

# **Surviving the peace? Impact of war-to-democracy transitions on human rights organisations in South Africa**

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## **Introduction**

In many war-torn countries, civil society develops organisations that work for conflict transformation and human rights in a wide variety of forms, from NGOs to community-based organisations and social movements. What changes are forced on them in the process of a transition to peace, justice and democracy, and how do they react?

This paper presents some of the findings from a research study on the impact of peace processes and democratic transitions on peace/human rights organisations in South Africa.<sup>1</sup> This country has undergone a long and protracted political conflict, and became largely successfully transformed during the 1990s, even though some of the underlying structural conflict issues are still unresolved.

In such a context, the crucial question for human rights groups and activists is to assess what happens to the protagonists for social change after that change has been achieved, since most issues originally taken on by war-time civil society organisations (CSOs) are likely to be largely resolved in the course of democratisation and peacebuilding. In particular, the paper examines whether, and to what extent, such macro-political transitions have induced CSOs to transform both their internal (structural, financial, ideological) features and their external relations with the state and political society. Its empirical findings highlights a dual transformation process for CSOs: 1) structural changes towards civil society institutionalisation and professionalisation, and 2) functional shifts in civil society/state relationships, from public mobilisation against authoritarian and violent state policies to collaboration (or cooption?) with the government in post-war democratic state-building.

The first section offers a multidisciplinary review of the effects of war-to-democracy transitions on CSOs in the conflict resolution, social movements and democratic theory literatures. Section two and three explore respectively the structural and functional shifts incurred by CSOs established in wartime South Africa during the 1980s, based on interviews with local human rights activists in April 2007, and completed by a review of the literature on civil society organising and mobilising before, during and after the peace process and democratic transition in South Africa.

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<sup>1</sup> The larger study on which this paper is based offers a comparative analysis of the dynamics of CSOs in both South Africa and Guatemala. It is accessible electronically: <http://www.berghof-center.org/uploads/download/br16e.pdf>

## 1. Civil society organisations and war-to-democracy transitions

### 1.1 Operational definitions: civil society as peace/human rights organisations

Civil society is a concept located at the cross-section of important strands of intellectual developments in contemporary social sciences, such as sociology, political science, development studies or conflict management. It is generally defined as a domain of social interaction which lies at the intersection between the family (private sphere), the market (economic sphere) and the state (political sphere). The reference to civil society *organisations* (CSOs) in this paper implies a field of action restricted to organised forms of social communication in the public sphere, as opposed to spontaneous or individual civil engagement. According to the Centre for Civil Society at the London School of Economics, “civil societies are often populated by organisations such as registered charities, development non-governmental organisations, community groups, women’s organisations, faith-based organisations, professional associations, trade unions, self-help groups, social movements, business associations, coalitions and advocacy groups” (CCS 2004).

Different types of classifications have been offered, some of which focus on the organisational features of these various groupings such as their degree of formality, autonomy and power. For example, Ropers (2002: 105) differentiates service-based and movement-style organisations. The former tend to be more formally structured and professionalised, and to focus their work on service-delivery to their community. By contrast, social movements are usually informal and loosely organised social networks of ‘supporters’ sharing a distinct collective identity and involved in conflictual relations with clearly defined opponents (Della Porta and Diani 2006: 20). Together with community-based organisations (CBOs), which are “made up of a group of individuals who have joined together to further their interests” (Fischer 2006: 3), they are usually seen as carrying greater representation, accountability and independence than NGOs, which tend to be personally or institutionally tied to governments and foreign donors.

Most CSO researchers, practitioners and donors adopt, explicitly or not, a normative approach to civil society, by selecting a group of social organisations as civil, and excluding ‘uncivil’ or ‘pre-civil’ non-state groupings from their scope of analysis. By contrast, so-called analytical approaches argue in favour of a larger, neutral, definition of the civil society sphere which is not only occupied by groups working for civic values, but also includes self-interested, violent and fanatical manifestations of social interaction (White 2004, Marchetti and Tocci 2007). This study, however, restricts its scope of analysis to conflict transformation-oriented organisations, which could also be qualified as “agents of constructive change” (Dudouet 2006), while acknowledging that they capture only part of the full range of social and political forms of associational life, and recognising the empirical existence of pro-war and status-quo CSOs.

In terms of the civic goals pursued by these organisations, the label ‘peace constituencies’ has been offered to cover the “networks of people from different sectors of society whose prevailing interest is to build sustainable peace” (Mouly 2004: 42). Depending on the cultural and structural settings in which social actors operate, and where they locate the sources of conflict, their ultimate goal of peace might take different values and significations. We also need to include actors and organisations who contribute to peace while framing their main interests under other denominations, and without having an explicit and primary focus on conflict management or transformation. For example, in conflicts rooted in deep socio-economic inequality, it is impossible to distinguish the pursuit of peace from the struggle for justice, and our extensive understanding of peace actors needs to include emancipatory movements for human rights, gender equality, land or educational reform. These movements might not want to be recognised as peace organisations per se if ‘peace’ within the dominant

political context means no space for the recognition of cultural and religious differences. In this paper, non-state organisations concerned with conflict transformation in the wider sense will be referred to as *peace/human rights CSOs* to reflect this inclusive definition.

