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The Moleleki execution : a radical problem of understanding.

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ABSTRACT

This thesis explores one incident of violence known as the Moleleki execution in which eight ANC Youth League members and one adult ANC member were executed by members of a self defence unit (SDU) or informal defence structure operating in the shack settlement of Moleleki Extension 2 on the borders of Katlehong township on the East Rand. The executed ANCYL members were aged between 14 and 19. The execution took place in 1993 at the height of the politicised violence which swept across South Africa during the period of negotiated transition prior to the country's first democratic election in 1994. Despite its extraordinary horror the Moleleki execution was not an isolated incident of atrocity. During the four years between the opening up of the South African political process in 1990 and the country's first popular elections in 1994, profoundly transgressive violent political conflict claimed the lives of approximately 16 000 people.

The primary concern of this thesis is not to investigate the Moleleki execution in order to reveal a single empirical "truth" but instead to explore the "radical problem of understanding" evoked by the execution. The thesis argues that the "radical problem of understanding" which the execution provoked was not a problem which could be empirically resolved but instead concerned the juridical conception of power within which the execution was understood. In this conception, violence remained an implacable exception to the "proper" functioning of "political" power. In the unpacking of the construction of "truth" about the execution, it becomes possible to "re-read" the execution and indeed the re-read the "political" in terms of a significantly different conception of power, which includes the biopolitical "the concrete ways in which power penetrates subjects' very bodies and forms of life" (Foucault cited in Agamben, 1998, p. 5). This makes it possible to reinterpret the Moleleki execution in terms of the ambiguous articulation of biopolitical and juridico-

political power at the boundaries of the juridico-political order – the "hidden nucleus" of sovereign power (Agamben, 1998, p. 6). Critically, the originary struggle for sovereignty in Moleleki, which led to the execution, was a struggle for sovereignty which, like other struggles during this period, would create the conditions of possibility for the post apartheid state by opening a space in which juridico-political order could have meaning. However, this articulation between juridico-political and biopolitical power was conflated under the normative juridical concept of sovereignty in the adjudication and interpretation of the actions of the Moleleki protagonists. Thus, instead of a juridical classification of the execution what was revealed was the ambiguity of the "political" as an uncertain point of articulation between biopolitical and juridico- political power, "life" and law in the realm of the exception at the boundaries of the juridico-political order. This thesis investigates these struggles of political conception over two historical junctures, the period in which the execution took place during South Africa's negotiated transition and the post-apartheid period where the execution became the subject of significant efforts to inscribe its violence within the law within the context of the Truth and Reconciliation Commission and the courtroom where five SDU members were eventually sentenced to life terms of imprisonment for their involvement in the execution.