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## **Deviance, its Alterities and its Contemporary Forms**

Instead of the end of history, the 21<sup>st</sup> century seems to be “lurching from crisis to crisis” (Klugman, 2008:184.) In the parlance of this project deviance was perceived to be on the increase, the phase could be seen as anomalic, the polarizations in the world seem acute and there are very few clear fixers on the horizon. The current period is as chaotic as the 17<sup>th</sup> century was.

The main characters of this story one could argue were Maggie Thatcher, Deng Xiao Ping, a Cohort of Sheiks, a few Swiss Bankers and a computer linked to an internet galaxy. The rest is detail. Is it?

Thatcherism and its attack at and then the restructuring of the welfare state, its new market orthodoxy and its “monetarism” was a precursor of what was to develop into a new ideology of institutional change: neo-liberalism. There was a serious effort to fix all institutions by making them accountable or sensitive to the market from the prison system to the classroom.

In the “Far East” too, by 1974, the “politics in command” of the Great Chinese Cultural Revolution was put to an end ushering a new phase of the “Four Modernizations Policy” which within a decade moved the economy away from self-reliance. The unprecedented growth of capitalism, its ups and downs since then, had as much to do with the former, as it had to do with the latter.

The rupture of 1989 with the crumbling down of the Warsaw Pact, the dissolution of the Soviet Union and the absorption of former German Democratic Republic to the Federal Republic of Germany, marked the defeat of so-called Communism in the bi-polar contestation between East and West.

In large parts of the post-colonial world, national strategies as was often asserted, aimed to guide “development” through state intervention. Such development was to be achieved through loans, quite available and wiling through international Banks awash with the Middle East’s petro-dollars.

These developmental efforts in the South reached points of rupture by the late 1960s and by the early 1970s, the inability of large parts of the developing world to fundamentally address livelihoods, poverty and consumption in spite of the stated commitment of regimes to the welfare of their people, came to the fore.

What also facilitated the “opening” of the world was the technological revolution of the Net and the Digital, which allowed for an increasing globalization. Or better: the increasingly freer movement of goods, of people, of communication, of information and of financial transactions.

Whereas such openings breached boundaries and borders this epochal change went together with its opposite, the mapping of the contemporary world involved the *proliferation* of borders and nation-states: a move from what existed at the beginning of the World War to a staggering 226 countries by the year 2010. The figure of the *alien*, the unwanted border-crosser, the migrant and the refugee was magnified.

Ironically, the digital revolution occurred in close proximity to the molecular and biological one that arrived -through the tension between its structural and informational schools- arrived at the genetic revolution where for the first time in history, a revolutionary new classification of the human species was possible through the genetic repeats of a finite number of letters of our DNA. The irony is that at a moment where science has dissolved any semblance of credibility to race as a biologically inherent quality, societies have mobilized race to the degree that racism is reaching new levels of intensity. Add aliens of darker hue to the rising intensity of race, as the ensuing chapter on migrancy will do as a contemporary case-study and you have one of the mothers of all deviancies in the contemporary period.

But if boundaries were proliferating and were and are being breached, there was most certainly more wire to cut and more vantage points to cross and as recent theoretical work by Sabrina Grosse Kettler insists- looking at Europe and the island phenomenon of Lampedusa-, resuscitating Georg Simmel from the archive- that there are more seas to be treated as borders or parts of the liquidity of the modern. Given too its corollary, the increasing marketisation and commodification of everything, the literal and metaphoric fences of private property were being breached at a deeper level: copyrights, trade-marks, blood-types, virtuality, water and of course air. The “pyrates” and fence-cutters of yesteryear are being re-defined.

There is another: *refugeedom*. Part of the normalization process after the Second World War and of the fixers’ moral universe was the nurturing of two key institutions embedded in the United Nations’ mandate in order the Holocaust and existential deviance would be proscribed. Firstly, there was the Universal Declaration of Human Rights. Through that a range of articulatory and behavioural deviances of the past were normalized and deemed to be protected. Secondly, there was the creation of the UNHCR to deal with the plight of refugees- in a broad sweep it made possible both protection and humanitarian aid. In tandem, the two UN-linked processes could be seen as the hallmark of contemporary humanism. In reality, the sheer level of displacement and refugee-dom in the post-70s period, turned refugees into Humanism’s prisoners- the new inmates of a large-scale encampment.

If our key hypothesis is to remain credible we need to outline the contours of **this** cycle of deviance, outline its panics and reflect seriously on the capacity of our existing institutions to cluster people and re-steer human effort taking us all in a new period of normalization- an Up-phase, until the new decline.

As was indicated at the beginning of the book, the research in 28 national settings is continuing and vast lists of “deviants” are being compiled- what we are looking for are commonalities that allow for cross-border discussion. Here once again we need to risk two generalizations, common to all cardinal points which we will call the *metanarratives of*

*disturbance*: that there is a looming collapse of a “way of life” which is due to internal and external factors (the collapse of the family, of family values, of morality-inculcating institutions, of youth discipline and respect on the internal side; the proliferation of strangers, others, criminals, terrorists and in many cases, bad influences from elsewhere and evil and its supernatural powers); the new global media calibrate the credibility of the disturbance as a trans-national commonality. That the institutions tasked with steering human-effort are failing, collapsing and are becoming unworkable and corrupted (the distantiation and trust is at an all-time nadir); again, the new global media increase the cacophony by calibrating the most scandalous aspects of disturbance.

Such metanarratives of disturbance take on different inflections in different national contexts- but, what is common to all is that any semblance of community, to steal or borrow from Tonnies, *Gemeinschaft* is breaking down and that society and its institutions, *Gessellschaft* has been made dysfunctional. This disturbance is *particularly* acute in Europe because there is a double-hermeneutic at work: nationally and locally the disturbance of *Gemeinschaft* dominates the narrative, whereas what the European-ness and distinction involves at a European Union level, is all about *Gessellschaft*- separation of church and state, democracy, markets and equality of life-chances.

Nevertheless, such metanarratives are accentuated to shrillness by two facets of “globalization”: on the one hand the time-space compression identified as a key feature of our information age creates situations of radical immediacy as each node has become a receptacle of instant narratives and images. It, furthermore, on the other hand creates a situation of an excess in narrative and imagery which confirms fears, that makes the assumption of fear real and the danger ever-present everywhere. For example, an image of a breach by Kashmiri insurgents leaving a trail of devastation presented by Indian networks hits Ankara nodes which had just witnessed a breach of Turkish boundaries by Kurdish insurgents and both, transmitted to Lubumbashi where rumours that armoured columns of men had crossed the border and devastated villages has just been making the rounds. The metanarrative of disturbance there is not about specific content but about a generalization of stressors and social insecurity.

We shall return to the implications of this later but we are at a crucial turning point- but it is a period without its Bernier- the scientists of the contemporary period are no longer deviants and their curiosity has been institutionalized, specialized and turned into through intricate links to governments and business, a big business. Despite the obvious tension between science and society over let us say nuclear weapons and nuclear power; the indiscretions of Pharma-linked research, of acoustic and chemical technologies, it has generated the languages for new forms of classification- genetic/genomic, blood-linked and anatomic and of late, pheno-analytic. By the last, it involved the suspect claim of having the biometric capacities to distinguish between non-deviant and deviant phenotypes so necessary to border surveillance and policing.

As for intensities, we argue that we can see a dramatic increase in moral panics about behavioural deviance- economic, social and political, a peculiar new take on miasmatic forms

of deviance even though existential and articulatory deviance might be seen to have declined. What we also note is a peculiar process of “melding” of forms of deviance that are intensified by the disturbances defined above but that also generate new existential forms of otherness and alterity.

## **Behaviourial Deviance**

What of behaviourial deviance? Crime against private property has been on the increase, the difference between High Inequality Equilibrium and Low Inequality Equilibrium (Korzeniewics and Moran 2011) countries is that in the former such acts take very violent forms of serious assault, a situation that is made harder through gang-linked activity. The violence is wanton, in the North and ugly in the south, with the US, especially its ghetto populations having an unprecedented level of activity and incarceration.

Worldwide statistics on prison populations such as the World Prison Brief (2009) or the World Prison Population List (2009) indicate the total number of detainees per country: “more than 8.75 million people are held in penal institutions throughout the world,.. About half of these are in the United States (1.96m), Russia (0.92m) and China (1.43m) “(2009:.1). With the exception of Europe prison populations have increased and the proportion of serious criminals who receive more than a 20 year sentence has been on the rise. The current debates on the prison industrial complex are highly relevant here, strengthening the metanarratives of disturbance around the reality that the prison as an institution does not work or that the death penalty should be re-instated everywhere.

