Introduction

Trying to understand the character of NGOs in contemporary capitalism in the Global South in general and in Africa particularly, raises the issue of politics, especially of politics which conceive themselves, or are conceived, as existing outside the parameters of the state. If politics is always subjective – something which I take for granted – what kind of thinking and thus practice do NGOs enable? In fact it is important to ask whether it is possible to think of NGOs in general in this context or whether the differences between them are so extreme as to render any subjective generalisation of little more than rhetorical value. I shall argue that despite the major differences between NGOs on the continent, it is possible and indeed necessary to understand NGOs in relation to an Idea of emancipation (equality, justice, freedom, dignity) which some of them (a minority to be sure) indeed uphold and many more argue is their purpose. I will suggest however that what NGOs possess in common is a particular conception which understands politics in statist terms, in particular a state conception which operates with a view of politics as representing the social, and that moreover, they do so in a particular manner which consists in interpellating individuals as subjects. The latter is a component part of an ideology fundamental to capitalism; it is an imaginary relation to the idea of the human and thus to human emancipation.

Contrary to much left opinion, there is no major political distinction between NGOs and social movements simply because they all represent interests or identities exercising their citizenship rights within a domain of civil society. Rather politically, all such civil society organisations generally operate within the limits of practice and thought largely set out by the state or ‘in dialogue’ with the state - in other words today within the globally hegemonic discourse of good governance, human rights, democracy and so on. As a result, ‘excessive’
modes of politics with a potential for emancipatory practices today are more likely to exist outside or at best at the margins of civil society and are excluded from any ‘public sphere’. An emancipatory politics today can only be found in a small number of sites where excess beyond the various domains of politics regulated by the state is made possible (Lazarus, 2013).

It is probably useful to begin by noting that any attempt at defining NGOs (i.e. at limiting them empirically) is largely doomed to fail. This is because it is always possible to find exceptions to whatever definition is used. While the dominant definition is made negatively in terms of their institutional distance from the state, it is clear that many NGOs fulfil (e.g. social) state functions and even substitute themselves for state power when there is no state in several parts of Africa. Issa Shivji’s (2008) article on DONGOs (donor organised NGOs) GONGOs (government organised NGOs), FFONGOs (foreign funded NGOs), and so on classified largely in terms of their funding, is a good illustration of this problem. On the other hand, Habib’s (2004) classification of South African NGOs in terms of their relation to the state (cooperative, adversarial, etc) fails to take into account the fact that the state regularly excludes a number of organisations (local or foreign) from formal existence as it refuses to recognise their legitimacy (rightly or wrongly). Western NGOs on the other hand have regularly been supportive of Western military intervention in order to enforce ‘democracy’ on authoritarian states. It should also be noted that governments understand NGOs not in terms of their institutional distance from themselves (‘non-government organisations’), but rather in terms of their legal distance from private business (‘non-profit’ organisations). In other words, irrespective of the kind of NGO in question, their relations to the state are such that they are necessarily legitimated by the state². Institutional distance from the state is thus a spurious distinction, at least politically. Without this legitimacy conferred by power they could not exist. Today this fact implies thinking exclusively within neo-liberal political conceptions.

The fundamental reasons for this problem (state/non-state) are to be found in the notion of ‘civil society’ often conflated with NGOs themselves. The idea of civil society, although it has a long pedigree going back to the Enlightenment, is today, in neo-liberal thinking, equated with NGOs themselves (while sometimes social movements are added). Civil society is understood as the ‘domain of freedom’ as here it is said that individuals can organise in order to pursue their interests collectively. This is necessary for the neo-liberal theory of
politics as, for it, it is these interests which collectively represent the ‘general will’ or the ‘national interest’ in Africa. The state unfortunately does not do so as it is dominated by the interests of ‘narrow elites’ – at least this was the argument in favour of ‘civil society’ advocated by the World Bank (1981) and others as part of the political liberalisation arguments of the 1980s. Accompanying economic liberalisation and so-called ‘structural adjustment’ at one remove, these views were often enforced as ‘conditionalities’ as is well known. The rise of NGOs in the political economy of the South at this time – although having been in existence for many years, after all the (mission) churches were perhaps the oldest NGOs in Africa – were seen usually by Western ‘Africanist’ scholars as hegemonic (along with social movements) in the arena of anti-government politics. They therefore were easy to associate with the increasing depredations of neo-liberal economics. Thus Arundathi Roy argued not only that the rise of NGOs has accompanied the spread of neo-liberalism, but that it has had a systematically depoliticising effect as:

they [NGOs] defuse political anger and dole out as aid or benevolence what people ought to have by right. They alter the public psyche. They turn people into dependent victims and blunt the edges of political resistance... It’s almost as though the greater the devastation caused by neo-liberalism, the greater the outbreak of NGOs (Roy, 2004:6).