## 1.2. *Civil society functions vis a vis the state and political society*

In the study “Surviving the Peace” (Dudouet 2007), on which this paper is based, I adopt a ‘functionalist analytical’ approach to civil society activities (inspired by Paffenholz and Spurk 2006), organised around a vertical approach which defines CSOs by their relations with the state and political society, and a horizontal approach which locates civil society as the locus for intra- and inter-community interactions. Here, I will solely concentrate on the vertical functions performed by CSOs vis a vis the state.

In contemporary democratic theory (e.g. Cohen and Arato 1995), it is widely recognised that the relations between civil society and the state are mediated by the intermediary sphere of political society, made up of actors and institutions (e.g. political parties and organisations, parliaments) directly involved with political-administrative processes, which they seek to control and manage. By contrast, the role of civil society is not to control or conquer power, but rather to interact with the political sphere, influence it and improve its effectiveness and responsiveness. Accordingly, this study excludes groups which seek to take control of the state, such as political parties or separatist and liberation movements.

A historical review of conceptual and practical developments in civil society/state relations evidences the following three CSO functions:

### - Opposition and protest against repressive state policies:

In social movements and nonviolent action theories, civil society is depicted as an essential element in mobilising opposition to authoritarian regimes, in situations where “the institutions of economic and political society serve to insulate decision-making from the influence of social organisations, initiatives and forms of public discussion” (Cohen and Arato 1995: xi). A number of contemporary CSOs have resorted to “contentious collective action” (Tarrow 1998) against power-holders, such as the ‘new social movements’ which have emerged in Western societies since the mid-1960s (e.g. feminist, environmental, indigenous, anti-nuclear, global justice movements), or the social struggles for democratisation, political representation and access to resources in Latin America and Eastern Europe during the 1970s and 1980s.

Public pressure through mass mobilisation also represents one of the core strategies of peace and anti-war movements in situations of violent conflict, which bring relevant issues to the political agenda through public campaigns against war and human rights violations or in favour of peace negotiations.

### - Counterweight to the power of central political authorities:

In the intellectual tradition of Locke and Montesquieu, civil society has also been defined as the sphere of independent societal networks providing citizens with protection and safeguard from the excesses of arbitrary state power. In the wake of the so-called “third wave” of democratic transitions (Huntington 1991), political theorists in Latin America and Eastern Europe in the 1990s have turned their attention to the ‘democratic consolidation’ function of CSOs, who support the stability and accountability of political systems by monitoring government performances and protecting citizens against remnants of state authoritarianism.

In contexts of violent or post-war environments, this function is performed through various examples of early warning, human rights fact-finding and monitoring or human security enhancement activities.

- Channelling state-society communication and collaboration in policy-making:

Finally, many authors also insist on the complementarity and necessary cooperation between the political and societal spheres, with civil society acting as “(two-way) transmission belt between state and society” (White 2004: 14), supporting both and relaying information in both directions. In the conflict transformation literature, Fischer (2006: 19-20) describes state-building and civil society building as parallel, interdependent and mutually reinforcing processes. Likewise, Belloni argues that the accountability and sustainability of the state rest on the existence of a vibrant civil society sphere and, in turn, a healthy civil society needs a functioning democratic state to flourish (Belloni 2006: 26).

In situations of protracted political conflicts, this function is especially relevant during official peace processes through formal consultative mechanisms, the delivery of capacity-building training to potential or actual leaders, the facilitation of negotiations between communities and warring parties, the dissemination of information on macro-political processes to the wider public, or the participation in policy implementation by partnering with state agencies in service-delivery.

### 1.3. *Impact of conflict transformation on peace/human rights CSOs*

The conflict transformation literature has produced a number of models depicting intra-state and international conflicts as passing through a series of chronological phases, such as latent conflict, nonviolent confrontation, violent confrontation, conflict mitigation, conflict settlement, (negative) peace implementation, and (positive) peace consolidation (see Dudouet 2006). The literature on democratic theory also offers some interesting insights on the process of political change from authoritarianism to (liberal) democracy (e.g. O’Donnell and Schmitter 1986, Huntington 1991, Munck 1994), based on democratic transition experiences in Latin America, Southern Europe and post-communist Central and Eastern Europe. Most authors use linear or cyclical models of political transition organized along three main stages: pre-transition authoritarianism, democratic transition, and post-transition democracy consolidation. More cautious scholars prefer to refer to “transitions in plural” that may unfold simultaneously in the multiple spheres of social life, but at different rates, and that do not necessarily lead in the same direction (Greenstein 2003: 2).

Integrating these cross-disciplinary insights, this paper offers a generic model of transitions from war and authoritarianism to peace and democracy in three transitional phases: armed conflict, peace process and peace/democracy consolidation.<sup>2</sup>

The first stage, *armed conflict*, covers the period of violent confrontation between state agents and their contenders, in a context of protracted social conflict, broadly defined here as long-lasting and violent intra-state wars coupled with acute human rights violations.

Regarding the second stage, a *peace process* is generally meant to designate primarily a process of direct or mediated engagement between the main parties to an armed conflict, in order to find a negotiated solution to the primary issues in dispute (Darby and McGinty 2000: 7-8). Its scope and length have been very variously defined, and they depend largely on the context of their application. With regards to the two case studies examined below, one should adopt an extensive approach which encompasses the stages of conflict mitigation (ceasefire

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<sup>2</sup> As all ideal typical models, this framework should be treated with caution, acknowledging the non-linearity and complexity of war-to-peace trajectories, and recognising that conflicts might move back as well as forward, ‘jump’ stages or exhibit properties of several escalation or de-escalation stages simultaneously.

declaration and inter-party negotiations), conflict settlement (signing of a peace agreement), and early democratisation and peacebuilding processes, up to the first post-war democratic elections.