Adjacent to these crimes are a host of contractual-linked misdemeanours and trade related crimes that occupy much of the labour time of the legal profession and linked to that perceived misdemeanours between husbands and wives that lead to divorce and/or forced parental responsibility. Varieties of such criminal activities exist in all the 28 countries under consideration and enhance the sense of social insecurity everywhere.

The breach of the unraveling borders remains highly political and politicised: in 14 of our study’s countries, the threat of a political enemy “*over* there” continued and in half of the societies there have been instances of military border crossings. But, there was also the threat of the enemies’ friends *within*, aiding and helping the enemies without. Panics about religious and/or ethnic confluence were not a USA, UK and/or European phenomenon alone: Iran, Turkey, India, Pakistan, China, Russia, Ethiopia, Australia, Korea, Serbia, Congo, Armenia harbour waves of concern and fear.

Then, there were ethnicities *within* who were proving to be troublesome that destabilised notions of citizenship and/ or demanded alternatives to the existing status quo. The most vulnerable as always were the surplus people of the 17<sup>th</sup> and 18<sup>th</sup> centuries who were not supposed to have remained at all. And then there were the norm-strippers, those who could be citizens who articulated heretical thoughts about dominant norms and values or who do so through their ways of life.

“Troublesome people” were part and parcel of no less than 21 of our 28 case-studies. These were collectivities, primarily ethnic that were deemed to be deviant and that created a sense of moral panic about their behavior: if, the Basques in Spain constitute a volatile dilemma, the Kurds in Turkey, Kashmiris and Moslems in parts of India and the Ogoni in Nigeria for example, are seen as a constant threat by national elites; and so are the Maya and Zapatistas in Southern Mexico and the multiple refugees of the Great Lakes in the Congo. It would be the Aborigines of Australia as much as the Amazonian people and so on. Then there are the Turks and Moslems in general and the divide between Moslems in the Middle-East, to name but a few.

For a while, during the post-second world war period, during the times of the unprecedented prosperity and the times of “tolerance” (repressive tolerance according to Herbert Marcuse) deviance and its urban allure were part and parcel of a sense of freedom. The “flaneur” haunting the streets and boulevards of Paris and the vagabond regained influence as existential heroes: Allen Ginsberg’s “Howl” is a harrowing celebration of a deviant way of life, the life of the Beat generation, of alternative lives, of experiments with drugs, of down and out poets; of the vagabonds and drifters and reformatory cases like Neal Cassady; of the jazz world- the heroin addiction and genius of John Coltrane; the grotesque sexuality of a *Naked Lunch*. They constituted the main symbolic figuration because of the broader US hegemony in most fields of signification. Europe was never far behind: Jean Genet’s celebration by the French intelligentsia is an instance of tremendous power. His support in turn of every transgressive form of social and political existence still resonates.

There is a subtle shift in the 1970s as the figuration loses its celebratory sheen and in comes the Vietnam War Veteran who has become a misfit rubbing shoulders with the misunderstood gangster. The allure of deviance takes on a darker tone as African American and Latino youths and their gangster subcultures get unprecedented dominance via rap music, LA studios, MTV and the global reach of American corporations. Their celebration of violence and guns, of drugs and phallic presence, of loyalty and neighbourhood went hand in hand with a critique of **the** system, and the allure traveled.

There is very little media hype about urban gangsterism and goons in other megacities in the world because there, the Apartheid between power elites and these urban spaces is of a different kind: in Lagos and Kinshasa for example, the urban goons control resources, assets and people and are crucial power brokers for the elites and conduits for favours for the poor- there were drugs, guns and bodies move and are moved there is a mediated continuum. And these in turn are different in Brazil’s urban slums with unprecedented layers of children and youth gangs with powerful violent hues. And in the same thread, goons and strongmen proliferate in India’s Megacities but the violence is an exception rather than the rule.

The drug-related sub-cultures in the urban locales are extensive and so is their link to more global crime syndicates: here, sociology needs to move away from the archetypal US studies and find the explosive subcultures of the old Soviet world and of Southern Africa, and the mediating ethnicities and nationalities that keep the supply-chains working, the high-jacked cars moving, the women exported and the illicit trades active. The latest explosions of

violence in Mexico provides a contrast with Iran where anything from 2,5 million to 4 million are addicts and for whom micro-economies and cultural formations make it possible to subvert the system.

If such volatile subcultures are active in half of our cohort of countries there is also gangsterism that moves beyond the brokering of the illicit, but a gangsterism that controls assets, resources, benefits and people. The control of urban turf has been a major activity for gangs that are also involved in accumulation patterns that are on the extreme of human relations from the Congo to the Ukraine.

There is a significant number of people on the land producing the calories and the vitamins that they consume from Sierra Leone to Bihar. Life there is supplemented by remittances from migrations- even the most calorie and vitamin-just province like Kerala relies on millions annually working in the Gulf States.

Such ruralities turned “deviant” on two counts: rural cultivators have turned to the mass cropping of coca, hashish, opium, marijuana and a variety of strains that could provide livelihoods. And where, they seek the assistance of bands of armed groups at a time where many old guerilla-networks have turned into instant justice vigilantes- where like in Nigeria too, their customary rights have been usurped by Petroleum Magnates.

There are also a variety of youth sub-cultures beyond the archetypal image of the USA ghetto that are anti-systemic, music or lifestyle-linked, sport or football-linked, (Welch, M., Price, E. & Yankey, N.:2002) ethnic or religious-linked that seen to be the epitomy of family disorganisation, fuelling strong metanarratives of disturbance; the panic is not only about their “loose” or violent morals but that they are a constant non-comforming example to all other youths. But whereas in Pakistan they would be seen as a non-conformist, non-praying and non- loyalist and more middle-class, in Mozambique they would be seen as disaffected by promises promised and never kept and part of the urban and poor working class.

One of the most volatile areas was of *political heterodoxy*- during the 1970s and 1980s-being a Communist or a Counter-Revolutionary became an existential and an eliminable category. Latin American societies executed and assassinated perceived left deviants; in Asia, Campuchea and China executed and put away capitalist-roaders and counter-revolutionaries. Africa struck out in both directions. Then there were populations that aided and abated insurgents and counter-insurgents, they too were deemed to be expendable.

This has lead to four types of socio-political deviance today, according to their chronological emergence. Firstly, retrospective deviants of the former phase who still live today. The defeat of Communism in the bi-polar contestation between East and West has eased somewhat the extermination of communists and capitalist-roaders. The collapse of walls and the collapse of existing socialist societies, alongside changes towards democratization in Latin America and the post-apartheid conundrum in South Africa brought forth retrospective deviants - servants of the communist state apparatus, of the military dictatorships and of the Apartheid state. We can assume that this type of retrospective deviants has no further polarizing potential as its natural fate is likely to die out. This assumption applies, unless they manage to transform

their ‘nostalgia’ for the old regime into some creative energy and vision for the future, which opens up potential action for new types and means of deviance. It may be the case that retrospective deviants transform themselves into forces for the future by building on the myth of the past (which may nevertheless have little connection to the reality of the past but it can act as an idealisation of the past or even an invention of the past)<sup>1</sup>. Whereas political heterodoxy was more tolerated in the post 1990s democratic dispensations, calls for lustration and punishment for supporters of prior regimes are very much with us.

Of course during the last years of the colonial phase political deviants, were never in short supply - be it in the non-violent national movements or in more violent localised incidents like in India. A large number of the “deviants” of the colonial phase were co-opted, and had their “destabilizing” tendencies contained not in the least because the promise was to tame capitalism through the ‘golden age’ of the Nehruvian developmental state. Deviants by contrast became those who worked against the consensus on national development, the need to increase output and to undertake land reforms.

Secondly, the deviance of opposing neo-liberalist reform. Economically and geo-politically, post-1989, the dominant institutions in the West and globally attempted to reverse the downturn by creating a neoliberal world but this had very serious and radical implications. But however nationalist, populist or socialist nation-states claimed to be they fell in line and busied themselves with smoothening globalization patterns. Also, India and China joined the global accumulation game so new passions manifested themselves in the social fabric. For a while, institutional change to conform to market dynamics was undertaken not because it was the “better way” but for its ideologists, “the only way”. Through this systematic generation of a manufactured consensus, those who opposed the policies or suggested alternatives were seen to be behaving in ways that were inimical to progress, required to be silenced at the least and harshly disciplined if necessary<sup>2</sup>. In countries of the developing south, the panics were shrillest when governments changed, with pressure being exerted for them to continue being committed to reforms and importantly, to publicly pronounce the commitment.