Partha Chatterjee (2004) on the other hand has stressed the role of international NGOs in spreading human rights discourse which, he argues, forms one of the main pillars of imperialism today. It is important to emphasise this point here as these NGOs are constitutive of the currently hegemonic conception of democracy and human rights. It is also important to recognise that in the new form of imperialism - which does not have an obviously clear centre - it is not simply that the power of African governments to make decisions on their own economies is undermined, even perhaps more importantly, national sovereignty is undermined by human rights discourse itself as international NGOs argue aggressively for imperial intervention in order to enforce Western conceptions on recalcitrant peripheral governments. This process has taken a number of forms including the trial of gross violators by the International Human Rights Court in The Hague (so that they are not accountable to their own people) and the advocating by international NGOs of Western military interventions. The most notorious example was perhaps the invasion of Afghanistan on the
basis of the need to ensure rights for women in that country. The connection between imperialism and human rights is explained by Chatterjee as follows:

Liberals are now saying that ... international law and human rights must be established all over the world. Where these are violated, the guilty must be punished, without undue regard for the privileges of national sovereignty. If the leaders of states themselves have little concern for the law, if they themselves ride roughshod over the human rights of people, then why should the excuse of national sovereignty be allowed to come to their rescue? In that case human rights would never be established. ... The liberal democratic countries must come forward to accept their responsibility in creating the institutional space for the operation of an ideal global sovereignty. The name for this sovereign sphere ... is empire. (Chatterjee, 2004:98).

Of course not all NGOs turn people into victims, in other words ‘depoliticise’ systematically or explicitly, at least some attempt to ‘politicise’, while others are agents of empire; many see themselves as resisting imperial political depredations, yet I shall show that if one begins from the perspective of trying to think an emancipatory politics, it is not possible to suggest that NGOs contribute to thinking emancipation, so long as they remain NGOs. In other words the thought and practice (for me the two are the same in politics) of emancipation requires a break from NGO subjectivity which, despite what may be thought, is always contained within a state subjectivity that disables the thought of a universal notion of emancipation. The enabling of emancipatory politics requires a transcending or exceeding of NGO (or for that matter of social movement or party) thinking into a universal egalitarian practice, something which NGOs, due to their function in society (and one may also add due to their consequent structure), of themselves cannot possibly enable.

In order to make sense of this argument, we must understand, broadly speaking and very briefly, what an emancipatory politics (or subjectivity) consists of. Then we must situate the notion of ‘NGO’ in its historical context as an ideology. Finally I will show, following Althusser, that NGOs fulfil a crucially important ideological function for the reproduction of state power and thus for capitalism itself today in the South; much like universities and the churches (as well as other institutions) they can be understood as ‘ideological state apparatuses’ which ‘interpellate individuals as subjects’ and which have arisen largely due to a hegemonic crisis of colonial politics occasioned by resistance to liberalisation in the 1980s.
They are ‘ideological’ in the strict sense of enabling the imaginary ‘naturalisation’ of individual subjecthood under neo-liberal democracy and of fusing it with the thought of emancipation. Therefore NGOs, however progressive they may be, cannot be vehicles for human emancipation – a process which presupposes the overthrowing of capitalism and all its political ramifications by people themselves.4

**Emancipatory politics and the politics of representation**

Thinking emancipation does not involve a utopian conception of a future society. It concerns a politics of the ‘here and now’ founded on an ‘excessive’ collective subjectivity which is valid for all and not only for certain sections of society however poor or oppressed.5 Of course political excess can only be found in relation to the thought of the *politically excluded* (not necessarily the socially excluded) – i.e. those who have no say in deciding their lives for themselves; those whose life is decided for them because of their exclusion from the state and its legitimated ‘public sphere’. What ‘in relation to’ means here concerns the fact that ‘people are capable of thought’, namely that *at certain times* people (anyone, but primarily the politically excluded) are capable of thinking beyond their social location in the world, in ‘society’. In any particular context these may consist of the poor, the rural poor, the colonised, excluded ethnicities, blacks, women or whatever. However, and this is the crucial point, an emancipatory politics can exist only when a collective subjectivity is self-created and exceeds the interests of that particular group by orienting its practice to principles of universal equality6. We can refer to this as ‘disinterested interest’, in other words emancipatory politics is founded on a universal politics which eschews interest and its expression in identity as a matter of principle: its only interest is ‘disinterest’ so to speak. If such a universality is absent, identity politics can easily collapse into particularisms or communitarianisms which can then easily degenerate into versions of fascism. Emancipatory politics is therefore not identitarian – it is radically anti-identitarian - unless that identity itself expresses some form of universality (e.g. as in ‘national freedom’, i.e. ‘self-determination’).

It follows that for me, the notion of ‘social justice’ is an oxymoron. Insofar as it is social there can be no justice for all, only for some; insofar as there is universal justice it is not social (i.e. not ‘state delivered’) because it is now founded on a politics of universal equality and not on a spurious notion of ‘equality before the law’. Of course this is not unconnected to the idea of egalitarianism embodied in 18th century notions of ‘natural right’ developed by
Locke and argued for vehemently, although ultimately unsuccessfully, during the French Revolution as the ‘Thermidorian’ notion of ‘socially embedded right’ emerged victorious. It should be recalled that it was precisely on the basis of ‘natural right’ that Toussaint Louverture made his case for the abolition of slavery in Saint Domingue and not on any ‘social’ notion of justice:

It is not a circumstantial freedom given as a concession to us alone which we require, but the adoption of the absolute principle that any man born red, black or white cannot be the property of his fellow man. (cit. Césaire, 1981:278, my translation).

