

ELECTIONS

Extinguishing antagonism in society?

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ABSTRACT

In April 2009 South Africa held its fourth national democratic elections. With a large voter turnout and little violence, the elections were hailed as an indication of the 'maturity' of South Africa's democracy. However, in the days following the elections, violent community protests swept across the country and have remained ongoing to date. How is it possible to make sense of this apparent paradox between the peacefulness of South Africa's elections and the violence? In particular, why is so much of this violence apparently 'irrational'? Why has the succession of 'peaceful' elections in South Africa not extinguished it? These disparities are difficult to interpret in a dominant discursive paradigm which assumes that elections constitute the triumphant moment of democratic politics, capable of steering the country ineluctably towards a state of permanent peace. It is argued that the apparent 'paradox' posed by 'peaceful' elections and violent community protests is not an empirical problematic but a conceptual one and is born out of a conception of the political domain and elections within this domain in purely legalistic and technocratic terms. In this conception, therefore, elections are merely a managerial exercise, divorced from wider relations of power and conflict. The fundamentally conflictual nature of democratic politics is ignored in favour of an emphasis on 'consensus' in the pursuit of 'national unity', obfuscating the underlying power inequalities on which such consensus is frequently based. This article explores how South Africa's 2009 elections were interpreted in terms of this 'managerial' discourse in order to attempt to relocate elections within a more deeply rooted understanding of democracy, which does not assume a teleological progression towards an ultimate state of peace, but which engages with the material reality of contestation and blood in post-apartheid South Africa.

INTRODUCTION

Since 1990 more than 25 sub-Saharan countries have held democratic elections. This is what we mean when we talk of a process on our continent which affirms an indigenous and sustained movement towards the elimination of the failed systems and violent conflicts which have served to define the continent in a particular way in the eyes of many in the world.

Thabo Mbeki 1997

A record proportion of approximately 77 per cent of registered voters voted in South Africa's fourth democratic elections in April 2009, a poll that was unmarred by major violent incidents¹ and was widely hailed as a marker of the 'maturation' of South African democracy. 'Thank-you South Africa', declared newspaper headlines, which reported then President Kgalema Motlanthe congratulating South Africans for, 'turning out in huge numbers' to vote 'peacefully' in 'a free and fair election marked by very few incidents of violence' (Ndawonde 2009). However, less than a week later, newspaper headlines were filled with accounts of violent 'service delivery protests'. A report headed 'Stones Fly' described one such protest.

Angry protesters from Khayelitsha stone and smash the windows of a Golden Arrow bus which tried to drive through a no-go zone in Lansdowne Road on May 4. The residents, who protested over a lack of electricity, water and toilets, barricaded the road with burning clothes and tyres and dug ditches in the road to prevent traffic from coming through.

www.oryxmedia.co.za/events/service-delivery-protest-in-khayalitsha-%E2%80%93-04-may-2009

Thus, within a few days of millions of 'mature' citizens peacefully making their way to the polling booths, these same citizens took to the streets across South Africa in an unprecedented wave of angry protest, which swept across townships

1 While there were few or no incidents of violence associated with election day itself the period prior to the elections was characterised by high levels of contention between the African National Congress and the Inkatha Freedom Party (IFP) in KwaZulu-Natal in particular and between the ANC and the newly established Congress of the People (Cope). For example, the Election Monitoring Network (EMN) reported five murders linked to political rivalry in the Eastern Cape and KwaZulu-Natal. In addition, a survey conducted by Afrobarometer at the end of 2008 found a significant amount of fear, particularly among supporters of smaller political parties, that political violence would accompany the elections.

from, among others, Du Noon and Khayelitsha in Cape Town to Zeerust in the North West Province and Orange Farm and Thokoza in Gauteng. By July 2009 it was reported by agencies monitoring municipal affairs that that there had been more major protests during 2009 than in any previous year since 'service delivery' protests had started in 2004 (Allan & Heese 2009).

Many of these protests were characterised by violence, some of which appeared profoundly 'irrational', for example, the burning of the municipal library in the township of Siyathemba in Mpumalanga province in February 2010 during protests about a range of local issues. The nature of these protests prompted Deputy Minister of Cooperative Governance and Traditional Affairs Yunus Carrim, who was responsible for local government affairs, to state that, 'it is the rage of sections of the protestors and the extent of violence and destruction they wreak that is striking' (Carrim 2010). These community protests had not abated at the time of writing,

A PARADOX

How can we understand this apparent paradox between the 'peacefulness' of the electoral process and the violence of the protests currently sweeping the country, not to mention the various other forms of violence that characterise South African society, including one of the highest murder rates in the world and a number of other forms of violence, such as rape, sexual assault, xenophobic attacks and violence committed by members of the police service.

This article argues that our surprise at these 'disjunctures' is not the consequence of an empirical problematic, an 'actual' contradiction, but is, instead, the result of a normative conception of the domain of the political and the role of elections within this political domain, which assumes that the 'political' is a sphere completely circumscribed and incorporated within the realm of the law, hence ostensibly free from violence and conflict, which can be managed in merely technical and administrative terms.

