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DOI: <http://dx.doi.org/10.18820/24150479/aa51i1.4>

ISSN:0587-2405

e-ISSN: 2415-0479

Acta Academica • 2019 51(1):  
72-87

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# Militarisation, the state of exception, and fascism in South African universities

First submission: 31 January 2018

Acceptance: 19 November 2018

The militarisation of university campuses in South African has led to the promotion of the use of violence and force against students. During the national student protests in 2015-2017 university management and the South African Police Service (SAPS) used militarisation and force which perpetuated violence on campuses. By understanding the state of exception as the suspension of the rule of law it is evident that it can be used as a fascist way to react to those questioning the *status quo*. Many South African universities, particularly the University of Pretoria (UP), employed this as a tool to deal with student protests. This shows that South African universities have fascist tendencies when dealing with student protests.

**Keywords:** fees must fall, militarisation of university campuses, state of exception, fascism

## Introduction

Over the past few years there have been a number of student protests at South African universities. Students have protested about numerous issues, including free access to higher education, the decolonisation of universities, and gender equality on campuses (Langa 2017: 6). Additionally it is found that:

Our students have brought an urgency to matters that have long been on public record: that our universities are racist and colonial institutions that serve a very limited notion of the public, and that the incremental loss of government subsidy of the past 20 years has created a devastating privatisation of higher education... (Gillespie 2017: 2).

One thing that has been present at many protests has been violent clashes between students and private security and/or the South African Police Service (SAPS). Regarding the existence of these violent clashes, "we must be frank about the fact that violence has, indeed, become a part of the repertoire of student politics" (Gillespie 2017:2). During these protests most students call for transparency from university management and place emphasis on negotiations in order to address the myriad of issues faced on university campuses. However, universities have tended to respond to these demands by using force to retaliate against students who participate in protests.

This paper seeks to show how the use of force and increased militarisation by universities across South Africa is indicative of fascism. This will be done through first providing further context on how violence and militarisation manifest themselves at universities. Thereafter I will explain what the state of exception is, how it has been employed by universities, and its relationship with fascism. It will then be possible to examine whether universities have employed the state of exception in a fascist manner. I begin by providing a brief description of fascism and the state of exception.

Robert Paxton defines fascism as

a form of political behavior marked by obsessive preoccupation with community decline, humiliation, or victimhood and by compensatory cults of unity, energy, and purity, in which a mass-based party of committed nationalist militants, working in uneasy but effective collaboration with traditional elites, abandons democratic liberties and pursues with redemptive violence and without ethical or legal restraints goals of internal cleansing and external expansion (2004: 218).

Among the many elements that Paxton highlights in this description of fascism, the abandonment of democratic liberties through violence without adhering to ethical or legal constraints is most relevant to this article. This is because, as Paxton further notes, “we know from tracing its path that fascism does not require a spectacular ‘march’ on some capital to take root; seemingly anodyne decisions to tolerate lawless treatment of national ‘enemies’ is enough” (2004: 220). He thus shows that the toleration of lawless treatment of those deemed enemies of the state is sufficient to constitute fascism. My analysis is informed by this conception of fascism. I will examine to what extent universities use force and militarisation to enact lawless treatment of their students (enemies).

This lawlessness can occur through the ‘state of exception’. For the purposes of this article I draw on a reading by Giorgio Agamben, which ties the state of exception to the relationship between the living being and the law:

[I]f the law employs the exception – that is the suspension of the law itself – as its original means of referring to and encompassing life, then a theory of the state of exception is the preliminary condition for any definition of the relation that binds and, at the same time, abandons the living being to the law (Agamben 2005: 1).

As Agamben further explains, “the state of exception is not a special kind of law...rather, insofar as it is a suspension of the juridical order itself, it defines law’s threshold or limit concept” (2005: 4). Following Agamben, I will examine whether the tactics used by universities during the student protests constitute this form of state of exception. Furthermore, this conception of the state of exception as law’s “limit concept” is directly linked to the element of lawlessness that was foregrounded in the above definition of fascism. Given that both the state of exception and fascism as conceived here relate to this conception of lawlessness, it will be possible to undertake an analysis that is informed by both of these conceptions.