At another point he says:

For too long gentlemen ... we have been victims of your greed and your avarice. Under the blows of your barbarous whip we have accumulated for you the treasures you enjoy in this colony; the human race has suffered to see with what barbarity you have treated men like yourself... We are your equals then by natural right, and if nature pleases itself to diversify colours within the human race, it is not a crime to be born black or an advantage to be white (Aristide, 2008: 6,7, emphasis added).

This is why Edward Saïd (1993:280) could comment that Toussaint: ‘appropriates the principles of the [French] Revolution not as a Black man but as a human’. Moreover, very similar points to those of Toussaint are made by Fanon but now within the context of a historical sequence of ‘national liberation’. It is the fact of colonialism itself which is opposed to humanity and not this or that national expression of it; the matter concerns a universal and not simply a particular process of domination:

The enemy of the African under French domination is not colonialism insofar as it exerts itself within the strict limits of his nation, but it is the form of colonialism, it is the manifestations of colonialism, whatever be the flag under which it asserts itself” (Fanon, 1967:171).

Unfortunately there is no escaping the fact that all politics founded on interests are state politics even though people may initially react to their oppression from a defence of interest in relation to a state or the market. This is because state politics is ontologically founded on a
defence of interests and hierarchies. This is true irrespective of the nature of the state: democratic, authoritarian, colonial, postcolonial, neo-colonial or whatever. In other words state subjectivities can only think interests and hierarchies which it is the state’s job to regulate in the interests of the ruling oligarchy (or for some in the ‘general’ or ‘national interest’). It follows that political identities are the subjective representations of interests and cannot in and of themselves possess an emancipatory content; they can only do so if they come to possess a universal subjectivity (e.g. freedom, equality, dignity) which ‘exceeds’ interest in some way. We can say that politics in ‘political society’ represent social groupings via parties, politics in ‘civil society’ represent identities via NGOs and social movements. Civil society is here understood as a particular domain of politics (there are others) in which organised interests relate to the neo-liberal state and to each other in terms of citizenship and other rights conferred by the state (Neocosmos, 2011).

Sometimes, NGOs are distinguished from social movements along the lines that the former are said to have clients while the latter are said to have members. These sociological characteristics are said to make the latter more progressive as membership has supposedly the capacity to make the politics of social movements more representative of their constituency. However, sociological characteristics do not translate automatically into politics; the recent example of the NUM in South Africa clearly shows that this imputed correspondence is not always the case and that trade unions (for example) are not in themselves more representative simply because they happen to possess a membership. In this paper I make no distinction between the two. Both ultimately represent sectional interests and are run by a leadership which is said to represent the interests of a social group such as a class, a nation, an ethnicity or whatever. The core problem is the whole idea of representation itself.

It is therefore more important to comment on a politics of representation which lies at the heart of the manner the state conceives politics in general so that political subjectivity is said to ‘represent’ the social in one way or other. The kind of politics inherent in emancipation is not one of popular representation, but rather one of ‘presentation’ whereby people present themselves ‘on the scene of history’ as Trotsky put it in his magisterial text on the History of the Russian Revolution. In other words in emancipatory politics people collectively become a subject. This is called a process of ‘subjectivation’; it is a collective process of becoming and without it we cannot begin to speak of emancipation⁹. In other words a politics of emancipation must be a self-actualising process of subjectivation founded on a universal
conception of equality. There can be no state politics or identity politics of emancipation, the idea of an egalitarian state is simply an oxymoron.

This means that all notions of ‘radical democracy’ (which purport to extend state democracy into the popular) or ‘civil society democracy’ or ‘identity politics’ or ‘social justice’ cannot begin to think emancipation. There can be no emancipation of any particular section of society. The idea of emancipation is only understandable at the level of humanity. It is forgotten for example that for Marx the emancipation of the proletariat did not only concern them for it meant simultaneously the emancipation of humanity as a whole, for the freeing of the proletariat meant the end of the class system and the division of labour as such (e.g. Marx and Engels, 1846: 78).

Of course the idea of human emancipation must take seriously the oppressive nature of the division of labour in capitalist society but cannot assume any longer that the overcoming of these divisions can pass through control of the state. Emancipation must be thought differently today as it should be clear that the capturing of state power has historically had the effect of reproducing inequalities and hierarchies so that fundamentally there is no real change towards equality. This process has appeared as a ‘law of history’ in Africa which, as Mbembe (2013) has recently pointed out, Fanon dreaded. What this means is that emancipatory politics cannot be thought of in terms of forming or joining parties; these operate within a politics of representation which it is imperative to think beyond. As I have already noted, parties, NGOs and social movements all operate within a notion of politics which is said to represent the social. The point is not to represent but to enable presentation. How can we begin to think an alternative to a politics of representation?