The analysis here, therefore, attempts to address the conventional assumption, as articulated by former president Thabo Mbeki, that elections, as the triumphal moment of the democratic system, are able to 'magically' manage and resolve, through an ideology-free mechanical process, the fundamental contradictions and antagonisms in society and create a world, à la Fukuyama, in which, 'history has ended' (Fukuyama 1992); a world freed from ideology and hence free of the stain of violence. This 'post-political' vision, as Chantal Mouffe (2000) and Slavoj Žižek (2008), among others, have pointed out, is a dangerous obfuscation, which conceals beneath this 'non-ideology' a conservatism that seeks to impose a manufactured consensus on society and ignores the unequal power

relations embedded within this 'consensus'. The closing of space for a viable and meaningful opposition to the status quo in this 'post-ideological', consensus-driven world can give rise to dangerous forms of anarchy and violence as people lack meaningful channels through which to express their discontent.

Mouffe and Žižek, in their critique of 'consensus-based' politics, were primarily writing about the impact of 'third way' thinking in Western Europe after the end of the Cold War, which ostensibly ushered in a period where consensus-based politics was possible, primarily as a result of the now uncontested global hegemony of neo-liberalism. It was in this context, which informed the proliferation of elections in the sub-Saharan region and indeed on the continent, from the 1990s onwards, that, after the end of the Cold War, liberalism and the free market were seen as the only viable political and economic choices (Serlis 2008, p 17).

However, in many instances elections were the result of subtle and less subtle coercion that reinforced unequal global power relations, in which 'economic adjustment and political liberalisation were made preconditions for aid targeted at development in poorer countries' (Serlis 2008, p 17). Thus elections and the liberal democracy they were intended to inaugurate were often not an 'organic' process but came to the continent in inauspicious circumstances under the threat of withdrawal of aid or other penalties that could be imposed by the West if countries did not conform. The result was formal elections that were often marred by a host of irregularities and violence and which, moreover, had little substantive connection to meaningful multiparty democracy or sustained and institutionalised democratic systems and processes.

South African citizens had fought long and hard for the national sovereignty they were finally to achieve in 1994 and it was the apartheid government which increasingly felt the pressure of economic sanctions and isolation, eventually compelling the state to agree to negotiate a political settlement for the country, which led to the holding of its first non-racial election. In the light of its fractured and divided past South Africa became increasingly concerned with the quest for 'national unity' and 'reconciliation', which it hoped would prevent violent conflict among antagonistic groupings.

This concern was initially expressed through the process of the Truth and Reconciliation Commission of South Africa, which was widely criticised for its focus on individual human rights violations rather than the structural system of apartheid which had generated these violations (Mamdani 1998; Posel 2002; Kistner 2003), and later with the broader and ongoing project of building a 'national identity', a definitive 'South African-ness', which conceals the underlying economic and political inequalities that prevent such an identity from emerging.

Mattes (2007) argues, in this vein, that the focus by the ruling ANC on nation-building has been at the expense of an emphasis on democracy, as, he argues, support for democracy remains to some extent contingent on whether the state is able to deliver. In this context, the primary concern has been to 'legitimize the idea of the South African political community' (p 15) and create a loyalty around the, 'territorial and symbolic identity of the "new South Africa"' (p 13) that would hold whether or not specific political and economic goods were delivered. This emphasis on 'nation-building', combined with the continued political party dominance of the former liberation movement, the African National Congress, has meant that the space for significant contestation of dominant ideological paradigms is weakened. In this context, all South Africans are increasingly obliged to identify themselves with a national consensus around the values and needs of the society. Fundamental opposition to or contestation of this 'national vision' can lead to ostracism and 'othering', closing down the space for substantive opposition, as the experience of social movements such as Abahlali baseMjondolo² have demonstrated.

In the 'post-colonial' context of the global South, the contradictory impact of a consensus driven politics is particularly stark, as the transition to democracy in many of these countries has frequently been accompanied by rising levels of violence, both associated with the election process itself, which can become a moment for staging spectacles of violence in support of one or other of the participants in the electoral contest (Tambiah 1996), or in society in general, as the deregulation associated with the transition to democracy creates new opportunities for violence. As the Comaroffs (2006, p 1) have argued,

political liberation in postcolonial, post-totalitarian worlds, and the economic liberalization on which it has floated, has implied, as its dark underside, an *ipso facto* deregulation of monopolies over the means of legitimate force, of moral orders, of the protection of persons and property. And an unraveling, more or less, of the fabric of law-and-order.

