

“Loving thy neighbour” in times of violence: Social cohesion and collective efficacy in South Africa

Abstract

This article engages with the problematic of violence and its relationship to conditions of solidarity at a local level in the newly democratised nation-state of South Africa. It explores this question through the concept of social cohesion, which has become a significant part of South African discourse over the past decade and has been the object of policy concern in the global north since the 1990s. More recently the concept of social cohesion has been linked to the question of violence through the theory of collective efficacy, which sees social cohesion enacted in support of the “common good” as functioning as a critical “protective” factor against violence. The paper interrogates these international and local discourses around social cohesion and its relation to violence through an ethnographic examination of the empirical conditions of solidarity and violence in one township, Khayelitsha, in the Western Cape, South Africa. The article reveals the dissonances between the material conditions in Khayelitsha, international discourses on social cohesion and the South African state’s aspirations towards new forms of civic solidarity founded on a Constitutionally defined “common good”. Instead collective, informal, and sometimes violent forms of social order based on communitarian values and practices, displace or contest the state’s law and shape forms of sociality that offer both extraordinary support and the possibility of spectacular violation.

Introduction

This article seeks to understand urban violence in the South African context, through an examination of local and international engagements with the concepts of social cohesion and collective efficacy as forms of solidarity

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that are seen to have the potential to “protect” (Muggah, 2012: 39) communities against violence. Social cohesion is an ambiguous concept but in its current policy incarnation is often used as shorthand for the factors “that holds society together” (The Presidency, 2004: iv). This problematic has in fact been the focus of philosophical and social inquiry since the time of Aristotle, Aquinas and Montaigne and in the sociology of Durkheim in the 19th century (1893). Collective efficacy seeks to conceptualise how social cohesion can prevent violence when it is translated into collective action at the neighbourhood level (Sampson et al, 1997).

Historically the greatest levels of concern with social cohesion have been at moments of significant change. For example, Durkheim saw the period of industrialisation as leading to the breakdown of traditional social relations and social cohesion. In the mid-20th century sociologists such as Shaw and McKay (1942) argued that higher rates of “delinquency” in particular neighbourhoods were associated with the “social disorganisation” created by the impact of urbanisation on traditional social roles and kinship networks. Most recently, the contemporary challenges and fragmentation associated with globalisation and rapid urbanisation, have precipitated a renewed interest in social cohesion as a policy construct from the 1990s. Therefore, intrinsic to the concept of social cohesion is a concern with how community can be re-imagined and re-constituted in the wake of social change. Thus far, however, there has been little theoretical engagement with social cohesion and its relationship to violence in the specific conditions of the global south where structural violence sutures everyday life. Instead the limited literature that does exist often “tests” rather than interrogates existing conceptual frameworks.

Neighbourhood conditions and questions of neighbourhood civility in urban settings such as South Africa are significantly different to those found in the global north where theories on social cohesion and collective efficacy were initially developed and have been most systematically tested. Moreover, in a new democracy such as South Africa neighbourhood civility concerns a far more fundamental challenge relating to the conditions for the constitution of the democratic nation-state based on horizontal ties of affiliation, after decades of violent conflict and division have torn apart the social fabric. This remains a deeply complex and fraught task in post-colonial societies that are in general endemically heterogeneous. In such environments social pluralism may be devalued as a desire to establish national forms of identity and statehood takes precedence.

The apocryphal injunction to “love thy neighbour” refers not only to the literal neighbour but the “imagined” neighbour in a community of humans. Anderson (1991: 7) has argued in relation to the modern nation-state that the nation “is imagined as a *community*,

because, regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship” (emphasis added). The concept of social cohesion, while often framed in instrumental policy language, implicitly invokes this notion of community and grapples with the terms on which it may be established at a particular historical and geographic juncture. In South Africa the depth of division and inequality remains a profound challenge to any national imaginary as envisaged by Anderson. Efforts to instantiate “community” at local and national levels founder on both an existential and empirical question of who this community is.

Putnam’s (2000) influential imagining of American community, articulated in his reading of the concept of social capital, where neighbours gather together in bowling alleys, card clubs and choirs, presents a pastoral hey-day of association that is in deep opposition to violence. Nonetheless, the “decline” of such forms of sociality in American society is seen as creating the context for various forms of social dis-ease, including violence. In South Africa efforts to constitute and imagine social cohesion cannot raise an “ideal” bucolic past where community was woven together by middle class forms of sociality as in Putnam’s nostalgic rendition of American community. Instead, here the present is and must be posed in opposition to the past, as a world that is being created *anew*, utilising raw materials that pre-dated colonialism such as *Ubuntu* and forms of sociality that continued under apartheid such as *stokvels*, but which need to be intrinsically reformulated in the face of the challenges of democratic nation-hood in the 21st century.

In this milieu the state invokes the concept of social cohesion as a rhetorical means to “restore” order and extinguish violence, imagining a new social and political body politic characterised by care, tenderness, pride, dignity and civic virtue. It struggles to create a disjuncture between the violence of the past and an imaginary of “peace” in the present. It’s evident inability to achieve a monopoly over the means of violence as citizens enact violence at home and in the streets, as well as the states’ own violent excesses in incidents such as the Marikana killings¹, belie any “peaceful” conception of the national or local community. Instead a “violent democracy” (von Holdt, 2014: 589) has emerged from the ashes of transition, melding old and new forms of violence to the conduct of local and national politics and social life.

The concept of social cohesion

“Social cohesion” has been called a “quasi-concept” by Bernard (1999), that is, an idea that engages with a fundamental social question that has been the focus of sustained intellectual enquiry, but which is articulated as a policy construct in vague enough terms

¹ The Marikana killings refers to the death of 34 mine workers who were shot with live ammunition by police after a strike at a platinum mine owned by Lonmin in Marikana, Rustenburg, in August 2012.

to be attached to shifting political projects. A review of Canadian and European policy documents on social cohesion identified the concept as referring to a multiplicity of concerns including: (1) the sharing of common values, feelings of belonging; (2) economic inclusion and opportunities to participate in the labour market; (3) participation in public affairs, local and national; (4) tolerance of differences and diversity; and (5) legitimacy of institutions, in particular how well they are able to represent citizens & mediate conflict (Jenson 1998; Bernard 1999).

