Thought Amidst Waste
Conjunctural Notes on the Democratic Project in South Africa

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> *the existence of suffering human beings, who think, and thinking human beings, who are oppressed, must inevitably become unpalatable and indigestible to the animal world of philistinism.*
> -Karl Marx, Cologne, 1843

In a recent essay Achille Mbembe argues that the rendering of human beings as waste by the interface of racism and capitalism in South Africa means that "for the democratic project to have any future at all, it should necessarily take the form of a conscious *attempt to retrieve life and 'the human' from a history of waste*". He adds that "the concepts of 'the human', or of 'humanism', inherited from the West will not suffice. We will have to take seriously the anthropological embeddedness of such terms in long histories of "the human" as waste."[1]

Modernity & waste

John Locke and, for a significant part of his life, Karl Marx both assumed that modernity - its economy and its civil society - was dependent on the active rendering of some people and their economies as waste. For Locke the lands that, where ever they may be in the world, are still governed under an idea of a right to the commons rather than as private property mediated by money are waste – waste that can and should be redeemed by expropriation.[2] One consequence of this, as Vinay Gidwani and Rajyashree Reddy note, is that for Locke, 'waste' lies outside of the ethical ambit of civil society.[3]

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1   Achille Mbembe, 'Democracy as Community Life' *Johannesburg Workshop on Theory & Criticism,* 2011
    http://www.jwtc.org.za/volume_4/achille_mbembe.html

2   John Locke, *Two Treatises on Government*, Everyman, London, 1986, p, 45. Also see George Caffentzis, 'John Locke the Philosopher of Primitive Accumulation', *Bristol Radical Pamphleteer No.5*, Bristol Radical History Group, Bristol, 2008

3   Vinay Gidwani & Rajyashree N. Reddy, 'The Afterlives of "Waste": Notes from India for a Minor History of Capitalist Surplus', *Antipode*, Vol. 43, No. 5, 2011, pp. 1625-1658.

There were moments in his life when Marx took the view idea that colonialism would be an ultimately redemptive force thereby implicitly rendering the majority of actually existing people and economies as waste in the name of a shared future to come.[4] And at home, in Europe, Marx argued that the '*lumpen-proletariat*", the 'refuse of all classes',[5] is produced by the fact that:

> it is capitalist accumulation itself that constantly produces, and produces indeed in direct relation with its own energy and extent, a relatively redundant working population, i.e. a population which is superfluous to capital's average requirements for its own valorization, and is therefore a surplus population.[6]

For Walter Benjamin the wreckage upon wreckage that undergirds the 'storm' of modern progress erected the Parisian arcades on the foundation of a permanent state of emergency. But while crude material need was systemically unmet the working class in Germany could still assume that being swept into the factory was, nonetheless, a movement with the current of history, with the 'fall of the stream', in which it would soon take its rightful place.[7] But in the colonial world people were not only expropriated and proletarianised. People were also turned into members of races in a world that was, Fanon wrote, "cut in two",[8] divided into "compartments....inhabited by different species".[9]

In Aime Césaire's famous equation "colonization = 'thingification'".[10] He insists that in the colony 'the storm' is more about what has been trampled, confiscated, wiped out and brought into new regimes of abuse in "a circuit of mutual services and complicity"[11] than any sense of hard won but ultimately redemptive universal progress. Here neither the living nor the dead can be redeemed by a modernity in which capital makes concessions to society in a double movement, or a revolutionary proletariat seizes the engines of progress for itself,

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4   Kevin Anderson's *Marx at the Margins* provides a useful analysis of the way in which Marx's thought evolved during the course of his life and shows, in particular, that he came to reject the idea of colonialism as a progressive force and began to look at communal modes of life, outside of its reach, and the reach of capital, as potential sites of progressive movement. *Marx at the Margins*, University of Chicago Press, Chicago, 2010.

5   Ernesto Laclau shows that (at this point) in Marx's work the proletariat is strictly delimited from *lumpen-proletariat in* order to affirm its position within capitalist development with the result that the *lumpen-proletariat is* given the status of the pure outside and its "expulsion from the field of historicity is the very condition of a pure interiority". *On Populist Reason*, Verso, London, 2005, p. 114.

6   Karl Marx, *Capital Vol. 1*, Penguin, London, 1976, p. 782.

7   Walter Benjamin, 'Theses on the Philosophy of History', *Illuminations*, Pimlico, London, 1999, pp. 245-255.

8   Frantz Fanon, *The Wretched of the Earth*, Penguin, London, 1976, p.29.

9   Fanon, *The Wretched of the Earth*, p. 30.

10 Aime Césaire, *Discourse on Colonialism*, Monthly Review Press, New York, p. 42.

11 Césaire, Discourse on Colonialism, p. 43.

until racism is abolished and humanity known under a generic appellation. And the former is not sufficient to guarantee the latter. Colonialism and anti-colonial nationalism have often shared a view of the subaltern, as Partha Chatterjee writes of the peasantry in India, "as an object of their strategies, to be acted upon, controlled, and appropriated within their respective structures of state power."[12] Chatterjee also notes that elite nationalist thought excludes the subaltern from the domain of reason and argues that "Nowhere in the world has nationalism qua nationalism challenged the legitimacy of the marriage between Reason and capital."[13] For Gidwani and Reddy, whose survey of how people and economies are rendered as 'waste' spans colonial and post-colonial India: "'Waste' is the [consistent] political other of capitalist 'value', repeated with difference as part of capital's spatial histories of surplus accumulation"[14] and this fact is central to the [enduring] "illiberalism of liberalism."[15] But there is, of course, a danger in the economism that seeks to limit the explanations for the ongoing rendering of people as 'waste' in the postcolony to the subordination of society to capital. Operation Murambatsvina – 'Operation Drive Out Trash' - was not driven by finance capital seeking to 'unlock' the 'value' of urban land. And in South Africa 'slum eradication', a systemically violent and unlawful process,[16] has been driven by an interrelated set of concerns that straddle the economic, the political and the nature of middle class and elite identities.

The rendering of people as 'waste' takes on a particularly acute intensity in South Africa. As Giovanni Arrighi *et al* note "the South(ern) African experience (is) … a paradigmatic outlier case of accumulation by dispossession".[17] Gill Hart has argued that here the extent of dispossession is an important factor driving the inability of the economy to create employment.[18] The scale of what Marx called 'immiseration' extends far beyond that of any process that could be argued to be functional to the economy in so far as it constitutes a 'reserve army of labour'. Millions of people are simply economically redundant. This fact is being actively compounded by the persistence of a profoundly unequal and inadequate education system. Moreover the rendering of people as waste is increasingly being built into

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12 Partha Chatterjee *The Nation & its Fragments,* Princeton University Press, Princeton, 1993, p. 159.

13 Partha Chatterjee, *Nationalist Thought and the Colonial World*, Zed Books, London, p. 68.

14   Vinay Gidwani & Rajyashree N. Reddy, 'The Afterlives of "Waste": Notes from India for a Minor History of Capitalist Surplus', *Antipode*, Vol. 43, No. 5, 2011, p.1626.

15 Gidwani & Rajyashree, *The Afterlives of Waste*, p. 1630.

16 Centre on Housing Rights & Evictions (COHRE), *Business as Usual: Housing Rights in Durban, South Africa*, COHRE, Geneva, 2008

17 Giovanni Arrighi, Nicole Aschoff and Ben Scully, 'Accumulation by Dispossession and Its Limits: The Southern Africa Paradigm Revisited', *Studies in Comparative International Development*, 2010, p. 411.

18 Gillian Hart *Disabling Globalization* University of Natal Press, Pietermaritzburg, 2002

the materiality of our cities in the form of the peripheral housing developments and the transit camp – zones of exclusion, suffering and stigmatisation - both of which are widely referred to in popular discourse via metaphors that speak to contemporary forms of 'development' as banishment, incarceration and the rendering of human beings as rubbish and as animals.[19] In this context the point, frequently made by Abahlali baseMjondolo, and since taken up more widely in popular struggles, that the same economy that made the rich rich also made the poor poor carries considerable ethical weight. And in this context opposition to exclusion based on class cannot be reduced to trade unionism or other forms of struggles in the workplace.

Today, as in the past, human beings become objects to others, either invisible or hyper-present,[20] their faces distorted into caricature or worn into nothingness by the enduring weight of the economic, spatial and symbolic division of the world into what Michel-Rolph Trouillot terms "an ontology, an implicit organization of the world and its inhabitants".[21] One of the categories of people whose sociological existence as a class is still routinely, and without scandal, assumed, in public discourse, to imply a particular ontological existence is the urban poor – the 'rabble' for Hegel, the 'dangerous classes' for Marx and even, in the language of Friedrich Engels, the "race...robbed of all humanity, degraded, reduced morally and physically to bestiality".[22] Squatter settlements are often seen, as Fanon observed fifty years ago, as "places of ill fame peopled by women and men of evil repute".[23]

This is an international phenomenon which is driven by a variety of anxieties. They include the fact that the shack settlement tends to house people who are not firmly contained by the discipline of work; who may be unable to marry; who often inhabit private and public

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19 See, for instance, COHRE, *Business as Usual;* Voices from Symphony Way, *No Land! No House! No Vote!* Pambazuka Press, Oxford, 2011 and various statements and writings by and from within popular movements archived at the websites of Abahlali baseMjondolo (http://www.abahlali.org/) and the Western Cape Anti-Eviction Campaign (http://antieviction.org.za/)

20 Lewis Gordon's work has often reflected on this oscillation between invisibility and hyper-presence in the context of anti-black racism. See, for instance, *Existentia Africana*, Routledge, London, 2000.