2 Abahlali baseMjondolo is a shack dwellers movement formed in Durban in 2005, initially to oppose the sale of land promised to shack dwellers as part of a slum clearance initiative by the local municipality. The movement has since grown into one of the most significant civil society organisations in the country. It alleges that in an 18-month period the movement experienced more than 100 arrests, regular police assault and ongoing death threats and other forms of intimidation from local party officials. Abahlali has taken up a number of campaigns relating to land and housing issues and won a significant victory when it managed to get the proposed KwaZulu-Natal Slums Act, which was intended to facilitate evictions from slums in the province, overturned in the Constitutional Court. Significantly, Abahlali opposes participation in either local or national elections, instead supporting direct democracy and 'a politics of the poor'. Elections, it argues, are a means for elites to acquire power on behalf of the poor. Its elected president, S'bu Zikode, says about elections: 'The government and academics speak about the poor all the time, but so few want to speak to the poor ... It becomes clear that our job is just to vote and then watch the rich speak about us as we get poorer' (*Sunday Herald* 9 August 2009).

Ironically thus, while more countries than ever before have attained democracy in the sense of constitutionalism and multiparty electoral competition, substantial evidence shows that global rates of violent crime have surged and that violent crime has been especially pronounced in precisely those regions of the world in which democracy has recently taken hold, including Latin America (Fajnzylber, Lederman & Loayza 1998; Diamond 1999; Mendez, O'Donnell & Pinheiro 1999, cited in LaFree & Tseloni 2006, p 27), Eastern Europe, the 'breakaway' republics of the former Soviet Union (Hraba et al 1998; Barak 2000; Backman 1998; Savelsberg 1995 cited in LaFree & Tseloni 2006, p 27) and sub-Saharan Africa (Reza, Mercy & Krug 2000; Daniel, Southall & Lutchman 2005, cited in LaFree & Tseloni 2006, p 27).

These transitions to democracy, marked most significantly by the electoral process, have been widely hailed as the inauguration of a new dawn, a 'Brave Neo[liberal]-World' (Comaroff & Comaroff 2006, p 3). However, the effects of elections have been contradictory, leading to 'unintended, highly destabilizing effects on the fragile political and economic arrangements on the ecologies of patronage, redistribution, and survival that developed in many nation-states across the global south with the end of the high age of colonialism' (Comaroff & Comaroff 2006, p 4).

The electoral process itself, is fetishised as a panacea in the transition to liberal democracy by authors such as Huntington (1991), who define democratic consolidation almost entirely in terms of the electoral process, and is frequently interpreted in narrow, procedural terms, offering little substantive choice to voters.

It hides in its 'secretive interior' (Comaroff & Comaroff 2006, p 4) the material realities of the 'Brave Neo-World', foreclosing the collective action which could instantiate fundamental change in favour of the exercise of individual 'enlightened' self-interest.

Therefore, while it is assumed that the aspiration for 'free and fair elections' is a 'common sense' objective that merely requires tinkering with electoral mechanisms, codes of conduct, deployment of election officials and so on, what is seldom questioned is whether these aspirations are achievable or even desirable and whether, in seeking to impose consensus which disallows substantive opposition, we in fact unleash unmediated forms of violence and opposition. As Etienne Balibar (2001, p 15) has argued,

'civility' does not necessarily involve the idea of a suppression of 'conflicts' and 'antagonisms' in society, as if they were always the harbingers of violence and not the opposite. Much, if not most, of the extreme violence we are led to discuss is the result of a blind

political preference for 'consensus' and 'peace', not to speak of the implementation of law and order policies on a global scale.

What is rarely contemplated is that in as much as the state, in South Africa, as elsewhere, is constituted through a series of founding violences these violences live on, institutionalised within the edifice of the democratic state. As Agamben (1998, p 105) has argued, Hobbes's 'state of nature' is not a pre-judicial phenomenon which is displaced by the formation of the state but is, in fact, a condition that dwells continuously within the civil state. This is a condition of continuous flux and transition in which all are potentially both sovereign – with the absolute right to decide life and death – as well as bare life; life that exists on the boundaries of the political domain, unprotected by law and consequently exposed to the most extraordinary violence.

Such ambiguities, however, appear inconceivable in a South African discourse dominated by a legalistic and economic understanding of the world, including the electoral process itself. Vale, in a critique of Southern African electoral studies, points to the influence of the American discourse of applied social science, which has shaped the discipline of electoral studies in terms of an economic understanding of social relations, modelled on the market and informed by a notion of rational choice and the self-interested actor. This model of thinking has, he argues, led to a depletion of the complexity which characterises social relations and, in particular, social relations as they pertain to elections.

The study and conduct of elections has been conflated with the practice of management and the disciplining of social processes rather than their interpretation. This has led to the emphasis in the practice and description of elections on the 'tropes' of 'transparency', 'accountability' and 'governance' (Vale 2006, p 11). While these are important values, they seek, above all, to 'tame' the electoral process and the conduct of democracy itself. These are the terms in which elections are evaluated and citizen behaviour is monitored. Elections become a technical exercise; a process which needs to be 'managed', divorced from an understanding of how they are connected to social and power relations and devoid of the theorising which could link them to these broader domains.