Although the work of Lenin is not taken seriously these days because it has been read dogmatically, there is much in his work which is of value if read critically. For example Lenin was fully aware that something more was required for an emancipatory politics (he called it ‘social democratic politics’) than what was given by identity politics (for him ‘trade union politics’). He saw this excess in the universalising ideology of the (proletarian) party but there is no need to follow him in this respect. Parties themselves are unable to be truly universal in their ideologies simply because they operate within state conceptions of politics. Elite theorists at the time (Pareto, Michels, Mosca and even Weber) were aware of this although they insisted in reading these state subjectivities in terms of collective psychological
characteristics (‘lions’, ‘foxes’ representing psychological types, etc) (Beetham, 1974). What was called an ‘iron law of oligarchy’ by Pareto or a ‘law of the small number’ by Weber is of course central to state bureaucratic thinking and practice. These conceptions of representation, although not necessarily of their effects, were quite simply generalised throughout the 20th century. For Lenin for example:

> It is common knowledge that the masses are divided into classes ... that as a rule and in most cases ... classes are led by political parties; that political parties, as a general rule, are run by leaders. All this is elementary (Lenin, 1920: 41).

It followed for Lenin then that ‘politics is a concentrated expression of economics’ and even further that ‘politics must take precedence over economics, to argue otherwise is to forget the ABC of Marxism’ (Lenin, 1921: 83). Of course politics here refers to policies and party positions, i.e. to state politics devised by leaders on the basis of their scientific knowledge of Marxism; this point was made after the seizure of power and is quite categorical nevertheless. Ultimately people are not endowed with independent thought as leaders represent people and decide on their behalf how best to express their interests. But emancipatory politics today cannot be thought within the limits of state politics. Politics must be thought beyond party as well as NGO and movement politics; all these are state politics because they are think politics as representing social location, interests and identities.

Representation of course means that political subjectivities represent social place - leaders are said to represent social groups or classes - and that the division of labour between intellectual and manual labour (inter alia) is rarely confronted. This is why in all popular movements a central issue is the control of the leadership by the people themselves. In South Africa in the 1980s for example, a central feature of this process was called ‘report backs’, but this issue is a universal one during periods of popular upsurge. It is noteworthy that one notices a decline of such ‘report backs’ along with the ‘bureaucratisation’ of trade unions in South Africa (Buhlungu, 2010). For Fanon as we know, presentation is not represented, it amounts to a collective process of subjectivation:

> The living expression of the nation is the moving consciousness of the whole of the people; it is the coherent and enlightened praxis of men and women. The collective
construction of a destiny is the assumption of responsibility on a historical scale
(Fanon, 1990:165, translation modified).

We have here therefore the twin idea that the nation (in this case but it could be any collectivity) is produced and that it is made – ‘imagined’ to use Benedict Anderson’s well-known term - from the actions of men and women - of people in general - not by any structural developments (markets, print capitalism, etc.) or for that matter by any intellectual narratives (as in e.g. Chatterjee, 1986). This process, which Fanon sees as people ‘making themselves’ as they make the nation, refers in Badiou’s (2013) terms to a ‘subjective becoming’ in which political choices are made; it is the ‘untidy affirmation of an original idea propounded as an absolute’ (Fanon, 1990:31). It amounts to a clear excess over what exists, over the simply given or extant. The latter in Badiou’s view is simply a state subjectivity:

Ordinary history, the history of individual lives, is held within the state. The history of a life is, in itself, ordinarily bereft of decision or choice; it is a part of the history of the state of which the classical mediations are the family, work, the motherland, property, religion, customs and so on. (Badiou, 2010:189, translation modified).

Central to a politics of representation is implicitly a notion of ‘trusteeship’ which Cowen and Shenton (1996) have seen as central to the idea of development as devised by the colonial state and subsequently generalised during the post-colonial period. Rather than people being understood as capable of thinking for themselves, they must be represented by states, the middle, class, NGOs, those with knowledge, academics, etc. This process is today thought as natural. It is not simply that politicians set up their personal NGOs in order to create a clientele independent of direct government connections; it is that an NGO in and of itself requires leadership by and representation through the knowledgeable, otherwise no access to funding is forthcoming whether the funders be the Rosa Luxemburg Foundation, the churches, the philanthropic or political foundations or the World Bank. Funding is only available to those who represent, as representation is the fundamental notion of a state politics congruent with capitalism.

The rise of the NGO-legitimised state democracy in Africa
As I have noted, the rise of NGOs in the 21st century is directly linked to the re-discovery of ‘civil society’ and to the replacement of the social democratic consensus by the neo-liberal consensus at a world level towards the end of the 1970s and early 1980s. At the same time development NGOs prevalent in the 1960s and 1970s become supplanted by human rights NGOs. This process corresponded to a change in Western radical politics from an orientation towards Africa (and the Third World in general) as the centre of global emancipation in the 1960s and early 1970s and hence of Africans as agents of history, to the view of Africans as victims of history from the mid-1970s onwards.

