

## Historicising Civil Society in Africa: An Analysis of the State, Democracy and the Third Sector

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### Abstract

This paper discusses civil society as both a social value and as a set of institutions. However, whichever way we discuss the idea of civil society (as social value or as a set of institutions) in Africa, we are faced with some challenges because the idea of civil society poses a unique problematic. For example, to what extent is civil society a relevant idea in Africa, or does the idea of civil society any history in Africa, or does the third sector play any meaningful role, so as to be relevant in constitutionalism? Civil society as institutions derives its relevance from being between the state (government) and the people (society) to prevent the state from tyrannical and authoritarian rule and protect the citizen's rights (democracy). In Africa, the state is either non-existent or it is in serious crisis, because it is fragmented and also lacks the peace to grow democracy while the African societies are more like communities as Africans are really more in communities than in societies. Again, in Africa, the liberal democracy that makes civil society institutions relevant is a charm. What do we then have in Africa, to make politics and liberal democracy (state/ society relations) a meaningful project?

**Key words:** Historicizing; Civil society; Africa; State; Democracy; Third sector; Social value

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### INTRODUCTION

The concept of civil society has an enviably rich history which is long and resides in Europe. Even now that it is assuming global status; its origin continues to remind us of the context that threw it into relevance. In spite of the rich heritage that endears civil society to contemporary scholars, the concept, not just being problematic to operationalise, challenges scholars when it is applied to Africa. Thus, can we really agree that the idea of civil society as it is being operationalised, a third sector, is meaningful in Africa, when state-society relationship is fraught with hostility arising from the immensity and brutality of the state? Or can we say that in terms of civil society as social value, Africa is in the civil society, when the African society is primordial, tribal and is marked by mechanical solidarity? Indeed, can be the association of groups of people with ideas that are aimed at checking the excesses of the state be allowed to operate in an environment where the state does not brook opposition or tolerate opposing views?

However, the contemporary revival of the concept of civil society, according to (Pietrzyk, 2003), raises questions about its current conditions particularly in this instance, i.e., in Africa, about its relevance and usefulness. We are therefore faced with the usefulness of a political idea with regard to changing the social and political conditions in Africa, especially as these conditions are different from where the current idea of civil society has its origin. Perhaps, it is against this background that (Lewis, 2002, p.572) says "that if the concept of civil society is arguably historically specific to particular time(s), and place(s), then it may be sensitive to differences of history, culture and economy". Be that as it may, what does that mean to and in Africa against the background of the "conventional view" of civil society?"

Consequently, in an attempt to relate civil society in Africa, it is pertinent to historicize it. That precisely is what this paper attempts to do. And in doing so, the

paper begins with some conceptual notes, which, not only provides some definitions but clarifies civil society; first as a social value and then as a buffer between the state and society, thereby creating what is popularly called the third sector. A brief account of civil society as it originated in Europe followed, culminating in our inquiry into whether we should be talking about civil society in Africa, in view of her past and present circumstances? That idea is followed by a description of the nature and character of the African state and the kind of civil society that will emerge in an environment of hostile state- society relations.

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## 1. CIVIL SOCIETY: SOME CONCEPTUAL NOTES

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The idea of civil society is, no doubt, problematic in political theory precisely because, from the ancient through modern times, the idea has always been subjected to several-uses and had stood for different ideas by different traditions, making it devoid of a universal assent as an interpretation (Seligman, 1992; Herberson, 1994; Edwards, 2004; Kasfir, 1998; Hall, 1995). It has thus been such a contested concept from the time of pre-modern history when it was connected to early modern thought in the 18th century, even though the idea had featured earlier in political thought.

Pietrzyk (2003, p.38) says “that the idea of civil society is deeply rooted in the tradition of political thought but in modern philosophy, it emerged along with the rise of capitalism and liberalism when the idea was used to describe a sphere of social activities, distinguished from the state”.

Today, the concept of civil society has assumed global relevance and now appears frequently in the writings of social scientists and historians, making it interdisciplinary in character and because of that it bestirs the humanities and social sciences to the extent that, academics pay so much attention to it particularly in political and public spheres.

In the classical period, the concept refers to a regime that is committed to secure the rule of law on behalf of the common good, and the common good means the provision of basic rights, public safety, education, system of communication and roads (DeLue, 2002).

To (Joharis, 2006; Seligman, 1992; Hall, 1998) civil society stands somewhere between a state with the power of legitimate coercion and a host of autonomous social groups and associations that are bound to manifest their obligation to their members. In other words, civil society acts as a buffer against the power of the central government and in that role encourages an atmosphere that allows various groups to follow their own courses without the fear of central government intrusions (DeLue, 2002).

