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A Themed Panel in the ACC-CUBES conference (Wits, 27-29
March 2013)

**“Exploring Practices of the State in the Governance of Southern
African Cities”**

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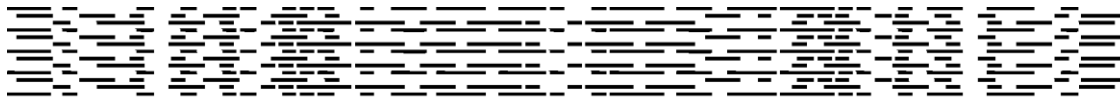
25.10.2013

Urban studies from the global South have recently turned to incorporating analyses of “the State” and its role in urban governance, through a bottom-up approach focusing in particular on urban residents’ everyday encounters with the state (see Bénit-Gbaffou and Olfield 2012).

It is a way of revisiting analyses of urban citizenship and social movements in Southern urban contexts – replacing them in their local and political contexts dominated by informality and gaps between policy and everyday practices (Chatterjee 2004, Olivier de Sardan 2009), that subject residents and their forms of mobilization to specific relationships with ‘the state’. It is also a way of interrogating “from the bottom” traditional analyses of the postcolonial African state – focusing on processes of construction of the state, of nationhood and of modernity (Bayard 1993, Bayard et al. 1999, Chabal and Dalloz 1999, Médard 1991, Mamdani 1997, Mbembe and Roitman 1995, inter alia). This approach of the state is itself been renewed by an emerging sub-field, especially developed in Indian academia, around the “anthropology of the state” (Das and Poole 2004, Fuller and Harris 2001, Corbridge et al. 2005, 2007). Often inspired by foucauldian analyses of state governmentality (the conduct of conducts, the ability to avoid direct coercion by having the subject internalize the rules) and “*dispositifs*” of power (decentered analysis of authority putting emphasis on the mechanisms, techniques and structures allowing for its diffusion throughout society), this literature is developing an analysis of the state through its everyday practices, in their messiness, complexities and inconsistencies but also their violence, their mechanisms of domination, their direct or pervasive influence beyond the idea of direct efficiency of public action. Far from conceiving the state as an homogenous entity with a clear vision for society and a straightforward ability to implement it, many

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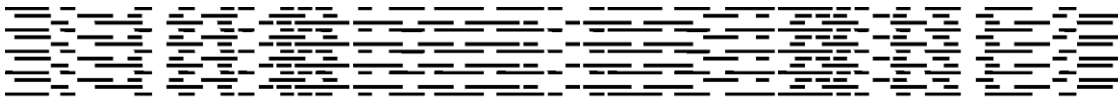


authors are indeed starting to focus their analysis on the processes shaping state's actions – framed by conflicts, resistance, negotiation and compromises (Hagman and Péclard 2010) between the state and civil society (in the broad sense of non-state actors), but also between different tiers, different arms, and different levels of the state; and with competing “institutions” acting as quasi-states and building alternative, often competing, norms and legitimacies (Lund 2006).

This dynamic analysis of the state in terms of its practices and processes, is paying great attention to the practices, discourses, and sometimes personal trajectories of a variety of agents and groups, grounded in specific local and political contexts. It stresses the blurred boundaries between state and non-state actors, and calls attention to the relationships between state and other organisations, in which rituals and procedures show more subtle interfaces rather than clear boundaries between distinct entities (Mitchell 2006). It considers the mutually transformative nature of the encounter between state and other social forces (Migdal 1994). It also, importantly, looks at the gaps between legal norms and “practical norms” (Médard 2006; Olivier de Sardan 1999, 2009), particularly acute in cities of the global South, and focuses more and more on the ways in which these gaps are governed by both state and non-state agents. This “governance” of informality as a dominant mode of encounter between state agents and citizens, often on the mode of temporary arrangements negotiated or fought for, shapes the nature of the state in cities of the South - representations of the state and modes of citizenship, as well as modes of action, decision and policy making in such southern contexts. It opens, we argue, to a deeper understanding of the state's capacity to govern and to shape cities, seen from the blurred everyday interface between state and society.

