

# Policing Culture, Cultural Policing: Law and Social Order in Postcolonial South Africa

John Comaroff and Jean Comaroff

*This study transgresses the received distinction between two genres: the scholarly essay and the grant proposal. An extended reflection on a research endeavor still in progress, it interrogates the methodological and conceptual questions raised, ab initio, by the effort to explore and explain an unusually perplexing phenomenon: the dramatic rise, in postapartheid South Africa, of witchcraft killings—and of their policing, both formal and informal, which has produced distinctly hybrid styles of cultural justice. Our objective is to address a number of interrelated questions concerning the description, interpretation, and analysis of (1) occult-related violence, itself legitimized locally by populist appeals to “culture” and (2) its regulation by a secular modernist state committed to, yet challenged by, the constitutional recognition of cultural difference. It is our thesis that this “epidemic” of occult-related violence, and the kinds of cultural policing that accompany it, are stark expressions of a structural contradiction within the “new” South Africa, a contradiction evinced in all postcolonies—and, increasingly, in other nation-states as well*

Our objective here is somewhat unusual. Rather than an ethnographic analysis or a theoretical discussion, what follows is an extended reflection on a research endeavor still in its early stages. We are concerned to share

---

**Jean Comaroff** is the Bernard E. and Ellen C. Sunny Distinguished Service Professor of Anthropology at the University of Chicago. **John Comaroff** is the Harold H. Swift Distinguished Service Professor of Anthropology, also at the University of Chicago, and a research fellow at the American Bar Foundation. Both are former chairs of the Department of Anthropology at the University of Chicago. Their coauthored books include *Of Revelation and Revolution* (2 vols., 1991, 1997) and *Ethnography and the Historical Imagination* (1992). Singly and together they have written extensively on, among other things, colonialism and postcoloniality; modernity, democracy, and neoliberal capitalism; politics, law, and religion in Africa, focusing, in particular, on the Tswana peoples of southern Africa. Their current work is on crime and policing in postapartheid South Africa.

the methodological and conceptual questions raised *ab initio* by the effort to interrogate an unusually perplexing phenomenon. In so doing, we transgress the received distinction between two genres: the grant proposal and the scholarly essay. By means of this hybrid, however, we seek to open a new aperture onto a global issue at once consequential and difficult to pin down: the contradictions that manifest themselves in postcolonies when constitutionalism, recourse to law, and popular justice are fetishized under the impact of neoliberal capitalism—and when the future of the nation-state comes to depend on struggles over inimical species of rights and entitlements.

The study of which we speak grows out of a spectacular rise, during the 1990s, of witch burnings in the northern provinces of South Africa. Several aspects of the phenomenon are striking: First, while they began in the last years of apartheid, these killings have intensified dramatically in the postcolonial period. Second, they are a response to populist fears of an alarming increase in witchcraft practices, zombie-conjuring, and the traffic in body parts. Third, they are perpetrated largely by youth in the cause of both the common good and individual aspiration. And, most of all for present purposes, the punishment of alleged evildoers has involved distinctly hybrid cultural styles of informal justice.

We have sought elsewhere (1999) to explain the unusual escalation in occult-related violence here. Note, in this respect, that we do not ourselves pass judgment as to whether there has *actually* been an “epidemic” of witchcraft and other forms of magical practice in the northern provinces. Locally, however, people say that more cases of ritual murder have come to courts in recent years than ever before. They also point to more confessions of Satanism, some of them in dramatic media revelations; more press reports of zombies, some of them replete with photographs and “eyewitness” accounts; and more confirmatory testimony given by ritual experts about the nefarious behavior of prominent people—all of which has led to a widespread sense of crisis in the countryside.

While the state has been forced to react to this “crisis”—both to the belief that there is an epidemic of evil afoot and to the “vigilante” violence it has sparked—it has found it hard to do so by legal means. Indeed, so agitated has been the moral panic in the Northern Province that one of the first things done by the African National Congress (ANC), after it came to power in 1994, was to appoint a commission of inquiry into witchcraft violence and ritual murder. Its report (see below) posed a stark paradox by presenting its findings in two inimical voices. One evoked the spirit of legal universalism: It called for rigorous prosecution of those who “took the law into their own hands” by attacking suspected witches. The other spoke the language of cultural relativism: the criminalization of witch finding, it said, was incompatible with the pervasive African belief—shared by many state

functionaries—in the actuality of witchcraft. By mid-1998, the recently established Occult-Related Crimes Unit of the South African Police Services had set up a national workshop on the forensics of occult-related crime scenes. But questions were raised about the constitutional status of the unit: did not its very existence presuppose the illegality of the cultural convictions of many citizens? (*Cape Argus* 1998b; *Daily Mail and Guardian* 1999). Later that year, a witchcraft summit was convened to discuss the problem *tout court*. It was attended by prominent politicians and public intellectuals—and (then) Deputy President Thabo Mbeki. Soon thereafter, in August 1999, the media took to the air on the issue: SABC began a 13-part TV series, *Ke Bona Boloi?* (Is This Witchcraft?), which addressed the threat of occult activities to civic order.

### A CONUNDRUM, FOUR QUESTIONS, AND A THESIS

The particular form taken by this confrontation between legal universalism and cultural relativism lies at the core of our concerns here. It is made even more explosive by another, historically specific tension. On one hand, the “new” South Africa is founded on a distinctly modernist idea of the nation-state: of a polity with a strong sense of unity and collective interest, with a deep investment in democracy and human rights, and with a government that sustains a monopoly over the legitimate means of force. It is an ideal underpinned by an almost fetishized faith in constitutionality and the rule of law. On the other hand, despite the popularity of the ANC, many South Africans believe that the postapartheid state is failing to ensure the moral and material prosperity of its citizenry, failing to protect it from illegitimate violence, failing to deliver on the promise of rights, failing to unite the postcolony in the face of countervailing cultural and ethnic impulses. In the northerly provinces, these sentiments are given expression in community efforts to redefine moral order and to police, by local cultural means, those infractions of the commonweal that escape the oversight of the authorities—most notably, those involving the occult. Our objective in this study, then, is to address four sets of related questions.

*First, how exactly are we to understand occult-related violence—violence, that is, against alleged perpetrators of magical evil—in this context? As a kind of vigilantism, in which communities “take the law into their own hands” in dealing with people who contravene their norms? As the revenge of the poor against the rich, young against old, male against female? Or as a mode of “cultural policing” directed at those held to threaten the well-being of the community?*

This form of action, whether it be regarded as illegal vigilantism or cultural policing, violates the exclusive control by the state of the legitimate means of force. And so:

*Second, how does the state react to community policing of the occult? How do we explain the fact that, despite efforts to criminalize them, such “dangerous” cultural practices are proving decidedly recalcitrant to regulation, posing a stark challenge to the idea of a nation unified under the law?*

Occult-related violence may be seen to shade into other local institutions of informal justice—among them, *makgotla*, urban courts modeled on Sotho-Tswana tribunals; the “trial and punishment” executed in Cape Town “by taxi-drivers with strong community support” (*Saturday Argus* 1998); the controversial activities of *Mapogo a Mathamaga*, a notorious “vigilante” organization in the north; and, in times past, the “necklacing” of apartheid collaborators by township youth. Is the policing of the occult different because it seems so manifestly “irrational,” because it is clothed in culture, and because it is sanctioned by appeal to customary moral and legal conventions?

*Third, to the extent that occult-related violence contests the state’s monopoly over the means of coercion, what are its implications for the governance of the “new” South Africa? Does its appeal to cultural relativism call into question the Eurocentric ideal of the nation-state? Can cultural relativism and legal universalism coexist? How might postcolonial states adjudicate among the individual rights of citizens, the cultural rights of ethnic groups, and the collective rights of other kinds of community?*

The new South African constitution puts individual rights above all else; to wit, it is censured, in some quarters, for its relative disregard of community or cultural rights. But here lies the classic conundrum of the modernist nation-state: If it presumes a unity born of a commitment to universal truths and to One Law, how much cultural relativism can it tolerate? To what extent can it concede legal authority, or the means of violence, to ethnic or religious groups and still retain its sovereignty?

*Fourth, to what extent is this a peculiarly South African problem?*

Are we merely observing a parochial phenomenon? Or are similar problems manifesting themselves elsewhere in this ever more global age?

It is our thesis that the “epidemic” of occult-related violence, and the kinds of cultural policing that accompany it, are the product of a structural contradiction at the heart of postapartheid South Africa, a contradiction also evinced in other postcolonies—especially since 1989, when new liberal democratic constitutions began to give primacy to legal universalism while

seeking, simultaneously, to protect cultural heterodoxy.<sup>1</sup> These postcolonial polities are all rooted in the modernist ideal of nationhood, an ideal embodied in bills of rights that subordinate difference to a transcendent moral and legal unity. Yet all of them are, in prospect or in fact, challenged by the very pluralism that they embrace: by the entitlement of their subjects to their own vernacular ways and means. When those ways and means transgress the bounds of the commonweal, when they defy the rationalist assumptions on which governance is founded, when they violate the authority of the state, government cannot but intervene. But local “traditions,” especially those involving the occult, are notoriously resistant to regulation; if anything, efforts to police them *intensify* the assertions of difference out of which they arise in the first place. While the antinomy between universalism and relativism has always been inherent in the nation-state, it has been sharpened of late—on one hand, by an erosion of modernist state power and, on the other, by the rising stakes invested in the cultural politics of identity. This, in part, is why ruling regimes across the world perceive their moral and executive legitimacy to be under increasing threat from “dangerous” customary practices. And from relativist assertions of truth and right. But we are running ahead of ourselves. What we seek to do here is to proceed, dialectically, from the empirical phenomenon with which we are concerned—and the problem of cause and effect posed by it—toward the theoretical terms by means of which we may give explanatory account of it.