21 Michel-RolphTrouillot, *Silencing the Past,* Beacon Press, Boston, 1995, p. 73.

22 Friedrich Engels, *The Condition of the Working-Class in England in 1844*, Dodo Press, 2010, pp.37-38.

23 Fanon, *The Wretched of the Earth,* p, 103. This remains a general phenomenon. In an interview in *New Left Review* on the mass revolt against the dictatorship in Egypt Hazim Kandil, when asked about the "sub-proletariat of the slums in Cairo", replied that "fortunately, this menacing human mass was entirely absent from the revolt, which probably contributed to its civilized and peaceful character." Hazim Kandil, 'Revolt in Egypt', *New Left Review,* No. 68 http://newleftreview.org/?view=2884 People who did actual research reject the claim, made solely on the basis of a prejudicial assumption, that residents of the Ashwaiyyat were not present in the revolt e.g. Asef Bayat, ' 'Our Revolution Is Civil' An Interview with Asef Bayat on Revolt and Change in the Arab World', *The Hedgehog Review,* Vol. 13, No.3, 2001 http://www.iasc-culture.org/publications_article_2011_Fall_Bayat.php; Selwa Ismail, 'Urban Subalterns in the Arab Revolutions', Paper Presented at the *Urban Revolutions Conference*, Jakarata, 16-20 March 2012.

modes of sociality that are dominated by women;[24] who are frequently the first to live amongst new waves of migrants; who generally inhabit materially degraded and unsanitary conditions; who, in some cases, literally live within and at times from waste; who may, by virtue of their consumption of services and occupation of space outside of state regulation, live in a permanently ambiguous relationship to the law and the police; who live closely together, sometimes confront a collective destiny and can mobilise relatively quickly and who may also, in terms of the logic of the state and the market, be out of place and threatening to domination constructed, along with other lines of force, on the ordering of space.

A humanism made to the measure of the world

The academy has to tread carefully when it turns its gaze to any space subject to 'territorial stigmatisation'[25] or any subject that has been excluded from the *agora* - from, in Marx's terms, "an association of free human beings who educate one another."[26] In 1952, in his first published essay, *The North African Syndrome*, Fanon argued that in France migrant workers from North Africa were "hidden beneath a social truth", "thingified and "dissolve(d) on the basis of an idea"[27] *within* French science. He was particularly critical of the view that the North African was "a thing tossed into the great sound and fury" which he described as "manifestly and abjectly disingenuous"[28] as it functioned to mask both the reality of an inhuman system that treated people as objects and the humanity of the people in question. Lewis Gordon makes a similar point in his sustained reading of W.E.B. Du Bois's essay *The Study of the Negro Problem*[29] over the last decade or so. The essential lesson that Gordon draws from his reading of Du Bois is that there is a profound difference between studying oppressed people as 'problem people', an approach that implicitly assumes that the broader system is essentially just and that there is something lacking in people who inhabit its underside, and studying oppressed people as people that have been subject to oppression

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24 Mark Hunter has developed an important analysis of the way in which the shack settlement remains a site of gendered transgression in contemporary South Africa. *Love in the Time of Aids*, University of KwaZulu-Natal Press, Pietermaritzburg, 2010.

25 I am using the phrase in the sense developed by Loïc Wacquant. See 'Territorial Stigmatization in the Age of Advanced Marginality', *Thesis Eleven*, November 2007, Vol. 91., No. 1, pp. 66-77.

26 Karl Marx, '*Rheinische Zeitung* No. 191, July 10, 1842, Supplement', *Marxists Internet Archive*, http://www.marxists.org/archive/marx/works/1842/07/10.htm For an excellent analysis of the democratic ideals of the young Marx see Stathis Kouvelakis *Philosophy & Revolution: From Kant to Marx*, Verso, London, 2003.

27 Frantz Fanon, *Towards the African Revolution*, Grove Press, New York, 1967, p.14.

28 Fanon, *Towards the African Revolution*, p.15

29 W. E. Burghardt Du Bois 'The Study of the Negro Problem', *Annals of the American Academy of Political and Social Science*, Vol. 11., 1898, pp. 1-23.

and confront a particular set of problems consequent to that experience.[30] A concept like the '*lumpen-proletariat*' is, when used uncritically, plainly more suited to the first mode of study than it is to the second. Moreover while the way that Marx and Engels used the term denied the full and equal humanity of a relatively small portion of society in contemporary South Africa it functions to exclude a large proportion of society from an equal right to presence in the *agora*.

There is a rich tradition of thought that, in Aime *Césaire's terms, reaches towards "a humanism made to the measure of the world".[31] This thought has sought to extend the category of those that count as fully human and to oppose ontological explanations for invisibility, exclusion or subordination with political explanations. Some of it has,* as Mbembe writes in a luminous essay on what he calls the "force and power" of the "metamorphic thought" of Fanon, "the brightness of metal".[32] In Fanon's case the will to contest rather than to abjure humanism is rooted in fidelity to the two ethical axioms on which his project is founded. The first is the necessity to recognise "the open door of every consciousness".[33] The second, which follows from a full apprehension of the first, is that we all have the right to "come into a world that [is] ours and to help to build it together."[34]

The character of the bright metallic strength that Mbembe discerns in Fanon's thought is drawn from the experience of being a subject amongst subjects "on the common paths of real life".[35] Fanon is clear that it is forged in action and requires ongoing ethical engagement with the self as well as others. This makes it entirely different to the ruthless will to power that can come with the modes of politics that speak in the name of justice from within the blinding pain, fear and rage of a collective wound, fantasies of a privileged access to ethical enlightenment or strategic capacity, the politics of the *synecdoche* in which a part believes that it stands in for the whole, or a sense that states or economies are inhuman forces to which progress requires accommodation rather than contestation.

For Fanon the capacity for reason is central to human being. This is, of course, an ancient idea. For Aristotle the human, as political animal, is separated from other animals by the capacity for speech, which is not the same as voice, as it extends beyond the ability to

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30 Gordon has often written on this theme. But a useful starting point is 'What Does It Mean to be a Problem?', the sixth chapter of *Existentia Africana*, pp. 62-95.

31 *Césaire, Discourse on Colonialism, p. 56.*

32 Achille Mbembe, 'Metamorphic Thought: The works of Frantz Fanon', *African Studies*, Vol. 71, No.1, p. 26.

33 Frantz Fanon, *Black Skin, White Masks* Grove Press, New York, 1967, p. 232.

34 Fanon, *Black Skin, White Masks*, p. 3.

35 Fanon, *The Wretched of the Earth*, pp. 177-178.

communicate pleasure and pain to enable discussions on the question of justice. Aristotle concludes that "It is the sharing of a common view in these matters that makes a household and a state."[36] But when the *agora* is not open to all, when the right to speech is not extended to all and the mere appearance of certain people in the *agora* is considered to be illicit[37] – a process that often assumes, across space and time, that mere appearance constitutes criminality, conspiracy or madness - a dominant view will often be mistaken for a common view. In many cases its claim to constitute a common view will be rooted, along with other modes of containment that divide those presented as having a capacity for speech from those assumed to have a mere capacity for voice, in exclusionary spatial practices – the woman, the worker, the raced other and the foreigner all in their place – and often kept there by forms of policing that include violence.

'Delivery' as a new mode of exclusion

Apartheid, a period in the evolving political form taken by the intersection of racism and capitalism in South Africa, did not only classify people as different types – different 'species' in Fanon's language - and allocate them, in space, to what Fanon called 'opposed zones' for the purpose of exploitation and political control. It also rendered people, in the titles of two classic studies that detailed forced removals to the Bantustans, as surplus people, or discarded people.[38] As well as forcing people into Bantustans and townships - both zones of spatial exclusion – apartheid, following previous practices, also forced people into what, borrowing from Martin Heidegger's essay on dwelling, we could call "harassed unrest".[39] In 1916 Sol Plaatje wrote that rural dispossession had turned people into "roving pariahs".[40] In 1948 Modkiwe Dikobe wrote, after an eviction from an urban shack settlement:

> I am unfeathered
> Left wingless

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36 Aristotle, *The Politics*, Penguin, London, 1988, p.60.

37 In their meditation on monstrosity, Lewis and Jane Gordon argue that in anti-black societies black people are rendered monstrous "when they attempt to live and participate in the wider civil society and engage in processes of governing among whites... Their presence in society generally constitutes crime". *Of Divine Warning: Reading Disaster in the Modern Age*, Paradigm Publishers, Boulder, 2009, p. 49. In contemporary South Africa there are many examples in which peaceful and rational attempts to participate in the *agora* on the part of poor people who have affirmed their right to think from material deprivation, to do so on their own terms and to constitute themselves as an independent force rather than rallying behind an elite actor that offers to represent them, have been received as *a priori* illicit and, indeed, violent and criminal by elites organised across the state, the left and civil society.

38 Cosmas Desmond, *The Discarded People*, The Christian Institute of SA, Johannesburg, 1970; Laurine Platzky & Cherryl Walker, *The Surplus People*, Ravan Press, Johannesburg, 1985.