From the above, civil society stands for two broad ideas. First, it means a kind of social order that involves

the widest possible political participation which ensures political accountability of the rulers to the ruled. Under this situation, a regime is undoubtedly committed to secure the rule of law on behalf of the common good. In this regard, civil society is seen as social value.

The other broad idea describes civil society as a space or a buffer that exists between the national government and the individual, the space that consists of a variety of different groups and associations, each of which is dedicated to uphold certain values and to achieve particular ends.

Thus, civil society can mean both a social value and a set of social institutions. It can mean a political society with active citizens shaping its institutions and policies. It can also mean a bridge between society and polity.

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## 2. CIVIL SOCIETY AS SOCIAL VALUE

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The idea of civil society has always been problematic in political theorization which is reflected in the ideas of Aristotle, Hobbes, Locke, Rousseau, Ferguson de Toqueville, Gramsci, Marx and others among civil society thinkers in the last two thousand years (Edwards, 2004). And the problematic nature of the concept appears in the writings of Edwards wherein he describes civil society as an associational life, the good society-and the public – spheres (Edwards, 2004, p.3)

Generally, from the pre-modern history, civil society has been referred to as a political association governing social conflict through the imposition of rules that restrain citizens from harming one another. (Edwards, 2004). In that classical period, the concept was used as a synonym for the good society and seen as distinguished from the state. Thus, Plato says, “that the ideal state was a just society in which people dedicate themselves to the common good, practice civic virtues of wisdom, courage, moderation and justice, and perform the occupational role to which they are best suited” (Sabine, 1973, p.65).

Our understanding of civil society as social value can further be elucidated by the ideas of Hobbes, Locke, Hegel and Rousseau who separated state from civil society. The social contract as expressed by Hobbes, Locke and Rousseau, form the basis of the civil society and that is because the absolute sovereignty and the ethics that is based on market self-interest, required the founding of a powerful state to provide the security, relative certainty and predictability, necessary for the existence of civil society. Thus, the movement from a natural condition (state of nature) to civil society is achieved through the establishment of the “Leviathan” (Fontana, 2006).

Again, on Hobbes thought, as expressed by ( Fontana, 2006, p.11) “the state and civil society are conceptually and analytically distinct; the former is the cement that makes possible culture, arts, industry, production and

consumption, all of which come under the rubric of civil society". But to Locke, the transition from the state of nature to civil society is not achieved or mediated by means of a powerful state because the individuals in the state of nature first established the civil society and the civil society in turn established the state.

However, whether with Hobbes who believes that the powerful state assisted in the establishment of the Civil Society or Locke who turned that idea round, the fact remains that with the separation of the state and civil society we are able to see civil society as social value and not just as associations. And that is precisely because the state, in that sense, stands for the military, juridical and administrative apparatus in the society, (Fontana, 2006), and "civil society is but a flourishing market economy which makes liberal democracy stable" (Pietrzyk, 2003, p. 41).

Thus, to Locke, civil society is the normal, natural expression of human endeavor, the natural outcome of economic and market activity. In that sense also, "civil society is anchored in economic activity and to market expansion" (Fontana, 2006, p.12),

Hegel separates the civil society, the state and the individuals. He conceptualizes the state as totally different from the civil society because the civil society according to him is a realm of blind inclinations and the causal necessity, a utilitarian institution, engaged in the common place of business of providing public service, administering the law, performing police duties and adjusting industrial and economic interests.

Thus society, conceived as a means to the realization of personal interest, is civil society whereas, conceived as a legal and moral order, in which men acquire their interests and to which they grow attached in the state. It is against this background that Hegel sees the state as having developed from and stood above the civil society. Indeed, civil society as a social value is associated with an environment in which individuals are accorded political equality and thus guaranteed the same rights, while at the same time maintaining among themselves a commitment to uphold civil virtue (Fontana, 2006). Civil society, in this sense, "becomes a process by which society seeks to reach and counteract the simultaneous totalization unleashed by the state" (Johari, 2006, p.42), because civil society stands for an environment that is created and operated by the rule of law.

Again, civil society as a social value should breakdown traditional values, impersonalism, primordialism, mechanical solidarity as socio-economic values and sentiments, because, it is characterized by economic growth, urbanization, atomization and universalism with a faceless state system embodied in high degree of monetization. Indeed, civil society is characterized by mass education, effective and efficient system of communications and the free flow of information, freedom

of association and high political and socio-economic consciousness (Onuoha, 2002).

Thus, civil society is a complex social and political phenomenon, regulated by law, as well as by morality and traditions. Therefore, for a "state to be law-governed it must be based on civil society, whose first and foremost feature and basic social value consist in sovereignty of the individuals, of human rights, and of freedoms" (Nisnevich, 2012, p.9).

