed a two-way street, and the established market economies of the West, to which China dearly wished to have economic ties, also exerted external pressure on China to adhere to international norms. An example of this is the stipulation of a judicial review system¹⁷ and the changes in commercial laws and practices to which China was subjected with its ascension into the World Trade Organization.

FROM IDEAS OF DEMOCRATIZATION TO ITS IMPLEMENTATION: LEGAL REFORM IN CHINA

However, given China's legal history, the recent progress made in the rule of law since the 1982 Chinese Constitution is nothing short of astounding. This is particularly so with regards to laws that specifically curb the abuse of state power over the individual. In 1991, a white paper was published by the State Council entitled "The Situation of Human Rights in China". This, for the first time, was a formal acknowledgment of the concept of Human Rights by the Chinese government. Very surprisingly, out of an astounding 429 laws passed in China between 1991 and 1997,¹⁸ the Chinese government has paid specific attention to the legal rights of citizens. For example, October 1990 saw the enactment of the Administrative Litigation Act which gave citizens legal recourse in the onset of a State abuse of power. In May 1994, China enacted the State Indemnity Law, which stipulates that "where a government agency or its personnel invades the legitimate rights and interests of a citizen, legal person or other organization, resulting in injury while performing

16 See Zheng Yongnian, *Will China Become Democratic? Elite, Class and Regime Transition* (Singapore: Marshall Cavendish International, 2004), p 56.

17 For a discussion of this, see Martin G. Hu, "WTO's Impact on the Rule of Law in China", *Mansfield Dialogues in Asia*, 2001. Available at www.mansfieldfdn.org/programs/program_pdfs/08hu.pdf

18 From the *Complete Collection of Laws, Regulations and Rules in China* (Beijing: Beijing University Press for The Center of Legal Information and the Beijing Zhongtian Software Company, 1997).

its functions, the sufferer shall be entitled to obtain state indemnity".¹⁹ Furthermore, in March 1996, China put in place the Law on Administrative Punishments that provides mechanisms for investigating and punishing criminal offenses that take place not only in state administrative, economic and judicial agencies, but those that take place within the leadership organs of the CCP itself.²⁰ Criticisms of the Chinese legal system stating that only half of China's laws were enforced have some basis in truth, but nonetheless, the enactment of the 1990 Administrative Litigation Act produced a sharp increase of lawsuits against the Chinese government (about 27,000 a year in the early 1990s), of which the government's decisions were dismissed in an unprecedented 19% of the cases and overturned in 1.8% of the cases.²¹

While still very much under fire from Human Rights watchdogs over the Tienanmen incident, even these agencies have had to admit that the Chinese government has in fact, in several instances, upheld the law and human rights. In some cases, the CCP has shown an improved treatment of political prisoners. Significantly, there has been no death sentence for a political prisoner since the reform, which may be construed as an important break from past practices. At the same time, 1997 revisions to legislature abolished the "counter-revolutionary" offense from Chinese criminal law, replacing it instead with a new crime that concerned state security. Both external pressures and domestic changes to the legal system have led to leniency with regards to political prisoners from 1989. For example, in July 1997, Tang Yuanjuan and Li Wei, both of whom had been convicted of political crimes for their activities at the Tienanmen protests, were released from prison. The Jilin provincial High Court set an important precedent by nullifying their conviction (one of two) for "counter-revolutionary" offenses and extending this decision to two other prisoners. At the time, Tang and Li had already each served an 8-year sentence, so the overturning of the "counter-revolutionary" conviction allowed them to be released without serving out the rest of their 20 and 13-year sentences respectively.²²

19 Zhenmin Wang, "The Developing Rule of Law in China", *Harvard Asia Quarterly*, Vol. 4. Available at <http://www.asiaquarterly.com/content/view/88/40>

20 Ibid.

21 *Democracy and Law* (Shanghai) no. 1 (1995), p 6.

22 "People's Republic of China: Nine Years After Tiananmen – Still a 'Counter-Revolutionary Riot?'" An Amnesty International Report, 17 Nov 1998. Available at [http://web.amnesty.org/library/pdf/ASA170111998ENGLISH/\\$File/ASA1701198.pdf](http://web.amnesty.org/library/pdf/ASA170111998ENGLISH/$File/ASA1701198.pdf)

THE FALUN GONG ISSUE: A DIFFICULT TESTING GROUND FOR DEMOCRATIC PRACTICE IN CHINA

Falun Gong, also known as Falun Dafa, is a Chinese spiritual movement founded in 1992 by Li Hongzhi (1951–). Avoiding a religious mantle, Li and his followers understand Falun Gong as a “cultivation system,” based on principles of *qigong* that are widely accepted in China. Falun Gong rapidly became very popular in China, attracting millions of followers in the years immediately after its founding. Primarily out of fear of mass social rebellion and disorder, the CCP tried to suppress the Falun Gong movement. The issue came to a head in the form of a massive protest in Beijing by Falun Gong practitioners on the 25th of April, 1999, which led the Chinese government to take even stronger measures against the movement, unfortunately using the law as a tool to this end.

THE FALUN GONG ISSUE: A RETRACTION OF FREEDOM OF ASSOCIATION

Under the leadership of Li Hongzhi, the Falun Gong were careful not to fall under the existing state law on religion, given that only 5 major religions were sanctioned, and within these religions, only certain practicing organizations were considered state-approved and properly registered.²³ Instead, the Falun Gong as a *qigong*-related association, was in a sense affiliated with the State Sports Administration. At the protest on April 25th, 1999, the Falun Gong insisted on being recognized as a state-sanctioned association, and as early as 1993, The Qigong Research Association of China (QRAC) issued the Beijing Falun Gong Research Association with a “QRAC Accredited Qigong School Registration Certificate” that given official recognition to the Falun Gong Research Association as an “academic organization.” The range of operations were “theoretical studies and research”, “promoting practice”, and “consultative services” throughout all of China.²⁴

Despite the new laws in place that gave freer rein to associations, as discussed earlier, the CCP chose to violate association regulations as part of a two-pronged strategy²⁵ to suppress the Falun Gong. On July 22nd, 1999, the Ministry of Civil Affairs declared the Falun Gong to be an illegal organization, stipulating that it had failed to regis-

23 Bryan Edelman and James T. Richardson, “Falun Gong and the Law: Development of Legal Social Control in China”, *Nova Religio*, Vol. 6, 2(2003):312-331, p 321.

24 “The Truth Behind the 25 April Incident (abridged)”, 21 Apr 2001. Available at <http://www.faluninfo.net/SpecialTopics/april25abridged.html>

25 The other being the violation of “moral virtue” which will be discussed later in this paper.

ter under Article 7 of the November 1989 Regulations Governing the Registration and Administration of Public Organizations. The Falun Gong was also accused of violating article 19(3) of these regulations, which forbade the creation of regional subsidiaries.²⁶ This was further endorsed by Li Baoku, the Chinese Deputy Minister of Civil Affairs, who made an official statement on these violations, by the Falun Dafa Research Society, of regulations on registration within the various levels of civil affairs organization.

This was clearly a step backwards from the legal developments that had ensued post-Tiennamen. Special regulations on public organization, assembly and demonstration were passed by the Standing Committee of the National People's Congress on October 31st, 1989, four months after the Tiennamen incident. This was part of the implementation of a policy related to the 1982 State Constitution's provision on freedom of association, which anticipated and even served to encourage an increase in social, economic and cultural activities pursuant to Deng's program that required both the democratization and legalization of state structures.²⁷ Despite leaps in the liberalization of laws with regards to civil society, in the face of a real test, the Chinese government showed itself unable to resist exerting full societal control.

THE FALUN GONG ISSUE: A REVERSION TO STATE INSTRUMENTALISM IN LEGAL INTERPRETATION

As noted earlier, the notion of law in the Chinese legal tradition is viewed as a tool by which the emperor or party leader, who, being himself above the law, dictates to his people, using the *linghuoxing* of the law to provide interpretations as he saw fit. The more recent socialist framework of legality also reflects this idea. The law, and the Chinese legal idea of *zheng-fa xitong*, rather than being an overarching concept that governs all, is instead an instrumentalist tool by which the state imposes guidelines of its own interpretation on the people, so as to protect society from "spiritual pollution" and "bourgeois liberalization", and which also ends up strengthening its dictatorship.²⁸

In an interview with Jiang Zemin in September 1989, he was said to have admitted that one of the important changes as a consequence of the 1989 Tiennamen Massacre was that he had come to recogni-

26 "Falungong ban supported by law", *BR*, Vol. 42 37(1999), p 9.

27 "Commentary views public organization regulations", *Renmin ribao*, 9 Nov 1999. Cited in Roland C. Keith and Zhiqiu Lin, "The 'Falun Gong Problem': Politics and the Struggle for the Rule of Law in China", *The China Quarterly*, 175(2003):623-42, p 635.

28 Chih-yu Shih, *Collective Democracy in China* (Hong Kong: Chinese University Press, 1999), pp 40, 3-16.

ze the need for the rule of law in China, as opposed to traditional rule by the CCP -- rule of man.²⁹ This was more evident through the exponential increase in law reform in the subsequent years, especially after Deng Xiaoping's speeches demanding the "liberation of the mind" in 1992, which was essentially the turning point that broke the spell of caution after Tiennamen. However, the arrival of the Falun Gong situation, and the CCP's alarm at its own difficulties in curbing its spreading popularity, combined with international sympathy, led the Chinese government to utilize these same laws to put the brakes on recent political freedom. Jiang Zemin, on January 10th, 2001, once again linked the rule of law with the traditional Chinese "rule of man" way, by stipulating that "Ruling the country according to law and governing the country with high morals complement and promote each other. Neither (...) should be overemphasized to the neglect of the other."³⁰ This provided a morality grounds for interpreting the law.

Even as early as March 1999, the state constitution had been revised to give equal weight to the rule of law (*fazhi*) and the rule of virtue (*dezhi*).³¹ This was a crime of which the Falun Gong could be conveniently accused. Xia Yong, from the CASS Institute of Law, stated that:

... the 'Falungong' organization and its activities have harmed the physical and psychological well-being, lives and security of property of 'Falungong' practitioners... they have used heresies such as... 'global explosion' to confuse practitioners, thus causing some practitioners to lose the ability to think, judge, and discriminate things normally.³²

In deliberately casting the Falun Gong as a "heretical cult" that was a danger to society, the government was now able to persecute Falun Gong leaders and practitioners as having violated "state security" - - the new crime which replaced the "counter-revolutionary" crime in the 1997 revision of Chinese criminal law. While the new 1997 revision had a reference to "evil cults" in article 30, the severity of the crime was open to interpretation, and this interpretation, unfortunately, was provided by the Supreme People's Court and the Supreme

29 See R.C. Keith, *China's Struggle for the Rule of Law* (London and New York: Macmillan & St. Martin's, 1994), p 16.

30 Jiang Zemin, 'On "Three Represents"' (Beijing: Foreign Languages Press, 2001), p 162.

31 Roland C. Keith and Zhiqiu Lin, "The 'Falun Gong Problem'", p 630.

32 "CASS Official Xia Yong on Falungong, rule of law", *Xinwenshe*, Beijing, 3 Aug 1999. Cited in Roland C. Keith and Zhiqiu Lin, "The 'Falun Gong Problem'".

People's Procuratorate on November 1st, 1999. This stipulated that the field of punishable behavior under article 300 was expanded to include "illegal groups that have been found using religion, *qigong*, or other things as camouflage... and deceiving people by molding and spreading superstitious ideas, and endangering society".³³ Furthermore, this interpretation refers to other cognate articles in criminal law, in order to invoke severe *criminal* punishment rather than *administrative* law punishment.³⁴

This, taken jointly with the hastily passed "Decision on Banning Heretical Organizations and Preventing and Punishing Heretical Activities" on October 30th, 1999 by the Standing Committee of the National People's Congress, gave the CCP legal basis for its persecution of the Falun Gong. It also served to highlight China's reversion to state instrumentalism in the interpretation of the law, in which "Party leadership continues as a dominant theme".³⁵ This sudden halt on progress of the rule of law in China was made more evident in light of the differential treatment of cases from Tiennamen in 1989 and Falun Gong in 1999. While many cases from the Tiennamen situation made it to court (albeit belatedly), most cases relating to Falun Gong did not, ostensibly in a bid to deny the Falun Gong a platform for further publicity.³⁶

CONCLUSION: HOPE FOR THE DEMOCRATIZATION OF CHINA AND GRASSROOTS ELECTIONS

Recent liberation of political practice in China began with the idea of the need to set limitations on state power, and was driven by the imperative of economic reform and opening up of markets. Indeed, China has made undeniable progress both in its legal and policy-making mechanisms to grant its citizens more freedom of association and protection from the abuses of state power, under a vastly improved rule of law. However, when push comes to shove, the CCP was unable to see a way to implement these new democratic practices in the light of the "social threat" posed by the Falun Gong. The result of this is that China has taken two steps forward, and then taken a large step backwards in the realization of democratic practices.

