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‘Colonisation of a sympathetic type? The culture of democracy’

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CHAPTER FOUR:
COLONISATION OF A SYMPATHETIC TYPE?:
THE CULTURE OF DEMOCRACY

Does democracy mean the same to everyone – or does our culture determine what sort of democracy we want – or, indeed, whether we want democracy at all?

The argument developed here began with a claim that the 'consolidation' literature sought to impose on the South a culturally-determined view of Northern democracy as a 'finished product'. But the analysis thus far is also arguably open to a charge of cultural imposition because it has assumed that the equation of democracy with popular sovereignty is universal, applying to all societies regardless of culture. This claim is repeatedly challenged by critics who insist that culture plays a key role in determining attitudes to governance, ensuring differing understandings of the appropriate relationship between political authority and the governed, depending on cultural context.

We have dealt, to a degree, with the conservative version of this view in the previous chapter – the view of, among many others, Lipset that certain cultures are not disposed to democracy, at least until they have reached a level of economic development which enables them to absorb enough Northern cultural traits to make democracy a possibility. This approach is, of course, echoed in the constant refrain both of authoritarian governments and of Northern cultural supremacists that Africans, Asians, Eastern Europeans, Muslims, or some Latin Americans, are 'not ready for democracy'.[1]

But, if the explicit or implicit claim that some people are not ready for democracy often emanates from those who see the Northern cultural mainstream as an exemplar which all societies should adopt, much the same sort of argument is made by scholars whose chief concern is precisely the opposite – to insist on the right of other cultures to avoid Western imposition. Here the concern is not to demonstrate that Southern cultures are not yet ready for democracy, but to show that Northern imposition on the South of particular understandings of democracy is a form of cultural imperialism because it ignores the differing – but not inferior – understandings of governance held by the cultures of the South. This raises the possibility that the notion of democracy as popular sovereignty may itself be culturally loaded and inappropriate to the South.

This charge is open to an *a priori* objection – that the notion of popular sovereignty can never be a cultural imposition because its premise is not that a particular set of institutions and practices needs to be adopted by democratic societies, but that the society needs to be able to govern itself in a way which allows everyone with a stake in the political community to a say in how it is governed – as well as in substantive decisions. Viewing democracy as popular sovereignty is not, therefore, an attempt to impose particular values on society but seeks rather to provide a means of ensuring that these

[1] Thomas Carothers notes 'the long-standing Cold War mindset that most countries in the developing world were "not ready for democracy". Thomas Carothers The End of the Transition Paradigm
Journal of Democracy Vol 13, No 1, January 2002, pp. 5-21

values are freely determined by all in that society and are not therefore imposed by an elite. Viewing democracy as popular sovereignty is an insistence on the right of each society to decide its own rules and practices, provided only that thus be done in a manner which allows all a say and which enables the majority to rule. To regard this as an imposition is, therefore, to insist that there are some societies in which people freely choose not to exercise sovereignty.

The notion that the right to choose is a Western cultural imposition – which is what the claim that popular sovereignty is foreign to indigenous cultures in the South amounts to – is particularly odd when we consider that much Northern intervention during the past few decades has been concerned not with encouraging societies of the South to choose, but with intervening when their choices are considered to threaten the interests of more powerful states. The record of major powers in limiting Southern choices during the Cold War is well-known enough not to require repetition here- suffice it to say that, in Africa, it dates literally from the first months of independence, from the overthrow of Patrice Lumumba's elected Congolese government.[2] Chapter Two has already noted the use of Northern power to erode or deny popular sovereignty in the South where that was seen to threaten the North's strategic interests during the Cold War or, latterly, to offer succour to Islamic fundamentalism. In these and other cases, Northern imposition has consisted not of imposing on the South freedom of choice, but of denying that freedom, so central to liberal democratic norms, when its results have seemed inconvenient. The North has not imposed itself on the South when it has supported freedom to choose, but when it has sought to deny that right. To insist that the freedom of electorates to choose is a cultural imposition is, therefore, profoundly to misunderstand the North's historic role in the South. Colonisation has consisted of repeated attempts to deny popular sovereignty to the South, not to extend it – even if attempts to deny Southern political communities the right to decide is frequently clothed in the rhetoric of democracy and human rights.

Nevertheless, that Southern cultures are averse to choosing is precisely what the school of scholarship which seeks to 'rescue' the South from Northern imposition seeks to show – it is concerned to insist that there are Southern understandings of power and authority which predispose citizens to reject the exercise of popular sovereignty. Ironically, however, they cannot do this without endorsing, albeit from a different normative perspective, the cultural assumptions of the Northern mainstream they are concerned to challenge– in its zeal to insist that the South should not be subjected to the North's vision of democracy, this scholarship tends to assert that democracy understood as popular sovereignty is a Northern imposition which is foreign to Southern culture. There is, to be sure, a difference – while the mainstream view assumes that Southern cultures are not good enough for democracy as it is understood in the North, this view suggests that Northern understandings of democracy are not good enough for some Southern cultures. But the concrete effect is the same – to insist that popular sovereignty is not the cultural choice of those in the South on whom it is imposed.

[2] 'The C.I.A played a direct role in influencing Kasavubu's decision to depose Lumumba on 5 September, 1960…' Rene Lamarchand 'The CIA in Africa: How Central? How Intelligent? ' *Journal of Modern African Studies* Vol 13, No 3 (September, 1976) pp. 401-426, p. 413

Different Strokes for Different Folks: Cultural Relativism as Popular Disempowerment

An example of this approach is a study of Botswana by the celebrated anthropologists John and Jean Comaroff. [3]

The authors are concerned to challenge the Northern tendency to 'ascribe the recent push for democracy in many parts of the world to the … "triumph" of the free market over communism' and the 'hegemonic, indeed ontological, association in the West of freedom and self expression with choice'. [4] They seek to develop a specifically African understanding of democracy, one which will answer the question 'what might democracy actually *mean* in Africa?'[5] Their answer is likely to be particularly congenial to elites who seek to insulate themselves from popular sovereignty. First, they report significant support in Botswana, a multi-party democracy, for the idea of a one-party state. This, they say, surfaced in 1974, in the period preceding the country's third general election. They insist that support for one partyism did not come primarily from governing party voters – opposition supporters were 'enthusiastic protagonists' – that it was not engineered by party bosses and that its advocates insisted that one-partyism would bring more participatory democracy.[6] They seek to explain this as an expression of traditional cultural understandings of good government which, in their view, place great emphasis on traditional hierarchy.