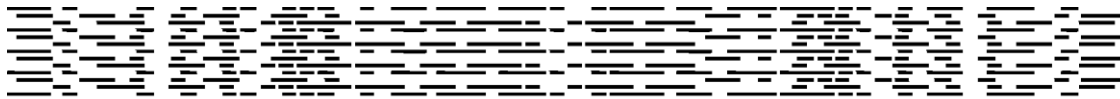
In a Southern African context, cities and urban policies intended to shape them have been the object of great political hopes – for their “reconstruction”, their “transformation”, the invention of more just cities in some cases, in post-colonial and post-apartheid contexts (Parnell et al. 2009). Later than in many of their African counterparts, liberation parties and struggle activists have been trying to construct new societies through state action, in particular focused around reshaping cities, through shifting and uncertain modernist visions in post-modern and neoliberalising contexts (Winkler 2011).

As both their effectiveness and their limitations in shaping cities become patent, as levels of contestation rise – be it through the “quiet encroachment of the ordinary” (Bayat 2004) or, as in South African cities, growing mass urban protests (Alexander 2010) -, and as the use of violence by the state to govern these contestation seems on the increase, the importance of better understanding processes through which urban policies are made and implemented, and beyond, of questioning the state's ability to shape cities– become even more pressing.



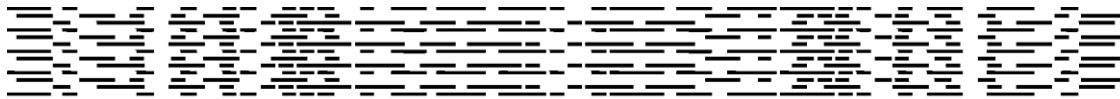
Better understanding practices of the state in urban governance in this context reveal complexity in 'developmental' state interventions and their outcomes which call for careful consideration of results and impacts (Migdal 1997; Mosse 2004; Li 2005). Rather than analysing them *only* in terms of conflict and misalignment between state plans and people's aspirations, these can reveal the intertwined nature of the "intentionalities of the developers and the 'to-be-developed'" (Mosse 2004: 665), and at the same time disjunctures in how these are appropriated and transformed by ordinary people (Fuller and Harriss 2001; Robins 2003; Li 2005; Charlton 2013). These differences between intentions and outcomes become dilemmas within the state (Li 2005; Corbridge 2008), exposing differences in views and strategies amongst policy creators and policy implementors (Corbridge 2008). The state itself might also contribute to differences between intentions and outcomes, through the pressures (both within and external to the state) placed on implementers and distributors of resources which can result in 'accommodations' (Migdal 1988: 248) which distort policy implementation and outcomes. Finally, the blurred boundaries between state and society (Migdal 1988) – to which could be added the (former) liberation party that still dominates southern African societies- might also explain the forms that urban collective mobilisation takes and the challenges it faces in reshaping state intervention in urban societies (Alexander 2010; Von Holdt et al. 2011; Bénit-Gbaffou 2012).

Inspired by Roy's work and a stimulating encounter with her (Wits School of Architecture and Planning & CUBES, in May 2013) – in particular around her argument that informality is "an idiom of urbanization", an intentional modality of state governance in cities of the South (Roy 2009), we would like to focus this panel more specifically on tracking, describing, unpacking a set of contemporary practices of the state in urban governance that are coming into view from empirically grounded research in Southern African cities (Johannesburg, eThekweni, Hout Bay, Delmas, Luanda, Maputo, Lilongwe). These include informal practices of the state (including illegal ones), transformations in the practices of the state and creolized state practices, drawing on the work of Roy, Migdal, Mosse and others, but at times contesting or extending these. Our characterizations and analyses are approached from a variety of perspectives: from state agents themselves (Bénit-Gbaffou, Charlton, Pernegger, Royston and Rubin), from social movements activists (Matjomane, Nieftagodien, Pingo, von Holdt), from residents (individually or collectively) (Buire), from business groups (Butcher). Beyond the participants proposed (for many, post graduate students and staff who have participated in a series of workshops in CUBES), we are looking forward to opening the panel to anyone interested in these emerging debates.