Ironically, in spite of the larger internationalized issue of China's

33 Edelman and Richardson, "Falun Gong and the Law", p 317.

34 Roland C. Keith and Zhiqiu Lin, "The 'Falun Gong Problem'", pp 638-39.

35 Pittman Potter, *The Chinese Legal System: Globalization and Local Legal Culture* (London and New York: Routledge, 2001), p 11.

36 Randall Peerenboom, *China's Long March Toward Rule of Law* (Cambridge: Cambridge University Press, 2002), pp 99-101.

failure with regards to the Falun Gong, direct political participation has been quietly flourishing at the grassroots level. This has been made possible as result of the demise of CCP communes at the local level. A 1992 internal State Council report, which was “leaked” to the Hong Kong press, presented evidence that 30% of the CCP cells in rural China had “collapsed” or ceased to function, while another 60% of these were weak and barely functional.³⁷ This gap in rural governance has been filled by traditional lineage-based lines of authority and spontaneously formed village residents’ associations. As early as December 1982, the revised Constitution of China gave legal status to these village residents’ associations as grassroots civic organizations. This was followed by the formal support of the CCP for these associations, by passing the Organic Law in 1987, which saw two-thirds of Chinese provinces passing local legislation on village residents’ associations.

Moreover, since 1992, experiments in rural village-level self-governance have taken place in all 30 Chinese provinces. This sea of change in legislation, with the help of the pro-democratic activity of local associations, has been accompanied by a similar transformation in rural residents’ views on democratic practice – from initial suspicion to strong endorsement. A survey carried out in 1992 of 200 residents in 2 villages in the Fujian province reported that roughly 90% of the villagers believed that the head of the village council should be elected through a system of open voting and 15% of these residents wanted the right to vote on issues that affected their daily village living.³⁸

The village-level elections scheme seems to be taking on a life of its own, matched -- albeit at a slower pace -- by government legislation. Recently, new laws have been passed regarding elections. Additional changes in 2004 saw the Standing Committee of the 10th National People’s Congress pass the amendment that all local people’s congresses at the township level should enjoy the same 5-year tenure afforded to congresses at higher levels. Furthermore, the new law states that candidates for elections may be elected, not only by political parties and organizations, but also by arbitrary groups of 10 or more voters. The law has also stipulated criminal-level punishment for bribery and hampering of the free exercise of electoral rights.³⁹

37 Reported in Hong Kong publication *Cheng Ming*, March 1992, p 44.

38 Zhang Xiaojin, “Changes in Peasants’ Values During Reform”, *Shehui* (Society), August 1993, p 32.

39 Meng Yan, “Revised electoral law enhances democracy”, *China Daily*, 27 Oct 2004. Available at http://www.chinadaily.com.cn/english/doc/2004-10/27/content_386280.htm

Whether the idea of direct political participation will spread to higher levels of government remains to be seen. However, China's road towards better democratic practice, whether in the form of a growing civil society, the establishment of the rule of law, or grassroots elections, has clearly begun. In spite of major setbacks such as the handling of the Falun Gong issue, with the momentum that has been building since reform and the opening up of China, there can be no real turning back from the path to political liberalization.

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ALEXANDER K. D. FREMPONG

**INNOVATIONS IN ELECTORAL
POLITICS IN GHANA'S FOURTH
REPUBLIC: AN ANALYSIS**

INTRODUCTION

The people of Ghana are gearing themselves up for general elections in December 2008. Election 2008 would be a historic fifth consecutive national poll since the start of the current constitutional democratic dispensation in 1992. The transitional presidential election of November 1992 was highly disputed by the opposition parties leading to their boycott of the subsequent parliamentary poll that December. The acrimony no doubt had arisen from the fact that the outgoing military regime that had metamorphosed into a political party to contest that election was perceived to have rigged elections.

It was from such shaky foundation that Ghana's current dispensation has blossomed. The subsequent elections (1996, 2004, and 2004) have been more peaceful and generally free and fair. In 2000, there was a peaceful alternation of power from the ruling National Democratic Congress (NDC) to the opposition New Patriotic Party (NPP). Ghana's electoral successes have made it a paragon of good governance and peaceful coexistence in the West African sub-region which over the last decade and half has been better known for a spiral of violent conflict (Frempong 2006: 157).

How can this apparent paradox, a flawed transition setting the stage for democratic progress, be explained? Ghana, despite the emer-

ging culture of political stability, still faces a number of challenges – abuse of incumbency, ethnicity, and overdependence on donor inflow; but in its successes and challenges, several lessons can be distilled for the rest of Africa and indeed the entire South.

ISSUES OF DEMOCRACY AND ELECTIONS

Democracy, particularly, its liberal version, may be defined as “a system of governance in which rulers are held accountable for their actions in the public realms of citizens, acting indirectly through competition and cooperation of their elected representatives (Diamond and Plattner 1999: xi). This implies extensive competition for power; highly inclusive citizenship and extensive civil and political liberties. Also, in-between elections, citizens must be able to influence public policy through various non-electoral means like interest group associations and social movements, which invariably involve cooperation and competition among citizens (Ibid).

In a democracy, a balance must be found between competing values; and political actors must cooperate in order to compete. To be effective and stable, there must be the belief in the legitimacy of democracy, tolerance for opposition parties, a willingness to compromise with political opponents, pragmatism and flexibility, trust in the political environment, cooperation among political competitors, moderation in political positions and partisan identifications, civility of political discourse and efficacy and participation based on the principles of political equality (Diamond et al 1995:19). Coalition building therefore becomes an essential component of democratic actions. It teaches interest groups to negotiate with others, to compromise and to work within the constitutional system. By so doing groups with differences learn how to argue peaceably, how to pursue their goals in a democratic manner and ultimately how to live in a world of diversity.

Democracy is embedded in a complex architecture of norms which is embodied in, and implemented by, an ensemble of institutions including the multiparty system, an independent judiciary, free press, and an electoral system. The stability of a democratic order in any country is ultimately determined by the extent to which such institutions are able to function in a sustainable manner (Ninsin 2006: 59).

Elections are a major institutional pillar of liberal democracy. They provide the platform for exercising the core rights associated with democracy – freedom of speech, association, choice and movement. They are also an expression of the right of participation in the political process. For the masses they are the opportunity to make the political leaders accountable for their stewardship during the time they were in power, as well as subject to their power as the final sove-

reign of the country. The political class sees them as an opportunity for renewing their mandate to exercise legitimate power. In this sense, elections constitute a vital bridge linking the masses to the political class (Ibid: 75). In addition, growing commitment to democratic elections is also an affirmation of a growing popular commitment to the rule of law (Ibid).

To what extent are these essential qualities of elections attainable in Africa? While advances have been made in the apparent competitiveness of elections in Africa with renewed participation of opposition parties, in few cases do elections represent real opportunities for the populace to determine who governs. Rather, they reflect more the character of the political order and especially the degree of risk, incumbents are willing to tolerate (Joseph 1999: 11). Elections in Africa have often been staged-managed, won before Election Day, rigged or corrupted and electoral verdicts “stolen”, which are indicative of the habit of holding regular elections without democratic culture. Regular elections therefore may not constitute enough grounds for postulating democratic consolidation (Ninsin 2006: 61).

In Africa, like in other new democracies, the rules governing elections are yet to be institutionalized; and even the most ordinary issues, such as the choice of Election Day and one’s position on the ballot paper, which normally should be decided administratively, become highly politicized. The contest for power itself is a winner takes all, marked by tensions, acrimony and a vicious cycle of political distrust (Ninsin 1995: 66).

Innovative measures that have been taken by the various stakeholders over the past fifteen years in Ghana to overcome, or at least minimize, these problems and what hurdles remain to be surmounted form the thrust of this paper.

BRIEF HISTORICAL BACKGROUND

Ghana’s post independence history began in March 1957 with a liberal democratic rule which soon degenerated into a quasi dictatorship; and as a result, the first military coup of 1966 (Gyimah-Boadi 2000:2) In the subsequent one and half decades, Ghana made two other brief attempts at liberal democracy between 1969-1972 and 1979-1981; but each was overthrown after twenty seven months. In the later instance, Flight Lieutenant Jerry Rawlings, who assumed the reigns of power for a hundred and twelve days in 1979 and handed over to the civilian administration of President Hilla Limann and his People’s National Party(PNP) staged a comeback on the Christmas eve of 1981. The new ruling group, the Provisional National Defence Council (PNDC), also under Rawlings’ chairmanship, in spite of its name stuck to power for eleven years until

7 January 1993 when Ghana embarked on the current experiment under the 1992 Constitution, which is in its fifteenth year.

The PNDC, unlike the various military regimes before it, had, almost from the beginning, given strong indication of wanting to stay much longer in power. It doggedly refused to bind itself to time, choosing to refer to itself and its actions as part of an indefinite political process ostensibly to implement the so-called participatory, grassroots democracy that had a disdain for multiparty politics (Gyimah-Boadi 1991:35).

THE TRANSITION ELECTION OF 1992

Against this background, the PNDC only reluctantly conceded to constitutional rule under pressure from external and domestic forces, in the early 1990s. On the international front, the pro-democratic trend of the post-Cold War era had begun to have contagious effect across Africa (Ninsin 1998:14). Locally, there were persistent and increasing demands from various civil society groups for change and political reform, after nearly a decade of a culture of silence under PNDC rule. The PNDC leaders then were unwilling covertly that were bent on ensuring that they crafted a transition programme that would leave their interest virtually intact. In addition, given its poor human rights record the PNDC regime had genuine fears for its physical security once it surrendered power.

The incumbent regime, therefore, had special interest in the outcome of the transition process and would not countenance any measures that would prevent it from retaining power in the new dispensation. The PNDC, therefore deliberately and carefully controlled the transition process; it single-handedly chose the drafters of the 1992 Constitution and the members of the Interim National Electoral Commission (NDC) that superintended the transitional electoral process in 1992.

As a result, for the first time in Ghana's political history the leader of the out-going military regime, Rawlings, contested the presidential election, while the ruling junta, the PNDC metamorphosed into a political party, the National Democratic Congress (NDC) to provide him with a vehicle for the contest. After Rawlings victory in the presidential poll, the opposition parties insisting it had been rigged boycotted the subsequent parliamentary contest.

The sources of acrimony in 1992 included a perceived bloated electoral register; the PNDC government's deliberate and systematic appropriation of state resources in favour of the NDC (the use of official vehicles for campaigning, access to state-owned media; mobilization of state apparatus, etc; and suspicion about the INEC management of

the elections (Ninsin 2006:64). The general impression was that the military government plotted to entrench its rule through the backdoor provided by the new democratic set up (Boafo-Arthur 2006:36).

INNOVATIONS IN ELECTORAL POLITICS

From such a slippery start, the strides that Ghana has taken in electoral politics since 1993 are impressive. Ghana has since held three relatively peaceful and generally acceptable elections, one of which led to the alternation of power. Above all, from the all time low voter turnout of 29% in the 1992 parliamentary election which the opposition boycotted, elections have been receiving between 60% and 80% voter turnout; an indication of mass participation.

Several factors have accounted for this success story: innovative constitutional provisions; effective electoral management by the Electoral Commission (EC) and related constitutional bodies; consensus building among political actors; the crucial roles of civil society organizations and the media, as well as mass participation in the electoral process. In the sub-sections that follow we discuss the major ones.