'RE-READING' VIOLENCE

South African analysts operating within a conceptual paradigm in which violence is seen as an implacable exception to the 'proper' exercise of juridical power are frequently at a loss to understand or interpret violence which cannot be seen to be instrumentally related to identifiable objectives or purposes. Their explanations are, as Sue van Zyl has argued in relation to the internalised violence prior to

South Africa's first democratic election,³ 'additive', each analysis attempting to find the additional ingredients that could explain the *relation* between power and its violent effects in terms of a variety of historical, political or sociological accounts, or a 'judicious mixture of each' (Van Zyl 1990, p 2).

This conception is an understanding of power and of the political, which 'takes law as its model and its code' (Agamben 1998, p 5). It is a notion of power in which the site of the material enactment of power and the representation of power are conceptually distinct, making possible an 'idealised' juridical realm of power, separate from its site of violent instantiation (Feldman 1991, p 235). In this discourse politics is a purely juridical phenomenon, completely divorced and elevated from the violent and material manifestations of power. In this view it is possible to negotiate and mediate the realm of the political in purely juridical terms as what lies outside the juridico-political system is, by definition, outside of the political and is, in fact, criminal. The criminal, as the Comaroffs have argued in relation to the post-apartheid state, becomes the 'alibi' against which the integrity of the political 'community' can be substantiated (Comaroff & Comaroff 2004, p 4).

This vision of power, therefore, can only conceive of violence in an instrumental relation to a juridical power, as a strategic tool used in the pursuit of 'rationally' conceptualised and articulated objectives. This despite the fact that so much violence in the South African context, from that of the transition period during the 1990s to the current violent protests, does not lend itself to such instrumental explanations.

By unpacking the construction of knowledge about violence within a particular understanding of power it becomes possible to 're-read' this violence in terms of a significantly different conceptualisation of power, one which incorporates not only the juridical but also what Foucault first conceived of as the 'biopolitical', 'the concrete ways in which power penetrates subjects' very bodies and forms of life' (Foucault, cited in Agamben 1998, p 5). It is the articulation between biopolitical and the juridico-institutional power, that is, the relationship between life and law, which makes it possible to interpret violence properly in the political realm not as an aberration to juridico-political politics but as a critical part of the mediation between the representation and the instantiation of power.

The biopolitical nature of power has, nonetheless, as Agamben argues, remained concealed and implicit in modern juridical understandings of power and sovereignty, as is evidenced in the South African context by the struggles to

3 Between the beginning of the negotiation process in 1990 following the release of Nelson Mandela and other political prisoners and South Africa's first democratic elections in 1994 violent political conflict, claimed the lives of approximately 16,000 people.

comprehend violence which does not appear to be linked to 'rationally' articulated objectives; conflicts which make explicit the embodied nature of sovereign power as wounds inscribed on bodies rather than the juridical, representative nature of power, expressed through the ballot and collective decision-making.

Pure violence

It is the point of articulation between biopolitical and juridico-political power at the boundaries of the juridico-political order that makes explicit what Benjamin has called 'pure violence';⁴ violence without any relation to law (Benjamin, cited in Agamben 2005, p 61); violence whose very 'excess', its normative violations, its 'exceeding' of law and of norm are, in fact, the mechanism of sovereign power. It is in this realm, on the boundaries of the juridico-political order, that the violence that we struggle so much to understand is located.

This is a violence which is not related to law. It neither tries to establish law, as in revolutionary violence, nor to defend law. Unlike 'mythico-juridical' violence, which is always a means to an end, 'pure violence is never simply a means – whether legitimate or illegitimate – to an end (whether just or unjust)'. It is instead, a 'pure medium', 'mediality without ends' (Agamben 2005, p 62).

However, such violence, as Chatterjee (2001a) points out, poses a particular problem to the modern secular consciousness, which seeks 'rationality' and 'sense' (p 18). In modern political life two key strategies are used to 'domesticate' violence. Either violence is subordinated to transcendental ethical imperatives such as justice, goodness and progress, in order to legitimise its use for these transcendent aims, or an attempt is made to establish an 'economy of violence', a cost-benefit analysis which determines whether the violence used is proportionate to the goal to be achieved (p 20).

This has led to what analyst André Du Toit (1993) has identified in the South African context as a 'radical problem of understanding' (p 2) with regard to forms of violence that do not appear to be subjugated to an ethical imperative or which are apparently disproportionate to any identifiable goals. As André du Toit points out, political violence is not unfamiliar or difficult to understand in the South African historical context, however, prior to the 1990s most violence could be relatively easily linked to the struggle against the colonial or apartheid state and the struggle to defend them. However, the anomic violence of the 1990s, prior to the country's first democratic elections, which was profoundly transgressive,

4 It is important to note that Benjamin's conception of 'purity' was about the relation of violence to law rather than a substantive characteristic of the violent action itself. Benjamin argues, 'The task of a critique of violence can be summarized as that of expounding its relation to law and justice' (cited in Agamben 2005, p 61).

violating South African citizens – men, women and children – in the ‘ordinary spaces’ of their everyday lives, could no longer be seen in instrumental relation to the struggle to overthrow the apartheid state. The ‘functions and purposes’ of this violence remained oblique precisely because they could not easily be ‘derived from’ or ‘related to’ ‘primary social processes and political phenomena’ or be ‘readily harnessed to an intelligible public cause’ (A du Toit 1993, p 6). This was violence that did not fit into the ““master narrative” structuring conventional understandings of political violence’ (A du Toit 1993, p 1).