## The rise of violence and force at universities

The University of KwaZulu-Natal (UKZN) is one of the universities which experienced a number of student protests. Grassow and Le Bruyns explain that UKZN, as well as many other universities, sought interdicts to counteract protests: “This action allowed universities to bring police on to campuses and that the willingness of universities to do so ‘speaks to the institution’s initial intent to strong-arm and threaten students and staff to desist from protesting, as well as denying them full citizenship of the university” (2017: 5).

The same dynamics were visible at the University of the Witwatersrand (Wits), where the university also obtained a court interdict. "Student leaders were suspended for violating these court interdicts. The court orders were also used by the university to justify bringing police on to campus, which led to violence" (Malabela 2017: 145). These two examples indicate the willingness of universities to use mechanisms such as interdicts to enable them to bring police and private security services on to their campuses. It also shows that many universities prioritise militarisation over dialogue. The effect of this militarisation is that students become frustrated with universities and this creates a stand-off that gives rise to hostility.

When frustrations overflow from students whose pleas are not heard by universities, they often resort to violence in order to get the attention of the university management. As a result of this the police and university security retaliate with more force. Langa notes that "[a]lthough the violence engulfing the university protests cannot be blamed solely on the police, the dominant feeling among key informants was that the police too easily resorted to shooting protesters with rubber bullets and stun grenades without any attempt at negotiating or engaging with them" (2017: 8).

The unnecessary use of force by police aggravates the situation. This is what happened at Wits when, "in response to the police brutality, students resorted to looting and damaging property both on and off campus" (Malabela 2017: 145). This type of violence has become normal at universities, especially since universities have taken to using interdicts and other shows of force against protesting students. It is pertinent to further examine the different ways in which force has been used against student protesters by universities.

Fitting in with the narrative of violence, there has been a massive increase in the militarisation of university campuses across the country. Each university is different and the severity of the measures they have taken range from moderate security increases to full scale militarisation and security upgrades. Maringira and Gukurume explain that:

We can begin to unpack the ways in which South African universities have become spaces in which masculine and militant identities (see Langa & Eagle 2008) are produced but also challenged by the state security. This 'militarisation of universities' is testified to not only by the deployment of armed state police, but also by the ways in which the university became a police camp, a state camp and a site of surveillance (2017: 42).

There are, however, common tactics used by most universities in the process of militarising their campuses. These include the suspension and expulsion

of students; the arrest of students; the hiring of large numbers of private security; the implementation of stricter access control to campuses; SAPS being stationed on campuses; and long drawn-out court cases against student activists (Langa 2017: 8-9). All of these measures are evidence of universities taking extreme steps in order to suppress student protests. There appears to be a clear agenda by universities to do what they can to prevent protests, except for entering into open engagement.

The more militarised the campuses get, the lower the chances are of there being trust between parties and this makes constructive engagement nearly impossible. These extreme strategies used by universities are overly forceful and unnecessary. They don't look at the core issues of each protest, but instead try to solve all student issues by force. As defined above, fascism is evident in the promotion of lawlessness against one's enemies. This is arguably an element in the way that students have been targeted and victimised through universities' use of force. In other words, in dealing with the protests, universities have shown the tendency to treat their students as enemies. This raises the question as to whether the universities actions may be described as fascist.

In order to address the problem of militarisation of universities and the state of exception I will explore three issues. First, I will investigate the context within which student protests occur, as well as the militarisation and securitisation measures implemented by universities. Secondly, I will elaborate on the notion of a state of exception and how it comes about. Once the first two issues have been explored, I will attempt to bring into focus the parallels between the way universities have reacted to student protests and the tactics employed by authoritarian and fascist regimes.