CONSTITUTIONAL PROVISIONS

Ghana's 1992 Constitution made several provisions aimed at facilitating democratic elections and the implementation of those provisions has contributed in no small measure to Ghana's achievements thus far. A few of these would be illustrative:

- In Article 21 the rights to freedom of speech and expression, freedom of assembly, freedom of association, among others are all guaranteed. Apart from being useful in themselves, these freedoms have created a favourable environment for the growth of civil society groups and political parties that have proved crucial for democratic consolidation in Ghana.
- Article 55(5) provides that the "internal organization of a political party shall conform to democratic principles and its actions and purposes shall not contravene or be inconsistent with this Constitution or any other law". As a result of this provision, the Political Parties Law makes it mandatory for the Electoral Commission to supervise political party elections to choose party executives at the regional and national levels as well as the choice of party flag-bearers. This measure has averted intra-party conflicts that would have arisen over intra-party election outcomes.
- To ensure mass participation in elections and politics in general, Article 55(10) preserves the right of every citizen of voting

- age “to participate in political activity intended to influence the composition and policies of Government”.
- In fairness to both the competing parties and the electorate, Article 55 (11-13) obliges the state to avail to all presidential and parliamentary candidates equal access to the media and as much as possible ensure equitable access to the resources necessary for ensuring genuine competition.
 - Article 29 makes provisions on the rights of disabled persons “who must be protected against all exploitation, all regulations and all treatment of discriminatory, abusive or degrading nature” (Article 29[4]). The Electoral Commission has taken this provision seriously and has introduced measures to enable the disabled to participate fully in the electoral process. In the 2004 elections a number of disabled persons were employed as election monitors and more significantly, the EC introduced on a pilot basis tactile ballot to allow blind voters to vote secretly. Hopefully this will be introduced nationwide in the next election.
 - Article 162(3) provides that “there shall be no impediment to the establishment of private press or media; and in particular, there shall be no law requiring any person to obtain license as prerequisite to the establishment or operation of a newspaper, journal or other media for mass communication or information”. This provision has led to the emergence of several private newspapers, radio and television station which have been playing vital roles during elections –providing education on the electoral processes, monitoring voting as well as the collation and publication of results.
 - Further, Article 163 provides: “All state-owned media shall afford fair opportunities and facilities for the presentation of divergent views and dissenting opinions”. Since 1996, Ghana Broadcasting Corporation (for both its radio and television) during election campaign period has apportioned equal air time for presidential candidates and political parties to present their manifestoes. Similar provisions have also been made in the public newspapers like *Daily Graphic* and *Ghanaian Times*.

In addition to the above provisions, the 1992 Constitution made it mandatory for the establishment, through Acts of Parliament and within six months of the start of the Fourth Republic, a number of constitutional commissions that would facilitate political participation in general and the electoral process in particular. These were the

Electoral Commission (EC), the Commission on Human Rights and Administrative Justice (CHRAJ), the National Commission for Civic Education (NCCE) and the National Media Commission (NMC). To ensure their independence, their composition and functions were prescribed in the Constitution (Articles 43, 216, 232 and 166 respectively) and once appointed, they were to be accountable only to the Constitution (Articles 46, 225, 234 and 172 respectively).

Article 218 provides among the functions of CHRAJ, the investigation of complaints of violation of fundamental rights and freedoms and to educate the public as to human rights and freedoms. The NCCE in Article 231(d) is to “formulate, implement and oversee programmes intended to instill in the citizens of Ghana awareness of their civic responsibilities and an appreciation of their rights and obligations as a free people”; among other things. The NMC, on the one hand, is “to ensure the establishment and maintenance of the highest journalistic standards in the mass media”, and on the other, “to insulate the state-owned media from governmental control” (Article 167b & c). In practice, these three commissions in their respective ways have contributed positively to electoral politics in Ghana.

Thus on the whole, Ghana’s 1992 Constitution has provided broader avenues for political participation: Electoral Commission, the Legislature, Executive, Judiciary, political parties, civil society organizations, traditional institutions and the media have all been insulated from state influence.

THE ELECTORAL COMMISSION

The 1992 Constitution provided for a seven-member Electoral Commission (EC) consisting of a chairman, two deputy chairmen and four others appointed by the President in consultation with the Council of State (Articles 43 & 70). Once appointed the Commission in the performance of its functions, “shall not be subject to the direction or control of any person or authority” (Article 46).

Article 45 outlines the functions of the Electoral Commission which include compilation and revision of the electoral register, demarcation and revision of electoral boundaries, conduct and supervision of public elections and referenda, education of citizens on the electoral process and other such functions that may be prescribed by law. It is thus the principal organ for the administration of elections in Ghana.

The performance of these functions could be fraught with controversy which could provoke acrimonious disputes due to extraneous or extralegal factors introduced in the process either by the state through its numerous agents or by contending political parties, their candidates

or supporters.¹ Such interferences could severely compromise the role of the EC as an impartial referee and thereby throw into grave doubt the credibility of the entire election. This indeed was the fate that befell the INEC which conducted the transition election (Ninsin 2006:62-63). Key political actors and their supporters became deeply mistrustful of the electoral process and the new election authorities faced formidable challenges of building both confidence and credibility.

With the inauguration of the Fourth Republic in January 1993, the life of the largely discredited INEC officially came to an end and a new Electoral Commission (EC) was inaugurated in August 1993. Its composition and powers as provided for in the Constitution were amplified by statute, Act 451. The existence of a body of laws and explicit rules and regulations provided the Electoral Commission with a measure of insulation and put the body in a stronger position lawfully to resist undue external pressures and interference in its work. Above all, the laws formed the framework for the resolution of the electoral conflicts.

These changed circumstances and donor assistance enabled the EC to embark on a comprehensive programme of reforming the electoral process and enhancing credibility. Initially, however, suspicion and mistrust of the election authority as an independent and impartial arbiter lingered in part because the procedure for appointing the commissioners still allowed for a significant degree of presidential influence but more so because a deputy chairman, Dr. K. Afari-Gyan and a commissioner, David Kanga, both of the defunct INEC were 'promoted' Chairman and Deputy Chairman respectively of the new EC.

The EC saw a clear need for electoral reforms with a view to achieving greater transparency in all aspects of the election process, seeking to create popular faith in the ballot and building confidence in the EC itself. This coincided with the need of both the government and the opposition to achieve some measure of consensus if the Fourth Republic was not to be derailed. On the part of the government, the exceptionally low voter turnout of 29 percent in the 1992 parliamentary election reduced the legitimacy of the whole transition process and for the opposition parties there was the fear that if the stand-off with the Rawlings government remained unresolved, the government might seize the opportunity to perpetuate itself in power (Frempong 2007: 137)

The most important mechanism for managing distrust of the EC and among the various political parties was the innovative Inter-Party Advisory Committee (IPAC) formed in March 1994. The IPAC brought together representatives of the political parties to regular monthly mee-

1 The extraneous factors include impersonation, double voting, juvenile voting, vote-rigging and fraud, and general acts of manipulation of the voting process.

tings with the EC to discuss and build consensus on contested electoral issues (Aye 1997: 10). In taking this step, the EC was responding to a recommendation of the Commonwealth Observer Group (COG) which monitored the 1992 elections. In its report, the COG had emphasized the practical value of dialogue and consultation as a building block towards democratic consolidation and recommended the need to institutionalize the process of dialogue, even informally, as a forum at which parties could air their grievances (COG 1992: 62-63, cited in Aye 1998b:161).

The IPAC offered a two-way channel of information for both the EC and the parties. It enabled the EC to discuss all aspects of its programmes and activities with the parties, elicit input and address problems, protests and disagreements whenever they were aired. And the parties were able to express their views freely and openly about EC programmes and activities and to bring their concerns to the table. The IPAC process, no doubt, had its hiccups but it succeeded in achieving compromise solutions to such contested matters as a single day for both parliamentary and presidential elections; photo ID cards, and transparent ballot boxes; and gained the active involvement of the party agents in the registration exercise as observers. It also agreed on a common date for parliamentary and presidential elections (Aye 1997: 10). It must also be emphasized to the credit of the EC that although the IPAC was purely advisory and non-statutory and its decisions non-binding of the EC, it gave serious attention to those decisions that were practical, legal and cost effective. IPAC then became a framework for building trust and confidence among the political class regarding the conduct of elections and provided a platform for deepening trust with the EC (Ninsin 2006:64).

By 1996 several of the major controversial issues had been resolved through the IPAC mechanism. The positive dividend showed in the 1996 elections and has continued. The voter turn out in 1996 was an impressive 73.5%. The general mood following the election confirmed the fact that the contending political leaders had agreed upon the basic rules of electoral politics (Ninsin 1998: 194). Unlike 1992, the defeated presidential candidates readily conceded defeat and congratulated the winner and he in turn congratulated the losers for their competitive spirit. It is therefore gratifying that this consensus building mechanism has been sustained and replicated at the regional and district levels.

The EC has performed creditably in other areas as well:

- It has asserted its independence on many respects over the years: In March 2004, for example, when the NPP government announced the establishment of a national procurement committee to undertake purchases for Election 2004, the EC contended that that action would undermine its independence and had the plan

shelved. Similarly the EC resisted all attempts by the opposition parties to prevent the inclusion of 30 newly-created constituencies in the conduct of Election 2004. The EC, conscious of the fact that it had operated within its mandate in creating the new constituencies, maintained its stand until it was confirmed by a Supreme Court decision (Boafo-Arthur 2006: 43).

- The EC has taken even little controversies seriously and has taken innovative measures to deal with them. Before the 2000 Election, the position of candidates on the ballot paper was in the order in which they filed their nomination. In 1996, this had led to a mad rush among the political parties to secure the top spot on the ballot paper. In 2000, the EC resolved the matter by the introduction of balloting for positions on the ballot paper days after parties have filed their nominations. It is significant to note that since then this method has been replicated for intra-party elections.
- The EC playing its neutral role was equally mindful of the religious dimension. On November 24, 2000 the EC organized a prayer and fasting session at the Conference Hall of the Commission. (Agyeman-Duah 2003:115).
- The manner in which the EC has collaborated with donor agencies, political parties, think tanks, civil society groups and the media has been most impressive. One such collaboration between the EC, IFES, the Ghana Association of the Blind (GAB) and Action on Disability and Development Ghana (ADD) in 2002 led to the pilot test of the tactile ballot, earlier referred to (GAB Report 2002). Similarly, since 1996, it has accredited the domestic poll watchers and ensured their unhindered access to places has boosted public confidence in the voting and its outcome.

The efficient manner the EC has been managing elections in the country is acclaimed across the electorate. In a post-election 2004 survey 96.1% of respondents were of the view that the EC officials across the country applied the rules governing elections, were neutral, fair and firm (Department of Political Science, University of Ghana, Post-Election Field Survey, 2004 cited in Boafo-Arthur 2006: 37). This high level of confidence the electorate has placed in the EC is the outcome of the persistent efforts by the Commission to improve upon its performance. It has within the past one and half decades initiated several changes² that have greatly improved and enhanced its role in the

2 These reforms which cover voter registration and election and election material management include photo identification cards for voters, unique voter numbers,

electoral process (Boafo-Arthur 2006: 38). It is therefore, not surprising that EC Chairman Kwadwo Afari-Gyan and several of his officials have been involved in elections throughout Africa either as technical facilitators or election observers/monitors.

The EC in Ghana has confirmed the fact that while the success of electoral politics depends on each stakeholder playing its assigned role, the role of the electoral commission in the process is most crucial. Apart from neutrality, the commission must be fair and firm, to be able to win the confidence of the contesting parties as well as the electorate.

THE LEGISLATURE, EXECUTIVE AND JUDICIARY

The traditional governance institutions, the Legislature, Executive and the Judiciary, have all contributed to the success of the electoral process in Ghana. The Ghanaian Parliament, apart from the passage of the various acts establishing the EC and other constitutional commissions within the constitutionally-mandate six months, has since 1993, debated and passed several constitutional and legislative instruments brought before it by the EC. These instruments have facilitated the work of the EC a great deal. On the part of the executive, both the previous NDC and the incumbent NPP governments have, to a large extent, stayed within the constitutional limits in their relations with the electoral authorities. The decision of the Rawlings government to respect the two-term constitutional limit in 2000 is a case in point. The role of the judiciary has been most beneficial in this respect. It has treated most of the election-related petitions with this dispatch. Such cases included: the fixing of the 7 December Election Day, the controversy over the used of thumb-printed voter identification cards in 2000, and the inclusion of the thirty newly-created constituencies in the 2004 polls.