While Botswana has held regular multi-party elections since independence, these have, they argue, been understood by voters through the lens of indigenous understandings: voters believe that they are electing a chief, not a democratically accountable president. For this reason, they tend not to vote when the sitting president is seeking re-election: in these elections, they assert, percentage polls drop dramatically because part of the public believe that there is no need to re-elect the president and therefore 'do not go to the polls until a new President is chosen'. In addition, voters do not see a need to vote when they are happy with government performance and low polls are therefore a sign of approval.[7] Further evidence of Botswana voters' devotion to leaders is said to be a survey conducted by the authors which found that only 45 per cent of people questioned knew the identity of their parliamentary representative. This is said to confirm that voters adhere to the Tswana tradition in which 'a leader is responsible for the personnel of his/her regime..'[8] All this is said to explain the supposed preference for a one-party state. Botswana voters, we are told, express a call 'for a (re)turn to substantive democracy' and a rejection of the

[3] John L Comaroff and Jean Comaroff 'Postcolonial Politics and Discourses of Democracy in Southern Africa: An Anthropological Reflection on African Political Modernities' *Journal of Anthropological Research*, Vol. 53, No. 2. (Summer, 1997), pp. 123-146.
[4] Comaroff and Comaroff, p.124, 125
[5] Comaroff and Comaroff', p.127. Emphasis in original
[6] Comaroff and Comaroff', p.128
[7] Comaroff and Comaroff', p.138
[8] Comaroff and Comaroff', p.138

chimera that freedom is the right to choose'. It therefore rejected the 'Western model' and '..spoke of a specifically African alternative'.[9]

While this analysis is meant to posit a more substantive, African, understanding of democracy and to contrast it with the Western obsession with a mythical choice (which is presumably no real choice in practice), it is conceptually barely distinguishable from Lipset's cultural prejudices – the only difference seems to be that what Lipset assumes to be the desirable form of government the Comaroffs regard as an imposition. If we understand democracy as popular sovereignty, the Botswana voters described by the Comaroffs are not yearning for a fuller and richer share in decisions – they long for a social order in which they have far less right to decide: they are relinquishing their claims to sovereignty to an authority figure. They are not insisting on a real right to choose, rather than the illusion offered by the West – they are, rather, insisting that they do not want to choose. If voters indeed regard their President as a chief who can rule indefinitely and has no need to pursue regular popular mandates, they are limiting their share in popular sovereignty to a (very) occasional choice of who should decide on their behalf. And if we follow the analysis to its logical conclusion, it is unclear whether they would even be demanding this limited right to decide since, if party competition were to be abolished, there would no longer be any guarantee of a contest between candidates for the popular vote. Their preference is, therefore, not for a different type of democracy but for less democracy– or, in reality, none at all. Would Lipset have any problems with the claim that Africans are wedded to notions of hierarchical leadership, see no need to renew the mandates of their leaders, and that they reject the freedom to choose? Clearer support for his claim that some cultures are simply not conducive to democracy would be hard to find. The obvious question is whether this claim is valid, whether the Comaroffs have indeed come up with unexpected vindication of Lipset's hypothesis.

The empirical evidence shows that they have not. First, much of the argument rests on the claim that there is significant support for a one-party state in Botswana. But the only evidence cited for this is a public debate more than thirty years ago. A brief national controversy hardly qualifies as an abiding preference and, if the authors' claim of a strong public preference for one-partyism was valid, we might have expected the issue to have cropped up more than once in the more than four decades since Botswana became independent. That it has not, suggests that this is a far less deeply-held preference than we are asked to believe. Second, the claim that voters turn out in large numbers only when a new president is elected is simply inaccurate. Thus, for example, in 1994, when President Ketumile Masire was re-elected, the percentage poll in national elections was 76,6 per cent, almost the highest since independence. Similarly, President Festus Mogae was re-elected in 2004 in a 76,2 per cent poll. The authors' entire argument is, in fact, based on a single low poll – that in 1974 when only 31,2 per cent voted.[10] Clearly, the claimed cultural tendency to avoid elections if a president is being re-elected is not supported by the evidence if we look at all elections since independence. Third, that only 45% of voters could recognise the name of their representative may sound a telling indictment of indifference– until we discover, for example, that, in a recent study, three

[9] Comaroff and Comaroff', p.141

[10] Percentage polls reported in *African Elections Database: Elections in Botswana* http://africanelections.tripod.com/bw.html

quarters or more of voters in two European democracies, Portugal and Spain, could not identify a single candidate contesting their elections – and that in that most exemplary of democracies, Sweden, less voters than in Botswana – 33% - knew the names of their representatives.[11] Since it has not been plausibly argued that Swedish, Spanish and Portuguese voters ignore the identities of their public representatives because they see them as delegates of traditional authority, the suggested link between the limited name recognition of Botswana's members of parliament and voter preferences for traditional hierarchy over electoral democracy is untenable. An examination of the international data, then, reveals that Botswana voters are much like those in parts of Western Europe – and, in some respects more active democratic citizens than some Northern electorates.

Of perhaps greater relevance to our theme is that the authors insist that scepticism about 'Western' democratic notions in Botswana is underpinned by a traditional Tswana view of democracy which offers a very different understanding of the relation between government and the governed to that in the West – but many of the attitudes whicfh the Comaroffs present as the traditional Tswana view are hardly incompatible with the notion of democracy as popular sovereignty proposed here. We are told, for example, that traditional Tswana polities were meant to be marked by 'perfect freedom of debate' – all male citizens were entitled to a voice. A chief, the authors add, is meant to rule 'with' the people: they say that the most quoted adage in the Tswana political lexicon is 'a chief is chief by the nation'. [12] Competitive politics was also reportedly a feature: support and opposition for the ruler, they report, tended to be articulated around identifiable *factions*'.[13] If, as the authors imply, these elements are features of political culture in Botswana, then key aspects of popular sovereignty such as the right to voice, the accountability and responsibility of leadership to the governed, and the right to form parties or factions to compete for power are central to the understandings of the citizenry. Far from evidence of cultural exceptionalism, this confirms the claim made here, that there is nothing culturally specific about people's desire for self-government, that the demand to choose is a human trait, not a cultural preference. The empirical evidence is no kinder to sympathetic cultural prejudice which tries to show that Africans do not really want popular sovereignty because they have consciously rejected it than it is to the more traditional variety which assumes that they are not advanced enough to value it. It suggests that, like citizens the world over, those in Botswana want to choose, to be heard, and to hold their leaders to account.

A study of political culture in the Buganda region of Uganda by a student of the Comaroffs, Mikael Karlstrom, takes the cultural imposition argument much further.[14] Karlstrom too does not want to argue that Africans are not ready for democracy – they are, in his view, 'by no means uninterested in democracy'. But like the Comaroffs, he insists that they envision a democracy which 'does differ significantly from Western liberal conceptions'. In his zeal to demonstrate this point, however, he unwittingly

[11] Pippa Norris *Electoral Engineering: Voting Rules and Political Behavior*, Cambridge UK, Cambridge University Press, pp.230-248
[12] Comaroff and Comaroff', p.131
[13] Comaroff and Comaroff', p.133. Emphasis in original
[14] Mikael Karlstrom 'Imagining Democracy: Political Culture and Democratisation in Buganda' *Africa: Journal of the International African Institute*, Vol. 66, No. 4, 1996, pp.485-505

demonstrates that the Buganda's understanding of democracy may be rather more consistent with the understanding of democracy posited here than their interpreter's.

Bugandans, we are told, understand democracy as 'freedom from oppression' which, we are told, is 'undoubtedly' an outcome of the region's lengthy battle with the Ugandan state for the restoration of the Buganda kingdom. Unlike Western democrats, we are further told –without supporting evidence - that they conceive oppression not as freedom from 'excessive state power' but as a symptom of 'authority which has lost its anchor': 'Liberty in its most basic sense is thus a concomitant of a rightly ordered polity oriented around a properly and firmly installed ruler'. When asked to specify the positive liberties which are central to the freedom they seek, Bugandans reportedly emphasise freedom of speech – but this 'is not speech directed towards a general audience of equals, but rather the speech of subjects directed towards their ruler'. [15] This concern for freedom of speech 'differs from a general Western liberal conception in that it is rooted, not in a model of politics as competition for power among the plural representatives of various political views, but rather in a model of legitimate *unitary* authority as founded on the willingness of power-holders to hear the voice of their subjects'.[16] Another key element in this concept of democracy is 'the fair and impartial judgement of disputes and court cases'. But this does not denote a concern for 'Western egalitarianism' – the concern is 'narrower' – for a 'situational equality of subjects before a power-holder.. rather than an ontological equality of persons'.