It is these types of anomic violence that continue to confound analysts of the various manifestations of social violence in the post-apartheid period. This is not to say that all the violence that has taken place in post-apartheid South Africa is anomic rather than instrumental.

A number of valid social explanations can, undoubtedly, be offered for many manifestations of violence. Among these are inequality, municipal corruption, lack of access to local government, housing policy and migration. However, while valid, all these explanations finally balk at the point at which they are asked to link these underlying causal factors with the actual occurrence of violence, which often appears to be profoundly ‘irrational’, for example, protesters against poor service delivery attacking the very infrastructure which could facilitate better delivery.

The illusory nature of this search for an original a-temporal origin of power is, however, made explicit by the temporality and specificity of each social protest, which may involve a variety of common underlying structural factors that can be identified but which do not, in *toto*, explain the outbreak of violence.

As Thornton (1995, p 2) has argued, violence is, in fact, ‘peculiarly temporal’ and profoundly unpredictable; ‘the proximate causes of violence are often so complex that it is rarely possible to know exactly or precisely what triggered a violent event’ (Thornton 1995, p 9). It is, instead, a case of ‘passing epiphenomena’ (A du Toit 1990, p 119), which ‘necessarily disturb all structural causal or narrative sequences and continuities’ (Thornton 1995, p 3) and therefore cannot be properly instrumental. We can know of the possibility or even the probability of violence but we can only really know violence in retrospect (Thornton 1995) and it is in this retrospective perspective that we construct a relationship between a prior cause of power and its violent effects.

Nevertheless, in dominant South African academic discourse violence is understood as existing in an instrumental relation to the state. This understanding of violence is deeply embedded within a genealogy of thought, running from Hobbes through to Weber, which understands the foundation of sovereign state power in terms of its ability to monopolise violence within society. For Hobbes, through a social contract citizens give up their right to violent self-defence to the sovereign state or Leviathan, whether democratic or autocratic, to act as a

guarantor of peace and civility in a world that would otherwise be characterised by a 'condition of war of everyone against everyone' (Woodbridge 1958, p 270).

For Max Weber too, the essential *raison d'être* of the state is its ability to monopolise the *legitimate means* of violence over a specific territory. Therefore, in this conception, the legitimacy of the state forms the basis of the legitimacy of its monopoly on violence and its right to employ violence as part of the exercise of state power. As analyst Pierre du Toit (2001, p 72) contends, 'security', the ability to provide for the basic physical security of citizens, forms the 'core of the substance from which a social contract between state and citizen is built. When it [the state] fails to provide security, and is seen to fail, the state's legitimacy cracks at this core.'

The assumption that the basis of legitimate state authority is its ability to monopolise the means of violence in society has led to uncritical assumptions about the capacity of the state 'as the primary unit for the conduct of politics' (P du Toit 2001, p xii), to monopolise violence. During the period of conflict which preceded South's Africa's first democratic elections and which was accompanied, particularly in the 1990s, by a patent breakdown in the state's monopoly of violence, it was assumed that the restoration of democratic state sovereignty would secure the conditions of peace.

As André du Toit (1993) articulated it, this was a conception of violence within a South African master narrative of political struggle, in which the exercise of legitimate juridical state power would end violence and 'projected democracy as the solution to the history of conflict and political violence' (A du Toit 1993, p 1). In this vein, it was assumed that 'a political settlement ... will ensure that violence loses popular support when directed against a legitimate government' (Brewer 1994, pp 5-6).

Embedded, therefore, in these analyses is a teleological conception of history and its 'predictable sequences' (Foucault in Rabinow 1991) which assumes that humanity inevitably moves 'from combat to combat until it arrives at universal reciprocity, where the rule of law finally replaces warfare' (Foucault in Rabinow 1991, p 85). While South African analysts have acknowledged the complexities of South Africa's 'bold new experiment' (Giliomee & Schlemmer 1994) and that 'the reorientation of conflict from bullets to ballots is a long, arduous, and often violence-ridden road' (Sisk 1995, p 4), the possibility of this 'transition' from a state of violence to a state of peace is posited as merely a matter of 'reorientation' in which institutional arrangements, the re-establishment of new 'rules of the political game' (Friedman 1993; Sisk 1995), would make this teleological shift possible.