The systematic alteration in the manner Africans (and people from the Third World in general) were viewed in Europe (and sometimes viewed themselves), from political agents during the struggles for liberation, to victims of famine, war and disease, began to occur during the mid-1970s as a result of a number of changes including the subversion of popular agency by the state and the latter’s subservience to the West (and one could add the collapse of the Non-aligned ‘movement’). By the late 1980s, the European youthful militants of anti-imperialism and ‘Third Worldism’ had transformed themselves (most evidently in France) from political activists into advocates of human rights discourse (HRD) and humanitarian interventions. Probably the best illustration of this was the formation of Médecins Sans Frontiers (MSF) by ex-leftists. As a result:

a whole world disappears - the war in Vietnam, the iconography of Che, Mao and Ho Chi Minh ... - which is to say a militant or combative third world, so that another can be “heroically” discovered years later: the third world as figured in the Human Rights discourse ... Fanon’s “wretched of the earth” as the name for an emergent political agency has been essentially re-invented: the new third world is still wretched, but its agency has disappeared, leaving only the misery of a collective victim of famine, flood, or authoritarian state apparatuses (Ross, 2002: 156-7).

For Mamdani (1991) the dominance of HRD in Africa was an effect of an explicit United States ideological offensive in the second half of the 1970s, after the independence of the ex-Portuguese colonies. In South Africa a similar process of ‘victimisation’ occurred, but only in the 1990s and then directly as an effect of the Truth and Reconciliation Commission (TRC) process, during which erstwhile political agents were interpellated by the TRC as victims seeking redress, via claiming their human rights, from state institutions. It has been the rise
and hegemony of human rights discourse which has ultimately sealed the fate of emancipatory thought, whether popular or statist, on the continent as now freedom as a notion became displaced by mere physical survival (so-called ‘bio-politics’).

Initially, neo-liberal structural adjustment programmes were deployed within existing political arrangements on the continent and it is only with the popular struggles against authoritarian regimes and liberalisation that the idea of democracy increasingly came to the fore. The failure of development for all (in that development benefited only a few) by the 1980s meant the collapse of the social-democratic or developmental state form, as the latter lost legitimacy among its own people, as African peasants asked themselves: ‘when will independence end?’ (Mustapha, 1996) and urban movements contested the authoritarian state. During the early 1990s differing conceptions of democracy were contesting hegemony within society as noticed by Claude Ake for example who contended that there were ‘several democracies vying for preferment in a struggle whose outcome is as yet uncertain’ (2003:127). By the mid-1990s, the nature of democracy was no longer the object of contestation as it had become solidified as a form of state.

Thus, during the popular struggles in Africa in the 1980s – the so-called ‘second independence struggle’ – against the depredations of neo-liberal structural adjustment programmes, neo-colonial domination therefore faced a short lived crisis of hegemony which it was quickly able to overcome by emphasising a critique of the state on the one hand, and the centrality of civil society in providing democratic alternatives to the state on the other. It should be recalled that state and civil society were understood as polar opposites in much of this ‘Africanist’ American political science literature (e.g. Chazan et al, 1992). The transformation of the Organisation of African Unity into the African Union and the whole idea of the so-called ‘African Renaissance’, the African Peer Review Mechanism, etc were all precisely indicative of this process whereby parties were supplemented by ‘civil society organisations’ (i.e. NGOs) in order to ‘broaden’ the representation of the people. ‘Good governance’ was precisely about ensuring that representation went beyond political society to include civil society as the former was seen as inefficient and leading to corruption within the state. In this manner, the threat posed by popular forms of democracy (e.g. in South Africa, Nigeria and elsewhere in the 1980s) was forestalled and state democracy was entrenched, thus ensuring the reproduction of the ideological hegemony of capital in a new state-political form.
The restricted role played by parties within the new state democracy was evidenced by their inability to mobilize people around a vision for a better future. In postcolonial Africa as throughout the world, there has gradually developed a crisis of political representation as parties have failed to be more than a vehicle for the circulation of elites. Neo-liberal thinking has largely failed to resolve this particular crisis of legitimacy expressed in Europe as ‘the end of politics’ as (especially social-democratic) parties have failed to construct an alternative to the neoliberal project. As a result of the statisation and apparent consequent decline of support for parties (often expressed in lower voter turnout), it is the organised interests of civil society which have increasingly been relied upon today to be the representatives and mobilisers of the nation and ultimately the legitimisers of democracy through their supposed ‘watchdog’ role *inter alia*. What follows then is the perceived necessity for such interests to be institutionalised (e.g. as ‘stakeholders’, as members of corporatist institutions, as members of the African Union, etc) and for the politics of civil society to be identical to state politics and compradorial politics. The ‘watchdog’ role of NGOs is particularly useful for state ideology of course in so-called ‘single-party democracies’ or ‘predominant-party systems’ as political scientists deftly put it.

State politics then have become hegemonic within the realm of civil society, and the dominant mode of political subjectivity is to think within parameters structured by the state. In this new way, (part of) the nation also becomes the state (rather than constituting a people distinct from it) and a political consensus is constructed around a parliamentary mode of politics. State political hegemony is thus today secured also through civil society organisations and not only through parties. Emancipatory politics therefore cannot be thought in terms of an objective institutional distance from the state - the notion of the emancipatory character of civil society widespread in the 1990s and 2000s is false - rather emancipation must begin from a subjective distancing from the state. This means extracting the thought of emancipatory politics from an expressive relation to the social and insisting rather on an excessive relation to the social.