39 Martin Heidegger, 'Building Thinking Dwelling', *Poetry, Language, Thought, translated by Albert Hofstadter, Harper Colophon Books, New York, 1971.* http://students.pratt.edu/~arch543p/readings/Heidegger.html

40 Sol Plaatje, *Native Life in South Africa*, Echo Library, Fairford, Gloucestershire, 2007, p.53.

Dumfounded.

South, West, we are being driven in circles[41]

In post-apartheid South Africa some of the routes that have been proposed as a means toward substantive social inclusion have, like access to employment and education, become widely seen as, to say the least, inadequate. But housing has often been seen as a success, in some cases as the success. This is largely due to the considerable numbers of houses that have been built.

But housing after apartheid was, from the beginning, undertaken in a manner that had very little regard for, in Heidegger's language, the recognition that "building is letting dwell", that dwelling is fundamental to being and that both building and dwelling are worthy of questioning, of thought.[42] There was no regard at all given to the idea that the right to participate in this questioning, this thought, should extend beyond professionals in the employ of the market and the state.

The 1994 Housing White Paper declared that: "The time for policy debate is now past – the time for delivery has arrived."[43] The post-apartheid housing programme reduced the urban crisis to a housing crisis which was overwhelming conceived in terms of a 'backlog' – a simple question of numbers to be made up. Housing, conceived broadly to include popular strategies for accessing shelter and urban proximity, had been a central issue in the mass political participation of the 1980s[44] but the post-apartheid state actively sought to demobilise popular organisation[45] and did not seek to encourage popular participation in decision making.[46]

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41 Modike Dikobe, 'Shantytown Removal', *The Dispossessed*, Ravan Press, Johannesburg, 1983, p. 29.

42 Heidegger, *Building Thinking Dwelling*.

43 Cited in Sarah Charlton and Caroline Kihato, 'Reaching the Poor: An analysis of the evolution of South Africa's housing programme', Udesh Pillay, Richard Tomlinson & Jacques du Toit (Eds.). *Democracy and Delivery: Urban Policy in South Africa,* University of Cape Town Press, Cape Town, p. 267.

44 See, for example, Jeremy Seekings, *The UDF*, David Philip, Cape Town, 2000; Ineke van Kessel,*"Beyond Our Wildest Dreams": The United Democratic Front and the Transformation of South Africa,* University Press of Virginia, Charlottesville, 2000; Catherine Cross, 'Shack Tenure in Durban' in Doug Hindson and Jeff McCarthy (Eds.), *Here to Stay,* Indicator Press, Durban, 1994, pp. 170-190 & Marie Huchzermeyer, *Unlawful Occupation: Informal Settlements and Urban Policy in South Africa and Brazil* Africa World Press, Trenton, New Jersey, 2004.

45 Michael Neocosmos, 'From people's politics to state politics: aspects of national liberation in South Africa 1984-1994', *Politeia*, Vol.15, No. 3, 1996, http://www.unisa.ac.za/Default.asp?Cmd=ViewContent&ContentID=11627

46 In 2001 Patrick Heller argued that "foundational constitutional and programmatic commitments to building 'democratic developmental local government' have given way to concerted political centralization, the expansion of technocratic and managerial authority, and a shift from democratic to market modes of accountability." Patrick Heller 'Moving the State: The Politics of Democratic Decentralization in Kerala, South Africa, and Porto Alegre', *Politics & Society*, Vol 21, No. 1, p. 33.

Some of the insurgent popular claims to both the cities and citizenship that had been made in the 1980s were written into law, jurisprudence and policy but the state and NGO language of 'service delivery', and its mirror image on the left, which is well described by Marcelo Lopes de Souza as "left-wing technocratism",[47] effectively reduced housing development to a matter of moving bodies around the city in the manner that a puzzle is put together. This has sometimes been justified in the language of crisis and the need for decisive action. But as Theodor Adorno noted to insist that there is only genuine tenderness in the coarsest of demands is to replace the ideal of vital, creative man (sic) with the sterility of commodity fetishism. "It was in this", he concluded, "and not in their alleged levelling-down, that the positive blue-prints of socialism, resisted by Marx, were rooted in barbarism."[48]

'Delivery' often took the form of moving people from shacks, which, in some cases, were located in the zones of privilege where there was access to work, education, libraries, sporting facilities etc., to houses far smaller and more poorly constructed than those built by Verwoed, set in new townships - a profoundly racialised construction of space - and, very often, built on peripheral land first set aside for township development under apartheid.[49] It was not unusual for 'delivery' to be implemented against people's will and, in some cases, with considerable intimidation and, certainly in Durban, violence channelled through both party and state structures. It was not unusual for 'delivery' to result in people losing access to work and education when they were relocated.[50]

But in 2001 the turn to a state led discourse of 'slum clearance' and 'shack eradication', a discourse that trumped law and policy[51], marked the decisive step towards an outright construction by the state and the party of the urban poor as a threat to society. One immediate consequence of the turn to 'eradication' was that all shack settlements were now, by the stroke of an official pen, explicitly considered as 'temporary' – even though some were more than thirty years old and continue to grow today. The fantasy that shack

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47 Marcelo Lopes de Souza, '*Together with the state*, *despite the state*, against the *state*: social movements as 'critical urban planning' agents', *City*, Vol. 10, No. 3, pp. 327-342.

48 Theodore Adorno, *Minima Moralia: Reflections from a damaged life*, Verso, London, 2005, p. 156.

49 Centre on Housing Rights & Evictions, *Business as Usual?*

50 Centre on Housing Rights & Evictions, *Business as Usual?;* Mark Hunter and Dorrit Posel have recently provided a useful demonstration of the importance that spatial location plays in access to opportunities to generate livelihoods. 'Here to work: the socioeconomic characteristics of informal dwellers in post-apartheid South Africa', *Environment & Urban Planning*, Vol. 24, No. 1, pp. 285–304.

51 Richard Pithouse, 'A Progressive Policy Without Progressive Politics: Lessons from the failure to implement 'Breaking New Ground'', *Town & Regional Planning*, No. 54, 2009, pp.1-14.

settlements could be rendered 'temporary' in this manner resulted in an immediate exclusion of shack dwellers from certain substantive rights of citizenship resulting in, amongst other things, an immediate decline in the levels of state support offered to shack settlements. For instance in Durban the City's Electricity Supply Policy announced in 2001, to go with the turn to 'slum clearance', declared that:

> In the past (1990s) electrification was rolled out to all and sundry. Because of the lack of funding and the huge costs required to relocate services when these settlements are upgraded or developed, electrification of the informal settlements has been discontinued.[52]

This policy did have some utility for a state now bent on eradication – relentless fires are often cited by shack dwellers as forcing them to reluctantly accept relocation to housing developments on the periphery of the city. In addition to the discontinuation of electrification it became routine for City officials to threaten to - and on occasion to actively proceed to - destroy toilets, water connections etc. to force people to leave a settlement, when that settlement was slated for relocation.[53] Moreover self-organised access to electricity, water and, in some forms, sanitation, was treated as criminal and armed state raids aimed at undoing self-organised access to services were routinely violent. The City also invested huge resources and energies in subjecting shack settlements to close surveillance, via everything from aerial photography to using local councillors and party structures as spies, with the aim of effecting its ban on building new shacks or extending existing shacks. This resulted in worsening overcrowding and a worsening of the already life threateningly conditions in shack settlements which, together, amounted to a *de facto* attempt to exclude poor people from cities. By 2005 it was routine for popular attempts to participate in urban planning in Durban to be presented through the optics of criminality and conspiracy and to be responded to with intimidation of various kinds including threats to deny people access to grants and housing – threats that were sometimes carried out - and violence and threats of violence by party structures, the state and security companies sub-contracted to the state.

In Michel Foucualt's famous theorisation of how "the biological came under State control",[54] of the shift from state actions on the body to life, biopolitical interventions are aimed at state mechanisms that can "optimize a state of life".[55] In the case of the 'slum clearance'

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52 eThekwini Electricity Supply Policy, 2001

53 Centre on Housing Rights & Evictions, *Business as Usual?*

54 Michel Foucault, *"Society Must Be Defended" Lectures at the Collegé De France 1975-1976*, Picador, New York, 2003, p. 240.

55 Foucault, *"Society Must Be Defended"*, p. 246.

programme in Durban the state was actually removing some of the infrastructure – its own and that created by popular action – that could improve life at a biological level in the shack settlements. In order to achieve a more secure access to the basic means to life, not to flourishing but just to basic biological survival, people had to accept spatial exclusion from the city, from access to opportunities for work, education and certain forms of cultural life – and exclusion, also, to a significance degree, from the *agora*. But there was no guarantee of when relocation would happen so, in practice, many people had to accept year after year in limbo with no guarantee of when their obedience would be rewarded.