References

- Alexander P (2010), Rebellion of the poor: South Africa's service delivery protests – a preliminary analysis, in *Review of African Political Economy*, 37(123), 25-40.
- Bayart, J.-F. (2009 [1993]) *The State in Africa. The Politics of the Belly*. (2nd updated edn.) Cambridge: Polity Press.
- Bayard JF, Ellis S, Hibou B, (1999), *The Criminalisation of the State in Africa*. Paris: Editions Lavoisier.
- Bayat, A. (2004). Globalisation and the politics of the informals in the Global South. Chapter Four in Roy, A & Alsayyad, N (eds) *Urban Informality. Transnational Perspectives from the Middle East, Latin America, and South Asia*. (pp. 79-104). Maryland, USA & Oxford, UK: Lexington Books.
- Béni-Gbaffou C., (2012) "Party politics, civil society and local democracy – Reflections from Johannesburg", *Geoforum*, 43(2).
- Béni-Gbaffou C, Oldfield S (eds) (2011), Accessing the State: Everyday Practices and Politics in the South, special issue of *Journal of Asian and African Studies*, 46(5).
- Chabal P, Daloz JP, (1999) *Africa works: disorder as political instrument*. Oxford: James Currey.
- Charlton S. (2013), *Urban dwellers and the state: an exploration of rationalities using the case of low-income housing in Johannesburg*. Unpublished PhD, Town and Regional Planning, University of Sheffield, UK.
- Chauveau J.P., Le Pape M., Olivier de Sardan J.P., 2001, "La pluralité des normes et leurs dynamiques en Afrique", in Winter (éd), *Inégalités et politiques publiques en Afrique. Pluralité des normes et jeux d'acteurs*, Paris: Karthala.
- Chatterjee, P. (2004) *The Politics of the Governed: Reflections on Popular Politics in Most of the World*. New York: Columbia University Press.
- Corbridge, S., Williams, G., Shrivastava, M. and Veron, R. (2005). *Seeing the State: Governance and Governmentality in India*. Cambridge: Cambridge University Press.
- Corbridge, S., Srivastava, M., Williams, G., Véron, R. (2007). Seeing the state again. *Geoforum* 38 (2007) 611–613
- Corbridge, S. (2008). State and Society. Chapter 6 in Cox, K; Low, M and Robinson, J (eds) *The Sage Handbook of Political Geography*. (pp. 107-122). London: Sage Publications Limited.
- Das, V. and Poole, D. (eds) (2004) *Anthropology in the Margins of the State*. London: James Currey.
- Fuller, CJ. and Harriss, J. (2001). For an anthropology of the modern Indian state. Chapter 1 in Fuller, C, J and Béni, V (eds) *The Everyday State & Society in Modern India*. (pp.1-30). London: C Hurst & Co.
- Hagmann, T. et D. Péclard, (2010) «Negotiating Statehood: Dynamics of Power and Domination in Africa», *Development and Change*, vol. 41, n° 4.
- Li, T.(2005). Beyond "the State" and Failed Schemes *American Anthropologist*, Vol. 107, Issue 3, pp. 383–394.



Lund, C. (2006) 'Twilight Institutions: Public Authority and Local Politics in Africa', *Development and Change* 37(4): 685–705.

Mamdani M, 1997, *Citizen and subject: decentralized despotism and the legacy of late colonialism*. Oxford: Oxford University Press.