Finally, the third stage of *peace/democracy consolidation* is concerned with the long-term transition from negative to positive peace, in the sense of political pluralism, socio-economic justice and reconciliation. Democratic theory characterises this stage as the transition from 'new' to 'consolidated' democracies, which might take as long as one or two generations, and entails “the elimination of residues of the old system that are incompatible with the workings of a democratic regime and the building of new institutions that reinforce the democratic rules of the game” (Munck 1994: 362).

There is already some extensive research on the role and influence of peace/human rights organisations on various stages of peace processes and political transitions (e.g. Orjuela 2003, Barnes 2005, Paffenholz and Spurk 2006, Marchetti and Tocci 2007, Paffenholz 2009). There have been, however, very few attempts to analyse the impact of political and structural transformations on CSOs, which is the main focus of this paper. In particular, it seeks to address the question of what happens to CSOs which emerged during structurally violent authoritarian regimes or armed conflicts, participated in peace processes and democratic transitions, and continue to exist in the post-war phase. What are their various trajectories from opposing war and injustice or mediating between conflicting parties to taking part in (re-)building a peaceful and democratic state?

When it comes to researching the internal (organisational) and functional shifts induced on CSOs as a result of changes in their external environment, the most relevant existing models come from the social movement literature, where civil society mobilisation is regarded as a 'reaction from below' to macro-political events. Notably, the *political opportunity structure* theory seeks to explain the repertoire of tactics adopted by social movements in their different stages of development by the “shifting institutional structures and ideological dispositions of those in power” (McAdam 1996: 23). A number of opportunities or constraints for collective social action have been identified, such as the degree of openness or closure of the political sphere, the degree of political conflict between and within elites, the availability of allies and support groups (nationally and internationally), or state capacity and propensity for repression of dissent (Tarrow 1998). For its part, the *resource mobilisation theory* developed by social movements scholars also provide interesting analytical tools for this study. It focuses on both the variations in the organisational configurations of civil society groups (e.g. shifts in goals, size, leadership and decision-making structures, membership, funding) and the resources (human, financial, technical, symbolic, etc.) that enable them to mobilise and sustain their activities (McCarthy 1996).

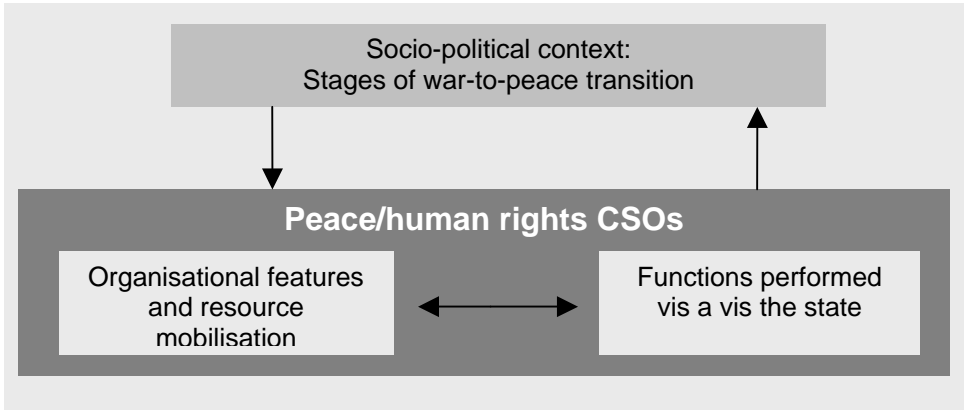


Figure 1: The dynamic relations between CSOs and their political environment

Applying these various concepts (see *figure 1* above) to the South African and Guatemalan contexts, the rest of this paper explores the relations between the dynamics of war-to-peace transitions, the dynamics of resource mobilisation and organisational features of peace/human rights organisations (*section 2*), and the transformation of the functions which they perform vis a vis the state (*section 3*).

## **2. Organisational shifts: ‘institutionalise or perish’**

### *2.1. Stage 1: Impact of war and repression on the structure of CSOs*

The South African conflict has been characterised by more than a century of wide-scale government oppression of the black majority population and three decades of armed conflict (1960-1989). This phase of history was characterised by state-sanctioned violence against oppositional groups, discriminatory racial laws and policies, a partisan judiciary, and vast socio-economic disparities between black and white people. In response to such structural violence by the state, the principal resistance organisation, the African National Congress (ANC), initiated and led an armed liberation struggle from the early 1960s on, mostly operating from exile.

The literature partly locates the emergence of a massive and well-organised anti-apartheid civil society sector with the relative political liberalisation measures launched by President P.W. Botha’s government during the early 1980s, which can be described here as an “enabling environment” for CSOs (Habib and Taylor 1999: 74). The ‘total strategy’ developed by the governing National Party in response to both armed and nonviolent insurrection in the late 1970s implied reforming some of the cruder aspects of apartheid, in an attempt to co-opt sections of the disenfranchised communities by creating a black middle class. This resulted in a relaxation of prohibitions on civic activity and allowed the establishment of new NGOs (Gidron et al 2002: 42). One can thus draw a parallel with the first phase of transition in democratisation theory, sometimes called “liberalisation” because authoritarian leaders start opening up the political system while striving to maintain the status quo (O’Donnell and Schmitter 1986).