In other words, the concept is here tied to social and political relations because civil society, as social value, "implies the condition of civility for participation, distinct from a mob, as the term indicates both self discipline and a shared code of conduct as underlying values" (Darke, 2010, p.118).

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### 3. CIVIL SOCIETY AS A SET OF SOCIAL INSTITUTIONS

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In contemporary political science, the notion of civil of society has remained vague and subject to diverse interpretations. Most authors and practitioners do not view civil society as a diverse aggregation of individuals, movements and associations, but they rather understand civil society as represented by formal organizations sharing similar values and goals.

Civil society may encompass a wide range of organizations concerned with public matters. They include civic, issue oriented, religious, and educational interest groups and associations. Some are known a nongovernmental organization, or NGOs' some are informal and loosely structure. The problem with this definition, however, is that it is difficult to distinguish civil society from society in general, as it involves citizens acting collectively in the public sphere. Civil society becomes "a site where various groups can engage with each other in projects of all kinds which means that the absence of civil society, as a sphere, the third sector, would mean the absence of democracy and of the freedom that is necessary for democratic engagement" (Chandhoke, 2007, p.10). And that is precisely because some groups possess overlapping political (economic) materials and social power while others possess nothing, not even access to the means of life. Those with no power to find a space in civil society and civil society finds a space for them. Consequently, civil society functions by providing actors with the values, the space and the inspiration to battle for democracy (Chandhoke, 2007).

Furthermore, (Osaghae, 1997, p.237), equally identifies three key elements as important in the definition or conceptualization of civil society which "are autonomy from the state, public character (setting a normative order for the state) and furtherance of a common good. Thus, the grassroots social movements which draw their strength

from solidarity and the struggle against oppression are part of civil society.”

Edwards (2004) identified three broad ways in which societies can organize collective action and one of the ways are “ through social mechanism embedded in voluntary action, discussion and agreement”. Again, Drake (2010, p.117) says that civil society is an alternative way of bringing together the social and the political, the public and the private, outside of the state which may stand in for constitutional power for social agents of political change.

Roniger, (1994, p.14) provides an elaboration of the primary function of civil society, which is to provide a platform for citizens to express their interests, preferences and ideas, to exchange information, achieve collective goals and make demands to improve the structure and functioning of the state. Thus, state officials, being held accountable for their actions become central to the *raison d’etre* of civil society. Indeed, with the existence of the third sector, it means that people demand that regimes recognize the competence of the political public to chart out a discourse on the content and the limits of what is politically desirable and democratically permissible (Chandhoke, 2007).

However, an on-going debate is how to define the relationship between the civil society and the political society. Various scholars consider the civil society as something separate from the political society. On the other hand, scholars such as (Foley & Edwards, 1996) argue that the demarcation between the civil society and the political society is not clear.

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#### 4. ORIGINS OF CIVIL SOCIETY

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The origins of civil society also tallies with the levels of the analysis of civil society done earlier, as social value and as a set of institutions.

Most scholars trace the original idea of civil society to the political society which dates back to the time of antiquity to the Enlightenment after which the meaning of civil society began to change.

Originally, the concept of civil society was used to make a clear distinction between human society built by human efforts (social value) and natural society developed naturally (Das, 2009). At that time, civil society stood for some moral force in that, “ it relates to a supposedly reasoning and well-behaved society that engage in reasoned debate about the common good” (Drake, 2010, p.119). Thus, Socrates argues that, in spite of the inherent conflicts between man’s needs in society, man can still obtain the ‘good life’ through the resolution of issues via public arguments, using the dialectics, a form of rational dialogue in which the arguers test propositions against other prepositions, in order to uncover the truth until they achieved a reasoning that cannot be refuted (O’Brien, 1999).

And to Plato, “a just society is one, where people dedicate themselves to the common good, practice civic virtue of wisdom, courage, moderation and justice” (O’Brien, 1999, p.1).

For Aristotle, society equates the polis, which is a political organization that is rational and which arose through the intermediate stages of the household and the village. Aristotle goes further to say that these were an important impulse in all men, towards an association, like the polis in which human life has reached its highest social form. And that is so because all members of the polis had common ends. Thus, Aristotle says that man is a political animal.

Modern political thinkers, from Hobbes ( Leviathan), Locke (Treaties of Government), Rousseau General Will), Hume, Adam Smith and Kant make a distinction between a society that is characterized by chaos, lacking peace and one that ought to be powerful to promote human development through convivial social relations.

By the nineteenth century, theorists like Tocqueville, Ferguson and Adman Smith all made their contributions, wherein the civil society no longer equates the polis and were writing about institutions that will stand between the state and society (citizens).