Further examples would simply belabour the point – that when people in Buganda talk of democracy they do not mean popular sovereignty, but express their desire to be ruled by a monarch who is fair, and who listens to his or her subjects. This desire for fair hierarchy rather than equality explains two other attitudes claimed by Karlstrom – a disenchantment with political parties[17] and consequent enthusiasm for the then prevailing 'no party' system of Ugandan President Yoweri Museveni who, until recently, permitted elected representative government but banned parties: all Ugandans were assumed to be members of his National Resistance Movement and were eligible to stand for office, but were not permitted to do so as representatives of parties.[18] While this system is anathema to Western liberal democrats, he suggests, it fits Ugandan understandings of democracy. To reject it is thus cultural arrogance:' Because the democratic project is everywhere emergent and incomplete, the West, despite its historical priority, can claim no monopoly of its current and future forms or definitions'.[19]

This is no isolated or eccentric attempt to justify elite choices in the South. Claims that various forms of monarchy or one-party or party-less rule are indigenous forms of democracy which reflect free choices by the societies in which they are established has been repeatedly asserted by Southern power elites and their intellectual supporters – Zimbabwean president Robert Mugabe might be the best known advocate of this position

[15] Karlstrom p.487
[16] Karlstrom p.488 (emphasis in original)
[17] Karlstrom p.494
[18] For a description see Karlstrom p.496ff
[19] Karlstrom p.500

at present,[20] but he is hardly the only one to insist that pressure to democratise is a product of Western cultural arrogance. And scholars have repeatedly asserted that abridgements of popular sovereignty in the South express differing conceptions of democracy, not its rejection. This attempt to defend Southern polities was born of an understandable desire to defend Africans and Asians in particular against the charge that they were incapable of establishing democracies. At a very swift first glance, the argument would seem to be consistent with that proposed here since it suggests the need to recognise diverse democratic forms and practices. In reality, however, as noted earlier, it insists that democracy as it is understood here is contrary to the freely expressed cultural preferences of non-Western citizenries. Popular sovereignty is the right of political communities to govern themselves, not that to be governed by an authority figure who they trust and who treats them well – and, while it does not require a particular institutional form, it does require that all citizens enjoy the unfettered right to a say, of which the right to choose leaders is foundational. Whatever the presumed merits of unelected monarchs or polities in which the right to run for office as a representative of a party is denied, they are abridgments, not expressions, of popular sovereignty. And, if we indeed understand democracy as self-government by a freely choosing community, then, regardless of its intention, the implication of this scholarship is that democracy is contrary to current African cultural understandings. If that is so, some people are indeed not ready for democracy.

A sober look at these claims reveals, however, that it is not so – that the claims of a clash between democracy and the cultural understandings discussed here are as illusory in Uganda as in Botswana. It is, firstly, worth noting that Karlstrom's analysis of Uganda makes no allowance at all for the possibility that people living in a political order in which political parties are banned from contesting elections may not be entirely forthcoming when asked by social scientists what they think of political parties or of the 'no party' doctrine which underpins that order. They may be speaking freely, but this would need to be demonstrated – the possibility that they are saying what they feel the authorities would like them to say is, at the very least, a defensible hypothesis. Karlstrom's claimed consensus in support of 'no partyism' fails to explain either why, after multi-party elections were finally conceded by Ugandan president Yoweri Museveni in 2006, the process was marked by significant claims of irregularity and the imprisonment of the opposition candidate on charges widely assumed to be inspired by the fact that he was challenging Museveni at the polls.[21] A consensus in support of 'no party' rule would surely have ensured that the opposition candidate would simply have been rejected by the electorate as an agent of division. Also, his analysis appears to assume throughout that there is one Buganda view of democracy which can be detected by anthropological inquiry – the possibility that residents of Buganda, like everyone else, hold differing views on democracy is not entertained. And so the consequence is a cultural stereotyping which denies difference within Buganda society and is little

[20] Mugabe has, for example, told an election rally: 'This country shall not again come under the rule and control of the white man, direct or indirect. We are masters of our destiny'. Chris McGreal 'Zimbabwe's voters told: choose Mugabe or you face a bullet' *The Guardian* June 18, 2008 http://www.guardian.co.uk/world/2008/jun/18/zimbabwe

[21] Human Rights Watch *In Hope and Fear: Uganda's Presidential and Parliamentary Polls* http://hrw.org/backgrounder/africa/uganda0206/ *(download for hard copy ref)**

different from that of those who make sweeping claims about 'African culture' and its presumed incompatibility with democracy.

More important for our purposes, the evidence marshalled by Karlstrom in favour of his claims suggest that popular enthusiasm for democracy as understood here is as strong in Buganda as in Botswana. A series of quotes from interviewees cited as evidence of cultural difference tell us that the right to be heard by power-holders and to receive an accountable response is essential to the Bugandan understandings of democracy which Karlstrom identifies – interviewees stressed the need to be heard, to '… have my ideas and they must be taken into consideration', that 'people must be entitled to speak openly and have your point answered'. Democracy, an interviewee sums up, means that '…we can stand up and say something and the authority listens to it'. Karlstrom claims that these understandings differ from those in the West because they are not directed towards an audience of equals 'but rather the speech of subjects directed towards their ruler'.[22] It is unclear why 'Western' understandings are assumed to rest on speaking to equals rather than rulers – some, such as theories of deliberative democracy, might. But others indeed see democracy as a system in which citizens force government to listen – witness Tilly's definition discussed in Chapter Two. And democratic elitists, who are impeccably Western, would no doubt find these Ugandan understandings of democracy a trifle too egalitarian. The Buganda view he describes would, therefore, fit neatly into many 'Western' understandings of democracy., Karlstrom seems to distribute his cultural stereotypes even-handedly: just as he has no room for Buganda residents who differ, so he assumes that all 'Westerners' view democracy alike.

This tendency to set up a reified and misleading set of ideas labelled 'Western democracy' and then to contrast it with the opinion of Buganda interviewees is repeated when Karlstrom discusses notions of justice and equity. Interviewees respond that leaders ought to be 'honest' and 'fair-minded', that democracy is a system in which people are not discriminated against by their ruler and in which 'you give an opinion and it is not ignored but *is also considered and a decision is made taking it into account*'.[23] Karlstrom claims that these views are not conventional 'Western' understandings because they 'presuppose the existence of a legitimate authority capable of dealing judicially with violations of certain basic norms and rights'.[24] Even a cursory familiarity with democratic theory would raise questions about why this presupposition should be assumed to break with 'Western' understandings. Anarchism aside, no democratic theorists in the West or anywhere else would imagine for a moment that democracies could survive without legitimate authority able to deal judicially with rights violations: democracy anywhere and everywhere would be impossible without them. There is no value in belabouring the point: Karsltrom repeatedly cites attitudes among his Buganda interviewees which are regularly articulated by both intellectuals and 'ordinary' citizens in North America and Western Europe and then insists doggedly that, because they do not conform to his own abstract and often eccentric understandings of democratic thinking in the North, that they somehow express a divergent set of values. And despite

[22] Karlstrom, p.487
[23] Karlstrom, p.489 Emphasis in original.
[24] Karlstrom, p.490

the trappings of cultural tolerance in which his argument is presented, it comes close to suggesting that his African interviewees are simply not available for a democracy in which authority is bestowed by the people and in which government requires a continuing popular mandate – while all the while quoting attitudes which indicate that this is precisely what they understand democracy to be!