The above problem exists at universities throughout South Africa, but specific reference will be made to the University of Pretoria (UP) as it has become one of the most militarised campuses in the country. This is suggested by a timeline of events on that campus published on South African History Online (SAHO). In a statement on 23 February 2016, the university announced that "additional and more stringent security measures will be implemented before the University reopens, to avoid further disruptions of the academic year and to ensure the safety of our students and staff" (SAHO 2016). Furthermore, an *Eyewitness News* (EWN) report noted that "Public Order Police [were] heavy on campus [and]... 'It's further understood that a police control centre has been established on the grounds in the event a group forms and tries to disrupt academic activities'" (SAHO 2016). A statement made by the SRC explained that:

[I]n light of the heavy security presence in the form of bouncers, and in light of the presence of the SAPS, and the general militarisation of our institution, we believe such a statement adds to the paranoia of students and the limitation of their freedom of expression as provided for in the Constitution of South Africa (SAHO 2016).

## Militarisation and securitisation<sup>1</sup> of university campuses

“Para-militarism, as Michael Mann stresses, is both a key fascist value and an organizational form” (Pinto 2010: 7). Mann further explains that, “fascists always portrayed their violence as ‘defensive’ yet ‘successful’ – it could roll over enemies who were the real source of violence” (Mann 2004: 17). This notion of the paramilitary being used to ‘roll over enemies’ ties into the above definition of fascism which is about using lawlessness against enemies, and will be examined in the context of universities and how they have used force to deal with student protests.

Since the recent wave of student protests first began in 2015, universities across South Africa have increased security measures on their campuses and, “it is fair to say that securitisation has been the primary response to student protests on campus” (Gillespie 2017: 1). There is evidence of this securitisation on most university campuses. At Wits, for example, this is evidenced by a “massive police and private security presence on campus, court interdicts, student arrests and suspensions, and the installation of cameras inside and outside of buildings all over campus” (Gillespie 2017: 1).

A further example is that UP has recently upgraded all of its access control systems to biometric systems. This new system “will use dual verification, whereby the smart access card is used in conjunction with biometrics (fingerprint scanning). This will greatly improve security (Ströh 2017). This allows the university to better regulate who enters its campuses and it can easily bar entry to any student they feel is undesirable. Another example from UP is that the university, “allegedly started ‘militarising’ its campus by installing barbed wire fencing in front of the main administration building and deploying extra private security guards in anticipation of industrial action by the National Health Education & Allied Workers Union (Nehawu)” (Keppler 2017). This shows that the university goes to great lengths to secure its campus.

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1 It must be noted that for the purposes of this article ‘militarisation’ refers to the broader militant stance of universities as well as the various measures put in place to secure universities, whereas ‘securitisation’ refers specifically to the measures put in place to make campuses more secure.

One of the main criticisms of the reactions of university management at many institutions during the student protests is that “to respond to its [the protesting students’] provocations with such blanket securitisation and surveillance of our campus is not only a waste of resources, but a regressive and unimaginative intervention in the life of a university” (Gillespie 2017: 1).

This is indicative of the hard-line approach that universities took as opposed to a more constructive approach of hearing student issues and allowing for open and critical discussions about these issues. “Securitisation is the too-quick, overly-reactive posture against the demand. It brokers in surfaces and symptoms, not in deeper issues at hand...” (Gillespie’ 2017: 3). The knee-jerk militarisation is evidence that universities want to address the symptoms rather than the problem. It is part of the growing trend of unwillingness of university management to try and find workable solutions by interacting with the aggrieved students (Langa 2017: 8-9). Instead they choose to protect their interests by any means necessary.