This malleability can be seen in the ongoing international reiterations of the concept linked to changing conceptions of the nature of challenges to global and national social order and fluctuating political imperatives in different contexts. The value-driven emphasis of early social cohesion policy has now been melded to current articulations that emphasise the social inclusion of “free individuals” in a market economy.

As a result of the environment in which it emerged, (the Organisation for Economic Cooperation and Development (OECD), the European Union (EU), the World Bank and the Canadian Federal government), the leading policy work on social cohesion has occurred in countries in the global north and is inevitably shaped by the historical trajectories, forms of governance and social relations particular to these locations. Thus, most international social cohesion policy utilises the concept to understand how to integrate all members of the national community into a well-established and relatively cohesive democratic nation-state in response to a perceived “decline” in social cohesion. South Africa is one of a number of countries in the global south that have incorporated such “external” notions of social cohesion into their national policy.

However, South Africa faces an originary struggle: How to *establish* a socially unified democratic nation-state in the first place in an international setting that ostensibly challenges the integrity of the nation-state. Confronted by difficulties arising out of its complex – and quite different – history and forms of association, it is utilising conceptual approaches to national identification, political and social participation and diversity developed in response to the complications of social solidarity in long-established democratic nation-states. The empirical research on social cohesion has been dominated by attempts to conclusively define (Berger-Schmitt 2002; Chan, To & Chan, 2006; Brisson & Usher 2007; Jensen 2010) and “operationalise” this elusive substance or “glue” (World Bank, 1998) into measureable parts that can be quantified in order to assess the “amounts” that exist in society. These approaches break the concept of social cohesion into different domains that attempt to capture the salient features of the “social”. Most of the projects that attempt to quantify social cohesion, build on the dimensions identified in Jensen’s typology, although the way in which these aspects are framed, and the indicators identified, differ.

The vast majority of this quantification work has taken place in the global north in locations such as Canada, Europe and the United States where extensive sets of survey data are available. As a result many indicators used to “measure” social solidarity are currently premised on notions of “civic-ness”, “neighbourliness” and “moral community” that characterise the relatively orderly conditions of society in North America and Western Europe, rather than the far more tenuous conditions of local and national unity in countries such as South Africa. Here, the most basic legitimacy of state institutions is at stake, participation may involve immediate defence of life, a sense of national or even local belonging remains intensely problematic and social inequality is so pervasive that trust is deeply undermined. From this perspective, the very meaning of the dimensions of social cohesion that current research attempts to measure may be profoundly different in the global south.

In addition, the literature on social cohesion has been moulded by particular theoretical assumptions about the nature of social solidarity and social life. Durkheim’s teleological arguments that as societies modernise, they move from communitarian forms of solidarity to solidarity built around relationships between autonomous individuals, have been particularly influential. Sampson et al’s (1997: 918) hypothesis of collective efficacy, that is now widely used in criminological theory, which he defines as “social cohesion among neighbours combined with their willingness to intervene on behalf of the ‘common good’” used data from Chicago in the United States and envisages individualised, independent subjects “choosing” to come together for the good of a particular community. Yet, in environments such as South Africa where communitarian social relations and identities are still prevalent, such forms of mutual social interaction are an assumed part of social life rather than an individual “choice” in the manner envisaged in Western contractarian thought. As an interviewee in Khayelitsha explained, “*individualism is in the head it is not in the blood*” (Interview report, parent, Ncedo Mngqibisa, Khayelitsha, March 2014). In Sampson et al’s account, the differential ability of neighbourhoods to prevent violence and achieve social control through informal mechanisms is premised on their ability to realise the “common values” of a neighbourhood. The willingness to intervene for the “common good” is premised on the existence of trust and solidarity between neighbours. Social control is evaluated in terms of supervision of children in a particular neighbourhood and general issues of order conceptualised as a willingness to confront “persons who are exploiting or disturbing public space” (Sampson et al, 1997: 918).

At the centre of the notion of the “common good” in Western traditions is the idea that the individual and the common good are indivisible but not commensurable. One cannot be realised without the other but neither can they be reduced to the other. Thus the individual good can only be realised through society but this does not mean that the

common good is simply an aggregation of the individual good as in contractarian theory where society is a “rational project” (Argandoña, 2011: 6) of individual choice. Solidarity between subjects is indispensable to the common good not only in instrumental terms but because the ontological human state is essentially social. The Catholic Church, one of the key contemporary Western theorists of the concept of the common good argues that “relationality is an essential element” of the “humanum” (**The Encyclical *Caritas Veritate***, Benedict XVI, 2009 cited in Argandoña, 2011: 2).

These conceptions of the common good are deeply affiliated with the ethics of *Ubuntu* that both implicitly and explicitly structure social life and identity in environments such as South Africa. In terms of this ethics, which is part of the “unconscious hereditary wisdom” (Maritain, 1966: 10) of most South Africans, ethical personhood, as opposed to mere existence, is realised through the collective and by means of actively carrying out duties and obligations to kin and community. Thus, “[i]t is the carrying out of these obligations that transforms one from the it-status of early child-hood, marked by an absence of moral function, into the person-status of later years” (Menkiti, 1984: 176). And so, in this context the entire notion of ethics is founded on the concept of community. Ethics are not only understood in terms of transcendent norms but in terms of the good of the collective: “The right builds up society; the wrong tears it down. One is social; the other anti-social” (McVeigh, 1974: 84). Therefore, the relationality of human beings prescribes a social rather than purely individual ethic.

However, the nature of the “common good” as reflected in Sampson’s account is deeply disputed. For example, at a national level, recent surveys in South Africa indicate that there remain deep divisions between white and black South Africans about the need for redress with only 3 in 10 of white South Africans believing that apartheid resulted in the poverty of black South Africans (cf Wales, 2014). Contrary to the state’s aspirations towards a nation founded on civic norms and identification with a South African nation-state, a recent survey indicates that over time, “the desire for a united South Africa has decreased by 17.9% from 72.9% in 2003 to 55% in 2013” (Wales, 2014: 15). Instead the top four identity associations chosen by South Africans between 2003 and 2013 are language, race, ethnicity and lastly a South African identity. However, primary identification with a South African identity dropped from 11.2% in 2003 to 7.1% in 2013 (cf Wales, 2014).