## FRAMING THE PROBLEM: BACKGROUND

### On the Archaeology of the African Occult: the Crime of Witchcraft

Historians and anthropologists have documented the existence of a highly elaborate array of ideas about witchcraft, sorcery, ritual murder, and divination in southern Africa. These ideas vary across the region. And they have changed markedly over time (Comaroff and Comaroff 1993). Their common features, however, are well known: most notably, that the African occult is not a form of primitive magicality or “animism”; that, everywhere, it embodies a set of normative convictions about moral order, social value, and material equity; that it provides a matter-of-fact repertoire of “first cause” explanations in the face of human misfortune or natural catastrophe;

---

1. We are grateful to the anonymous *Law and Social Inquiry* reviewer who reminded us of the contrast between early postcolonial constitutions, which gave little autonomy to the law, stressing parliamentary sovereignty, executive discretion, and bureaucratic authoritarianism instead, and these later ones, which make the rule of law central to both their spirit and their letter—and hence have to deal with the relationship between the universal rights of citizens and the cultural rights of ethnic populations.

that, in respect of the latter, it bears epistemic analogy to Western notions of ill fortune, divine intervention, or even statistical probability; that, as a set of techniques, it tends to be regarded, indigenously, as a species of practical activity whose principles of operation, while not transparent to all, are regularly deployed by those with the necessary power/knowledge.

Occult means have been used, since time immemorial, for socially accepted ends—as when a family employs “medicines” to prosper in its enterprises, to protect its property, or to enhance its fertility. They still are relied on by many people. Similar means might also be deployed by political communities for the collective good. Among the Tswana of Southern Africa, for example, rain rites were performed periodically during colonial times (Schapera 1971); such rites persist in some places, often in conjunction with Christian prayer (J. Comaroff 1985). These exercises in the occult were conducted under the direction of experts, some of whom acquired great fame. In fact, during the late colonial epoch, “traditional healers” were formed into a national association recognized by the state; in the “new” South Africa, they are accorded respect by government—to the extent that their ministrations are, under some conditions, covered by medical aid.

Conversely, for as long as there is a documentary record, magical means have been said to be used for antisocial, selfish ends, typically to appropriate the life force, social wealth, and effects of others. Witches epitomize this mode of destruction. Their activities were widely treated as crimes (Schapera 1970) and were severely punished. On the other hand, the intrinsically ambiguous character of the occult—as a force for *either* good or ill—is symbolized by ritual specialists, who have always been ambivalent figures. While they were usually employed to counter the activities of malevolents, their expertise in the arcane opened them to suspicion: It was widely believed that, at a price, they might be induced to abet evil schemes.

Much has been made of the figure of the witch in Africanist anthropology. The “standardized nightmare of the group,” Monica Wilson’s celebrated aphorism (1951), suggests that the symbolic substance of this figure is determined by a cultural process of inversion: by turning the ethics of communal life on their head. Wilson went on to claim that moral orders are themselves a function of social structure—and that, by extension, so too are patterns of witchcraft accusation. Different social structures yield different modes of transgression, and hence different expectations about the means and ends of magical evil. All of which is to say, after Munn (1986), that witches produce “negative value”: They unravel human relations and moral communities. It was this that persuaded Marwick (1965) to describe allegations of malevolence as a “strain gauge”—to argue, that is, that such allegations occur at critical points of stress in any society. From this perspective, in sum, witchcraft has both an ethical and a social rationality.

These anthropologies of the African occult, all of them dating back to the colonial era, were written with a specific set of interlocutors in mind:

state functionaries, missionaries, settlers, and other agents of empire who regarded “native” ideas of witchcraft as primitive, often dangerous, superstitions.<sup>2</sup> For its part, the colonial state outlawed accusations of mystical evil (Schapera 1938), treated ritual murder as a common crime (Jones 1951), and liked to think that under its civilizing influence, vernacular ideas of the occult were disappearing. Beyond the purview of colonizers, however, witchcraft retained a lively salience for most Africans; for many, it still does. Only members of the Christian elite spawned by the mission churches eschewed its existence—at least in public, and even then not all of them. As we noted a moment ago, the substance of these beliefs varied across space and time. For now, following what we have already said, a few summary points, focused on South Africa, will suffice:

1. Witch beliefs and practices saturated everyday life. The presence of mystical evil, and the need to protect against it, was taken for granted; most rural people, and many in town, consulted doctors regularly to divine the cause of affliction, to guard against attack, to give a competitive edge over rivals, and to ensure their own well-being. The scope of activities subject to magical attention has increased over the generations: It now covers such things as passing school and university examinations, success in job applications, and the effort to win elections.

2. For those who believe in it, witchcraft is the presumed first cause of misfortune. Unless another explanation is found for an affliction, the activities of a witch are blamed.

3. Symptoms of witchcraft have always been said to be fairly nonspecific; they include physical illness, delusion, the death of a child or livestock, loss of work, the disappearance of possessions, crop failure, and sudden, inexplicable misfortune. However, its prime effects are often those associated with aborted reproduction and production.

4. Human organs—especially of children, cut out while the victim is alive, or those taken from fresh corpses—were, and still are, held to make potent medicines. At the same time, ritual murder was rare in the colonial period (see, e.g., Jones 1951).

5. According to local oral history, occult techniques have always been *both* desired and dreaded: People want access to them—and yet fear anyone who has this access. Tautologically, a person of great wealth, especially wealth gained by invisible means, is liable to be suspected of having dabbled in the arcane; s/he will almost certainly inspire moral opprobrium and, simultaneously, the uneasy respect accorded to the powerful.

---

2. There were some exceptions: notably, liberal missionaries like David Livingstone (1857), whose accounts of African healers were remarkably sympathetic, and William Willoughby (1928), who wrote the earliest ethnologies of “the soul of the Bantu.”



6. Indigenous ideas of witchcraft and healing have come to live easily with Christianity, even though they were demonized by colonial missions. This is owed, in part, to the relativizing tendencies of the vernacular cultures of South Africa; unlike post-enlightenment European epistemology, they posited no contradiction in the coexistence of more than one order of knowledge in the world. As a result, the African occult is an evanescent hybrid of iconography and ideology, of signs and practices.

7. Occult *movements*, particularly outbreaks of witch finding, occurred intermittently in Africa during the colonial period, perhaps the best known being that described by Richards (1935) in Northern Rhodesia. But such outbreaks were rare in South Africa.

It is against this cultural archaeology that the recent rise of occult-related violence, and the moral panic to which it is a response, must be read. Before addressing the contemporary moment, however, let us turn briefly to the emergence of the “new” South Africa.

### The Making of the New South Africa: Legality, Identity Politics, and the Question of Youth

The fall of apartheid, and the rise of the new South Africa, is one of the great liberation narratives of the twentieth century. The official story—often told in black and white, washed clean of its complexities—speaks of an unrelenting struggle, of untainted heroes and unvarnished hopes, of the turning back of history on itself, of a postracist future of infinite possibility. As Robins notes (1998, 9), this “heroic nationalist narrative” was sundered by often angry, often poignant, occasionally revisionist evidence given to the Truth and Reconciliation Commission, whose task it was to lay some very restless ghosts; by such things as the controversial film *Apartheid did not Die*, made by John Pilger in 1998, and the book *Country of My Skull* (1998), Antjie Krog’s agonistic reflection on the past and the difficulties of recuperating its “truths.”

If the past is proving more elusive than it first seemed, so is the present: the political, economic, and cultural sociology of the postcolony, still in its infancy, is also a matter of animated public debate. A few features of that contested sociology are especially relevant here.

Perhaps the most notable feature of the emergence of the “new” South Africa is the way in which it reversed the teleology of the antiapartheid struggle. That struggle was grounded in a vision of African socialism; or, rather, visions of anticapitalism, since the spectrum of ideologies that congealed in the liberation movements was strikingly broad. Indeed, the founding document in the fight against white domination, the Freedom Charter of 1956, undertook to nationalize major industries and to mandate a



state-directed, welfare-freighted economy (see, e.g., Walshe 1971; Lodge 1983). And yet, from the moment it took office, the ANC, constrained by its perception of global economic realities, has committed itself unequivocally to neoliberal capitalism (Sharp 1998, 245). It has courted global corporations, sought foreign investment, enforced wage restraint, and reined in the labor unions. Many blacks who believed that the new regime would deliver jobs, housing, wealth, and well-being, now accuse it of not meeting its promises, of favoring the powerful over the poor, of being rife with corruption, of allowing crime to run rampant, and of failing to ensure a future for its youth. Middle-class whites and the national media make similar complaints: that the wealth gap is widening dangerously, that unemployment is even higher than the unofficial 38% to which the state admitted in the late 1990s, that unstable labor conditions are discouraging investment, that urban violence is scaring off tourists, and so on. So much so that, in 1998, the press spoke of imminent economic meltdown—although, since then, public opinion on the matter has become more nuanced.

Whether or not this alarmist scenario turns out to be justified, the anxieties *are* real enough. What is more, they are deeply implicated in the occult-related violence across the northerly provinces. At the same time, there is more to the sociology of the “new” South Africa than a precarious economy. Three features of that sociology are noteworthy for present purposes.

### **1. *The Culture of Constitutionalism, Legality, and Rights***

Among the most protracted, contentious processes in the construction of the postcolony was the writing of its constitution. The document itself is remarkable for its sheer scope. Emphatically modernist, Eurocentric, and liberal—individual rights take precedence over all other claims—it does nonetheless protect “traditional beliefs.” The faith in the capacity of this constitution to resolve social problems by appeal to legalities verges on fetishism: The Constitutional Court is presented with an extraordinarily broad range of issues on which to adjudicate. Likewise, other courts have to deal almost daily with unprecedented forms of conflict arising out of cultural difference.