This relative and partial political liberalisation, far from being intended by the regime as a prelude to the dismantling of apartheid, was in fact accompanied by repressive policies against civilian and political opponents, which imposed severe restrictions on the civil society scene. A state of emergency was in place for most of the period from 1984 to 1990, and 5,000 people were killed and another 50,000 detained in the late 1980s. CSO activists did not escape repression and were subjected to banning, arrests, detentions without trial, death threats, police harassment, censorship and other intimidation measures. The government also attempted to prevent public and corporate sponsorship of the NGO sector by introducing constraining legislation which made private donations conditional on state approval and prevented the foreign funding of political anti-apartheid activities (Kihato 2001: 6).

At the same time, the non-profit sector benefited from an increasing availability of resources, including both human resources (such as a flow of university graduates politicised by the resistance activities of the 1970s, or former political prisoners released in the early 1980s) and financial resources from abroad (Habib 2005: 676). The growing international consensus against the apartheid policies of the South African state resulted in an influx of foreign assistance (financial, diplomatic, material and physical) channelled directly to NGOs, first from progressive countries such as the Nordic countries, the Soviet Bloc and some African states, and increasingly also from more conservative countries in Western Europe and the USA (Landsberg 2000).

Between the liberation movements (i.e. ANC, black consciousness movement and other extra-parliamentary parties) and the apartheid state, was a civic space occupied by various CSOs. Some of these were described as closer to the anti-apartheid front and were affiliated or strongly connected with the umbrella organisation United Democratic Front (UDF). A second group was made up of moderate or “liberal” NGOs which positioned themselves in the middle-ground between the ideological extremes of Afrikaner and African nationalism (Habib and Taylor 1999: 74).

The organisational approach to CSOs should also highlight the sectoral diversity of South African peace/human rights organisations during the 1980s, which were made up of progressive religious bodies, educational organisations, trade unions, health and welfare associations, legal services organisations, women’s organisations, political think tanks, professional conflict management NGOs, research institutes, grassroots associations based on residential proximity (township civic associations), or single-issue campaigns. Most of these organisations, including the more formal NGOs, were relatively small, generally staffed by volunteers and/or part-time personnel with no specific conflict resolution or human rights proficiency (Lamb 2006: 3). They were either loosely organised in the manner of social movement organisations, or highly formalised and centralised around high-profile leaders with a strong personality (Gidron et al 2002). While organisations closer to the anti-apartheid political society had a majority of black members, more liberal CSOs had their social base in the university-educated male white middle class, often with theological connections (Habib 2005).

For reasons explored above, national private or corporate funding was made very difficult by constraining laws, inducing CSOs to become almost entirely dependent on foreign funding. According to Taylor (2002: 73), 83% of the resources of the peace/conflict resolution sector came from overseas, but this was not seen as an organisational constraint because these funders generally granted a considerable latitude and freedom to their South African recipients (Kihato 2001: 9). The rest of their finances originated from member subscriptions, donations and other local fundraising activities.

This rapid overview of the features of CSOs highlights the organisational and networking strength of the civil society component of the extra-institutional movement during the 1980s, engaged in a total “war of position” against apartheid.

## *2.2. Stage 2: Effects of peace processes on the configuration of civil society*

In South Africa, the phase 1990-1994 was marked by a triple transition: “1) a political transition from apartheid to democracy; 2) an economic transition from a closed economy dominated by the white minority to an open, globalized economy; and 3) a military transition from quasi-civil war to peace” (Landsberg 2000: 105).

One of the major turning points in the political environment was the change of leadership within the National Party and apartheid state in 1989, as the new President F.W. de Klerk shifted decisively towards a policy of negotiations. He immediately began to end segregation and lifted the ban on the ANC and other anti-apartheid political organisations. In 1991, the Apartheid laws were repealed and all political prisoners released. In September, a National Peace Accord was signed by most major parties, followed by the establishment of the Convention for a Democratic South Africa, a multiparty forum negotiating the modalities of a multiracial transitional government and drafting a new interim constitution. In spite of an increase in dissident intra-party violence on both sides over the following two years, the first democratic general elections took place on April 27<sup>th</sup>, 1994, marking the end of the apartheid regime.

This short but crucial period of South African history also represented a transitional phase for civil society activists, forced to re-evaluate their goals and strategies, as their vision of a non-racial democratic society was now close to becoming a reality. Following the unbanning of oppositional political parties, the civil society sector lost a few actors who moved into the ANC or who took positions in the transitional structure of governance, especially those who had considered CSOs as a “temporary tactical position” (Greenstein 2003) or “training ground” (Meyer 2002) for a political career in the post-apartheid state. Several organisations stopped their activities because their goals had been achieved or were no longer relevant. A few CSOs were also established. However, most existing CSOs decided to continue their activities, sometimes under a different name, reflecting new work priorities in a changed environment.<sup>3</sup> Financially, foreign funding reached an unprecedented peak in the period 1990-1994, which mainly benefited CSOs and political parties, seen by the donor community as major players of the transition process, in the absence of legitimate government (Landsberg 2000: 116, Kihato 2001: 9). Combined with the introduction of new corporate and private funding sources within South Africa, these increased resources led to a structural expansion of pre-existing CSOs.