These fractures play out at a local level in terms of even more parochial identities. What is the common good in the neighbourhood setting in South Africa and how do citizens attempt to enact it? What types of intersubjectivity underpin it? Sen argues that the common good relates to the need to create the conditions necessary for each individual “to achieve those ends that *each* has reason to value” (in Woolman, 2013: 24) rather than attempting to prescribe a universal understanding of the common good. For Sen

individuals need the *material and immaterial* support (cf Woolman, 2013) to achieve a meaningful vision of the good as *they understand it*. However, the South African state sees the common good as directly related to collective action by state and society to achieve the common good of transformation (Hudson, 2000). Its understanding of the common good tends to be normative and focuses on consensus in the realm of values. What happens, however, when the state's vision of the common good is contested, when its law and its norms may be refuted and the ends that "each has reason to value" may conflict in insurmountable terms?

South African policy discourse on social cohesion

The concept of social cohesion has been the subject of prodigious policy work in the South African context since 2004. Shifting inflections reflect the ongoing integration of the concept into state discourse and its alignment to key national political and developmental projects. While the reasons for concerns with social cohesion appear obvious in as divided a society as South Africa, the focus on cohesion can also be a dangerous obfuscation that fails to deal with the fundamental antagonisms in society in favour of a "culturalisation of politics" in which political and economic difference are neutralised into cultural difference (Nkondo, 2015). Nkondo (2015: 1) asks: "Why are so many challenges in post-apartheid South Africa perceived as challenges of social cohesion, rather than as challenges of inequality, exploitation or enduring injustice? Why are the proposed remedies reconciliation and tolerance, rather than liberation and political struggle?"

Thus, while many policy documents on social cohesion rhetorically acknowledge the structural deprivation that is associated with the fragmentation of society, they posit consensus in the realm of values as one of the most significant responses. This consensus will form the basis for a national imaginary that will "overcome" the deep divisions in the country. Policy emphasises "consensus", "coherence", "unity", "functionality", "cooperation", "social integration" and "solidarity". The concept of social cohesion has been explicitly linked to the objectives of the developmental state and the articulation of a need for a "social compact" (The Presidency, 2008: 123) to rally all sectors of society together around a common national vision of transformation despite the potential of uncomfortable "trade-offs" (The Presidency, 2008: 2). The country's National Development Plan, the major formal strategic framework for government action, articulates its vision of social cohesion and nation building as founded on the Constitution and rule of law, which will putatively create the basis for "a new South African identity" (The Presidency, 2011a: 422). The plan sees these as providing the fundamental normative framework for society and a conclusive vision of "the good". It advocates the Constitution as "general guides to behaviour", "enduring beliefs about what is worthwhile" and "broad standards by which particular acts are judged to be good, right ..." (The Presidency, 2011a: 422).

In 2012 policy making around social cohesion culminated with the launch of a social cohesion strategy by the Department of Arts and Culture. This policy document seeks to meld two contradictory impulses, on the one hand asserting its essential “South African-ness”, expressed in terms of the ethics of *Ubuntu*, which “articulates a social humanism of interpersonal care, sharing and a commitment to the greater social good” (Department of Arts and Culture, 2012: 6). On the other hand, the document strongly emphasises a vision of a socially cohesive nation-state founded on a common South African identity based on “citizenship” and “civic nationalism”, which is opposed to the ethno-nationalism of the apartheid state. In this civic nation citizens conduct towards each other and their identity is to be shaped by “*democratic* norms and values” (Department of Arts and Culture, 2012: 12). Civic nationalism founds solidarity on “rational secular values” and includes all those who subscribe to a nation’s political creed (Ignatieff, 1993: 6). While civic nationalism is not a-cultural in the sense that it is also conceptualised as being constituted by common memories and histories, the legal and juridical are a significant component of national identity. It evokes Habermas’ (1998) conception of “constitutional patriotism” in which he envisions a nation-hood founded solely on the citizenry’s commitment to political and institutional principles such as democratic values and human rights.

Khayelitsha: A case study

Methods

In order to interrogate international and local discourses on the relationship between violence and social cohesion the study integrated both ethnographic and grounded theory approaches. Ethnography seeks to interpret the meanings located in particular social and cultural systems in order to develop a picture of the overall “way of life” (Goodenough, 1976: 5) of a specific community. It investigates how social relations and cohesion are understood – and produced – by social actors themselves. This research was therefore concerned to understand the way in which solidarity was imagined by social actors in terms of shared “webs of significance” (Geertz, 1973: 5) or perceptions of “reality” that make social relationships possible. Drawing on a grounded theory approach, the analysis focused on particular processes or phenomenon rather than a descriptive overview of the entire universe of social relations in Khayelitsha (cf Charmaz, 2006). It concentrated on those forms of relations and practices that were specifically relevant to an understanding of social solidarity and its relation to violence.

In addition, the methodology saw the *space* of Khayelitsha and the way it is constituted within relations of solidarity and disjuncture as critically important to understanding and questioning formal discourses and theoretical elaborations around social cohesion. The investigation sought to understand how social relations are embodied in particular spaces rather than simply conceiving of them as free

floating social processes (cf Lefebvre, 1991). Hence, residents didn't practice and imagine social solidarity in the abstract but realised and constituted this solidarity in geographical space, imagined in relation to "other" neighbourhoods in Khayelitsha, in relation to Khayelitsha as a township in South Africa and in relation to the globe as a whole. Within this context the ethnographic and grounded theory methodologies were seen as complementary strategies. The ethnography allowed for the inductive discovery of relationships that had not been identified or elaborated in current theoretical formulations of social cohesion (cf Wilson & Chadda, 2010). Subsequently the analysis of interview and focus group material utilised the "open coding" approach advocated in grounded theory methodology in order to discover emergent meaning from the data and develop "codes" to describe and analyse the transcripts, rather than seeking to impose pre-defined categories onto the information. At the same time the research was clearly iterative. No researcher goes into the field without being informed by certain ideas, concepts and theories (O'Reilly, 2012). Nevertheless, these concepts and theories were "played against systematically gathered data" (Strauss, 1994: 277) in a continuous "conversation" (ibid: 280) between extant theory and newly collected data.

The fieldwork was carried out by research team member Ncedo Mngqibisa, who immersed himself in the communities living in the Harare and Kuyasa sections of Khayelitsha. He conducted daily field visits that allowed him to produce a "thick description" (Geertz, 1973) of the "way of being" (Fetterman, 2010: 65) of these communities through interviews, focus groups, informal conversations and ongoing systematic observations. Recordings of a total of 58 interviews and six focus groups were translated into English by a professional translator, combined with Mngqibisa's field notes and commentary on the key research issues of the study. Mngqibisa's role as an isiXhosa speaker and researcher was crucial in not only collecting data and negotiating the complexities of the Khayelitsha environment but also interpreting this context and analysing the material.