What is inconceivable in this paradigm is that this state of violence and transition would, as Agamben argues, dwell continuously within the 'City',

violence not displaced but installed in law. The continuation of contemporary forms of violence in the post-1994 context thus compelled Pierre du Toit (2001, p xi) to preface his book on South Africa's 'brittle peace' with the question, 'Why has South Africa, newly democratised, not also become peaceful and free of violence?'

SOUTH AFRICAN ANALYSIS OF THE 2009 ELECTIONS

Recent analysis of the political environment during the run-up to the 2009 elections has been similarly premised on a normative assumption of the possibility of a teleological 'progress' towards a state of peace, which merely requires the modification and adjustment of the 'rules of the game'. This conception of the social in terms of the metaphor of a 'game' draws, as Vale argues, on a frame of analysis in which the social domain is interpreted in the same terms as the economic domain. Besides the analytical depletion that occurs as a result of this conflation of the economic and the social this presentation of the social as a 'neutral playing field', a 'separate domain, free from structural imperatives or questions of agency and subjectification' (Lemke 2001, p 200), masks the underlying processes of power that shape this environment, including the ostensibly neutral rules which, far from being mere technical procedures, are, in fact, what Foucault has called 'techniques' of governmentality. The apparent 'consensus' gained on the basis of such rules may well foreclose political participation in ways that, as Mouffe and Žižek argue, can produce unmediated forms of violence.

Susan Booysen's analysis of contention in the run-up to the 2009 elections reveals the limitations of this teleological and procedural approach and the fetishisation of the electoral process as a means of achieving this teleology. In her analysis Booysen assumes that the reduction in violence associated with elections in 15 years between 1994 and 2009 can be causally interpreted as a consequence of an 'increasing acceptance of the normative framework of liberal democracy' (Booyesen 2009, p 12) and, stretching the point even further, the 'consolidation of democracy' (p 12). This approach ignores the enormous ambiguity and contention associated with the institutionalisation of the 'framework of liberal democracy' in the South African and other post-colonial contexts.

Chipkin (2009, p 7), for example, has recently argued that one cannot assume that democratic social relations follow automatically from democratic political institutions. This is starkly evident in the South African context, in particular in the disjuncture between the high levels of participation in elections and the relatively high levels of legitimacy enjoyed by many formal political institutions in South Africa contrasted with the violence that characterises so many aspects of social relations in the country.

Thus, contrary to much social capital literature, which assumes that democratic institutions can only function if there are high levels of civic engagement and social connection between citizens, what the South African case demonstrates, as do the cases of numerous other recently democratised societies in the Global South (which continue to hold democratic elections in a context of high levels of social conflict), is that, 'democratic institutions can take root in a society that is ambivalent about democratic norms and values' (Chipkin 2009, p 12).

Similarly, Mattes (2007, p iii), in examining the claims of a range of variants of institutional theory that posit a direct relationship between the establishment of democratic institutions and the consolidation of democracy, found, after examining data from South Africa, that 'there is little if any evidence that these institutional successes have resulted in increased levels of public demand for democracy'. Butler (2007), drawing on Mattes's analysis of Afrobarometer survey material, reiterates that:

the wider citizenry continues to show limited enthusiasm for liberal institutions ... Only a third of the electorate consider the procedural components of the political system non-negotiable – majority rule, regular elections, freedom to criticise government, and multiparty competition. Citizens more often consider economic or substantive considerations to be the non-negotiable aspects of democracy.

In 2007 Mattes, analysing data from the Afrobarometer⁵ survey, in responses to questions about whether people would be prepared to give up democracy for development, designed to assess popular *demand* for democracy, found further evidence of the contested nature of support for democracy as a value, unattached to its capacity to deliver development.

Mattes found that popular demand for democracy between 2000 and 2006 had remained stable rather than showing an upward trend. While 65 per cent of South Africans said in 2006 that democracy was preferable to other forms of government this percentage had remained stable since 1998. Analysis of further data found that only 35 per cent declared themselves 'unwilling' or 'very unwilling' to 'give up regular elections' and 'live under a non-elected government or leader' who 'could impose law and order, and deliver houses and jobs' (Mattes 2007, p 19). Sixty-five per cent of respondents were prepared to make this compromise.

5 Afrobarometer is a research project which runs regular surveys on a range of issues concerning the social, political and economic situation in more than a dozen countries in Africa. See <http://www.afrobarometer.org/>

However, Booysen's analysis assumes that elections, as the apotheosis of democracy, can be simplistically read as direct evidence of a broader social acceptance of the 'norms of liberal democracy' and a teleological marker of 'progress' towards the 'ultimate' realisation of a liberal democratic system. The rise in contention during the run-up to the 2009 elections, thus appears in this teleology as a 'surprising reversal', an 'anomaly' in an ostensibly ineluctable historical progression.