Thirdly, those deviants that were newly created or reinforced in numbers and quality by neo-liberalism and SAPs, i.e. by economic polarization that forces population groups into deviance. The hollowing out of the nation-state and its failure to get assimilation on a successful start also brought forth the surviving “existential deviants” of the 18<sup>th</sup> century, as

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<sup>1</sup> For instance the Islamists idealise the *millet system* and the Ottoman Empire in general; various nationalists idealise various other past empires of the past as examples ‘the glorious past’ as they need concrete examples etc. Retrospective deviants may be able to transform themselves via their sharing their experiences, platforms and thus joining forces with other deviants to create potential movements that must be reckoned with (for instance the anti-globalisation movement). At the same time we ought to distinguish between the ‘servants’, who materially, ideologically and symbolically benefitted from those regimes from the mass ideologies or ideologies of the masses, which are a material forces of potential deviant subject, combatants etc.

<sup>2</sup> More precisely a) articulatory deviance formulating alternatives in thinking; should also be mentioned here, movements arguing for simple ways of life, slow food, right to laziness and attempts at deceleration, that seek to counter the inherent tendencies and implicit assumptions of capitalism with regard to human existence. b) behavioural deviance of those who explicitly oppose the neo-liberal project practically; and c) deviant States (Cuba, Venezuela, Muslim-dominated states, rogue states). It remains open to question whether the tendency here is towards further polarization after the failure of neo-liberalism.

first nations who survived nation-state formation and minorities are making irreconcilable claims. Even in countries where Washington consensus reforms were entered with enthusiasm, they generated great inequalities and social strife and newer forms of mobilization. Thus, economic and political integration did not create stability or trust but rather, it has produced new and insoluble alterities and forms of resistance in our current phase. These often mix with the deviants as described under 2.), but the accent here is on the development of deviant forms of behaviour and on profiling of others as existential deviants in struggles to survive economic hardship of the current phase. Among the newly emerging forms of deviance, we can distinguish “passive” and “active” deviants, where the former are left-overs or perceive obstacles to of neoliberal reform, eventually even formerly respectable citizens who dropped out of their conformity and are therefore defined as deviants by proponents of neoliberal reform – unemployed, landless, farmers left without crops, journalists or managers suffering from burnout syndroms as well as children diagnosed with “attention deficit disorders” as pre-schools and schools prepare them for their functioning in the market. Cuts in state funding have also increased dramatically the awaiting trial category as the arm of the law has turned irregular and limpid.

Some of them turn into active deviants, trying to figure out their own chances and initiatives in this new world. A plethora of new issues were brought about by rising insecurity, subsistence needs, disappearing livelihoods, collapsed services, cutting of welfare measures and marginalized identities that have lead to new forms or revitalisation of ancient forms of behavioural deviance: impoverishment and social marginalization has lead new groups into criminal forms of survival, such as those described as modern hunter-gatherer-communities. They could not be contained by existing arrangements.

Fourthly, those defined as deviants by the “counter-public”. Economic polarization has also made the highest strata vulnerable to discourses defining them as deviant. This is exacerbated by the emergence of alternative media and platforms for counter-hegemonic discourses, as stated above. In Europe, for instance, migrants (rather: the university-educated children of a few of them), are taking over their own discourse arguing for the autonomy of migration. Another example is mainstream media inviting “ordinary people” to express themselves, encouraging debates and critiques of top managers’ salaries who run their firms into bankruptcy and get away with a huge severance package while hundreds are fired in times of economic crisis. This form of deviance is often associated with indecently enriching oneself at the cost of ordinary people. The lower strata are thus defining their own criteria of deviance and making themselves heard. If the capitalist classes are unable to do so, is it because they cannot claim legitimacy as moral definers anymore? Finally, we have already mentioned another important counter-definition above: the image of “the West” as the unmoral, value-less society.

Fifthly, there is a rise of communalist and right-wing movements that bring with them violent outbursts and vigilantism against “others”: the rise of the Hindutva phenomenon in India and sectarian violence against Muslims and Christians, is matched by Islamic traditionalists in many other countries of which, Northern Nigeria has been a serious concern; these forms of

violence are well-matched in Europe by a rising fascist movement that targets immigrants and foreigners and in South Africa targeting other Africans.

Despite the fact that the rights to demonstrate have gained some legitimacy as we will see in the discussion below around Articulatory deviance- the increase in public violence in demonstrations is seen as an inherent quality of movements of all persuasions- the sight of black clad anarchists, balaklava-donning youths, people with fascist insignia, people with traditional attire or weapons, machetes and sticks have invoked new regulations and a re-definition of policing. The majority of the countries studied (24) have experienced riotous behavior from crowds.

Furthermore, armed struggles and guerilla activity is not entirely off the historical screen. There are guerillas in at least 8 of the societies under scrutiny whose modalities of operation have changed since the 1960s and 1970s- in India, the Naxalite/Maoist lineage continues but their struggle is one of a “war of position”- attack, retreat in rural areas where “tribals” and farm labourers are in precarious conditions or, Kurds whose struggles against the Turkish state has been complicated through changes in Iraq. In turn, changes in Iraq have affected mujahedin who have been in camps and conducting a challenge to the Iranian state. Or in Peru and Colombia old guerilla movements are being linked to the political economy of coca or, finally the Zapatistas who have captured the imagination of new global social movements.

Of course such movements are joined in the popular imagination with the label “terrorist” which covers the entirety of the Moslem world, whether secular or faith-based with an unending supply of martyrs ready to be suicide-bombers and threatening the “way of life” of most European countries that joined the military adventures of Afghanistan and Iraq. This would expand the list of panic in our country cohort to 18 of the 28. The insecurity around human vulnerability in public spaces has increased in Russia, India, Turkey and Pakistan and has become a common feature of war-torn zones where competing power-blocs are creating a regime of terror.

Serious forms of vigilantism and extra-judicial control of territories and areas has been common to 12 of the countries- South Africa’s Western Cape was gripped for a while by an Islamic Movement, PAGAD, who in their attempt to establish discipline and authority ended up in a violent stand-off against the national government. Although the Ku-Klux-Clan in the USA has been eclipsed somewhat, there are organized people’s militia with serious disciplinary and racist overtones.

Finally, there have been indescribable fears and panics in the liminal periods that follow the instability of wars. ,war-zones and callous people who prey on others during them and on the unstable conditions of their consequences. Of all the Wars, the Second Congo War between 1998-2003 in the DRC was the bloodiest- the estimates are anything from 3.8m-13m in combatants and non-combatants alike. This was a result of a broader Great Lakes Crisis,

starting from the massacres of 50-100 000 Hutus in Burundi in 1972 and a counter-massacre of Tutsis in 1993, estimated to have reached 50 000<sup>3</sup>.

The Horn of Africa had its heavy toll too: the Ethiopian Revolution brought many massacres and eliminations: the toll is between 150 000-500 000 between 1974-91 and although the fightback against the Mengistu regime continued claiming lives, the Eritrean independence and the transformation of Ethiopia into a multi-ethnic democracy has not brought final stability: the war between Ethiopia and Eritrea has added another 40-50 000 and the current invasion of Somalia by the Ethiopian Army has started another round of violent episodes. The Darfur-related civil war has also led to democides, anything up to 400 000 and an untold number displaced<sup>4</sup>.

China's Cultural Revolution was brought to an end decisively by 1974. It had left behind it another devastating toll in the tens of millions. What overtakes that in scale and size and per capita intensity is the Campuchean repression and consequent famine which killed up to 3m people. There were repressions and killings in many societies which if added up would also build a grim picture. As grim per capita are the lives lost in East Timor 150-300 000 through Indonesian military action. Significant ructions defined the Middle East. Apart from the persistent violence in and around the Israeli/Palestinian and Israeli, Lebanon, Syria, Egypt entanglements - the war of Iran and Iraq claimed a million; the war in Afghanistan starting from 1979 has claimed close to 2m<sup>5</sup>.

Linked to a persistent instability there are perceived No-Go Areas in at least 10 of the countries under consideration: whereas in Brazil, South Africa and the USA these would be urban in the rest from Mexico, the DR Congo to India and Pakistan, they would be more rural, whereas in Nigeria they would be both. Even though banditry has been seen to be on the decline, it reappears in Africa with regularity.