POLITICAL PARTIES

Apart from elections rules that the electoral authorities impose, a number of normative and attitudinal imperatives require compliance if success is to be achieved. These include tolerance of opposing views, free exchange and circulation of ideas and mutual respect among contending leaders/candidates and their followers (Ninsin 2006: 63). It is in these respects that political parties, the main political actors, have contributed their quota to the success of electoral politics in Ghana.

- Through their involvement with IPAC the political parties reached consensus on the rules of the game and committed

political party agents observing voter registration and the voting itself, domestic election monitoring by civil society groups, the IPAC, photo identification of voters on electoral roll, transparent ballot boxes.

themselves to upholding elections as the only credible method by which Ghanaians would choose and alternate government (Ibid 64).

- Since 1996 aggrieved defeated parliamentary candidates have resorted to the courts rather than the streets, to seek redress under the law.
- Political parties in Ghana have pushed the consensus building a step further with the introduction of the Platform of General Secretaries and the Chairmen's Caucus on the initiative of the Institute of Economic Affairs (IEA). The Platform, made up of political parties represented in Parliament came into being in 2003. It meets on a twice-monthly basis to discuss issues relating to party programmes and activities. The Chairmen's Caucus has since 2004 been dealing with larger problems that threaten democratic consolidation in Ghana (Asante 2006: 26)
- Since 2000, political parties have formulated the Political Parties Code of Conduct. In 2004, for example, at a meeting organized by the IEA, representatives of registered political parties in Ghana formulated a Political Parties Code of Conduct (2004) to regulate the conduct of political parties during and between elections. The Code stresses the democratic imperatives of multipartyism, mode of campaigning, out-of-campaign activities, measures for safeguarding elections, etc (Boafo-Arthur 2006: 42). The enforcement of the Code was a partnership between the political parties, EC and IEA (IEA Political Parties Code of Conduct 2004)

A significant contribution that these innovations by political parties have made to electoral politics in Ghana is the impact on the voter turn out and, in effect, mass participation. From a low of 29% in the 1992 polls, voter turnout was 78.2% in 1996, 61.7% in 2000 and 85.1% in 2004. The consensus building among the political elite has created confidence among their followers and this has been manifested in the sustained high voter turnout. That in itself underscores the importance ordinary Ghanaians, acting as the electorate, now attach to elections.

CIVIL SOCIETY ORGANIZATIONS

Perhaps the most innovative contributions to Ghana's electoral politics have come from civil society organizations (CSOs) in terms of voter education, election observation/monitoring and other strategies for peaceful elections.

Voter Education

From 1996 civil society groups have been very active in the voter education efforts:

- Human rights advocacy and policy think tanks like the Institute of Economic Affairs (IEA) and the Ghana Center for Democratic Governance (CDD-Ghana) have liaised with traditional civil society bodies like the trade unions, business and professional associations to create formidable networks of private institutions that have facilitated democratic development and reduced election-related violence to the minimum (Gyimah-Boadi 2004:108).
- Publications, opinion surveys and studies and independent research by the IEA, CDD-Ghana, the Department of Political Science and the School of Communications Studies (both of the University of Ghana) have also provided some of the best information on politics and elections since 1992 (Ibid: 106).
- In the 2000 elections, live broadcasting of public debates by presidential candidates, on television and radio, was introduced. It was organized by the Ghana Journalist Association (GJA) in collaboration with an American NGO, Freedom Forum. The two-hour exercise involved five-minute opening statements by each candidate, a series of questions from the audience and another five-minute closing remark by candidates. This unprecedented experience enabled the electorate to assess further the qualities of the potential presidents; it brought the new dimension of giving voters the opportunity to judge candidates on the basis of their position on specific issues, introducing “content” in a structured fashion for the first time into Ghanaian presidential campaigns. (Agyeman-Duah 2005:24)
- In 2004, the presidential debate of 2000 was repeated. An innovation this time was the civil society-sponsored weekly televised debates for the four contending political parties; in addition, the several issues-based radio discussion programs enhanced the public discourse.
- Also introduced in 2004 were CDD-Ghana’s Public Forum and IEA’s Town Hall Meeting for parliamentary candidates in several constituencies across the country, at which issues of public interest (including education, health, HIV/AIDS, the economy and national security) were addressed. (Ibid: 29). The constituencies were carefully chosen taking into consideration such factors as the intensity of contest or volatility of voter behavio-

ur; female and independent candidacy; newly-created constituencies and constituencies prone to violent conflict. To make the forums effective, capacity workshops were organized for the participating candidates (CDD-Ghana, Parliamentary Debates, 2004). The two projects offered a common platform for candidates to present their programmes before the electorate with the objective of helping the candidates to focus their campaigns on issues relevant to the developmental needs of their constituencies and the electorate to make informed choice.

Election Observation/Monitoring

Election observation in 1992 was dominated by international observer groups.³ Since then, domestic poll-watchers have emerged and become increasingly significant. In 1996, the two organizations that assumed this role were Ghana-Alert, the Network of Domestic Election Observers (NEDEO), a coalition of 23 prominent national religious, professional and human rights organizations.⁴ The advantage here was that the domestic groups could begin their poll watching as early as July 1996, four months ahead of the polls. They were thus better placed than the international observers to monitor developments before, during and after the voting.⁵

For the 2000 Elections, domestic election monitoring assumed new and innovative dimensions. Several local groups including the Coalition of Domestic Observers (CODEO), the Forum of Religious Bodies (FORB), and Ghana Legal Literacy Resource Foundation, undertook to monitor the polls on an independent basis and succeeded in recruiting, training and deploying over 15,000 observers and covered about half of the over 20,000 polling stations nationwide.

The domestic observation process in 2000 was far more extensive, including, the general pre-election scenario and media coverage of party political activities from May to December of the election year.

The monthly reports from the monitors formed the basis of forums where representatives of the political parties and media houses

3 These included the Commonwealth Observer Groups, African-American Institute and Jimmy Carter Centre.

4 These included the Christian Council of Ghana, the Catholic Secretariat, the Federation of Muslim Councils, the Ahmaddiyya Muslim Mission, Ghana National Association of Teachers (GNAT), National Union of Ghana Students (NUGS), Ghana Journalist Association (GJA), Ghana Association of Women Entrepreneurs and the Institute of Economic Affairs (IEA).

5 Their activities included the training of election monitors at the national, regional and district levels and the deployment of over four thousand observers to polling stations across the country on Election Day (Gyimah-Boadi 1999:413).

discussed lapses and shortcoming in performance and worked out corrective measures (Gyimah-Boadi 2001: 65).

CODEO, for example, selected twelve constituencies deemed to be potential flashpoints for trouble from the ten administrative regions of the country where specially trained observers were sited to monitor the political environment, noting in particular the activities of the EC, the conduct of party primaries, incidents of violence and the use and abuse of incumbency by the ruling party. The aim was to publicize the monitors' report to draw attention to infractions and irregularities that could undermine the electoral integrity (Agyeman-Duah 2005:25).

Civil society support of the 2004 election was even more elaborate and extensive. CODEO, for example, repeated its previous observation/monitoring activities⁶ and for the first time monitored political party primaries where parliamentary candidates were selected (Ibid: 30).

By their election observation/monitoring activities, the civil CSOs have provided empirical basis for all stakeholders –the government, opposition, Parliament, political parties, the EC, other relevant public agencies and civil society– to take measures to improve in future elections (Ibid: 52).

Strategies for Peace

Other CSOs have focused on ensuring peaceful and orderly elections and have had a moderating effect on the political scene and reduced acrimony to a large extent (Ninsin 1998: 67). In the run-up to the 2000 elections several civil society groups were pivotal in reducing mounting political tensions through campaigns for peace. For example, the Musicians Association of Ghana (MUSIGA) organized musical concerts to promote peaceful elections; while religious bodies held high profile prayers for electoral peace and non-violence.

Thanks largely to this relentless peace-mongering by civil society, the fears and anxieties over Election Day violence, to a large extent, did not materialize (Gyimah-Boadi 2001: 66).

TRADITIONAL AUTHORITIES

Of great importance to democratic consolidation and also innovation for other countries in the South to emulate the Ghanaian experience

6 It launched a project months before the election to monitor and better publicize acts of political corruption falling under the rubric of the abuse of incumbency. Trained monitors observed the conduct of public officials and candidates from September to December 2004 in at least two constituencies in each of the ten regions of Ghana; while others tracked the daily news content produced by four state-owned media organizations, including two newspapers, one radio station and one television network.(CDD-Ghana Monitors' Report, 2004:1)

is the role of traditional authorities in promoting peaceful elections. Article 276 (1) of the Ghanaian constitutions states that “a chief shall not take part in active party politics; and any chief wishing to do and seeking election to Parliament shall abdicate his stool or skin”, but that has given them the opportunity to play a fatherly and neutral role in Ghanaian politics since 1992. A good example was when various prominent traditional rulers convened a crisis meeting with political parties and the EC in mid-November 2000, and ended with the adoption of a 12-point resolution for violent-free and peaceful elections. Many traditional rulers also took advantage of political rallies in their localities to appeal for free and peaceful elections (Agyeman-Duah 2005:22).

THE MEDIA

Fair and equal access to the media for all political parties and their candidates are important elements for leveling the political playing field. To help reduce if not resolve the inequalities in media access and coverage for the parties and candidates, institutions of civil society groups have introduced workshops and seminars to sensitize media practitioners to their democratic and professional responsibilities (Agyeman-Duah 2005:20).

Relaxation of media censorship since 1992 has also paved the way for the emergence of independent newspapers as well as radio and television stations. The media contributed greatly to the quality of the electoral process in 1996.

The more active presence of the independent media, which provide a constant stream of election analysis, has helped to generate a high degree of public interest in elections. By providing channels of discourse outside the state’s control and expressing opposition views as well, the independent media has been largely responsible for keeping elections competitive (Gyimah-Boadi 1999:414). The independent print and electronic media have also made it possible for information unflattering to government or not sanctioned by state authorities to reach the public and therefore created a balance in media coverage.

The role of the electronic media in monitoring elections has been unique and innovative. Private FM stations post their reporters countrywide to give live reports of events at the polling stations and at collating centres. Throughout Election Day stations are awashed with reports of the unfolding balloting process. They inform electoral officials on where to send additional voting materials to alleviate a shortage; the Police are notified of potential and actual trouble spots; suspicious characters and vehicles at polling stations are reported on air including their number plates; and ordinary citizens’ call on to report whatever seems to be irregular at the polling stations.

These pre-emptive actions have promoted orderliness at the polling stations and deterred many potential election fraudsters and riggers and have largely been responsible for the high level of transparency and low level of irregularities recorded in the balloting process. (Agyeman-Duah 2005:26)

Media reporters, who monitor ballot counts, announce results live from the polling and constituency collating centres throughout the country while the operations desks at the radio studios tally the figures and give the provisional results of both the presidential and parliamentary votes. Some stations, such as JOY-FM of Accra, have created websites where the provisional results are posted as they unfold. Thus, the Ghanaian electorate can know the provisional outcome of elections before the Electoral Commission makes the official announcement.

CHALLENGES

Ghana, however, is no paradise! In spite of its achievements several hurdles remain to be surmounted. In the first place, the relations between incumbent President John Kufuor and ex-President John Rawlings have not been cordial. Their personal differences run deeper than the start of the Kufuor administration in 2001⁷ but the intermittent attacks and counter-attacks by these prominent politicians, who represent the faces of the two dominant political parties in Ghana, have had a negative repercussion on an otherwise progressive development in electoral politics. It is hoped that the recent mediatory step by retired UN Secretary General Kofi Annan would yield fruitful results ahead of Election 2008

Another threat is that Ghana's democratic progress has been paralleled by increased ethnicity. Particularly since 2000, elections have been shaped by the Akan –Non-Akan divide.⁸ The ruling NPP has gained most of its votes from the five Akan regions while it has performed poorly in four Non-Akan regions; and for the opposition NDC the reverse has been the case. The only exception here is the cosmopolitan Greater Accra Region, which though traditionally Non-Akan, voted

7 Kufuor as a Local Government Minister in the Rawlings-led PNDC had resigned following the brutal murder of three judges and an ex-military officer in which government functionaries were implicated. Since then there have been no love lost between them.