### 2.3. *Stage 3: Structural shifts during post-war transitions*

Most civil society structures established during a violent conflict face some necessary reconversions in the post-war period, along a continuum of possible configurations, from disintegration to institutionalisation (Della Porta and Diani 2006: 151).

In South Africa, the third stage of peace/democracy consolidation, which started in 1994 with the first democratic election and is still ongoing, has been mainly concerned with processes of nation-building, reconciliation, and strengthening of the state machinery to tackle post-war socio-economic challenges. As Lamb (2006: 14-18) recalls, a number of peacebuilding successes have been achieved in the post-1994 phase. A new constitution was introduced in 1996, which promotes fairness and equality, and a substantive civil society involvement in governance issues. There have also been concerted security sector reforms (e.g. military, police, prisons) introducing independent watchdogs, and the judiciary has regained its independence. Moreover, post-apartheid governments have sought to deal constructively with past injustices and human rights abuses through the establishment of a Truth and Reconciliation Commission (TRC) which ran from 1995 to 1998. In the economic sector, the working conditions for the formerly oppressed black majority have improved thanks to black economic empowerment, affirmative action, and equal opportunity measures. At the same time, however, progress on land reform and black economic empowerment has fallen severely short of public expectations, racism and human rights abuses are still common practice among security forces, and extremist and vigilante armed groups continue to operate (Lamb 2006: 20-25). Post-1994 state reform was also accompanied by an integration of the new democracy into the global economy, “translated in South Africa into the ANC government’s adoption of neoliberal economic policies” (Habib 2005: 680-1), through the liberalisation of financial and trade markets, deregulation of the economy, and privatisation of the state’s assets. This resulted in increased unemployment, poverty and inequality (Greenstein 2003). In short, South Africa is still a highly violent and unequal society from a socio-economic perspective.

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<sup>3</sup> For instance, the Institute for Democratic Alternatives in South Africa (IDASA) became the Institute for Democracy in South Africa in 1994, and in 1991 the white National Union of South African Students (NUSAS) merged with other black student movements into a single non-racial progressive organisation, the South African Student Congress.



Regarding the process of democracy consolidation, the successes of post-apartheid South Africa are also rather ambivalent. On the one hand, contemporary South Africa fulfils all the standard conditions for a consolidated liberal democracy, such as meaningful and regular competition for positions of power in government, inclusive political participation through regular and fair elections, and a society where civil liberties such as freedom of expression are protected. However, critics have described the South African regime as a *poliarchy*, characterised by “elite minority rule and socio-economic inequalities alongside formal political freedom and elections involving universal suffrage” (Hearn 2000: 818).

The restructuring of the South African state resulted in a radically changed ‘enabling environment’ for the organisational capacity of the civil society sector. First, there has been a serious decrease in human resources available to voluntary organisations. As explained by the former chair of the women’s peace organisation Black Sash, “after 1990 and the post-transition normalisation, our volunteers started to go back to their own careers and professions which they could now freely exercise and where their skills were needed” (Duncan interview). As transition theorists have argued, democratisation also coincides with a decline in popular mobilisation to make way for institutionalised politics. This translated into civil society activists and organisations being absorbed into the new state structures (political parties, parliament, local councils, government and state bureaucracy), convinced that their peacebuilding goals might be better served from inside. Between 1990 and 1997 the non-profit sector lost more than 60% of its senior staff to government and the private sector (Habib and Taylor 1999: 79).

The second major factor affecting the organisational capacity of peacebuilding CSOs is the reduction of financial resources available to the non-governmental sector. “While CSOs were the sole beneficiaries of foreign political aid before 1994, after democracy’s arrival they were forced to share the spoils with the new state” (Landsberg 2000: 127). Indeed, once international donors normalised their relations with South Africa, they began to shift their attention to funding the government directly, resulting in a severe shrinking of the funding pool available to CSOs. In the period 1994-1999, only 11% of total overseas development assistance to South Africa was directed towards NGOs, while the public and private sectors received respectively 79% and 10% of the share (Kihato 2001: 13). However, due to the nature of peacebuilding and human rights work, it is equally difficult to attract private funding from the corporate sector or to raise substantive profits from such activities, and many CSOs are still reluctant to appeal to the state for funding, fearing to lose their autonomy vis a vis political society. As a result, the peacebuilding sector is still financially donor dependent, and many CSOs receive more than 90% of their income from foreign sources, such as Western European and North American governments or charitable foundations (Lamb 2006: 42).

This combination of human resources crisis and increased competition for limited donor funding has forced a number of CSOs to either terminate their activities or engage in serious organisational restructuring. Several organisations have severely reduced their size and activities in order to survive, while at the other end of the spectrum, a number of CSOs have considerably expanded their size, scope and activities, by professionalising their structures and personnel to adapt to a changed environment. According to Lamb (2006: 5), “close to thirty percent of the peacebuilding community is comprised of very large organisations employing more than 30 full-time staff members”, with an annual budget reaching up to 57 million Rand (5,8 million Euros). Many of these were established before 1990 or during the transition period and grew considerably in a post-apartheid environment. Most of their current leaders and employees are highly professional graduates, with specific peacebuilding, lobbying or administrative expertise, representing a new generation of NGO workers, as opposed to pre-1990 political activists. These organisations have become much more hierarchical, with formal governance structures and management teams, staff evaluation

systems and regular strategic planning sessions, with strong similarities to private sector businesses (Lamb 2006: 40). Finally, these NGOs have tried to become more representative of South African society by recruiting more black personnel in a field which used to be dominated by the progressive white community.