Why devote this much attention to a form of scholarship which indicates chiefly that residents of African rural areas understand democracy far more accurately than some Northern scholars believe they do? Because, as suggested above, the notion that certain understandings of democracy are foreign concepts which are being imposed on other cultures is an oft-voiced complaint. As this discussion has tried to show, it has merit when it shows that some mainstream Northern understandings, like the 'consolidation' paradigm, indeed assume that the world must conform to a particular (but always unarticulated) democratic shape and form. But it does not always stop at making the point, made repeatedly here, that democracies can take on many shapes and forms as long as they enable popular sovereignty. It often can – and in these cases does – lapse into denying that the desire for self-government crosses cultural boundaries. It is no accident that, as noted earlier, these arguments are repeatedly made not by alternative scholars, but by Southern elites determined to protect themselves against popular sovereignty – Uganda's Museveni is another leader who cloaked the denial of popular sovereignty to citizens in the insistence that he was, before multi-partyism was introduced, offering a more culturally authentic model of democracy. The key divide here is whether it is assumed that, regardless of the form in which it is practiced, human beings, whatever their cultural proclivities, want a say in how they are governed. If they do, then democracy as popular sovereignty is not a cultural imposition but a universal human need – and right – and no ruler has the right to deny citizens their right to speak, act and choose under the guise of defending cultural authenticity. Specific domestic understandings of how popular sovereignty ought to be realised must, if the choice of each political community is to be respected, prompt differing choices of political institutions and rules – but they can never justifies measures which curtail citizens' right to be treated as autonomous, deciding, adults. The 'culturalists' analyses discussed here, whatever their intention, present an understanding of Africans as people who are not yet ready for popular sovereignty – despite the fact that they cite copious evidence that this is not only what they are willing to tolerate, but what they want.

Popular Sovereignty in a Local Idiom

Given the arguments advanced here, it may come as no surprise that important African intellectual perspectives not only question the notion that African culture is not open to democracy, but tends to see these arguments, by implication, both as a convenient fig-leaf for autocrats and a denial of the repeated attempts by African citizenries to exercise popular sovereignty.

First, they point out that the notion of 'African culture' as some sort of monolith ignores the diversity of cultures on the continent – just as the notion 'European culture' would inevitably hide important differences, so too does a blanket reference to an African

equivalent. Kwame Anthony Appiah points out: 'Whatever Africans share, we do not have a common traditional culture, common language, a common religion or conceptual vocabulary.. .we do not even belong to a common race'. [25] Much the same point can, of course, be made about Asian or indigenous Latin American culture. In fairness, the scholarship presented here does not claim that political culture in Africa is uniform: it makes its claims only about specific African cultures. Nevertheless, to assume a common set of political values and attitudes among particular ethnic or national groups in Africa (such as the Tswana or the Baganda) may be as much of a problem as the sort of generalisations which Appiah rejects because it, too, imposes a uniformity which ignores differing and divergent voices. Just as there is no single 'African' view of democracy, so might it mislead to propose some sort of consensus within ethnic groups on governance and democracy.

Another problem posed by analyses which posit a pristine traditional culture which is opposed to popular sovereignty is that it ignores the reality that there are no pristine cultures in the South (or, indeed, anywhere else) since 'foreign influences' have been a feature of all cultures at least since Northern colonisation penetrated the rest of the globe: 'Nobody reproaches Africa for importing its official languages, its main religions, its foodstuffs or its durable goods ..and yet…people are offended by the idea of importing individual freedoms and democratic pluralism'. [26] Few if any cultures are free of admixtures – the notion that indigenous cultures in the South have been able to shield themselves from Northern influence was rendered largely untenable by the depth and breadth of colonialism: the anthropologist Maurice Godelier has, for example, described and analysed the degree to which the Baruya of New Guinea, who were not subject to Northern influence until 1951, '…were transformed into citizens of a new state that was a member of the United Nations, furnishing one further proof of the West's advance in that part of the world.'[27] The colonisation of the Baruya was relatively short and they were, before it, apparently entirely isolated from foreign influences. And yet, Godelier shows, Baruya culture has been profoundly influenced by colonisation and has changed in important ways. It seems safe to assume that, if the culture of an isolated people can be altered significantly in two or three decades, then there are very few remaining examples of 'pure' cultures on the planet. Appiah thus notes that African popular culture '..is, like most popular culture in the age of mass production, hardly national at all.'[28]

This point assumes greater salience when we note that at least some aspects of 'traditional culture' which are said to predispose people in the South to hierarchy are not indigenous at all and were creations of the colonial power. A scholar notes that gender relations often seen as authentic indigenous cultural expressions were in fact imposed:

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[25] Kwame Anthony Appiah, *In My Father's House: Africa in the Philosophy of Culture*, New York: Oxford University Press, 1992, p 26.

[26] Jacques-Mariel Nzouankeu, 'The African attitude to democracy', International Social Science Journal, Vol 43, No 2, 1991, pp 373-85, p. 377

[27] Maurice Godelier 'Is the West the model for Humankind? The Baruya of New Guinea between change and decay', International Social Science Journal, Vol 43, No 2, 1991, pp 387-399 ,p.387

[28] Appiah 'In My Father's House'p. 58

'many forms of inequality ascribed to "tradition" actually arose from colonisation'.[29] This point is not restricted to gender roles – ethnic identities were in some cases hardened by colonial rule – most notably the difference between Hutu and Tutsi which was transformed by Belgian colonisation from an ethnic to a racial difference, with lethal effect in post-independence Rwanda.[30] Partha Chatterjee, among others, has drawn attention to the role of the colonial state in India in shaping identities by classifying people in ethnographic terms which, even in the post-colonial period, are instrumental in 'shaping the forms of both political demands and development policy'.[31] And most importantly for our argument here, hierarchical traditional authority, while certainly not invented by colonialism, was given state sanction by colonial powers in order to impose indirect rule,[32] a practice which inevitably reshaped to a degree these institutions and their cultural underpinnings. At least some of the cultural proclivities which, we are asked to believe, are authentic expressions of local preferences which must be protected from the impositions of Western democrats are, in reality, the outcome of imposition by Western non-democrats.

Second, the notion of cultural consensus in support of the notions of 'African democracy' asserted by governing elites is rejected. Thus Celestin Monga [33] asserts that African citizenries have maintained a democratic culture – understood as a set of understandings which underpin a desire for popular sovereignty – despite the depredations of authoritarian governments. This has, he argues, expressed itself in repeated resistance, albeit not necessarily of a sort which prompts overt political action – the ways in which people talk about authority or even the manner in which they stand, talk and sing, expresses a rejection of authority.[34] Music and visual art, he adds, are also devoted to a critique of power. Democratisation is thus seen not as a Western imposition but as a means of exerting popular sovereignty: '…the democratisation project in sub-Saharan Africa has not been perceived by the people as a cultural fetish used to disguise famine, misery and suffering. Rather, they see it is a means of expressing citizenship, confiscated and perverted by decades of authoritarianism'.[35]

We will return to the defence strategies citizens invoke in the absence of popular sovereignty in Chapter Seven. At this stage, suffice it to say that a rejection of illegitimate authority does not necessarily translate into collective action in search of or support of democracy: it may also translate into a survivalist attempt to avoid repression which may appear as compliance with, or support for, authoritarianism. The single party system, a Senegalese scholar observes, '…teaches the individual to act deceitfully, conceal his or her true feelings and to use stereotyped and conventional jargon so as to

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[29] Brooke Grundfest Schoepf, 'Gender relations and development: political economy and cultures', in Ann Seidman & Frederich Anang (eds), *Twenty-First Century Africa: Towards a New Vision of Self-Sustainable Development*, Trenton, New Jersey, Africa World Press, 1992, p. 209.
[30] Mahmood Mamdani *When Victims Become Killers: Colonialism, Nativism and Genocide in Rwanda*, Princeton, Princeton University Press, 2000
[31] Partha Chatterjee *The Politics of the Governed: Reflections on Popular Politics in Most of the World*, New York, Columbia University Press, 2004, p.37
[32] Mahmood Mamdani, *Citizen and Subject: contemporary Africa and the politics of late colonialism* Kampala, Fountain 1995
[33] Celestin Monga *The anthropology of anger: civil society and democracy in Africa* Boulder, Co, Lynne Rienner, 1996
[34] Monga 'The Anthropology of Anger' p. 116
[35] Monga 'The Anthropology of Anger' p. 10

toe the party line and escape repression'.[36] Despite surface appearances, the attitudes and behaviour which he and others analyse are not those of subjects content with rule by authority figures and suspicious of alternatives – they are, rather, those of aspirant citizens who see authoritarian power as illegitimate but who may lack the power to challenge it and who may, therefore, feign support for the cultural preferences of elites.