8 Nearly half the Ghanaian population belongs to the broad Akan ethnic group which is geographically spread across five of the ten regions – Ashanti, Brong Ahafo, Central, Eastern and Western. The other ethnic groups covering the remaining five regions – Greater Accra, Northern, Upper East, Upper West, and Volta – are loosely called 'Non-Akan' in this context.

for the NPP, not least because, majority of the people there are Akans. The sad aspect is that the people of Central Region who had not voted along ethnic lines were ridiculed rather than hailed.

The frequency of boycotting of parliamentary sessions by opposition groups casts doubts on how deeply the political elite have imbibed the ethos of consensus building. While in opposition the NPP had boycotted parliament over issues like vetting of presidential ministerial nominees and the budget. The current opposition NDC had continued and deepened the boycott 'tradition'. Issues like, national reconciliation, national health insurance, extension of the franchise to Ghanaians abroad, and the conviction of one of its members by a court of law, have all attracted boycotts by the NDC parliamentary caucus.

In spite of the several measures aimed at leveling the playing field electoral resources remain skewed in favour of incumbency; the 1996 and 2004 election campaigns in particular demonstrated the affluence of incumbency and the penury of opposition. The intriguing point, however, as Election 2000 amply demonstrated, is that incumbency is not always an advantage. Could Election 2008 produce another alteration of power?

Deepening citizens understanding of the electoral system and management and educating them on their civic responsibilities is yet another challenge. Although Ghanaians appear to be generally conversant with their civic responsibilities and are highly committed to democracy, evidence from election observations indicates high levels of ignorance about the laws, procedures and processes of elections. As a result, corrupt voting practices are rampant and pointless arguments provoke conflicts and at times violence. There are indications that election-related violence results, in part, from indiscipline that is engendered by those who believe that the opening of the democratic space gives unbound freedom of expression and action. (Baffour Agyeman-Duah 2005:39).

Isolated cases of election-related violence have broken out before, during and after elections in Ghana. In 2000, the post-election violence in Bawku, the Upper East regional capital was a test case; and in 2004, there were episodes of violence in Tamale, the Northern Regional capital. The arrest and subsequent death in military custody of Alhaji Mobila, the Regional Chairman of the Convention People's Party (CPP) was perhaps the darkest spot in the 2004 elections. There were also incidents of attacks on electoral officers and the burning of ballot materials as well.

Though Article 54 of the 1992 Constitution charged the administrative expenses of the EC on the Consolidated Fund, in practice, the

EC like other constitutional commissions, has been consistently subjected to government budgetary cuts, with serious implications for its efficiency, effectiveness and independence.

Closely related, the most successful innovations, whether by the EC, the political parties or civil society, have been over-dependent on donor funding⁹; and that raises doubt about sustainability when such funds dry up. The frequency of meetings of IPAC and other political party-related bodies have been constrained by availability of donor funds in-between elections.

There are still some flaws in the EC's conduct of elections. For example, the 2004 voter registration exercise was somewhat marred by conflicting directives from the EC and the manner in which the related photo-taking exercise was conducted gave critics the chance to allege that the EC had favoured the incumbent party in its electoral stronghold of the Ashanti Region.

CONCLUSION

This post mortem of electoral politics in Ghana has demonstrated how the country has responded to liberal democracy over the past fifteen years. While Ghana has witnessed a revolution through the ballot the ballot box since its return to constitutional rule in 1993, there are still problems of institution-building; inclusion, accommodation and compromise; incumbency; and ownership of the electoral process, to grapple with. In both its successes and challenges, the Ghanaian experience provides useful lessons for the emerging democracies in the South.

First, Ghana has demonstrated that national constitutions in the South must provide the bedrock for establishing independent electoral bodies free to adopt innovative ideas in the management of the electoral process.

Second, innovation in the electoral process is essential for democratic consolidation. Such innovations, however, must be the collective responsibility of all stakeholders – government and opposition, political parties, civil society, the media, traditional authorities, etc. Not only should innovations take the socio-cultural context into consideration but also they should be seen as an ongoing process which must evolve over time.

⁹ The major donors include the Department for International Development (DFID) Canadian International Development Agency (CIDA), the Danish International Development Agency (DANIDA), International Federation of Electoral Systems (IFES), Friedrich Ebert Foundation (FES) and the United States International Development Aid

Third, the practice of dialogue and consultation among political parties through an intra-party consultative mechanism is an important building block in ensuring peace in electoral politics.

Fourth, even a flawed transition can set the stage for democratic progress if all the stakeholders would effectively play their respective roles.

Lastly, free and fair elections as well as peaceful transfer of power are possible in Africa and such good practices should be published and publicized.

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JORGE ROVIRA MAS*

**ON DEMOCRATIC CONSOLIDATION
IN THE SOUTH: COMMENTS ON
FREMPONG'S PAPER**

FIRST OF ALL, I would like to congratulate CLACSO-APISA-CODESRIA for the organization of this unique and important event and I want thank Ciska Raventós Vorst, my colleague at the Social Sciences Research Institute of the Universidad de Costa Rica, for her invitation to come here and comment on this interesting paper. Last, but not least, I want to express my greetings to Professor Frempong today – March 6th 2007– when the people in the Republic of Ghana are celebrating the fiftieth anniversary of their Independence.

I have organized my comments in five points or propositions.

MY FIRST POINT IS THIS

This paper, from a theoretical point of view, falls within the mainstream approach for the study of the third wave of democratization, known as the *transition/consolidation paradigm*. This wave began in South Europe in 1974 (Portugal and Greece in 1974, and Spain in 1975) and since then has spread all over the world.

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The start of the systematic analysis of this process, specifically the transition to democracy from authoritarian regimes, was spurred by the book edited by Guillermo O'Donnell, Philippe C. Schmitter and Lawrence Whitehead, *Transitions from Authoritarian Rule* (1986). A decade later, these efforts were further explored through two new books devoted to the problems of democratic consolidation: *Consolidating the Third Wave Democracies. Themes and Perspectives* and *Consolidating the Third Wave Democracies. Regional Challenges* (1997), both edited by Larry Diamond, Marc F. Plattner, Yun-han Chu, and Hung-mao Tien.

Although not commonly acknowledged, it was in Central America where the third wave first started in Latin America. The first process of this kind was the *replacement*¹ in 1979 of the Somoza authoritarian regime by the sandinistas in Nicaragua. Immediately after that, in Honduras in 1980, the transition to democracy began when the military government gave up power and, by means of *transplacement*, started the election processes which has held up to this day. The same thing came about in El Salvador (1980, 1982, 1984), and by *transformation* in Guatemala (1984, 1985)², the last country in this region that began the transition and completed the first steps of the democratic consolidation dynamic. In fact, the transition to democracy in Central America as a whole took a long time, from 1979 to 1996, and concluded with the signing of Peace Accords in Guatemala in December of the latter year. All this included civil wars within countries, the low intensity war against the sandinistas in Nicaragua held by the Reagan Administration (1981-1989) in the United States, as well as intense, extended diplomatic work, in which many Latin American governments participated, for around fifteen years.

In my work on the different processes of democratic consolidation in Central America, I have reached the conclusion that there are

1 We can theoretically distinguish "[...] three broad types of processes. Transformations (or in Linz 's phrase, *reforma*) occurred when the elites in power took the lead in bringing about democracy. Replacement (Linz 's *ruptura*) occurred when opposition groups took the lead in bringing about democracy, and the authoritarian regime collapsed or was overthrown. What might be termed transplacement or "*ruptforma*" occurred when democratization resulted largely from joint action by government and opposition groups". See S. Huntington, *The Third Wave. Democratization in the Late Twentieth Century* (USA: University of Oklahoma Press, 1993), P. 114.

2 The earliest and deepest analysis about the elections in Central America and their political meaning along the eighties of the past century were developed by Edelberto Torres Rivas. See especially his book *La democracia posible*, San José: Editorial Universitaria de Centro América-Facultad Latinoamericana de Ciencias Sociales, 1987; and his articles, "Democracias de baja intensidad", *Pensamiento Iberoamericano*, 15, Madrid, 1989, and "Centroamérica: La transición autoritaria a la democracia", *Polémica*, 4, Segunda Época, San José de Costa Rica, March 1988.

six crucial factors in searching for democratic consolidation (Rovira Mas, 1992; 1996; 2000; 2002). They are:

- Number 1: The democratic commitment of the elites.
- Number 2: The civil-military relations.
- Number 3: The dynamics of the party system or how well it is functioning in order to institutionalize the main political conflicts in society.
- Number 4: The electoral institutions, their independence from the main formal or real powers in society and their performance to establish the legitimacy of the elections.
- Number 5: The development of a civic or democratic political culture.
- Number 6: The economic performance of the society over the long run. This factor is important because of its indirect influence on the legitimacy of the political regime.

Having said this, my point here is: How have the main political actors that are undertaking the democratic consolidation process in Ghana dealt with the military factor? How have civilians established supremacy over the military there?

This has been a very important issue in Central America and no less in Latin America in general.

MY SECOND POINT IS THIS

As we all know, Juan Linz stated (1990) that democracies with a parliamentary system of government are more durable than others with presidentialism. This thesis was confirmed by Przeworski, Álvarez, Cheibub and Limongi (1997) in their important paper "What Makes Democracies Endure?" delivered to the Taipei Conference of 1995 on democratic consolidation.

British colonies have had a tendency towards this kind of institutional arrangement and Ghana was a British colony. Therefore, I would like to ask Professor Frempong why you chose presidentialism in your country and which historical and cultural factors were relevant, and what kind of political background intervened in choosing it?

MY THIRD POINT IS

Uruguay was the first country in the world to establish state funding for electoral party campaigns as early as 1928, and the second one was Costa Rica in 1956 (Casas, 2002). This is and has been a very important and disputed issue in modern democracies and, of course, in

those that emerged during the third wave of democratization.

Therefore, how do parties fund their electoral campaigns in Ghana? Is there public funding or only private, and how has this influenced electoral competition and democratic consolidation processes?

MY FOURTH POINT IS ANOTHER QUESTION

We not only have to look at political actors, institutions and the processes of building democratic environments that have been taking place due to the positive outcomes of the transitions and the consolidation of democracies in the South.

What is also important, from a sociological perspective, is to look at the social classes and social forces that have been the main promoters and supporters of democratization. This is what my question is about in the case of Ghana: Which forces have been involved in relation to the level of development of capitalism in this African country?

AND MY LAST POINT IS THIS ONE

When I read the paper and took into account the factors that the author mentioned in order to comprehend the multiple initiatives undertaken by a certain number of public and private institutions in the name of democratic consolidation, one *idea* and one *institution* stood out for me as the most important things to remember.

The idea is this one. The origin and number of initiatives that different groups of society undertake for democratic consolidation is very important. But, at the same time, as important as this is the cooperation between them, and the capacity for jointly building a *momentum* from many sectors and parts of the society in favor of democracy.

Of all the institutions mentioned in the paper, I am most impressed by a real innovative one: the creation in 1994 of the Inter-Party Advisory Committee (IPAC). I think that it was a brilliant political idea, given the circumstances of Ghana after the elections of 1992 and the Constitution adopted in 1993. Even though the composition of the Electoral Commission was very narrow and the influence of the Executive Power in the nomination of its members was very large, this has been a way for the political parties to be indirectly incorporated into the administration of the electoral process. This is always an important point at the very beginning of the institutionalization of democracy.

In some cases in Central America, when guerrillas transformed themselves into political parties and signed Peace Accords, as occurred in 1992 in El Salvador, the Frente Farabundo Martí para la Liberación Nacional (FMLN) asked for a chair within the Electoral Court. This was their way to assure conditions to supervise the general elections of 1994, when all the main political actors participated for the first time.

But this issue is always a central one for the democratic commitment of the elites. In Ghana they solved it in an unusual and workable way.

This idea and this institution are indeed innovative lessons from Ghana which can give us a better understanding of the democratic consolidation processes in the South.