This approach is leading to a more hostile environment. When students approach university management with their issues they are either ignored or not taken seriously. The result of this is students resorting to protest in order to have their voices heard, and instead of listening to their students and trying to address the core problems, universities continue to opt for a militant approach. An example of this is the Cape Peninsula University of Technology (CPUT) where, “with more resources redirected to the militarisation of campus, less were directed towards engaging with and making progress on the student-worker demands” (Ndelu 2017: 26). CPUT chose to rather use their resources to try and stem student protests instead of using them to address the real student issues. An explanation for this approach by universities is that there has been a shift in the goal that they have for their campuses. The notion of an open and public university has been replaced by the fenced off and gated university complex that is guarded by private security, and monitored by CCTV cameras.

Traditionally, the notion of a university has been to provide an open space which is based on critical discussion, education, and the development of holistic students. A university should foster an environment that allows for robust critical discussion and the questioning of the *status quo*, “it should strive for the greatest possible capacity to withstand disagreement and to treat disagreement not as a security risk but as a pedagogical challenge” (Gillespie 2017: 1). However, this cannot be said to be the case at contemporary South African universities. They rather strive to preserve the closed off *status quo* and have shown their willingness to use force to prevent dissent from manifesting on their campuses. It is seen that

as public universities have sought out 'third stream income' to supplement resources, this has often resulted in, as Nayyar writes, "at one end, the commercialization of universities (which means business in education. At the other end, the entry of private players in higher education means education as business" (Badat 2016: 7).

This clearly shows the move away from an open university space towards a more controlled, commercialised university.

This new approach by university management is very concerning. University management is adopting tactics to rule their campuses by fear and force. "We see how university managements are leading with security, aligning their response to student protests with that of the state, collapsing autonomy and opening our institutions to the force of state power" (Gillespie 2017: 2). The use of force is also evidence that universities are more concerned with their own interests than those of their students. This means that the university has prioritised its capital interests over those of its students. It is unwilling to allocate resources to the socio-economic needs of students if it does not benefit the broader economic interests of the universities. Furthermore, "university management justified calling the police and hiring private security companies by saying that the aim was to protect university property" (Langa 2017: 8). This clearly shows that universities use security to protect their buildings and assets often at the cost of their students' safety.

This ties to the above notion of fascism in as far as universities are treating their students as if they are enemies of the state. They are being blocked from campuses and prevented from protesting. Thus the university is promoting the kind of lawlessness that is typically associated with fascism. "The current trajectory of state and institutional management seems hell-bent on protecting processes that are increasingly losing legitimacy as adequate responses..." (Gillespie 2017: 3). The use of force and militarisation as a way to control students suggests that the suspension of the rule of law has become one of the mechanisms through which universities protect their interests. We may therefore ask whether a state of exception has come into existence at South African universities.

## The state of exception

As defined above a state of exception is essentially the suspension of the rule of law. In order to understand a state of exception it is important to clarify what is meant by the rule of law. The law can be defined as two things: first, "principles and regulations established in a community by some authority and applicable to its people, whether in the form of legislation or of custom and policies recognised



and enforced by judicial decision” and secondly, “any written or positive rule or collection of rules prescribed under the authority of the state or nation, as by the people in its constitution” (Kamdem Kamga 2017: 2).

In terms of this definition it is important to understand the functions of law. The rule of law is in place to ensure that people have access to entitlements. These include social protection; the regulation of life in society; the sanction of violations and abuses; and the guarantee of security as well as rights (Kamdem Kamga 2017: 2). The rule of law is also important as it is necessary to prevent authorities from becoming authoritarian. This is done through mechanisms such as the separation of powers, putting checks and balances in place, and the enforcement of constitutional supremacy (Kamdem Kamga 2017: 3). In terms of legal order, “the rule of law and only the rule of law is at the origin of the legal order. Law should be self-supporting and should not depend on any extra-legal values” (Kamdem Kamga 2017: 5). Therefore, all of the above must be in place to ensure that there is rule of law and thus legal order. This framework is applicable to universities, which are microcosms of the broader society. All universities should maintain rule of law as the *status quo* and adhere to this in all situations.