The tolerance of the new constitution for “traditional beliefs”—which, after all, are held by the *majority* of South Africans—raises several pressing issues. The most obvious is whether, and in what form, indigenous ideas of the occult are to be recognized by the state and with what implications (1) for the treatment of accused witches and (2) for those who take action against them. Recall that witchcraft allegations were outlawed by colonial governments. The prospect of admitting them into law—efforts are currently

being made to draft a new Witchcraft Act—has consequences that are only beginning to be understood; apart from all else, those who presume the reality of the African occult, and who see witches as anticonstitutional, antisocial figures par excellence, are skeptical that *any* law might keep them in check. More immediately, however, the constitutional protection of custom raises a number of general problems. Are cultural rights held by persons or ethnic groups? And what happens when such rights violate those of individuals? Add into the mix a great deal of popular criticism against the constitution for not protecting communities—note, not necessarily cultural communities—against crime, corruption, and avarice, and it is clear that there is room for serious conflict over the proportional significance and articulation of different kinds of rights. This conflict has profound material and ideological implications for the future of South Africa.

## 2. *The Rainbow Nation and the Rise of Identity Politics*

The dominant ideological trope in the fight against the old regime—indeed, its final objective for many—was “nonracialism.” Intellectuals have long argued about the meaning of the concept; nor was it accepted by all antiapartheid organizations (see Gerhard 1978). Still, it featured prominently in the Eurocentric ideal of the nation-state to which the ANC aspired: South Africa was to be a “rainbow” nation, one that made no distinctions of color or creed as it fashioned a strong sense of unity to embrace the cultural traditions of its polyethnic population.

Notwithstanding the official narrative of nation building, postcoloniality, as we have already intimated, has been accompanied by a vigorous politics of difference, of identities seeking to assert collective interests, even to reinvent themselves. Often moreover, such claims are made by appeal to primordial affiliations, not least by “peoples” whose ethnogenesis dates to the colonial epoch. In the upshot, the accommodation of their life ways within the postapartheid polity has become controversial; to wit, it is just this that frames the debate now joined over “traditional” practices deemed dangerous by the state and by others who do not share in them.

The waxing politics of identity in South Africa may be read as an effect of local processes: either as a legacy of the colonial past or as a reaction to postcolonial circumstances, in which the mobilization of collective interest, mandated in the name of culture, seems the only available protection against the overwhelming force of the market and a new ruling class. On the other hand, it may be interpreted as an outworking of the rise of a neoliberal capitalist order that appears everywhere to have intensified identity politics. These, as it turns out, are not alternatives. They are conditions of each other’s possibility. We shall return to them.

### 3. *The Youth Question*

Public discourse in contemporary South Africa, as in many other places, is deeply concerned with the “problem” of youth (J.L. Comaroff and Comaroff forthcoming). This “problem,” fundamentally, boils down to the “challenge” of making young blacks—many of whom were brutalized by the old regime, more of whom have been left un(der)employed by the new one—into “responsible” citizens. The nightmare citizens of the postcolony are liberation fighters who have turned their skills to illicit ends; without the prospect of a secure livelihood, or the means of becoming fully adult, they are commonly assumed to be the material from which violent, vengeful outlaws are made.

NGOs, churches, and overseas donors have introduced innumerable small self-help projects, built community centers and sports clubs, and established training programs in order to address the problem. The youths we interviewed saw little value in such projects. For them, there is only one solution: regular jobs and incomes. Even in the remote countryside, they were quick to point out that the “new” South Africa has made some people very rich. In a rapaciously consumerist culture, where the politics of desire is measured in the possession of commodities, those without are constantly confronted with their privation. As we shall see, this sense of privation manifests itself explicitly in occult-related violence.

Clearly, these aspects of the “new” South Africa constitute only a small part of its postcolonial sociology. As we have said, however, they chart the context in which an occult economy, driven largely by youth, has arisen. We now move from background to foreground.

## FRAMING THE PROBLEM: FOREGROUND

### **The Rise of the Postcolonial Occult Economy: From Global Capitalism to Local Illegality<sup>3</sup>**

The Commission of Inquiry into Witchcraft Violence and Ritual Murders in the Northern Province was set up in 1995 to deal with a growing sense of crisis in the countryside. A *mélange* of eyewitness evidence, case records, observations, and recommendations. The report of that commission<sup>4</sup> calls for tight control of occult-related violence, including

---

3. The content of this section draws heavily on Comaroff and Comaroff (1999). We repeat it here—with apologies to anyone who might have read it—as it is simply impossible to continue our narrative without going over the material in question. Indeed, it is the phenomena described here that led us to our present study.

4. The report was written by Ralushai et al. (1996); henceforth, it will be cited only by page number.

a possible return of the death penalty. But, it notes, most Africans regard magical attacks as normal, everyday events—a reality incompatible with European law, which criminalizes witch finding. It adds also that the majority of black police believe in witchcraft and are reluctant to intervene when suspects are attacked (see below). The report concludes that there is no clear answer to the legal problem; nor does it dispute the facticity of witchcraft. It does, though, advocate means of stemming the brutality with which accused malevolents are hunted down. The urgent tone of the commission is underscored by a rising demography of violence: From 1985 to 1995, 300 witch-related killings were recorded in the North (p. 31); in the first half of 1996 there were 676. “[A]s the Province . . . burn[ed],” as “witchcraft violence and ritual murder” were becoming endemic, “something had to be done, and very fast” (p. i)

There are several ironies here. For one thing, this was a triumphal moment of exodus from colonial bondage. And yet many were convinced that their communities harbored trenchant human evil, that familiar landscapes were alive with phantasmic forces, and that the state had failed to shield them from those forces. For another thing, it was youth, not men in authority, who felt most moved to execute “instant justice” and to cleanse the countryside of malevolence. Singing freedom songs (p. 62), they marked Nelson Mandela’s release from prison with a furious spate of witch burnings. All this was fed by a growing fear that some, usually old, people were turning others into zombies: into a virtual army of ghost workers, whose lifeblood fueled an energetic immoral economy beneath the slow rhythms of rural life.

We have already said that none of this is new. In Africa, the colonial encounter gave plenty of room for the play of the occult. As this suggests, and it is a point on which we shall expand, witchcraft is a profoundly historical phenomenon. Shifts in the cultural conception of the witch often register the impact of large-scale transformations on local worlds (see, e.g., Auslander 1993), writing global processes into vernacular vocabularies of cause and effect; s/he has a genius for distilling complex social forces into the language of intimate, interpersonal relations. It is this that underlies the intensification of witch finding in postcolonial South Africa, where it has coincided with a fluorescence of other magical technologies that link the occult, by thoroughly modern means, to the workings of the free market.

Thus ritual murder is said to have become “big business” in the northern provinces. In 1995, for example, rumors spread widely that dismembered corpses had been found in a casino freezer in Mmabatho, capital of the Northwest. The casino was built in the apartheid years, when betting and interracial sex, banned in South Africa, were allowed in the ethnic “homelands.” Here, in the gray interstices of the transnational, whites came to purchase carnal services and to gamble. In the postcolony, black bodies were again for sale, but in a different form; the macabre trade

now nested within the orbit of everyday commerce, circulating organs to whomever could buy them for *dipheko* (medicine). Much the same thing was apparent, too, in the allegations that some local entrepreneurs were turning people into working zombies in order to profit from their labor. But more fabulous still were stories about Satanism, held in the Northwest to be the most global of occult enterprises. Dabbling in the diabolical was especially attractive to the young. In 1996, when Mmabatho TV broadcast two programs on the subject, the former Satanists featured were all juveniles. As they took calls from the public they told of the translocal power of the black arts—among them, an ability to travel great distances at miraculous speed to garner wealth at will.

What we have here, then, is an expanded array of enchanted means of producing value. Enchanted yet also ordinary. Witchcraft, money magic, and unnatural death are discussed, almost every day, in churches and comic strips, on radio and television; newspapers and magazines regularly advertise “dial-in diviners.” This turn to the mass media has also spawned innovative ritual technologies. One, an update of water bowl oracles, requires clients to drink an alcoholic potion and watch a white “screen” on which the figures of miscreants take shape; their transmission mimics the manner in which satellite dishes, broadcast networks, and the long-distance magic of witches condense images and sounds from afar. While an adept might help to unscramble the ethereal pictures, these are received directly by his “customers,” who sit in the archetypal posture of family viewing and listening.

Who are the actors in these theaters of the banal? Who are the witches? And who kills them? Our evidence shows that young men are the most identifiable perpetrators of occult-related violence. The purported malevolents, on the other hand, are the usual suspects of African witchcraft—people of conspicuous, unshared wealth and undue influence—although it is old, defenseless females who tend to be attacked; however much they may be *rumored* to engage in the arcane arts, the rich and powerful are more difficult, more dangerous, to accuse or to assail. In a notorious case recorded by the Witchcraft Commission, “youths” of Madura village, most of them unemployed, killed an elderly woman in the early 1990s (p. 193f). Witnesses recall that, after gathering at the local school—where a noisy agreement was made to exterminate all witches in their midst—these youths went off in search of suspects; echoes, here, of Ashforth’s thesis (2000) that without *apartheid* to blame for their misfortunes, South Africans are turning inward to find scapegoats. When they reached the yard of their victim, they doused her with petrol and set her alight. Dying, she cried: “Why are you killing me, my grandchildren?” Her assailants responded: “Die, die, you witch. We can’t get work because of you!” (p. 206, 212).

There could hardly be a balder statement of antipathy between young and old. Given that, for most rural youth, the end of apartheid has brought

none of the employment or empowerment that it had promised, given also that the global economy of desire is experienced in the back veld largely as traces on television screens, it seems noncoincidental that the most spirited witch finding should occur where conditions are most straitened. And where inequality has become most blatant. The Northern Province is the poorest in the country, with the remote regions of the Northwest not far behind;<sup>5</sup> reconstruction and development initiatives have had little impact here. Furthermore, the migrant wages that had once subsidized faltering agrarian endeavors, and had granted young men some autonomy, are now diminishing. Agriculture is still practiced, but most of it by older women on a pitiable scale. Household budgets have often to be buttressed by petty business—brewing, sex work, carpentry, leather craft—much of it erratic. As a result, cash resources vested in the elderly, notably pensions, have risen in value; they are the object of fierce jealousy, criminal assault, and mystical activity. At the same time, the creation of the ethnic homelands under apartheid funded the emergence of small elites, elites marked by assertive patterns of consumption, elites who have been able to take advantage of the few opportunities for enrichment that have lately presented themselves. And so, in places like Madura, new material distinctions have become discernible among neighbors. Such differences are made incarnate in prized commodities: houses, cars, televisions, cell phones.