Third, despite the frequent use of feigned compliance, collective action in support of attempts to make government more accountable and responsive to citizens has been far more common in the South – and in Africa particularly – than culturalist explanations suggesting a deep-rooted respect for authority might suggest. Thus, in response to analyses which see Africa's democratisation as a response purely to international events, in particular the end of the Soviet bloc, it should be noted that: 'The opposition movements in Gabon, Ivory Coast and Zaire existed well before the collapse of the Eastern bloc regimes'.[37] Writing in 1993, the late Claude Ake reported: ' Throughout Africa ordinary people are demanding a second independence, this time from the indigenous leadership…The democracy movement in Africa… expresses the desire of ordinary people to gain power and material improvement'.[38] We will return in the next chapter to the role of collective action in winning greater popular sovereignty in Africa. For now, fairly widespread mobilisation against African authoritarian governments questions the notion of a citizenry culturally comfortable with hierarchy and uncomfortable with 'imported' notions of accountable and responsive rule.

While African examples have largely been used here, it is not only in Africa that Southern citizenries are showing that the demand for popular sovereignty crosses cultural barriers. Thus, in an influential study of popular politics in India, Chatterjee rejects what he sees as the liberal notion that the poor are able to exert influence through participation in civil society. But, if he is concerned to show that the poor prefer to express themselves in 'political society' rather than in 'apolitical' engagement with authority in 'civil society', the politics of the poor he analyses is precisely one in which popular claims for inclusion and participation are made on power-holders.[39] And these claims are voiced, whether explicitly or implicitly, as a demand for rights: '…they make a claim to a habitation and a livelihood as a matter of right'.[40] Whether or not Chatterjee is right to insist that the manner in which India's poor seek to hold power to account and to force it to respond takes a profoundly different form to that envisaged in liberal democratic theory, it is clear that theirs is as much a demand for popular sovereignty as that of the 'classic' middle class citizen of Western liberal theory.

In sum, despite efforts by the 'culturalist' scholars to prove otherwise, the notion that responsive and accountable government is a 'Western imposition' and that citizenries in the South are not culturally disposed to govern themselves is far more the product of elites concerned to invoke 'Asian values' or 'African culture' to protect themselves from their citizenries than it is of popular culture: 'While the governed invoke rights and social

[36] Nzouankeu, 'The African attitude', p. 375
[37] Nzouankeu, 'The African attitude', p. 374
[38] Claude Ake 'The Unique Case of African Democracy' *International Affairs* Volume 69, No 2, April 1993, pp.239-244, p.240
[39] Chatterjee 'The Politics of the Governed' pp. 53-78
[40] Chatterjee 'The Politics of the Governed' p. 40

justice, their rulers appeal to culture and custom'.[41] The notion that Africans and Asians are unwilling to make political choices and are being dragooned into doing so by Northern powers lacks evidence – it is far more accurate to insist that citizens have been denied the freedom to choose which they seek by elites, whether local or foreign, and that the claim that Africans are not culturally disposed to popular sovereignty simply offers, without compelling evidence in its support, intellectual succour to the elites who deny citizens a right to decide.

Wronging Rights

A further attack on the understanding of democracy proposed here is the claim that human rights are themselves an imposition on the South – that the desire to entrench and defend them is either an attempt to mould the South to Northern cultural requirements, or a means by which the powerful wield power, or both. This, of course, challenges the view, argued here, that rights are a key ingredient of popular sovereignty since they are the grounds for the claim of each citizen to participate in collective self-government.

In Africa, this view enjoys more significant intellectual support: 'Not surprisingly, rights-based discourses of citizenship are often viewed with scepticism by those who were excluded from civic citizenship under colonialism'. [42] The stress on rights is seen as a means of emphasising the atomised individual rather than the solidarity of the group – '..what the liberal conception of citizenship as formulated in a rights discourse asks us to do is to block off issues of collective identity from democratic citizenship'.[43] Rights are also seen as an obstacle, not a means to, active citizenship, as '… something that the government hands out to a passive citizenry instead of being dependant for its normative force on the engagements and commitment of an active citizen body…'[44]

The attacks on rights come in a variety of forms. Ake thus asserts that: '(T)he idea of human rights really came into its own as a tool for opposing democracy'.[45] In this formulation, of course, rights are an obstacle to democracy because they protect the privileged from the consequences of collective action by the majority. A second view sees human rights as abstractions which do not address the material needs of citizens and are thus, presumably, an indulgence of the more prosperous classes. Ake, again, insists that a 'relevant' African democracy would have to 'de-emphasize abstract political rights and stress concrete economic rights'.[46] In similar vein, Julius Ihonvbere, noting the poverty and under-development which colonialism bequeathed the continent, argues that '…human rights means very little within a context of mass poverty, unemployment… and the general lack of basic human needs'.[47] Third, as suggested earlier, human rights

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41 Bettina von Lieres 'Review Article: New Perspectives on Citizenship in Africa', *Journal of Southern African Studies* Vol 25, No 1, March 1999, pp. 139-148, p.139

42 von Lieres 'New Perspectives', p.140

43 von Lieres 'New Perspectives', p.143

44 von Lieres 'New Perspectives', p.143

45 Claude Ake, 'The African Context of Human Rights', *Africa Today*, Volume 34, No 1-2, 5-12, 1987, p.6.

46 Ake 'The Unique Case', p.241

47 Julius Ihonvbere, 'Underdevelopment and human rights violations in Africa', in George W Shepherd & Mark OC Anikpo (eds), *Emerging Human Rights*, New York: Greenwood Press, 1990, p 64.

can be seen as impositions on the sovereignty of African states and the cultural preferences of their peoples.[48]

What are we to make of these objections? It is worth pointing out, first, that the critics are overstating their case for effect. While there is a degree of ambiguity in these positions, few if any are dismissing the notion of rights out of hand. In the main, they seem, rather, to be offering a critique of particular ways of seeing rights rather than the concept itself. Thus Ihonvbere and Ake's concern for 'concrete economic rights' are not criticisms of rights *tout court* but of 'first generation' rights – or civil and political rights – which are held to be inappropriate, while 'second and third generation' or social and economic rights are proposed as a more relevant alternative. The former are seen as 'negative rights' which ensure 'that a person's freedom should be protected from the actions of other individuals, groups or the state'. while the latter are 'more positive human rights regarding broader social justice'. [49] Nevertheless, the critics do see the right to vote, to speak and to act as inadequate to the task of addressing the inequities to which Africans are subject.