Mbembe A, Roitman J (1995), Figures of the Subject in Times of Crisis, *Public Culture*, 7(2): 323-352

Médard JF (1991) *Etats d'Afrique noire: formation, mécanismes et crise*. Paris : Karthala.

Médard JF, (2006) Les paradoxes de la corruption institutionnalisée. *Revue internationale de politique comparée*, 4(13), 697- 710.

Migdal, J (1988) *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*. Princeton, N.J.: Princeton University Press.

Migdal, J (1994) The State in Society: An Approach to Struggles for Domination, in Migdal, J. Kohli, A. Shue, V. (eds), *State Power and Social Forces: Domination and Transformation in the Third World* . Cambridge: Cambridge University Press.

Migdal, J (1997) Studying the State, in Lichbach, M. Zuckerman, A. (eds.) *Comparative Politics: Rationality, Culture, and Structure*. Cambridge: Cambridge University Press.

Mitchell, T. (2006). Society, Economy and the State Effect. Chapter Seven in Sharma, A. and Gupta, A. (eds) *The Anthropology of the State. A Reader*. Oxford: Blackwell Publishing.

Mosse D (2004) Is good policy unimplementable? Reflections on the Ethnography of Aid Policy and Practice. *Development and Change* 35(4): 639–671.

Olivier de Sardan, JP, (1999), A moral economy of corruption in Africa? *The Journal of Modern African Studies*, 37(01), 25-52.

Olivier de Sardan, JP (2009), *Les huit modes de gouvernance locale en Afrique de l'Ouest*. Afrique Pouvoir et Politique, Working paper 4. Accessible on <http://r4d.dfid.gov.uk/PDF/Outputs/APPP/appp-working-paper-no-4-nov-2009-french.pdf>

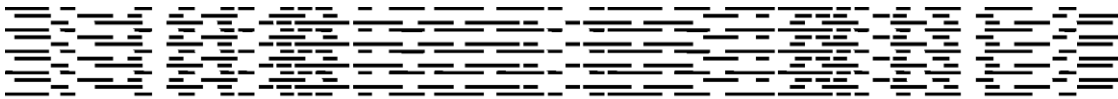
Parnell, S., Pieterse, E., & Watson, V. (2009). "Planning for cities in the global South: a research agenda for sustainable human settlements". *Progress in Planning*, 72: 233-241.

Robins, S. (2003). Whose Modernity? Indigenous Modernities and Land Claims after Apartheid. *Development and Change*. 34(2): 265-258

Roy A (2009), "Why India Cannot Plan Its Cities: Informality, Insurgence, and the Idiom of Urbanization", *Planning Theory*, 8:1, 76-87.

Von Holdt, K., M. Langa, S. Molapo, N. Mogapi, K. Ngubeni, J. Dlamini and A. Kirsten (2011) *The smoke that calls. Insurgent citizenship collective violence and the struggle for place in the new South Africa*. Centre for the Study of Violence and Reconciliation (CSV), Johannesburg.

Winkler, T. (2011). "On the Liberal Moral Project of Planning in South Africa". *Urban Forum*. 2: 135-148.



ORGANISATION OF THE PANEL

Proposed chairs: Prof Claire Bénit-Gbaffou and Dr Sarah Charlton

Proposed discussant: Prof Ivor Chipkin; Prof Noor Nieftagodien (TBC)

Proposed communications:

Dr Chloe Buire – Making plans in the unplanned city: the urban mechanisms to political domination (the making of the new settlement of Panguila, Luanda)

Sian Butcher – The making of Crown Mines, Johannesburg, 1969-2012 – Rand Mine Properties, a quasi-state?

Mamokete Matjomane – Engaging with the heterogeneous state to influence street trading policies and by-laws: playing on contradictions? The experience of the fragmented street traders' movement in Johannesburg

Li Pernegger – Unpacking informal practices of the State – stories from the Johannesburg Metropolitan Council.