In sum, concerns about wealth in the countryside—about its production, distribution, and scarcity—have been translated into bitter generational, gendered opposition. Young comrades, their manhood compromised, forge identities against the foil of an emasculating gerontocracy; significantly, those attacked are called “old ladies,” even when they are men (cf. Ritchken 1995, 344). Their antisocial greed, real or imagined, is epitomized in the idea of unnatural production and reproduction; also in images of debauched, ungenerative sexuality. The Witchcraft Commission speaks repeatedly of the inability of witches to bear children, of their red vaginas and their “rotten” sperm (cf., again, Ritchken 1995, 325; also 363). Killing such “perverts” by fire evinces the desire, literally, to engender a more propitious, “natural” mode of reproduction.

Threats to local well-being, as we said before, were also associated with the creation of a zombie workforce. Zombies, long a feature of Caribbean vodun, are often said to be new in Africa (Geschiere 1997), although they have local precursors (Junod 1927, 299, 488f; Harries 1994, 221; cf., on Tswana, Comaroff and Comaroff 1991, 143). Whatever their source, these nightmare figures have been spliced into vernacular mystical and moral economies. Allegedly killed and revived by witchcraft, they are believed to

---

5. The National Crime Information Management Centre confirms that witchcraft preoccupations are most intense “among the poorest of the poor in rural areas in Northern Province” (Cape Argus 1998a).

toil for their creators, usually unrelated neighbors. Bereft of tongues to give voice to their affliction, these living dead are believed to work after dark, mainly in agriculture, but can also be magically transported to urban centers to accrue riches for their owners. In this era of increasingly impermanent jobs, there are even “part-time zombies”: people who are made to serve unwittingly in the deep of the night to feed the greed of a malign master.

Although they have no tongues, zombies speak of a specific time and place. By 1994, when South Africa finally threw off its colonial shackles, much of the continent had learned the harsh truth about the postcolonial predicament, having experienced unprecedented economic hardship. Such conditions disrupt narratives of progress. But they do not necessarily dispel their animating desires. In these circumstances, modes of producing and redistributing value, like crime and magic, that often break the bounds of legality tend to expand; which is why violence, both ordinary and occult, is such a common feature of postcolonies. The living dead are monstrous citizens of this parallel world. Reduced to raw labor power, their toil is pure surplus value: it has, in Marx’s phrase, “all the charms of something created out of nothing” (1976, 325). As spectral capital, the zombie is an apt icon of the occult economies of contemporary Africa. The rise of a phantom proletariat, after all, offers a ready explanation for the scarcity of work, for the impotence of youth and the relative wealth of their elders, for the destruction of the labor market, conventional patterns of reproduction, and “the community.” It is also a potent metaphor for the emptiness of democracy *sans* a substantive right to material well-being.

But zombies are not the only object of moral panic. So-called *muti* (medicine) killings have also been the subject of graphic media accounts; since the early 1990s, moreover, the press has reported intermittently on the going rate for various organs, making it clear that ritual murder has become highly responsive to market forces.<sup>6</sup> We reiterate, again, that this traffic is neither new nor confined to South Africa; that there is a global economy in body parts, which flow from poor to rich countries, from south to north, young to old; that some governments are said to raise revenue by farming corneas and kidneys for export; that, from the Andes through Africa to Asia, mysterious malevolents are alleged to extract blood, fat, members, and living offspring from the unsuspecting (Frow 1997; White 1997; Scheper-Hughes 1996). Often at issue in these panics about corporeal free enterprise is a fear of the commodification of life itself: of a relentless process that renders human being(s) susceptible as never before to the reach of the market.

Note the stress in all this on movement. Throughout the north, people ponder its significance in the production of new wealth, which appears to

---

6. To our knowledge, prices were first quoted in the media in 1994; see Khoza and Mapoma (1994).



hinge on the capacity to siphon goods, persons, and images across space. Mobility adds value. But how? How are its mechanics to be mastered? Among Tswana, it is this question, as much as anything else, that has given rise to a growing fascination with satanism, which seems to be enjoying renewed interest in many other places of late, from the east coast of Africa through Britain to the west coast of America (Wright 1994; LaFontaine 1997; Meyer 1999). Discourses about the diabolical center in this part of southern Africa focus on the most recent in a long line of overseas missions, the Universal Church of the Kingdom of God (*Igreja Universal do Reino de Deus*) of Brazil, a denomination that promises instant goods and gratification to its members; it is also rumored to issue charmed credit cards that register no debt. Here Neo-Pentecostalism meets neoliberalism: One of the early chapels of the Universal Church in the capital of the North West Province was a storefront in a shopping precinct. It held services during business hours, appealing frankly to mercenary motives, mostly among the young. The ability to deliver fast returns on spiritual investments, itself a potent form of space-time compression (cf. Harvey 1990), is given as the measure of a truly global God. Pictures of BMWs and lottery winners adorn the altar under the legend "Delight in the Lord and he will give you the desires of your heart" (Psalms 37:4).

For middle-class Tswana schooled in a more ascetic Protestantism, the crowds that packed the storefront were lured there by the devil—notwithstanding his denunciation by the Church. Nor is this hard to understand. With the radical reorientation of local contours of wealth, desire, and despair, and with the failure of democracy to deliver material returns, the diabolical has taken on provocative, inscrutable powers. Like the mission of the Universal Church, Satanism is a globalizing discourse: "The devil," says the Church website, has "been deceiving people all over the world." Recall, in this regard, the Mmabatho TV programs in which "reformed" devil worshipers spoke to callers. Asked to compare the diabolical with witchcraft, one youth said, "Satanism is high-octane witchcraft. It is more international."<sup>7</sup> By such means are old ideas extended to meet altered conditions.<sup>8</sup> These devil worshipers claimed to have traveled far and wide, fueling the accumulation of riches with human blood. The petrochemical image suggests that the basis of their potency was an ability to move instantly between the parochial and the translocal—here and there, then and now—thus to weave the connections of cause and effect that hold the key to the mysteries of this new, postcolonial epoch.

This vignette returns us to our opening conundrum, albeit now in a slightly different key. Insofar as occult activity is on the rise, at least in the

---

7. Material is from *Metsweditswedi*, Bophuthatswana TV, 31 July 1996.

8. The Universal Church holds services for victims of witchcraft, which it sees as Satanic work; everywhere, it seems, the demonic must deal with local idioms of evil.

popular imagination, it has evoked a populist impulse to punish mystical evildoers—to police them, that is, by available cultural means. Those means, from a modernist legal perspective, are less judicial or just than they are criminal: They involve “informal” modes of divination, “kangaroo” courts, and unregulated, retributive violence. But they are rooted in “traditional” beliefs protected by the Constitution, a fact of which the new regime is acutely aware; hence, the Witchcraft Summit. How, then, might we expect the state to police the occult? How does it deal with the kinds of cultural policing to which the alleged epidemic of magical evil has given rise?

### Policing the Occult

The law is no good. The courts don't believe in witchcraft. . . . They should bring a proven witch into the courtroom. That would convince them.

—Inspector Jackson Gopane, South African Police Service, 1997

We have noted that the African occult has long presented a challenge to the modernist rule of law. Colonial administrators, as Fields (1985) shows for Central Africa, were caught in a quandary over the policing of witchcraft. To ignore it was to leave its (often violent) prosecution in the hands of local authorities, a situation incompatible with “civilized” governance. But to outlaw magical practices and the means of disciplining them seemed to recognize their reality—and to acknowledge their significance. It also risked introducing legislation that European administrators could not enforce. What is more, from the “native” viewpoint, curbs on the power of indigenous rulers to bring witches to book rendered their subjects defenseless against mystical attack, a perception that in times of crisis contributed to mass witch-finding movements. Not surprisingly then, colonial regimes were inconsistent in dealing with the matter, which sometimes gave the impression that they were themselves in thrall to the occult.

In apartheid South Africa, the Witchcraft Suppression Act (1957), an extension of colonial law, made it illegal to practice witchcraft, to accuse anyone of doing so, or to use “occult science” in its detection. While diviners were prosecuted for “sniffing out” suspects, the authorities were more concerned to ensure that offenses under the act were not tried in customary courts. For many blacks, this limitation of chiefly jurisdiction was a prime instance of the European suppression of African culture; it is often said, in retrospect, to have been responsible for driving magical evil underground. In fact, the reality was more complex: “ritual” offenses *were* brought to local rulers, albeit in other guises (Ratshidi 1969–70; Comaroff and Roberts 1981). But one thing is clear. The end of apartheid permitted a more overt

acknowledgment of witchcraft by ordinary people—and, with it, both an alarming spate of witch burnings and an anguished public debate. Hence the question put by social commentator John Matshikiza during a nationally aired debate on the topic: “How can the killing be stopped? Must we deny our traditional beliefs, or is there another way?”<sup>9</sup> In reducing the conundrum to its bare bones, Matshikiza transposed it into a practical key.

The postcolonial state is seeking “another way.” But, like colonial authorities of old, the ANC has had difficulty dealing with the challenge posed by communal witch burning to the rule of law. It is hard for *any* liberal democratic government to put a stop to retributive violence perpetrated under the sign of “traditional” precepts of truth and justice, especially when those precepts enjoy mass support. In South Africa, the matter is made all the more delicate, and the problems of principle, policing, and prosecution all the more acute, by the fact that the constitution explicitly embraces cultural relativism and moral pluralism. Under pressure to address the “crisis,” the minister of safety and security pledged, at the Witchcraft Summit of 1998, to discuss it with the cabinet—and to consider making witch killing a “priority crime” (Hlongwa 1998).