It follows that where there is rule of law, legal order is the accepted norm. However, problems begin to arise when this is no longer the case and there is a suspension of the rule of law. “Suspension of the rule of law in a constitutional democracy happens when any of the following is declared: a state of exception, a state of emergency, a state of siege, or martial law” (Kamdem Kamga 2017: 12).

It is important to understand that, “what characterizes an exception is principally unlimited authority, which means the suspension of the entire existing order. In such a situation it is clear that the state remains, whereas law recedes” (Schmidt 2010: 12). This means that the rule of law has been overturned and the authority in power has absolute power to determine the existing order. There are no longer set rules and procedures and all mechanisms for accountability cease to exist. In effect those in power can do what they want without any consequences.

A state of exception is normally reserved for extreme circumstances, for example, an existential threat to the state (this is student protests in the case of universities). “The state suspends the law in the exception on the basis of its right of self-preservation” (Schmidt 2010: 12). This shows that it is in fact the state that chooses when to implement a state of exception, and it has the discretion to decide when it feels that it is being threatened. This is problematic, as the state can easily use this mechanism to protect its interests for the wrong reasons. It could thus be said that the state or authority has an absolute position of power and is sovereign in making its decisions. Therefore, “sovereignty... resides in...determining definitively what constitutes public order and security, in

determining when they are disturbed, and so on” (Schmidt 2010: 9). Such a power structure is thus one-sided, with the authority being able to determine when it is threatened and then act without being subjected to consequences. Those who oppose the state are dealt with through force and extended power. This is a very dangerous state of affairs as it grants those in authority absolute power.

In continuing with the criticism of state power, it is pertinent to note that:

Public order and security manifest themselves very differently in reality, depending on whether a militaristic bureaucracy, a self-governing body controlled by the spirit of commercialism, or a radical party organisation decides when there is order and security and when it is threatened or disturbed (Schmidt 2010: 9-10).

In the context of South African universities it can be posited that universities would fall under the categorisation of a ‘self-governing body controlled by the spirit of commercialism’. Although it may be argued that universities are public, the reality of the situation is that there has been a shift, as mentioned above, towards commercialised institutions of higher learning. Priority has been placed on the university’s economic and material prosperity and these interests are being protected against student protests. Given the above definition of a state of exception and how it is brought about, it is now necessary to investigate whether a state of exception has come into being at South African universities in response to student protests.

## The state of exception in South African Universities

A state of exception has been defined to entail the suspension of the rule of law by an authority whereby they secure absolute control of the system and dictate the *status quo*. It is necessary to determine whether this applies to South African universities and if so, to what extent. In order to do so, it is apt to look at the elements of a state of exception.

This analysis distinguishes five elements of a state of exception They are: the extension of competence whereby those in authority are given more power; the ignorance of law and any pre-established procedures as the powerful authorities act as they see fit without adhering to established protocol; human rights violations as well as government by decree and police brutality; requisition and request for various administrative permissions further extending powers of those in authority; and the imposition of curfews, including searches by day and night, which allow the authorities to exercise their unbridled powers and maintain the state of exception (Kamdem Kamga 2017: 16). It must be determined whether

these elements are present at universities; for the purposes of this article, specific focus will be placed on UP.

During the #FeesMustFall protests in 2015 and 2016 as well as during other student protests, there has been a change in the way that universities have used their disciplinary jurisdiction (Brand 2017: 2). The way in which universities use their powers to restrict students and take away their rights must thus be examined. This ties directly into the authoritative nature of the university and could provide evidence of the existence of a state of exception. An example of this is UP and how the university has used its jurisdiction. UP's disciplinary jurisdiction has two limits, namely, the subject matter of its jurisdiction and its punitive jurisdiction. In terms of the subject matter of its jurisdiction, UP can only address certain offences and these offences must have occurred on campus or have some sort of link to the university. The punitive jurisdiction is limited through the university only being able to impose certain forms of punishment (Brand 2017: 3). However, during the student protests over the past few years, both of the above limitations were extended by the university (Brand 2017: 4).