Nicolette Pingo - Engaging with the State: Social movements and Electoral Fronts a new way of entering the fray? The Case of the Operation Khanyisa Movement, Johannesburg

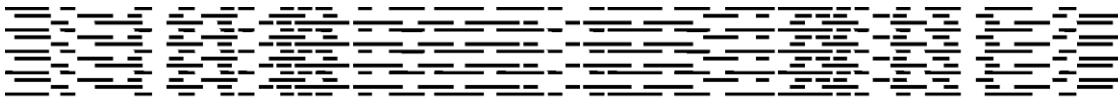
Lauren Royston and Margot Rubin- An informal state? Reflections on local land registration practice and its meaning for urban governance (Lilongwe, Maputo, eThekweni, Hout Bay, Delmas)

Prof Karl von Holdt – Violent Democracy (Provisional title and abstract)

Prof Claire Benit Gbaffou (possibly) - What does “constructing the post-apartheid city” mean? Views from former officials and politicians from the City of Johannesburg

Dr Sarah Charlton - (possibly) - State views on peoples' practices: how the state sees the outcomes of its low-income housing intervention in Johannesburg

NB – The exact structure of the panel still needs to be finalized, and we are open to suggestions. All participants have agreed to participate but some still need to send their abstract; some have submitted a second proposal in the conference; the two chairs might decide to step down as presenters if hard choices need to be made! It also depends on whether other proposals along similar themes are submitted independently of this panel; and on the overall conference structure (how many sessions for this panel).



PROPOSED PRESENTATIONS - ABSTRACTS

Prof Claire Bénit-Gbaffou (Associate Prof, School of Architecture and Planning, CUBES, Wits University) – What does “constructing the post-apartheid city” mean? Views from former officials and politicians from the City of Johannesburg

This presentation is inspired by Roy’s ‘Why India cannot plan its cities? Informality, Insurgence and the Idiom of Urbanisation’ (2009), crossing ongoing research¹ - documenting the way former anti-apartheid activists employed in Johannesburg local government after 1994 tried to ‘transform’ the city in the post-apartheid period. This research rationale is three fold: understanding the shift from activism to government, from liberation to reconstruction; analyzing the internal workings of an arm of the state – metropolitan government, animated by a strong (if rather unclear and ambiguous) drive for political and urban transformation; and questioning the opportunities and challenges of driving change from the state.

‘Transformation’ in the SA context has a quite specific, although multiple and confused, meaning in the post-apartheid South African context. It is about reversing or turning away from the apartheid past. It can entail social redistribution, spatial desegregation, black empowerment, shift in power, ownership and capitalism: and these different dimensions might obviously contradict one another.

A key difference with Roy’s work in tackling this question – on the possibility of *urban change* (even possibly more ambitious than the possibility of planning, in a post-apartheid context of great hopes and political drive in South Africa)- is in the point of view, or the entry point into the question. The research is not looking from the impact of state actions on different, peripheral spaces marked by ‘un-mapping’, informalities, uncertainties and contests; but looking from the state, or rather from various agents and departments within the state, and giving them space (as critically framed and analysed as possible, an obvious methodological challenge) to unpack, present, self-reflect on their own practices.

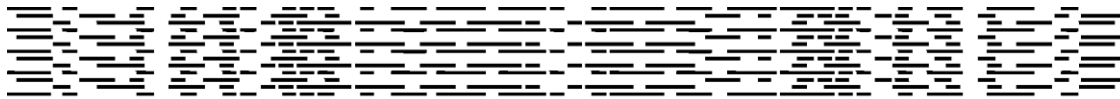
At this interim, preliminary stage of the research analysis, what appears cross-cutting challenges to driving urban changes from a local state perspectives are: 1) questions along institutional complexity leading inter alia to contradictory forces, emphasis and impetus from different parts of local government; 2) the prominent role of party politics in shaping agendas, priorities, exceptions, and a number of visible interventions – sometimes at odds with other municipal dynamics; 3) implicit strategic choices (in the name of post-apartheid transformation and fight against clientelism) leading to limit the powers of the most decentralized and participatory level of the state – that of the ward – leading to a growing disconnect between the top and the bottom of the local state on the one hand, between state and civil society on the other.