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PART IV

MINORITY RIGHTS AND DEMOCRACY

PART IV

MINORITY RIGHTS AND DEMOCRACY

ASHOK SWAIN*

DEMOCRACY, MINORITY RIGHTS AND CONFLICT PREVENTION IN ASIA

WHY DO DEMOCRACIES ENCOUNTER more violent secessionist movements in comparison to non-democracies? While there is evidence that democratic states contribute to international peace, the converse, that democracies enjoy internal peace, seems problematic. In fact, the evidence seems to suggest that authoritarian states face fewer separatist challenges of a violent nature than do democratic ones. Democracy, which introduces competitive elections, is commonly offered as a solution to political problems. However, in ethnically divided societies, competitive democracy may exacerbate political tension and polarize groups. Are systems of democratic governance incompatible with durable peace in such societies? This work examines how respect for minority rights can contribute to conflict prevention in multi-cultural democracies in Asia.

DEMOCRACY, PEACE AND CONFLICT

Since the end of the Cold War in Europe, the notion that democracy is the ideal form of government has almost become axiomatic, though the empirical evidence for such a normative conclusion is not yet de-

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finite. Closely related is the belief that a community of democratic nations is the best way to maintain domestic and international peace. There is considerable evidence for the democratic peace in international relations,¹ and democracy, or the promise of democratization, has been an integral component in several peace agreements since the end of the cold war, that have ended civil conflict within nations.

In the last two decades, several countries, in Asia, Latin America, and Eastern Europe, have become democratic. The on-going third wave of democratization² began in Southern Europe in the mid 1970s, moved on to Latin America and Asia in the 1980s, and in the 1990s, reached sub-Saharan Africa, Eastern Europe and the Soviet Union.³ This wave, rather tsunami, of democratization, like previous ones is not a smooth and straightforward one. Some countries, like Pakistan and Thailand have also reverted back to military dictatorship. The international donor community is committed to democracy, most importantly by promoting civil society. This commitment may have suffered some serious handicaps after 9-11, but it has still remained the main *mantra* of the aid agencies. Implicit in the literature on democracy is also the idea that a democratic government is the best way to manage conflict, both internal and external. In fact, as Shapiro and Cordon point out, "there is a strong propensity to associate democracy with a wide array of activities and outcomes that people value."⁴

Most of the literature on democracy assumes that it is the best form of government. In fact, in contemporary popular and academic discourse on Afghanistan and Iraq, the mere imposition of democracy was prescribed as the most important step towards peace.⁵ Theoretically

1 Russett, Bruce, *Grasping the Democratic Peace* (Princeton University Press, 1993); Wallensteen, Peter, *Understanding Conflict Resolution: War, Peace and the Global System*, London: Sage Publications, 2002; Spencer, Weart, *Never at War: Why Don't Democracies Fight One Another?* New Haven: Yale University Press, 1998; There are some works, which are critical to this democratic peace concept: Bermer, Stuart A, "Dangerous Dyads: Conditions Affecting the Likelihood of Interstate War, 1816-1965", *Journal of Conflict Resolution*, Vol.36, No.2 (1992); Babst, Dean and William Eckhardt. "How Peaceful Are Democracies Compared With Other Countries," *Peace Research* 24 (1992) pp. 51-57; Henderson, Errol A., *Democracy and War: The End of an Illusion* (Lynne Rienner Publishers, Boulder, 2002).

2 Huntington, Samuel, "How Countries Democratize" *Political Science Quarterly* 106 (4) 1992: 579-616. Huntington, Samuel, *The Third Wave: Democratization in the Late 20th Century* (Norman, University of Oklahoma Press, 1991).

3 Potter, David et al. *Democratization* (Cambridge: Polity Press, 1997).

4 Shapiro, Ian and Casiano Hacker Cordon (eds) *Democracy's Value*, (Cambridge, Cambridge University Press, 1999).

5 Goodson, Larry P, "Afghanistan's Long Road to Reconstruction" *Journal of Democracy* - Volume 14, Number 1, January 2003, pp. 82-89.

cal work on democratic transition and democratization has also emphasized the conflict resolution capacity of democracy. Poe and Tate's conclusion⁶ that there is a negative relation between democracy and the level of repression has been elaborated in several works.⁷ In contemporary academic and popular discourse, the idea that democracy, as such, rather than any other form of government, is the best way to resolve inter-state conflicts has been stressed.⁸ According to Linz and Stepan, "democracy has become the only game in town when no significant political groups seriously attempt to overthrow the democratic regime or secede from the state."⁹

Several theorists have also extended the democratic peace thesis to argue that a "democratic peace" is evident within intra-state conflicts as well.¹⁰ It has been reasoned that democracy reduces the likelihood of discrimination, especially of ethno-political minorities, and thus the likelihood of political repression.¹¹ However, as Errol A. Henderson points out, "the democratic peace proposition" has not been explicitly tested with reference to third world post-colonial states, where most civil wars take place.¹² In recent years, research has attempted to explain why the new democracies have not been able to benefit from the values of democracy. Recently, Thomas Carothers argued, "Many countries

6 Poe, Steven C., and C. Neal Tate, "Repression of Human Rights to Personal Integrity in the 1980s: A Global Analysis," *American Political Science Review*, vol.88, no.4: pp.853-872.

7 Henderson, Conway, "Conditions Affecting the Use of Political Repression", *Journal of Conflict Resolution*, 35: 1991, 120-142; Mitchell Neil, and James McCormick, "Economic and Political Explanations of Human Rights Violations"; *World Politics* 40: 476-98; Ziegenhagen, Eudard, *The Regulation of Political Conflict* (New York: Praeger, 1986).

8 Again, there is criticism of the idea that democratic government will automatically bring peace but this remains a minority view. Pinkney, Robert, *Democracy in the Third World*, Lynne Rienner, (Colorado, Boulder: 2003); Reiter, Dan, "Why NATO Enlargement Does Not Spread Democracy" *International Security*, 25, 4 (Spring), pp.41-67.

9 Linz, Juan J & Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post Communist Europe* (Baltimore: John Hopkins, 1999), p. 5.

10 Matthew, Karin and Marissa Myers. 1997. "Democracy and Civil War: A Note on the Democratic Peace Proposition", *International Interactions*, 23, 1: pp.109-118; Rummel, R.J., "Libertarian Propositions on Violence Within and Between Nations: A Test Against Published Research Results," *The Journal of Conflict Resolution*, Vol. 29 (1985) pp. 419-455.

11 Gurr, Ted, ed. *Minorities at Risk: A Global View of Ethnopolitical Conflict* (Washington DC, US Institute of Peace, 1993).

12 Henderson, Errol A., *Democracy and War: The End of an Illusion* (Lynne Rienner Publishers, Boulder, 2002).

that policy makers and aid practitioners persist in calling “transitional” are not in transition to democracy, and of the democratic transitions that are under way, more than a few are not following the model.”¹³

The latest contribution to the debate has been the argument that a new form of government, “semi-authoritarian”¹⁴ has emerged in the new democracies that rose in the third wave of democratization, and that such “semi-authoritarian” states, rather than representing a transitory phenomenon, are a new political phenomenon in themselves. Such states exhibit the characteristics of both democracies and authoritarian states. They combine rhetorical acceptance of liberal democracy, the existence of some formal democratic institutions, and respect for a limited sphere of civil and political liberties with essentially non-liberal or even authoritarian traits. As Ottaway explains, they “maintain the appearance of democracy without exposing themselves to the political risks that free competition entails.”¹⁵

Others have termed the new democracies “pseudo-democracies”, “semi-democracies”, or “hybrid democracies”.¹⁶ They argue that such “semi-democracies” are more prone to violence than authoritarian or fully consolidated democratic states, which have been conceptualized as being the two ends of the democratic spectrum. Fein argued that the most repressive states are those that exhibit intermediate levels of democracy, the “semi-democracies”, the idea that dominates the debate today.¹⁷ Another explanation, similar to the “semi-authoritarian” thesis, is that there has been that a “premature closure” of the transition process –through the establishment of formal procedures

13 Carothers, Thomas, “The End of the Transition Paradigm” *Journal of Democracy*, Volume 13, Issue 1 (2002) pp. 5-21. Quote in page 6. For a lively debate on the Transition paradigm see *Journal of Democracy* Volume 13, Issue 3 (2002).

14 Brumberg, Daniel, “Democracy in the Arab World? The Trap of Liberalized Democracy” *Journal of Democracy*, Volume 13, Number 4 October 2002.

15 Ottaway, Marina S. *Democracy Challenged: The Rise of Semi-Authoritarianism*, Washington, DC: Carnegie Endowment for International Peace, 2003. Ottaway argues that such regimes abound in former Soviet successor states like Kazakhstan and Azerbaijan, in sub-Saharan Africa. In these countries, most of the multiparty elections of the 1990s failed to produce working parliaments or other institutions capable of holding the executive even remotely accountable. Such regimes exist in the Arab world, in the Balkans, and in Latin America, where she argues that Venezuela and Peru have regressed to this state of affairs. In Asia, she classifies the states of Malaysia, Singapore and Pakistan as “semi-authoritarian” states.

16 Håvard, Hegre, et al, 2001. “*Toward a Democratic Civil Peace? Political Change and Civil War, 1816-1992*”, *American Political Science Review*, Vol.95, No.1, March.

17 Fein, Helen “More Murder in the Middle: Life Integrity Violations and Democracy in the World, 1987” *Human Rights Quarterly* 17, 1: 170-191, 1995.

and institutions, before a real change in the nature of power— has taken place.¹⁸ However, these explanations, still bypass the essential question, as to whether democracies sharpen or lessen ethnic division by conceptualizing an “ideal” democracy, and then trying to explain anomalies that rise from this. Moreover, the “semi-authoritarian” conception, while being an important contribution to the literature on democracy, does not explain why a number of consolidated democracies, like India, Turkey, Sri Lanka, Israel or even the UK and Spain face violent separatist challenges within their state borders.

Thus, current literature has focused on the transition paradigm, or on an attempt to define a particular democratic polity as imperfect, while keeping the ideal of democracy intact. Such an approach, however, is not able to explain a crucial point. Why have democracies, even consolidated ones, witnessed violent separatist movements? Countries that are mature and stable democracies—and with an inclusive form of society— such as India, have even faced several violent separatist challenges. This goes against the prevailing notion of the co-relation between democracy and internal peace.

Several research works have already pointed out that the type of political system sharply affects the nature of protest in a state. The democracies are supposed to have more extensive but less deadly protest than the autocracies.¹⁹ The structure and ethos of democratic regimes are such that they are adjusted to respond to limited challengers in a conciliatory way, which reinforces the utility of protest over rebellion for the opposition groups. On the other hand, authoritarian regimes generally rely more on coercive control, which increases the relative utility of rebellion for challengers. It has been argued that the extent of political repression depends on the level of threat faced by a government,²⁰ and that democracies repress less as they face different types of threats when compared to autocracies, or because they did

18 Ohlson, Thomas, and Soderberg, Mimmi, *From Intra State War to Democratic Peace in Weak States*, Uppsala Peace Research Papers Number 5, Department of Peace and Conflict Research, Uppsala University, Sweden, 2002, p.5.

19 Gurr, Ted R. “Why Minorities Rebel: A Global Analysis of Communal Mobilization and Conflict since 1945” *International Political Science Review*, vol. 14, no. 2, 1993; Swain, Ashok, *Social Networks & Social Movements: Are Northern tools Useful to Evaluate Southern Protests*, Uppsala Peace Research Paper No. 4, 2002; Zimmermann, Ekkart, “Macro-Comparative Research on Political Protest”, in Ted R. Gurr, ed., *Handbook of Political Conflict: Theory and Research* (New York: Free Press, 1980), pp. 167-237.

20 Gartner, Scott S. and Patrick M. Regan, “Threat and Repression: The Non Linear Relationship between Government and Opposition Violence”, *Journal of Peace Research* 33: 3, 273-288, 1996.

not view dissent as threatening to the regime.²¹ Ronald A. Francisco's empirical evaluation of the relationship between coercion and protest in three coercive states (the German Democratic Republic, Czechoslovakia, and the Palestinian *Intifada*) finds that the protesters react violently to extremely harsh coercion.²²

It is true that democracies have not faced, in general, rebellions that have regime change as their aim, but rather secessionist movements. According to the Uppsala Conflict Data Project, Russia, Turkey, India, Indonesia, Sri Lanka, Senegal, Philippines are among the democracies that faced separatist violence. There is no doubt that democracies face more separatist violence than non-democracies. Even several "mature" democracies are facing a number of violent separatist challenges at present or they have faced in the recent past.