The state consensus in South Africa was until recently (say 2006/2007) being constructed around human rights discourse although there has been a radical shift away from human rights discourse since 2008. While the discourse of development in Africa still retained some element of political agency and choice (e.g. as manifested in the notion of ‘self-reliance’), the
discourse of human rights no longer did in any real sense, as it was constituted by a discourse of victimhood of people and trusteeship of power. Active citizenship with which NGOs promise to replace passivity, has been founded on an idea of victimhood, i.e. precisely on passivity by people themselves\textsuperscript{10}. Agency from within human rights discourse consists in petitioning the state not in prescribing to it; hence its usual shift from the political to the juridical, away from political practice towards legal claims on entitlements. Even when the juridical is supplemented with direct political action, that agency can only be processed by trustees of the people’s welfare, not by people themselves. In fact it can be asserted without too much fear of contradiction, that the implicit neo-liberal ‘social contract’ involves a trade-off between the promise of the provision of state guaranteed (i.e. institutionalised) rights and entitlements on the one hand for the abandonment of any real form of self-controlled political agency and choice on the other. A refusal of this contract today leads to a contestation of the neo-liberal consensus itself. This is in fact what Abahlali baseMjondolo for example have been doing as they redefine in their practice citizenship, democracy and nation (see e.g. Selmeczi, 2012).

Today there is no state social project, only ‘good governance’ in formal subservience to the West (law/rights). The politics of the new state regime are said to be governed by the ‘right to rights’ but this is only true of the domain of civil society not of other domains of politics such as ‘uncivil society’ and ‘traditional society’ (Neocosmos, 2011). Some have the right to exercise their rights (e.g. the middle classes, the formally employed), others (foreigners, poor, shack-dwellers) do not as they do not relate to the state within civil society but within ‘uncivil society’ or ‘traditional society’ (Neocosmos, 2011, 2015). For example the local state systematically violates human rights, often with impunity, when dealing with shack dwellers and the poor more generally in Durban, South Africa (Pithouse, 2008). Given the absence in public discourse of any name (or given the vacuity of existing names) which may suggest movement/change/vision to something better (e.g. development, revolution, transformation, freedom, equality), the only thing which remains is formal democracy and human rights subsumed under ‘good governance’. There is nothing else provided to thought, not even a glimmer of a better future. Hence the ‘democratising mission’ (Wamba-dia-Wamba, 2007) of the West (following upon its earlier ‘enslaving’, ‘civilising’ and ‘development’ missions in chronological order) as the core ideological feature of the new imperialism is crucial for these politics.
NGOs interpellate individuals as subjects

The position I have taken here follows the philosophers Badiou (2010, 2012, 2013) and Rancière (2003, 2004, 2006) in insisting on the fact that political subjects are always collective, not individual, and in stressing that such subjects must be created; they are never given. Unlike liberal thought, I do not hold that individuals are given as subjects. They may however enter into the formation of a collective political subject. This is not the case for the neoliberal literature for whom civil society, as I have noted, is understood as the domain of freedom where individuals can express their subjecthood through a defence of their interests.

Today in the twenty-first century when Marxist and social democratic conceptions of emancipation have largely become politically redundant as they cannot think emancipation outside the state, human rights discourse is not simply said to be about limiting state control over society (‘civil society’, ‘market’ or whatever), but its importance is extended to refer to the enabling of popular struggle; it is said to be ‘empowering’ of the social. Writing about rights and development in South Africa in particular, Jones and Stokke (2005:2) for example assert that, given the obvious de-politicisation of development as much of its rhetoric has lost its radical edge, ‘we need to encourage a democratic politics of rights’. What this means they suggest, is not only that states should protect and promote rights, but also that ‘citizens, and their organizational representatives, be considered legitimate participants and active agents in the process’. The point which they are concerned to argue then ‘is not only that formal rights are guaranteed and institutionalised ... but that a politics of acquiring and transforming such rights are enabled’. Such a politics here is equated with an ‘active citizenship’ in civil society. They continue, ‘the missing link for this transformative potential for human rights is not so much about asserting legal claims’, rather it lies in enabling political struggles in which human rights ‘crystallize the moral imagination and provide power in the political struggles’.

Whatever ‘crystallizing the moral imagination’ may mean politically in practical terms, the authors provide little evidence that human rights discourse may enable political agency and active citizenship; this is simply taken for granted. It may in fact primarily enable legalistic agency and state politics at best. All politics, if it is to attempt to be emancipatory, must rather start from an excessive political perspective, one which opens new political possibilities by ‘prescribing’ actions to the state. Human rights discourse cannot enable such an excessive and prescriptive politics which falls well outside its ambit of thought. The active
citizen is in fact in Badiou’s words ‘a living pillar of the established order’ (Badiou, 2014, October 9th, 2013). In sum within the domain of civil society and human rights discourse, politics is thought within the parameters of passivity and agency. Agency is of itself what matters in popular politics for this thinking, hence the idea of ‘empowerment’ which is an expression of it. People are passive victims of oppression; they therefore need to be ‘empowered’ by those in the know, particularly NGOs. I will always remember the astonishing proliferation of ‘empowerment’ programmes in the 1990s in South Africa after the country had been liberated overwhelming by its own people. Of course this process was fundamentally depoliticising as the right to think – to exceed the subjective limits of ‘social place’ (which is what many South Africans experienced in the 1980s) - was gradually denied. De-politicization concerns the dismantling of excessive collective politics and its replacement by the individual socially located political agent. Therefore whereas NGO politics are limited by the dichotomy between active and passive citizens, emancipatory politics can only be grasped within the parameters of expressive and excessive political subjectivities: a politics which represents (expresses) interests and a politics which exceeds them in order to emphasise a principled politics of equality.