UP extended its jurisdiction through the use of two mechanisms, namely, interdicts and suspensions pending disciplinary hearings (Brand 2017: 4). This began when the university obtained court interdicts against protests and protesting students on its campuses. The effect that this had was to extend the subject matter of their jurisdiction (Brand 2017: 4). "These interdicts exposed the apparent contradiction in university management's claimed commitment to negotiations, while simultaneously using the interdicts as a pretext to justify calling the police and private security officials to stop protests" (Langa 2017: 9). Moreover, the interdicts that were obtained by various universities were often too broad in their scope. This is evidenced by how, "at Rhodes University, the university management sought an interdict which was not specific about its limitations. This was a common practice at all the universities" (Langa 2017: 9). Therefore, through the use of interdicts universities effectively gain criminal jurisdiction over their students. This was the case at UP as the interdict gave SAPS the authority to arrest students who had had criminal charges brought against them by the university (Brand 2017: 4). The use of interdicts to extend jurisdiction is in accordance with the first element of the state of exception whereby those in authority extend their competence to gain more power.

The use of suspensions pending disciplinary hearings also led to the extension of the university's punitive jurisdiction (Brand 2017: 4). This was used in a more indirect manner by the university and effectively meant sanction without trial. The suspensions were used to bar the entry of certain students to campus. In addition to this, the suspension of students meant that they were also suspended from

the university residences. This fact was used during the bail hearings of arrested students as SAPS could not timeously obtain the proof of permanent residence of students who lived far away and had stayed in university residences until their suspensions (Brand 2017: 4). This led to the postponement of bail hearings and a number of students being sent to prison in order for police to confirm their permanent residence.

In addition to the above tactics, at the beginning of 2017 UP unsuccessfully attempted to use its powers to academically exclude protesting students for disciplinary purposes, which further exemplifies the steps the university is willing to take to maintain control (Brand 2017: 4). These tactics are thus in line with the second element of the state of exception where there is an ignorance of law and any pre-established procedures. Another example of this is where student activists have claimed that “UP suspended nine students on false charges and on cases that had not been ruled on in court... [and that] eight of the nine students were excluded without proper procedure by the institution’s management” (Chauke 2017).

The use of these tactics by the university exemplifies the management’s view of what kind of space a university is and how it should operate. Their view appears to be that campuses should be controlled spaces. This translates into the university being an authoritarian space characterised by the suspension of the rule of law and collusion with the state in the form of a close relationship between the university and SAPS (Brand 2017: 5). As shown above, universities have become increasingly militarised and there has been unnecessary use of force by private security and police. This has led to students being deprived of rights such as freedom of movement, the right to protest, and the right to bodily integrity. These tactics used by the university therefore align with the third element of a state of exception whereby there are human rights violations and police brutality.

The fourth element of a state of exception deals with the further extension of administrative permissions and how this further extends the powers of those in authority. Jonathan Jansen explains how after apartheid there was a change in the relationship between university management and councils:

The expansion of the functions of councils of universities and Technikons as they became much more involved in the management of institutions, compared to their traditional governance role with respect to institutional policies...created considerable conflict in many institutions as the line between management and governance became blurred through the activism of otherwise distant councils (Jansen 2003: 303).

This shift led to a broader issue where universities have changed the way they are governed. There is a lot more top down management and executive decisions are used to run the university. Furthermore, there has been a clear merging of state and university authority. This is evidenced by the SAPS acting at the behest of the university and the expediency with which students are arrested and taken to trial. It could thus be alleged that the university is in fact using extended powers to control the university (Brand 2017: 5). This suggests the presence of the fourth element at the University of Pretoria in that administrative permissions have been requisitioned to further extend the university's powers.

The fifth element of a state of exception consists of the imposition of curfews, including searches by day and night. This too, is present at UP. In terms of the University General Rules:

Admission to the premises of the University by motor vehicles, pedestrians and bicycles is under all circumstances subject to the Control of Access to Public Premises and Vehicles Act (Act 53 of 1985), which determines among other things that an authorised officer may require a member of staff, a student or a visitor who desires admission to the University premises to... subject themselves to a search of themselves or of any vehicle or container (UP 2018).