This undertaking did little to assuage the moral panic in the countryside. For one thing, it was taken as an admission by the ANC that the state *had* failed to protect its citizenry from a clear and present danger. For another, it promised to act against the victims of magical evil, not against its perpetrators, criminalizing those who would defend themselves by recourse to traditional ways and means. Even more fundamentally, it ignored the paradox at the core of the Commission of Inquiry into Witchcraft Violence and Ritual Murders—namely, the incommensurability between a Eurocentric national law founded on liberal principles and vernacular African beliefs in the occult, beliefs that defy investigation or interrogation under the usual terms of Western legal reason. State functionaries who speak to the issue generally try to resolve this incommensurability by drawing a clear distinction between culture and violence. Said Seth Nthai, a former minister of police, Northern Province, “The people have a right to believe in witchcraft. It does not make them part of ‘African Darkness.’ But [that] cannot be allowed to lead to the killing of others and the destruction of their property.”<sup>10</sup> On the face of it, this seems perfectly reasonable. To be sure, it is the assumption on which is based the existence, and everyday operations, of the Occult-Related Crimes Unit of the South African Police Services (SAPS). In offering their workshops on the forensics of witchcraft, ritual killings, Satanism, and other “dangerous”

---

9. Material is from *Search for Common Ground*, a documentary broadcast on SABC 2, 17 July 1997.

10. This quote is also from the *Search for Common Ground* documentary broadcast, SABC 2, 17 July 1997.

practices—and in going about their routine work—its personnel insist that their business is not culture but the conviction of common murderers.

In point of fact, the separation of culture from crime is not quite so straightforward; recall the question raised in this regard about the constitutionality of the Occult-Related Crimes Unit. It is more openly posed by a small vanguard of diviner detectives in the SAPS, and those of their colleagues—we came across a substantial number—who see in their work an alternative policing capable of dealing with magical evil; also an alternative to “mob” witch burnings. Among these detectives are Sergeant S. P. Moshupa and the celebrated Inspector Jackson Gopane, who seek to address “both sides” of the paradox of culture as crime by “crossing into the spiritual world” (Kiley 1997, 2). Described in the national media as “one of the few success stories in a police force that has almost collapsed under the strain of democracy,” Gopane uses methods that require a high level of local knowledge. At relevant moments, he exchanges his police uniform for the paraphernalia of a traditional healer: In him, the forensic and the oracular, scientific investigation and social diagnostics, become one. Photographed beneath a smiling portrait of Nelson Mandela, he makes a strong case for the efficacy of combating occult killings by occult means. In the same vein, the chair of the national Traditional Healers’ Association, Dr. Hitler Letsoalo, has pledged the services of his members to help the state “put out the fires.”<sup>11</sup> This offer was consistent with the objectives of the Indigenous Knowledge Systems Program, a parliamentary initiative to “protect and promote indigenous knowledge within a legal framework, and harness indigenous technology in rural development and international trade” (Phalane 1998, 5). While such efforts remain unorthodox and limited, they *do* seem to be spreading; the SAPS liaison officer in the Northwest Province, Patrick Asaneng, told us that dealing with the occult has become part of the mundane work of policing in the countryside.

It is yet to be seen if and how further bridges will be built between conventional law enforcement and vernacular forensics. In the meantime, the state and its criminal justice system insist on sustaining the distinction between witch beliefs (a constitutionally protected right to culture) and retributive violence against witches (a common felony). This is in spite of the fact that, both for those who perpetrate it and for those in whose name it is perpetrated, the violence is an enactment of the belief: Witch killing is the practical expression of a custom recognized under the Bill of Rights—hence, our term “cultural policing” to describe it. With most SAPS cadres unwilling or unable to intervene effectively in cases of the occult, or to provide a convincing alternative for this kind of cultural policing, it is no wonder that “mass action” against alleged malevolents continues to enjoy a large measure of populist legitimacy.

---

11. *Id.*

Neither is it any wonder that the judiciary has also found it hard to hold the line between culture and crime (J. L. Comaroff and Comaroff forthcoming). Perhaps the difficulty is best illustrated by an ideal-typical case, versions of which have come before the courts in the northerly provinces with gathering frequency in recent years. Reduced to its bare bones, with names of people and places appropriately altered, the story goes as follows:

A late middle-aged woman, Temane Makgetla, widowed and living alone, is alleged to have put several children to death in order to harvest their body parts; these, according to local rumor, have been used to make magical potions for sale to rich clients. Convinced by the “evidence” against her—evidence at once forensic (*dipeko*, medicines, seen in her home), social (unusual appetites, selfish behavior), and material (assets not easily accounted for)—her neighbors decide that she must be killed in order to prevent further predations on “the community,” the sprawling village of Metsing, 50 kilometers from the capital of one of the northerly provinces; this after informal public discussion has congealed diffuse gossip into a specific accusation. Approached by the local chief, Kgosi Monei, to arrest the suspect, the nearest SAPS station commander, Captain Segogelo, responds that he cannot do so without physical proof of wrongdoing; efforts to find witnesses or missing children yield nothing. Initiative to act is taken by a large, but indeterminate, number of young men, most of them aged between 16 and 25, most of whom live in Metsing or a nearby village. It is unclear whether they have been encouraged by the older generation. Some of their names, including their leader—one Moeketsi Monareng—come to the attention of the police after they tell kin and friends about the circumstances of Temane’s demise at their hand. Seven are arrested by Captain Segogelo. Arraigned before the court, they plead self-defense: their act of cultural policing—“protecting our village as our forefathers did,” was the phrase used by one of them—had been made unavoidable by the inaction of “government.” In doing what they did, they had not shed blood for its own sake, nor to enrich themselves. Their sole motive was to prevent more deaths, thereby to “save” their community from an active serial killer. Many members of that community, Kgosi Monei quietly among them, fete Moeketsi and his peers for having served the public interest. Some say quite openly that the “boys” should be forgiven and allowed to go home. They are not, however. Sentenced to 25 years each, they plan to appeal, confident that a higher court—one that “understands the Constitution,” said Moeketsi to us—would concur in their plea. “This is the way our people do these things.”

Pleas of self-defense in cases of this kind—in which the “punishment” meted out to an alleged witch is invariably said to have met culturally

accepted canons of proof and due process—are not unlike pleas of self-defense in U.S. murder trials: They justify the use of lethal force by invoking the right of persons to protect themselves against a clear and present danger to their lives. Indeed, we have heard the comparison explicitly drawn.

South African courts are faced with more and more legal arguments made in the name of African “tradition”—hardly surprising, this, in an African postcolony. In the upshot, some judges, black and white alike, have come to recognize vernacular conceptions of evil as a sufficient basis for mitigation. Oddly, such judgments are often clothed in the language of diminished responsibility. For example, in sentencing five Tswana youths for burning a 52-year-old man to death—they said that he had slain their fathers and made them into zombie workers—the High Court of the Northwest treated “a belief in witchcraft” and “excessive drinking” as extenuating factors (Mail 1995; J. L. Comaroff and Comaroff forthcoming),<sup>12</sup> thus equating an indigenous culture with a state of inebriation. Pejorative? Certainly. Ironic? Not intentionally. But it *does* resonate with an old belief, as jailed witch-killer Anderson Tshibalo once explained to a national TV audience, that those overcome by witches lose consciousness of their deeds—and, with it, responsibility for them.<sup>13</sup> It also has led to a situation in which, increasingly, courts convict those found guilty of occult-related violence and then, tacitly acknowledging the force of culture, hand down very light or suspended sentences—all of which drives a wedge between judgment and justice.

For all such strategic resolutions to the problem, these cases evoke large questions in South Africa, questions that have become the stuff of argument in public spheres across the postcolony. Can there ever be a clear-cut formula for balancing legal rationalities against moral relativities, the universal rights of citizens against the demands of culture? Can they ever be brought into the same orbit, synthesized, mediated, proportioned? Or is the contradiction between them irreducible, an inevitable corollary of postcolonial constitutions that embrace, simultaneously, cultural difference and the legal indivisibility of the nation-state?

## THEORETICAL MEANS, ANALYTICAL ENDS

Our concern here is not to answer these Big Questions. It is to understand *why* they pose themselves so persistently, so publicly, in the “new” South Africa. Only then does it become possible to make sense of the

---

12. Note that this provincial division of the High Court of South Africa was still officially referred to at the time by its pre-1994 name: Bophuthatswana.

13. *Search for Common Ground* documentary broadcast, SABC 2, 17 July 1997.

ways in which occult violence—and “dangerous” cultural practices *tout court*—are regarded in the postcolony; only then might we grasp fully the contradictions at the core of its legal culture. Our quest leads us toward the intersection of three analytic frames.

### Modernity and Its Enchantments

The first analytic frame concerns the relationship of enchantment to modernity. Most efforts to make sense of the recent “epidemic” of witchcraft accusations seek an explanation in the continuing hold of “tradition”: The effort to police magical evil by cultural means is seen as a call to return to the values, and to the ways and means, of the African past. Perhaps the aphorism that best captures conventional wisdom is Gluckman’s famous “magic of despair” (1959). It suggests that indigenous peoples tend to look to their customary ritual practices in the face of the anguish wrought upon them by historical forces beyond their control. Extending the same point to ecstatic religious movements, Lewis (1971) argues that they may be understood as vernacular responses to a growing sense of “deprivation.” These functionalist explanations resonate with the view, still held by many anthropologists, that ritual is a conservative species of communal action, one that reinforces prevailing modes of authority and order (e.g. Bloch 1989). They are also a corollary of the classical theories of witchcraft, discussed earlier, that take the African occult to be a timeless mechanism for sustaining the moral and material status quo.