However, Marx bitterly criticized the idea of civil society as promoted by the bourgeois theorists, including Hegel. Marx believes that civil society belongs to the bourgeois capitalist society because the creation of production and the division of society into the haves and have not were the defining characteristics of civil society. Also, to Marx, the private dimensions of civil society overpowered the public aspect, which, in a market oriented society resulted in an over-emphasis on the rights of the individual to pursue self-interest and a corresponding de-emphasis on the rights of the citizen to pursue communal interests (O’Brien, 1999). Thus, to Marx, in a capitalist economy, in which the quest for money is encouraged, “ avarice will be a common value, because, individuals, being atomized and estranged from others, will be less likely to cultivate civic virtues” (O’Brien, 1999, p.6).

To Gramsci, civil society is at the level of superstructure along with the state and that the civil society is the site for contest and conflict for establishing hegemony over the society. Thus, Gramsci says that “civil society is a sphere of society life where individuals exercise their free will without any control of state” (Bobbio, 1988, p.12).

By eighteenth century however, various writers moved away from equating political society to the modern idea of civil society, i.e. civil society as institutions, making the idea to be distinct from the state.

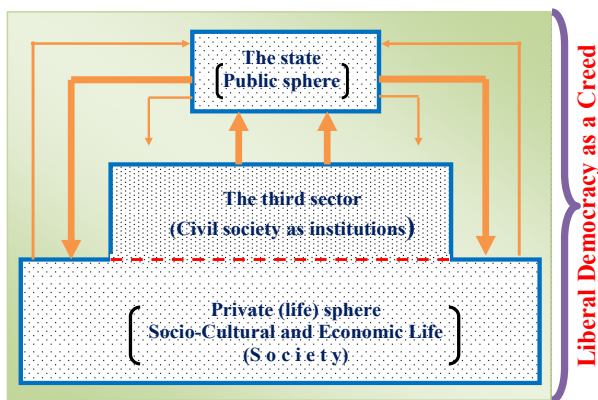
The modern ideas of civil society, therefore, sprang from the development of capitalism, reinforced by liberalism as a result of the breakdown of feudalism. Thus, part of what contributed to the rise of the modern idea of civil society in the seventeenth and eighteenth

centuries “was a crisis of social order, such as the commercialization of land, labour, capital, the growth of market economies and the age of discoveries” (Seligman, 1992, p.92).

Adam Smith is worth noting as being a bridge between the old and modern ideas of civil society. He argues that civil society was comprised of self-regulating independent market organized activities of economic relations among individuals. He stresses the development of a market economy as the basis of civil society which he also calls ‘civilized society’. Thus, the modern idea describes civil society as a site where various groups can engage with each other in projects that promote freedoms necessary, for democratic engagement. This function provides actors with the values, the space and the inspiration to battle for democracy. This is the idea of civil society that emerged along with the rise of capitalism and liberalism which made the idea distinguishable from the state, the modern state being a creation of capitalism. Thus, (Carothers, 1999, p.18), describes civil society as “a realm, where citizens associate according to their own interests and wishes, the idea that was reflected in the changing economic realities in the 19<sup>th</sup> century, when there was the rise in private property, market competition and the bourgeoisie.” It was also an idea that grew out of the mounting popular demand for liberty, as manifested in the American and French Revolutions.

Thus, for civil society, as organizations/institutions to be meaningful and be an effective third sector, there must be

- a state
- a society
- an organized economy
- liberal democracy as a method of government



**Figure 1**  
**Civil Society as the Third Sector**

Note. Source: Author’s imaginative conception of the interaction between the state, civil society as institutions and the society.

## 5. CIVIL SOCIETY, THE STATE, SOCIETY, THE ECONOMY AND DEMOCRACY

The existence of a state is a major pre-condition for civil society to be meaningful. This is precisely because civil

society is relevant and meaningful to the extent that there is a state whose authority and powers are to be checked in order to prevent the state from being authoritarian. By a state we mean a set of public institutions that exercise authority over a particular territory, including government. Thus, “the state is a complex entity, encompassing a number of institutions beyond what is normally referred to as government” (Mackinnon & Cumbers, 2007, p.62). The manifest role the state performs underscores its importance for the emergence of civil society. For example, the economy is regulated by the state, through a wide range of forms of social regulations, including social habits, administrative rules and cultural norms which become mechanism that are harnessed and coordinated by the state (Aglietta, 1979). It is important that the state performs these roles because the *raise-d’être* of the state, especially in a capitalist state are, ensuring accumulation and legitimation. These functions are achieved through the state activities for the promotion of economic development within its territory, to ensure capital accumulation for investment and growth. By legitimation, we mean the “activities undertaken by the state in maintaining social order, ensuring that the capitalist system is regarded as legitimate and natural to the citizens” (Mackinnon & Cumbers, 2007, p.63).