Khayelitsha the township

What are the empirical grounds of solidarity in Khayelitsha and how do they relate both to global conceptions of social cohesion and collective efficacy and the South African state's own imagination of a society founded on democratic norms? Can one talk of a common social imaginary, of the nation or the neighbourhood? What emerges in Khayelitsha is a deeply fractured account of this space and subjective interpretation of the post-apartheid condition in this context. Articulated in the voices of residents of different genders, generations, class positions and national identity are multiple representations of the structural conditions of space and life in the township. In many ways, apartheid redefined the notion of the neighbourhood as a space of local conviviality. Instead it created spaces (or attempted to) that were like the camp. Townships were constituted as functional spaces for labour – without recreation, or

formal social and economic relations, where people could rest just enough to enable them to carry out their instrumental labour function. This was Marx's notion of alienation writ large. Khayelitsha was one of the last townships established under this regime of separation and was intended to forcibly "consolidate" the settlement of black people in the urban areas of the Western Cape. This is the history in which the spectacular violence that occurs in Khayelitsha needs to be located. However, while the apartheid state tried to create spaces such as Khayelitsha as places of abjection and surveillance, they were never just this apartheid imaginary. How different and similar are conditions now?

While residents have the formal rights of citizenship they struggle to realise and make real this promise of citizenship. They face structural deprivation (few of those who are employed earn above R2 000 per month) and extraordinary violence (the murder rate is up to 36 times the global average). Nevertheless, what happens in Khayelitsha is not a space of exception and pathology but helps create the conditions of possibility for the "peace" of the "white" city of Cape Town by containing violence and poverty outside it, in an "elsewhere" (cf Gillespie, 2014). Although the empirical conditions of violence and poverty in Khayelitsha are indisputable, the way in which these conditions are constituted and shaped through social imagination and individual subjectivity realised in space, is critical to understanding the fractured nature of Khayelitsha township as part of the post-apartheid order. As Lefebvre has argued a geographical space such as Khayelitsha is not an *a priori* reality. Instead space is a "social product" in which social relations are embodied and enacted. This social space is reproduced through "spatial practice" – concrete social activity and interaction in space (cf Pieterse, 2011) that "ensures continuity and some degree of cohesion" (Lefebvre, 1991: 33). Representations of space or the "symbolic associations we link with particular kinds of spaces" (Pieterse, 2011: 12) and "representational spaces" i.e. the symbolic order of life, are according to Lefebvre, tied to the production of social order in a particular society and historical period. However, these spaces always escape totalising forms of power, creating the possibility for agency and multiplicity.

Thus space is crucial to the manner in which we imagine and constitute our common world. Anderson's (1983) conception of the way in which the modern nation-state has historically been reproduced as an "imagined" common space has been critical to understanding the constitution of the nation-state as this unfolded in Western, if not postcolonial, modernity. A number of writers have articulated the notion of "social imaginary" as the symbolic dimension through which we imagine our collective life. For Appadurai (1990 & 1996) in late modernity the social imaginary has become a global social practice, which both produces and constrains agency and has generated new images of human possibility and new ideals of human solidarity. Taylor emphasises that the social imaginary is not merely a set of abstract ideas but is the "background"

that makes social existence possible through collectively represented and individually conceived understandings of a social and normative order i.e. how “things should go” and “how we all fit together” (Taylor, 2002: 18).

How do the residents of Khayelitsha imagine the community in which they are located, the social order inscribed in this imagination and their own subjective location in this space?

Almost universally, Khayelitsha is imagined and indeed experienced as a place of deep violence, a world of almost Hobbesian threat. The geographic space of Khayelitsha is conceived of as a series of dangerous inflections, some spaces more violent or less violent, some spaces characterised by particular types of violence but ultimately violence is seen as constitutive of the space of Khayelitsha. “[T]here is no place that is safe in Khayelitsha It’s either this side they rob too much, that side they stab too much, or those kids fight too much.” (Focus group, young entrepreneurs, Khayelitsha, October 2014). Any account of solidarity in Khayelitsha therefore has to take into account the conditions of danger in which residents are inscribed as part of daily experience. The sense of the danger and the fear that violence engenders is pervasive and forms a paradoxical thread of commonality through the social fabric in Khayelitsha. The context of violence, however is deeply ambiguous. What is revealed is the profoundly fluid relation of residents to violence, which includes both their victimisation through violence and sanction of violence. Accordingly, there are few fixed identities in relation to violence. This does not concern a moral failure or a “culture” of violence but rather an absence of objective conditions of “order” and sovereignty. This is a context in many ways of a “war of all against all”. This partly concerns the absence of policing as an agency which can “control the predatory violations of the conditions of coexistence among strangers” (Egon Bittner cited in Steinberg, 2011: 482).

In Khayelitsha the police do not exist in a space “above” the “war of all against all” but are part of it. The police instead are located in a horizontal rather than vertical relation to citizens. Instead of acting as the ultimate guarantors of law, they are deeply implicated in local networks of patronage and criminality and engage in a direct struggle for advantage with citizens. **Thandi:** “*The law enforcers are killing us.*” (Individual interview, Khayelitsha, October 2014). Thus there is no dispassionate “rule of law” or Weberian bureaucracy to implement it. Citizens are denied impartial refuge or protection from predation. **Interviewee 5:** “*We have nowhere to run.*” (Focus group, older women, Khayelitsha, October 2014). The law is personalized, unpredictable and networked. **Nomvula:** “*Because I knew a detective there, he called me and told me that someone came here and laid a charge against me. The case just disappeared.*” (Individual interview, Khayelitsha, October 2014).

Furthermore, collective violence is aligned to a moral order of justice, punishment and discipline that disputes the norm and practice of an abstracted state law based on precedent and replicable rules that apply in all contexts. Here regimes of solidarity support a local regulatory system in which justice is profoundly contextual and collective, where punishment is personal, visceral and corporeal. Those who are identified as “criminals” may be subjected to violent public punishment. A former gang member explained, **Interviewee 1:** “[O]ur utmost fear is not going to jail or dying but it’s the torture by the community should they find you.” (Interview report, two former gang members, Khayelitsha, March 2014).