In our view, the recent spate of witch killings in South Africa has to be approached quite differently. In *Modernity and Its Malcontents* (1993) we showed that ritual is *not* an endemically ahistorical or conservative species of action, let alone an autonomic mechanism of social, cultural, or moral reproduction (cf. Tambiah 1985, 123ff.); that it is often a site of experiment and social invention, a site for the production of novel understandings of the world, indeed for making history anew; that technicians of the sacred—diviners, prophets, witch finders—regularly deploy the heightened sensitivities of ceremonial occasions to distill order out of the ambiguous, inchoate forces that configure any social environment. Especially a troubled, changing one.

Seen from this vantage, incidents of cultural policing and occult-related violence—like the Madura witch hunt—are moments of social divination: ritualized moments, that is, in which participants seek, as they assign blame and punish moral infraction, to account for the transformation of their world. And to test out ways of redirecting it. Recall here how divination itself has undergone a semiotic revolution, carving out new techniques for the electronic age. In short, these forms of ritual practice are an altogether contemporary phenomenon, part of an effort (1) to render



explicable the bewildering realities of the “new” South Africa; (2) to fashion a universe in which both the demands of moral community and the ambitions of individuals may be satisfied, in which young people may find work and the wherewithal to marry and reproduce, in which those who endanger the commonweal are banished; (3) to resolve the ultimate paradox of the postcolony, the fact that it is a place of both infinite possibility and utter impossibility, one wherein fabulous wealth seems to be produced without visible effort by some people and yet eludes everyone else; in other words, (4) to alter the very trajectory of the present—thereby to realize the promises of democracy.

It is precisely because the African occult is finely tuned to the contradictions, mysteries, and irrationalities of the here and now that it holds such sway for so many South Africans. And it is precisely because it holds such sway that it poses so stark a challenge to the liberal modernist state, especially to its legal foundations. Which, in turn, is why there is so much vexed argument about the proper place of culture in the postcolony. But this anticipates a topic to which we shall return.

### The Nation-State in an Age of Revolution

The second frame concerns twenty-first century nation-states and citizenship within them.<sup>14</sup> The European nation of the nineteenth and twentieth centuries, as Benedict Anderson famously noted (1983), imagined itself as a culturally homogeneous community, a community-of-the-whole with a deep sense of “horizontal fraternity.” This imagining was always more aspiration than achievement: Throughout its history, the modernist polity has been a work in progress, one that has evinced great variation over time and space. Further, for all the idea that it was made up of right-bearing persons equal before the law, it was inhospitable to difference; to be sure, many were excluded from its commonweal. Still, the fiction of a unity of essence, affect, and interest mandated the legitimacy of the state: Government was the ultimate guarantor of the well-being of all citizens—hence the hyphenated indivisibility of nation and state.

Much has been said lately of the “crisis” of the modernist polity under the impact of global capitalism: of its shrinking sovereignty; of its loss of control over economic policy, cultural production, and the flow of people, currencies, and commodities; of a widening *disjunction* between nation and state (cf. Appadurai 1990). Whether or not “the” nation-state is flourishing, ailing, or metamorphosing—we prefer the third alternative—one thing is clear. The received notion of polities based on fraternal homogeneity, real

---

14. We have rehearsed the argument of this section at greater length elsewhere, most recently in Comaroff and Comaroff (2003)

or fictive, is rapidly giving way to imagined communities of difference, multiculturalism, ID-ology—the pursuit, that is, of interest in the name of shared identities. This is true even in places as long antagonistic to otherness as England, which, despite recent race wars on the streets of its northern towns, now projects itself, with apologies to Benetton, as United in its tolerance of Color and Culture. There has, of course, been considerable scholarly debate over the causes and effects of the heterogenization of so many nation-states—also of the rising incidence, since 1989, of cultural struggles and ethnopolitics (J. L. Comaroff 1996). We do not need to retrace that debate here. It is enough merely to note the phenomenon itself.

For most postcolonies, the politics of identity are not new. Heterodoxy has been there from the first. Born of long histories of colonization, these polities typically entered the Neo World Order with legacies of ethnic diversity invented or exacerbated in the cause of imperial governance. Colonial regimes, intent on the management of racial capitalism, never built nations in the Euromodernist sense of the term, even where they introduced the ceremonial trappings of nationhood. In their wake, they left behind not just an absence of infrastructure, but a heritage of fractious difference. This has been heightened, since *fin de siècle*, by some of the cultural and material corollaries of neoliberalism: the movement across the planet of ever more people in search of work and opportunities to trade; the transnational mass mediation of signs, styles, and information; the rise of an electronic commons; the growing hegemony of the market and the distillation of culture into intellectual property—a commodity to be possessed, patented, and exchanged for profit. In this world, freedom is reduced to choice: choice of commodities, life ways, and most of all, identities. In the upshot, the great irony of our times is that identity has become, *simultaneously*, a matter of voluntary self-production *and* a matter of ineluctable essence, of genetics and biology.

In short, notwithstanding their different histories, and their histories of difference, both European and postcolonial nation-states are having to come to terms with heterogeneity as never before—and, with it, fundamental changes in the nature of citizenship.

The explosion of identity politics after 1989 has not manifested itself in ethnic assertion alone. Difference is also vested, increasingly, in gender, sexuality, generation, race, religion, lifestyle, and social class. And in constellations of these things, sometimes deployed in highly contingent, strategic ways. While most human beings continue to live as citizens *in* nation-states, more and more are only conditionally citizens *of* nation-states: Their composite personae may include elements that transgress political borders or mandate claims against the commonweal within them. In consequence, identity struggles of one kind or another appear immanent almost everywhere as selfhood is immersed into collective essence, innate substance, and primordial destiny. What is more, the assertion of

autochthony—which elevates to a first principle the interests, “natural” rights, and moral connectedness that arise from a shared place of birth—has become an ever more significant mode of *exclusion within* polities; this in proportion to the extent to which “aliens” are held to erode the Wealth or Security of the Nation. It is, putatively, in the name of the latter that the state is becoming a metamanagement enterprise in the neoliberal world:<sup>15</sup> in the name of subjects who, even as they seek to be global citizens in a planetary economy, demand also to be shareholders in the polity as corporation. Herein lies the complexity: The fractal nature of contemporary political personhood, the fact that it is overlaid and undercut by a politics of difference and identity, does not necessarily involve the *negation* of national belonging, merely its uneasy, unresolved, ambiguous coexistence with other modes of being in the world.

Of the modes of being that constitute the twenty-first century political subject, cultural attachment is often taken, popularly, to run deepest. As we have said, ethnic consciousness, like all ascribed identities, represents itself as grounded ineluctably in blood, essence, emotion, and common purpose. Add to the equation the fact that culture is increasingly regarded as a “naturally” copyrighted, legally protected species of intellectual property, and it will be clear that we are witness to the dawn of the Age of Ethnicity, Inc. (Comaroff and Comaroff 2002). Observe, in this respect, that more and more ethnic groups around the world are incorporating themselves; that many have opened businesses to market their heritage, landscape, knowledge, religious rites, artifacts; that some have sued for the unremunerated reproduction of their symbols, sacred and secular. Thus it is that identity, in the age of partible, conditional citizenship, is defined, ever more, by the capacity to possess, privatize, profit, and consume; that politics is reduced to the pursuit of individual or collective entitlement; that social being in general, and social wrongs in particular, are translated into the language of rights.

Self-evidently, under these conditions, the term *multicultural(ism)* is insufficient to describe the fractious heterogeneity of many contemporary nation-states—and, most of all, postcolonies. Demeaned in popular usage, that term evokes images of Disney’s “Small World,” of world music, fusion food, and ritual calendars respectful of human diversity; in short, of benign *indifference* to difference. Neither as noun nor as adjective does it disclose the critical limits of liberal pluralism: the fact that, notwithstanding the utopian visions of progressive philosophers, the recognition afforded to culture even in highly permissive democracies falls far short of allowing

---

15. The same point was made just before the U.K. elections of 2001: “[W]ith a basically pre-set macroeconomic framework, government becomes a matter . . . ultimately of micro-economic management. [Labour] is set to be elected as managers of Her Majesty’s Public Sector, plc” (see Islam 2001).

claims to political or legal sovereignty. In those postcolonies in which ethnic assertion plays on the simultaneity of primordial connectedness, natural right, and corporate interest—and in which the majority of citizens evince strong ethnic affiliations—the nation-state is likely to be less multicultural than *policultural*. The prefix *poli-* marks two things at once: plurality *and* its politicization. Far from denoting an appreciation on the part of the national majority for the customs, costumes, and cuisine of minorities, it bespeaks an argument, grounded in cultural ontology, about the very nature of the pluri-nation, about its constitution and citizenship within it; about the spirit of its laws and its hyphe-nation. In South Africa this takes the form of an ongoing confrontation between Euromodern ways and means and variously expressed, variously formulated notions of “traditional” governance, the latter represented by a vocal lobby under the organizational umbrella of the Congress of Traditional Leaders of South Africa (Contralesa). Because its members have the capacity to affect national elections, Contralesa has been fairly successful in husbanding the interests of African “custom” and in enclaving those domains of life in the countryside in which vernacular law still obtains. It has also fought a long fight to change the constitution in such a way as to allow even more to Africanity.

It is the grafting of policulturalism onto the ontological core of the Euromodernist nation-state that gives cultural policing its shadowy claims to legitimacy—and that, by asserting the sovereignty of difference, renders murky the distinction between culture and crime. Which brings us to our third analytic frame.