In actual fact, human rights discourse becomes subjectively hegemonic during the absence or weakness of popular struggles, and not during their presence. The absence of popular discourses and practices of collective democracy, and their replacement by the platitudes of the state-liberal version, make it possible for human rights discourse to be seen as the only intellectual reference for a left politics, a politics which cannot ultimately be enabling of excessive thought. The supposed liberatory potential of human rights discourse is fundamentally moral rather than political, conservative rather than transformative, legal rather than political. For it is the same conception of human rights which provides the justification for the intervention of power on behalf of victims; victims who, because of their lack of agency, must be politically represented by local or international NGOs, state or transnational institutions, and finally by Empire itself. It is these two sides of human rights discourse, the side of agency and the side of representation and trusteeship, neither of which can exist without the other, which provide the dominant framework for thinking transformation today - a framework which is not developed ‘at a distance’ from state thinking but simply at a distance form state institutions. It is within the interstices of this antinomy that the law exists, as human rights discourse is unavoidably caught within the contradiction that it is only the state-power with its legal and other institutions which is capable of
emancipating humanity. Only institutionalised power can bring about, according to this mode of thought, freedom, (social) justice and equality helped by the pressure exerted by organised interests which people express as subjects. NGO subjectivity operates squarely within this overall state understanding of politics not recognising that unfortunately the state cannot emancipate anyone as that requires the abolition or the distancing of the state in thought and practice, i.e. a politics which distances itself from state thinking.

But the expressive subjectivity of liberalism cannot possibly treat people as political subjects, as expressing interests is not what produces human beings who reason. No reason is required in order to simply reflect interests. Animals do it all the time as they are supposed to act in terms of their own interests referred to as ‘instincts’. Humans reason, they think, something which means that they are able to transcend their interests at times and therefore to conduct their lives outside the limits of state thinking. Political subjectivation must therefore be understood as a process of becoming which can be objectively analysed and understood and not simply as a ‘reflection’ or ‘representation’ as in the Hegelian ‘in itself’ – ‘for itself’ formulation sometimes used by Marx. In fact to assume that subjecthood consists in merely possessing a consciousness of one’s interests as in identity politics, is an ideology of the state (Marx would have said a ‘bourgeois ideology’). Individuals are told that they are subjects and that this is reflected in their joining interest groups or political parties. Nothing could be further from the truth and yet this misconception persists. It does so primarily during periods when emancipatory thought is absent and when state politics are hegemonic and uncontested.

Althusser (1971) has discussed this occurrence in his theory of ‘Ideological State Apparatuses’. Although developed within a Marxist framework, this argument is still of relevance and particularly illustrative insofar as NGOs are concerned. For Althusser, capitalism requires to be reproduced and this reproduction partly takes place through an ideological process. Ideology for him is ‘an imaginary relation to real relations [which] is itself endowed with a material existence’ (1971:156). As he puts it ‘an ideology always exists in [a state] apparatus, and its practice, or practices. This existence is material’ (1971:156). The state for him is composed of both repressive apparatuses (the police, the army, the judiciary, etc) and ideological apparatuses (churches, education, the family, etc). Both of these reproduce the dominance of the bourgeoisie, the former through coercion, the latter through ideology i.e. consciousness. He continues:
In every case, the ideology of ideology … recognizes, despite its imaginary distortion, that the ‘ideas’ of a human subject exist in his actions, or ought to exist in his actions … This ideology talks of actions; I shall talk of actions inserted into practices. And I shall point out that these practices are governed by the rituals in which these practices are inscribed, within the material existence of an ideological apparatus … (1971:158, emphasis in original).

What all state ideology does, for Althusser, is to ‘hail(s) or interpellate(s) individuals as subjects’ (1971:164). And moreover ‘the existence of ideology and the hailing or interpellation of individuals as subjects are one and the same thing’ (1971:163). This process of ‘interpellation’ is real and is constitutive of individual subjectivity for Althusser despite its imaginary character, while at the same time, ‘the interpellation of individuals as subjects presupposes the “existence” of a Unique central Other Subject in whose Name the … ideology interpellates all individuals as subjects’ (1971:167). In the religious example used by Althusser, the ‘Other Subject’ is God, but more generally it can be understood as the state or the law (the State or the Law). Althusser ends his discussion by noting the ambiguity of the term ‘subject’ which for this ideology refers both to an individual endowed with consciousness, reason etc, as well as to an individual subject of power (as in Mamdani’s Citizens and Subjects for example). In fact, for Althusser, the ambiguity derives precisely from the ideology itself as the imaginary subjecthood of individuals subjects them to the power of the state as well as to the capitalist division of labour assigned to them ‘in production, exploitation, repression, ideologization, scientific practice, etc’ (1971:169-170) and we may add … in NGOs today. This ideology thus ‘naturalizes’ subjecthood as simply given by birth as it does the capitalist division of labour itself.