In this environment, an act of violence may or may not be constructed as a moral violation, as a subjectively understood violence. Thornton (1995) has argued violence is a profoundly ephemeral phenomenon, which we can in fact only know fully in retrospect. It is in retrospect that we construct narratives about violence. For example, violence against women is not subjectively constructed as violation among many young men, while for most residents, violence carried out against “criminals” and those seen to threaten social order is seldom problematised as a violation.

While Hobbes predicted a war of all against all in the absence of a sovereign Leviathan (cf Sorell & Foisneau, 2004), what emerges also in the absence of the meaningful sovereignty of the state and the vertical relations which this implies, is a deep horizontality and relationality between subjects existing in this space, where societal relations remain weakly mediated by the state and survival depends on reciprocity. The ethics of Ubuntu and communitarianism as a philosophy of social order pre-date both the colonial and apartheid states, while the post-apartheid state with its ambiguous invocation of both communitarianism and the individualism of Western modernity, tugs at this ethos in complex ways. In this context, the communitarian worldview remains a fundamental part of the social imaginary that, as Taylor argues, makes social life possible and constitutes the unquestioned assumptions and understandings about normative order and social practice.

The research in the township reveals a milieu of deep relationality, an ethics of solidarity and a multitude of concrete actions to substantiate this. Such relationality is a norm and necessity of daily life, an assumed part of human identity rather than the “choice” of the individual altruist working with like-minded neighbours as in Sampson et al’s (1997) conception of collective efficacy. **John:** “*What is right about Khayelitsha is there is a community spirit.*” (Individual interview, Khayelitsha, June 2014). A young women gave an example of this solidarity. **Nomvula:** “*Yesterday, I got home and the whole house was painted. Everyone from my street was helping out. They left their homes and parked their problems to help with painting and moving furniture in the house.*” (Individual interview, Khayelitsha, October 2014).

If Sampson et al's (1997: 919) evaluation of collective efficacy exists, "relative to the tasks of supervising children", then collective care of the child is part of the norm of local sociality. **Interviewee 5:** "[T]he parent has been told by the community members that the child is knocking on death's door." (Focus group, older women, Khayelitsha, October 2014). A young woman orphaned at an early age explains the care her neighbours have given her since her mother's death. **Thandi:** "My neighbours helped me in each and every step because they know the kind of child I am. They helped me here and there. They stood up for me. They love me and I love them." (Individual interview, Khayelitsha, October 2014).

Disputing the terms of the common good: "The thick book called democracy"

This is an environment where the trust and solidarity Sampson et al (1997) envisaged exists as part of the social fabric and subjective identity but it does not facilitate the realisation of "common values". It instead undergirds fragile forms of reciprocity that are required in a context of imminent danger to life posed through violence, poverty and various forms of predation. The substantive terms of the common good are profoundly disputed, implicitly and explicitly refuting the state's vision of the rule of law and a sociality founded on democratic norms and values. Instead authoritarian, extra-state collective forms of social ordering regulate social life in a setting where competing visions of "the ends that each has reason to value" may conflict in intractable terms around cleavages of class, gender, generation, neighbourhood, criminality, ethnicity, political affiliation, resources and other fluidly established sources of division.

Thus the Khayelitsha that emerges in the discourses of the young, the old, the male, the female, the trader, the foreign national, the young entrepreneur, the beneficiary of social development, the local politician, is not an objective "reality" but represents instead multiple co-joined constructions of this space, its order and ethics, the social relations inhered in it and its future possibilities. The geography of Khayelitsha, broken into blocks, zones, sites are symbolically constituted by residents as spaces of particular types of violence, particular types of deprivation, specific conditions of reciprocity. Below is an analysis of Khayelitsha as it is constituted in the imaginaries of three sets of focus group participants—older men, young men and young women. Clearly this can only be an extremely partial rendering of the space of Khayelitsha. The imaginaries that emerge in focus groups are in many ways the product of an artificial reconstruction of particular social groups. However, these momentary "snapshots" of social life and imagination do provide important insights into some of the ways in which Khayelitsha is constituted in space and subjectivity.

The vision of older men is deeply dystopian. **Interviewee 6:** "People no longer have *Ubuntu*." (Focus group, older men, Khayelitsha, October 2014), "I am trying to say that

living is not good anymore." (Focus group, older men, Khayelitsha, October 2014). For them the space of Khayelitsha represents a wholesale overturning of order precipitated by the *"thick book called democracy,"* which has become *"a reference for everything"* (**Interviewee 6:** Focus group, older men, Khayelitsha, October 2014). For these men, democracy has not augured in a new emancipation through the ballot box but a new order of patronage: *"The only people that benefit are those that bow down to the councillor."* (**Interviewee 1:** Focus group, older men, Khayelitsha, October 2014). Instead the introduction of democratic "politics" with "many parties" is seen as the cause of an escalated war of self-interest, of competition and self-aggrandisement: *"Politics has made people look at each other with an evil eye."* (**Interviewee 3:** Focus group, older men, Khayelitsha, October 2014).

While these men, who grew up under the dispossession of apartheid, would appear to have much to gain from the new post-apartheid order, for them this order in fact represents a deep disorder, an overturning of gendered and generational hierarchies that they see as part of nature and God's law. To oppose this order is to oppose nature itself. People, in the words of one interviewee, have become "birds" (**Interviewee 5:** Focus group, older men, Khayelitsha, October 2014). This is not an emancipatory symbol, it represents a turning of "man" into an animal with freedoms unnatural to "his" condition. This overturning is most starkly represented in the recognition of the legitimacy of homosexuality by the Constitution: *"In God's creation no man marries another. That means the Constitution is against God."* (**Interviewee 7:** Focus group, older men, Khayelitsha, October 2014). The "rights of women and children" introduced by the Constitution, which was *"drafted by people from other countries"* (**Interviewee 7:** Focus group, older men, Khayelitsha, October 2014) has brought profound disorder into the heart of the social fabric and the natural hierarchy of family. **Interviewee 3:** *"The law that says we are equal at home – between a man and woman – causes problems."* (Focus group, older men, Khayelitsha, October 2014). Now, *"In the house there are two different laws. The wife has her laws and you have your laws. The children are in the middle. And that makes it impossible to unite."* (**Interviewee 5:** Focus group, older men, Khayelitsha, October 2014). All these overturnings appear to eclipse the abstractions of formal democracy, which have barely changed the empirical conditions of these men's lives.