### The Postcolonial State and the Language of Legality

Postcolonial states vary widely in the extent to which they condense legitimate power in themselves, suppress the politics of difference, contrive popular consent, and ritualize the subjection of citizens to their authority. Some seem to be irrecoverably weak, others much stronger; some highly intrusive, others scarcely visible; some energetically protective of corporate enterprise, others less so; some brutally violent, others hardly in control of the means of coercion; some prone to ostentatious ceremony, others matter of fact in their regulatory routines; some institutionally integrated and fairly efficient in their technologies of rule, others in perpetual disarray (cf. Cooper and Stoler 1997). These variations are owed to a range of historical factors too broad to list here. So, too, is the degree to which partisan blocs—business interests, ethnic groups, and the like—have insinuated themselves into, and appropriated, the mechanisms of government, including the use of force.

But whether weak or strong, these states share one thing. They speak of and for themselves. Incessantly. Like its Euromodern precursor, “the”

postcolonial African state is a *statement*, an ongoing claim: It gives voice to an authoritative worldview, sometimes backed by displays of might, sometimes by carnivalesque ritual (Mbembe 1992). Its language, however, is not arbitrary. It is the language of legality. Modern state formation, note Corrigan and Sayer (1985, 1ff.), was a “cultural revolution.” At its heart lay the spirit of the law. Many scholars have tied industrial capitalism, modernity, the nation-state, governmentality, the right-bearing citizen, and the rise of *lex naturae* into a single historical knot. We seek to add a modest addendum: that it is this spirit, this language, hegemonically retooled for the neoliberal epoch, that gives postcolonial nation-states their delicate sense of unity and coherence. We would go yet further. The more disarticulated and/or impotent any given postcolonial state, the more the language of law—especially the appeal to a common culture of democratic constitutionalism—affords them a means to make political facts appear out of fantasies, concrete realities out of fragile fictions; to represent themselves as guarantors of the commonweal; to legitimize their power, both coercive and capillary; and to assert their right to mediate diverse identities and interests.

This language also constitutes the currency of the public sphere. Not only does it lay down the terms of cooperation, commerce, competition, and contention among people of different cultural worlds, social endowments, and material circumstances. It also provides an ostensibly neutral medium for them to enter into contractual relations, to transact commodities, and to deal with conflicts. In so doing, it creates an impression of consonance amidst contrast, of the negotiability of incommensurables, of the existence of universal standards that, like money in the domain of the market, facilitate exchanges across otherwise intransitive boundaries. And it establishes the state as the *axis mundi* of order within diversity. Indeed, by deploying the language of legality, postcolonial regimes, bereft of many of the political and economic resources of modern governance, regularly try to delineate the moral frontiers of civil society; also to criminalize vernacular cultural practices deemed uncivilized, politics deemed primitive. Law, in short, is the hydra-headed instrument by which postcolonial states seek nowadays to extend control over the space and time, the cultures and identities, of their subjects.<sup>16</sup>

The enormous significance of the language of law in postcolonies arises in part from the past. In ruling their “native” subjects, colonial states tended to rely heavily on legal instruments—proclamations, decrees, orders-in-council, statutory acts, commissions of enquiry—to impose their will (cf. Ashforth 1990; Mamdani 1996). Tswana-speaking South Africans referred to this, in the nineteenth century, as “warfare [with] papers”

---

16. As we mention in note 1, this was not always so. In the years after independence, African states made little use of the law in this way, preferring to rely on the direct exercise of bureaucratic authority.

(Comaroff and Comaroff 1997, 378); elsewhere we have called it “lawfare,” the deployment of legalities to do violence to people and their property by indirect means (J. L. Comaroff 2001). In so doing, and in narrating nations that did not exist, imperial regimes tended to draw the attention of emerging indigenous elites to their legal disabilities and social exclusion. As Davidson argues (1992), it seems overdetermined that early demands for independence made by African nationalist movements should have appropriated the terms of European politics, with their deep roots in the culture of constitutionalism and the language of the law. It seems overdetermined, too, that with the passage into postcoloniality, this same culture, this language, should come of age as the argot of authority, the source of civility, the guarantor of unity amidst difference—and should *also* be invoked by those who would perpetrate their own kind of cultural justice.

## CODA

Draw these three strands together—the increasing appeal to enchantment in dealing with the mysteries of Brave New World; the changing nature of the nation-state, its new forms of citizenship, and its gathering policulturalism; and the role of law in the postcolony—and it will be clear why the big questions of moral relativism and liberal universalism, of cultural difference and legal rationality, are so pressing here. And why they are the object of so much public debate. To put the matter in a nutshell, postcolonial nation-states cannot but live with *both* sides of an unresolvable equation. They have no option: This contradiction is their historical legacy. The best they can do in addressing the pragmatic problems that arise when the demands of culture run up against liberal universalism is to arrive at contingent solutions, strategic compromises—hence, for example, the accommodation forged between judgment and justice in handling cases of witch burning. Occult-related violence rings such alarm bells—and calls forth the urgent attention of the state—precisely because it brings into life-and-death focus the paradox at the core of the “new” South Africa and other postcolonial polities. These polities, as we said at the outset, are cut from the modernist mold of nationhood: They are founded on constitutions that speak of One Law for One Nation, constitutions with bills of rights that set specific limits to heterodoxy, subjecting it to a transcendent legal and moral unity—and to the universal rights of citizens. Yet they are all confronted by the very differences that, simultaneously, they recognize and embrace: by the entitlement of their subjects to their own cultural practices. That entitlement, we stress again, does not grow out of a politics of recognition for minorities—the kind of thing on which philosophical debates over multicultural citizenship tend to fixate. In places

like South Africa, in which the democratic will of the majority is taken very seriously, *most* people “have” culture; most subscribe to ways and means that, in at least some respects, depart from Euromodern liberal orthodoxy. Those ways and means often include practices that, to others, appear dangerous—indeed, that cross the line between culture and crime. What makes the problem so acute is that such practices are not trivial “customs.” They may be existentially critical: Occult-related violence in the northerly provinces of South Africa, as we have seen, is perpetrated in reaction to a perceived threat to life, livelihood, community, and commonweal. It is also an instrument of discovery and divination by which local populations seek to grasp the secrets of a world in flux. And act upon them.

There is another facet to all this, another piece to bring to conclusion: Cultural policing of the kind entailed in burning evil doers is, itself, a more or less explicit indictment of the state. To the extent that the arrival of democracy was taken by black South Africans to promise material melioration and a new measure of personal security—a promise reiterated repeatedly by the ANC—the witchcraft “epidemic” bespoke its dramatic failure. Witches, after all, destroy material wealth and pose a mortal threat to personal security. As this suggests, the moral panic to which the “epidemic” gave rise was, among other things, a statement about the inability of government to make good on its mandate to safeguard its citizens. Occult-related violence, not surprisingly, is almost invariably accompanied by complaints against the inaction of the South African police, inaction predicated, in part, on the sheer difficulty of intervening in accusations of magical malevolence; *vide* the role of Captain Segogelo in the death of Temane Makgetla. The “informal” justice dealt in such cases is warranted by appeal to another democracy: the populism of tradition. Ironically, it is also rationalized by recourse to the fetish on which the liberal democracy of the postcolony is founded: the rule of law. Only it turns the Law of the Nation upside down, calling for a mode of policing, rooted in the vernacular, that meets the occult on its own cultural ground, much as do Inspector Gopane and Sergeant Moshupa, who seek—in a manner still exceptional among police cadres—to cross the planes of the bureaucratic and the spiritual. And, as it does so, as it invokes the sanctity of traditional knowledge, this mode of policing confronts the state where it is most ideologically vulnerable: in its assertion of a universal law against the claims of difference enshrined in its own founding constitution. Hence, we repeat, the seriousness with which the problem of occult violence is being regarded—and hence all the controversies it has fueled.

The phenomena of which we write here, phenomena that have their most vivid expression in postcolonies like South Africa, may seem far removed from other parts of the world. And yet the antinomy between universalism and difference, inherent in the nation-state since its inception,



has been sharpened by the emergence of neoliberal capitalism across the globe. This epochal process has had a mixed bag of consequences. Among them has been (1) the growth of occult economies all over the planet, especially as those left out of the millennial promise of new wealth try to divine its arcane sources; (2) the erosion of modernist state power, producing, in many places, the privatization of policing and the means of violence, the assertion of sub- and transnational identities, and early manifestations of Ethnicity, Inc.; (3) the rise both of populist demands for cultural rights and of religious movements, sometimes framed in open opposition to the state; and (4) a growth, almost everywhere, of a new faith in legality and constitutionalism (Comaroff and Comaroff 2001). All of these are ingredients for the emergence of policulturalism and ID-ology of the kinds on which cultural policing in South Africa are founded. Perhaps we have here, in embryonic form, harbingers of things to come elsewhere. Perhaps a new struggle between the imperatives of culture and the hegemony of liberal universalism is just dawning.<sup>17</sup>

## REFERENCES

- Anderson, Benedict. 1983. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso.
- Appadurai, Arjun. 1990. Disjuncture and Difference in the Global Cultural Economy. *Public Culture* 2:1–24
- Ashforth, Adam. 1990. *The Politics of Official Discourse in Twentieth-Century South Africa*. Oxford: Clarendon Press.
- . 2000. *Madumo: A Man Bewitched*. Chicago: University of Chicago Press.
- Auslander, Mark. 1993. “Open the Wombs!”: The Symbolic Politics of Modern Ngoni Witchfinding. In Comaroff and Comaroff 1993.
- Barolong boo Ratshidi. 1969–70. Court Records, Tribal Office, Mafikeng, South Africa.
- Bloch, Maurice. 1989. *Ritual, History, and Power: Selected Papers in Anthropology*. London: Athlone Press.
- Cape Argus. 1998a. Top Politicians for Witchcraft Summit. *Cape Argus*, 9 July.
- . 1998b. Occult-Related Killings on the Rise. *Cape Argus*, 7 September, p. 9.
- Comaroff, Jean. 1985. *Body of Power, Spirit of Resistance: The Culture and History of a South African People*. Chicago: University of Chicago Press.