In an era when the women's movement has gained more breathing space for women serious patriarchal fight-backs have been underway, defining women's behaviour, demeanour or appearance as deviant and imposing strict social and legal sanctions: undoubtedly on the avant-garde of all this are faith-based reactions that are not only demanding a new piety but also a new control over women's bodies and sexuality. Where there has been a "fight-back" too is over the rights of gays and lesbians in at least 8 societies and in Africa as is the case in

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<sup>3</sup> This was a prelude to one of the most frightening genocides of anything from 1-4m Tutsis in Rwanda and its aftershocks. This was also preceded by democides in neighbouring Uganda of anything up to 300 000-500 000 under Idi Amin between 1971 and his overthrow in 1979.

<sup>4</sup> The toll in West Africa has been harrowing as well but lower in numbers- Liberia, Sierra Leone, Ivory Coast, the massacres of the Nguema regime in Equatorial Africa will number close to 6-700 000 lives. The toll in Southern Africa with direct war, proxy wars and devastations, in Angola and Mozambique; the internal South African repressions and killings of the insurrection, will be of an equal scale.

<sup>5</sup> The internal repressions of the Iraqi regime- the campaign (Al-Anfal) that destroyed 2 000 or so dissenting Kurdish villages between 1986-9 claimed anything between 100-200 000 and later the Hallabja Poison Gas Attack 5-7 000. The current Iraq War and its consequent violence stands at 1.3m and counting.

Uganda it has moved from threat to legislation bringing the death penalty for such acts of unAfrican venality. The growing anti-gay and lesbian discourses are pushing the perceived deviance into an existential one: they are biologically, *suis generis* deviant.

The final curtain on the discussion of behavioural deviance has to deal with the Pariah of the late 20<sup>th</sup> and 21<sup>st</sup> century- the Trans-border Migrant, the irregular and often undocumented person made up usually of a darker hue. The behaviour of a breach of regulation is one side, as we shall argue below it is melded into an existential deviance as well.

### **Articulatory Deviance**

Through the same move towards more democratic freedoms, freedom of expression, signification and performance covers, just to risk an estimate, about half of the world's countries today. Here, formal reciprocity (Sitas 2004: 104-113) favours the legitimacy and necessity of co-existing divergent views and positions and therefore articulatory deviance is on the decline.

Constructing a rough index of a world average made up of the countries studied- where freedoms in 10 areas of expression were assessed (Iran, Turkey, India, Pakistan, China, USA, Germany, South Africa, United Kingdom, Russia, Japan, Nigeria, Ethiopia, Egypt, Brazil, Peru, Mexico, Australia, Korea, Spain, Italy, Serbia, Romania, France, Sweden, Congo, Mozambique and Armenia as of 1970 and 2007) – areas such as freedom of the press, freedom of publication, of political expression, of religious expression, of Dress in public life, of Art, of Academic ideas, of Personal Surveillance, of Difference and of Women in public sphere- the average was 4.0 and now it stands at 6.03. Adjusted for population- the upward trend remains 2.5 to 4.9! France, the UK, Sweden would be pulling the average upwards with a 9 (Germany, Australia, India and South Africa 8) but some would be at 3-5.

The 1960s were a remarkable theatre of tolerance and repression: the McCarthy era of the 1950s in the USA entrenched American patriotism and magnified sedition, betrayal and treason. It was turned on its head though in the 1960s as literature, poetry, music tested and stretched the limits of tolerance, Most importantly, the student movements- from the Free Speech Movement in the USA to the 1968 generation in France and Germany de facto unbanned expression.

On the other side of the map- the Chinese Cultural Revolution started as a movement of “rectification” of theatre and opera and spread throughout the society to identify and repress expressions of counter-revolution and signs of capitalist-roader decadence. It at the same time facilitated an explosion of militant fervor in public art and incendiary publication. Its curbing, brought back a culture of discipline and control.

Yet, there is a deeper and subtler process- there is a difference between regimes that round up people and deal with them in terminal or non-terminal ways and regimes that use the law to do so, alluding to a fair trial. There is a secular decline of the former and an increase of the latter. There too: within the category of law-driven arrest, there are forms of legislation that

are expansive in their definition of deviant acts and political heterodoxies and there are those that are more tolerant of political and social heterodoxy. This concerns the final discussion of the chapter.

The law-framed arrest has at its core its own theatre of articulations: modern judicial processes imply an interrogation, an admission of guilt, a signed narrative of misdeed. The interrogation in most cases involved and involves force, torture and duress. In most cases first to get the traditional narrative of confession torture or duress is applied; then again, once transcribed by members of the investigation torture and duress is applied on getting the signature. This might or might not be achieved. The court case then becomes a theatre of multiple articulations around the authenticity of the evidence as such. The majority of countries in this study, 19 out of 28 have proscribed the forceful extraction of narratives, the rest have proscribed it in principle. That it occurs still in most, is another issue.

There are of course obvious counter-cases of decline in the intensity of “articulatory deviance”: Salman Rushdie’s “Satanic Verses” or the Mohammed Cartoons more recently that stretched the limits of inter-cultural relations. There are tensions in strong faith-based regions to the prescription and study of evolutionary biology in schools. There are the tensions around the explosion of pornography in print and in the new media that have revitalized censor boards. There are newspapers in trouble everywhere. There are modes of dress and appearance that define deviant prototypes at custom controls and in streets. Nevertheless, in comparison to other periods, the post-1970s have been more tolerant to the world of signification.

The world of signification and articulatory involves also the way people appear and present themselves in public spaces- the way men, women and youths exhibit identity and identifications, the way they conduct themselves in public has met with not only attempts to regulate codes of representation but has created the violent alibi for vigilantist groups in a significant number of countries. It has also created new ways of classifying potential deviance by those in authority- public and private policing have increasingly been trained to spot the type of deviance that corresponds to a certain way of walking, moving, dressing and talking.

There is also the spread of the internet and its ability to spread the “message” horizontally, network to network despite attempts to block it. Its interface with cellular technology, photography and live footage and SMS texting, has created a de facto freedom of expression, unprecedented in human history. To this is added for example the capacity of a Television Network like *Al Jazeera* which facilitated the Egyptian insurrection and the broader Arab Spring and we have reached a level of human communication that is beyond capacities of rule.

The clandestine note, letter and wave-linked transmission of coded messages of yesteryear, have been transformed with remarkable speed: the telephone, the cassette recording (the Iranian revolution’s modality of passing on the message from exile leaderships to Iran), the fax machine (union to shop-floor messaging to shop-stewards during the South African

insurrection) already seem like archaic media of articulation and terrains of deviance and its control.

Finally, the unfolding drama around “Wikileaks” has brought about the ultimate test in the possibility of the survival and the limits of secrets of state and the public interest. Its unfolding might bring back a proliferation of new controls, curbs and punishments or it might free even more deviant spaces

### **Miasmatic Deviance**

Miasmatic deviance in the contemporary period had HIV/AIDS written all over it. Never before had a virus and its human carriers caused so much consternation. That it created insecurity and panic just through its mere presence out “there” with human husks being the habitat of the most resilient of viruses, needs little comment. Its carriers had to be dealt with, helped or isolated. But on closer inspection this involved a triple-layered panic. Firstly, it was so obviously about *sexual* behavior, a behavior that at least in the West was celebrated as a kind of liberation in the 1960s. All of a sudden, this hint at uncontrolled sexuality was re-invoked as an evil and a behavior that needed to be altered. Promiscuous icons from Genet to Foucault in the West and for making a point, Zuma in the South had to be turned into the problematic animus of the crisis.

Yet once HIV was contracted, the pandemic shifted to the miasmatic terrain to signify danger: every smiling or fierce face could be a concealment of the fact that its body harboured the virus, and in the process increased social anxieties. And as if the deviant behavior and miasmata were not enough, there was a third level: that of existential deviance. There were obvious groups that *sui generis* were the repositories of promiscuity and the miasmatic aura of infection: Homosexuals and Bisexual Africans.

The moral outrage and its spread brought initial responses that were of (ironically) a Foucaultian vintage: identify, separate and confine. There were calls to forcibly test people, to separate the tested from social interaction and to confine them until the disease abated. The echoes of the 17<sup>th</sup> century’s response to plagues, the return of the sound around the sanatoria and places of confinement of the 17<sup>th</sup> and 18<sup>th</sup> centuries, and the re-echo about the late 19<sup>th</sup> century’s camps formed a haunting backdrop.