We have dealt with one of these objections already. While rights do, inevitably temper the principle of majority rule, they facilitate rather than obstruct popular sovereignty because they offer to each participant in a political community the guarantee of full participation, even when in the minority, as long as the rights are respected. The notion that rights have obstructed the exercise of democracy in the South seems untenable given the frequent use by citizens seeking deeper and broader popular sovereignty of rights claims to render power more accountable and responsive – whether actors in Chatterjee's 'political society' explicitly use the language of rights or not, their claims are made within an implied or explicit rights framework. It is this which prompts Arjun Appadurai to introduce a discussion of popular politics in Indian cities with this observation: 'There is some reason to worry about whether the current framework of human rights is serving mainly as the legal and normative conscience—or the legal-bureaucratic lubricant—of a neoliberal, marketized political order. But there is no doubt that the global spread of the discourse of human rights has provided a huge boost to local democratic formations.' [50] Rights have operated in the South not to protect the affluent from popular power but to offer the grassroots new opportunities to make claims on power and so to seek to force it to account to them.

Scholars who privilege social and economic rights over their social and political equivalent, also seem to favour active engagement by citizens, particularly the poor, in holding power to account. Ake explicitly advocated both while another writer in this vein, Issa Shivji, urges that rights '… [not be] theorised simply as a legal right…., but a means of struggle… Seen as a means of struggle, "right" is therefore not a standard granted as charity from above but a standard-bearer around which people rally for the

[48] Issa G Shivji, *The Concept of Human Rights in Africa*, London, Council for the Development of Social Science Research in Africa (CODESRIA), 1989.

[49] Giles Mohan and Jeremy Holland Human Rights and Development in Africa: Moral Intrusion or Empowering Opportunity? *Review of African Political Economy*, Vol. 28, No. 88, June, 2001, pp. 177-196, p.178

[50] Arjun Appadurai 'Deep Democracy:Urban Governmentality and the Horizon of Politics' *Public Culture* Vol 14 No 1, pp. 21–47, p. 25

struggle from below'.[51] But, if social and economic rights are to be the product of human agency, of 'struggle from below' in Shivji's terms, they can be that only through the exercise of political and civil rights. If we insist that social and economic rights must take precedence over their political and civil equivalents, what will grassroots citizens use to claim their rights? If we insist that they cannot do the claiming, that they cannot be fully effective citizens until they have achieved social and economic rights, who will decide what precise form these rights will take in concrete societies facing resource constraints (as all concrete societies do)?

A key feature of 'second and third generation' rights is that they are context- and culture-specific. While the manner in which 'first generation' rights are to be realised is, as we have already noted, open to interpretation, the debate centres around how freedom of speech or assembly or the right to vote are to be institutionalised, not whether they should be – by contrast, there is no agreement on which 'second and third generation' rights should be recognised, let alone on how they should be realised. Even established capitalist democracies cannot agree on whether a property right should be recognised and there are inevitably debates within and between societies on which set of social and economic right are fundamental. If the notion that we all have a right to decide is universal, the precise nature of the social and economic goods which should be everyone's by right is hotly contested: 'Some "rights" may be culture- and history-bound, while others may be temporally more universal'.[52] Clearly, then, someone has to decide which of these rights are fundamental.

If we devalue or disregard political and civil rights and the action by the poor and vulnerable which they make possible, the answer is clearly that the decision would be left to decision-making elites – more particularly to judges and legal engineers – since citizens would not enjoy the protection they need to act to secure their social and economic rights. The effect would be precisely that granting of charity from above which Shivji is, rightly, concerned to avoid. The right to adequate social and economic provision is surely meaningless unless it entails also a right to participate in decisions on the concrete realisation of those rights and to act to ensure that the rights handed out by courts or officials in principle are realised in practice by active citizens holding governments to what the courts or policy have promised. And none of this is possible unless the poor, along with everyone else, enjoy the right, in practice, as well as theory, to speak, combine and act. 'First generation' civil and political rights are not abstract indulgences which substitute for an absence of social and economic rights – on the contrary, they are the means by which the 'second and third generation' rights are realised and are, therefore, essential to social and economic citizenship as well as to political citizenship.[53] They are not a means of subordinating the poor, but the essential foundation if poor people are to realise, and defend, their social and economic rights by their own agency.

[51] Shivji, 'The Concept of Human Rights', p. 71.
[52] Penna and Campbell 'Human rights and culture' p 22
[53] The distinction is that of Marshall 'Citizenship and Social Class'

If we understand 'first generation' rights in this way, there is nothing 'negative' about them, since they do not function only as individual protections against state power but as normative grounding for active citizenship which makes claims on power collectively. It is not even accurate to see the rights of affluent groups purely as protections against state power which may impose the desire of the majority for redistribution or redress. For the well-off and the well-connected, too, rights ground the claim to act collectively to hold political authority to account and force it to respond– which, as we shall see in Chapter Six, is precisely how the affluent protect their social and economic interests. Viewed as enablers and moral foundations of collective action, rights are not bulwarks of social and political inequality, but essential foundations of the activity which erodes both because they establish the possibility that collective action to influence decisions will not be the monopoly of the well-off and well-connected. Rights understood in this way are not handed down to passive citizens by charitable governments – they are claimed by collective action and, equally importantly, become essential ground for its continued use once the rights have been formally won. If rights inhere in us all simply by virtue of our humanity, if they are as much ours as our bodies and minds, they can never be charitably bestowed. Power – both public and private – cannot therefore 'give' us our rights. It can either abridge or recognise the rights we already have – and, if it recognises them, it concedes our right to hold it to account and to compel it to respond to us. In sum, rights are not a substitute for political and social action, but their necessary precondition. The contrast between a view of democracy grounded in rights and one grounded in collective action is, therefore, illusory since the latter depends on the former.

Third, the claim that the notion of rights emerges out of a particular cultural tradition and a particular, Western, experience, is true in one sense since it is obviously historically accurate to note that it is a product of the European enlightenment in general and the French revolution in particular. It is equally true that, when these rights were proclaimed, they were not universally applied, despite the rhetoric which accompanied them – in some cases franchise rights were only gradually extended to working people and the poor, and women were often excluded. More important for our purposes is that the rights were indeed culturally biased in the sense that they were held not to inhere in subordinate races – the United States maintained slavery or institutionalised race discrimination together with a bill of rights for decades, European democracies did not extend universal rights to their colonial subjects. Thus, as Mamdani notes, within the colonised world, rights and the participation which went with them were the preserve of the coloniser only.[54] But the fact that the notion of rights originated in a particular cultural context does not mean that it is necessarily relevant only to that context. The notion that every human has an equal right to respect may cross cultural contexts: witness, for example, the Basotho customary norm *Lekhotla ha le nameloe motho* – the court lends itself to no person– which 'recognised that all had equal rights before traditional courts'.[55] This is not an isolated example since rights such as equality before the courts 'were evident in many traditional societies, including the Tswana, Sotho, Igbo and Akan'.[56] We have already

[54] Mamdani 'Citizen and Subject'

[55] D Fred Ellenberger, *History of the Basuto Ancient and Modem*, New York, Negro Universities Press, 1969, p. 298 cited in David R Penna and Patricia J Campbell 'Human rights and culture: beyond universality and relativism' *Third World Quarterly* Vol 19, 1998 No 1, pp 7-27, p.10

[56] Penna and Campbell 'Human rights and culture' p.10

argued that, ironically, many of the interviewee responses cited by Karlstrom in support of his claim that understandings of democracy differ in Africa express a claim for rights - to be heard by and taken seriously by power, for example. It has, therefore, been argued that rejection of the notion of rights among those who see them as cultural imposition may be a response not to the notion of rights itself but to the symbolism with which it is often cloaked. [57]