When Foucault considers instances in which political systems centred in biopower also exercise the right to deny life he concludes that "it is at this point that racism intervenes".[56] He defines racism as being "primarily a way of introducing a break into the domain of life that is under power's control: the break between what lives and what must die"[57] and argues that "the first function of racism…(is)… to fragment, to create ceasuras within the biological community addressed by biopower."[58]

Clement Mtshali & the persistence of 'harassed unrest' after apartheid

Clement Mtshali was born in eShowe in 1949 and his parents moved to Umkhumbane (Cato Manor) in 1956. He remembers the famous women's riot in which his father, dressed in women's clothes, participated along with his mother. In 1959 they were evicted. The shack owners were forcibly removed to E-Section in KwaMashu but as renters his parents were left homeless. They moved their family to a shack settlement in Newlands where they lived from 1959 to 1971. Once again the shack owners were forcibly relocated this time to L-Section in KwaMashu, leaving his family, still renters, homeless. This time they moved to Reservoir Hills where, with some others who'd been left homeless, they covertly occupied land and founded the Arnett Drive settlement on the bank of a stream in a wooded gully. In 2001 the settlement was slated for relocation to what the residents termed 'the human dumping grounds' on the rural periphery of the City as part of the 'slum clearance programme' adopted in that year. In 2005 the Arnett Drive settlement affiliated to Abahlali baseMjondolo and was able to successfully resist eviction. In 2008 the City began to unlawfully destroy new shacks built for children who had grown up in the settlement but now had their own families and the residents, working though Abahlali baseMjondolo, won a court order forcing the City to stop the demolitions.[59] Latter that year Thokozani Mkhotli,

56 Foucault *"Society Must Be Defended"*, p. 254.

57 Foucault, *"Society Must Be Defended"*, p. 254.

58 Foucault *"Society Must Be Defended"*, p. 255.

59 See MS Jaca & the eThekwini Municipality, Applicants Head of Argument, <u>Case No. 1012/2008</u>.

an unarmed builder's labourer, was shot, from across the river by a G4S security-guard as punishment after residents had reconnected themselves to electricity following an armed disconnection two days earlier.[60] In 2009, as part of a broad negotiation between Abahlali baseMjondolo and the City, an agreement to provide services to the settlement was won. But the services were never provided, Abahlali baseMjondolo was, instead, violently deposed from its headquarters in the nearby Kennedy Road settlement by an armed and state backed attack by a group of men identifying themselves as both Zulu and ANC. Today the new City Manager in Durban is talking about 'eradicating the slums' again and Themba Mtshali, the new ANC ward councillor in Reservoir Hills, a shack dweller who came into office and replaced the middle class incumbent as a direct result of the ANC's attempt to contain the sustained mobilisation by shack dwellers in the area, was recently quoted in a newspaper reassuring the local ratepayer's organisations that he would effect (illegal) evictions: "Thirty-eight shacks were removed from Pridley Road a week ago. At night, you can also do it. You have the police with you. And I give you my word that I will be there to support you."[61]

In 2007 Clement Mtshali said that:

> We have the pride. Nobody put us here...When we came here this place was rocky. We made it our place. If they push us out we will find another place...It is so hard to be evicted because you are not used to the place where they take you. Here we can walk to work, children can walk to school. There are shops close by. In the new places there is no space for a family. It is very bad to be evicted…What is happening now is the same as what happened in Umkhumbane. It is still relocation. We still have no freedom to stay where we want. We are still being collected like animals and taken in trucks to places outside the city.[62]

He also spoke about how the wealthy residents of the nearby suburban houses occasionally dumped their rubbish in the settlement and how, a few days earlier, one of them had fired into the settlement after discovering that he had been robbed. The thief, Mtshali stressed, was not from the settlement and had in fact been apprehended by residents of the settlement earlier in the day.

The return of the shack settlement as a site of popular political intensity

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60 'Arnett Drive Resident Shot With Live Ammunition, by Securicor Guard', *Abahlali baseMjondolo*, 2 December 2008 http://abahlali.org/node/4613

61 Cited in Richard Pithouse 'To Be Citizens Not Children', *South African Civil Society Information Service*, 29 August 2011 http://www.sacsis.org.za/site/article/737.1

62 Interview, 4 August 2007, Arnett Drive shack settlement

There have been a number of moments and sequences in South Africa in which the shack settlement has been a site of popular political mobilisation and a terrain of intense political contestation on the part of outside actors. The former would include the mobilisation by Industrial and Commercial Workers' Union (ICU) in Durban in the late 1920s,[63] the squatter movements around Johannesburg in the late 1940s,[64] the struggle against the destruction of Cato Manor in Durban in the late 1950s[65] and the sequence of struggle waged by the United Democratic Front[66] and the comrades movement[67] in many parts of the country in the 1980s. And the shack settlement became a central site of political contestation on the part of outside actors during the anti-Indian pogrom in Durban in 1948,[68] the state's eradication agenda in the 50s and 60s, and the way in which the shack settlement became an acutely contested terrain in the 1980s.[69]

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63 In Durban the ICU was largely a movement of shack dwellers. Useful texts on the ICU include Phil Bonner, 'The Decline & Fall of the ICU: A case of self-destruction?, (Ed. Eddie Webster), Essays in Southern African Labour History, Ravan Press, Johannesburg, 1978; Helen Bradford, A Taste of Freedom Ravan Press, Johannesburg, 1987; Helen Bradford, 'Mass Movements and the Petty Bourgeoisie: The Social Origins of ICU Leadership, 1924-1929', The Journal of African History, Vol. 25., No. 3., 1984., pp. 295-310.; A.W.G. Champion, The Views of Mahlathi (Ed. Manyard Swanson), University of Natal Press, 1983; Paul la Hausse, 'The Message of the Warriors: The ICU, the Labouring Poor and the Making of a Popular Political Culture in Durban, 1925-1930', Holding Their Ground, (Ed. Philip Bonner, Isabel Hofmeyer, Deborah James and Tom Lodge, Ravan Press, Johannesburg, 1989; Paul la Hausse, 'The Struggle for the City: Alcohol, Ematsheni & Popular Culture in Durban, 1902, 1936', PhD Thesis, University of Cape Town, 1984; Clements Kadalie My Life and the ICU, The Humanities Press, New York, 1970, Shula Marks The Ambiguities of Dependence in South Africa Johns Hopkins University Press, Baltimore, 1986 and Lucien van der Walt, 'The First Globalisation and Transnational Labour Activism in Southern Africa: White Labourism, the IWW, and the ICU, 1904–1934', African Studies, Vol. 66., No. 2– 3, 2007, pp. 223-251.

64 See Philip Bonner, 'The Politics of Black Squater Movements on the Rand', *Radical History Review*, No. 46, 1990, pp. 89-115 and Alf Stadler, 'Birds in the Cornfield: Squatter Movements in Johannesburg 1944-1947' *Journal of Southern African Studies* Vol. 6, No.1, 1979, pp. 93-123.

65 The best account of these events in general, and the women's riot in particular, remains that by Iain Edwards in his PhD thesis *Mkhumbane Our Home African Shantytown Society in Cato Manor Farm, 1946-1960*, University of Natal, 1989. He also has a chapter, *Cato Manor, 1959*, in the more easily accessible book that he co-edited with Paul Maylam – *The People's City: African Life in Twentieth-Century Durban*, University of Natal Press, 1996.

66 See, for instance, Josette Cole, *Crossroads: The Politics of Reform and Repression 1976-1986,* Ravan Press, Johannesburg, 1987; Cross, *Shack Tenure in Durban* & Huchzermeyer, *Unlawful Occupation: Informal Settlements and Urban Policy in South Africa and Brazil*

67 See Belinda Bozzoli, Theatres of Struggle & the End of Apartheid Wits University Press, Johannesburg, 2004; David Hemson, '"For sure you are going to die!": Political participation and the comrade movement in Inanda, Kwazulu-Natal', Social Dynamics: A journal of African Studies, Vol. 22., No., pp. 74-104; Ari Sitas, 'The Making of the 'Comrades' Movement in Natal, 1985-91', Journal of Southern African Studies, Vol. 18, No. 3, 1992,, pp. 629-641.

68 See Vivek Narayan, In Search of 1949, History & African Studies Seminar, University of Natal, 1999; Jon Soske, *'Wash me black again': African nationalism, the Indian diaspora, and KwaZulu Natal, 1944-1960*, PhD Thesis, University of Toronto, 2009. https://tspace.library.utoronto.ca/bitstream/1807/19234/1/Soske_Jon_D_200911_PhD_thesis.pdf

69 Cole, *Crossroads: The Politics of Reform and Repression 1976-1986*

In recent years the shack settlement has re-emerged as a central site of both popular politics conducted outside of narrow understandings of the limits of the officially sanctioned spaces of the courts, electoral politics and civil society and a site of various strategies of containment on the part of the state including the routine use of violence. The shack settlement has emerged as a central site in 'the rebellion of the poor', the wave of popular protest that began just before the turn of century and gathered real momentum since 2004.[70] It has also been a central site for a number of organised poor people's movements including those that, like the Landless People's Movement or the Unemployed People's Movement, have sought to identify themselves as subjects, in these cases aspirant peasants and aspirant workers, that can more easily be recuperated into nationalist and left thought than the urban squatter. The shack settlement was also a central site for the xenophobic pogroms that swept parts of the country in 2008.[71] And, with gathering intensity since 2001, when Thabo Mbeki announced that 'slums' would be eradicated by 2014, the shack settlement has become a primary target of state stigmatisation, surveillance, political repression and general containment exercised at the level of day to day life and in intimate spaces.[72] This has often been compounded by the fact that, especially in recent years, the state has often sought to sustain its hold over shack settlements by governing them via authoritarian individuals or networks that, in exchange for providing consent for state practices, and votes, are able to access resources for themselves by taking on, formally as contractors or informally as power brokers, a mediating role in 'development' projects of various sorts. In some cases this strategy has led to alliances between the state and local criminal networks mediated by the ruling party.