Young men who have grown up post-apartheid have a different imaginary. They do not judge the present in terms of the past. Their discourse is peppered with an urgency to be understood reflected in the constantly repeated phrase, *"Do you understand?"* They seem to be young people burdened with an enormous social weight as they recount the problems of Khayelitsha. Collective sighs of resignation and empathy follow each contribution about these challenges. **Interviewee 3:** *"You won't even understand because you find more young children in the community than those at school."*

Interviewee 2: *Eish!* [sigh]” (Focus group, young men, Khayelitsha, October 2014). And yet, stories of their own experiences of violence are generally greeted with laughter. These traumatic incidents become tales of daring do, of foes met and overcome, of bravery and bravado, “*Had I shown them that I’m scared of them they would have took a chance and rob me. I just became strong ... [All laughing] They placed me in between of them. They only asked me for money and I just said I don’t have it without even looking at them. [All laughing]*” (**Interviewee 2:** Focus group, young men, Khayelitsha, October 2014).

Thus for these young men, as for most residents, the space of Khayelitsha is one of pervasive danger: “*As for the crime, I don’t even want to talk about it. We take it as part of life.*” (**Interviewee 3:** Focus group, young men, Khayelitsha, October 2014). However, it is also a space of “*fun*”, **Interviewee 3:** “*I would say we have fun every day.*” (Focus group, young men, Khayelitsha, October 2014). These spaces of violence and fun are deeply implicated with one another. Spaces of recreation cannot be accessed as a result of violence. “*If you want to play soccer you have to walk all the way to Makhaya. You might even get robbed.*” (**Interviewee 3:** Focus group, young men, Khayelitsha, October 2014). On the other hand, recreation spaces are seen as holding almost magical possibilities for the exclusion of violence. Recreation in the discourse of these young men carries an enormous symbolic weight and is seen as something that concerns not simply the question of leisure, as in middle-class forms of sociality, but a fundamental defence of life against the erosions of poverty, unemployment and failures of socialisation into “good citizenship” that these conditions precipitate. As one interviewee dreamed out loud:

“Just imagine if you could run an overnight league that starts at six, seven, eight at night targeting the time people go to taverns. You might find out that 50% of the people that tend to go to taverns spend their time in the field. Robbers would spend their time in these facilities, but we don’t have them.” (**Interviewee 3:** Focus group, young men, Khayelitsha, October 2014).

Crime for these young men is seen as the consequence of the inability of the young to realise their human capital, their “talents” in a world where citizens are exhorted to “self-empowerment”, but where structural deprivation denies these possibilities: “*Most of the boys who are robbers have many different talents. Just that they don’t have resources to showcase those talents.*” (**Interviewee 1:** Focus group, young men, Khayelitsha, October 2014). Thus in many ways these young men appear as the ideal “active” citizens whom the country’s development plans envisage as standing at the heart of a new South African economy and identity. Most are involved in various forms of community and political activity. They work to socialise other young people and children into norms of good citizenship: “*We call ourselves ‘game changers’ where we try to give a positive attitude to children and also a good way of thinking and everything.*”

Do you understand?... I would say we are the servants of the community all in all.” (Interviewee 2: Focus group, young men, Khayelitsha, October 2014).

However, these young men’s subjectivities around violence are deeply ambiguous. And this concerns the conditions of disorder obtaining in the township, a context, in the absence of a state monopoly of the use of force, of sovereignty “unloosed”. As a result empirical “law” and “order” have to be negotiated and renegotiated daily and personally. The “community”, envisaged as a metaphorical object existing separately from them, is seen as being in a state of disunity and passivity: *“Well from my area the community members are not working together. They don’t help each other at all.”* (Interviewee 1: Focus group, young men, Khayelitsha, October 2014). Part of the way in which this disunity is imagined is in terms of a failure to exercise violence that can putatively establish some momentary sovereignty over the constant conditions of violence and predation. These conditions are perpetrated, in the context of escalating gang violence by adolescent boys, conceived of as “children”: *“There are children who are known that they are robbers and they rob every time.”* (Interviewee 2: Focus group, young men, Khayelitsha, October 2014). In this environment regimes of care and discipline become complex. The adage that a child is brought up the community means that as much as these children may receive collective care, they are vulnerable to collective violence. Women, however, do participate in these regimes of communal discipline, *“if it’s another woman’s child who is beaten up she would be there too to watch or to beat too.”* (Interviewee 1: Focus group, young men, Khayelitsha, October 2014), but mothers who seek to protect their own children from violence are seen to inhibit legitimate processes of community punishment, *“if the community members want to beat up the child who did wrong; their mothers wouldn’t let that happen.”* (Interviewee 1: Focus group, young men, Khayelitsha, October 2014). In the imaginary of young men these principles of punishment constitute a normative order that is outside state and party: *“In our generation it’s not even about political parties or organizations. If one of us guys gets robbed, he would come and tell me. We then work together and find out who did that and see what we do about him.”* (Interviewee 2: Focus group, young men, Khayelitsha, October 2014). State law and its associated normative regime literally exists in an alternative symbolic order. It is spoken in a foreign language, *“[they] tell us about these English words saying that we are taking the law into our own hands”* (Interviewee 1: Focus group, young men, Khayelitsha, October 2014), and is imposed from the “outside”, *“that is wrong because they say”* (Interviewee 1: Focus group, young men, Khayelitsha, October 2014 emphasis added).

What emerges in relation to the violence that women endure, is a contested imaginary in which the fact of this violence is denied by some and acknowledged by others. What is evident is that this realm of “private” violence is not easily articulated. When these

young men were asked about the treatment of women in the township, they collectively mumble until one interviewee argues that “*Gender violence is very rare*” (**Interviewee 3:** Focus group, young men, Khayelitsha, October 2014). While denying this violence, this interviewee unconsciously uses a term that has in the post-apartheid period come to name and acknowledge the invisible violence that women experience. Notwithstanding, two young men contested this perspective saying, “*I think it’s hidden*” (**Interviewee 2:** Focus group, young men, Khayelitsha, October 2014), “*there is a lot of violence, but you cannot see it.*” (**Interviewee 1:** Focus group, young men, Khayelitsha, October 2014). For another young man, however, women as the property of men are the cause of male violence: “[T]he other thing I can say is that guys fight for women a lot. It’s rare to see a woman being abused by her man or boyfriend.” (**Interviewee 5:** Focus group, young men, Khayelitsha, October 2014). This hidden, unacknowledged violence nevertheless manifests in public displays, “seen” and watched but not censured: “*In the evenings, when I walk in the street I would see someone hitting and questioning a woman, but I cannot stop it because you would find a group of people watching. I can’t make myself a hero when I’m just passing by and other people are watching.*” (**Interviewee 2:** Focus group, young men, Khayelitsha, October 2014). This violence is understood to be the consequence of growing up in an environment saturated by violence against women: “*We grew up seeing our fathers beating women so we also do that.*” (**Interviewee 1:** Focus group, young men, Khayelitsha, October 2014).