For a few years, at the height of the panic, Cuba seemed to be moving towards a grand confinement. The reason why the Medical regimes in the world could not go for that absolutist measure was precisely due to prior struggles that ceded rights to the plight of the sufferers and in this case carriers. Such conditions, the new orthodoxy asserted needed protection and care. Nevertheless their existence spread fear and demonization and it did translate to mob rule as real and imagined HIV/AIDS carriers got assaulted and in some cases, killed. And such panics spread to social phobias about blood and organ donation destroying vast depositories of life-saving stock.

The scary substrata of viruses and bacteria that people carried were the preserve and monopoly of the Medical profession. They did hold after all, a diagnostic monopoly. But as the profession was at a loss of what to do about the outbreak, power-brokers in society and media pundits turned on something they thought they could do something about: sexuality and its deviants. In 14 of the 28 societies covered in our study a powerful patriarchal and conservative response gained dominance and rolled back any gains women could have made around their bodies and around choice. It also rolled back any socio-legal acceptance of concerns and issues voiced by prostitute, female or male, they could have gleaned in the past. Part of the ferment though was about a growing mistrust of the medical model bringing in its wake a move towards alternative medical systems, foreign and local spiritual systems and some bizarre outbreaks of charlatanism.

It was within this climate of HIV/AIDS that a second dimension of panic was extended to animals, domesticated or wild, as carriers of danger: monkeys, cows, ostriches, birds. The panics around contaminated meat (the Mad Cow crisis in Europe and South Africa) and forms of avian influenza amplified the mistrust of state institutions amplifying further theories about the “risk society”. There were also growing forms of outrage about people who would enhance the above risks because of profit and callousness. These people: farmers and mad scientists were being accused of even manufacturing the AIDS virus out of military budgets.

The climate of fear was further enhanced by reports of mutating viruses and bacteria that were becoming drug-resistant, like new strands of Tuberculosis and outbreaks of Cholera in the South and new strains of the Ebola virus scorching Central Africa. These outbreaks in turn, enhanced the perception of miasmatic spaces in Africa- spaces of disease and squalor. Such insecurities are further enhanced in the slum sides of our planet of growing slums. There is a definite return of spiritual miasmata- there are growing convictions that there are carriers of evil spirits and that the carriers are possessed by the Devil and her/his transcultural familiars helped along by the defeat of Godliness and by the collapse of family life and in 5 of our case-studies, there is the belief that there has been an escalation of sorcery and voodoo. Its corollary is a call for moral rearmament that would defeat evil and one of its lethal consequences: AIDS.

Such miasmatic forms of deviance agitate further the sense of a disturbance outlined above. To this are added rumours about what genetic engineers are out doing to all sentient beings and edibles. There are stories about such bad people doing mutations for profit at once secret and unobservable poisoning rivers, water and food and by implication a mistrust of the secret side of science , a mistrust of states and a growing demand of harsh punishment.

### **Existential Deviance/Melding**

There is no sociology possible in Africa without the prisoners of contemporary Humanism and their encampments: refugees. In a period where 120m people have been displaced and where more than a third have managed to cross borders and where the majority have been

from the African continent, this is a serious preoccupation. But this immediately creates a solid comparative basis with the Middle East, Asia and some serious chunk of the Americas.

Liisa Malkki's (1995) study *Purity and Exile: Violence, Memory and National Grounding Among Hutu Refugees*, paints a vivid picture of Burundians in camps in Tanzania. Her bleak Foucault-inspired picture of these UN monitored and administered settlements where relief and aid gets administered until a better day of integration in the new country or return and where the victims are gathered and protected are complex centres of discipline and resistance. The Camp is a site of "impassioned constructions and reconstructions of the history as a people" (1995:3) and sites for the construction of pure identities. (ibid:17)

The others Armenia Congo Romania Serbia Italy Spain Korea Australia Ethiopia Japan Russia SA Germany USA Pakistan Turkey(15)

EX

Existential deviance is no longer defensible as an idea, racial superiority and gender discrimination no longer expressible within the paradigm of modernity, having been acquired through struggles by deviants and resisters. This non-legitimacy of entire groups of people being defined as deviant has, in turn, been legitimized and institutionalized through the law. The women's movement made fascinating inroads throughout the 1950s and 1960s and institutional props were set up to make Holocausts and Genocide impossible and racial domination a crime against humanity. The granting of these rights has meant it is no longer possible to define any groups as illegitimate, as expendables or categories to be eliminated/disciplined. Furthermore, such rights are considered those that have to be granted and protected and it is no longer possible to condemn, as "heathen" or "pagan" or "pre-modern", modes of expression and their dissemination by entire groups of people. In other words, multi-racial, multi-ethnic contexts are sought to be upheld in the framework of rational capitalist modernity, often held in contrast and as superior to insular, discriminatory and non-modern regimes.

Xenophobia Armenia Sweden France Italy Spain Australia Ethiopia Japan Russia UK SA Germany USA India (14)

EX

Deviants/Melded France Italy Mexico Brazil Egypt Nigeria SA USA 8

Castes India

EX

Rectifications Serbia Iran

EX

Tribals Congo Mexico Peru Brazil Nigeria USA India (7)

EX

Concerning the differentiation of types of deviance, what has probably happened is a breaking down of the distinction or a 'melding' of the categories of deviance. The melding of behavioural, articulatory and existential deviance is not new, but it takes on a particular form which is seriously animating social dynamics. There is a blending of existential and behavioural deviance- and its immediate linkage to forms of signification and articulation. The perceived or imagined deviant behaviour of (illegalised) migrants, drug dealers, religious fundamentalists or terrorists turns into existential deviance of certain supposedly recognizable groups. Given the deeply rooted historical underpinning to the connection between *subaltern groups* such as 'race', ethnic minorities, migrants, working class persons and *crime*, inevitably these groups have been targeted.

Whereas the act to migrate without proper documentation is perceived to be deviant enough, it is the **existential** alterity and the mobilization of stereotypes that gets the temperature rising in the mobilization process. There are the discourses about Latinos in the USA, as much as there are the discourses about darker Africans in Cairo. There are the discourses about Tutsis in the Eastern Congo as there are the discourses about North Africans in Southern Europe, France and Belgium. In no less than 17 of the 28 countries the framing of the deviance is about who "those people" are as opposed to what they had done or signified. As there will be a chapter in its own right on this new paraiah, we will stop commenting here.

There are important colonial lineages to the current 'era of migration' (Castles and Miller 2003): firstly, 'modern' migration can be traced back to colonial time via its' historical antecedents (chattel slavery; transmigration; indentured labour). Secondly, the current migratory systems are products of the colonial division of the world and the order it defined and fought over since; thirdly, the presence of 'colonials' in the former colonies and the immigration to the more 'developed' world (mostly former colonial powers) has created a multicultural setting within the North and former colonial powers which are redefining the world. So while in the older days the colonists saw it as their moral duty to 'bring lesser breeds into the law' in the empires they ruled via exemption, during the 1960s millions of ex-colonial subjects joined Greeks, Turks and Italians as migrant workers in the major European economies of the day.

For example, Africa has been the source of many migrations - there is no major city in Europe that does not have significant African migrants - refugees, asylum-seekers and economic migrants. Although Africa's share is large in the USA and Canada, it is dwarfed in the former by Latin American and Asian migrants and immigrants. The Oil-rich states in the Arabian peninsula have also been a major recent destination. Australia has also been a desired centre. Finally, as South Africa emerged as a democracy, it has competed with Europe and the United States as a destination for migration. Nation-states, the arch boundary keepers and maintainers have been under severe pressure by social reactions to a perceived social insecurity about such "others".

Existential casting and profiling of racial, cultural and gender types is on the increase. This in terms of appearance, dress, talk and bodily signs meld also articulatory deviance in a dangerous mix. This is especially true for the before-mentioned domain of “illegal migrancy” and economic and political refugeedom, where moral panics are about xenophobia and may lead to xenocide. Categories of people then are also assumed to be dangerous “in potentio”. Its obverse: the riots in France and the treatment of poor Katrina victims in New Orleans are off the same sociological page. For example, at the core of anti-immigrant politics is the discourse and political praxis of combating ‘*illegal*’ *immigration*’, a subject intimately connected to social phenomena, such as racist populism in democratic process and debates regarding social citizenship<sup>6</sup>.