**Concluding Remark**

I have already noted that we cannot understand political subjects as given but only as produced collectively. This means also that individuals are not given naturally as subjects, but only as possible component parts of a subject. The formation of a subject must be understood as a process which can be analysed, and it is only a state politics which sees individuals as subjects by virtue of their mere existence and agency. Subjectivation is a process which only exits at particular times in particular places or sites, it is not a permanent feature of humanity. It requires the will to exceed interest and identity; to exceed therefore
what the state says is possible in order to propose the apparently ‘impossible’: the excess over interest and place. For Badiou what the state declares as being impossible can be transformed into a possibility by an aleatory event:

It has been stressed profusely that the state was the real oppressor, but in a more fundamental way, the state is what distributes the idea of what is possible and what is impossible. The event for its part, will transform that which has been declared impossible into a possibility; the possible will be torn away from the impossible (Badiou 2013:11, translation modified).

There is no space to discuss Badiou’s idea of the event here, other than to stress its ‘excessive’ character and to note the fact that for him, it is the subjective fidelity to such an excessive occurrence which lies at the core of thinking an emancipatory future and not mere agency as such. This presupposes that people are allowed to think for themselves, as it is only through self-presentation that an emancipatory politics can begin to occur. Unfortunately the politics of NGOs remain within what Althusser terms ‘ideology’, they can only think within the boundaries of state politics as representation as they fundamentally cannot allow the right to think beyond place, and usually not beyond the place of victims. These politics must of necessity be transcended for an emancipatory future to become thinkable in the present.

References


Rancière, J. 2004, ‘Who is the subject of the rights of man?’ The South Atlantic Quarterly 103:2/3, Spring/Summer.


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1 Civil society is here understood as a domain of state politics founded on a specific mode of state rule. Within civil society the state rules citizens as bearers of rights and defenders of interests. Citizens possess the right to rights (Arendt, 1973) so that the state rules them through the law (the ‘rule of law’). Civil society cannot be understood as constituting the liberal ‘domain of freedom’ because interest (or identity) politics is not emancipatory in itself for it lacks a universal character. Civil society is not the only domain of politics on the African continent. We can also speak of a domain of ‘uncivil society’ based primarily on the rule of violence and of a ‘traditional society’ founded on the rule of custom. In each domain political subjectivities differ. For greater elaboration see Neocosmos, 2016 (Part 2).

2 And we may add ‘and vice versa’ as NGOs precisely serve to legitimate the democratic (in the neoliberal sense) character of the state itself within civil society.

3 One such NGO in South Africa is the Church Land Programme in Pietermaritzburg which insists on listening to organized popular movements such as Abahlali baseMjondolo and others and refuses to impose its preconceptions on the movements it helps. Its views are governed by a particular form of Liberation Theology but this is a rarity among NGOs.

4 I must stress that there is no prescription intended here. In other words I am silent on whether any particular NGO should be supported, joined or not; the same is valid for social movements, political parties or any other organisation.

5 For a detailed discussion of the idea of ‘excessive subjectivity’ see Neocosmos 2015, forthcoming.

6 It is worth referring here to the recent upsurge in popular movements worldwide starting with North Africa in 2011, some of which have attempted to propose a universal conception of humanity. See Badiou, 2012.

7 Although Locke himself was not opposed to slavery, see Losurdo, 2014.

8 For a detailed discussion see Gauthier, 1992.

9 This process of becoming a political subject is far from being automatic; it depends on the collective overcoming of problems, of proposing collective solutions and of resolving contradictions. In other words a subject of political emancipation exceeds the subjective limits of a social movement for there is nothing in the social as such which suggests emancipation; on the contrary the social is unambiguously particularistic. During the 20th century the absence of universality in social interests was to be overcome and emancipation made possible by a political party that could conceive the universal. This was the core argument of Lenin’s _What is to be Done_ written in 1902. For a brilliant recent discussion see Lih, 2008. Today in the 21st century it is beginning to be understood that a party is not a necessary requisite for universality and is actually an obstacle to emancipatory thought as it represents interests and thus state politics. See Badiou, 2010.

10 In South Africa, one of the absurd indicators of this change and its accompanying political disorientation has been the attempt by an NGO, the _Foundation for Human Rights_, to develop a ‘Victim’s Charter’, an evident oxymoron. The absurdity consists in the fact that the idea of a charter is exclusively focused in that country, on the ‘Freedom Charter’ which has constituted since 1955, the core expression of popular nationalist agency. Victims of course have little or no agency by definition and the charter would be written for them by the NGO.

11 And indeed of Marxism, after all the proletariat is for it both a subject of politics and a subject of history, its consciousness governed by its interests and expressed by its party.