Since the modern state is a product of capitalism, and the existence of a state is a precondition for the meaningfulness of civil society, it is therefore important to emphasize that the capitalist market is also a precondition for there to be a meaningful and relevant civil society. And this is because the economy is about the interrelated process of production, circulation, exchange and consumption through which wealth is generated (Hudson, 2005).

Thus, “human societies have tended to organize and structure their economic activities through overarching modes of production, which can be defined as economic and social systems that determine how resources are deployed, how work is organized and how wealth is distributed” (Mackinnon & Cumbers, 2007, p.11). In addition, there must be a coherent society that enjoys definite categories of social groups with mutual patterns of social relationships. And this is because social relations provide the general link between the economy and society because economic activity is grounded in social relationship which refers to the relationships between different groups of people that are involved in the economy, such as employers, workers, consumers, government regulators etc (Mackinnon & Cumbers, 2007).

Also, to make civil society meaningful, there must be democracy as a method of rule. This is because democratic theory, not only specifies that people should govern themselves, but also that the purpose of government is the good of the people, a philosophy that

is anchored on the following ideas viz, “supremacy of the people, the consent of the governed as the basis of legitimacy, the rule of law, the value of the individual as a rational, moral active citizen, equal civil rights for all individuals, the existence of a common good or public interest” (Goodwin, 1987, pp.271-272). See also,( Baradat, 2016; Das, 2009; Macpherson, 1973). Thus, through democracy and the democratic process, various forces of the civil societies should be able to engage the state and its apparatuses, and the engagement should pave the way for political dialogues between the state and the people (Lumumba-Kasongo, 2005). And according to (Pietrzyk, 2003, p.44) the “destiny of civil society will continue to be inseparably intertwined with the success of liberal democracy, because civil society and democracy are mutually contingent upon one another”.

## 6. AFRICAN STATE AND CIVIL SOCIETY

We cannot ignore the idea of civil society in Africa, today, not because it has always existed, but with the modern political arrangement, the need for constitution and the immense role played by the modern state, civil society has become part of the network of institutions, necessary to safeguard civil rights and protect citizens from state arbitrariness. So, we are today interested in the relationship between the African state and civil society, because the nature of the state and its immense roles create the imperative for civil society. Therefore, how is the situation in Africa?

Civil society became prominent in Africa, because of two events which are not mutually exclusive. The first was the collapse of Eastern Europe/ socialism and the end of the cold war. After the cold war, the West began to use the idea of civil society, through dissident eastern intellectuals for resistance to what they regarded as authoritarian rule, which to them was in the spirit and promotion of western democracy. By that time, the global trend toward democracy opened up space for civil society, particularly in the formally dictatorial countries around the world (Carothers, 1999).

Second, with the collapse of the cold war, the West turned to Africa where there were more countries towards eastern ideological bent and where authoritarian/military dictatorship was prevalent. The objective was to destroy the “non-democratic” regimes in Africa and one viable strategy to accomplish that aim was to build the civil society organizations, fund and support them, and use them to antagonize and attack the “undemocratic regimes”. The civil society was then expected to mobilize the people and demand for the enthronement of western democracy. Thus, it is difficult to think of civil society organizations in Africa, without external prompting, involvement and influence. It is therefore, no wonder that most prominent

civil society actors are bestowed with awards by western countries.

However, there should be a periodisation of the idea of civil society into three phases, in order to properly analyze the concept of civil society in Africa.

These phases are as follows.

- Pre-colonial period
- Colonial period
- Post-colonial period

## 7. PRE-COLONIAL PERIOD

The current state system in Africa is a relatively new phenomenon and a foreign import which has been granted onto existing political and social systems (Bayart, 1999) Thus, the pre-colonial system lacked the existence of modern state system and since this is necessary for the operation of civil society, because civil society direct its antagonistic actions against unfavorable state policies, one cannot talk of civil society in pre colonial Africa.

It is obvious that there was no modern state system in Africa, because Africans had traditional rulers with kinship ties, title holders who were part and parcel of the monarchical system. Therefore, the chiefs, Generalissimo, secret cult members were part of the system and could not be in opposition to the monarch.

Some researchers posit that the concept of civil society has little meaning outside the contexts of Western Europe or North America. Thus, (Maina, 1998, p.78) in an attempt to debunk the transfer of civil society to Africa argues “that civil society is a concept made to order for the political reality of western society which has limited explanatory power for the complexities of African associational life because it fails to understand the domination of African societies by informal character of many forms of organization, and the fundamental roles played by tribe and ethnicity”. Thus, any differentiation at the national level between state and civil society in Africa is according to (Chabal & Saloz, 1999, p.64), largely “illusory and, derives more from wishful thinking or ideological bias than from a careful analysis and understanding of pre-colonial African conditions”.