The persistence of certain historical categories of ‘arch deviants’, that are regularly renewed and revitalised, further confirms this. The threats they represent is perceived with some uniformity globally: the illegal, mostly black – or at least, “dark” – migrant, the Jew and the Muslim, unwanted foreigners or strangers who sui generis undermine the normative world as we know it<sup>7</sup>. As for Europe, however, Popal (2009) reminds us that the Jew and the Muslim both represent the broader figure of the Oriental that has a long tradition of alterity in European literature and representation. It is interesting to establish this connection at times where the two appear in very different discursive formations, the Muslim being victim to more radical profiling and concrete exclusion in the current phase. The processes of criminalization of migration/migrants and securitisation in the wider context and the political representation of (dis)order in western societies, particularly, the representation of Muslims as a menace, is a central theme in defining the terrorist threat via the ‘terrorism-immigration-asylum nexus’. Essa, in his series on islamophobia in Europe (2009), closes the circle again arguing that faced with the current practice of racial profiling and discrimination of Muslims at all levels, one might assume that “maybe the Holocaust was not enough”.

On the other hand, articulatory deviance has often been seen as behavioural deviance as far as the *expression* of a belief in visible or audible signs is considered to represent a concrete and serious threat to the established order. The expression of fascist ideas or insignia, the expression of communist and anarchist ideas and insignia or of religious ones is often seen in the West as a threat to its democratic order. Similar significations in Turkey for example are seen as threats to the national identity of Turkey.

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<sup>6</sup> This process reproduces an exclusionary Europeanisation, as well as novel forms racist populist mutations present in core of European nation-states and at an EU level. Anti-immigrant and racist ideologies of a populist type contain specific elements of the kind of ‘closure’ required to marginalise, exclude and devalue the ‘other’: it is via the process of ‘delineation of the internal boundary’ (Anthias and Yuval-Davis, 1992),

<sup>7</sup> Morin (1996), for instance, in his hermeneutic study of the re-emergence and revitalisation of rumours around women trafficking, in this case by owners of lingerie shops in Orléans, insists on the archaic image of the Jew as the deviant in the collective consciousness of the Nation: “The myth, which starts from a fitting-room and leads to white slavery, is to all appearances complete, and in its narrative form seems wholly self-sufficient. Yet when one sets it against the traditional white slavery motif, one realises there is a black space to be filled, one previously taken up by the shady tavern-keeper, the criminal seducer, the Marseillais, Corsican or generally ‘foreign’ crook. Up to a point, of course, the place is occupied by a shop-owner.

The melding, thus, is in turn producing generic panics about dangerous spaces and places which are increasingly racialised to an extent where it is almost impossible to dissociate race, space and deviance in dominant conceptions and discourses of power. To this burden can be added conceptions of rogue countries and states, of dangerous people and from the old world of classification of people in categories. Categories of people then are also assumed to be dangerous “in potentio”. There are a growing number of spaces and places that are supposed to be exuding deviance and deviants “in potentio”. Geographies and spaces of deviance are old in the narrative of modernity - dangerous seas and trading routes, the habitations of the dangerous classes, “satan’s strongholds” in the words of Edward Thompson (1974), but as urban social exclusion increased and darker strangers came to be nudged to live in those urban slums so does an inherent lawlessness and normlessness gets attached to their existence. Robert J. Sampson’s work on the relation between place, race and crime addresses all this in the USA and especially his nuanced work on Chicago tells a harrowing story.

The Miasmatic spaces Congo France Italy Mexico Brazil Egypt Nigeria UK SA USA(9)

Finally, there are Rogue Countries whose people in general are by now identified as deviance-bearing or potentially deviance-bearing which demand Direct or Indirect forms of Governmentality. There are these “states of nature” out there which produce immediate or mediated threats - these are to be found mostly in Africa and/or in ungovernable urban locales and, there are Rogue Regimes whose people need salvaging, directly or indirectly through international and local NGOs. The existence of such states of being and the need for a balance between direct and indirect interventions refines and constantly transforms the forms of governance, the expertise and information necessary to decrease the threats.

To crudely pull together what is being presented here is that this “melding process” has three dimensions: firstly, an ontologising tendency made-up of a range of common-sense tautologies about “others”. Secondly it has led to the creation of three sites of deviance that need direct or indirect intervention and thirdly -it has produced a meta-discourse of the need to crisis management by defining the period as a state of exception; it has turned politics and political competition into the politics of unease and finally it has opened up the space for the media to valorize fear.

Many of contemporary institutions were developed to deal decisively with the fall-out of a previous cycle with the economic depression of the 1930s, the rise of fascism, the holocaust and the War. The multilateral, regional, national and local institutions that were created out of a new system of international, inter-state institutions came into a serious crisis by the late 1960s. There is a growing consensus that the welfare, commandist and developmental states that emerged were seen to be a hindrance to profitability (in the first case) and growth (in the other two).

There are a series of institutions that are definitely seen as incapable of dealing with deviance and with deviants which exacerbates moral panics about it. Key here is the nation-state as the boundary-keeper and norm enforcer. Its ability to control “assemblages” that are transnational, using only bits of territory in each society, as Castells (1999) and Sassen

(2005) have demonstrated in their urban studies, is proving more than difficult. The denationalization of activities - be they criminal, economic, military, political and so on, increases the calls for a planetary carapace of rules and norms. The regimes created at an international scale to deal with such perceived threats and to create such rules and norms falter in attempts at implementation.

As a result, it is now perhaps as essential as ever for the nation-state to define, control and discipline the new behavioural deviants, not least through a formalized monopoly over the use of violence and the erection and expansion of infrastructure for surveillance, imprisonment and punishment. Even as rights have been granted and safeguards against existential deviance institutionalized, discrimination is 'allowed' against those that stretch limits, those that behave in objectionable and ways that are threatening to the system. Thus, the threat of armed groups within national territories is particularly magnified in countries where the Nation-state has never achieved, historically, this monopoly over the use of violence<sup>8</sup>.

Even as these apparatuses have been considered necessary to erect, the privatization of policing and more complete technological control of whole populations has exacerbated the problem on the institutional side that defines, administers and manages the deviants. At the same time, organized violence such as networked terrorist associations, mafia-like structures in drug and weapons trade and human trafficking as well as violent criminal behaviour by former soldiers and army people (often interrelated or combined) have increased on the side of the deviants themselves. Furthermore, the privatization of security and increasingly the privatization of military or quasi-military operations has further de-legitimised the nation-state. The introduction of new elements in crime-control management target social control as the primary aim away from rehabilitation-orientated crime, where the individual is denied of any capability of free choice. The transfer of policing functions to "the" community or civil society has not necessarily led to increasing "success" and more democracy. It has made communities more resolute in their frustration with the state and readier to take on a vigilantist role in their own communities. The more bifurcated a city is between its rich and poor enclaves and the more one deals with the latter, the more vigilantism and gangsterism vie for control of urban spaces.

This is not universal. What has been missed in the post 1970s period as far as China was concerned was how careful the reforms were and how the dialectic between centre (Beijing) and administrative provinces and within that between provinces and urban and rural areas. Especially since 1979 the Chinese Government has been transforming all Legal Codes away from the unitary and political apparatus that characterized the Maoist period. Although the swiftest legal reforms are to be found in areas relating to the opening of the economy and foreign direct investment, very few areas are lagging behind. There is reform also in Civic Codes, Family Law and Administrative Law that begins to differentiate decisively national

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<sup>8</sup> Waldmann (2009) argues that the proliferation of forms, motivations and sites of violence in Latin American countries is related to the lack of this monopoly, in countries, where throughout the colonial and most of post-colonial period, groups of oligarchic families have handled the issues of the nation, pulling populations onto either side in conflicts arising between clans and power-blocs.

from provincial “capacities”. Yet, power has not been ceded from the central apparatuses of the state and its command structures are absorbing new technologies without following neo-liberal protocols of institutional change.

Africa provides the opposite extreme: Achille Mbembe insists, after the Structural Adjustment Programmes that were to fix the continent’s debt crisis and transform its corrupted states one encounters a new form: *private indirect governmentality*. (2002:73). The old regimes had a degree of social and political cohesion which involved violence “but also involved transfers, reciprocity and obligations” and “in most cases, prevented a slide into completely arbitrary rule and raw violence” (2002:75), but ... “... has led to “the privatization of public violence and of its deployment in aid of private enrichment.” (2002: 85)

It is important to place the problem into a sequential perspective: there are two phases involved here: the first questioned radically the effectiveness of the post-War nation-state. To frame it like that would also be a generalization because there were three forms of it- a welfarist, a commandist and a developmental one. The critiques encountered in each one were not homologous. We would be hard-pressed to say that Indira Gandhi’s state of emergency is similar to the crackdowns on dissent in Poland or the Soviet Union. Once the crisis gripped most of societies after the 1970s the solutions appeared to be homologous. Fiduciary governance, privatization and the reduction of most operational modes to market forces and zero-budgeting became the fixers’ panacea. Twenty years on it is clear- institution by institution the fixers have exacerbated the problems of inter-alia, security, policing, correctional services, therapeutic regimes, schooling systems and of places of confinement or care. In short, the main boundary and norm-setting institution, the nation-state was seen as incapable of clustering human effort and dealing with escalating deviant forms of behaviour.