Such severe transformations do not come without limitations. The dependency of CSOs toward their foreign and state funders severely limits their freedom of action and autonomy, forcing them to adapt their activities to donor preferences, and to prioritise short-term and quantifiable interventions in order to “demonstrate evaluateable results to donors” (Lamb 2006: 128). Their most virulent detractors denounce this “new type of CSO ..., elitist and oligarchic in character, ... run by a small circle of leaders who spend more time making themselves attractive and hustling to attract even-dwindling resources to ensure their survival than doing all-important grassroots work” (Landsberg 2000: 128). As summarised by Habib (interview), “professionalisation has alienated NGO workers, who have become service contractors rather than significant aggregates of change”.

### **3. Functional shifts: from opposing authoritarian regimes to collaborating in post-war peacebuilding**

#### *3.1. Stage 1: Functions performed by wartime CSOs*

One of the central argument explored in this paper is that the choice of activities by CSOs and the functions which they perform vis a vis the state are partly influenced by the characteristics and timing of the conflict and political system in which they operate.

In pre-transition South Africa, peace/human rights CSOs had well defined and unequivocal relations of opposition to the apartheid policies of the South African state. Beyond this general strategic stance, the individual tactical choices made by individual organisations were influenced by the political context and their socio-demographic characteristics. Meyer (2002: 194-5) highlights a clear-cut division of labour between “black” radical movements adopting a conflictual model of engagement, and “white” groups establishing collegial relations with the state because their full voting rights and institutional or informal access to political elites enabled them to work largely within the system.

CSOs closer to the anti-apartheid movement took an antagonistic and adversarial stance toward the government, and a number of organisations resorted to nonviolent resistance techniques embodying the *protest and opposition* function, through street demonstrations, candlelit night vigils outside Parliament and government offices, labour strikes and revolts in the townships, and war resistance campaigns.

For its part, the function of *counterweight to the power of central authorities* was mostly performed through fact-finding, monitoring and policy advice activities by research institutes and think tanks. Through their publications, media work and public events, their role was to expose and challenge apartheid “objective facts” and human rights infringements through analysis and research (Taylor 2002: 76), thus serving as a watchdog towards the state.

Since all the CSOs under scrutiny were opposed to the authoritarian policies of the South African state, the function of *state-society intermediation and collaboration in policy-making* was rather limited during the apartheid years. It was largely reduced to Track II informal dialogue facilitation by liberal ‘white’ NGOs between representatives of the Afrikaner political establishment and extra-parliamentary opposition, in order to prepare the ground for a negotiated solution to the conflict (Taylor 2002: 76). The most illustrious of such meetings took place in 1987 in Dakar between 50 reform-minded Afrikaner business and political figures, and 17 senior ANC members.

### 3.2. *Stage 2: The role of CSOs during peace processes*

Although peace processes and democratic transitions have been often defined as elite-launched and elite-run processes (O'Donnell and Schmitter 1986, Wanis-St.Jones 2008), they also offer a unique opportunity for mobilising and articulating different sectors of civil society.

In South Africa, the period 1990-1994 saw a major shift in the political and societal functions of peace/human rights organisations. While the apartheid regime began to disintegrate and the ANC transformed itself from an underground opposition movement to a government-in-waiting, CSOs reverted to less confrontational and more constructive types of activities. The common goals of political and civil society were to minimise violence and assist the negotiation of political compromises to facilitate a smooth transition to democracy (Camay and Gordon 2002: 13).

Consequently, the most important vertical function performed by CSOs during this phase concerned the *channelling of state/society communication*. A number of organisations played important 'honest broker' roles, both before and after the signature of the national peace accord. Other CSOs were working more closely with potential 'spoilers' (e.g. the white right wing or leaders of various black factions) in order to bring them to the negotiations table and enhance the inclusiveness of the peace process. CSOs also played a crucial capacity-building role by acting as advisors to the negotiation parties. ANC leaders, on their return from long-term exile or imprisonment, were especially in need of policy advice from their former civil society allies who were better informed on local realities and necessities. Research centres thus shifted their work from critical analysis of apartheid policies to the formulation of concrete proposals for members of the transitional assembly and executive council (Price 1995), while members of the UDF trained ANC cadres in formal politics, ahead of the upcoming first democratic elections (Pieterse 1997). The constitution-drafting process was particularly inclusive and open to civil society feedback and proposals, through participatory forums or informal lobbying. As a result, the 1996 Constitution reflects many CSO socio-economic concerns (e.g. on gender or racial equality), and is often described as one of the most progressive and advanced constitutions in the world.

The two other civil society functions, namely *protest and opposition* and *watchdog over the state*, were less relevant during this phase of democratic transition. In a few instances, CSOs resorted to protest against political deadlocks and factional 'black on black' violence, which acted as a powerful new stimulus for the negotiations (Camay and Gordon 2002: 10). An example of monitoring activity was the "enabling environment study" conducted by the Legal Resources Center in 1992, promoting new legislation in favour of proactive CSO engagement and allowing the non-governmental sector to retain its right to criticise and oppose governmental plans and actions.