Thus for young men, Khayelitsha is a space of violence in a double sense – they are both objects of and subjects of violence. Violence is inherited in the geography and their daily experience of Khayelitsha. Against this these young men seek to carve out places of peace through recreation and active citizenship. At the same time they are agents of violence sanctioned against the “children” who are seen to have overturned order in the township and women whose violation is refuted.

Young women have a different agential location in relation to the space of Khayelitsha. They appear to act far less *on* the space of Khayelitsha as opposed to *in* it. When they are asked about the community they tend to talk about conditions in terms of their own experience rather than about the community as an external object that needs to be acted on and corrected as do young men. One interviewee responded to a question about the resolution of conflict in the township: “*For me resolving problems is about talking to a person or getting advice.*” (**Interviewee 2:** Focus group, young women, Khayelitsha, October 2014). It is clear also that they experience Khayelitsha and their own condition as women as a deeply bounded space. They talk about being taken “*out of*” Khayelitsha (**Interviewee 1:** Focus group, young women, Khayelitsha, October 2014), of the “*cage*” (**Interviewee 4:** Focus group, young women, Khayelitsha, October 2014) into which they must fit

as women. An interviewee asks *where* women must “run to” (**Interviewee 4:** Focus group, young women, Khayelitsha, October 2014).

The world of young women seems interior and self-referential. While they see social pathology around them, they emerge as the centre of moral responsibility. Their involvement in community activities primarily focuses on “learning” and self-improvement. They seek to consciously create themselves as subjects within a regime of good citizenship modelled on an imaginary of empowerment. In this imaginary objective conditions of deprivation and violation become individual challenges of self-transformation. As one interviewee explained of the educational organisation in which she had been involved: “*Hope did not teach us about HIV and AIDS, but how to live; how to accept your situation; how to get through your past and everything.*” (**Interviewee 1:** Focus group, young women, Khayelitsha, October 2014). Therefore: “*It depends on you. Tell yourself as you walk out the door that you are worth it. If yesterday was bad then tomorrow is going to be good.*” (**Interviewee 3:** Focus group, young women, Khayelitsha, October 2014). The context of poverty in which these young women live does not emerge as a direct object of discourse but tangentially in their discussion of the food that the empowerment programme “Hope” offers: “*You knew that you would arrive there and get food.*” (**Interviewee 2:** Focus group, young women, Khayelitsha, October 2014).

These young women appear as agents of networks and solidarities, almost exclusively between women. Friendships, relationships and their location in this community of networks is at the centre of their discourse. There is a concern with the reciprocity of neighbouring: “*If you support your community then your community will support you. If you don’t care or attend other people’s events no one will attend yours.*” (**Interviewee 2:** Focus group, young women, Khayelitsha, October 2014). The nature of networks is closely related to imaginaries of local space. Litha Park, a more affluent area where the reciprocity required by extreme need is not as stark, is seen by those living outside it as a place where there is an absence of sociality, as “[p]eople kept to themselves and did not make friends” (**Interviewee 3:** Focus group, young women, Khayelitsha, October 2014), and as a place of inauthenticity, “[t]here a person is full of oneself and yet they are hungry” (**Interviewee 3:** Focus group, young women, Khayelitsha, October 2014), but is constructed differently by those inside the space. One interviewee who lives in Litha Park explained: “*They say we are stuck up which is not true. We want to talk to people.*” (**Interviewee 2:** Focus group, young women, Khayelitsha, October 2014).

Entanglement in networks of friendship within local spaces means that “reputation” and face are particularly important. Gossip and rumour are the enemies of good face: “*I am who I am and won’t tell anyone my problem because they will gossip about me.*” (**Interviewee 1:** Focus group, young women, Khayelitsha, October 2014). Nevertheless,

there is a concern with the reparation of relations and a language of humbling that does not appear in male discourse. **Interviewee 3:** *“The important thing when you stay with people is to humble yourself and ask for forgiveness even if you are not wrong”* (Focus group, young women, Khayelitsha, October 2014).

Men appear to exist outside these networks of friendship and gossip and enter women’s worlds and imagination as emotional and physical predators: *“You know that your boyfriend will overpower you. Our boyfriends beat us.”* (**Interviewee 1:** Focus group, young women, Khayelitsha, October 2014). *“The worst form of abuse is emotional ... you will cry and forgive him.”* (**Interviewee 2:** Focus group, young women, Khayelitsha, October 2014). Vulnerability to violation comes from the condition of womanhood, which is, as one interviewee explained, personified by the interiority of the heart rather than exterior action and the mind: *“Women have one heart. A man has a brain and fitness.”* (**Interviewee 3:** Focus group, young women, Khayelitsha, October 2014). Women instead have “beauty”, which they can use to symbolically “kill” the male “beast” (**Interviewee 5:** Focus group, young women, Khayelitsha, October 2014). These regimes of power are inherited in the landscape of Khayelitsha where women are constituted as property. **Interviewee 1:** *“As girls we encounter challenges with the boys that we grow up with. If you don’t date one of those boys and date a boy from another place they label you as a slut.”* (Focus group, young women, Khayelitsha, October 2014). Women use their relationships with men instrumentally to negotiate the privations of poverty. This gives them some power but makes them vulnerable to abuse: *“You cannot dump him even if he beats you or cheats on you because he will give you money. Money makes us settle.”* (**Interviewee 1:** Focus group, young women, Khayelitsha, October 2014). The neighbourhood imagined in relation to men is a place of deep unsafety: *“We are not safe outside, with boyfriends and everywhere, even at work.”* (**Interviewee 5:** Focus group, young women, Khayelitsha, October 2014). It is a place of pervasive predation by the stepfather, the pastor who *“looks at you funny”* (**Interviewee 4:** Focus group, young women, Khayelitsha, October 2014), the male neighbour, as *“you are scared to go ask for sugar at the neighbour’s house ... the man will be looking at you”* (**Interviewee 5:** Focus group, young women, Khayelitsha, October 2014), and the police: *“They all touch us. When the police officer changes the gear he touches your thighs. He will tell you not to cry and everything will be alright.”* (**Interviewee 2:** Focus group, young women, Khayelitsha, October 2014).