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Sian Butcher (PhD candidate, Geography, University of Minnesota) - The making of Crown Mines, Johannesburg, 1969-2012 – Rand Mine Properties, a quasi-state? (abstract still to be sent)

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¹ This presentation is based on an ongoing research project, entitled ‘Post Apartheid Planners Tell Their Stories’ (in homage to Krumholz and Clavel’s book), conducted jointly with Rashid Seedat, a former advisor to the Johannesburg Mayor now working in Provincial Government: Planning commission. Views expressed here are my own.



Dr Chloé Buire (Post-Doctoral Fellow, Durham University) - Making plans in the unplanned city: the urban mechanisms to political domination (the making of the new settlement of Panguila, Luanda)

Departing from the theoretical debates on the nature of the State in Angola, this paper focuses on the daily life of urban dwellers in Panguila, in the northern periphery of Luanda to understand the state/society interface. The construction of this new settlement started in the 2000s to offer alternative housing to people evicted from the city because of post-war reconstruction works. A decade later, more than 60,000 people inhabit Panguila. The majority of them did not receive their house officially nor directly from the State after an eviction; they navigated intricate socio-political networks in order to be allowed to live in Panguila. The paper focuses on these unexpected itineraries, and maps the slow transformation of a resettlement camp imposed by the State into a peri-urban neighbourhood strongly appropriated by its residents. The complex articulation between individual opportunism and collective strategies, between written rules and tacit loyalties, and between the planned and the improvised fleshes up Roy's idea of informality used by the state as an "idiom of urbanization". Behind the stories of the urbanites, the paper reveals the haunting presence of the ill-defined idea of "the State", a locus of power that needs to be tamed for dignity to be insured.

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Dr Sarah Charlton (Senior Lecturer, School of Architecture and Planning, CUBES, Wits University)- State views on peoples' practices: how the state sees the outcomes of its low-income housing intervention in Johannesburg

The SA state has delivered a vast programme of low income housing throughout the country, much of it in cities and towns. Yet there is little insight in the state into the outcomes of this for those targeted by the intervention, as is apparent when its analyses of outcomes are compared with the findings of empirically grounded research from Johannesburg. It is apparent that there is no systematic review by government post-delivery and relatively little knowledge of the results of its interventions. This partly explains the divergence between the state's assessment and empirical information. But how can this lack of attention be explained, given the large scale, high profile, vast expenditure, huge footprint, impact on millions of lives. In addition, the state itself expresses a level of critique, criticism and discomfort around residents' practices after receipt of their housing, which are seen to diverge from policy intentions. Despite the lack of careful review there are some strong views within the state on what is happening, and this influences its actions. Drawing on the views of state housing practitioners across three spheres of government, this paper discusses how the state actions and state views can be explained, and what this analysis suggests about the nature of the state.

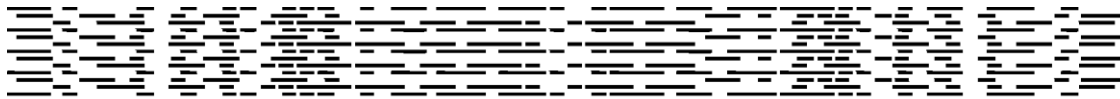
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Mamokete Matjomane (PhD candidate, School of Architecture and Planning, CUBES, Wits University) - Engaging with the heterogeneous state to influence street trading policies and by-laws: playing on contractions? The experience of the fragmented street traders' movement in Johannesburg