What Booysen's analysis assumes, as do many other electoral analyses, is thus not only the neutral production of rules but also the neutral production of the South African subject, who, unproblematically, accepts the framework of liberal democracy as the most sensible and 'rational' choice and the 'only game in town' (Linz & Stepan 1996). In fact, in the neo-liberal state these processes of subjectification or production of the subject are the product of processes of power, namely a particular disciplinary relationship between state and citizen.

As Foucault has argued the modern biopolitical state does not concern itself with mere administration but is also involved in the 'governance' of all aspects of social life, including citizens' 'governance' of themselves. It is the citizen carrying the norm in personal conscience who is critical to the modern state's capacity to maintain sovereignty without continual law enforcement by producing citizens whose actions are governed by a 'morality' and conscience, which are congruent with the state's attempt to achieve the most 'economic', effective and rational government.

In the South Africa context, and the post-colonial context in general, which, historically, has been characterised by multiple overlapping systems of social authority and normative regimes, the notion of the 'good citizen' who polices him or herself in terms of a set of legal norms and values concordant with liberal democracy is problematic (Pillay 2008).

Moreover, as Michael Neocosmos (2006) has pointed out, the way in which citizenship has been constructed in post-apartheid South Africa has been fundamentally 'passive', with indigeneity (birth within the territory of South Africa) conferring the status of 'citizen' rather than a more active conception of citizenship that existed during the period of struggle against the apartheid state, when political agency formed the fulcrum of political identity. Thus, Neocosmos (2006, p 16) argues, 'the state sees citizenship being concerned with a territory under its control ... in its form of indigeneity, citizenship is given by birth and territory, not political agency and is underlined by state power'.

According to Patrick Heller (cited in Chipkin 2009, p 7) while, 'democracy in South Africa may be consolidated ... it is not "effective", by which he means that South African citizens, especially the most subordinate, like those in India, do not have the means actually and effectively to exercise their civil and political rights'.

Chatterjee, in a characterisation that resonates strongly with South African social conditions, argues that '[m]ost of the inhabitants of India are only tenuously, and even then ambiguously and contextually, rights-bearing citizens in the sense imagined by the constitution' (2001b, p 38). The state relates to these residents not as active citizens but as the passive recipients of state 'care' and 'control'. This attitude is linked to the particular form the state is increasingly taking in India and in the globalising world more generally, which is related to

the rise to dominance of a notion of governmental performance that emphasizes the welfare and protection of populations and the 'pastoral' functions of government, as Michel Foucault called it using similar governmental technologies all over the world but largely independent of considerations of active participation by citizens in the sovereignty of the state.

Chatterjee 2001a, p 14

As Yunus Carrim (2010) wrote in relation to South African citizens' involvement in violent community protests:

It reflects a far more fundamental alienation of people from our democracy. It suggests an acute sense of marginalisation and social exclusion ... Many of the protestors are alienated from the state as a whole, not just local government, and not just the whole state, but from society too.

Similarly, Žižek interprets the violence associated with civil unrest in Paris in 2005, primarily committed by first- and second-generation immigrant youth from poor neighbourhoods, in terms of the experience of exclusion. This violence, like that in India and, indeed, in South Africa, occurs in a realm of pure mediality, critically a pure mediality that is born out of social and political exclusion.

For Žižek the violence committed by immigrants in Paris was not the result of clearly identifiable political or social objectives but was, above all, about a struggle to achieve visibility. This was about a group which saw itself as excluded from the political and social space proper and wanted to 'render its presence palpable to the general public' (Žižek 2008, p 65). 'Their aim was to *create* a problem, to signal that they were a problem that they could no longer be ignored' (p 66). 'Here the medium was the message' (p 66). He uses Lacan's notion of a 'passage à l'acte' – an impulsive movement into action which can't be translated into speech or thought and carries with it an intolerable weight of frustration' (p 65), to describe this 'pure' violence.

The problems in the run-up to the 2009 elections prompt Booysen (2009, p 9) to ask 'a pivotal question about South African democracy', namely, whether the 'degrees of acceptance' of the 'rules of the game' would now be under threat as a result of the entrance of Cope into the electoral contest, which introduced the possibility of an apparently substantive challenge to the ANC's hegemony in the country. Notwithstanding the assumption that the 'rules of the game' have in fact been institutionalised beyond the procedural exercise of the vote every five years, this conception of elections and, indeed, the political domain, in terms of the norms of law, where codes of conduct and legal prescription can obviate conflict, renders violence in the political domain inexplicable.

Mouffe, in this vein, warns of the danger of reducing politics to an exchange of opinions rather than a power struggle. 'The danger of conceiving of democratic politics as a dialogue is that we may forget its primary reality remains strife' (Perry Anderson, cited in Mouffe 2000, p 51).

It is this economistic and legalistic conception of society and politics that has made it difficult for South African analysts to locate elections effectively in the larger political domain and to understand their complex and often tenuous relationship to the mediation of conflict in all areas of social life. What the liberal paradigm, which sees the political in terms of competing 'interests' in a neutral terrain (Mouffe 2000, p 52), is unable to engage with is the ambiguity of the domain of the political and, even more critically for our purposes, the inherently conflictual nature of democratic politics (Mouffe 2000), which liberal thought assumes can be managed and regulated through electoral procedure, if played by the correct 'rules'.