The intensity of the shack settlement as a site of contestation – be it animated by opposition to evictions, a demand for services or housing, a struggle for its residents to be able to represent themselves rather than having party structures or NGOs represent them, manoeuvring within the context of a politics of party or NGO clientalism, or xenophobic violence – plainly has a lot to do with material factors. It also has a lot to do with the state's turn towards an agenda aimed at control and eradication rather than support. But it also has

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70 Peter Alexander, 'Rebellion of the Poor: South Africa's Service Delivery Protests: A preliminary analysis', *Review of African Political Economy,* Vol. 37, No. 123, 2010, pp. 25-40. Also see PeterAlexander, 'A Massive Rebellion of the Poor', *Mail & Guardian*, 13 April 2012 http://thinkingafricarhodesuniversity.blogspot.com/2012/04/massive-rebellion-of-poor.html

71 Michael Neocosmos, *From Foreign Natives to Native Foreigners: Explaining Xenophobia in South Africa*, CODESRIA, Dakar 2010

72 See Kerry Chance, *Living politics: Practices and protests of the poor in democratic South Africa*, PhD Thesis, University of Chicago, 2011 (and her forthcoming book, also titled *Living Politics*); Centre on Housing Rights & Evictions, *Business as Usual?*, Marie Huchzermeyer *Cities With Slums*, University of Cape Town Press, Cape Town, 2011; Nigel Gibson *Fanonian Practices in South Africa*, University of KwaZulu-Natal Press, Pietermaritzburg, 2011 & Anna Selmeczi, *"We are the people who do not count": Thinking the disruption of the biopolitics of abandonment*, PhD Thesis, Central European University, 2011

something to do with the fact that to step into the shack settlement is to step into the void. This is not because of any ontological difference amongst the people living there, or because life there is entirely other at the level of day to day sociality. It is because it is a site that is not fully inscribed within the laws and rules through which the state governs society. Because its meaning is not entirely fixed it is an unstable element of the situation. The unfixed way in which the shack settlement is indexed to the situation opens opportunity for a variety of challenges - from above and from below, democratic and authoritarian, in the name of the political, of tradition, of nationalism and of private interest, and from the left and the right - to the official order of things. Of course neither social exclusion, nor the many ways in which it is resisted, can be reduced to the shack settlement. But there is no question that it is here rather than in, say, the countryside, the school, the prison or the migrant detention centre, where the refusal to accept that the human should be rendered as 'waste' has come to its most intense and sustained conflict with the state.

We are not alone in this. There is a general although not uniform militarisation of land occupied and developed by poor people acting outside of the law on the peripheries of the cities of the South[73] and in recent years the shack settlement has been a central site in progressive mass mobilisations in countries like Bolivia,[74] Haiti[75] and Venezuela,[76] ethnic conflict in Kenya[77] and, of course, it provided the original popular base for the fascist politics of the Bharatiya Janata Party in India.[78] There has also been state violence against shack settlements, sometimes at a scale that exceeds anything that has happened in post-apartheid South Africa, in a wide range of countries including, for instance, Brazil, India, Nigeria and Zimbabwe.[79] For John Berger the essential characteristic of our time is that "The poor have no residence"[80] and "the essential activity of the rich today is the building of walls – walls of

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73 Raúl Zibechi, 'The Militarization of the World's Urban Peripherie's, *America's Program*, 8 February 2008, http://www.cipamericas.org/archives/835

74 *Raúl Zibechi, Dispersing Power*, AK Press, Oakland, 2010.

75 Peter Hallward, *Damming the Flood* Verso, London, 2007.

76 Sujatha Fernandes, *Who Can Stop the Drums?* Duke University Press, Durham, London, 2010.

77 Marie Huchzermeyer, *Tenement Cities: From 19th Century Berlin to 21st Century Nairobi,* Africa World Press, New Jersey, 2011

78 Thomas Blom Hansen, *The Saffron Wave: Democracy and Hindu Nationalism in Modern India,* Princeton University Press, Princeton, 1999.

79 Huchzermeyer, *Cities With Slums.*

80 John Berger Ten 'Dispatches about Endurance in the Face of Walls', *Hold Everything Dear*, Verso, London, 2010, p. 91.

concrete, of electronic surveillance, of missile barrages, minefields, frontier controls, and opaque media screens."[81]

Silencing the present

The boundaries of the public sphere in post-apartheid South Africa have often been policed by literal recourse to the police. In Durban protests by shack dwellers have, as a matter of routine, been unlawfully banned, unlawfully kept away from elite spaces and met with entirely unprovoked police violence. People making comments in the media have often been threatened by the police, local party structures and senior politicians.[82] These days Abahlali baseMjondolo has a significant degree of access to popular media like *Isolezwe* and Ukhozi FM but this access is not necessarily stable and it was hard won. The movement was formed in October 2005 and on the 12th of February 2006 S'bu Zikode, then the movement's leader, presented his written invitation to be a panellist on a live recording of the TV talk show *Asikhulume* to the police at the door to the community hall in Cato Manor and was immediately assaulted by the police. Representatives of the various political parties contesting the elections, along with their supporters in party t-shirts, were waved through. On the 12th September that year, six days after Abahlali baseMjondolo had been warned by the provincial MEC for housing to stop talking to the media, S'bu Zikode and Philani Zungu, were arrested on the way to a radio interview, bound and severely beaten in a photographed assault in the Sydenham police station. Zungu was beaten unconscious and live ammunition was later used against unarmed people who had gathered in the nearby Kennedy Road settlement with the intention to march on the police station in protest at the arrests. Nondomiso Mke, a middled aged domestic worker, was shot in the knee as she tried to flee the police attack.[83]

But there are also a variety of discursive tropes that function to police the boundaries of elite publics to ensure the containment of this popular ferment. They largely function, to appropriate words that Jacques Rancière wrote in a different context, to ensure that "only groans or cries expressing suffering, hunger or anger could emerge, but not actual speech demonstrating a shared *aisthesis*".[84] They are often more insidious than the policing of access to the *agora* by the simple use of violence by the actual police in that they do not always

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81 Berger, *Hold Everything Dear*, p. 92.

82 See, for instance, Marie Huchzermyer, 'Ruling in Abahlali case lays solid foundation to build on', *Business Day*, 4 November 2009 http://www.businessday.co.za/articles/Content.aspx?id=85924

83 See 'S'bu Zikode & Philani Zungu arrested, bound and beaten by Nayager and released', Abahlali baseMjondolo, http://abahlali.org/node/1470 & Niren Tolsi 'I was punched, beaten', *Mail & Guardian*, 16 September 2006, http://www.mg.co.za/article/2006-09-16-i-was-punched-beaten

84 Jacques Rancière, *Dissensus,* Continuum, London, 2010, p. 38.

initially appear to contradict democratic norms and, also, in that they are used by a range of elite actors, including civil society, and not just by the state and the party.

The dominant trope in this regard is probably that of 'service delivery' which often results in expressions of popular discontent being automatically read as a demand for the more efficient 'delivery' of services within the current paradigms of state development. In many cases protests that are in fact opposed to 'delivery', such as protests against forced removals to peripheral housing development or transit camps, are simply re-inscribed into the dominant order by being read as a demand for it to operate with more efficiency.[85]

The assumption that civil society, which in practice is usually taken to be donor funded professional organisations – NGOs, or wider networks led by NGOs, is automatically the legitimate representative of popular aspirations also frequently functions to exclude poor people from the *agora*. This is a common phenomenon internationally - Partha Chatterjee calls the idea that civil society is automatically genuinely representative of the people as a whole "the new liberal dogma".[86] But while it is always classed,[87] and very often dependent on foreign donor funding, in South Africa it is also often acutely raced. Very little measure has been taken of the likely consequences of these facts.

When popular dissent cannot be contained within party structures, the service delivery paradigm and civil society, it is frequently misrepresented by both the state and civil society (understood as NGOs) as criminal[88], violent[89] or as consequent to external conspiracy.[90] It

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85 It is striking that in both Durban and Cape Town – cites ruled by the ANC and the DA respectively - mayors have informed organised shack dwellers in writing that they are only prepared to meet with them if discussions are confined to questions of 'service delivery'. Anything else is deemed 'political' and therefore unacceptable.

86 Partha Chaterjee, *The Politics of the Governed* Permanent Black, Delhi, 2004, p. 69.

87 For useful critiques of the elitism of civil society see Harri Englund, *Prisoners of Freedom: Human Rights & the African Poor*, University of California Press, Berkeley, 2006; Peter Hallward, *Damming the Flood* & Sangtin Writers & Richa Nagar, *Playing With Fire: Feminist Thought & Activism through Seven Lives in India*, University of Minnesota Press, Minneapolis, 2006.

88 The statements made by various NGO employees after the Western Cape Anti-Eviction Campaign and Abahlali baseMjondolo walked out of a Social Movement's Indaba meeting in 2006 in protest against grossly undemocratic practices on the part of some of the NGOs involved still stands as possibly the most egregious example of this phenomenon.