Certainly, there is a "dearth of practical advice for policy makers on how to design and implement democratic levers that can make peace endure".²³ It is important to closely examine why democracies do not experience rebellions for the regime change but at the same time, they have been facing violent separatist conflicts. A thorough research undertaking requires evaluation across the spectrum of non-democratic, semi-democratic, or democratic states. This paper tries to examine how democratic process contributes to the internal conflict escalation and conflict resolution, particularly in Asia.

DEMOCRACY AND PEOPLE

There is the debate between whether democracy must be defined in the most minimal way, or if it should be defined as all encompassing. One of the most basic definitions of the concept has been the minimalist definition of the Italian philosopher Norberto Bobbio, that democracy is in essence, the replacement of the power of persuasion over that of force.²⁴ As he put it, "What is democracy, other than a set or

21 Davenport, Christian, "Human Rights and the Democratic Proposition", *Journal of Conflict Resolution*, 43, 1: 92-116, 1999.

22 Francisco, Ronald A., "The Relationship Between Coercion and Protest: An Empirical Evaluation in Three Coercive States" *Journal of Conflict Resolution*, 39:2 (June 1995):263-282. However, by bringing in the role of international context and the importance of press freedoms and information flows, Kurt Schock finds, in a comparative study of the Philippines and Burma, the excessive repression of authority might be able to curb the popular protest. Schock, Kurt, "People Power and Political Opportunities: Social Movement Mobilization and Outcomes in the Philippines and Burma", *Social Problems*, vol. 46, no. 3, August 1999, pp. 355-375.

23 Harris, Peter and Reilly, Ben(eds), *Democracy and Deep Rooted Conflict: Options for Negotiators*, Stockholm: International IDEA Handbook, 1998.

24 Zolo, Danilo, *Democracy and Complexity: A Realist Approach* (Polity: Polity Press, 1992), p. 99.

rules, for the solution of conflict without bloodshed?"²⁵ The classic definition by Schumpeter²⁶ was that democracy was merely a system in which rulers were selected by competitive elections, while Popper²⁷ defined it as a means by which people removed rulers without resource to force. In contrast to this minimalist expectation, Dahl's concept of "polyarchy" asks for the presence of elected officials, free and fair elections, inclusive suffrage, the right to run for public office, freedom of expression, existence and availability of alternative information, and associational autonomy, as essential to democracy.²⁸ Diamond also supports Dahl's framework in his work.²⁹

However, in democratic states that face violent separatist conflict, neither the minimal nor the all-encompassing models seem to have the desired effect. In other words, despite the manner in which democracy is defined, there is a possibility of separatist conflict. And the exact definition of democracy is still contested in many transitory democracies that face numerous challenges such as the need for popular legitimacy, the shallow roots of democratic values, weak party systems, organized factional interests and complicated electoral rules. Such systems also struggle with the customization of politics, the decentralization of state power, the introduction of mechanisms of direct democracy, judicial reform, the alleviation of poverty, and economic stabilization, to name just a few of the trials that they face.³⁰ Przeworski argues that majoritarian politics do not converge on common interests, in modern polities, and that elections do not represent the general will.³¹ Democracy can be defined as a system where the government is in power by the consent of the people and the government is accountable to the governed. All these are crucial, and the denial of one of these leads to a crisis of legitimacy of the state. In fact,

25 Shapiro, Ian and Casiano Hacker Cordon (eds) *Democracy's Value*, (Cambridge, Cambridge University Press, 1999), p. 23.

26 Schumpeter, Joseph A., *Capitalism, Socialism and Democracy* (New York: Harper & Brothers, 1942).

27 Popper, Karl, *The Open Society and its Enemies* (London: Routledge and Kegan Paul, 1962).

28 Dahl, Robert A., *Preface To Democratic Theory* (Chicago: University of Chicago Press, 1956).

29 Diamond, Larry *Developing Democracy- towards consolidation* (John Hopkins University Press, 1999).

30 Schedler, Andreas, "What is Democratic Consolidation?" *Journal of Democracy* 9.2 (1998) 91-107.

31 Przeworski, Adam, "Minimalist Conception of Democracy: A Defense" in Ian Shapiro and Casiano Hacker Cordon (eds) *Democracy's Value*, (Cambridge, Cambridge University Press, 1999).

the policies followed by several, which consistently held recourse to the argument that democracy meant majority rule in refusing to constitutionally guarantee minority rights, put the minority in a position closely comparable to the subjects of arbitrary power.³²

In recent years, there is a growing interest to apply the “inclusion” approach³³ while doing democratic auditing of a particular state.³⁴ This approach has been pioneered by Young³⁵, who fashions the concept of “deep democracy” arguing that most democracies today are plebiscite democracies, in which “candidates take vague stands on a few issues, citizens endorse one or another, and then have little relation to the policy process until the next election”.³⁶ As she puts

32 O'Brien, Conor Cruise, “Terrorism under Democratic Conditions: The Case of the IRA”. Chapter 5, pp. 91-104 in: Crenshaw, Martha (ed) 1983. *Terrorism, Legitimacy, and Power: The Consequences of Political Violence*. Wesleyan University Press, Middletown, Connecticut. Roeder argues for institutional guarantee of minority rights against a predatory majority in a democracy. Arguing against the power sharing arrangements, he advocates in favor of divided power arrangements that are more likely to deter the escalation of ethnic crisis to ethno national crisis. Philip Power G. Roeder, “Dividing as an Alternative to Ethnic Power Sharing”, Paper presented at the 2003 Annual Meeting of the International Studies Association, Portland Hill, Portland, Oregon, February 26-March 1, 2003

33 For criticism on the inclusive democracy thesis, see Roemer, John. E “Does Democracy engender justice?” 2003, Discussion Paper 03-08, University of Copenhagen. Department of Economics (formerly Institute of Economics), pp.56-88;; Maskin, Eric, and Partha Dasgupta and “Democracy and Other goods,” pp. 69 to 90, in Ian Shapiro and Casiano Hacker Cordon (eds) *Democracy's Value*, (Cambridge, Cambridge University Press, 1999).

34 Recent research has focused on how democracy can be defined, and measured. Among the questions that have been raised are if democracies be measured objectively, and can they ranked as mature, transition, and lacking? Beetham, David (ed), *Defining and Measuring Democracy*, Sage Modern Political Series, Volume 36, (Sage Publications New Delhi 1994). On the other handsome others argue that democracy cannot be easily measured, as the theoretical conception of democracy cannot be operationalized as it is extremely multi-dimensional. Elklit, Jorgen, “Is the Degree of Electoral Democracy Measurable? Experiences from Bulgaria, Kenya, Latvia, Mongolia, and Nepal, David Beetham (ed), *Defining and Measuring Democracy*, Sage Modern Political Series Volume 36, (Sage Publications New Delhi 1994); Haynes, Jeff, *Democracy in the Developing World: Africa, Asia, Latin America, and the Middle East* (Polity: Cambridge, 2001).

35 Iris Marion Young, ed., *Inclusion and Democracy* (Oxford: Oxford University Press, 2000). Among other theorists of this approach, which in essence can be defined as the idea that anyone who is affected by a decision should have a say in the taking of that decision, are: Dennis Thompson and Amy Gutmann, *Democracy and Disagreement* (Cambridge, Massachusetts: Harvard University Press, 1996); Christiano, Thomas, *The Rule of the Many* (Boulder, Colorado, Westview Press, 1996).

36 Iris Marion Young, ed., *Inclusion and Democracy* (Oxford: Oxford University Press, 2000), p. 5.

it, "The normative legitimacy of a democratic decision depends on the degree to which those affected by it have been included in the decision making process and have had the opportunity to influence the outcomes." Klare, for example, has suggested a definition of a new "post liberal" conception of democracy, one that is "more egalitarian, participatory, and environmentally sensitive."³⁷

If such a broadening is possible, then does such an approach have relevance in countries such as India, Sri Lanka, Philippines, Thailand and Indonesia? Is the lack of inclusion, or a perceived feeling of exclusion the root cause of alienation, that is then expressed in terms of a separatist violent struggle? If this is the case, then how can it be approached?

DEMOCRACY AND MINORITY CHALLENGES

Democracy, which introduces competitive elections, is commonly offered as a solution to political problems. However, as Przeworski points out elections may not represent the will of all population groups.³⁸ Several countries consistently argue that majority rule renders constitutionally guaranteed minority rights unnecessary. For example, in Sri Lanka or Turkey a minority has been denied all participation in the democratic process, other than voting and being automatically outvoted. There are several countries, like these two, that refuse to follow international human rights standards, subjecting minorities to arbitrary power by a predatory majority.³⁹ In a democracy, the majority has the ability to abuse its electoral power against the minority or to elect a government that imposes laws and mores of one religion.⁴⁰

Diversity poses significant challenges for democratic politics. History plays an important role in shaping this diversity. Most of the

37 Klare, Karl "Legal Theory and Democratic reconstruction: Reflections on 1989" in G.S. G. Skapska (eds), *Alexander A Fourth Way*, New York and London: Routledge, 1994.

38 Przeworski, Adam, *Minimalist Conception of Democracy: A Defense* in Ian Shapiro and Casiano Hacker Cordon (eds) *Democracy's Value*, (Cambridge, Cambridge University Press, 1999).

39 O'Brien, Conor Cruise. 1983. 'Terrorism under Democratic Conditions: The Case of the IRA.' In Martha Crenshaw (ed.), *Terrorism, Legitimacy, and Power: The Consequences of Political Violence*. Middletown, CT: Wesleyan University Press.; Roeder, Philip G. 2005. 'Power-Dividing as an Alternative to Ethnic Power-Sharing.' In Philip G. Roeder and Donald Rothchild (eds), *Sustainable Peace: Democracy and Power Dividing Institutions after Civil Wars*. Ithaca: Cornell University Press; Swain, Ashok (ed.). 2005. *Education as Social Action: Knowledge, Identity and Power*. Houndmills and New York: Palgrave Macmillan and UNRISD.

40 Clemens, Walter C. Jr. 2002. 'Complexity Theory As A Tool For Understanding and Coping With Ethnic Conflict and Development Issues in Post-Soviet Eurasia.' *International Journal of Peace Studies*, vol. 7, no. 2, pp. 1-15.

post-colonial states face the absence of consensus on their nationhood due to their colonial masters' construction and politicization of the diversity to keep them in power. Democracy is also inherently difficult in ethnically or culturally segmented societies as it can encourage zero-sum political behavior, particularly by the majority group.⁴¹ Thus as Sisk argues: "Minorities, particularly, equate democracy not with freedom or participation but with the structured dominance of adversarial majority groups."⁴² This may explain why a number of well-established democracies as well as countries engaged in a transition process, face violent challenges from minority groups within state borders. It shows an inherent weakness in democracies, that majority rule is not necessarily friendly to or understanding of minorities and their desires and needs.⁴³ This does not mandate an abandonment of democracy, but it suggests that efforts at democratization should be guided by the realization that it is a conflict-driven process which may exacerbate inequalities and encourage affected groups to pursue insurgency.⁴⁴ Institutionalized power sharing mechanisms, for example, may offer incentives for cooperation between ethnic groups.⁴⁵

At the same time we need to take into account that increasing ethnic diversity does not undermine democracy per se. Some argue that it is likely that a high level of ethnic fragmentation can actually

41 Reilly, Benjamin. 2001. *Democracy in Divided Societies: Electoral Engineering for Conflict Management*. Cambridge: Cambridge University Press; Reilly, Benjamin. 2002. 'Electoral Systems for Divided Societies.' *Journal of Democracy*, vol. 13, no. 2; Varshney, Ashutosh. 2001. 'Ethnic Conflict and Civil Society: India and beyond.' *World Politics*, vol. 53, no. 3, 362-98.

42 Sisk, Timothy D. 1996. *Power Sharing and International Mediation in Ethnic Conflict*. New York: Carnegie Commission on Preventing Deadly Conflict & Washington, DC: United States Institute of Peace, p. 31.

43 Alfredsson, Gudmundur and Danilo Turk. 1993. 'International Mechanisms for the Monitoring and Protection of Minority Rights: Their advantages, disadvantages and interrelationships.' In *Monitoring Human Rights in Europe: Comparing international procedures and mechanisms*. Dordrecht: Martinus Nijhoff Publishers; Ottaway, Marina S. 2003. *Democracy Challenged: The Rise of Semi-Authoritarianism*. Washington, DC: Carnegie Endowment for International Peace.