In those empires and kingdoms in Africa, there were title holders, who were appointed by the traditional rulers. Such title holders like Ogboni cult members and senior chiefs, were part of the monarchical institution and usually gave their unflinching and tenacious supports to the traditional rulers (Ikime, 1980). Thus, there was no civil society as the senior officials and leaders of social groups were part of the monarchical institution and could not pose effective opposition to it. Consequently, we really cannot say that African tradition and culture supported civil society as currently defined in modern usage (Makumbe, 1998) and that is because traditional rulers were born and not elected and the chiefs were in office by inheritance or

were appointed by the traditional ruler who himself was absolute and could not be challenged (Makumbe, 1998; Mbiti, 1980 Fadakinte, 2013). In any case, there was no state system as we have it today because at that time, the mode of production and social formation was feudalism with monarchism as the system of government.

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## 8. COLONIAL PERIOD

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Colonialism by its own nature would not have been tolerant of civil society because it operated through a colonial state that was violent, arbitrary and hostile to criticism and opposition. The colonial state was repressive through an authoritarian government that was distant from the people. In spite of this, the colonial period witnessed a society that was fragmented making it difficult for a cohesive dominant class to emerge; build a strong state that will create a productive capitalist economy, with mutual social relations by social groups, a scenario that will warrant the emergence of civil society. This is because when citizens reach a comfortable standard of living, they will have more time, education and resources to support and take part in associational life (Carothers, 1999). Thus, the colonial period was absent of civil society because it did not evolve a national entity as a modern state but forcibly brought together different peoples of disparate cultures (Nwabueze, 2010b)

Thus, the African colonial society was an entity brought into existence by colonialism which is different from the sum total of the primordial societies of the component ethnic groups that were forged together in the colonial society. And due to how the colonial society emerged, it could not develop its own dynamics and realities talk less of organizing civil society institutions to occupy a third sector (Nwabueze, 2010b). Consequently, the notion of civil society in colonial Africa does not come within the modern conception of civil society in so far as there was no national state or a constitution or a well organized and productive economy. And as argued by (Nwabueze, 2010, p.51), “during colonial rule, individuals leaned on the family, the clans and ethnic associations as a buffer and for protection against the colonial state”. Also, individual’s attachment to his kinship organizations inhibited his autonomy and individualism which are necessary conditions for the growth of civil society and with the communalism of traditional African societies, the emergence of civil society was impeded (Nwabueze, 2010). Thus, the colonial society in Africa “is an agglomeration of a large number of unrelated mutually antagonistic ethnic groups, forcibly pieced together with the weak glue of colonialism” (Nwabueze, 2010, p.57).

Although, there were institutions like the media, students unions, labour unions and professional bodies but they cannot be regarded as civil society because apart from the fact that they had only one objective, that is,

self determination, there was no state, and no constitution to defend, while the society was yet to develop into a single and cohesive body with well organized economy (Nwabueze, 2010). In other words, they were not occupying any space between the state and society as there was no space because there could not have been any space when there was no state nor a cohesive society or the people’s constitution which they would want to defend. Thus, the fight against colonialism and the agitation for self rule will not qualify such actors and bodies as civil society. This is attested to by the fact that those actors were the individuals who took over state apparatuses and as government officials immediately independence was won. In other words, their primary objective for fighting for independence was to take over political power from the colonizers and not that they were occupying any space in defense of any constitution or peoples’ rights or to build a community of citizens, capable of determining what they want and acting in a way that forces the government to respond accordingly (Imade, 2001). It has to be noted that, political parties and other groups that explicitly seek to gain political control of the state are separate from civil society (Carothers & Ottawa, 2002). Thus, soon after independence those actors broke into factions to fiercely struggle for power while winning elections became do-or die affairs with each general election turning the society into an arena of bloody warfare.

From the above, whether as social value or as institutions, civil society did not really exist in colonial Africa. What do we now have? Or, how can we describe the civil society in Africa today? Or, put differently, what type of civil society do we find in Africa?

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## 9. POST-COLONIAL PERIOD

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There was little need to make the emergence of civil society an imperative necessity soon after independence in the early 60’s because no sooner were the countries in Africa independent than they either instituted a one party system that was hostile to dissenting voices or got embroiled in violent crises that made the military to take over political power from the civilian politicians.

For almost three decades after independence, most of the countries in Africa were under military dictatorship. However, with the collapse of the Soviet Union, in the early 1990s, described by Fukuyama as the end of history, a wave of democratization started sweeping across some parts of the world, from eastern Europe to Africa, which brought the civil society into relevance as they were thought to be useful instruments in getting rid of the military and assisting in the democratization process. This is why it can be argued that the available civil society organizations in Africa were not the creations of Africans to face the state but were externally induced by the West, to fight military regimes.