In this view, rights present themselves as Western artefacts presumably because of cultural assumptions among both the Northerners who espouse them and the Southerners who react against them – as long as once side assumes, incorrectly, that rights were the creation of French revolutionaries or American anti-colonials then the other side will see rights language as something alien and imposed. There may well be an element of truth in this – we tried to show at the outset that the 'consolidation' approach starts from the assumption that democracy in its completed form exists only in the North. Mainstream governance approaches by Northern donor countries may similarly present rights as a Northern patrimony to be exported to a grateful South. But more may be at stake than cultural packaging. Rights can, of course, only be realised in specific contexts: in the North, they were institutionalised in a liberal democracy which may well, as Ake suggests, assume elements which do not exist in the South (or at least much of it) today – '…a socially atomised society where production and exchange are already commodified, a society which is essentially a market'.[58] And it may also be necessary, as he goes on to argue, that they would need to be institutionalised and realised in different ways in the South in general, Africa in particular. Given this, the key problem may not be that rights are clothed in Northern symbolism so much as that they are also attached to a Northern context and institutional form. The apparent debate over rights between Southern democrats and Northern exporters of liberal democracy may, therefore, be really a difference over institutional form. It is crucial, therefore, to insist on a clear distinction between the universal rights which underpin democracy and the very culturally specific form which the attempt to realise these rights takes.

Following from this, we can begin to see civil and political rights not as a means of imposing a new form of colonial domination, but as their antidote. As Mamdani and others point out, the problem with colonialism was not that it imposed on Africa (and the South more generally), a Northern-manufactured set of rights inappropriate to local culture, but that it denied those rights to the colonised – indeed to everyone but the colonisers. To demand rights in the South, then, is not to embrace domination, but to rebel against it. It is, therefore, important to recall that one important right, 'the right to racial non-discrimination', has been absolutely central to understandings of democracy in Africa (and elsewhere in the South) – it has, of course, underpinned the fight against colonialism and apartheid. Indeed, while there may be heated arguments and interest conflicts over what that right means, it is close to an article of faith in Africa, cutting across most of the continent's divisions: rights were repeatedly invoked by anti-colonial

[57] Penna and Campbell 'Human rights and culture' p.8
[58] Ake The Unique Case', pp.242/243

leaderships, most notably in South Africa, where the African National Congress in particular repeatedly invoked rights language to challenge the legitimacy of apartheid.[59]

That rights can enable people to challenge Northern cultural imposition is illustrated by the rise of indigenous people's movements in Latin America: 'Challenging the historical image of Indians as a submissive, backward and anachronistic group, …newly formed organisations have …mobilized around their indigenous identity. Their demands have included territorial autonomy, respect for customary law, new forms of political representation, and bicultural education'.[60] Significantly, the realisation of rights played a key role in making this possible: ' …increased freedoms of association, expression and the press, provided a changing political opportunity for legal popular movement organizing…' Increasing respect for civil rights and the ensuring political liberalisation '…enabled the potential; development of…the politics of identity'.[61] For indigenous activists, then, as for others in the South, rights are the key to asserting who they are and of inserting their distinctive voice into national conversations – they are central to contesting precisely the imposition of identity on others which their critics claim they are meant to entrench.

The democratic expression of cultural difference is, therefore, only possible if the universal right of all to a say is recognised. To insist that every human being, simply by virtue of being human, has a right to decide and that this means that all must also enjoy the rights that make this possible is not to endorse colonial imposition but to reject it.

Universally Recognising the Particular

If it is important to stress that the right to a share in popular sovereignty – as well as the rights which underpin it – are not culturally determined, it is equally vital to acknowledge that cultural domination is a palpable reality which popular sovereignty is meant to erode.

To insist that the right to decide crosses cultural boundaries is not to insist that those barriers are illusory or that new democracies can be built and deepened without taking the right to culture and identity seriously. First, despite the formal victory of anti-colonial movements in most of the South, race, culture and identity remain important forms of domination in democracies, new and old. The indigenous people's movements in Latin America noted above are but one example of cases in which groups may be denied a share in popular sovereignty, because of their identity, even where formal political equality is recognised. Formal democracy does not solve the problem of identity domination, it merely makes action in search of a solution possible. The insistence on the universality of civil and political rights cannot serve democracy if it is used to suppress the identity difference whose free expression is central to an equal share for all in popular sovereignty.

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[59] See for example Gail Gerhart and Thomas Karis T. (eds) *From Protest to challenge: A documentary History of African Politics in South Africa: 1882-1990,* Pretoria, University of South Africa Press, 1997.

[60] Deborah J. Yashar 'Contesting Citizenship: Indigenous Movements and Democracy in Latin America' *Comparative Politics*, Vol. 31, No. 1. (Oct., 1998), pp. 23-42, p.23.

[61] Yashar 'Contesting Citizenship', p. 31

Thus, while identity-based organisation and politics is sometimes seen as a threat to democracy, where identity-based domination exists, the organisation of dominated groups around that identity which others seek to dominate or suppress is not a threat to democracy, but a means to its realisation because it enables citizens to seek to overcome a key barrier to their exercise of popular sovereignty. In South Africa, the black consciousness movement proclaimed this principle under apartheid.[62] But its validity does not lapse when formal equality is achieved because patterns of identity-based domination and the attitudes of inherent superiority and inferiority which underpin them do not dissolve the moment formal discrimination ends. Provided identity-based groups in a democracy recognise the civil and political rights of others, their existence is entirely consistent with democratic principle and, where they seek to overcome identity-based domination, they are an important source of democratic deepening and broadening. Where rules and institutions are used, ostensibly in a race or culture-blind manner, to deny historically dominated identity groups a full share in popular sovereignty, democracy is not advanced by ignoring this practice in the interests of abstract principle. Its progress depends, rather, on measures which recognise identity domination and seek to correct it, providing that it can be demonstrated that the effect is to extend popular sovereignty, not to extend it to some at the expense of others. In principle, popular sovereignty is not abridged by the creation of political rules and institutions which recognise identity difference and offer it expression. [63] In practice, each such measure must be subjected to scrutiny to ensure that it does not recognise difference in a way which denies popular sovereignty to members of the political community.

Asserting that, where identity inequality is salient, popular sovereignty is served by acknowledging it, not by ignoring it, may also be of some importance to contemporary Africa, where voting and other forms of political action are often an expression of racial, ethnic and language identities. This phenomenon is often decried by students of African politics who look forward to the day when 'normal' voters will make their choice on 'bread and butter issues' alone rather than on identity.[64] In reality, this implied sense of shame at the continued salience of identity is itself a cultural prejudice. It assumes that there are 'normal' or 'sophisticated' voters who exercise their vote on the strength of a 'rational' calculation of their material interests and 'underdeveloped' voters who prefer to express identity: it is often assumed too that the continued expression of identity at the ballot box is a monopoly of African voters and is thus considered yet another sign that they are 'not ready for democracy'. This notion of identity voting as abnormal and backward ignores the degree to which it is a ubiquitous feature of citizen behaviour in even the oldest democracies.

First, since the cultural prejudice usually assumes that it is black voters alone who, in Africa, vote their identities, an analysis of post-apartheid South Africa shows that identity

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[62] See for example Steve Biko *I Write What I Like*, Oxford, Heinemann, 1987

[63] Lani Guinier *The Tyranny of the Majority: Fundamental Fairness in Representative Democracy,* New York, Free Press, 1994; Jane Mansbridge "Should Blacks Represent Blacks, and Women Represent Women? A Contingent 'Yes'." *The Journal of Politics* Vol 61 No 3, 1999 pp. 628-57.