89 For instance in 2010 the South African Communist Party and a group of organisations allied to the Treatment Action Campaign denounced a call for a week of protest action, that included road blockades, by a shack dweller's organisation in Khayelitsha as 'violent' despite the fact that there was neither any call for violence before the protests nor any reports of violence during or after the protests staged by that organisation. See Noor Nieftagodien, 'Whose Activism Counts?'. *South African Labour Bulletin*, Vol. 35, No. 2, July 2011, pp. 44-46. Also see the statements archived at: http://abahlali.org/taxonomy/term/1632

90 There are numerous recorded instances of this. The best known statement on this from within the sphere of popular politics is S'bu Zikode's 2006 article which has been widely translated and republished. 'We Are the Third Force', *Abahlali baseMjondolo*, http://www.abahlali.org/node/17

has not been unusual for the media to accept these projections without critique. It has also often been alleged that popular critique is consequent to malevolent and external white agency. The idea that popular politics is essentially an expression of criminality and violence, often imagined to be mediated by a white agitator, has a long history in South Africa extending back through apartheid and colonialism. But these are also international tropes. The misuse of the allegation of criminality and violence to delegitimate popular challenges to attempts to contain the space for legitimate disputation to elite publics reoccurs across space and time. And, as Trouillot shows, the assumption that black challenges to white domination must be inspired and controlled by white agitators has a history that stretches back to the Haitian Revolution.[91] In post-apartheid South Africa this assumption has moved seamlessly into the idea that challenges to the party, the state or, indeed, civil society on the part of people who are poor and black must be consequent to white agency.

From ontology to situation

A rational apprehension of political agency in the shack settlement needs to make a decisive break from the tendency to move from a set of ontological assumptions[92] about the people that inhabit the shack settlement and to, instead, consider the shack settlement as a situation in the Sartrean sense[93] which acknowledges that it, like any other situation, is both consequent to human agency and a specific context in which human agency is exercised.

Although there are real dangers in drawing conclusions that range too easily across space and time on the basis of particular experiences both careful historical work and careful ethnographic work, based on genuine and sustained immersion, can be invaluable resources for improving academic understanding. Janice Perlman's classic study of favellas in Rio, published in 1976, famously allowed her to conclude that the myth of the marginality, of the social and moral degradation of shack dwellers, was produced by the "constant attempt of those in power to blame the poor for their position because of deviant attitudes, masking the unwillingness of the powerful to share their privilege".[94] She also noted that "the political left is also influenced to some extent by the myths of marginality"[95] and concluded,

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91 Trouillot, *Silencing the Past*

92 This is a point that has been well argued by Ananya Roy. See her 'Slumdog Cities: Rethinking Subaltern Urbanism' *International Journal of Urban Research*, Vol. 35, No.2, 2011, pp. 223-238. It has also been consistently argued, in various formulations, by grassroots activists in post-apartheid South Africa. This has sometimes taken the form of slogans like 'We are poor, not stupid', or 'We are poor in life, not in mind'.

93 And we should recall that for Sartre "there is freedom only in a situation". Jean Paul Sartre *Being & Nothingness* Washington Square Press, New York, 1984, p. 629.

94 Janice Perlman, *The Myth of Marginality,* University of California Press, Berkeley, 1976.

95 Perlman, *The Myth of Marginality*, p.250.

presciently, that the myth of marginality (as an ontological rather than political condition) was "anchored in people's minds by roots that will remain unshaken by any theoretical criticism".[96]

Studies rooted in the actuality of specific situations show that while there are some broad aspects of the situation constituted by the shack settlement that are often, like the ambiguous relation to the law, present across space and time, the way in which these come together in specific constellations, and the way in which these relate to broader social processes, result in a considerable diversity of situations. There is an equal diversity in the political choices made from within these situations. All of the various myths about the political capacities of the urban poor melt away in the face of the simple empirical reality of this diversity. *Any blanket or a priori denial of the ability of shack dwellers to exercise explicitly political agency, or to do so in a way that is emancipatory, must be read as part of the process by which the human is rendered waste.*

When the discussion moves on to the terrain of reality we find that, for instance, some shack dwellers supported the right wing military coup in Brazil in 1964[97] while shack dwellers overwhelmingly supported elected governments more to the left against attempted coups from the right in Venezuela in 2002[98] and in Haiti in 1991 and 2004.[99] In South Africa in the mid to late 1980s, when the popular struggles against apartheid were at their height, shack dwellers supported both state linked vigilante groups that made appeals to the authority of certain readings of tradition and the United Democratic Front and the comrades movement that looked to a democratic future.[100] In contemporary South Africa the shack settlement has, amidst a generalised popular ferment become a primary site for popular mobilisation outside of party politics some of which has taken an emancipatory form,[101] some of which has taken the form of contestation within the logic of clientalism[102] and some

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96 Perlman, *The Myth of Marginality,* p. 242.

97 Perlman, *The Myth of Marginality.*

98 Sujatha Fernandes, *Who Can Stop the Drums?*

99 Peter Hallward, *Damming the Flood.*

100 See, for instance, Josette Cole, *Crossroads: The Politics of Reform and Repression 1976-1986.*

101 See, for instance, Kerry Chance, *Living politics: Practices and protests of the poor in democratic South Africa*; Sarah Cooper-Knock, 'The Role of Citizens in Post-Apartheid South Africa: a Case-Study of Citizen Involvement in Informal Settlement Projects, eThekwini', Masters Thesis, *Oxford University*, Oxford, 2009; Huchzermeyer *Cities With Slums;* Gibson, *Fanonian Practices in South Africa*, Raj Patel , 'A Short Course in Politics at the University of Abahlali baseMjondolo', *Journal of Asian and African Studies,* 2008, vol. 43., no. 1, pp. 95-112.; & Selmeczi, *"We are the people who do not count": Thinking the disruption of the biopolitics of abandonment.*

102 See for instance, Karl von Holdt, Malose Langa, Sepetla Malopo, Nomfundo Mogapi, Kindiza Ngubeni, Jacob Dlamini & Adèle Kirsten 'The smoke that calls: Insurgent citizenship and the struggle for a place in the new South Africa', *Centre for the Study of Violence and Society, Work and Development Institute,* 2011

of which has descended into xenophobic violence.[103] In contemporary Bolivia and Venezuela movements of the urban poor are significant participants in broader progressive mobilisations.[104] In more ordinary times there is also a wide variety of responses to life in legal and civil limbo, in 'grey spaces'[105], amidst acute material deprivation. Asef Bayat has shown that in Tehran it has opened up opportunities for the 'quiet encroachment' of the poor.[106] However informality can also, as Ananya Roy has shown in her study of Calcutta[107], produce systemic insecurity which can in turn result in profound dependence on clientalist relations with political parties as people are only protected from eviction, and are only able to access development, for as long as they continue to demonstrate loyalty to party structures. Marcelo Lopes de Souza has shown that there are also cases where communities are controlled by criminal networks.[108]

In order to be able to recognise and engage with political agency in the shack settlement on its own terms from within the academy, it is necessary for the scholar to be attentive to both what Ranajit Guha calls the "politics of the people"[109], a subaltern sphere of political thought and action, as well as to Jacques Rancière's sustained demonstration that people move between their allocated spaces and that moments of mass political insubordination are invariably characterised by a disregard for allocated places.[110] It should not be forgotten that shack dweller's politics also produces all kinds of documents including press statements, court documents, articles written by activists, diaries kept by activists[111] and records of meeting minutes. Archives in shack settlements are at particular risk[112] but they do exist.

http://www.csvr.org.za/docs/thesmokethatcalls.pdf

103 Michael Neocosmos, *From Foreign Natives to Native Foreigners: Explaining Xenophobia in South Africa*, Codesria, Dakar, 2010; van Holdt *et al, 'The smoke that calls'*.

104 See, for instance, Sujatha Fernandes, *Who Can Stop the Drums?* And *Zibechi Dispersing Power*.

105 Roy, *Slumdog Cities: Rethinking Subaltern Urbanism*

106 Asef Bayat, *Street Politics*, Columbia University Press, New York, 1997.

107 Ananya Roy, *City Requiem, Calcutta* University of Minnesota Press, Minnesota, 2003.

108 Marcello Lopes de Souza, 'Social Movements in the Space of Criminal Power', *City*, Vol. 13, No. 1, 2009, pp. 27-52.

109 Ranajit Guha, *A Subaltern Studies Reader 1986-1998*, Oxford, New Delhi, p. xiv.

110 *Jacques Rancière The Nights of Labor, Temple University Press, Philadelphia, 1991. Also see Staging the People*, Verso, London, 2011.

111 For instance the diary kept by Nuzuko Hulushe after the attack on Abahlali baseMjondolo in Kennedy Road is a valuable account of the day to day repression that followed the attack. The Kennedy Road Development Committee also has a large archive of legal documents, press clippings, press statements, meeting minutes and records relating to the people who were displaced in the attacks.