In the early 1990's the civil society was very visible in Africa and that was because they wanted an end to military dictatorship, but the momentum the struggle generated disappeared when each country instituted civil (not democratic) rule. And to ( Imade, 2001, p.16), "the civil society that sprung out to struggle against military rule retreated into isolation". Thus, the growth and development of civil society in Africa has not been consistent, "because once the assumed missions had been accomplished civil society disappears only to reappear whenever an issue they consider as a threat appears again" (Imade, 2001, p.18). This has been the pattern of civil society behaviour, for example, in Nigeria, where the only time civil society embarks on mass mobilization is when the government increases the price of petroleum products.

In Africa, the civil society has not demonstrated the capacity to be better than the politicians in power, making them to attract wide spread skepticism (Obadare, 2011). Thus, "the constant and frequent defection of one time civil society activists to the domain of the state not only left civil society thread base, it has also meant that people are wont to see civil society as a transitional category, a half way house between society and the state" (Obadare, 2011, p.13).

If the above description in true, then it is true that in Africa, the civil society does not see anything wrong if the personal and the political are intimately connected making the question inevitable i.e. how voluntary are the civil society organizations and whose goals do they advance? Therefore, in Africa, when it comes to issues relating to civil society, " what kind of moral and political understanding does the idea invite?" (Obadare, 2011, p.18).

Perhaps all these are inevitable. For example, African political leaders, immediately after independence, were anxious to eliminate all oppositions or be in absolute and effective control of the political space and also the control of political power and all the institutions of state. And that was because, to them, " the western liberal democracy was alien to Africa and a costly luxury in a backward continent that is in dire need of development" (Makumbe, 1998, p.310).

In the words of (Giddens, 1981, p.18) "while it is dangerous for an economically fading class to maintain political power, it is even more so if the classes which are acquiring an increasingly secured economic position aspire to national leadership without possessing the political maturity necessary to guide the fortune of a modern state". In Africa, the class that is in political power and enjoying an increasingly secured economic position is without political maturity. Indeed, members of the political class did not have the experience of entrepreneurial activity or even capital and because of their weak material base, " there was political tension, the intensity of which was reinforced by the tendency of the

political class to use state power for accumulation" (Ake, 2003, p.14). Thus, in post-independence Africa, "state-civil society relationships were ruled according to the old colonial structure which implies that their political and legal relations were the direct instructions of the state" (Ronning, 1996, p.341). Consequently, when civil society organizations were emerging, there were efforts by the state to overpower them by bringing them under control. So, the idea of civil society in Africa can be seen as being emerging in the urban areas and nonexistent or at best in embryo, in rural areas. Also, where they exist "they appear like spontaneous social movements with weak institutional structures" (Ronning, 1996, p.348).

Thus, to (Lewis, 1992, p.48) "the ambiguous nature of the underdevelopment of the civil society in much of Africa is the consequence of the colonial origins of the African states and the heterogeneous and divided societies that subsequently emerged".

From the above, let us look at Africa, from the two perspectives of civil society, as social value and as institutions.

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## 10. CIVIL SOCIETY AS SOCIAL VALUE IN AFRICA

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In the first place, that Africa is yet to arrive in the civil society, civil society as social value is beyond debate. And that is precisely because the African society is still characterized by mechanical solidarity as socio-economic values, upholding traditional values and sentiments, with personalism and primordialism. The African society is not urbanized and atomized. The economy is very weak characterized by low degree of monetization with very weak communication systems. The African society lacks individualism, tribal, and religious tolerance while the modern judicial system is meaningful only in the urban areas. In Africa, the individual does not exist, as he finds fulfillment only by his attachment to his tribe or ethnic group, making the society devoid of organic characteristics, lacking civility. In Africa, the state is rather non-existent, as it is fraught with crisis. And that is because we have a social formation which originated from colonialism and which was very unstable because the dominant class was in factions. The dominant class broke into factions because they did not have economic base prior to independence and because the control of state apparatuses is a viable means to secure economic power and acquire wealth, politics became a zero-sum competition and must be bitterly contested. Consequently, the central power of post-independent social formation did not enjoy a general consensus in terms of legitimacy. As a result, "we had a weak state authority that could not subordinate all the peripheral ethnic formations" (Fadakinte, 2013, p.148). Thus, "the weakness of the state makes it to function minimally,



with poor penetration into the society, outside the capital and the urban areas” (Hague and Harrop, 2001, p.56). Also, because African societies are marked by mechanical solidarity and primordial relationships, the societies equate communities. In other words, majority of Africans still leave in communities or possess community/village values. Again, in Africa, capitalism, being the emerging mode of production is more feudal and it is dominated by compradors. This is why; corruption, pillage and primitive accumulation are rampant in Africa. It is also the reasons why there is brigandage, in government, with political power.