### 3.3. *Stage 3: CSO roles during post-war peace/democracy consolidation*

Organisations oriented towards social change need to seek a new role for themselves in the aftermath of peace processes and political transitions, when peace and democracy are no longer an ideal to which they aspire but progressively become a reality that needs to be consolidated and preserved. In particular, the relationships between civil society and political society need to be redefined.

In South Africa, the former polarisation of political society between state structures and extra-institutional political forces (such as the underground ANC) has been replaced by a realignment of forces and the convergence of officials from the 'old' and 'new' state into the "politics of the centre" (Greenstein 2003). The new security, legal and fiscal environment

(e.g. 1997 Non-Profit Act or 2000 tax regulation reform) is far more favourable to public scrutiny, and facilitates “the development of a collaborative relationship between the state and formal NGOs” (Habib 2005: 678), especially in the domains of policy development and service delivery (Lamb 2006).

In contemporary South Africa, most NGOs are trying to combine simultaneously the complementary roles of watchdogs, advocates, consultants and partners of the new democratic state, which may become at times incompatible tasks. Landsberg (2000: 118) notes the same contradictory message on the part of foreign donors, who request the South African non-profit sector to “help ... consolidate sustainable democratic governance” through “strategic partnerships” with the state, while insisting on the need to “strengthen civil society’s capacity to counterbalance and oversee government”. Several authors also note a divergence in the trajectories of formerly ‘liberal’ and white-dominated CSOs as opposed to both black civil society actors and mass-based movements. While the former emphasise monitoring and advocacy roles and assert their independence from the new state, the latter have had more trouble redefining their role in relation to their old allies now in government, and tend to position themselves as constructive partners with the state (Habib and Taylor 1999: 76).

The function of *counterweight to the power of central political authorities*, which was earlier defined as a key civil society function in consolidated democracies, is mainly performed by policy research institutes and other NGOs attempting to pressure the state on accountability and transparency, and monitoring possible abuses of power or mismanagement of resources by the government. But on the whole, most organisations are rather reluctant to criticise the government openly, fearing to jeopardise their close access to decision-makers and preferring to exert their influence through more informal lobbying methods. Especially during its first few years in power, the ANC government has indeed expressed its reluctance to see CSOs playing an independent political watchdog role, given its “conception of coordinated, working, neutral and apolitical” civil society (Kihato 2001: 19).

Most policy-advice activities conducted by CSOs might in fact better fit the label of *state-society intermediation and collaboration in policy-making* through either lobbying or capacity-building. In the former category, one can find many instances of civil society inputs into policy-making by contributing directly to new legislations or via structures of consultation. CSOs have also become professional service-providers for the national and local governments, for instance by training civil servants in the education, security and administrative sectors. Other organisations are striving to retain public advocacy roles, locating civil society as an independent intermediary between citizens and the state, conveying messages and requests from the grassroots toward the appropriate institutions, while presenting themselves as viable negotiators between the state and the community (e.g. advocacy campaign for the introduction of a basic income grant).

Another role played by peacebuilding CSOs is that of top-down “delivery intermediaries between the framers of social policy and those for whom it is intended” (Friedman in Greenstein 2003: 31). Although this function primarily concerned NGOs in the development and welfare sector, programs fostering state-CSO cooperation in policy implementation have also been established in the domains of democracy and peace consolidation (Lamb 2006). The purpose of such partnerships is to promote complementarity by combining the strengths of the different (public/private/non-profit) sectors. For example, state agencies can guarantee institutional and financial continuity and administrative capacity but “operate through formal and user-unfriendly procedures that are not always conducive to effective service delivery” (Greenstein 2003: 31). In turn, NGOs are able to balance top-down public policy with people-centred approaches focusing on community empowerment, but often lack democratic accountability and financial independence (Camay and Gordon 2002: 23). International donors have been particularly instrumental in such CSO reorientation

toward cooperation with the government, by prioritising the funding of such projects over more advocacy-oriented activities (Kabemba and Friedman 2001: 9).

However, a number of criticisms have been made against such state-NGO partnerships in policy implementation, arguing that they have transformed CSOs from agents of change to either apolitical government sub-contractors (Kihato 2001: 18), or worse, normative agents of control colluding with the state in its neo-liberal hegemonic project (Habib and Taylor 1999: 80). For example, the fact that many government officials were previously active in the CSO sector has resulted in unusually close and sympathetic relations between civil and political society, and may prevent independent scrutiny and criticism of state policies for fear of appearing disloyal toward former colleagues or allies (Hearn 2000: 823). It is also argued that the commercialisation of formal NGOs through post-war development projects has turned them into “mere delivery agents on behalf of government” (Greenstein 2003: 30), resulting in a loss of autonomy as well as conflicting demands on their loyalties toward the state and their community.

Even though the majority of former anti-apartheid movements prioritise partnership with the ANC government, they believe they “should retain the independence and organisational capacity to take the streets when the need is required” (Habib 2005: 687). However, so far these organisations have been largely unable to maintain their former *protest and opposition* function to defend the interests of citizens against non-democratic or contestable state policies, and several authors call for a return to a more critical, activist and challenging civil society (e.g. Camay and Gordon 2002, Greenstein 2003). They also note the emergence in recent years of new, radical social movements which guarantee real state accountability in post-apartheid South Africa. Whereas the political transition had relegated more specific local or socio-economic grievances to the background, the end of apartheid has given rise to a profusion of new protest movements around the delivery of services over housing, electricity, health, education, land redistribution, HIV/AIDS treatment, or crime reduction.