In this context of pervasive danger and absence of policing, *“[n]o community member goes to the police station if they get robbed ...”* (**Interviewee 3:** Focus group, young women, Khayelitsha, October 2014), and young women accept violence as part of a regime of local punishment and control. They express support for the taxi associations that play a key role in enacting these violent forms of social ordering:

“All misbehaving people fear taxi drivers because they beat people.” (**Interviewee 1:** Focus group, young women, Khayelitsha, October 2014). They explain how the space of Khayelitsha defines the boundaries of legitimate punishment: *“They will never allow people from Litha Park to go beat people in Harare. That I am sure of.”* (**Interviewee 5:** Focus group, young women, Khayelitsha, October 2014). They share the perspective of young men that mothers undermine the possibility of order by seeking to protect their children from collective punishment: *“The mothers in Litha Park did not permit that. The mothers in Harare also did not permit that.”* (**Interviewee 5:** Focus group, young women, Khayelitsha, October 2014). The police, when applying state law that makes these forms of violence illegal are perceived to be protecting the legitimate objects of community violence: *“The police take the skollies when the community beat them.”* (**Interviewee 3:** Focus group, young women, Khayelitsha, October 2014).

Thus Khayelitsha emerges as a deeply complex space in the imaginaries of young women, it is both a “cage” and a place where hope, friendship and empowerment can be found. It is a place to nurture relationships but it is also a space of pervasive male predation and violence. It is a space of absence of law and an imaginary of punishment that can putatively restore order through violence.

Conclusion

How then, does this brief review of neighbourhood discourses and practice speak to conceptions of social cohesion formulated in the global north and integrated into national South African policy discourse? The material presented here evokes a profoundly different sociality to that imagined by Putnam (2000) and Sampson et al (1997), one in which violence and reciprocity are deeply intertwined in social practice and imagination. This is a consequence of both an ethical order of communitarianism as well as objective conditions of deprivation and absence of the type of state sovereignty and care that could create the conditions for a “good life”. Therefore, the analysis points to the need to fundamentally reconceptualise our understanding of social cohesion and collective efficacy, not simply to tweak them in order to take into account the habitus of subjects outside the “north” but to fundamentally question some of the premises on which these conceptions of social life are constructed. Social cohesion as a concept relates to a foundational concern about the constitution of the social fabric and the terms on which enough solidarity may be maintained to prevent a “war of all against all”. The way in which it has been interpreted however evokes the conditions of the global north. Durkheim’s investigation of the fragmenting effects of industrialisation took place at a time when the devastating effects of colonialism were causing problems of division and difference of a different order on the African continent.

Its evocation in the 1990s in major global institutions spoke to the concerns of nation-states whose established “imaginary” of nationhood was seen to be under threat of dissolution by unregulated flows of difference across national borders.

In its own instrumentalisation of the concept, the South African state has sought to deploy the idea to urge social compacts across divisions for the ends of the developmental state. At the same time it has attempted to indigenise the concept by bringing to bear the local ethics of *Ubuntu* to its conception of the grounds of solidarity in the post-apartheid nation-state. More recently, it has tried to meld the ethic of *Ubuntu* to a vision of citizenship founded on an entirely different ethics, that of the “secular rational”, the individual and rights based civic norms of law and Constitution.

The fieldwork shows the paradoxes of this vision played out at a local level between citizens and between citizens and the state. It shows a context where there is indeed a deep ethics of solidarity as formulated in the state’s conception of *Ubuntu*. This undergirds acts of solidarity that help citizens survive and share resources for friendship and sociability.

At the same time these norms of reciprocity often directly dispute law and support public expressions of sovereign violence that reflect not only the absence of the state but the assertion of a moral and ethical paradigm based on the will of the collective. This is underpinned by an ethics of communitarianism that privileges community above the individual and melds the common and the good. This ethics runs significantly counter to the rights based individualism articulated in the Constitution. In contrast to the state’s assertion of civic nationalism founded on the norm of law as the basis for solidarity, in Khayelitsha the law of the Constitution appears distant if not suspended and does not have meaningful empirical traction as a resource structuring daily life. The most immediate face of law, the police, instead represent a source of contamination and violation.

While Sampson et al (1997) see collective efficacy as being created by collective action for the common good, here collective action is the norm but the substantive grounds of the common good in the new democracy are profoundly contested. Democracy has brought new imaginaries of living and sources of authority to bear in ways that confound previous hierarchies and commonalities. Visions of the good jostle for realisation and priority. The analysis of the discourse of residents in Khayelitsha begins to show how this space is constituted in terms of a variety of imaginations of the nature of the post-apartheid condition, its moral order, its norms, its violations and its possibilities for hope. These are malleably constructed in the discourse of different generations and genders. While the end of apartheid is globally and nationally imagined as the ground zero of a new

sociality and a new emancipatory order, men who grew up under apartheid see the current order of rights as an unsupportable overturning of natural law. Democracy, for them, has inaugurated an era of competitive self-interest rather a representation of the common good whose Constitutional terms they dispute. They appear to stand outside the social order, angry onlookers to the contemporary world. Moreover, young men and young women are deeply engaged in the work of post-apartheid citizenship, actively seeking to shape themselves and their peers in terms of norms of empowerment that are internalised as part of both a local and global imaginary of good citizenship in the neoliberal era. They battle against the conditions of structural deprivation in which they are located to realise these imaginaries of transformation. However, what these conditions of transformation might be are deeply divided between genders. Khayelitsha as it emerges in the discourse of young women is one of pervasive predation and violence that shapes all spaces from the most intimate to the most external. The position of young women within the social order of Khayelitsha refutes the imaginaries of disorder and rights in older men's discourse. At the same time young men dispute the very reality of the violence that women experience.

What appears most common in the discourses of residents are the conditions of violence and the absence of a state monopoly over the means of violence. The bare violence to which residents are consequently exposed is inscribed in space and subjectivity. The restoration of order is collectively imagined in terms of regime of violent communal punishment that seeks to establish the terms of a normative order that the state is as yet unable to establish either imaginatively or physically.

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