South African cities are confronted by unemployment and poverty and Johannesburg is no exception. Informal trading has then become a strategy for the unemployed and those confronted with poverty to make a living and sustain their livelihoods. An example of informal trading activity is street trading, which the most contested income generating strategy and an important point of entry into the economy for millions of unskilled, semi-skilled and retrenched people. This strategy to make a living is threatened by restrictive informal trading policy and its implementation. Faced with restrictive policy implementation, street traders in Johannesburg have in recent years formed a number of street traders'

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organisations, constituting a social movement of street traders, to actively engage with different levels of government (local, provincial and national) to influence informal trading policy and its implementation. This social movement, even though fragmented, is challenging policies, claiming participation and recognition by government and fighting for their right to trade without harassment from government agents such as the Metro police. The aim of the paper is to understand the state and its heterogeneity and multifaceted practices through the social movement. The engagement of the social movement with the different levels of government to influence informal trading policy and its implementation illustrates how the state is multilayered, the different agendas by the different levels of government (i.e. the local level of government not necessarily closest to the people and the national government more sympathetic to informal trading-how each level of government uses participatory platforms to manipulate and divide the traders or construct a social movement), political competition between different levels of government, especially the local and provincial, and the social movement using this competition to play the different government levels against each other.

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Nicolette Pingo (Masters in Development Planning, CUBES, Wits University)- Engaging with the State: Social movements and Electoral Fronts: a new way of entering the fray? The Case of the Operation Khanyisa Movement, Johannesburg

The South African urban governance landscape is largely understood in terms of party politics, local government structures (in particular ward committees), social movements and less formal community based organisations as distinct entities that relate to one another in particular ways. It is the relationship between these entities that interests South African urban governance scholars (Matlala & Benit-Gbaffou 2008, Piper & Deacon, 2008, Thorn & Oldfield, 2011). This paper explores the intersection of these entities through the strategic decision of a social movement, the Thembelihle Crisis Committee (affiliated to the Anti Privatisation Forum), to form an electoral front, the Operation Khanyisa Movement (OKM), competing for local elections since 2006 in Johannesburg. This decision to compete for elections at the municipal level, but also to participate in selected "invited spaces of participation" such as ward committees, as ways of exploring new modes of influencing public policy without giving up popular practices of resistance and mass mobilization, is analysed through discourses and practices of the movements' leadership.

The tension this dual mode of action creates (Oldfield and Stoke 2008, Booyens 2007) is placed in the literature on institutionalization of social movements (Hipscher 1996, 1998, Barker et al. 2001, Roy 2009), also caught in the inextricable tensions between the search for political efficiency in shifting contexts and on the long run, and the possible loss of identity, radicalism, groundedness and legitimacy that this institutionalization entails. Contrasting perhaps with the scholarly dominant negative vision of institutionalization, the presentation (based on my Master's thesis) will pay attention to the discourses, debates and practices of TCC leadership that explain their strategic choices.

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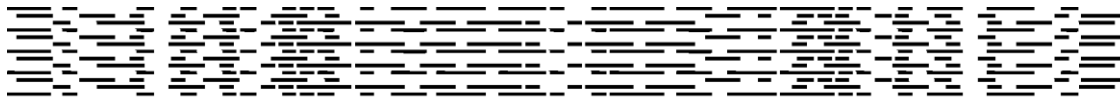
Li Pernegger (PhD candidate, School of Architecture and Planning, NRF SAArchi Chair, Wits University) - Unpacking informal practices of the State – stories from the Johannesburg Metropolitan Council

Provoked by the work of Roy who argues that the state intentionally uses informal practices to govern the city in a Southern context (Roy 2009), I wish here, through adopting the perspective of municipal officials in the management of state-citizens conflict within the City of Johannesburg, to question, unpack and perhaps offer a typology of state "informal" practices in governing the City. I base my reflection on three stories (investigated for my PhD research): officials' response to mass protests in Orange farm, an informal settlement in Johannesburg; how the City was trapped in becoming a de facto

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slumlord whilst attempting to regenerate the inner city of Johannesburg; and contradictory policies and practices from various city departments in managing street trading in Johannesburg inner city. These three stories highlight different dimensions of state's "informal practices" and question the intentionality lying therein.