Underneath the umbrella of the state a plethora of institutions were found wanting: hospitals, prisons, schools, asylums and a variety of bureaucratic forms of organization. Yet, the state has not caved in- far from it. What has been forming through the interaction of states in the contemporary period are three patterns. Firstly, the “war on terror” has brought about an intelligence and surveillance system coordinated by the USA which is unaccountable to national legislatures or the UN. It is becoming highly integrated and is there to anticipate and direct effective action. Secondly, an executive-led commitment to regionalism as a new form of multilateral inter-state relation whose avant-garde is the European Union. Thirdly, a reformed national administration that fiscally is larger than ever before and whose *raison d’être* has brought about new allocative priorities, shifts towards “steering” but not “rowing” the national boat and that creates the pre-conditions necessary for the easier movement of global flows in goods, information, communication, financial transactions and to a lesser extent of people. Neither the new surveillance systems or an enhanced regionalism seems to lessen the moral panics about institutional failure.

## **Conclusions**

Anyway: thousands gather to witness the stoning of an adulterer, tens of millions watch the last moments of Saddam Hussein with a rope around his head thanks to a cell-phone's video functions. Knives are used to commandeer the Boeings into the World Trade Center. Stones, twine and knives, the oldest means of violence interface with the latest mega-technologies to bring performances of violence and deviance in our intimate spaces. Like before, deviants are confined, transported, sorted out, killed or disciplined. But, the world is in no way, "normalized". It is most certainly a shrunk world with a more isomorphic system of international law, including a Court for Crimes Against Humanity, an established precedent of Humanitarian Intervention, a multilateral system and a bureaucracy dedicated to planetary inter-state affairs and development.

The moral panic is perhaps shriller in present times due to the contradictory duality outlined so far, i.e. on the one hand 'a march forward' in terms of 'progress' in terms of recognition of rights as a result of historic struggles which 'condense' their passage via the punctuation of these in legal/political/social norms and principles, and the expansion of disciplinary surveillance and the 'law and order' institutions to control society.

But, we cannot pronounce confidently on whether such a system could be more effective than ever before. There were in the short-term obvious winners: the super-rich whose comparative incomes have risen exponentially and the new international mandarins of knowledge-work, expertise and norm-setting whose income depends on their qualifications- the experts, the technologists, the fixers. Despite the talk of a global commons, private property has expanded territorially and has moved deeper down to molecular and genetic micro-levels. The proliferation of forms of property has produced a counter-proliferation of forms of piracy. It is by no means clear that these winners can usher a new grand normalization within the parameters of capitalist modernity.

Furthermore, from a long historical perspective, Michel Foucault is correct. The evidence garnered by our four research teams covering many areas of our planet and across the 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> centuries as a pilot, so far, points in two directions: 1) there are cycles of its proliferation that share with Michel Foucault (1984: 85) (also Rusche, G and Kirchheimer O. (1968)) a concern that instead of more freedom or progress we see different forms of control and domination. In his words, we witness "the endlessly repeated play of dominations" or how "humanity installs each of its violences in a system of rules and thus proceeds from domination to domination. There are periods defined as polarizing, as a threat to the socio-economic system, as signs of imminent collapse and then, there is decisive action, change and re-steering. Yes there are cycles that involve the perceived proliferation of deviancy, let us call them "anomalous phases" which point to institutional failures which not only generate concern but bring with them improvisation, innovation and institutional reconfiguration. Nevertheless, we also observe a cascading "progress" when the deviants struggle hard enough to win space and respite or societal recognition. Not all deviants did so effectively, but the many who did have counter-steered the system to more equality and more freedom. So for the current period the correct question is what are the polarizations embedded in current forms of deviance and can this anomalous phase be fixed?

No matter how more sophisticated the technologies of surveillance and control might be since the digital and the genetic revolutions, and how much the 226 nation-states that constitute the map of the present invest in them the bubbles of panic continue. We can etch the anomalous phase but cannot as of yet, grasp the ascending avant-gardes of fixers, and moral entrepreneurs. What technology has done is to make deviance theatrical and immediate where we can use it with ease to mobilize discomfort or difference. But, the world is in no way, “normalized”. So virus carriers, foreign migrants, terrorists, traffickers, rogues and rogue state citizens keep the media working, the panic sustained and the world on tenderhooks. We have witnessed remarkable innovations in electronic/digital Panoptica, tracking devices and acoustic capacities that are unprecedented in history. Private security, policing, jailing, arming has been on the increase but as the signs of polarization are everywhere, there have not been many new-wave fixers as crisis follows crisis in a very long B-phase. If Don Quixote was the emblematic deviant of the old world as defined by the new, there is a sense of discomfort in searching for a new one.

## **Bibliography**

Agamben, Giorgio ( 2005), *State of Exception*, University of Chicago Press

Armstrong, Elizabeth (2009) *Illiberal Politics in Neoliberal Times: Cultures, Security and Populism in a New Europe*, Cambridge: the University Press.

Arrighi, G. (2007) *Adam Smith in Beijing: lineages of the twenty-first century*, Verso, London.

Baderoon, G. 2009. ‘Regarding South African Images of Islam: From the Picturesque to Pagad and After’. *South African Historical Journal*, 61: 103-120.

Balibar, E., 2007. Uprisings in the *Banlieues*. *Constellations*, 14 (1), pp.47-67

Bangstad, S. 2005. ‘Hydra’s Heads: PAGAD and Responses to the PAGAD Phenomenon in a Cape Muslim Community’, *Journal of Southern African Studies*, 31: 187-208.

Bigo, D. and Tsoukala, A. (eds.) *Terror, Insecurity and Liberty, Illiberal Practices of Liberal Regimes after 9/11*, Routledge, London/New York.

Bob, Clifford (2005), *The Marketing of Rebellion – Insurgents, Media and International Activism*, Cambridge University Press

Buur, L. & Jensen, S. 2004. ‘Introduction: vigilantism and the Policing of Everyday Life in South Africa’. *African Studies*, 63: 139-152.

Carter, David. 2004. *Stonewall: The Riots that Sparked the Gay Revolution*. St. Martin's

Press.

Castells, Manuel. 2009. *The Power of Identity: The Information Age: Economy, Society and Culture*. John Wiley and Sons.

Bob, Clifford (2005), *The Marketing of Rebellion – Insurgents, Media and International Activism*, Cambridge University Press

Castells, Manuel (1997), *The Power of Identity – Volume II: The Informational Age: Economy, Society and Culture*, Blackwell Publishers Inc

Cleaver, Harry (1998), “*The Zapatista Effect: The Internet and the Rise of an Alternative Political Fabric*”, *Journal of International Affairs*, Vol. 51, No. 2

Cohen, S (1972) *Folk Devils and Moral Panics*, new edition, Oxford, Martin Robertson, 1980.

Cohen, S (1985), *Visions of Social Control*, Cambridge, Polity Press

D'Emilio, John. 1983. *Sexual Politics, Sexual Communities*. University of Chicago Press.

Dixon, B. & Johns, L-M. 2001. ‘Gangs, Pagad and the State: Vigilantism and Revenge Violence in the Western Cape’. *Violence and Transition Series*, 2: 1-71.

Dominguez, Ricardo and Lane, Jill (2003), *Digital Zapatistas*, The MIT Press

Donald, J and Rattansi, A. (eds) (1992) *Race, Culture and Difference*. London: Sage/the Open University.

Durkheim, E. ([1897] 1952) *Suicide, A Study in Sociology*, London: Routledge & Keegan

Edsall, Nicholas. 2003. *Toward Stonewall: Homosexuality and Society in the Modern Western World*, University of Virginia Press.

El Tayeb, F. (2000) 'Race, Nation and German Identity', in Mazon, P and Steingrover, R (eds) *Not So Plain as Black and White: Afro-German Culture and History, 1890-2000*.