112 Archives of various sorts have often been lost in fires or the chaos of evictions. Abahlali baseMjondolo lost much of its general archive after the attack on the movement, which including the looting of its office following which the office was appropriated by the ANC. Shamitha Naidoo lost much of her archive – which included everything from

There are aspects of some forms of contemporary popular politics in South Africa that could well be described as a politics of the people. For instance in Durban Abahlali baseMjondolo, in ways that are in some aspects quite similar to the Johannesburg squatter movements of the 1940s, draws on norms and practices developed in popular African churches. This includes the sense of the movement as a congregation, or what some people have called its 'family feeling', and practices like the 'camps' - all night meetings that function via collective embodied practices to bond people from different settlements, ages and political traditions, but also to serve as forums for discussions aimed at arriving at a common understanding on issues of importance. Similarly in many shack settlements practices around the allocation of tenure draw, together with other sources, on pre-colonial models that retain some currency in rural life and are reworked in the context of the shack settlement.[113] The same is often true of internal judicial arrangements and practices around conflict mediation.[114]

But it would be seriously mistaken to try to read aspects of popular political agency that are peculiarly or largely subaltern as an automatic or inevitable expression of culture. For one thing movements are invariably diverse in terms of ethnicity, and often in terms of race too, and for another a wide variety of practices and forms of organisation emerge within similar cultural matrices. Moreover shack dwellers' movements have always taken a syncretic form which has included drawing on ideas with a national and global currency at the time. This is typical of all popular politics that have developed in the vortex of South African cities. For instance the ICU drew on syndicalist, Communist and Garveyist ideas and more local forms of anti-colonial nationalism.[115] When Abahlali baseMjondolo was formed some of the first leaders had direct personal experience of organisation in trade unions, the UDF, ANC structures and churches as well as direct familial connections to older struggles ranging from the 1973 strikes in Durban, to the Phondo Revolt of the early 1960s and the Bambatha Rebellion of 1906. Lindela Figlan had learnt a lot about the debates about socialism that have their roots in the Russian Revolution through a close relationship with a school teacher in a rural village and there were others who were well versed in the liberal ideas about human rights that came to the fore in the first years after apartheid as various interests,

state records on the settlement, to (academic) historical studies of the area, court papers and a file on each family after her home was demolished in an act of intimidation.

113 Cross, *Shack Tenure in Durban.*

114 There are a number of points of clear connection between the practices developed in Abahlali baseMjondolo and other modes of popular politics that are recorded in the historiography. For instance the description given by Dunbar Moodie of how Mpondo mine workers would discuss a matter until arriving at a shared view sounds strikingly similar to how Abahlali baseMjondolo meetings typically proceed in Durban today. Like Moodie I have been struck by the resonance with Quaker practices. T. Dunbar Moodie with Vivienne Ndatsha *Going for Gold: Men, Mines & Migration*, University of California Press, Berkeley, 1994, pp. 259-260.

115 Lucien Van der Walt, 'The First Globalisation and Transnational Labour Activism in Southern Africa: White Labourism, the IWW, and the ICU, 1904–1934', *African Studies*, 66., 2007, pp. 223-251.

including some in the state, rallied in support of the constitutional order. Moreover the intellectual milieu in and around movements has never been one in which there is no access to ideas and practices outside of the sphere of a peculiarly subaltern politics. Popular movements in South Africa have always made alliances with middle class actors of various sorts. And there are often avenues that enable access to a broader public sphere. When Abahlali baseMjondolo was first formed municipal libraries were a very important resource for activists like Shamitha Naidoo and Mnikelo Ndabankulu enabling access first to newspapers and then, later, to the internet. In the last year or so access to smart phones has dramatically changed the degree to which some activists can access elite publics. A number of activists in Abahlali baseMjondolo now participate regularly in debates in elite publics via everything from letters to newspaper editors, participation in radio and television discussions and access to the internet. However this has been achieved via years of sustained struggle, access to the media is not necessarily stable, and it is not, at all, a typical case.

Structural limits to the agora

Although the urban poor often inhabit specific situations and have specific interests they have no specific organisational representation within the tripartite alliance. This marks one of many limits to the conception of nationalism that tends to take the national liberation movement as the primary space through which the nation is both represented and constituted. Moreover the actual practices of trade unions provide no basis at all to accept the idea, common to various forms of Marxist thought, that it is automatically the case that the urban poor are best represented by the organised working class. On the contrary COSATU has no record of meaningful solidarity with the struggles of the urban poor, actively supported the turn towards repressive legislative support of the 'slum eradication' project - legislation that was first proposed as a national project in the Polokwane Resolutions - and has been notably silent when poor people's movements have faced serious state repression.[116] It is also the case that the urban poor generally have no specific representation in electoral politics and are largely excluded from civil society. The latter reality poses an urgent challenge to various forms of liberal thought that increasingly present civil society as the most credible site for democratic engagement and representation and the most credible force that can halt or moderate the rapid turn of the ANC towards a more authoritarian position. Moreover the state has often acted to compound this systemic exclusion in various ways, including via the Slums Act, its deeply coercive and regressive

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116 Nonetheless, and to its tremendous credit, trade unionism has, in South Africa as in many countries, rendered Marx's claim that "*lack of property* and the *estate of direct* labour, of concrete labour, form not so much an estate of civil society as the ground upon which its circles rest and move" (cited in Kouvelakis, *Philosophy & Revolution*, p.312) rather dated. However if we reformulated this claim to say that lack of property, indirect labour and exclusion form part of the ground on which the circles of civil society rest and move we would be closer to grasping the profoundly unfinished nature of democratisation in South Africa.

legislative response to its inability to contain the urban crisis.[117] 'Delivery', often uncritically held out as the route to progress and inclusion has, in terms of both process and outcomes, often functioned to reinscribe exclusion in both political and spatial terms. In so far as it recognises and includes its 'beneficiaries' it generally does so as bodies, and often as bodies that are taken to be out of place before they are taken to be needy, but not as residents or even citizens with the same right to inhabit and to shape the cities as all others.

However the various struggles of the urban poor, one of the parts of our democracy that has not been granted any formal part in its substantive processes for achieving representation and sharing in decision making, have, collectively, succeeded in naming themselves as a potentially significant political actor on the national stage. The ongoing mass appropriation of urban land and services – much of it not taking an explicitly political form, the explicitly political struggles of formally organised poor people's organisations and movements and the wider rebellion of the poor have, together, amounted to a sustained mass refusal on the part of people to accept that a post-apartheid order should continue to render them as waste. There have certainly been cases where the affirmation of belonging has taken the form of turning on others but there are also many cases where it has not taken this form or has been directly opposed to this form in principle and in practice. There are certainly cases where the struggle against exclusion has been aimed at the inclusion of individuals or small groups of people into broadly oppressive modes of politics organised around clientalism and patronage. But, again, there are many cases where it has not taken this form and where individuals and groups have refused, at great personal cost, offers of inclusion into state or civil society structures that remain broadly exclusionary.

But while the considerable degree of popular ferment has certainly been noticed by key actors in the elite public sphere they have often been able to name the likely impact of a set of diverse struggles in apocalyptic terms (Moletsi Mbeki's 'Tunisia Day', Zwelizima Vavi's 'Ring of Fire' etc.) and to mobilise the idea of these struggles as a gathering threat in support of their own analysis of how the country should move forward. In other words while elite actors have had to take note of the scale, duration and intensity of this popular ferment they have often been able to ascribe their own meaning to it because it has seldom won and held a place in the elite public sphere. When it has entered the elite public sphere the pressures to co-opt individuals into the authorised forms of representation, civil society and party politics, are often tremendous and when this has been refused repression has often been swift.

117See Huchzermeyer, *Cities with Slums.*

Within the broad and diverse set of struggles that have forced some recognition of the part of some of those with no part routes to inclusion like access to land, work and education have certainly been raised, as well as matters like the safety of women, sanitation, equal access to policing as a service and so on. Some struggles, like struggles for the right to presence in the cities, and to form new households in the cities, and struggles over the right to determine representation, waged in and out of party structures, have often been fundamental. But there is clearly a diverse set of forms of organisation, modes of engagement and ideas as to what is a stake.

When this resistance has taken specifically political forms these have ranged from assertions that a 'return' to a culture imagined as entirely virtuous will result in the recognition that people are worthy of inclusion; alliances with NGOs in the business in sorting the 'deserving poor' from the 'dangerous classes'; the assertion of ethnic identity; the assertion of national identity; struggles to gain control of the means to accumulate within shack settlements and in the points where the party provides an interface between the shack settlement and the state; attempts to defend settlements against eviction and to challenge the logic of 'service delivery' and a variety of projects, some rooted in left wing ideas that have their roots in the Russian Revolution but more rooted in what can be broadly termed a politics of dignity,[118] that hold to ethical ideals that propose a clear political or ethical challenge to the *status quo*.

There have been two striking continuities in the discourse that has emerged in popular politics over the last fifteen years or so and which have been present across the country and across a range of the forms that popular politics has taken. One is the assertion that poor people are human beings and not animals or that they deserve to be treated like human beings and not animals. The other is that poor people are capable of thought and have a right to be engaged on that basis.[119] These ideas have been present in both modes of politics constituted around charismatic individual authority and in modes of politics constituted around deliberative democratic practices. They have also been present in politics led by people that are broadly committed to socialism and in politics led by people that are broadly committed to the affirmation of universal dignity as a point of political leverage. There are strands in popular politics that are broadly humanist and strands within this broad rubric that are grounded in deliberative and democratic practices in which dignity is both a means and an end.