[64] This analysis paraphrases that developed in Steven Friedman "Who We Are: Voter Participation, Rationality and the 1999 Election" *Politikon* November 1999

voting is the norm among voters of all races, including, of course, the white minority.[65] Second, the landscape of venerable European democracies is strewn with parties organised around identities – the many Christian Democratic Parties, regional identity parties in Scotland and Wales, or Italy's Northern League are only a few of many examples. Third, any notion that identity voting has ended in the United States is, of course, belied by the many analyses discussing the role of race and gender affiliation in determining voting patterns in the 2008 US election.[66] Finally, even where no explicit identity parties exist, the ubiquity with which voters in particular regions of established democracies routinely return the same parties – Scotland's preference for the British Labour Party, for example – speaks to the key role of identities in shaping electoral choices. Monga thus asks of those who see identity voting in Africa as a sign of political under-development: 'Why is the notion of an electoral base, accepted throughout the world and considered by Western political science as something every serious politician needs, systematically interpreted as a sign of backwardness when it comes to Africa'. [67]

Nor, inevitably, is identity-based collective action in the North restricted to voting behaviour. Identities are frequently the motive for popular mobilisation and social movement activity and much of the theorising on new social movements in the 1980s, for example, sought to understanding how new collective identities were being forged as, in the view of scholars such as Alain Touraine and Alberto Melucci[68], the 'classic' Northern spur to collective action, class and social inequality, was replaced by action which sought the recognition of collective identities such as gender and ethnicity. In Melucci's view, even seemingly instrumental issue-based movements, such as ecology and peace campaigns, were in reality expressions of new identities forged as collective action produced 'symbolic orientations and meanings which actors are able to recognize'.[69] Mobilisation in support of identities is, therefore, not specific to particular cultural contexts and levels of economic development – it occurs in North and South, in rich and poor countries. The notion that 'sophisticated' societies mobilise around class and interest, 'primitive' ones behind identity, is as culturally loaded as the 'consolidation' approach discussed earlier. There is no contradiction between identity politics and democracy – on the contrary, popular sovereignty is, in its ideal form, a vehicle for expressing identities in a manner which allows all to be heard and none to dominate. The inferiority complex which seizes some new democracies in which identity is the key determinant of how people vote and act collectively is, therefore, inappropriate: a democracy in which people are concerned about identity is no less real than one (if one exists) in which material interests are the only spur to political behaviour.

Equally importantly, if democracy allows all identities to be expressed it also means that some may be expressed in ways which advocate different democratic forms from those to which classical liberal democracy is accustomed. Thus some indigenous organisations in Latin America, for example, ' demand multiple types of citizenship with boundaries that

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[65] Friedman 'Who We Áre'

[66] See analysis on, for example, http://www.nytimes.com/pages/politics/index.html or http://edition.cnn.com/POLITICS/

[67] Monga 'The Anthropology of Anger' p. 32

[68] Alberto Melucci *Challenging Codes: Collective action in the information age* Cambridge, UK, Cambridge University Press, 1996; Alain Touraine *Return of the actor: social theory in postindustrial society* Chicago, Univ of Minnesota Press, 1988

[69] Melucci ''Challenging Codes', p.73

guarantee equal rights representation at the national level and recognize corporate indigenous authority structures in the indigenous territory.. Such recognition requires that the law be configured on the basis of universal claims to citizenship and differentiated claims to difference'[70] Understanding democracy as an always unfinished task in which no options may be foreclosed and in which everything, including the form of democracy itself, is open to debate and democratic decision, means that demands for new democratic forms which meet the needs of groups who believe their identities are not expressed in current arrangements is a deepening of democracy, not a flight from it. Devising democratic forms which recognise the right of all to share in popular sovereignty but which provides channels for the expression of suppressed identities may be a key challenge in the quest for stronger and deeper new democracies in the South.

A similar point, already mentioned above, is that the universality of the right to share in popular sovereignty does not preclude the development of new and different democratic forms in the South. The point that democracy can take varying forms in the South should not need to be made – we have already pointed out that it takes a variety of forms in the North. But the point that experimentation is not only consistent with democratic principle but may be crucial to democracy's realisation in the South is surely underlined by the fact that the two African states which have remained democracies since independence both contain elements to which some liberal democrats would object – Botswana makes significant use of traditional assemblies or *kgotla*[71], while Mauritius uses a system of ethnic consociationalism in which the country's various ethnic groups are guaranteed representation in Parliament by a 'best loser' system in which the best performing candidates of minorities are elected, regardless of their share of the overall vote. [72] The latter arrangement, in particular, may support Ake's argument for a 'consocietal arrangement' in Africa …'a highly decentralized system of government with equal emphasis on communal and individual rights'.[73]

A plausible theory of democracy in the South needs, therefore, to recognise both that the right to popular sovereignty is inherent to all humanity, regardless of cultural and identity differences – and that popular sovereignty must be capable of providing a voice and a vote to all, regardless of their culture and identity. Indeed, since cultural domination is as much a threat to popular sovereignty in the South as its economic equivalent, allowing all cultures and identities to be expressed in a manner which recognises difference without entrenching domination is a major task for new democracies – this entails a rejection both of the relativism criticised here and of the attempt to impose spurious universals which underpins the 'consolidation' literature.[74] This entails also a willingness to explore new democratic forms which recognise the context in which popular sovereignty is practiced.

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[70] Yashar 'Contesting Citizenship', p. 31

[71] Kenneth Good 'Interpreting the Exceptionality of Botswana' *The Journal of Modern African Studies*, Vol. 30, No. 1 (March, 1992), pp. 69-95

[72] Deborah Bräutigam ''Institutions, Economic Reform, and Democratic Consolidation in Mauritius' *Comparative Politics*, Vol. 30, No. 1, October, 1997, pp. 45-62

[73] Ake 'The Unique Case', p. 244

[74] Penna and Campbell 'Human rights and culture' p.7

The obvious challenge is to distinguish between those forms – such as the one-party state – which abridge popular sovereignty (because it denies the right to form a political organisation to a section of the political community) and those, such as the models tentatively discussed here, which continue to respect it. Obviously, this must begin by rejecting the notion that specifically Western notions of rights and democratic principle are the only valid goals to which Southern democracies should aspire:

> '…by eroding the concept of Western 'ownership' of human rights, we may increase the possibility of real dialogue across cultures. With contributions from non-Western societies, human rights dialogue can more easily lose the stigma of having the West as the authoritative interpreter of human rights (thus eliminating the all too convenient 'cultural imperialism' excuse used by repressive regimes), and become part of a universal understanding not just of human rights standards, but even more importantly, of the implementation of these standards'.[75]

But equally important is the delicate task of distinguishing between the core democratic principle, that each person has an inherent right to share in popular sovereignty and to enjoy the rights which make that possible, and the various historical forms which the attempt to realise that right may take: 'by studying the evolution of systems of rights protection under differing cultures and historical situations, it may be possible to understand better the values to be protected.' [76]

The challenge is to distinguish between the democratic idea of equal participation in the polity and the multitude of institutional forms it can assume. New democracies in the South which succeed, through vigorous democratic politics, in shaping institutions which are appropriate to giving concrete and sustainable form to that idea in their particular contexts, are likely to ensure and deepen democracy – and also, perhaps, to offer important lessons to other democracies and those who seek to understand the range of democratic possibilities.

[75] Penna and Campbell 'Human rights and culture' p 22
[76] Penna and Campbell 'Human rights and culture' p 22