FERNANDEZ, ALEX, 2008, SAGE Publications, *Journal of Developing Societies*, Latin America: The End of the Washington Consensus, the State of Democracy and the Two Lefts, Vol 24(3): 399–413

FIGUEROA, VÍCTOR, 2006, SAGE Publications, *Critical Sociology*, The Bolivarian Government of Hugo Chávez: Democratic Alternative for Latin America?, Volume 32, Issue 1, pp. 187-211

Foucault, M. ([1971] 1974) *The Order of Things*, London: Routledge,

Foucault, Michel. 1982. “Homosexuality: Sacrilege, Vision, Politics”, *Salmagundi* (Fall 1982 – Winter 1983).

Foucault, M (1984) *The Foucault Reader*, edited by Paul Rabinowitz, Harmondsworth: Penguin.

Foucault, M (1977) *Discipline and Punish: the Birth of the Prison*, Harmondsworth: Penguin

Garland, D (1990) *Punishment and Modern Society: a Study in Social Theory*, Oxford: Clarendon Press

Geschwender, J.A., 1977. *Class, Race and Worker Insurgency: The League of Revolutionary Black Workers*. Westford, MA: Cambridge University Press.

Goode, Erich, Nachman Ben-Yehuda. 2009, “ Moral Panics: The Social Construction of Deviance. U.K.; Malden, MA: Wiley-Blackwell, 2009.

Giddens, A. (1985) *The Nation State and Violence. Volume Two of A Contemporary. Critique of Historical Materialism*. Cambridge: Polity

Gilroy, P. (1993) *The Black Atlantic: Modernity and Double Consciousness*. London: Verso.

Goode, E and Ben-Yehuda N, (1994) *Moral Panics-the Social Construction of Deviance* (Oxford: Blackwell)

Goffman, E. (1968) *Stigma*- Harmondsworth: Penguin

GRUGEL, JEAN, RIGGIROZZI, PIA AND THIRKELL-WHITE, BEN, The Royal Institute of International Affairs, *Beyond the Washington Consensus?*, *International Affairs* 84: 3 pp. 499–517, 2008

Hall et. al. (1978) *Policing the Crisis: Mugging, the State and Law and Order*, London: Macmillan Press

Harvey, D. (2005) *History of Neoliberalism*, Oxford.

Herman, E. and N. Chomsky. 1988. *Manufacturing Consent: The Political Economy of the Mass Media*. New York: Pantheon Books.

Hine, C. (2009) *Black Europe and the African Diaspora*. Urbana Champaign: University of Illinois Press.

Halloway, John (2002), *Zapatismo and the Social Sciences*, *Capital & Class*, Autumn 2002, Issue 78

Hardt and Negri (2000), *The Empire*, Harvard University Press

Hough, M. 2005. 'Urban Terror in South Africa: A New Wave?' *Terrorism and Political Violence*, 12: 67-75.

Ignatieff, M (1978) *A Just Measure of Pain: the Penitentiary in the Industrial Revolution*, London: MacMillan

Jasper, J.M. 2001, "Moral Panics" in *International Encyclopedia of the Social & Behavioral Sciences*, eds. Neil J. Smelser & Paul B. Baltes, Pergamon, Oxford, pp. 10029-10033.

Lea, J (1999) "Social Crime Revisited" *Theoretical Criminology*, 3, 306-26

LEOGRANDEJ, WILLIAM, 2007, *A Poverty of Imagination : George W. Bush's Policy in Latin America*, Cambridge University Press, United Kingdom pp. 355–385,

Lyman, P. & Morrison, J. 2004. 'The Terrorist Threat in Africa'. *Foreign Affairs*, 83: 75-86.

Inclán, María de la Luz (2009), *Repressive Threats, Procedural Concessions, and the Zapatista Cycle of Protests, 1994 – 2003*, *Journal of Conflict Resolution*, Vol. 53, No. 5

MacCowan, Clint (2003), *Imagining the Zapatistas: Rebellion, Representation and Popular Culture*, *International Third World Studies Journal and Review*, Volume XIV

Mafeje, A. "The Ideology of Tribalism", *Journal of Modern African Studies*.  
Vol. 9, No. 2 (Aug. 1971), pp. 253 - 261

Marx: (1974) *The Grundrisse*, Harmondsworth: Penguin

Mason, D., (1995) *Race and Ethnicity in Modern Britain*. Oxford: University Press.

Murray, Stephen O. 1996. *American Gay*. The University of Chicago Press.

Nederveen Pieterse, Jan (2004), *Globalization & Culture: Global Mélange*, Rowman & Littlefield Publishers Inc

Nina, D. 2000. 'Dirty Harry is back: Vigilantism in South Africa- The (re)emergence of 'good' and 'bad' community'. *African Security Review*, 9.

Olzak, S., Shanahan, S. & McEneaney, E.H. 1996, "Poverty, Segregation, and Race Riots: 1960 to 1993", *American Sociological Review*, vol. 61, no. 4, pp. 590-613.

Okpeqho, I., Nzegwu, N. (2009) *The News African Diasporas*. Bloomington: Indiana University Press.

Panitch, L and Gindin, S. (2008) "The Current Crisis: A Socialist Perspective", *The Bulletin, Socialist Project* • E-Bulletin No. 142, September 30, 2008.

.Philips, C. and Bowling, B. (2007) 'Ethnicities, Racism, Crime and Criminal Justice', Mike Maguire, Rod Morgan and Robert Reiner (ed.) *The Oxford Handbook of Criminology*, Oxford University Press

Pillay, S. 2002. 'Problematising the making of Good and Evil: Gangs and PAGAD'. *Critical Arts*, 16: 38-68.

Popal, Mariam (2009): "Heine und der Orient? Zwischen Subjektivität und Veränderung oder wie das Andere nach Deutschland kam – sah – und – ?" in: Jokisch, B./U. Rebstock/L.I. Conrad, Fremde, Feinde, Kurioses, De Gruyter Verlag: 67-114

Rusche, G and Kirchheimer O. (1968) *Punishment and Social Structure*, New York: Russell and Russell

Robert J. Sampson's

Schmitt, Carl ([1927] 2007) *The Concept of the Political*, Chicago: the University Press.

Schorkopf, F. (2001) "Report on Germany by The European Commission Against Racism and Intolerance (ECRI), *German Law Journal* (2001) 2.

Singh, Yogendra (1974) *Modernization of Indian Tradition*, Delhi: Rawat Publishers

Smith, Suzanne E., 1999. "Dancing in the street: Motown and the cultural politics of Detroit." Cambridge, Mass.: Harvard University Press, 1999.

Sotiris, P., 2010. Rebels with a Cause: The December 2008 Greek Youth Movement as the Condensation of Deeper Social and Political Contradictions. *International Journal of Urban and Regional Research*. (34), pp. 203-9

Sow, N. (2008) *Deutschland: Schwarz und Weiss, Der all Tagliche Rassismus*. Bertelsman.

Stahler-Sholk, Richard (2007), *Resisting Neoliberal Homogenization: The Zapatista Autonomy Movement*, *Latin American Perspectives*, Vol. 34, No. 2

Sullivan, S. (2007) *Revealing whiteness: The Unconscious Habits of Racial Privilege*. Bloomington: Indiana University Press.

Sumner, CS (1994) *The Sociology of Deviance: an Obituary*, (Buckingham: Open University Press)

Tayob, A. 1996. 'Jihad against Drugs in Cape Town: A Discourse-Centred Analysis'. *Social Dynamics*, 22: 23-29.

Thies, K. (2010). *Tagungsbericht: Verbrechen wider Gott. Aspekte religiöser Devianz in der Frühen Neuzeit: 27.08.2010-28.08.2010, Münster*. Retrieved 12/2010, from <http://hsozkult.geschichte.hu-berlin.de/tagungsberichte/id=3289>.

Thomas, D. (2006) *Black France: Colonialism, Immigration and Transnationalism*.  
Bloomington: Indiana University Press.

Thompson E (1977) *Whigs and Hunters: the Origins of the Black Act*, London: Allen Lane

Thompson, Heather Ann. 2000, "Understanding Rioting in Postwar Urban America", *Journal of Urban History*, Vol 26, pp. 391-401.

Thompson, K. (1998) *Moral Panics*, London: Routledge

Tsoukala, A (2008) *Security, Risk and Human Rights: A Vanishing Relationship?* CEPS  
Special Report, Brussels, September 2008.

Wallerstein, I (2000) *The Wallerstein Reader*, Yale:the university Press

Welch, M., Price, E. & Yankey, N. 2002. *Moral Panic Over Youth Violence: Wilding and the Manufacture of Menace in the Media*. London: Sage Publications.

Wohl, S (1985) *Images of Deviance and Social Control: a Sociological History*, New York:  
McGraw-Hill)

*Zapatistas: First Declaration from the Lacandona Jungle* (1994)