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118 John Holloway draws a useful distinction, which translates well into the South African context, between what he calls 'the politics of dignity' and 'the politics of poverty'. *The Politics of Dignity and the Politics of Poverty*, 2010 http://abahlali.org/taxonomy/term/2657

119 In the case of Abahlali baseMjondolo this assertion has extended to an affirmation of the 'thinking done in the shacks' and, also, to 'shack intellectuals'. See Gibson, *Fanonian Practices* and Abahlali baseMjondolo, *Living Learning*, Church Land Programme, Pietermaritzburg, 2009. http://www.abahlali.org/node/5843

But at the same time there has, beginning with the mobilisation around Jacob Zuma's rape trial, been a marked descent within the ruling party into a politics that takes the form of a hyper-masculinity that is often framed in the symbolic repertoire of militarism, that has sometimes taken an ethnic form, which prefers intimidation and manipulation to democratic engagement and that flaunts the use of the state as an instrument of plunder. Power has been presented as its own ground of legitimation. There has been an equally marked turn towards a general move towards a more authoritarian state in terms of law and policy and, on the ground, the repression of popular politics, which has been a consistent feature of post-apartheid society, has entered a dangerous new phase with the open mobilisation of state backed armed groups acting against independent organisation in the name of the ruling party.[120]

The mobilisation around Zuma and Malema has frequently been presented as the threatening entry of popular politics into the elite public sphere. It has not been usual for these sorts of claims to be based on statements that are, at an empirical level, simply untrue. It has often been implicitly asserted that democracy requires that exclusion, the exclusion of people rendered as 'waste', be sustained. However neither the project that cohered around Zuma nor the project that cohered around Malema can seriously be said, sociologically, to be a project of the urban poor or even one that has primarily sought to mobilise the urban poor.

Until the ANC Youth League actively sought to turn to the urban poor towards the end of last year in search of legitimation and a constituency, a move that the Democratic Alliance has recently made too, no political party had approached the urban poor as a specific category of people. The fact that both the Youth League and the Democratic Alliance have turned towards this potential constituency has produced a degree of panic in certain circles and nationalist, communist (in the sense that the SACP claims to be communist), trade union and liberal commentators have all hauled out the well-worn Marxist stereotypes about '*lumpen*' politics as fundamentally illicit – thuggish, unthinking, manipulated etc.

Alistair Sparks has recently written, in *Business Day* and with reference to Malema and Mbembe's idea of 'lumpen-radicalism' that:

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120 See Kerry Chance, 'The *Work of violence*:a timeline of armed attacks at Kennedy Road', *School of Development Studies Research Report,* No. 83, 2010 http://sds.ukzn.ac.za/default.php?3,6,684,4,0 and 'Jared Sacks Two deaths, dozens of injuries and counting...An investigation into politically motivated violence against the LPM in Gauteng', *International Alliance of Inhabitants*, July 2010, http://www.habitants.org/news/inhabitants_of_africa/south_africa_independent_report_into_political_violence_against_landless_people_s_movement

> This form of radicalism arises among what Karl Marx called the lumpen, or
> unpoliticised, classes of society, who give vent to their inchoate feelings of frustration,
> injustice and anger through demonstrations that Mbembe describes as "carnivalesque"
> — action in which the spirit of collective participation, rather than strategic
> purposefulness, generates a sense of liberation. What you might call toyi-toyi
> intoxication.[121]

Sparks concludes that "Malema-ism", which his article effectively conflates with all of the many varieties of popular politics in South Africa, "will continue to endanger our future until some new leader has the gumption and the guts to tackle it head on."[122]

In his article on *Fifty Years of African Decolonisation* Mbembe was careful to note that his use of the concept 'lumpen radicalism', "in effect a form of violence unattached to an alternative political project", is not only a project of "the 'social juniors' of whom the 'child-soldier' and the 'unemployed' of the squatter settlements are the tragic symbols" but that "This type of bloody populism is also mobilised, when necessary, by those social forces which, having colonised the apparatus of the state, have made it into an instrument of their own personal enrichment, or simply a private resource or a source of monopolies of all categories of goods." Mbembe does not pose an elitism against the 'lumpen-radicalism' of those "who have been abandoned as surplus to society." On the contrary he looks to the 'common paths of life' where Fanon found his bright metal and argues that a democratic project needs to be rooted in "the creativity of the struggles of the people themselves and their own traditions of solidarity".[123] This line of argument has some resonance with Marx's refusal of 'dogmatic abstractions' and his proposal that "participation in politics, and therefore *real* struggles" be "the starting point of our criticism".[124]

There are interesting points of connection between aspects of Mbembe's argument and Chatterjee's well-known critique of the reduction of the sphere for authorised political engagement to civil society in India. Chatterjee shows that in India there is also widespread

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121 Alistair Sparks, 'Malema is just a symptom of the malaise that created him', *Business Day*, 9 May 2012, http://www.businessday.co.za/articles/Content.aspx?id=171284 It is not irrelevant that Sparks comes to Mbembe's work via Fiona Forde who, before her book on Malema, wrote a number of newspaper articles that recycled, in an entirely uncritical manner, the propaganda put out by the Bush administration in support of the coup that they engineered in Haiti in 2004 – propaganda that, amongst other things, sought to criminalise and in fact demonize popular politics in Haiti. For a carefully researched corrective see Peter Hallward's *Damming the Flood.*

122 Sparks, *Malema is just a symptom of the malaise that created him.*

123 Achille Mbembe, 'Fifty Years of African Decolonisation' (Trans. Karen Press), *Chimurenga*, 25 December 2010, http://www.chimurenga.co.za/archives/539

124 Karl Marx, 'Letters from the Deutsch-Französische Jahrbüche, September 1843', *Marxists Internet Archive* http://www.marxists.org/archive/marx/works/1843/letters/43_09.htm

anxiety in middle class circles about "lumpen-culture", about politics having been taken over by "mobs and criminals".[125] And he shows that although civil society is "restricted to a small section of culturally equipped citizens", and is therefore a mode of engagement premised on exclusion, it is taken to represent "the high ground of modernity".[126] This, he argues, led to an approach in which elites have responded to the enduring presence of popular politics, conducted outside of civil society, by "walling in the protected zones of bourgeois civil society".[127] Chatterjee concludes that democracy is in fact opposed to modernity in what he calls 'most of the world'.

We have to ask why it is that liberal elites, in India and South Africa, have enthusiastically taken up the Marxist idea of the urban poor as '*lumpen*', as an automatic social and political threat. Marx's critique of civil society, for instance, has no similar resonance. One answer would be that the fact that Marx, for a period of his life, shared the liberal assumption that modernity would ultimately redeem its rendering of some people as waste, is useful for people seeking to give a progressive gloss to an attempt to police access to the *agora* in the name of modernity and, indeed, a conception of democracy that is very much embedded in the modern Western experience and clearly inadequate to the realities of our situation.

Mbembe cannot be held accountable for the way in which someone like Sparks has made use of his ideas in a manner that functions to compound the rendering of people as waste. But it is clear that the phrase 'lumpen-radicalism' carries real dangers as it runs the risk of being used in a manner that ties the idea that political mobilisation by the urban poor is inevitably anti-social, an idea that is an expression of sheer prejudice, with a critique of a mode of politics that is in fact led by elites and that is plainly anti-social in a manner that allows the lazy reader to conclude that the latter is essentially consequent to the former. The end results of this can only be the legitimation of the walls around civil society.

There are situations that are unique to particular sociological locations. However human beings are always free to choose how to confront situations. Moreover there is a multiplicity of modes of politics within all sociological locations and modes of politics and ideas of the political often traverse sociological locations. There is, for instance, a politics of often very masculinist self-assertion that sees the state as a site of private accummumation and which can be found from the top to the bottom of society. There is also an idea of the political as the struggle to recover the human, to affirm that there is thought amidst waste and to open the *agora* to all, that exists across sociological locations. Although their ideas are formulated

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125 Chatterjee, *The Politics of the Governed*, p. 47.

126 Chatterjee, *The Politics of the Governed*, p. 41.

127 Chatterjee, *The Politics of the Governed*, p. 49.

in very different ways there are, as one example of the ways in which ideas of the political transcend sociological locations, clear points of resonance between certain ideas recently expressed by Achille Mbembe and S'bu Zikode's thinking.[128] We need to abandon the idea that both modes of political organisation and ideas of the political as an ethical aspiration can be reduced to sociological locations. We need to put aside the idea of *metier.*

We also need to recognise that for as long as a considerable number of people remain substantively excluded from our society – economically, spatially, in terms of access to education and politically – opportunistic demagogues will be able to exploit this fact to oppose the democratic gains that were made in 1994 in the name of the people. A defence of democracy that does not begin by taking full measure of its limits and bring a bright metallic strength to bear on opposing these limits from within or in alliance with the emancipatory strands that do exist within our extraordinary popular ferment has no long term future.

Du Bois was not wrong to observe that "the world has glided by blood and iron into a wider humanity".[129] But that is not the whole story and Mahmoud Darwish was also not wrong to aspire, in *Mural*, one of his last poems, to "become a thought / that no sword or book can dispatch to the wasteland".[130] Struggles have to be adequately named if they are to endure. The way in which the 'lumpen' in 'lumpen-radicalism' spills over from its intended target gets in the way of seeking proper names for both the form of authoritarian, predatory and elite driven nationalism into which the ANC is rapidly descending and the politics that, from the shack settlement to the academy, seeks to affirm the human, and her thought, amidst waste and to build the world together.

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128 There is a collection of Zikode's writings at http://abahlali.org/taxonomy/term/9

129 W. E. Burghardt Du Bois *The Philadelphia Negro*, University of Pennsylvania Press, Philadelphia, 1996, p.386.

130 Mahmoud Darwish *Mural* (Trans. Rema Hammami & John Berger), Verso, London, 2009, p. 9.