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Lauren Royston (Researcher and Development Practitioner: Development Works) and Dr Margot Rubin (CUBES, Wits University) - An informal state? Reflections on local land registration practice and its meaning for urban governance (Lilongwe, Maputo, eThekweni, Hout Bay, Delmas)

A study of local land registration practices in several cities in Southern Africa: Lilongwe (Malawi), Maputo (Mozambique), eThekweni, Hout Bay and Delmas (South Africa), indicate the unexpected role that the state, in a myriad of incarnations, is playing in defending local land claims. We argue that, beyond contextual differences, common local practices surface the ways in which the state behaves "informally": by not playing by its own rules, whereby local councillors, police officers, local bureaucrats and officials act outside of their officially designated mandates, job descriptions and institutional responsibilities. Through the signing of affidavits, approval of informal trades, the distribution of forms of evidence and witnessing transactions a whole host of state officials act outside of the law and the officials systems. Through these actions the officials as the avatars of the state provide tacit approval and recognition of land use and transactions that sit explicitly or implicitly outside of the "official" land registration processes or in direct contravention of official policy. Furthermore, the studies' findings partially confirm and partially contradict Roy's notion of the state acting informally. Roy has noted that the informalisation of the state has largely been in relation to the sanction that has been offered to middle-classes' endeavours or the regularisation of illegal activities that align with urban visions of regeneration and the capture of global capital. Our findings offer an account which notes that the informalisation occurs in spaces that are associated with poorer urban residents; and then goes further and problematizes the very notion of a "formal" state. It does so by demonstrating how in some of these urban contexts, there is no clear sense of what the official system/set of practices actually is, or whether it exists and that there is significant entanglement around where ideas of authority and sovereignty are derived. Thus state officials, may be employed by the state, be loyal party members and simultaneously have socially derived authority, which brings into question the "blurriness" that exists between these territories, questions the notion of a "formal" state and helps to deconstruct the fetishized idea that in many contexts there is even such an institution as a "formal" state.

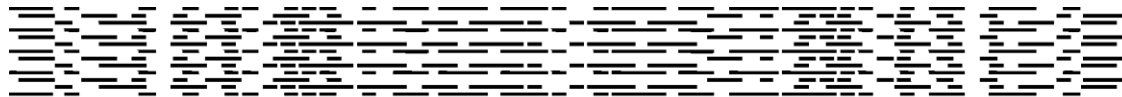
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Prof Karl von Holdt (SWOP, Dpt of Sociology, Wits University) – Violent Democracy

Violence and democracy are generally treated as antithetical. However, this article uses the South African case to explore the ways in which violence and democracy may be closely associated with each other in countries of the global South, with their particular histories of violence, power, inequality and contestation framed by colonialism and post-colonial transitions. The article draws on research into intra-elite conflict and violence, as well as subaltern collective violence, to demonstrate the ways in which violence is integrally related to the nature of social order and struggles to sustain, disrupt or contest such order. It argues that democracy constitutes a social order in which power is unevenly distributed, and that where this coincides with a glaringly unequal socio-economic order violence provides new sources of power through which this order may be preserved or contested. In South Africa different factions of the emerging black elite make use of violence to control access to the state, subalterns engage in violent protests and strikes in order to stake their claim at the same time as they play an active part in establishing new orders of inclusion and exclusion through vigilante and xenophobic violence. In response, state agencies respond to growing levels of contestation and disorder

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through increasingly violent policing strategies. The article engages with an emerging literature on and from the global South that explores the compatibility of violence and democracy (for example Arias and Goldstein (2010), North, Wallis and Weingast (2009)), but where such literature tends to see democracy as limited and subject to oligarchic capture, I argue that democracy also establishes a new terrain on which the dream of a good state and a just law may be pursued.

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