44 Henderson, Errol A. 2002. *Democracy and War: The End of an Illusion*. Boulder: Lynne Rienner Publishers.

45 Hartzell, Caroline and Matthew Hoddie. 2003. *Institutionalizing Peace: Power Sharing and Post-Civil War Conflict Management*. Berkeley, Los Angeles and London: University of California Press.; Hartzell et al. (2003); Lijphart, Arend. 1977. *Democracy in Plural Societies*. New Haven: Yale University Press; Sisk, Timothy D. 1996. *Power Sharing and International Mediation in Ethnic Conflict*. New York: Carnegie Commission on Preventing Deadly Conflict & Washington, DC: United States Institute of Peace.

help democratic consolidation if no group has the capacity to control power alone.⁴⁶

The ideals that shape democracy, which has become the favored system of modern state rule, are supposed to make it the best option for ethnic minority protection and preservation of their identity. The rising prominence of minority rights and identity has required a fundamental shift of focus for democracies to try and accommodate these groups in the best possible manner.

Despite its imperfect nature, democratic system seems to offer the most promising situation for minorities. The most common grievance of any ethnic group is the inability to be heard, but a functioning democracy usually allows for the opportunity of all members to have a voice. As Amartya Sen notes, “the right to freedom of speech is...the precondition for having any other rights at all.”⁴⁷ In a non-democratic set up, this is impossible. The expression of political demands as made available in most democracies does allow for dissent and some organized structure for group conflict. It can be argued that some variations of democracy are more successful in accommodating minorities than others.

Democracy is a delicate plant that thrives only if the soil is carefully cultivated. Good governance is necessary for the survival of democratic values, meaning equal opportunities for participation by all, vibrant civil society, transparency, accountability and the rule of law. The legitimacy of a democratic process depends on the degree to which those affected by it have been included in the decision making process and have had the possibility to influence the outcomes. A dynamic and structured civil society can hold governments accountable and can form the basis of a democracy. However, democracy is a recent visitor to many parts of Asia and it is a bit early to get an appropriate audit of the democratic development in the region.

DEMOCRACIES AND SEPARATIST VIOLENCE IN ASIA

For new Asian democracies, it is a major challenge to establish how the minority population can be integrated while guaranteeing respect for their group rights as well as individual rights in the democratic consolidation process, in order to further strengthen the internal peace, stability and security. Making the problem worse for these emerging democracies, which have been conceptualized as being between the

46 Reilly, Benjamin. 2000. ‘Democracy, Ethnic Fragmentation, and Internal Conflict.’ *International Security*, vol. 25, no. 3, pp. 162-85.

47 Amartya Sen, ‘Human Rights and Economic Achievements,’ in Bauer and Bell, *The East Asian Challenge for Human Rights*, 92.

two ends of the democratic spectrum, research in recent years shows that they are more prone to ethnic violence than authoritarian or fully consolidated democratic states.⁴⁸ Especially in transitory democracies, communal groups have opportunities for mobilization, while at the same time the state lacks resources and strong institutions to reach the kinds of accommodation typical for established democracies.⁴⁹ As a result, in countries like the Philippines and Indonesia the transition process is facing periodic closures. Democracy has already been replaced by military dictatorship in Thailand.

Table 1
Asian Democracies and Minority Violence

Country	Democratic Score: Freedom House 2006	Democratic Score: Economist Intelligence Unit, 2007	Violent Demand for Statehood by Minorities (UCDP) 2005
India	Free	Flawed Democracy (rank 35)	Assam - Kashmir Manipur - Nagaland
Indonesia	Free	Flawed Democracy (rank 65)	Aceh
Philippines	Partly Free	Flawed Democracy (rank 63)	Mindanao
Sri Lanka	Partly Free	Flawed Democracy (rank 57)	Eelam
Thailand	Partly Free	Hybrid regimes (rank 90)	Patani

Source: www.pcr.uu.se, www.freedomhouse.org, www.economist.com.

The regular disturbances on the path of democratic consolidation are further complicating the relationship between the ethnic groups and the state. Democratically elected leaderships in these countries are still weak and are trying to establish full control over the state power. In their quest for power, they try to follow the strategy of confrontation rather than the policy of accommodation as the 'tough' stance against the minority challenge gets the approval of the majority community. This policy helps in the electoral competition as it has been clearly demonstrated in recent elections in Thailand, Indonesia and Sri Lanka. However, the weak democratic regimes, unlike their authoritarian

48 Hegre, Håvard, Tanja Ellingsen, Scott Gates, and Nils Peter Gleditsch. 2001. 'Toward a Democratic Civil Peace? Political Change and Civil War, 1816-1992.' *American Political Science Review*, vol. 95, no. 1.

49 Ibid.

predecessors or counterparts, are not capable of enforcing complete control over the newly mobilized minorities. Results from the 2002-2003 East Asia Barometer Survey show that the respondents in East Asian democracies covered by the survey, including the Philippines and Thailand, overwhelmingly prefer democracy to authoritarianism as a regime, but when it comes to norms and processes, many of them have yet to shed their authoritarian habits and mindsets.⁵⁰

INDIAN EXPERIENCE

It is very difficult to definitely conclude as to why India, despite being a strong and stable democracy is facing several separatist violent conflicts. In *prima facie*, India seems to be a country where the “democratic peace proposition” for internal peace seems to have failed. However, in spite of hosting a number of violent secessionist movements, India has established a consolidated democracy. With the help of its democratic institution, it has been able to bring peaceful and lasting solutions to several minority challenges: Sikhs in Punjab, Tamils in India, and Gorkhas in West Bengal to name a few.

India has always been a surprise for theorists of democracy. It has consistently defied those who prophesied its imminent demise.⁵¹ In spite of a fissiparous society and considerable socio-economic challenges, including abject poverty, widespread illiteracy, and a deeply hierarchical social structure, all of which, in theory, are uncongenial for a flourishing democracy, India’s democracy shows no signs of withering away. Most analysts agree that crucial to the survival of democracy in India has been the nature of the Indian state, and its willingness to bargain and accommodate varying interests. This has been seen as key in maintaining the democratic system despite the deep divisions in society. In the most radical of these approaches, Lijphart⁵², for example, has insisted that India fits neatly into the consociational paradigm, though it does not seem to be so at first glance, and even though the consociational system has not been formally enshrined in the Indian

50 East Asia Barometer Surveys 2002-2003. Data analyzed by Chull, Doh and Jason Wells. 2005. ‘Is Democracy the only Game in Town?’ *Journal of Democracy*, vol. 16, no. 2, pp. 88-101.

51 As the country went to the polls for the second time in 1957, Selig Harrison, in an oft quoted remark, said, “the odds are wholly against the survival of freedom...in fact, the issue is whether any Indian state can survive at all,” *India: The Most Dangerous Decades* (Princeton, 1960), p. 338.

52 Arend Lijphart, “The Puzzle of Indian Democracy: A Consociational Interpretation”, *The American Political Science Review*, Vol. 90, No. 2. (Jun., 1996), pp. 258-268. Also, Lijphart, Arend. 1977. *Democracy in Plural Societies*. New Haven: Yale University Press.

polity. He argues that Indian democracy has displayed all four crucial elements of power-sharing theory, which are: (a) grand coalitions that include representatives of all major groups (b) cultural autonomy for these groups (c) proportionality in political appointments and civil service posts (d) a minority veto with regard to vital minority rights and autonomy.

These may at first glance seem a rebuttal of the majority system, or the “winners take all system”, with concentration of power in bare one party majority governments, centralized power, a disproportional electoral system, and absolute majority rule, that has characterized the Indian political system. However, Lijphart argues that the federal arrangements in which states and linguistic boundaries largely coincide, the rights of religious and linguistic minorities to have autonomous schools are protected, and the existence of separate “personal laws” for the minorities, make India a good case for the consociational system. Though Lijphart’s argument has been criticized⁵³, what is important in the Indian system, is the willingness to compromise. Bargaining is crucial to this process. Kanti Bajpai,⁵⁴ for example, argues that the Indian package to deal with ethnic relations, has consisted of three main elements: (a) a political order marked by liberal constitutionalism, state backed secular nationalism, and state led social modernization and economic development (b) power sharing in terms of group rights and the devolution of authority to ethnic based lower levels of government, and, finally, coercion and force if the first two failed.

Within the democratic framework, it is possible to follow an inclusive model like the consociational model. What is important is that *democracy per se is not the means to conflict resolution, as majoritarianism, again a crucial component of democracy, can be used to exacerbate ethnic conflict*. As Lijphart points out, “the most serious obstacle to power sharing in divided societies is the presence of a solid majority that, understandably, prefers pure majority rule to consociationalism”. It is extremely important to establish a democratic state that appropriately accommodates the ethnic and religious diversity of the country. Yet such concessions have kept many modern states unified and democratic in the face of possible succession.

53 For an explicit and complete rejection of the consociational theory with regard to India see Paul R. Brass, *The Politics of India Since Independence* (Cambridge: Cambridge University Press, 1991) pp. 342-343.

54 Kanti Bajpai, “Diversity, Democracy and Devolution in India”, in Michael E. Brown and Sumit Ganguly, eds., *Government Policies and Ethnic Relations in Asia and the Pacific* (Cambridge: MIT Press, 1997), pp.33-83.

CONCLUDING REMARKS

In recent times there has been a greater recognition of 'group rights' and as such the responsibility of the state to offer special treatment and protection of the minorities, as opposed to blanket individual rights to all citizens of the state. Yet the intriguing question is how a balance can be achieved between protecting the notion of the individual and the sovereign state, whilst not neglecting a minority, which most often has valid claims to special recognition. Equality before the law does not necessarily equate to equality for all people.

Granting greater group rights to minorities, or, often enough, just adhering the procedures and legislation that already exist is almost enough to prevent ethnic conflict from breaking out in a democracy. Self-identity, some form of self-rule and pride go a long way to empowering minorities. The lack of a voice is perhaps the greatest grievance of minorities, which includes recognition of the special nature of their people, culture and language. Not ensuring such opportunities for minorities, whether it is manifested through economic discrimination, communal violence or elsewhere is the peril of ignoring such concessions.

In order to achieve their best interests, and as such prevent minority opposition, the political system of the nation-state is most important. A mature, stable democracy represents the best chance for minorities to achieve the education, health, economic status and religious freedom that prevent them from enacting their frustrations through violence. Furthermore, such a system, with its established institutions and 'healthy' civil society most often sees minority protest in the form of non-violent marches or actions, which is also best for the state. New democracies, that is, those nations with a short history of democracy are the states that are most vulnerable to minority ethnic violence. Such a system allows for the gathering of minorities who can plan insurrection, but also is a system without the strong institutions to grant concessions and cope with dissent. However, the old democracies if they lack flexible approach to address minority issue, may also face violent opposition from minority communities. The conflict in Sri Lanka is a good example of this. In the case of India, the democratic institutions have helped to bring peaceful solutions to several violent minority movements by accommodating various demands. Where the accommodation policy has failed, conflict still continues as it has been in the case of Kashmir.

Violence as a solution to minority concerns only takes place under certain circumstances. A state that will not allow a minority voice allows for problems to be bottled up, to potentially become explosive in the form of ethnic violence. There are numerous solutions propo-

sed in improving minority situations, and also in dealing with minority violence. Each minority group is unique in its own way. Although each strategy has its merits, there are certainly common elements. There needs to be institutional variations within each country's democracy, regarding electoral laws, timing of elections, drawing of provincial boundaries and choice between majoritarian or consociational structures. Such decisions need to be made to include minorities to create a system that suits the unique situation of each individual country. More often than not, in a democracy the legislation exists for all manner of minority concerns; the problem is making it more streamlined and more accessible to those who need it most. Greater recognition, cooperation and conciliation, using all the available facilities would, more often than not solve most of the problems. It is necessary that the loser of an election believes that their group rights will be protected and that there will be an opportunity in the future for electoral success. Where systematic abuse exists and is perpetuated by an all-powerful group, the international community has a greater responsibility to ensure that the existing legislation is followed, and that there are repercussions for not doing so.

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