---

17. This essay was written in 1998 for a volume that, after languishing interminably in preparation, never came out. Because the form and content of the piece are intimately related, and because the peer review process suggested that there remains value to it in its original version, we have only edited it lightly—this to take account of readers’ comments and to ensure that nothing in it has been rendered empirically anachronistic in the intervening years. We have, however, produced two further essays on the broad topic to which this one is addressed, essays that take into account recent writings on occult-related violence in Africa and on the confrontation between liberal universalism and cultural relativism (see Comaroff and Comaroff 2003; J. L. Comaroff and Comaroff forthcoming).

- Comaroff, Jean, and John L. Comaroff. 1991. *Of Revelation and Revolution: Christianity, Colonialism, Consciousness in South Africa*, Vol. 1, Chicago: University of Chicago Press.
- . 1993. Introduction. In Comaroff and Comaroff 1993.
- . 1999. Occult Economies and the Violence of Abstraction: Notes from the South African Postcolony. *American Ethnologist* 26:279–301.
- . 2001. Millennial Capitalism: First Thoughts on a Second Coming. In *Millennial Capitalism and the Culture of Neoliberalism*, ed. Comaroff, Jean, and John L. Comaroff. Raleigh, N.C.: Duke University Press.
- . 2003. Reflections on Liberalism, Policulturalism, and ID-ology: Citizenship and Difference in South Africa. *Social Identities* 9:445–74.
- . Forthcoming. Reflections on Youth, from the Past to the Postcolony. In *Makers and Breakers, Made and Broken: Children And Youth as Emerging Categories in Postcolonial Africa*, ed. Honwana, Alcinda, and Phillipe De Boeck.
- Comaroff, Jean, and John L. Comaroff, eds. 1993. *Modernity and Its Malcontents: Ritual and Power in Postcolonial Africa*. Chicago: University of Chicago Press.
- Comaroff, John L. 1996. Ethnicity, Nationalism, and the Politics of Difference in an Age of Revolution. In *The Politics of Difference: Ethnic Premises in a World of Power*, ed. McAllister Patrick and Edwin Wilmsen. Chicago: University of Chicago Press.
- . 2001. Law, Culture, and Colonialism: A Foreword. *Law & Social Inquiry* 26:101–10.
- Comaroff, John L., and Jean Comaroff. 1997. *Of Revelation and Revolution*, vol. 2, *The Dialectics of Modernity of a South African Frontier*. Chicago: University of Chicago Press.
- . 2002. Ethnicity, Inc: On the Commodification, Consumption, and Incorporation of Cultural Identity in the Neoliberal Age. Lecture presented at Johann Wolfgang Goethe University of Frankfurt, November.
- . Forthcoming. Criminal Justice, Cultural Justice: The Limits of Liberalism and the Pragmatics of Difference in the New South Africa. *American Ethnologist*.
- Comaroff, John L., and Simon A. Roberts. 1981. *Rules and Processes: The Cultural Logic of Dispute in an African Context*. Chicago: University of Chicago Press.
- Cooper, Frederick, and Ann L. Stoler. 1997. Between Colony and Metropole: Rethinking a Research Agenda. In *Tensions of Empire: Colonial Cultures in a Bourgeois World*, ed. Cooper Frederick and Ann L. Stoler. Berkeley and Los Angeles: University of California Press.
- Corrigan, Philip, and Derek Sayer. 1985. *The Great Arch: English State Formation as Cultural Revolution*. Oxford: Basil Blackwell.
- Davidson, Basil. 1992. *The Black Man's Burden: Africa and the Curse of the Nation-State*. New York: Times Books.
- Daily Mail and Guardian*. 1999. Police Devil Busters Under Threat, 28 March, electronic ed.
- Fields, Karen E. 1985. *Revival and Rebellion in Colonial Central Africa*. Princeton, N.J.: Princeton University Press.
- Frow, John. 1997. *Time and Commodity Culture: Essays on Cultural Theory and Postmodernity*. Oxford: Oxford University Press.
- Gerhard, Gail M. 1978. *Black Power in South Africa: The Evolution of an Ideology*. Berkeley and Los Angeles: University of California Press.
- Geschiere, Peter. 1997. *The Modernity of Witchcraft: Politics and the Occult in Postcolonial Africa*. Charlottesville: University of Virginia Press.
- Gluckman, Max. 1959. The Magic of Despair. *The Listener*, 29 April. Republished in Gluckman, Max. 1963. *Order and Rebellion in Tribal Africa*. London: Cohen and West.

- Harries, Patrick. 1994. *Work Culture and Identity: Migrant Laborers in Mozambique and South Africa, c.1860–1910*. Portsmouth, N.H.: Heinemann.
- Harvey, David. 1990. *The Condition of Postmodernity: An Enquiry into the Origins of Cultural Change*. Oxford: Blackwell.
- Hlongwa, Wonder. 1998. Witch-killing a Priority Crime. *Mail and Guardian*, 11–17 September, p. 2.
- Islam, Faisal. 2001. Whatever Happened to Big Economics. *Observer* (London), 3 June 2001, business sec., p. 3.
- Jones, G.I. 1951. *Basutoland Medicine Murder: A Report on the Recent Outbreak of "Diretlo" Murders in Basutoland*. London: Her Majesty's Stationary Office.
- Junod, Henri Alexandre. 1927. *Life of a South African Tribe*. Vol. 2. 2d ed. London: Macmillan.
- Khoza, Vusi, and Annie Mapoma. 1994. The Human Parts that Heal. *Weekly Mail and Guardian*, 12 September.
- Kiley, Sam. 1997. SAPS Man Aims to Kill in His Role as Sangoma. *Star*, 7 August, p. 2.
- Krog, Antjie. 1998. *Country of My Skull*. Johannesburg: Random House.
- LaFontaine, Jean. 1997. *Speak of the Devil: Allegations of Satanic Child Abuse in Contemporary England*. Cambridge, U.K.: Cambridge University Press.
- Lewis, Ioan Myrddin. 1971. *Ecstatic Religion: An Anthropological Study of Spirit Possession and Shamanism*. Harmondsworth, U.K.: Penguin.
- Livingstone, David. 1857. *Missionary Travels and Researches in South Africa*. London: J. Murray.
- Lodge, Tom. 1983. *Black Politics in South Africa Since 1945*. London: Longman.
- Mail. 1995. Murder Trial: Five Men Jailed for 100 Years. *Mail*, 22 September, p. 23.
- Mamdani, Mahmood. 1996. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton, N.J.: Princeton University Press.
- Marwick, Max. 1965. *Sorcery in its Social Setting: A Study of the Northern Cewa*. Manchester, U.K.: Manchester University Press.
- Marx, Karl. 1976. *Capital: A Critique of Political Economy*, trans. Ben Fowkes. Vol. 1. London: Penguin Books.
- Mbembe, Achille. 1992. Provisional Notes on the Postcolony. *Africa* 62:3–37.
- Meyer, Birgit. 1999. *Translating the Devil: Religion and Modernity among the Ewe in Ghana*. Trenton, N.J.: Africa World Press.
- Munn, Nancy D. 1986. *The Fame of Gawa: A Symbolic Study of Value Transformation in a Massim (Papua New Guinea) Society*. Cambridge, U.K.: Cambridge University Press.
- Phalane, Charles. 1998. Indigenous Knowledge in Spotlight. *Cape Argus*, 9 September, p. 5.
- Ralushai, N. V., M. G. Masingi, DM. M. Madiba, et al. 1996. Report of the Commission of Inquiry into Witchcraft Violence and Ritual Murders in the Northern Province of the Republic of South Africa (To: His Excellency The Honourable Member of the Executive Council for Safety and Security, Northern Province). N.p.
- Richards, Audrey I. 1935. A Modern Movement of Witch-Finders. *Africa* 8:448–61.
- Ritchken, E. Edwin. 1995. Leadership and Conflict in Bushbuckridge: Struggles to Define Moral Economics Within the Context of Rapidly Transforming Political Economies. M.A. thesis, Department of Political Science (Arts Faculty), University of Witwatersrand, Johannesburg, South Africa.
- Robins, Steven. 1998. The Truth Shall Make You Free? Reflections on the TRC. *Southern Africa Report*, August, pp. 9–13.
- Saturday Argus*. 1998. Residents Choose "Taxi Vigilantes" Over Police. *Saturday Argus*, 5–6 September, p. 8.
- Schapera, Isaac. 1938. *A Handbook of Tswana Law and Custom*. London: Oxford University Press.

- Schapera, Isaac. 1970. The Crime of Sorcery. *Proceedings of the Royal Anthropological Institute* 1969:15–23.
- . 1971. *Rainmaking Rites of Tswana Tribes*. Leiden: Afrika-Studiecentrum.
- Scheper-Hughes, Nancy. 1996. Theft of Life: The Globalization of Organ Stealing Rumors. *Anthropology Today* 12(3):3–11.
- Sharp, John S. 1998. “Non-racialism” and Its Discontents: A Post-Apartheid Paradox. *International Social Science Journal* 50:243–52.
- Tambiah, Stanley J. 1985. *Culture, Thought, and Social Action: An Anthropological Perspective*. Cambridge, Mass.: Harvard University Press.
- Walshe, Peter. 1971. *The Rise of African Nationalism in South Africa: The African National Congress, 1912–1952*. Berkeley and Los Angeles: University of California Press.
- White, Luise. 1997. The Traffic in Heads: Bodies, Borders and the Articulation of Regional Histories. *Journal of Southern African Studies* 23:325–38.
- Willoughby, William C. 1928. *The Soul of the Bantu: A Sympathetic Study of the Magico-religious Practices and Beliefs of the Bantu Tribes of Africa*. New York: Doubleday.
- Wilson, Monica. 1951. Witch Beliefs and the Social Structure. *American Journal of Sociology* 56:307–13.
- Wright, Lawrence. 1994. *Remembering Satan*. New York: Knopf.

Copyright of Law & Social Inquiry is the property of American Bar Foundation and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.