## 11. CIVIL SOCIETY AS INSTITUTIONS IN AFRICA

With the onset of the independence era, “colonial regimes in Africa were replaced by independent, African –led regimes that were more or less carbon copies of their colonizers political systems” ( Keller, 2007, p.47) This is the point from where to start to conjecture the character of the emerging states and the subsequent state-civil society relationships.

We need to note that the nature and character of the civil society are determined by the nature and character of the state therefore, the African state being an emerging one also reflects the emerging nature of a democratic civil society in Africa. Thus, it will not be impertinent to refer to the civil society in Africa as emergent. Consequently, the civil society in Africa cannot be described as being “part of the state (bourgeois) against the state (radical) support or in partnership with the state (liberal)” (Chambers & Kopstein, 2008, cited in Fadakinte, 2013, p.136). Indeed, that is why the mode of actions of the civil society is devoid of critical engagement, either in participation i.e. a willingness to take the risk of retaliation on repugnant state polices/actions. Or in voicing dissent and criticism or even taking a strong opposing side on public policies that do not favour the ordinary citizens (Egbe, 2004).

Thus, the civil society in Africa is very weak, very reactive, lacking in organization and tactics and therefore does not possess that overbearing influence on government. They possess very weak capacity for mobilization and cannot sustain long period of protest, while majority of the citizens even doubt the representative capacity of the civil society, making them wonder on whether or not the civil society can represent the society, against the state (Fadakinte, 2013). And with two core problems of poverty and illiteracy, “ the difficulties of entrenching voluntary participation in defense of the people’s rights and the protection of the constitution, in the new democracies in Africa, can be quite substantial” (Hague & Harrop, 2001, p.68). Thus, it can be argued that, practically, what we have in Africa are

the rulers and the ruled with no effective institutions to stand between them.

## CONCLUSION

If civil society’s chief virtue is its ability to act as an organized counter weight to the state (Foley and Edwards, 1996) to what extent can this happen in Africa where the population is predominantly illiterates, where the people are more in community than in society, where factions of the dominant class have turned political competition (politics) into bloody war fare and where democracy is a sham?

Although civil society organizations exist in Africa but are “they merely sporadic organizations responding sporadically to issues they consider warranting their reaction or are they mere congeries of rent – seeking special interests?” (Foley & Edwards, 1996, p.5).

Thus, the African society being in a flux, the state being virtually nonexistent, and with democracy being a sham, how do we grow the civil society institutions to occupy the third sector? We must however, remember that the rise of civil society and democracy necessitates a “certain level of socio-economic development but, more importantly, it requires a balanced development, and balanced development, in turn, depends on the states’ roles and policies vis-à-vis society” (Abootalebi, 1998, p.5).

So, in order to understand the idea of civil society in Africa today, we must understand the state because this is the time when we should realize that what goes on within the realm of the state in Africa impacts civil society profoundly (Obadare, 2011). This is also because any analysis of civil society in Africa is another analysis of the state actions and performance, if indeed, we agree that democracy is emerging as a form of rule on the continent. Thus, how relevant is the civil society, today, when the state is sustained by networks of patronage which are funded by surplus from violent extractions, “making the state a predatory menace to the rest of society” (Obadare, 2011, p.6).

Consequently, we seem to be putting the cart before the horse each time we lay emphasis on the role of civil society in Africa. This is precisely because we preoccupy our analyses with the roles of civil society in the democratization process and its functions in checking the state of arbitrariness. However, scholars often ignore the fact that there must first, be a well organized and stable society, a cohesive and functional state, an organized and productive economy, to create vibrant middle class and true democracy with the peoples constitution. Thus, if we are to address the issue of civil society, in the words of (Obadare, 2011) in the content of collective citizens’ action as opposed to its organizational forms, we should start with the nature of African society, the

character of the African state and the nature of the economy. This will enable us understand how organic the society is, how united the people are, for ease of mobilization, and the nature of the people, generally, in terms of collective values, orientations and political culture?

Second, we must be able to understand the character of the state, in terms of dominant class political and economic values and orientation, i.e. understanding a ruling class in terms of its capacity to create the needed ideology for the development of hegemony. Third, we must be able to understand the nature of the economy in terms of how productive it is and in the way it is dependent on and controlled by metropolitan capitalists and their interests in Europe and America, so that we are able to understand unemployment, underemployment, problem with empowerment, poverty and the human development index. Citizens cannot drive civil society organizations with empty stomach as doing so will make the actors easy preys to the state or, at best, they become vulnerable to cooptation into state apparatuses.

It is only when all these have been settled positively that we can start to discuss civil society because, that is when the idea will be meaningfully relevant.

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