As Mouffe (2000) has argued, what characterises modern democracy is the articulation between two different political traditions, namely classical democracy, whose core values – equality and popular sovereignty – are different from those of the liberal tradition, which emphasises individual liberty and human rights, with which it has been articulated since the time of the democratic revolutions. Mouffe points out that the union of these traditions in Western democracies was contingent, historical and the result of protracted struggles. 'Through such an articulation ... liberalism was democratized and democracy liberalized' (p 3).

In Africa, there was no similar organic coincidence of these two traditions. The form of liberal democracy represented by multiparty elections came to the continent belatedly, although its traditions and ideas have had a much longer history there. On the other hand, the struggle against colonialism meant that popular sovereignty was foregrounded as the primary goal of national liberation movements. The articulation between these two traditions, therefore, has been

even more contingent and complex on the African continent and its tensions are evident in contemporary South Africa.⁶

Critically, the two traditions operate in terms of two different logics.

[...] democratic logics always entail drawing a frontier between 'us and them', those who belong to the demos and those who are outside it. This is the condition for the very exercise of democratic rights. It necessarily creates a tension with the liberal emphasis on the respect of 'human rights', since there is no guarantee that a decision made through democratic procedures will not jeopardize some existing rights. In a liberal democracy limits are always put on the exercise of sovereignty of the people ... in the name of liberty.

Mouffe 2000, p 4

Agamben and others have identified the critical uncertainty that is introduced by the principle of the sovereignty of 'the people', which requires a constant process of definition and redefinition of the boundaries of the people in whom sovereignty will be vested, based on a distinction 'us and them', bare life (excluded from the *polis*) and political life, which 'has to redefine and purify itself continuously according to exclusion, language, blood and territory' (Agamben 2000, p 30). Thus, while normative liberal conceptions of the political domain assume that conflict can be mediated through administration and regular elections, which allow people to 'choose' their political representatives in a 'neutral playing field', in fact these undoubtedly important processes are intricately co-ordinated with a deeper struggle for sovereignty that attempts to define the limits of the *demos* in struggles that are often bloodily enacted in violence against an 'other'; what Agamben calls *homo sacer* (sacred man), the bandit who exists in a liminal state between simple animal life and political life, 'the outlaw, the *Friedlos*, or the convict, [is] historically the symbol of the outside upon whose body and life the boundaries of the political community could be built' (Hansen & Stepputat 2005, p 15).

Partha Chatterjee (2001a) has sought to articulate these struggles that occur outside the law and constitution among people who are formally citizens but in fact exist on the boundaries of the political domain, the liminal space occupied

6 At the time of writing such tensions have been made explicit in the South African context by the attempt by the ANC to put in place measures to regulate press 'freedom' in the 'national interest'. These controversies speak to the tension between the liberal tradition, emphasising constitutional values such as freedom of expression, and the classical democratic tradition, which emphasises the sovereignty of the people, represented by the ruling political party.

by *homo sacer*. These exclusions of citizenship, he argues, underpin the emergence in India of what he calls, 'political society', which occupies a zone between, 'the state on the one hand and civil society as bourgeois society on the other' (p 8).

In this context, there has been a 'widening of the arena of political mobilization ... from formally organized structures, such as political parties with well-ordered internal constitutions and coherent doctrines and programmes, to loose and often transient mobilizations, building on communication structures that would not ordinarily be recognized as political' (Chatterjee 2001a, p 14).

This is 'a domain of politics that is located neither within the constitutional limits of the state nor in the orderly transactions of bourgeois civil society, even though it is about both' (p 16). Critically, Chatterjee argues, 'political society' exists in a 'normatively nebulous zone', a zone of violence and 'disorder'.

This is a zone where ... the certainties of civil and social norms and constitutional proprieties are put under challenge. Rights and rules have to be, seemingly, negotiated afresh. Only those voices are heard that can make the loudest noise and can speak on behalf of the largest numbers. There is violence in the air.

Chatterjee 2001a, p 20

CONCLUSION

This article has sought to dispute normative expectations that elections can conclusively mitigate conflict in society. It questions the aspiration for consensus on which this expectation is founded, which hides the implication of power in this ostensibly 'ideology free' process. This juridical, administrative vision of the political is unable to conceptually engage with conflict within the political and social domains because it cannot recognise the struggles for popular sovereignty on which many of these, sometimes bloody, conflicts are founded. The failure to recognise the conflictual nature of democratic politics and the exclusionary citizenship generated by the drive towards 'consensus' and 'national unity' creates the space for unmediated forms of violence as citizens relegated to the margins of the *polis* violently express 'an intolerable weight of frustration' in a range of apparently irrational acts of violence.

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