This policy was used during the student protests to police students on campus and shows how the fifth element is present at the university. Therefore it is evident that all five of the above elements of a state of exception are present at UP.

At this point it is pertinent to also take cognisance of the fact that in a state of exception there are two types of violence: that perpetrated by the state/authority, and that perpetrated by the individual. When violence is used by the people it is illegal, but when violence is used by the state, this is not the case and this allows the state to use unlimited force to protect its interests (Brand 2017: 5). Universities have used private security and police to ensure that students do not use any violence against them but in doing so the private security and police use violence against the students. This further shows that a state of exception is indeed in force at universities as violence is there to protect nothing but the interests of those in power without there being any recourse for their actions. The existence of a state of exception coupled with the blatant disregard for the rights of students in order to protect the interests of the university aligns with the above definition of fascism as using lawlessness against enemies of the university. Below, I consider the relationship between fascism and the state of exception at universities.

## Universities in a state of exception and how this relates to fascism

It has been established that in response to student protests universities have effectively enacted a state of exception. It is now left to determine whether the tactics used by the universities amount to fascism. Fascism has been defined above as existing where, “seemingly anodyne decisions to tolerate lawless treatment of national ‘enemies’ [exist]” (Paxton 2004: 220).

As set out above, universities have extended their jurisdictional powers regarding disciplinary steps taken against students. They control the university without being held accountable and thus have complete power. Furthermore, the use of force against students who protest highlights the fact that universities forcibly oppress any opposition and criticism. This is further evidenced by the militarisation which has occurred on university campuses. These examples all show direct links between fascism and the tactics used by South African universities in response to student protests. Another element of fascism which is employed by universities is the way that students are treated on a daily basis at the university. In the UP context, it could be said that students are reduced to bare humans as per the Agamben conception of *homo sacer*. “Homo sacer...is an outcast, a banned man, tabooed, dangerous... Sacer designates the person or the thing that one cannot touch without dirtying oneself” (Agamben 1998: 52). In other words this refers to the notion of being untouchable or a bare human. This is a part of the state of exception as the classification and securitisation that takes place on campus in essence strips students of their humanity, making them *homo sacer*.

A further example of the above notion of bare humanity is the way that students are treated during protests. Private security and police use excessive force to stop or disperse protesters. In addition to this, very few effective mechanisms exist which can be used to hold the security, police, or university accountable. Thus the actions of the university are left without consequence. Human rights and student rights are no longer adhered to on university campuses due to the state of exception. Students’ right to movement is impeded along with their rights to bodily integrity, freedom of association, and right to protest. This is clear evidence of the university using their extended powers under the state of exception to take “seemingly anodyne decisions to tolerate lawless treatment of national ‘enemies’”. It can therefore be concluded that universities, with UP as a specific example, have tended to use fascist means to deal with student protests.

## Conclusion

In order to resolve the question of whether South African universities have fascist tendencies when dealing with student protests, it was necessary to explore a few factors at play. First, the militarisation of campuses was investigated and it is evident that in response to student protests there has been a clear increase in securitisation and militarisation of campuses. Secondly, the notion of a state of exception was considered in order to determine whether a state of exception exists on university campuses. The approach that universities have taken in terms of their disciplinary jurisdiction is blatant evidence that a state of exception does exist on university campuses. Lastly, it was necessary to determine whether, within this state of exception, universities have employed fascist tactics. The dehumanising tactics employed by universities, as well as the promotion of lawlessness against students align with the above definition of fascism. Universities, and UP in particular, have taken an authoritarian approach that aims to prevent or stop protests at any cost so as to protect their financial interests, which they prioritise over addressing student issues. Therefore, it can be said that South African universities have fascist tendencies when dealing with student protests.

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