## Conclusion

Several conclusions can be drawn from this study of the transformations incurred by peace/human rights organisations in the wake of the transition to peace and democracy in South Africa. First, the findings therefore confirm both the *political opportunity structure* and *resource mobilisation* theories offered by the social movements literature, as the expansion and flourishing of CSOs during the last decade of the apartheid era were enabled by a combination of severe state repression of dissent (generating an impetus for their establishment) and a beginning of political liberalisation (providing organisational opportunities for non-state action), coupled with an increase in external support structures for civil society mobilisation.

Second, peace/human rights CSOs established in the context of anti-apartheid struggle have been forced to alter their internal structures and external functions vis a vis the state in the face of severe transformations in the South African political opportunity structure, characterised by the shift from racist and authoritarian policies toward peace- and democracy-building. The transition to peace and democracy was initiated in the late 1980s and was concluded in 1994 after the signature of a peace agreement and the holding of free and inclusive elections. However, a full transformation of the conflict and its root causes is yet to be attained, as the end (or waning) of politically-motivated violence has been largely replaced by sustained socio-economic violence. The consolidation of liberal representative democracy has also been accompanied by a loss of more radical forms of direct deliberative democracy,

in line with internal transformations within the civil society arena. For many CSOs, the problem is to sustain their activities in other forms than purely oppositional ones.

Regarding the organisational shifts incurred by CSOs, many have transformed their structures and modes of operation from voluntary activism in underground social movements to professional and streamlined NGOs with expanded budgets and staff. Others are struggling to sustain their continued existence in a more competitive environment or following the disappearance of their original *raison d'être*. The civil society sector has become dominated by a new generation of CSO professionals with specific peacebuilding expertise, while most of their elders became absorbed by the political and private sectors. This created a dilemma for CSOs, forced to choose between retaining close ties with formerly extra-institutional opposition parties now entering the sphere of conventional politics, at the risk of losing their autonomy vis-à-vis the political society, or deciding to preserve civil society independence at all costs.

Moreover, the high level of direct and unconditional foreign CSO assistance during the active conflict and peace process phases was subsequently followed by an abrupt reduction of external sources of funding, many donors now treating directly with the post-war newly democratic government, or having moved to other conflict zones. However, their continued dependency on foreign assistance has obliged many CSOs to adapt to donor priorities and tighter requirements, for instance by focusing on short-term activities with quantifiable results, or following externally-imposed agendas at the expense of local needs and priorities.

In terms of functional shifts, CSOs have largely redirected their focus from peace/human rights promotion to development and peacebuilding support. The first vertical function, counterweight against the abuses of state power, has been most crucially relevant during the armed conflict (in the form of protection and fact-finding missions) and post-war peacebuilding process (as 'watchdogs' over the new state). The function of state-society intermediation also took different forms during the course of conflict transformation. Inter-party dialogue facilitation during pre-negotiation and negotiation processes was accompanied by institutional fora for civil society involvement in the formulation of political agreements, and followed by cooperative state-CSO partnerships in policy-making (e.g. through lobbying or consultancy) and implementation (e.g. as contractors in service delivery) during the peace/democracy consolidation stage. Even though such coordinated efforts are vital in order to ensure the parallel strengthening of state and civil society structures, they may prevent the ability of peace/human rights organisations to retain a critical and independent voice when necessary. In fact, whereas public advocacy and protest were the most widely used functions by anti-apartheid and human rights CSOs, they have nearly disappeared from their current repertoire of action. Recent trends, however, show that after a decade of post-war collaborative engagement with the state, some CSOs are beginning to revert to more confrontational strategies. This renewed mobilisation is less concerned with political or civil rights (most of which have been achieved throughout the transition) than with socio-economic issues of crime, societal violence and persistent inequalities, or the damaging effects of neoliberal state policies.

How does this study contribute to the advancement of research and practice in conflict transformation? Firstly, it attempts to bring together various bodies of knowledge (i.e. peacebuilding, development, social movements, democratisation theory), which have rarely been explored in a comparative manner. Conflict transformation scholars, for instance, need to broaden their analytical scope to include CSOs active in the human rights, justice or development sectors as integral components of peace constituencies. Moreover, the strong linkages established between conflict transformation and democratisation theories fit rather nicely with the South African case study, where the transitions to peace and democracy

occurred in parallel and reinforced each other. However, this model might not apply equally to other settings, and thus its potential for generalisation should be treated with caution.

Concerning the policy implications for peace/human rights activists and professionals in other conflict situations, this comparative experience might help them to sharpen their awareness of the changes awaiting them once they succeed in reaching their war-time objectives, and be prepared to react accordingly. For instance, in view of the financial and structural challenges brought about by macro-political transitions (e.g. shrinking of the funding pool, decline in human resources), they should carry out systematic evaluations of their past objectives and strategies, current organisational and functional strengths and weaknesses, future scenarios and priority areas, and necessary reconversions. Another important lesson for CSOs in transitional societies concerns the challenge of moving from confrontational tactics against oppressive regimes toward more collaborative and conventional strategies, while avoiding instrumentalisation or cooption by the state. Engaging effectively with governments requires a sophisticated understanding of the various policy-making channels and mechanisms at their disposal. Only then might societal actors gain sufficient credibility and leverage to help their country become truly democratic and reach the last conflict transformation stage of peaceful social change.

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